

ALBION PARK EAGLES CRICKET CLUB AWARD RECIPIENTS.....	28526
ALCOHOL- AND DRUG-RELATED VIOLENCE.....	28484
ANIMAL WELFARE LEAGUE NSW VOLUNTEER LOUISA LOW	28510
AUDITOR-GENERAL'S REPORT	28444
AUSTRALIAN JUNIOR ATHLETICS CHAMPION DAKOTA THOMAS	28509
BERESFIELD CARDIOPULMONARY RESUSCITATION COURSE	28506
BLUE MOUNTAINS ELECTORATE TOURISM	28516
BURRINJUCK ELECTORATE ANZAC DAY SERVICES	28514
BUSINESS OF THE HOUSE.....	28444, 28447
CARINGBAH DISABILITY ACCOMMODATION FACILITY	28507
CHILDCARE CENTRES.....	28527
CHINA CULTURAL CENTRE	28518
CHINESE AUSTRALIAN SERVICES SOCIETY	28509
CHING MING FESTIVAL	28512
CLARENCE VALLEY CLUB	28511
COFFS HARBOUR ROTARY PUBLIC SPEAKING WINNER SAMANTHA KIRKWOOD	28508
COMMITTEE ON ECONOMIC DEVELOPMENT	28472
COMMONWEALTH GAMES TEAM MEMBER NICHOLAS HOUGH.....	28509
COMMUNITY RECOGNITION STATEMENTS	28506
CONSTITUTION AMENDMENT (DISCLOSURES BY MEMBERS) BILL 2014 ..	28444, 28447, 28449
CRIMES AMENDMENT (PROVOCATION) BILL 2014	28477, 28500
CRIMINAL ASSETS RECOVERY AMENDMENT BILL 2014	28444
DEATH OF ATILIO VILLEGAS.....	28512
DISTINGUISHED VISITORS	28477
ELECTRICITY PRICES	28487
FAMILIES WITH AUTISM FUN DAY	28507
GRAFFITI CONTROL AMENDMENT BILL 2014.....	28489
HAWKESBURY RIVER RAILWAY BRIDGE 125TH ANNIVERSARY	28525
HUNTER MEDICAL RESEARCH INSTITUTE.....	28511
INDEPENDENT COMMISSION AGAINST CORRUPTION AMENDMENT (MINISTERIAL CODE OF CONDUCT) BILL 2014.....	28444, 28447, 28449
JOINT STANDING COMMITTEE ON ELECTORAL MATTERS.....	28475
KAREELA FLYING FOX COLONY.....	28517
KEEP THEM SAFE CHILD PROTECTION INITIATIVE.....	28485
KIDNEY HEALTH AUSTRALIA FUNDRAISER MICHELLE DALTON	28510
KINROSS WOLAROI SCHOOL STUDENT GEORGA NONNENMACHER	28511
LEGISLATION REVIEW COMMITTEE	28475
LIVERPOOL ELECTORATE NEW YEAR CELEBRATIONS.....	28508
LIVERPOOL MIGRANT RESOURCE CENTRE OPEN DAY	28511
MINING AND PETROLEUM LEGISLATION AMENDMENT BILL 2014	28444
MINISTERIAL CODE OF CONDUCT.....	28477, 28477
MUSWELLBROOK DISTRICT HOSPITAL	28459
NATIONAL AGED CARE CONFERENCE	28524
NEW SOUTH WALES MASTERS HOCKEY PLAYER KATRINA HAYES.....	28506
NORTHERN INLAND ACADEMY OF SPORT.....	28456
NOWRA SHOW SOCIETY PRESIDENT WENDY WOODWARD	28512
PETITIONS	28489
PHILIP SHAW WINES	28511
PILLAR SUPERANNUATION ADMINISTRATION CORPORATION	28465
PITTWATER ELECTORATE SURF LIFE SAVING CLUBS.....	28508
POLICE CITIZENS YOUTH CLUB TIME4KIDS	28508, 28511
POLICE RESOURCES ALLOCATION.....	28482, 28485
POLITICAL DONATIONS.....	28486
PREMIER AND POLITICAL DONATIONS	28480
PRIVATE MEMBERS' STATEMENTS.....	28512
PROTECTION OF THE ENVIRONMENT OPERATIONS AMENDMENT (PROSECUTIONS) BILL 2013	28448, 28450
PUBLIC ACCOUNTS COMMITTEE.....	28473, 28488
QUESTION TIME	28477
RACISM AND BIGOTRY	28523

REDFERN PUBLIC HOUSING FORUM	28521
RETIREMENT OF LYN MCGUIRE	28509
ROSS ROORDA AND PLUMPTON HOUSE SCHOOL.....	28508
ROYAL EASTER SHOW POULTRY AWARD WINNER RYAN MCPARLAND.....	28511
SOPHIE AYLWARD 2013 WOOL4SKOOL WINNER	28509
SOUTH COAST ELECTORATE ANZAC DAY SERVICES	28513
SUTHERLAND DISTRICT TRADE UNION CLUB	28507
SYDNEY ELECTORATE ANZAC DAY SERVICES.....	28512
SYDNEY HARBOUR SECOND RAIL CROSSING	28520
TRAIN SERVICES.....	28481
TRIBUTE TO HIS BEATITUDE CARDINAL EMMANUEL III DEILY.....	28522
TRIBUTE TO THE HONOURABLE BARRY ROBERT O'KEEFE, AM, QC.....	28519
UNIVERSITIES LEGISLATION AMENDMENT (REGULATORY REFORMS) BILL 2014.....	28490
VISITORS	28477
VOICELESS ANIMAL PROTECTION INSTITUTE.....	28510
WALLSEND POLICE STATION	28504
WESTERN SYDNEY ROADS INFRASTRUCTURE.....	28479
WESTERN SYDNEY WANDERERS.....	28507
WOOLGOOLGA CURRYFEST	28521

LEGISLATIVE ASSEMBLY

Thursday 8 May 2014

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

The Speaker read the Prayer and acknowledgement of country.

CRIMINAL ASSETS RECOVERY AMENDMENT BILL 2014

MINING AND PETROLEUM LEGISLATION AMENDMENT BILL 2014

Messages received from the Legislative Council returning the bills without amendment.

AUDITOR-GENERAL'S REPORT

The Clerk announced the receipt, pursuant to section 63C of the Public Finance and Audit Act 1983, of the Performance Audit Report of the Auditor-General entitled "Regional Road Funding—Block Grant and REPAIR Programs: Roads and Maritime Services", dated May 2014, received out of session and authorised to be printed on 8 May 2014.

BUSINESS OF THE HOUSE

Notices of Motions

General Business Notices of Motions (General Notices) given.

INDEPENDENT COMMISSION AGAINST CORRUPTION AMENDMENT (MINISTERIAL CODE OF CONDUCT) BILL 2014

CONSTITUTION AMENDMENT (DISCLOSURES BY MEMBERS) BILL 2014

Bills introduced on motion by Mr John Robertson, read a first time and printed.

Second Reading

Mr JOHN ROBERTSON (Blacktown—Leader of the Opposition) [10.04 a.m.]: I move:

That these bills be now read a second time.

I speak to the Constitution Amendment (Disclosures by Members) Bill 2014, which is cognate with the Independent Commission Against Corruption Amendment (Ministerial Code of Conduct) Bill 2014. These bills are a call for honest, open and accountable government at a time of crisis. The public needs to look at the men and women of this Parliament and know that each and every one of us is here for the right reason—namely, the motives that guide us in public life are for community benefit, not personal gain. Today the Government of New South Wales is in crisis. After just three years it has lost a Premier to scandal, it has lost a Parliamentary Secretary to the Premier to scandal, and it has lost a finance Minister, an energy Minister and a police Minister to scandal. In the past two weeks there have been two Cabinet reshuffles. Allegations of corrupt and illegal fundraising practices, a sophisticated network of money laundering, have now reached the very highest levels of the Liberal Party. No lesser figure than the Deputy Premier stated on Tuesday:

There is no doubt the Government has taken a body blow out of all these revelations.

Any honest accounting of the past three years and the events at the Independent Commission Against Corruption demonstrate that the task of cleaning up politics falls to all of us. The bond of trust between the Parliament and the people has been broken. Too many members of the community have tuned out. On day one of his premiership I reached out to Mike Baird. I offered to help him restore trust in our political system. That is

why I am so disappointed the Premier is not present in the Chamber today. I am also dismayed that not many of his Ministers are here either. The task ahead of us all is epic. At a time of crisis our State needs nothing less than an emergency consensus to make the changes required to stamp out corruption and restore public faith in government.

In February last year I announced the new standard, the most comprehensive ethics reform in our State's history and described by the former Federal Liberal member for Parramatta, Ross Cameron, as the toughest regime in the country. I did so in the shadow of the Independent Commission Against Corruption hearings in which a couple of rogue Ministers from the former Government were found to have disgraced their party and, worse, disgraced the people they were elected to serve. Those individuals betrayed the high purpose of Labor. Those individuals are now expelled from Labor. Corruption is a cancer on our democracy and I will never tolerate it. There are some steps that a political party can take to revitalise its own institutions; Labor has taken those steps. We have introduced compulsory vetting of Labor candidates. We have moved to a new model of selecting candidates through community preselections. In seats such as Newtown, Balmain and Campbelltown high-quality candidates engaged for months with their communities and the public response was overwhelming.

In recent weeks I have declared my support for the opening-up of election of party leader to grassroots members of the Labor Party. This week I have written to the Premier offering bipartisan support for a ban on political donations and full public financing of election campaigns in New South Wales—removing the influence of money from politics in one fell swoop. The new standard that I announced in February last year attempts to build on those reforms. In fact, the bills I introduce today seek to enshrine several of its key features. The Premier has called for a public debate on ways to return integrity to politics. With respect, Labor has already done the work for him. Our State cannot afford to wait while Mike Baird stalls for time and struggles to find his feet. The Government of New South Wales is in crisis.

The time for debate is over; the time for action is now. Under these bills, every member of the New South Wales Parliament will be required to declare their taxable income, including investments, trusts and outside business interests. They will be required to declare the pecuniary interests of their spouses and dependants, and they will be required to declare if their family members hold contracts with the New South Wales Government. These reforms will enable everyone in New South Wales to know with a click of their mouse whether their member of Parliament earns significant income from outside sources, whether they are hiding their interests in the name of a family member and whether they have conflicts of interest or unexplained wealth.

My view on this is simple: If you are not willing to be open and honest about your personal financial interests then do not bother standing for public office. Already I have applied these provisions to my own frontbench. Today, I argue for their extension to all members of Parliament—and there should be no argument about this simple but important reform. The Independent Commission Against Corruption recommended as much in its report entitled "Reducing the opportunities and incentives for corruption in the State's management of coal resources", which was released in October 2013. The report said:

The Commission supports expanding the Register of Disclosures to include spouses/partners and dependent children. The benefits of expanding the register include added transparency, minimising perceptions of members avoiding scrutiny, and dealing with the potential for family interests to influence decision-making.

I also point out that these bills will bring New South Wales into line with other jurisdictions on this matter. Pecuniary interest disclosures in the parliaments of the Commonwealth, South Australia, Northern Territory and Australian Capital Territory already disclose the interests of members' spouses. The second feature of these bills would also transform politics in New South Wales as we know it. Ministers would be required to disclose and have published on a monthly basis all contact they have had with lobbyists and in-house lobbyists working for corporations, businesses, unions and industry peak bodies; all occasions on which they have been lobbied by a member of Parliament representing the interests of a lobbyist or in-house lobbyist; and all other occasions on which they have been lobbied in relation to any Government decision, with the exception of electorate matters.

Lobbying activities would be defined as those relating to any legislation, Government decision or policy, either current or proposed. This would also include planning applications and the exercise of official ministerial functions. Contacts a Minister would be required to disclose include any in-person, written, telephone or other electronic communication. They would be required to record the date on which the contact occurred, the names of the individuals or organisations making the contact, the subject matter and the outcome.

This information would be supplied to the Director General of the Department of Premier and Cabinet within 10 days of the first day of every month. There is a public clamour for this reform that this Parliament can no longer ignore.

People are sick and tired of seeing decisions in this State made on the basis of meetings and transactions conducted behind closed doors. The average person looks at the flotilla of lobbyists flocking to Governor Macquarie Tower. They see Ministers selling influence to a few privileged insiders who show up to dinners, harbour cruises and fundraising events. They see bounteous gifts delivered to Premiers that go undeclared. The average person in New South Wales could never dream of having such access and they demand an end to it. The gravy train has gone on for far too long.

The shonks and the shysters have had their run. The present culture of New South Wales politics stinks. The reforms I introduce today would shine a light on the dealings of every Minister. They would bring new transparency to Government decisions and all who seek to influence them. If the President of the United States, Barack Obama, and the Prime Minister of the United Kingdom, David Cameron, can publish their diaries online then there is no reason it cannot be done here in New South Wales.

I turn to the Independent Commission Against Corruption Amendment (Ministerial Code of Conduct) Bill 2014. It is designed to bring the Code of Conduct for Ministers of the Crown under the auspices of the Independent Commission Against Corruption. At present, section 9 (1) of the Independent Commission Against Corruption Act provides that conduct does not amount to corrupt conduct unless it could constitute or involve a criminal offence; a disciplinary offence; reasonable grounds for dismissal; or, in the case of a Minister of the Crown, a substantial breach of an applicable code of conduct. So far in New South Wales only the Code of Conduct for Members has been adopted as an "applicable code of conduct" for the purposes of section 9.

Labor's bill will amend the meaning of section 9 so that it now covers the Code of Conduct for Ministers as well. This may look like a simple change, but it is actually a significant step towards accountability in politics. That is because—let us be clear—if this bill is passed the Independent Commission Against Corruption will have the power to rule that a substantial breach of the code constitutes corrupt conduct. In its report of October 2013, which I quoted from earlier, the Independent Commission Against Corruption stated that the code provides:

... a useful yardstick against which the conduct of ministers may be judged for the purposes of establishing the boundaries of corrupt conduct. For this reason, it should be an applicable code under s 9 of the ICAC Act.

I agree with that proposition, and those opposite should as well. Labor expects the Government to give its full backing to this bill.

The SPEAKER: Order! Members will come to order. The member for Granville will come to order. The Leader of the Opposition has the call.

Mr JOHN ROBERTSON: After all, lifting the standard of politics was the Coalition's central pre-election pitch to the people of New South Wales. On September 13 2009 then Opposition leader Barry O'Farrell told the *Sydney Morning Herald*:

We'll be whiter than white.

Further, he said:

The public have had a gutful of politicians who promise to set high standards and who refuse to do so.

In his campaign speech in 2011 he promised honest, competent and stable government. He made the promise:

We will end the scandals.

How distant those promises seem today. The moral authority of this Government has been shattered into a million pieces in the past fortnight. The Cabinet has become a revolving door of ignominy, scandal and disgrace. The Greiner Liberal Government in New South Wales found itself mired in corruption after four short years in government. The Baird Liberal Government got there in less than three. We have three Central Coast Liberal members of Parliament and two upper House members who have slunk off to the crossbench while the Independent Commission Against Corruption investigates serious allegations of corrupt conduct.

A Premier and eight Ministers have gone in the space of nine months. The former Minister for Finance and Services was caught rorting his travel expenses and making inappropriate appointments. The former Minister for Resources and Energy is up to his neck in a scandal that is now the subject of a major inquiry. The

former Minister for Police and Emergency Services was a man who many in this State once thought they could look up to as a pillar of integrity. The former Attorney General, the Minister for the Environment and the Minister for Tourism, Major Events, Hospitality and Racing have all been sacked. And, last but not least, the former Minister for Sport and Recreation, Graham Annesley, saw what this Liberal Government was all about, looked at the characters around him and decided he could not stand to be there for even one day more. Today it is the Premier who faces mounting questions about his integrity—mounting questions about why he has failed to shut down the Millennium Forum and the Free Enterprise Foundation. It is alleged that these are slush funds used to launder illegal money for the Liberal Party.

He faces questions about why he appointed Nick Di Girolamo to the State Water Corporation Board. He faces questions about why he accepted a donation of \$5,000 from Eureka Capital Partners in March 2011 and a further donation on the same day from Duvose Pty Limited, both of which are companies owned by Roger Massy-Greene. Mr Baird subsequently appointed Mr Massy-Greene to a \$150,000 consulting contract and appointed him as chairman of Networks NSW after doubling the salary to \$200,000. In all, the Premier has failed to declare a single donation on his electoral returns for the past seven years despite 43 different donors making more than \$170,000 worth of donations to his campaign.

One would think that a government in crisis and embroiled in corruption hearings would be jumping out of its skin to demonstrate its corruption-fighting credentials, but it is now day 22 of this Premier's stewardship and the crisis continues. The changes that Labor proposes today throw this Premier a life raft. They could save this Government from itself. The people of New South Wales will have no truck with a political culture of donations for decisions. This bill is not the end of reform; it is just the start. For example, the Government should also implement other parts of the "new standard" policy that I announced in February last year, such as the appointment of an inspector general for parliamentary standards.

The 2011 election was a message to all sides of politics to clean up our houses, to lift our game and to never again take the people of New South Wales for granted. Labor heeded this lesson. It is a tragedy for New South Wales that the Liberals promised to do better yet at the same time, according to Counsel Assisting the Independent Commission Against Corruption Geoffrey Watson, they were embarking on "systematic subversion of the electoral funding laws of New South Wales". Today is an opportunity for this Parliament to set a new standard and start afresh. I say to all those who are serious about ending corruption once and for all: Join with me, join with Labor and support this bill. I commend the bill to the House.

[Business interrupted.]

BUSINESS OF THE HOUSE

Suspension of Standing and Sessional Orders: Bills

Mr RICHARD AMERY (Mount Druitt) [10.22 a.m.]: I seek leave to suspend standing and sessional orders to permit the continuation of debate on these bills.

Leave not granted.

INDEPENDENT COMMISSION AGAINST CORRUPTION AMENDMENT (MINISTERIAL CODE OF CONDUCT) BILL 2014

CONSTITUTION AMENDMENT (DISCLOSURES BY MEMBERS) BILL 2014

Second Reading

[Business resumed.]

Mr VICTOR DOMINELLO (Ryde—Minister for Citizenship and Communities, Minister for Aboriginal Affairs, Minister for Veterans Affairs, and Assistant Minister for Education) [10.22 a.m.]: I move:

That this debate be now adjourned.

Question put.

Division called for and, pursuant to standing orders, deferred.

**PROTECTION OF THE ENVIRONMENT OPERATIONS AMENDMENT
(PROSECUTIONS) BILL 2013**

Second Reading

Debate resumed from 21 November 2013.

Mrs TANYA DAVIES (Mulgoa) [10.23 a.m.]: On behalf of the Government I am pleased to oppose the private member's bill introduced by the member for Heffron entitled the Protection of the Environment Operations Amendment (Prosecutions) Bill 2013. This bill is based on a contention that the Environment Protection Authority [EPA] mishandled the Dib Hanna case and that the mishandling resulted in a small penalty for a repeat waste offender. Many in this House recall serial offender Mr Dib Hanna's repeated illegal disposal of waste throughout our city last year. Mr Dib Hanna was taken to court but the court issued a penalty that the member for Heffron felt was inadequate, as did the New South Wales Government. Following that court proceedings the Government took action to strengthen the penalties, which I will highlight towards the end of my contribution.

The member for Heffron developed this private member's bill because he believed the Environment Protection Authority mishandled the Dib Hanna case, but that belief is misplaced. It is sad for me, as a humble backbencher, to have to remind the member for Heffron, who is an experienced solicitor and barrister, that sentencing is a matter for the courts. Many of us would believe that as a law graduate who has practised as a solicitor and a barrister the member for Heffron would be well informed about the law and our judicial system. Sadly, I need to remind him that sentencing is a matter for the courts. The member for Heffron is upset that the prosecution of Mr Hanna was not conducted in the way in which he thought it should be, and he believes the court should have imposed a more stringent sentence.

Because of that belief he is setting out to transfer the prosecution of serious environmental offenders from the Environment Protection Authority to the Director of Public Prosecutions. The Environment Protection Authority prosecuted Mr Hanna through a contempt of court action for breaching an injunction on dumping that had previously been imposed by the court. The member for Heffron thought the Dib Hanna case should have been prosecuted as a tier 1 offence under section 115 of the Protection of the Environment Operations Act. The Environment Protection Authority chose to run with the contempt of court action for two reasons. The first reason was that the Environment Protection Authority believed it would be quicker and it would stop Mr Hanna's illegal dumping sooner.

The second reason was that the Environment Protection Authority knew it would be required to prove that Mr Hanna intended that environmental harm would result from his actions, which is a high evidentiary threshold. The Environment Protection Authority knew that it could nail Mr Hanna on the contempt of court charge and that is why it pursued that course of action. If the Environment Protection Authority had leapt the evidentiary threshold and successfully prosecuted Mr Hanna under section 115 the court could have imposed a penalty of up to \$1 million and/or a seven-year term of imprisonment. Under a successful contempt of court charge, the length of imprisonment and the amount of the penalty that the court can impose are unlimited. That is why the Environment Protection Authority pursued its course of action: It knew that it could achieve a strong result from a contempt of court charge. As I said before, according to his parliamentary website the member for Heffron is a law graduate, a solicitor and a barrister.

Mr Richard Amery: I don't hold that against him.

Mrs TANYA DAVIES: I am doing my best not to. As I said before, he is apparently well versed in the law and judicial proceedings. I would assume—although I may be corrected if I am wrong—that Labor felt its ranks and level of expertise would be boosted by having such a man in the party. Despite his lengthy career in the law and his expert knowledge of the judicial system, this private member's bill reveals that the member for Heffron has no real grasp of the basics of court proceedings and that his understanding is seriously wanting. If he really understood this case he would have supported the stance of the Environment Protection Authority in taking Mr Dib Hanna to court for the contempt of court charge.

Having successfully prosecuted him for that charge, the court could have issued Mr Dib Hanna with an unlimited penalty as well as an unlimited term of imprisonment. In either case, in determining a sentence the judge is required to give consideration to the factors in the Crimes (Sentencing Procedure) Act. Those same factors applied in the event of a successful prosecution under either section 115 or under contempt of court proceedings. Whether or not the case was brought as a contempt of court action or as a breach of section 115, the court may well have delivered exactly the same sentence.

It pains me to remind the member for Heffron that sentencing is a matter for the courts. It seems to me that as the law then stood the Environment Protection Authority made a very reasonable judgement call as to the best way in which to proceed. Did the Government think that the sentence reflected the seriousness of the crime of illegal dumping? No, the Government did not. Because of that, the Government introduced new laws to target illegal dumping that have been operational since October last year. There are now strict liability provisions and harsher penalties for repeat offenders. There are now provisions for the Environment Protection Authority to seize vehicles that are used to commit repeat waste offences. There are now new offences for fraud relating to waste levy evasion.

The Government has taken many positive actions to strengthen the Environment Protection Authority and our fight against illegal dumping, which is a scourge across our city and in rural and regional areas. I commend the Government for its action. I commend the former Minister for the Environment, Robyn Parker, and the current Minister for the Environment, the Hon. Rob Stokes, for their strong leadership of the Environment Protection Authority and for tackling serial waste and repeat offenders. I am proud to stand with my Liberal and Nationals colleagues to oppose this private member's bill.

I reiterate that I believe the Environment Protection Authority took the right course of action because it knew it could be successful in prosecuting the contempt of court charge. By doing so, the penalties potentially imposed by the court were unlimited both in terms of imprisonment and financial penalty. I commend the Environment Protection Authority for that course of action and I want the officers of the Environment Protection Authority to know that they have our Government's full and continuing support. No further action is required. The Environment Protection Authority operated professionally in prosecuting the Dib Hanna case. The Government has taken very strong action to strengthen the law. I oppose the private member's bill.

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

INDEPENDENT COMMISSION AGAINST CORRUPTION AMENDMENT (MINISTERIAL CODE OF CONDUCT) BILL 2014

CONSTITUTION AMENDMENT (DISCLOSURES BY MEMBERS) BILL 2014

Second Reading

[Deferred division.]

The DEPUTY-SPEAKER (Mr Thomas George): Order! The House will proceed with the deferred division on the motion of the Minister for Citizenship and Communities: That the debate be now adjourned.

The House divided.

Ayes, 52

Mr Anderson	Mr Fraser	Mr Provest
Mr Aplin	Mr Gee	Mr Roberts
Mr Ayres	Ms Goward	Mr Rohan
Mr Barilaro	Mr Grant	Mrs Sage
Mr Bassett	Mr Gulaptis	Mr Sidoti
Mr Baumann	Mr Hazzard	Mrs Skinner
Mr Bromhead	Ms Hodgkinson	Mr Smith
Mr Brookes	Mr Holstein	Mr Souris
Mr Conolly	Mr Humphries	Mr Stokes
Mr Constance	Mr Issa	Mr Toole
Mr Couré	Mr Kean	Ms Upton
Mrs Davies	Dr Lee	Mr Ward
Mr Dominello	Mr Marshall	Mr R. C. Williams
Mr Doyle	Mr Notley-Smith	Mrs Williams
Mr Edwards	Mr O'Dea	
Mr Elliott	Mr Page	<i>Tellers,</i>
Mr Evans	Mr Patterson	Mr Cornwell
Mr Flowers	Mr Perrottet	Mr J. D. Williams

Noes, 20

Mr Barr	Ms Hornery	Mr Robertson
Ms Burney	Mr Lynch	Ms Tebbutt
Ms Burton	Dr McDonald	Ms Watson
Mr Furolo	Mr Park	Mr Zangari
Mr Greenwich	Mr Parker	<i>Tellers,</i>
Ms Hay	Mr Piper	Mr Amery
Mr Hoenig	Mr Rees	Mr Lalich

Question resolved in the affirmative.

Motion agreed to.

Mr JOHN ROBERTSON (Blacktown—Leader of the Opposition) [10.44 a.m.]: In light of the refusal of those opposite to debate this important bill today, I ask that the resumption of this debate be fixed as an order of the day for a future day.

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

**PROTECTION OF THE ENVIRONMENT OPERATIONS AMENDMENT
(PROSECUTIONS) BILL 2013**

Second Reading

Debate resumed from an earlier hour.

Mr TONY ISSA (Granville) [10.45 a.m.]: I support the environment Ministers—both current and past—in opposing the Protection of the Environment Operations Amendment (Prosecutions) Bill 2013. The Minister for the Environment knows what the community wants and what it needs. I am also here to support the Environment Protection Authority [EPA] and highlight the achievements of that authority. The member for Heffron condemned its performance, ignoring its success rate, especially over the past five years. I believe this Government should apologise to the Environment Protection Authority on behalf of the Labor Party for this action today. What should be highlighted today is the authority's performance and achievements regarding the environment.

I strongly support the Minister in opposing this private member's bill to remove the Environment Protection Authority's most important power to act on environmental crime. The member for Heffron wants to transfer the prosecution of serious environmental offences from the Environment Protection Authority to the Director of Public Prosecutions. If that is meant to be about more effective enforcement, it does the very opposite. The bill leaves the investigation of environmental offences with the Environment Protection Authority—a highly experienced and expert agency in environmental regulation. But in relation to the most serious of cases, it proposes an extra step: that the Environment Protection Authority refer those cases to the Director of Public Prosecutions for prosecution.

No doubt the Director of Public Prosecutions is very competent and experienced in the fields of law for which it is responsible. What it does not begin to have is the depth of understanding and experience of environmental regulation that is held by the Environment Protection Authority. And let us not forget that the Director of Public Prosecutions would need to make staff available to pursue these matters and provide extensive training for that staff. This would be an expensive duplication of capacity that already exists in the Environment Protection Authority.

As the Minister pointed out, the Environment Protection Authority has a success rate of more than 95 per cent in the prosecution of environmental crime over the past five financial years. This includes securing financial penalties worth over \$4 million. This record is second to none among environmental regulators in Australia. It is worth pointing out that prosecutions are only one of the enforcement tools used by the Environment Protection Authority. In every case, the authority's specialist staff weigh up the regulatory options available, such as pollution reduction programs, clean-up and prevention notices, penalty notices and formal warnings.

They then plan the most appropriate course of action—one that will minimise harm to the environment and at the same time hold the offender to account—and factor in the value of the Environment Protection Authority's response as a deterrent to future would-be offenders. This bill is a retrograde step in the administration of justice for environmental offences in New South Wales. It introduces additional bureaucratic processes and removes critical expertise and experience at exactly the point they are needed most. This is inefficient and delays justice. The member for Heffron was in local government for many years. He understands the Environment Protection Authority's performance rate. No doubt in the past he was involved in cases with the Environment Protection Authority. This side of the House fully supports the Environment Protection Authority.

The system worked well and had a good success rate. Labor tried to break it and then fix it. It was never the same. Labor made a mess of this authority's performance in New South Wales. The member for Heffron would be better to withdraw this bill, apologise to the Environment Protection Authority and thank it for its hard work. I saw many environmental cases in local government over 25 years and witnessed the hard work and good performance rate of the Environment Protection Authority in resolving problems professionally. There is no need to break a system that works well in this State and replace it with something for which there is no guaranteed outcome. This Government supports the Environment Protection Authority and is on record as delivering the best for the people of New South Wales, listening to the community, taking care of the environment properly and providing better direction. I oppose the bill and the Government has every right to oppose it also.

Mr KEVIN ANDERSON (Tamworth) [10.52 a.m.]: I support the Government in opposing the Protection of the Environment Operations Amendment (Prosecutions) Bill 2014 introduced by the member for Heffron. The bill's proposal to transfer to the Director of Public Prosecutions and the Attorney General the power of the Environment Protection Authority [EPA] to prosecute the most serious environmental offences will significantly undermine the authority's ability to deal with environmental crimes in a timely way. The Environment Protection Authority has the best and most appropriate expertise to determine the right response to serious breaches of environmental laws. The Environment Protection Authority has a strong track record of successfully prosecuting environmental crime. Certainly, it has the best expertise to determine the right response to environmental crime as well as specialist knowledge and depth of experience to assess all environmental offences. This bill would undo the gains this Government has made in strengthening the Environment Protection Authority's powers to respond to serious environmental crime.

Each alleged or suspected offence has its own unique set of evidentiary and policy factors that must be considered in deciding whether to proceed to prosecution and, if so, under which provision of the Protection of the Environment Operations Act 1997. Given that the Environment Protection Authority regularly conducts investigations into issues such as organised illegal dumping and dangerous leaks and spillages from developments, the Environment Protection Authority is best placed to weigh up the complicated factors involved in determining the appropriate response to breaches of environmental laws. The latest media release on the Environment Protection Authority website reveals that Sydney Water has been issued with a penalty notice for polluting waters at the North Strathfield Rail Underpass [NSRU] project. It is critical for the authority to be able to report and respond in a timely manner. The Tamworth electorate and the Barwon electorate further north have a number of mining and potential coal seam gas operations that require continuous monitoring to ensure any environmental damage by companies, organisations or individuals is minimised by the swift action of the Environment Protection Authority.

I cite the example of the flooding of a coalmine pit some time ago when water leaked into a nearby river. The Environment Protection Authority moved quickly to address the incident and subsequently issued a breach order. In other instances the Environment Protection Authority has moved swiftly to ensure minimal damage or impact on the environment and subsequently issued a penalty notice. Environmental damage occurs not only with water, but also from air emissions. We see the cumulative effects on our environment from mining companies around the State through coal dust emissions from mines and, indeed, coal trains as they travel to and from ports. Obviously, the Environment Protection Authority monitors those dust emissions and will issue a penalty notice for any air-quality breach. Clearly, the best way to prevent environmental damage is through the swift action of the Environment Protection Authority. The Environment Protection Authority has the best and most appropriate expertise to determine the right response to serious breaches of environmental law.

The changes proposed in the bill would result in inefficiencies in the regulation and prosecution of the most serious environmental crimes and slow down the process of bringing the perpetrators of those crimes to justice. We must set the benchmark high to protect our environment and water, and make sure that our air is of the highest quality possible. If we allow companies to breach their development and operations conditions

without timely penalties, the resulting message is that it is okay to tamper with the environment and a social licence because the incident will be forgotten by the time a breach or penalty notice is issued or it gets to court. Responding quickly to show companies, individuals and organisations that the Environment Protection Authority means business in protecting the environment and looking after communities sends a clear message that damaging the environment will not be tolerated.

The world in which we live is experiencing an increase in the number of development applications relating to exhaust extraction industries. Therefore, we must be as vigilant as possible today and into the future to protect our communities and our environment. The amendments also place additional onerous and unnecessary responsibilities on the Director of Public Prosecutions, which will always prioritise serious violent crime. If the bill were to pass, environmental matters would have to compete with murders and other offences for attention. The effect of the bill would be the exact opposite of its purported intention: Environmental protection would be reduced rather than enhanced, which goes against everything I have said about needing to protect our environment. The environmental watchdog should be at the door of companies, individuals and organisations to ensure that its rules and regulations, and the requirements of the director general are complied with at all times.

The Environment Protection Authority has a strong track record of successfully prosecuting environmental crime, which I have highlighted today. In the past five years the Environment Protection Authority has prosecuted more than 250 matters and has achieved a 95 per cent success rate. It has also secured financial penalties worth more than \$4 million and has obtained numerous court orders, including requiring offenders to publicly shame themselves by having them publish details of their offences in newspapers and through other media. The Environment Protection Authority has been effective in establishing pollution reduction programs, and issuing clean-up and prevention notices and warning letters. In forestry and logging, inadvertent breaches may not have been brought to the notice of the Environment Protection Authority had it not been diligent and ever watchful when protecting our environment. Furthermore, this Government has re-established the Environment Protection Authority as an independent specialist environment protection agency with expert skills.

Last year important amendments to the Protection of the Environment Operations Act were introduced to ensure that the Environment Protection Authority is effectively equipped to tackle and prevent organised illegal dumping, which is an issue that has been exacerbated in New South Wales due to years of inaction by the former Labor Government. Critically, section 144AB now allows the Environment Protection Authority to target and prosecute repeat waste offenders, rendering any person who commits more than one waste offence in a five-year period liable to two years imprisonment. That is occurring in regional New South Wales as well as in Sydney. We must ensure that the Environment Protection Authority maintains and enhances its reputation as the environmental watchdog, not diminish its powers or have its responsibilities hived off to a department where they will play second fiddle to murders and serious indictable crimes. The Government strongly opposes the bill.

Mr MARK COURE (Oatley) [11.02 a.m.]: It is a great honour and a privilege to speak against the Protection of the Environment Operations (Prosecutions) Bill 2013. The Government opposes the proposal to transfer to the Director of Public Prosecutions and the Attorney General the Environment Protection Authority's power to prosecute the most serious environmental offences, which would significantly undermine the Environment Protection Authority's ability to deal with environmental crimes in a timely manner. The Environment Protection Authority is the best and most appropriate organisation with the expertise to determine the right response to serious breaches of environmental laws. The Environment Protection Authority has a strong track record of successfully prosecuting environmental crime.

The Environment Protection Authority works alongside Federal, State and local governments to deliver environmental outcomes for the people of New South Wales. One need only look at its website—epa.nsw.gov.au—to see that it covers air, water, noise pollution, waste and resource recovery, contaminated land, dangerous goods, chemicals, pesticides, native forestry, coal seam gas projects and wind farms. It also determines measures to prevent and prepare for instances that may impact on the environment, which facilitates the protection of the environment during emergency response recovery in relation to the clean-up of land and inland waters that are affected by pollution incidents. These are some of the many duties of the Environment Protection Authority. It is by far the best and most capable government organisation to handle these matters and that is why the Government opposes the bill.

As the previous speaker mentioned, the Environment Protection Authority is already doing a great job protecting the environment. A media release today highlighted that the Environment Protection Authority has

issued a penalty notice to Sydney Water for the pollution of waters at the North Strathfield rail underpass. It has fined people for inappropriate chemical storage and for not having the appropriate chemical accreditation. It has fined organisations such as Orica and issued penalty notices for fuel leaks. Only a couple of weeks ago there was a leak from the Orica plant in the Botany Bay precinct. The Environment Protection Authority is on to major corporations such as Caltex for the pollution incident in Botany Bay in April. The Environment Protection Authority has a strong track record of successfully prosecuting environmental crime. As has already been mentioned, the bill would undo what this Government has achieved in strengthening the Environment Protection Authority's powers to respond to serious environmental crime. In my view this is change for the sake of change, which is unnecessary change that will dampen what the Environment Protection Authority has done in previous years.

The bill proposes to amend the Protection of the Environment Operations Act 1997 to transfer the Environment Protection Authority's power to prosecute the most serious environmental offences—tier 1—to the Director of Public Prosecutions and the Attorney General. This would significantly undermine the Environment Protection Authority's ability to deal with the most serious environmental crimes in a timely manner. It would undermine the important gains this Government has made to strengthen the environmental laws in the past 12 months to ensure that the Environment Protection Authority and the courts have the powers necessary to deal with environmental offences. The Environment Protection Authority has the specialist knowledge, depth of experience and expertise that is needed to assess all environmental offences. Each alleged or suspected offence has a unique set of policy factors that must be considered in deciding whether to proceed to prosecute, and if so, under which provision of the Protection of the Environment Operations Act 1997.

Given that the Environment Protection Authority regularly conducts investigations into such issues as organised illegal dumping, dangerous leaks, spillages from developments—and I have mentioned examples of Botany Bay and Caltex—the Environment Protection Authority is best placed to weigh up the complicated factors involved in determining the appropriate responses to breaches of environmental laws in a timely manner. The proposed changes would result in inefficiencies in the regulation and prosecution of those environmental crimes. In some cases it would create a lot of unnecessary bureaucracy and red tape and would slow down the process of bringing the perpetrators of these crimes to justice. The Environment Protection Authority has a strong track record for successfully prosecuting environmental crime. In the past five years, the Environment Protection Authority has prosecuted more than 250 matters.

Mr Bryan Doyle: How many?

Mr MARK COURE: More than 250 matters, with a 95 per cent success rate.

Mr Bryan Doyle: That's pretty high.

Mr MARK COURE: As the member for Campbelltown has indicated, it is very high. The authority has also secured financial penalties of more than \$4 million and obtained numerous court orders, including requiring offenders to be publicly named and shamed by having the details of their offences published in newspapers and on the internet. The Environment Protection Authority has very effective and well-established pollution-reduction programs. As I said earlier, according to the media release section of the authority's website, a number of clean-up notices, prevention notices and warning notices have been issued.

In conclusion, the Government opposes these amendments. The bill would undermine the ability of the Environment Protection Authority to do its job properly. It would undermine the ability of the authority to respond to the most serious of environmental crimes in a timely manner. It would undermine the important gains that the Government has made over the past three years in providing the Environment Protection Authority with the necessary powers to be a strong and effective regulator. Most importantly, it would create bureaucracy and red tape, and would delay bringing those who are committing the worst environmental offences to justice.

Mr KEVIN CONOLLY (Riverstone) [11.08 a.m.]: I join my Government colleagues in opposing the Protection of the Environment Operations Amendment (Prosecutions) Bill 2013, which will not achieve the stated objective of the member who introduced it. Indeed, I sympathise with the member for Heffron in being frustrated, annoyed, irritated and angry at those who dump waste in our communities, those who flout the law, thumb their noses and do untold damage to our environment. We all share that sentiment and want it to stop; however, the current legislation is more likely to achieve that outcome than is this bill. Late last year the member for Heffron introduced the Protection of the Environment Operations Amendment (Prosecutions) Bill

2013, just shortly after the Government passed the Protection of the Environment Operations Amendment (Illegal Waste Disposal) Bill 2013. That amending legislation created five significant changes that have taken us a long way forward in dealing with this very problem.

Mr Bryan Doyle: Five important changes.

Mr KEVIN CONOLLY: There are five important changes. The first change was to introduce a new penalty of imprisonment for repeated waste-related offences. As other speakers mentioned, that opportunity was not in the legislation prior to the 2013 amending legislation. When the member for Heffron introduced this bill the 2013 legislation had not commenced. It is reasonable that we give those legislative changes time to be tested in addressing this problem. The amending legislation provides for a new penalty of imprisonment to apply to anyone convicted of a second waste-related offence within a period of five years of a first offence. Clearly that five-year period has not yet expired, so the impact of the legislation is yet to be seen. If someone is foolish enough to commit these offences and is caught twice within that period then a serious penalty will be imposed.

No longer will someone be able to write off the fine imposed from a waste-related offence as just another business expense. The person charged could go to jail if that person is convicted of a second waste-related offence. That significant change, which the former Minister for the Environment introduced last year, will reverberate through the industry. Criminals who think they can get away with these types of offences now know that that may end up behind bars. The possibility of imprisonment will have an impact; however, that impact will play out over time. The second change was the power to seize vehicles used in repeated waste-related offences, and for those vehicles to be forfeited on conviction of an offence.

A rogue operator who, to the detriment of the environment, dumps waste on a property without permission risks having his or her truck seized. If that person is found guilty, his or her truck may be forfeited. Some of these vehicles are quite expensive; I do not know too many operators who would want to lose their trucks. The significant impact of the legislation our Government passed in 2013 is yet to play out, but it will change the rules and it will make rogue operators sit up and take note. It will make them think, "Hang on, this does not stack-up any more. I do not think I will go down that path." The third change was the possible imposition of imprisonment for fraudulently providing false or misleading information relating to waste. If someone is going to tell porkies to try to throw inspectors off the scent and they are found out—

Mr Bryan Doyle: No.

Mr KEVIN CONOLLY: Surely people would not do that, would they? If someone is providing false information relating to waste—lying about where it has come from and where it has gone, lying about whose permission they had, how much there was and what it contained—and they are found out, then the court can impose a custodial sentence. These new rules are serious. These serious new penalties did not exist prior to 2013, when former Minister Parker amended the Act. These new penalties will change the game. They will make it more difficult and therefore much less likely for rogue operators to test the resolve of the Government. The fourth change was restructuring the waste levy to remove the incentive for illegal disposal by spreading the levy to various locations where it had not applied previously. It is less likely that people will try to go around the system to avoid the levy because it will be picked up in places where it was not applicable earlier.

Former Minister Parker took this sensible step to spread the net and make people more likely to follow the rules—namely, to enter via the front door rather than trying to find a way around the system. The fifth change was to allow a monetary benefits calculation model to be prescribed by regulation for the use of the court so that the regime of penalties for waste-related offences could be structured commensurate with the commercial benefit that an operator might have been seeking to achieve. The net effect of that change is a level playing field. A big operator with deep pockets who stands to make a lot of money from a big dumping incident will now face a larger penalty and the court has the discretion to calculate the penalty applicable for an offence on that basis.

The changes made last year under the Protection of the Environment Operations Amendment (Illegal Waste Disposal) Act 2013 are concrete and sensible steps. They were taken by the former Minister to tighten the regime applying to waste-related offences. They have strengthened the arm of the Environment Protection Authority, which is the responsible agency, to prosecute under these new rules. I turn now to the specifics of the member for Heffron's Protection of the Environment Operations Amendment (Prosecutions) Bill 2013. The Government has taken action already to achieve the objectives of that bill. Indeed, if that bill were to be passed it would further weaken the regime. It would slow down the system—namely, tier 1 offences referred to the Office of the Director of Public Prosecutions will have to join the queue of other serious offences waiting to be dealt with by the Office of the Director of Public Prosecutions.

Mr Bryan Doyle: There are a lot of offences.

Mr KEVIN CONOLLY: I acknowledge that interjection. There are a lot of serious offences that the community expects to be addressed with priority—for example, one-punch offences, coward punch offences, murder, rape and armed robbery offences. Environmental offences would be thrown in with the serious offences the Office of the Director of Public Prosecutions would otherwise be considering in the normal course of its work. What offences will the Office of the Director of Public Prosecutions prioritise in its schedule? I have no doubt that the Office of the Director of Public Prosecutions would take all environmental offences seriously if they were to become part of its brief, but those offences would have to take their place in the queue with many other serious matters. The likely outcome would be that environmental offences would be prosecuted less quickly than is currently the case with the Environment Protection Authority. That is not an outcome we want to achieve—we do not want to give encouragement and succour to these rogue operators by suggesting that it will take longer to come for them.

The other problem with the change would be that although the Office of the Director of Public Prosecutions has significant expertise in lots of fields of crime, it probably does not have expertise in relation to environmental waste matters. Right now we have an agency that does have that expertise: the NSW Environment Protection Authority. It has been built up and strengthened during the life of this Government so that it can use that expertise to greater effect through the powers that we have given it. It would seem to be a backward step, a detrimental step, to take away from a strengthened and rearmed Environment Protection Authority the responsibility for prosecuting the most serious environmental offences. I fully endorse the Government's opposition to the bill introduced by the member for Heffron—not because we do not share his objectives; we do. I believe we are on the same page in wanting to stop illegal waste dumping around the community. We all share that objective. I think the method he has chosen is wrong. I oppose the bill.

The DEPUTY-SPEAKER (Mr Thomas George): Order! I welcome to the gallery this morning 10 English as a second language [ESL] students from Navitas college at Hurstville. I trust the students will enjoy this debate and their visit to this Parliament.

Mr BRYAN DOYLE (Campbelltown) [11.18 a.m.]: I also welcome the student visitors to the gallery. One of the great things about the New South Wales Parliament is that it is open to the public. People can come into the gallery to watch and to listen to the debates. The students visiting Parliament today should come back for question time at 2.15 p.m., if they have the time, because that is even more exciting than this debate. I oppose the Protection of the Environment Operations Amendment (Prosecutions) Bill 2013 introduced by the member for Heffron. This is only a short bill, but it deserves reasonable attention. I understand the reasons why the member for Heffron introduced this bill but I do not think it achieves his purpose.

The stated object of the bill is to transfer the power to prosecute serious environmental offences from the NSW Environment Protection Authority, which is tasked with protecting the environment, to the Director of Public Prosecutions and the Attorney General. The legislation says that the object is achieved by, first, requiring the Environment Protection Authority to inform the Director of Public Prosecutions if, as a result of the authority's investigations, there is a prima facie case in relation to a serious environmental offence. I will come back shortly to what "prima facie" means. Secondly, the bill provides that serious environmental offences can be prosecuted only by the Director of Public Prosecutions or the Attorney General.

In legal terms a prima facie case is one in which a decision is made that a prosecution would be likely to succeed. It does not guarantee that a prosecution will succeed; it just means that there is sufficient evidence to call upon the defence to answer the case. This bill would transfer the prosecution authority, which currently resides with the Environment Protection Authority, to the Director of Public Prosecutions or the Attorney General. The bill proposes a couple of amendments to the Protection of the Environment Operations Act. The bill also seeks to insert new section 212F into the Act. This section states, "EPA to inform DPP of results of investigations of possible tier 1 offences". A tier 1 offence is an offence that can be prosecuted on indictment, and that means before the Supreme Court in this matter. The bill continues:

(1) The EPA must—

and "must" is a word that means it requires action and there is no discretion in this—

.. inform the Director of Public Prosecutions if, as a result of the EPA's investigations, the EPA is of the view that there is a prima facie case against a person in relation to an offence arising under Part 5.2.

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

NORTHERN INLAND ACADEMY OF SPORT

Mr ADAM MARSHALL (Northern Tablelands) [11.26 a.m.]: I move:

That this House:

- (1) Notes the Northern Inland Academy of Sport (NIAS) held its twenty-first annual awards night on Saturday 9 November 2013.
- (2) Congratulates all academy athlete award winners, in particular Sarah Heagney and Kirstie Fuller, who received Coach of the Year Award; and William Brissett, who received Communicator of the Year.
- (3) Acknowledges the following Northern Tablelands athletes who excelled in sporting programs: Callum Dolby, triathlon; Sahra Dennehy, tennis; Talia Constance, hockey; Katrina Rekunow, hockey; Brennan Czinner, gymnastics; Tiernan May, kayaking; and Holly Harris, mountain biking.
- (4) Pays tribute to Peter Annis-Brown, who retired as NIAS executive officer after 15 years of outstanding service, and congratulates Di Hallam on her appointment to the position.

The Northern Inland Academy of Sport was established in November 1992 to identify and prepare talented sportspeople in the northern inland region to fulfil their maximum potential on and off the field. It is one of 11 regional academies of sport in New South Wales. I am sure that all members of this House would be very familiar with their local sports academy and their local athletes. The mission of the Northern Inland Academy of Sport is to provide opportunities for, and pathways and access to, skills development, athlete and coach support services that will develop individual potential, and support those identified talented sportspeople in making the transition to higher levels of competition and performance. Essentially, it is about putting elite athletes on a pathway to further success by connecting them with high-performance coaches and helping them to reach that next level in State, national and international sporting endeavours.

The catchment area for the Northern Inland Academy of Sport is rather large. It covers the entirety of the north-west New England area of New South Wales, from Tenterfield in the north to Ebor in the East, Coonabarabran in the West and Quirindi in the south. Essentially, it covers the State electorates of Northern Tablelands, my electorate, and Tamworth. Those two electorates cover the catchment area of the Northern Inland Academy of Sport. The academy currently coordinates nine sporting programs. This year the academy is welcoming a couple of new sports to the array of its sporting programs. For the first time the academy will have a mountain bike squad, which will operate under the guidance of former Australian champion and nationally accredited coach David Harris. His daughter, Holly Harris, who is mentioned in my motion, will take on the role of assistant coach. Holly is a real credit not only to herself but also to her family. She is not only an alumnus of the Northern Inland Academy of Sport but also a national mountain biking champion. Holly has achieved great success in the mountain biking world on the international stage.

This year for the first time the academy will introduce the sport of junior bull riding, which has the full support of the Professional Bull Riders Association of Australia. Talented young riders entering the program this year will come under the guidance of multiple Australian championship winner David Kennedy. This inaugural program is the first of its kind at any sporting academy in New South Wales and—I believe from the information I have—in Australia. As part of the program the squad members will not only compete at the Newcastle and Tamworth international cup events but also participate in workshops on mental preparation and media skills with internationally acclaimed Australian rider Brendon Clark and world champion Troy Dunn.

This year water polo will take in 26 players from across the region. The other sporting programs on offer for boys and girls will include hockey, tennis, touch football, netball, golf and the Lonestar programs. The Northern Inland Academy of Sport offers a wide array of sporting programs. That is a credit to its board, which is well led by Di Gray and well served by Di Hallam as the new executive officer. As the motion states, Di Hallam took over from Peter Annis-Brown, who served as the chief executive officer of the Northern Inland Academy of Sport for 15 years. I was proud to work with Peter as a board member and to call him a friend. I know he is also a close friend of the member for Tamworth, who will talk about Peter during his contribution to debate on this motion.

Under Peter's stewardship the academy has gone from strength to strength. It is a beacon of light for elite athletes and coaches who, due to the tyranny of distance, would not usually have the opportunities that are afforded to them through the efforts of Peter Annis-Brown, the board and the coaches of the Northern Inland Academy of Sport. Peter worked closely with former chairman Wally Franklin and, to the detriment of his family at times, he dedicated his life to building up the academy. It is now a leader among the 11 academies

across New South Wales. I cannot say enough about Peter Annis-Brown. His work to support and help grow the academy has been integral to its success. The organisation is only in the position it is in today and running so well because of his efforts. Peter took well-earned retirement from the role to engage in private business opportunities. On behalf of all past and present athletes of the academy, I place on record their and my appreciation for Peter's work and wish him the best in his private business pursuits.

It is important that I acknowledge the academy coaches and athletes who have achieved remarkable things in the past 12 months. Head netball coach Kirstie Fuller won the Sarah Heagney Memorial Award, which is given to an athlete who has continued through the academy to become a coach or manager. Kirstie is a young, determined woman and she has led the netball squad to great success. William Brissett won the Communicator of the Year Award and continues to enjoy a huge amount of success on the hockey field. As a student at The Armidale School he was goalkeeper for the New England under-18 side at the under-18 indoor State championships held in the Illawarra in October last year. He is an impressive young man and I wish him well in his future sporting endeavours.

I congratulate Callum Dolby, Sahra Dennehy, Talia Constance, Katrina Rekunow, Brennan Czinner, Tiernan May and Holly Harris on their achievements in the academy's sporting programs over the past 12 months. The Northern Institute Academy of Sport is an incredible community organisation that takes athletes from country areas and gives them opportunities that most city athletes take for granted. I congratulate Di Hallam on her appointment. I also congratulate Di Gray on her leadership and thank the entire Northern Institute Academy of Sport board.

Mr GUY ZANGARI (Fairfield) [11.33 a.m.]: I support the motion of the member for Northern Tablelands and commend him for acknowledging the wonderful people at the Northern Inland Academy of Sport. New South Wales has a proud sporting tradition. We love sport, no matter what type of sport it is.

Dr Geoff Lee: The Wanderers.

Mr GUY ZANGARI: I note the interjection from the member for Parramatta regarding the Western Sydney Wanderers. Returning to the motion, the member for Northern Tablelands paid tribute to Peter Annis-Brown and thanked him for his 15 years of outstanding service. People in Sydney can travel around their area reasonably easily. It is not the same in regional New South Wales. The member for Northern Tablelands knows that the tyranny of distance in northern New South Wales and in his electorate makes it difficult for rural people to move around. As the member said, younger folk in the city and in metropolitan areas take for granted the fact that they can move around easily to access sporting opportunities. It is different in the Northern Tablelands because things are further afield and parents' work requirements and athletes' school requirements can present an obstacle.

The first paragraph of the motion notes that the Northern Inland Academy of Sport held its twenty-first annual awards night on 9 November 2013. I commend all academies of sport in this great State that acknowledge the wonderful contributions and successes of individuals across a range of sports. The second paragraph of the motion congratulates the academy athlete award winners, in particular Sarah Heagney, Kirstie Fuller, who received the Coach of the Year Award, and Communicator of the Year award winner William Brissett. The third paragraph acknowledges the athletes who excelled in sporting programs. They are Callum Dolby for triathlon, Sahra Dennehy for tennis, Talia Constance and Katrina Rekunow for hockey, Brennan Czinner for gymnastics, Tiernan May for kayaking and Holly Harris for mountain biking. They must be very proud, and their families, school and communities must be very proud of them for receiving those awards. The mission of the Northern Inland Academy of Sport is:

To provide opportunities, pathways and access to skill development, Athlete and Coach support services that will develop individual potential, and support those identified talented sportspeople in making the transition to higher levels of competition and performance.

I am sure that mission statement rings true for all sporting academies across the State. The Western Sydney Academy of Sport has a proud and longstanding tradition that mirrors the approach taken by the Northern Inland Academy of Sport. The primary goal of the Western Sydney academy is to provide opportunities and give athletes access to specialist support services including coaching, sports science and sports medicine. People can take different avenues when pursuing a career in sport. They may choose to go down the coaching path or work in support services or sports science.

A tenet of the Western Sydney academy is to develop athletes into outstanding sports citizens. We would need to hold a few debates to acknowledge the wonderful contributions made by the many fine men and

women from Western Sydney and the Northern Inland Academy of Sport who have gone on to bigger and better things. The Western Sydney academy endeavours to promote its local government area as a region of sporting excellence. It also strives to play an active part in the sports development system within New South Wales and Australia and to assist in promoting sport and coach development at the grassroots level. When speaking about the grassroots level I must pay homage to the mums, dads, grandmas and grandpas who support our athletes by taking them across the region early on Saturday or Sunday mornings for competition, driving them to training throughout the week and firing up the barbecue—

Mr Paul Toole: I love the barbecue.

Mr GUY ZANGARI: The new Minister says he loves the barbecue, but whatever the fundraising might be for, ultimately it will benefit our young men and women and enable them to take the trip of a lifetime to represent their region. We must give particular thanks to our grassroots supporters because without them our young men and women will not be able to represent New South Wales and ultimately will not be able to represent Australia. Our fine sporting tradition is evident from our netball players, our league players and our Soccerroos, who are on the verge of going to Brazil for the world cup for a third consecutive time, and the fourth time in our sporting history. It does not matter what sport it is, our athletes strive to compete internationally. Our grassroots supporters give those athletes the support they need to achieve their goals. It is tough, and along the way our athletes encounter hurdles that must be overcome. However, eventually they get there. Politics aside, I thank the member for Northern Tablelands for moving the motion. I wholeheartedly support the motion because it acknowledges wonderful people who are doing tremendous things in the Northern Tablelands area.

The ASSISTANT-SPEAKER (Mr Andrew Fraser): Order! Before I call the member for Tamworth, I recognise the presence in the gallery of student leaders from all over the State who are attending the Secondary Schools Leadership Program in Parliament, which is conducted by the Parliamentary Education Unit. Welcome to the oldest Parliament in Australia.

Mr KEVIN ANDERSON (Tamworth) [11.40 a.m.]: I congratulate the member for Northern Tablelands for moving the motion and providing members with an opportunity to acknowledge and pay our respects to both volunteers and paid administrators of regional sporting organisations throughout New South Wales. I also welcome our future leaders in the gallery, who no doubt will be sports players in their own right and in some cases will play for representative teams. Obviously young students are looking for pathways that will lead them to State, national and international representation, and hopefully one day to the Olympics. I wish well the people who are taking those pathways. In regional New South Wales, participation in sport is a little bit tougher because of the tyranny of distance. Regional athletes do not have ready access to high-level coaches, academies or weekend training sessions. I know several Tamworth athletes who travel every weekend to attend sporting clinics or high-level coaching sessions and then drive back to Tamworth. Accessing high levels of training and coaching is a huge impost for regional athletes.

We pay tribute to the Northern Inland Academy of Sport today because it provides pathways and opportunities for regional athletes to reach the next level in their sport. As part of the State's regime of academies, the Northern Inland Academy of Sport brings high-level coaches together and provides opportunities in regional centres such as Armidale in the Northern Tablelands electorate and to centres even farther west, such as Moree and Dubbo, as well as to Bathurst in the electorate of the Minister at the table, the Hon. Paul Toole. Regional academies bring the opportunities for high-level training and coaching to regional areas of New South Wales. A person who was instrumental in setting up those opportunities is the former chief executive officer of the Northern Inland Academy of Sport, Peter Annis-Brown of Tamworth, who was ably assisted for many years by the chairman, Mr Wally Franklin. I speak from experience because I have been—

Mr Paul Toole: An athlete?

Mr KEVIN ANDERSON: In a past life, perhaps. Some time ago it was indeed an honour for me to be awarded life membership of the Northern Inland Academy of Sport for my services to the board of that academy. The academies of sport not only provide sporting opportunities but also undertake the personal development of athletes, which concentrates on healthy living, positive choices, media skills, public relations skills and everything involved with the media's focus on sport. Some athletes fall by the wayside when they are confronted with the media and wonder what they should be doing when they experience all the media hype that surrounds them. There have been 21-year-old and 22-year-old athletes who were suddenly thrust into the

national spotlight, and as I speak we are seeing from Swimming Australia what happens when the spotlight is no longer on them. The instruction by regional academies is part of the overall personal development and wellbeing of athletes.

Peter Annis-Brown, who is a personal friend of mine, has moved on to an award-winning organisation in Tamworth, Rural Fit, which is where ageing participants work with exercise physiologists to move freely and without pain so that they can continue to run, swim, ride and play sport with their children. I welcome Peter Annis-Brown's continuing contribution to sport and I thank Wally Franklin for his service to the academy. I wish the Northern Inland Academy of Sports continuing success as it works towards providing regional athletes with a pathway to sports stardom. Hopefully, we will see more regional athletes reaching international success in sport. I commend the member for Northern Tablelands for moving the motion.

Mr ADAM MARSHALL (Northern Tablelands) [11.44 a.m.], in reply: I sincerely thank the member for Fairfield for his contribution to debate on the motion and his support for it, and my colleague the member for Tamworth, who is a life member of the Northern Inland Academy of Sport [NIAS]. The member for Fairfield made some very salient points about sport during his speech. He acknowledged the importance of remembering the contribution made by parents, carers and grandparents to ensuring that their children, grandchildren, nephews and nieces are able to participate actively in sport. Participation in sport in rural areas involves a lot of travel, and a lot of travel involves a lot of cost. In that respect, organisations such as the Northern Inland Academy of Sport play an incredibly important role not only by connecting talented athletes with coaches, who will assist their progress towards elite-level sport, but also by defraying some of the costs of securing access to those coaches and of undertaking arduous travel to training sessions and championship competitions. Invariably, participation in competitions involves regional athletes travelling significant distances to metropolitan or coastal areas. From that perspective, the Northern Inland Academy of Sport is incredibly important.

I was very pleased to hear my colleague the member for Tamworth refer to Peter Annis-Brown and Wally Franklin—two names that are absolutely synonymous with the Northern Inland Academy of Sport and forever will be because of the enormous contributions they have made. They have taken the organisation from its birth right through to full maturity as one of the leading academies in this State. I acknowledge the current board of the academy, which continues Wally's and Peter's legacy: chairman Di Gray, Terry Psarakis, Gaylene Ryan, Dr Jack Hobbs, Chris Ash, Mark Lowe, Michelle Morgan and Paula Murphy. They do a magnificent job by volunteering their time and assisting with some of the sporting programs. From a governance and leadership perspective, they work very actively to secure sponsorship, which the academy needs, and give direction to Di Hallam, the executive officer, and her team. The role of the board is absolutely crucial to the success of the academy. I reiterate my appreciation of the efforts of Peter Annis-Brown, of Di Hallam in her new role and of the entire board of the Northern Inland Academy of Sport.

I also sincerely congratulate all 180-odd athletes who participate in nine Northern Inland Academy of Sport sporting programs, but particularly Callum Dolby, Sahra Dennehy, Talia Constance, Katrina Rekunow, Brennan Czinner, Tiernan May, Holly Harris, Kirstie Fuller and William Brissett on their magnificent achievements in sporting endeavours as coaches or athletes. They are on the pathway to elite sporting representation. We have already conducted a number of inductions for a couple of programs and I wish well all the athletes who this year will be participating in the academy's programs as they seek to improve their skills, on and off the field, as part of their involvement with the academy. I also wish them every success at the academy games later this year and in all their other competitions in various sports. I reiterate my thanks to the member for Fairfield and the member for Tamworth for their contributions to debate on the motion. The Northern Inland Academy of Sport is an amazing organisation and everyone involved with it deserves to be congratulated. I commend the motion to the House.

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

Motion agreed to.

MUSWELLBROOK DISTRICT HOSPITAL

Ms SONIA HORNER (Wallsend) [11.49 a.m.]: I move:

That this House:

- (1) Notes that there have been further reports about the extent of disrepair of facilities at Muswellbrook hospital, including that the hospital's library has been condemned and that asbestos roof sheeting has been exposed in outside walkways.

- (2) Notes that, since the hospital's aged-care residents were moved to an area down the hall from the hospital's emergency department, a system to alert nurses of elderly residents wandering outside has allegedly failed twice.
- (3) Calls on the Minister for Health to move immediately to fund urgent repairs to Muswellbrook hospital's facilities and to ensure that its patients are secure.

While the new Premier makes noises about privatising New South Wales hospitals—a troubling sign for the millions in this State who rely on the public health system—the facilities at Muswellbrook District Hospital are in a state of reprehensible disrepair. I applaud the member for Upper Hunter for bringing a petition to this Chamber earlier this year regarding the state of the hospital. It is good to see that concerns are coming from both sides of the Chamber, and it is a shame that his voice is no longer in Cabinet to advocate for this issue—further proof, if any was needed, that this Government has all but forgotten about the Hunter and is once again taking our vital region for granted. The list of problems at the hospital looks like a *Today Tonight* nightmare: broken and exposed asbestos roof sheeting has been spotted in exterior walkways, the library has been condemned, and the hospital's main elevator was out of commission for a full day late last year. Earlier this year the member for Upper Hunter said:

The system is so affected by interior wall asbestos that vents have been sealed and areas cannot be reached for maintenance.

A commentator on a *Newcastle Herald* article about the state of the hospital wrote:

That is a total irresponsibility by the Health Minister and Environment Minister. Asbestos should have been removed when it was first detected. What is their excuse for keeping it there?

A Hunter New England Health spokesperson said:

Muswellbrook is an ageing facility, but we have maintenance plans in place to maintain a safe environment for patients, visitors and staff.

Worse, this is hardly a new problem. Back in 2012 Joanne McCarthy reported in the *Newcastle Herald*:

Muswellbrook Hospital is archaic and inadequate and its emergency department "grossly undersized" because of an asbestos problem so severe that even minor refurbishments are out of the question.

In 2010 the Department of Planning, under the previous Labor Government, approved the Mount Arthur coalmine. The Government's own assessment of the Mount Arthur project admitted that existing health services were under strain, as reported by Ms McCarthy, and the mine would increase the problem. However, on the basis that royalties would flow back to the shire to improve the service, the mine plan was approved. Similar findings have been made for other mining modifications.

It is acknowledged that initial works have commenced recently to upgrade the hospital's emergency department—which has been located on the first floor of the building—funded in part not from the Health budget but from the Resources for Regions program and with no funding commitment for the remaining desperately needed upgrade. Between 2010 and 2012 only \$4 million from the Resources for Regions program was allocated by this Government to Muswellbrook District Hospital—barely enough to begin the work needed. A further \$2.5 million came from BHP Billiton, the owner of the Mount Arthur mine. I am sure I do not need to reiterate to any members in this place the litany of health problems that can be caused by exposure to asbestos. That people who are already sick have been exposed to broken asbestos is especially troubling.

Aged care patients at the hospital had to be moved from the aged care facility on the ground floor to make way for the new emergency department because the Government had not properly planned their transition to an alternative facility in Muswellbrook. This has led to further problems, increasing crowding and creating a dangerous new problem. The ABC reported last November that the system designed to warn nurses of wandering elderly patients had failed twice. The Mayor of Muswellbrook, Councillor Martin Rush, has outlined a number of serious health complaints shared by many in the region. A 2010 assessment from NSW Health showed that, for the three years immediately prior, Muswellbrook residents aged up to and including 35 years had higher rates of respiratory illness, including asthma, than people in the rest of the State. Most concerning of all was that the Muswellbrook local government area had the region's highest number of preventable premature deaths.

The member for Upper Hunter tried to obtain additional Resources for Regions funding to complete the hospital project, but this fell flat. I have been informed that there has recently been movement on this issue, but I fear this is too little, too late. What was it that kept the department from moving on this issue for so long? Was

it that the hospital was overcrowded and overused, and moving patients was not feasible? That is a disaster, not an excuse. That Hunter New England Health has been allowed to decay to such an extent and that the problem has only just begun to be solved, years after it was brought to light, is a travesty. I applaud the member for Upper Hunter for his engagement on this issue, but the Government has lollygagged for far too long. I urge the Minister for Health—who said in this House on 6 March this year, "I give a commitment to the people of Muswellbrook that their hospital will not be forgotten"—to act immediately to finish the upgrade of the hospital and make a solemn commitment to ensure there are no further delays. Muswellbrook and the Upper Hunter communities deserve better than this.

Mr GEORGE SOURIS (Upper Hunter) [11.56 a.m.]: I am delighted to have the opportunity to speak to this motion, as I did on 6 March when I presented a petition signed by more than 10,000 persons and spoke to that petition, as did the shadow Minister for Health and the Minister for Health. I am only sorry that the member for Wallsend was not available on that day and has chosen today to make a contribution. Perhaps it is an unfortunate aspect of our procedures, but notice of this motion was given on 12 November, so it really is quite old. Since that date there has been quite a lot of activity at the hospital and in this Parliament regarding the motion, and I refer again to the debate that took place on 6 March.

In the past three years of this Liberal-Nationals Government a lot more work has been carried out and a lot more money expended at Muswellbrook hospital than occurred in the previous 16 years of complete and utter neglect under Labor. It is all very well for the member for Wallsend to point to aspects of repair that might be necessary, but those repairs did not just become necessary in the past couple of years. The repairs that the Coalition is attending to were neglected for all 16 years of the Labor regime. I am delighted that, as the member for Wallsend pointed out, an allocation was made from Resources for Regions, which has resulted in the current redevelopment and a significant increase of the accident and emergency department. That is the first decent capital investment the hospital has seen, not just in the past three years but in the previous 16 years under Labor.

It was disappointing that the first point made by the member for Wallsend raised some utterly ridiculous and irrelevant spectre of privatisation of Muswellbrook hospital. For goodness sake, the people of the Muswellbrook district and shire want something a little better than this philosophical scaremongering. The community knows that the work was inspired and commenced by the Liberal-Nationals Government and that the Minister for Health, Jillian Skinner, has played an integral part in the hospital's future. The Government is committed to improving health services for the people of Muswellbrook and the Hunter Valley communities. I am delighted to have been working towards this end and will continue to do so until this hospital's upgrade is realised.

I assure the people of Muswellbrook shire that under the current Liberal-Nationals Government there is more chance of getting through this program to finally achieve an upgraded hospital than there was under the previous 16-year administration. We acknowledge the importance of maintaining these facilities. My contribution on this issue on 6 March listed all the past neglect regarding asbestos and other items. We have not suddenly learned about the matter today; we have been working on it. These matters are well known and are being addressed. This \$6.5 million development, which includes a minor contribution from BHP Billiton, is underway. Hunter New England Health made application under Resources for Regions for a further funding allocation, but Infrastructure NSW decided that all projects in that particular round would be local government projects. No State Government projects were included.

Resources for Regions has opened a subsequent funding round. The Deputy Premier has committed to future Resources to Regions funding, together with the Hunter Infrastructure Fund and the normal program of capital allocations within the Health ministry. Indicating that somehow an opportunity has been lost misrepresents the reality that once the project is completed—at least a year of work remains—we then can turn to stage two, stage three or whatever it takes to ensure this project is completed and all stages have been met. We oppose this idiotic motion as being stale and inaccurate, out of date and not relevant to the future of the people I represent. The people of the Hunter Valley are enjoying the improvements and investment contributions of a Liberal-Nationals Government that they never saw under the previous administration. Something is off with those opposite in moving this motion when they have such an appalling history in government. They should tell the people why they took no interest for 16 years in the Muswellbrook shire or town and particularly the hospital. I am embarrassed for members opposite when they display that kind of logic and approach. It is a sad indictment. Usually the best advice for someone who is in a 16-year hole is to stop digging.

Mr CLAYTON BARR (Cessnock) [12.03 p.m.]: The member for Upper Hunter referred to this motion being "idiotic". Importantly, the people of the Upper Hunter should understand that this motion is about

addressing asbestos at their hospital. The member for Upper Hunter thinks that is "idiotic". The motion refers also to the need to take better care of our aged care residents, yet the member for Upper Hunter refers to that as "idiotic". The member for Upper Hunter talks also about the need for urgent repairs as "idiotic".

Mr George Souris: No, you are misrepresenting me.

Mr CLAYTON BARR: I reuse the word "idiotic" because the member for Upper Hunter chose to use it. If anyone is unsure of my use of the word, I refer them to the speech of the member for Upper Hunter for clarification. Of course, one of the great mysteries in this debate is the improvement to the hospital's emergency department. During budget estimates hearings in 2012 the Deputy Premier was asked who made the request for the funding. He took the question on notice because he could not answer it at the time. Clearly, the request did not come from council or any consultative committee it attended.

The Deputy Premier responded to the question he took on notice that the request was made from Hunter New England Health. My good friend Mick Veitch in the other place has since made six Government Information Public Access requests of the Deputy Premier for a copy of Hunter New England Health's request for \$4 million to upgrade the emergency department. In 2013 at a community meeting the emergency department upgrade was rejected unanimously until an assurance was given to resolve the aged care facility needs, which would take two years. Apparently, the request from Hunter New England Health was made when the chair of the Muswellbrook medical staff said that all of the hospital's doctors agreed that the aged care facility was of priority before the upgrade of the emergency department. From where did this request for the money come? I will stand in this House this afternoon and apologise to the Deputy Premier if he is able to table the request from Hunter New England Health for the \$4 million through Resources for Regions.

Prior to, during and since May 2013, the priority for the people of the Upper Hunter around Muswellbrook has been the aged care facility for the region's residents—a project that would take two years prior to the upgrade of the emergency department. Of course, we must understand also the impacts of the health budget. Every year under Labor or a Coalition government the health budget goes up. The reality is that the cost of providing health care increases by 8 per cent. An increase of anything less than 8 per cent actually is subtracting from that budget. Whenever this Coalition Government talks about medical front-line services, it refers only to nurses—not doctors, physiotherapist, dieticians, asbestos in buildings, capital and infrastructure upgrades, maintenance or cleaning. This Government talks only about nurses. The reason New South Wales has ended up with such a hospital as Muswellbrook, where asbestos became visible only recently, is that the budget provided by this State Government has a \$3.3 billion hole. That is the problem that needs to be addressed.

Mr ANDREW CORNWELL (Charlestown) [12.07 p.m.]: I oppose the motion of the member for Wallsend. The New South Wales Government is investing record amounts of money in the health budget and in health infrastructure. We have only to look at some of the achievements across New South Wales in health infrastructure to see the enormous difference being made to the delivery of health care. In the Hunter Valley we changed the delivery method of health care. The Government is investing \$20 million in site acquisition for Maitland hospital, which will take pressure off surrounding hospitals. We are seeing also fabulous investments in John Hunter Hospital, which provides a service not just for the Hunter Valley but up to the Queensland border and out to the north-west of New South Wales. John Hunter Hospital is one of the largest and busiest in the State with the busiest emergency department. Over the past 18 months two fantastic announcements have been made at that hospital: capital investment for the new neonatal intensive care unit and the \$13 million-plus capital investment in the paediatric intensive care unit.

The built infrastructure will now match the human resource infrastructure at the hospital. We have fantastic doctors and nurses and highly skilled staff. Importantly for families across the Hunter Valley and northern New South Wales who have a sick child, it means their children will no longer be sent to Sydney. Most procedures will be able to be dealt with at John Hunter Hospital. Under Labor a family with sick twins could end up with one twin in Sydney and the other twin in Newcastle, which would cause an enormous dislocation for that family and was an unacceptable situation. The investment that the Government is making means that this will be a far less frequent occurrence.

Once the new Maitland Hospital is completed, its location will be closer to Muswellbrook and the Upper Hunter, which will result in some patients from these locations utilising the new hospital and taking the pressure off John Hunter Hospital. The site is well located for the health workforce, who will be needed to staff the facility. Planning of new services to be offered at the new hospital is being undertaken as well as the buildings that will be needed to support these services. Elsewhere in the Hunter, a \$2 million upgrade of

Cessnock Hospital's emergency department was completed in April 2014. This is providing standard and improved services for the people of Cessnock. The Government has also invested \$2 million to upgrade the acute mental inpatient unit at Maitland Hospital, which provides services to the Hunter Valley area, including Muswellbrook and the Upper Hunter. A \$6.4 million rehabilitation unit has opened at Kurri Kurri that specialises in providing assessment and rehab for older people in the Hunter Valley who are recovering from orthopaedic surgery.

This unit was funded by the Australian Government as part of the National Partnership Agreement to improve public hospitals. These are some of the fantastic capital investments this Government has made for the projects it has delivered in the Hunter Valley area. There will be more to come as we continue to rebuild health services throughout the region. This Government knows that the Hunter has been neglected for decades, but it is determined to turn that around and it is doing that through a multitude of disciplines, one of which is the health infrastructure that has been built in the Hunter Valley. This motion ignores those facts and, therefore, I oppose it.

Mr NICK LALICH (Cabramatta) [12.11 p.m.]: I join my colleague the member for Wallsend in condemning this Government for running down our hospitals and the numbers of hardworking doctors, nurses and other hospital staff, and cutting the health budget so close to the bone that hospitals across New South Wales are struggling to meet demand, including the Liverpool and Fairfield hospitals that look after people in my electorate. It is happening not just to Muswellbrook Hospital but to every hospital in New South Wales. In a country such as Australia, it is hard to believe that Muswellbrook Hospital is in such poor condition and that its library has been condemned. The asbestos-riddled roof has been exposed, endangering the lives of the people in the community. The member for Upper Hunter says it has been going on for 16 years. My understanding is that the asbestos-riddled roof has been exposed only recently.

If the Liberal-Nationals Government had not cut \$3 billion from the health budget over four years this problem could have been fixed. The Government has the gall to say it is Labor's fault. That \$3 billion is going to the northern suburbs rail line because the Liberal-Nationals Government promised it would build a rail line. Muswellbrook Hospital staff are overworked. The elderly and vulnerable residents are left to their own devices and have been found wandering outside, which is a clear sign that the brutal cut of \$3 billion from hospitals in New South Wales is having a devastating impact on communities. At Fairfield Hospital, in my electorate of Cabramatta, many residents are waiting up to eight hours to be seen by emergency staff. At Liverpool Hospital, some residents are waiting up to 11 hours to be seen by doctors. The Liberal-Nationals Government could not care less. Waiting lists for surgery have also blown out. For example, 35 per cent more people are waiting for hip replacements.

Mr John Williams: Point of order: I remind the member for Cabramatta that this is a specific debate. We are talking about one particular hospital, not Cabramatta.

Mr NICK LALICH: There is no Cabramatta hospital. I was talking about Fairfield.

The ASSISTANT-SPEAKER (Mr Andrew Fraser): Order! The member for Cabramatta will resume his seat.

Mr John Williams: The motion today is to discuss Muswellbrook Hospital.

Mr NICK LALICH: What is the point of order?

Mr John Williams: My point of order is that the member for Cabramatta is now electing to talk about what happens in Cabramatta hospital. This is about Muswellbrook Hospital. I wonder whether the member for Cabramatta has ever been to the Hunter let alone Muswellbrook.

The ASSISTANT-SPEAKER (Mr Andrew Fraser): Order! The point of order is upheld. I ask the member for Cabramatta to return to the leave of the motion that was moved by his colleague.

Mr NICK LALICH: The sad thing is that the cuts by the Liberal-Nationals Government are hurting vulnerable people, mostly children, but also the elderly and people with chronic illnesses. I join the member for Wallsend in calling for this Government to urgently repair Muswellbrook Hospital's facilities to ensure its patients are safe. I also ask it to ensure that hospitals across this State are properly funded and staffed, including Liverpool and Fairfield hospitals.

Dr ANDREW McDONALD (Macquarie Fields) [12.15 p.m.]: I ask the people of Muswellbrook one thing: Look not at what this Government says, look at what it does. Two months ago the member for Upper Hunter read a speech into *Hansard* that was critical of his Government. It was a very brave thing to do, as Sir Humphrey Appleby would say. Some would say it was courageous. His reward for that speech was to be dropped from the Ministry. The people of Muswellbrook raised \$240 million for the State of New South Wales in 2012. As the member for Upper Hunter said in his speech, a new hospital would cost in the order of \$80 million. The obvious solution for Muswellbrook in the sustainable longer term is a major new facility. A \$6.5 million allocation to redo the emergency department is welcomed. However, there are major difficulties with the rebuild because of the loss of the aged care beds. This matter has been dogged by bureaucratic delays and bad timing.

When it comes to a meaningful allocation for a sustainable future for Muswellbrook, it will depend on Federal money. All I can say to the current Federal Health Minister is good luck, because the Government has clearly indicated there will be no further significant Federal allocations of capital expenditure. That is why Armidale has been duded. That is why there will be no hospital number five, because this Federal Government will not allocate money to the public health system again in the future. The Federal Health Minister has said that he will allocate money to the private sector and this Government is putting one of the major hospitals out to the private sector. A Federal allocation of the order of \$80 million for a hospital the size of Muswellbrook will not happen because neither the State Government nor the Federal Government has any intention of allocating those funds during its time in office. The ex-Minister was able to say whatever he liked, but when he did so he was removed from the Ministry as payback. This is about silencing members from the Upper Hunter when they defend their hospital and mention the \$3 billion worth of cuts to health—

Mr George Souris: So it was not incompetence?

Dr ANDREW McDONALD: No, member for Upper Hunter, it was not incompetence. The asbestos problem in the ceiling needs to be fixed now. It is wrapped around the wiring and until it is fixed there will be no television available for those in hospital. It is incredibly inconvenient for patients if they cannot watch television—in fact, it is a basic human right—and it would be fantastic if the asbestos problem could be fixed. The upgrade was poorly planned. It was opposed by the medical staff council for a reason. That \$6.5 million could have spent in a more coordinated way and it could have achieved a better result. The aged care facility at Muswellbrook needs to be addressed. I commend the motion to the House.

Ms SONIA HORNER (Wallsend) [12.19 p.m.], in reply: I thank members representing the electorates of Upper Hunter, Cessnock, Charlestown, Cabramatta and Macquarie Fields for their contributions to debate. The Muswellbrook community would have appreciated the Minister for the Hunter making a contribution to this debate. Does the Minister for the Hunter reside in the Hunter? No. She lives 150 kilometres away. The member for Upper Hunter said that I have been slothful in debating notices of motions. I have given only 606 notices of motions; I have been a bit lazy lately!

[Interruption]

Would members opposite please be quiet? Let us not rule out the ridiculous privatisation that the member for Upper Hunter talked about. When the former Minister for the Environment was asked whether the Lower Hunter hospital would be in public or private hands she kept dinging the question. The former Minister would not answer. I would not rule out the privatisation of any hospital in the Hunter. In fact, when we are looking at \$3 billion in health budget cuts across the State I almost expect it to occur. The member for Upper Hunter talked about something being "off" in my moving this motion. That shows contempt for the Muswellbrook community and it makes me very sad.

Mr George Souris: Rubbish.

Ms SONIA HORNER: The Muswellbrook community, the member's community, wants and deserves the hospital to be repaired. Why not? If I were the member for that electorate I would be pushing really hard to ensure that they got those repairs. It is very sad that the member for Charlestown thought so little of concerning himself with these desperately needed repairs that he failed to mention Muswellbrook hospital in his contribution. That is a demonstration of the member for Charlestown's contempt for the people of Upper Hunter. We were told about a record Liberal budget for health. How can we have a record budget when \$3 billion is being cut from the health budget? It does not add up. The member for Macquarie Fields spoke about the important sustainable future for the Muswellbrook community and that it would require a Federal application of funding to the town. I support the member for Macquarie Fields in this quest but, like him, I am concerned it

will not happen. Finally, repairs are being undertaken to the hospital, and the Muswellbrook community and I are pleased about that. I tried to give the member for Upper Hunter a wrap in my contribution to the debate but he has dismissed this motion.

Mr Richard Amery: He will not take yes for an answer.

Ms SONIA HORNER: Yes. He has dismissed this motion as being idiotic and said something was "off". The Muswellbrook community does not feel that way. Government members should show a little more respect and courtesy for this important motion. If I was a member of The Nationals I would not be laughing and caterwauling during debate on another member's motion. But that is him, not me. I call on the Minister for Health to move immediately to fund urgent repairs to the facilities at Muswellbrook hospital in order to ensure that its patients are secure. But that is only a small part of what is needed in Muswellbrook. I call on all members, including the Minister for Health and the Minister for the Hunter, who is not in the Chamber and has not made a contribution to debate, to support this motion.

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

Motion agreed to.

PILLAR SUPERANNUATION ADMINISTRATION CORPORATION

Ms NOREEN HAY (Wollongong) [12.25 p.m.]: I move:

That this House:

- (1) Calls on the Government and the Treasurer to make a commitment to the Illawarra that it will not sell the superannuation administrator Pillar.
- (2) Notes that on a number of occasions since 2011 the member for Wollongong has called on the Government to reveal its plans for Pillar.
- (3) Notes Government responses to date have dismissed those concerns as unsubstantiated.
- (4) Notes that should Pillar be sold, despite the Treasurer's recent comments, there is no protection of the jobs for up to 700 workers.
- (5) Calls on the Treasurer and the Premier to immediately give assurances that this Illawarra asset will not be sold off for a one-off injection of funds.

Before commencing I make the observation that the Government seems to be developing a habit of not calling on its members from the Illawarra when the House is debating matters on the Illawarra but, rather, is using members who would not know where the Illawarra is.

[Interruption]

The member for Oatley would be better off visiting his electorate. The member for Murray-Darling does not have an electorate so he need not worry about it. Today I once again call on the Government—

Mr John Williams: I might take your seat.

Ms NOREEN HAY: As useless as you may be—

Mr John Williams: I might be the member for Wollongong.

Ms NOREEN HAY: I can assure you that will never happen. I call on the Government to categorically rule out any proposal to sell off the State-owned Pillar Administration based in Wollongong. This call is not new. I have been seeking an answer from the former Treasurer, now Premier, and various Ministers for the Illawarra since 2011. Former Premier Bob Carr moved Pillar, or State Super as it was called then, from Sydney to Wollongong in 2000-01 as a way of increasing local employment opportunities and strengthening the Illawarra economy—something that that lot on the other side could learn to do. Since then it has become an outstanding example of the benefits of decentralising key government functions from Sydney to regional centres in general, and Wollongong in particular. I call on the Government to continue that practice and to move other government agencies to Wollongong and the Illawarra to increase employment opportunities and share the benefits that flow from decentralisation.

Pillar Administration has been a great success story for the Illawarra, creating somewhere in the region of 700 jobs—it started with around 300 jobs, there are now 700—and it would be an absolute travesty if the Government allowed this successful entity to be sold off. In November 2010, under the former Labor Government, as the Parliamentary Secretary Assisting the Minister for State and Regional Development I was pleased to announce a new initiative to boost jobs growth in the financial services sector in the Illawarra. At that time the initiative involved an expansion of the services offered by the State-owned superannuation administrator Pillar Administration. This important initiative was designed to significantly grow the business operations of Pillar Administration by enabling it to offer a greater range of services in the financial services sector and allowing it to compete more effectively with the private sector. The legislation allowed Pillar to grow its workforce by as many as 100 jobs and included administration of insurance and banking services as well as an extension of its key back-office operations.

The services would complement its current function as a superannuation administrator and made good business sense. The former New South Wales Labor Government introduced into Parliament amendments to the Superannuation Administration Authority Corporatisation Act 1999 to enable an expansion of the statutory functions of Pillar Administration. The initiative followed a strategic review of the business. It recommended a number of business improvement measures be undertaken. Pillar currently administers both public and private sector super funds with around two million members and total funds under administration of more than \$60 billion.

Fast forward to 2013 and under the then newly elected Coalition Government, under the stewardship of former Premier Barry O'Farrell, the local newspaper headline screamed, "New South Wales Government to investigate sale of Pillar". I say shame on them. Former Treasurer Mike Baird announced his Government would investigate future options for Pillar, including a potential sale. Sell, sell, sell—that is all those opposite are interested in. There have been broken promises. They have cheated and misled the community. That is what those opposite are best at. They did it on the sale of Port Kembla. They have done it about their fundraising and now they are doing it with Pillar. Those opposite should come clean with the community and stop their skulduggery.

Mr John Williams: The member for Wollongong should say thank you. We sold the port and her electorate got the money.

Ms NOREEN HAY: The member for Murray-Darling should go back to sleep. The best way to protect jobs and secure Pillar's long-term future in the Illawarra in an increasingly competitive environment is to retain its public ownership. I am fully aware that members of the New South Wales Government will stoop to using any trick available to not answer this question. They will come up with some sleight of hand or skulduggery in order not to give the people of the Illawarra an answer as to their intentions for Pillar and its 700 workers. I say shame on the member for Heathcote. He is sitting opposite smiling. He knows what the Government is up to. I say shame on the member for Kiama for not condemning this Government for its intentions to privatise Pillar, and shame on the member for Kiama for being too gutless to take on his own Government. I had to do that when my party was in government. When my party was in government I was prepared to stand up to them on behalf of my local area.

Mr John Williams: I never heard you, not once. You never moved a motion.

Ms NOREEN HAY: The member opposite who is interjecting still cannot hear, or walk. The member opposite should stay out of it.

ACTING-SPEAKER (Mr Adam Marshall): Order! Members will come to order.

Ms NOREEN HAY: I congratulate the new Acting-Speaker in the chair on his promotion. I am sure that he will do a great job at keeping those opposite in order.

Mr Gareth Ward: Point of order: First, before I start my point of order, I congratulate the Acting-Speaker on his recent promotion. On the point of order, all comments must be directed through the Chair, not across the table as the member for Wollongong has continued to do throughout the entirety of her contribution to this debate.

ACTING-SPEAKER (Mr Adam Marshall): Order! The member's time has expired.

Mr MARK COURE (Oatley) [12.32 p.m.]: I move:

That the motion be amended by leaving out all words after "That" with a view to inserting instead:

"this House:

- (1) Notes that the Government has created the conditions for jobs growth in New South Wales.
- (2) Notes that New South Wales has the second-lowest unemployment rate amongst the States.
- (3) Notes that there are now 109,000 more jobs in New South Wales since March 2011.
- (4) Congratulates the Government on initiatives which continue to provide sustainable long-term employment."

I seek leave to withdraw my amendment.

Leave granted.

Motion withdrawn.

I thank the member for Wollongong for moving this motion. The member for Wollongong failed to mention some of the great things that this Government has done for the Illawarra in the past three years. I will tell the member for Wollongong that when it comes to transport, in particular regional roads, Government grants of some \$4.28 million have been given to councils for regional roads.

Ms Noreen Hay: Point of order: The member for Oatley is not addressing the motion I moved, which is specifically about the privatisation of Pillar Administration in the Illawarra. Nowhere does my motion mention transport or roads. My motion is specifically about the potential privatisation of Pillar Administration.

Mr Gareth Ward: To the point of order: The member for Oatley had less than 30 seconds speaking time before he was rudely interrupted by the member for Wollongong. I am sure that if the member for Wollongong listens to what the member for Oatley has to say then she will be enlightened. There is no room for any further comments on these points of order; it is now up to the Acting-Speaker to rule.

ACTING-SPEAKER (Mr Adam Marshall): Order! There is no point of order. I will continue to listen very closely to the contribution of the member for Oatley to ensure that he remains within the leave of the motion.

Mr MARK COURE: When it comes to roads, infrastructure and funding projects in the Illawarra, the Government is getting on with the job. We are creating jobs.

Ms Noreen Hay: I said that the Government would not want to answer the questions contained in my motion.

Mr MARK COURE: The Illawarra has no better friend than the Coalition Government. I can inform the member for Wollongong, and I notice that the member for Keira has just walked into the Chamber—

Mr Gareth Ward: The member for Keira is up early.

Mr MARK COURE: Yes, he is up early. The caucus meeting must have finished. When it comes to funding roads and infrastructure this Government is delivering. In funding infrastructure we are creating jobs. I note some of the great things that this Government has been doing for the Illawarra region over the past three years.

Mr Ryan Park: Point of order: My point of order is under Standing Order 76, relevance. We are completely off the leave of this motion and the substance of this motion.

Mr John Williams: To the point of order: I alert the House to the fact that the member for Wollongong said that she would not get her questions answered. But we are doing exactly that and acting under her instructions. We are following her instructions.

ACTING-SPEAKER (Mr Adam Marshall): Order! I remind the member for Oatley of the motion and ask him to confine his remarks to the leave of the motion.

Mr MARK COURE: I am speaking about some of the great things that this Government has done for the Illawarra. When it comes to funding, this Government is delivering for the Illawarra. We are delivering on roads, transport, health and mental health.

Mr Gareth Ward: And then there is the Princes Highway upgrade.

Mr MARK COURE: I heard the interjection by the member for Kiama. The Government is indeed delivering on the Princes Highway upgrade. We have committed some \$4 million to progress planning for additional climbing lanes for the Princes Highway and \$3 million to progress planning for the upgrade of the Princes Highway between Berry and Bomaderry. When it comes to health this Government has committed \$900,000 to the expansion of mental health services at Shoalhaven Hospital, \$500,000 to planning for the expansion of Wollongong Hospital, and \$45 million to continue the development of the Wollongong Hospital elective surgery unit. The list goes on. We have allocated \$1.6 million to continue the construction of the \$5.5 million Illawarra Industry Training College. There is a long list of achievements that we on this side of the House are delivering for the local community. The Illawarra region will also benefit in the area of ageing and disability services. More than \$3 million has been allocated for capital works projects in the Illawarra region, including \$250,000 to the construction of a five-bedroom group home.

Ms Noreen Hay: Point of order: My point of order is relevance. I know the member for Oatley is hoping that the points of order he takes will use up his speaking time because he has nothing to say. My motion is about Pillar Administration and the proposed privatisation of this superannuation administrator. The member is not even touching upon the motion I moved.

Mr Gareth Ward: To the point of order: When members take a point of order they should name the standing order to which the point of order relates. We have Brown's cows coming up to the lectern and saying things in an attempt to interrupt the member. The member for Wollongong should cite the standing order, which she does not know. Even though she has been a member since 2003 she does not know the standing orders.

Ms Noreen Hay: To the point of order—

ACTING-SPEAKER (Mr Adam Marshall): Order! I ask the member for Oatley to confine his remarks to the leave of the motion.

Mr RYAN PARK (Keira) [12.39 p.m.]: I acknowledge champion footballer John Dorahy, who is in the public gallery. He ran against me in a difficult race.

Mr Gareth Ward: He gave you a hiding.

Mr RYAN PARK: He certainly did. As I have said in this place many times, he is the bloke who made me a marginal member. I acknowledge his contribution to the region. I also acknowledge the member for Wollongong for persistently and consistently raising the Pillar Superannuation issue over a sustained period. The member for Wollongong has rightly outlined today and previously that Pillar is an important part of our local economy. It does not just support hundreds of jobs at the Pillar organisation; it creates a flow-on multiplier effect that Government members may or may not understand. That effect is stronger in regional communities where professional service jobs such as those at Pillar allow communities to grow and prosper.

The community that we represent called the Illawarra is near and dear to our hearts. It is undergoing a significant change to its economic future and outlook and to the way in which people are employed. We cannot allow the contraction of any more large-scale government departments or government-supported departments in a community that is already experiencing significant economic changes. We have seen large-scale contractions in manufacturing in the Illawarra. We are continuing to—

Mr Mark Coure: Point of order: My point of order is relevance.

ACTING-SPEAKER (Mr Adam Marshall): Order! There is no point of order.

Mr RYAN PARK: When we have an organisation such as Pillar supporting not only its employees directly but also the local economy indirectly we cannot as citizens representing the community allow a further contraction that would send economic shock waves through our community. The member for Wollongong has

rightly raised this issue in this place multiple times. Those of us who have lived in the Illawarra community all our lives know that we are going through a shift at the moment. Shift and change can sometimes bring displacement in jobs and considerable disruption to people's lives.

We do not want a government that will not support existing jobs in our region simply by trying to save the odd dollar or two to make Treasury happy. It does not work that way in regional communities. Smaller regional communities do not have the ability to simply absorb everyone into an economy the size of Sydney. Government members who represent regional communities similar to ours—some smaller, some slightly larger—should be wary that this Government is hell-bent on making Treasury very happy and making communities in regional areas very disappointed.

Mr LEE EVANS (Heathcote) [12.43 p.m.]: I congratulate the member for Wollongong on bringing this matter to the attention of the House.

Ms Noreen Hay: I take back everything I said about you.

Mr LEE EVANS: I thank the member for Wollongong. If she would just let me get a word in that would be fantastic. There is no Government decision to sell Pillar. No State-owned corporation is immune from commercial reality. The best way to protect jobs is to have an efficient, profitable operation. Pillar has been plagued by substandard performance in recent years and has been reviewed by governments on both sides over the past decade. The financial returns of the business are low and it has an old information technology system.

Pillar recorded a loss of \$2 million in the 2012 financial year, with its cash reserves falling by nearly 80 per cent. In 2013 Pillar recorded a minimal profit of \$1.5 million. Pillar has struggled to win new clients and has lost clients to private sector competitors recently. This Government has utilised all the options available to it to lift the performance of Pillar. The board of Pillar was refreshed and a new experienced chairman was appointed in April 2013. Key management was also refreshed. A new chief executive officer, who was experienced in corporate turnarounds, was appointed in May 2013. The Government is confident that Pillar will continue as a super administrator and continue in the Illawarra.

Investing in a major information technology project is not without costs and risks. For one, there is the opportunity cost: an investment in Pillar's information technology systems comes at the expense of other capital investment choices of the Government, such as schools and hospitals. We spoke of hospitals earlier today. Furthermore, there are risks inherent in any information technology project of this size. The media has made much mention of the unfortunate situation at one of Pillar's competitors: the industry fund-owned Super Partners. Super Partners commenced an information technology project in 2008 with plans for it to be completed by 2010. To date the project is still not completed. It will be delivered four years late and cost at least \$250 million. It was reported in November last year that the latest cost blowout had added \$43 million to the cost.

Any such investment in Pillar needs to be weighed against the Government's priority in delivering core services. Government spending in the Illawarra is prioritised on roads, hospitals and other core services. The Government is confident that Pillar will continue as a super administrator and will continue in the Illawarra. The \$100 million Illawarra Infrastructure Fund was in addition to the \$170 million in Restart NSW funding for the Princes Highway, providing a total of \$270 million Restart Fund investment in the Illawarra. The New South Wales Government is on side with the Illawarra. It is trying to project jobs in the Illawarra but not at the cost of losing hundreds of millions of dollars to unprofitable organisations. I thank the member for Wollongong for moving this motion. I am confident that any decisions will be made in the best interests of the Government, the people of New South Wales and the people of the Illawarra.

Mr GUY ZANGARI (Fairfield) [12.47 p.m.]: I speak on the motion moved by the member for Wollongong, who is a fine advocate for the people of the Illawarra.

Mr John Williams: Where is Fairfield in the Illawarra?

Mr GUY ZANGARI: I have been to the Illawarra many more times than you have.

Mr Mark Coure: Do you actually know where the Illawarra is?

Mr GUY ZANGARI: I do know where the Illawarra is. It was rather remarkable that the member for Heathcote, in the bureaucratic speak that he espoused for four minutes, said that he does not support jobs in the

Illawarra full stop. It is as simple as that. I note that the member for Oatley can dish it out but he cannot take it because Government members do not know what is happening on their side. They do not know what is going on because they are a government in crisis. The Government's agenda is to sell, sell, sell. Members opposite should not deny it; they know they are a government in crisis.

Mr Lee Evans: Point of order: My point of order is under Standing Order 76. Although amusing and entertaining, the member for Fairfield is well outside the leave of the motion.

ACTING-SPEAKER (Mr Adam Marshall): Order! I have given rather a bit of latitude, particularly in the member for Oatley's contribution to this debate. I remind the member for Fairfield of the content of the motion and ask him to confine his remarks to the leave of the motion.

Mr GUY ZANGARI: I intended to debate parts of the motion—something that the member for Oatley did not do. He indicated he would amend the motion, but the member for Kiama whispered in his ear, "Hang on, mate. You had better pull back because what you are actually saying is irrelevant." The second part of the motion calls on the Government and the Treasurer to commit to not selling Pillar Administration. The member for Keira said that while Pillar continues to operate there will be flow-on employment effects.

We all know that if jobs are stripped away in regional areas from an employer like Pillar that will have a flow-on effect within the region, yet Government members who have participated in the debate have totally disregarded that factor. Government members cannot take a point of order against a member who is discussing the motion. The second part of the motion notes that on a number of occasions since 2011 the member for Wollongong called on the Government to reveal its plans. Has the Government done so? No, it has not. As the shadow Minister for Sport and Recreation, I want to know what the Government will sell next. Will the Government sell the sports and entertainment centre known as WIN stadium?

Mr Gareth Ward: Labor shut down the Parliament to sell power, and it sold the NSW Lotteries and prisons. My point of order relates to Standing Order 76, relevance.

ACTING-SPEAKER (Mr Adam Marshall): Order! The Deputy Government Whip will resume his seat. There is no point of order. The member for Fairfield has the call.

Mr GUY ZANGARI: My speech is relevant to the third part of the motion, which notes that to date the Government's response has been to dismiss concerns as unsubstantiated. The response from the Government says it all. Before I was rudely interrupted by the member for Kiama, I expressed my desire to know the Government's plan for the WIN entertainment centre and sports stadium. Will the Government sell that off?

Ms NOREEN HAY (Wollongong) [12.51 p.m.], in reply: I acknowledge the contribution to this debate made by the member for Oatley, albeit a poor contribution, and thank the member for Keira and the member for Fairfield for addressing the motion during their contributions. I would thank the member for Heathcote, but I am not sure that any of us quite knows what he was saying. I think he defended the Government during most of his speech without defending the Illawarra, the jobs, employees of Pillar or anything to do with employment in the Illawarra. All Government members spoke generally about how great they have been for the Illawarra yet no-one, including the member for Oatley, spoke in other than general terms about roads. We know that the member for Oatley is a ring-in for the member for Kiama. We also know that participation by the member for Kiama, who did not contribute to the debate, was limited to taking points of order in an attempt to gag debate on the question of the Government's intention concerning Pillar and its 700 employees.

Government members are trying to ruin 700 families in the Illawarra. Labor members are very proud indeed of Pillar's achievements, especially its jobs creation, at a time when job losses are fairly significant and require government intervention. The uncertainty surrounding the loss of 700 jobs is deplorable. Pillar Administration has demonstrated and continues to demonstrate that with appropriate government support, it not only can compete but also can succeed in the marketplace. The announcement by the then New South Wales Treasurer Mike Baird—that the Government will be investigating future options for superannuation administrator Pillar, including its potential sale—although not surprising, is a disgrace. I have been calling on the Government to come clean regarding its plans for Pillar since the Government was elected in 2011, but my concerns were labelled unsubstantiated. First there was a backflip on the installation of easy access lifts at Unanderra station, then there was the sale of Port Kembla, and now there is Pillar. All I can say is how disappointed I am.

Mr John Williams: Point of order: The member for Wollongong has reminded members to debate the motion.

ACTING-SPEAKER (Mr Adam Marshall): Order! What is the member's point of order?

Mr John Williams: I remind the member for Wollongong that the motion concerns Pillar, and she should not turn this debate into a Pillar fight.

ACTING-SPEAKER (Mr Adam Marshall): Order! There is no point of order.

Ms NOREEN HAY: I hate to be the one to point out to Government members that this situation is no joke. There is nothing funny about this in the eyes of the 700 employees who potentially will lose their jobs. Government members can cease chuckling about the potential loss of jobs, the effects of that on employees' families and the negative impacts of that on employees' children. I say shame on Government members. There are people in the Illawarra who know that Government members have misled and deceived them. I have been calling on this Government for a long time to come clean, but what response have we seen from the Government today? Government members have refused to declare what they are up to. A local Government member waffled and refused to speak about the people.

Mr Gareth Ward: Why have you not been preselected yet? What are you doing to the member for Shellharbour?

Ms NOREEN HAY: As usual, the member for Kiama sends up his typical smokescreen in an attempt not to deal with the loss of jobs. He likes to have his face on the television and to take credit that he does not deserve, yet he will not address this issue. He has developed the habit of misleading the public at every opportunity. I know he is misleading the people and telling nothing but untruths. During this debate he has confirmed that he is gutless, does not like workers and hates the Illawarra.

Question—That the motion be agreed to—put.

The House divided.

Ayes, 23

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

Noes, 57

Mr Anderson	Mr George	Mr Roberts
Mr Aplin	Ms Gibbons	Mr Rohan
Mr Ayres	Ms Goward	Mr Rowell
Mr Baird	Mr Grant	Mr Sidoti
Mr Barilaro	Mr Gulaptis	Mrs Skinner
Mr Bassett	Mr Hartcher	Mr Smith
Mr Baumann	Mr Hazzard	Mr Souris
Ms Berejiklian	Ms Hodgkinson	Mr Speakman
Mr Bromhead	Mr Humphries	Mr Stokes
Mr Brookes	Mr Issa	Mr Stoner
Mr Casuscelli	Mr Kean	Mr Toole
Mr Conolly	Dr Lee	Ms Upton
Mr Coure	Mr Maguire	Mr Ward
Mrs Davies	Mr Notley-Smith	Mr R. C. Williams
Mr Doyle	Mr O'Dea	Mrs Williams
Mr Edwards	Mr Page	
Mr Evans	Mr Patterson	
Mr Flowers	Mr Perrottet	<i>Tellers,</i>
Mr Fraser	Mr Piccoli	Mr Cornwell
Mr Gee	Mr Provest	Mr J. D. Williams

Question resolved in the negative.

Motion negatived.

ACTING-SPEAKER (Mr Lee Evans): Order! General business having concluded, the House will now consider committee reports.

COMMITTEE ON ECONOMIC DEVELOPMENT

Report: Skill Shortages in NSW

Debate resumed from 27 March 2014.

Mr MARK COURE (Oatley) [1.08 p.m.]: The inquiry into skill shortages is the second report of the committee during the Fifty-fifth Parliament after inquiring into special economic zones. There are certainly skill shortages in New South Wales in all industries. We received submissions from the Australian Hotels Association [AHA], the Australian Apprenticeships Centre in Coffs Harbour, Dubbo City Council, the Australian Industry Group and many others, which all identified skill shortages in many industries and many different locations. In an environment with significant skill shortages, the mining industry is not the problem but a competitor with many resources in a labour market in insufficient supply. The problem is one of gaining sufficient numbers of skilled workers.

The committee examined the value of skilled migration with particular reference to regions, the public sector and professions, and to identified gaps and strategies to address skill shortages. The inquiry received 50 submissions from individuals, small businesses, manufacturers, miners, hoteliers, tourism operators, disability services, universities, migrant advocates, professional bodies, councils and State agencies. Four public hearings were held across the State, including in the regional areas of Dubbo and Coffs Harbour, and more than 40 witnesses were called. A total of 22 recommendations were made, some of which I shall mention briefly in the remaining 2½ minutes.

The committee recommended that mathematics once again become a compulsory subject for the Higher School Certificate. Industry groups, such as the Australian Industry Group and the NSW Minerals Council, told us that the numeracy of school leavers was well below expectations. We recommended also that the Minister for Education review other subjects, such as science, which contribute to work readiness and are a bridge to the professions; that work readiness be adopted as a goal for school leavers; and that programs be implemented to help students work towards this goal. If schools address skill shortages effectively, they must focus on those needed for work. The committee recommended improving mentoring and training within workplaces, including developing formal mentoring programs, along with effective succession planning, skills and knowledge transfer.

Young people need to see apprenticeships as worthwhile and attractive so that more will undertake them. The committee recommends a variety of measures to improve that attractiveness. Based on evidence provided by many different groups, including trade unions, we recommend moving towards a competency-based apprenticeship training model that rewards competency and skill over time, with automatic recognition of technical and trade qualifications, including work experience, as prior learning for advanced standing into university courses. To address regional skill shortages, we need to better understand the nature of skill shortages. A centre for regional statistics and research should be developed and based in regional New South Wales to support planning to address skill shortages.

The committee found that training in regions tends to keep people in those regions and recommended that the New South Wales Government maximise regional training opportunities to ensure that skilled people are retained. We must encourage skilled migration as an important solution to skill shortages in New South Wales. From our inquiries we found that many different regions and stakeholders support skilled migration. We also recommend changes to migration schemes, including, importantly, faster visa processing, recognising more skills for agriculture and hospitality industries, and flexible holiday visas to support harvesting and tourist operators. We had many examples of that from Coffs Harbour. I commend the report to the House as it contains many important recommendations to address skill shortages in the State and to further our economic development.

Mr CHRISTOPHER GULAPTIS (Clarence) [1.12 p.m.]: It gives me great pleasure to speak on this take-note debate as a member of the Committee on Economic Development. The chair and member for

Baulkham Hills, the member for Oatley, the member for Penrith—who was a committee member until 16 September—the member for Wollongong and the member for Balmain worked well together during this inquiry. Essentially, the terms of reference required the committee to inquire into and report on the value and contribution of skilled migration into New South Wales with particular reference to regional communities, the public sector and professional shortfalls. Initially, one would have thought the key issue would be skilled migration, but much of the evidence discussed the value and contribution of skilled migration. For the most part, skilled migration was not the primary issue for stakeholders but simply one of many tools.

The major issue to come out of the inquiry was the need for a skills audit. A number of audits across various industries in the State are undertaken, but the results are not held in one central repository. Business and industry need to be able to access that information to determine who is who in the zoo, so to speak, and to know exactly the location of shortages. The other interesting factor to come from the inquiry was the need to provide things such as cultural awareness so that when people come to this country they are familiar with the Australian way of life and culture, and not merely our language. A further key point was the importance of regional training in order to retain skilled people in those areas. A key lesson learned from the inquiry was the critical importance that anyone trained in a region will remain in that region.

That leads me to the next finding: the importance of TAFE as a vocation and education trainer for employers and students. TAFE works well in our regions; it is transforming and moving with the times. Certainly the number of online students is increasing considerably, especially at North Coast TAFE. Students are voting with their feet in their desire to receive training. Another committee finding was the need to get secondary school leavers ready for work. It was interesting to hear from many witnesses that a lot of students they employed had difficulty answering a telephone, for example, and dealing with customers. These basic skills should be taught at school, if not at home. I have only a short time in which to respond to the report, so I must mention another finding that I found particularly important. Teaching basic mathematics at school and making it a compulsory Higher School Certificate subject are absolutely critical in this day and age, especially if we aspire to be a smart and scientific country.

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

PUBLIC ACCOUNTS COMMITTEE

Report: Polygeneration in New South Wales

Question—That the House take note of the report—proposed.

Mr JONATHAN O'DEA (Davidson) [1.17 p.m.]: Energy generation has become and continues to be increasingly relevant for businesses and residents, particularly in light of past electricity price increases, which, happily, are now tapering or even reversing in some instances. Polygeneration offers an alternative to relying on grid electricity. It allows businesses to generate their own energy output on site for heating and cooling and to have a stable, reliable and affordable electricity supply, assuming statistics and financial analysis adds up—it does not always. I shall make four fairly crucial points before talking about the report in more detail if time permits. The first point is that the current regulatory environment is complicated and confusing. Many of the Public Accounts Committee's 20 recommendations in its report contain measures to simplify processes and provide support to polygeneration as an alternative clean energy source.

The second point is that, despite that recommendation, polygeneration should not be subsidised inappropriately, as happened with the Solar Bonus Scheme—from which we learned some lessons—nor should it attract discounted access fees for occasional distribution use. The Public Accounts Committee rejected a discounting proposal from the City of Sydney, which would have been at the expense of energy consumers in more remote areas of New South Wales, including regional areas and Western Sydney. The committee did not see it as appropriate for the City of Sydney to be subsidised by those areas, including Western Sydney. It believes in representing all people in Sydney fairly, which is a belief that is shared across the Parliament.

The City of Sydney's pursuit of polygeneration precincts has involved what was seen as a reckless expenditure of many millions of dollars based on numerous incorrect or uncertain assumptions such as reduced network access fees for limited use. I point this out in light of the comments that representatives of the City of Sydney have made in public, including on 7.30, suggesting that there were factors outside their control. The reality is that at least \$7 million, and according to some reports more than \$10 million, was spent by the City of

Sydney based on incorrect assumptions or in the hope of operating in a more preferable set of circumstances. Given that the City of Sydney provided the Public Accounts Committee with 15 significant recommendations for regulatory change to improve the economic viability of polygeneration in the city, it is highly questionable whether polygeneration was a viable option for it at the time on the scale it desired.

The fourth point I highlight is the comments of the Public Accounts Committee where it noted a potential conflict of interest associated with the New South Wales Government owning and receiving dividends from the poles and wires—the grid network—while also influencing policy on polygeneration operations and access arrangements. The committee tried to divorce itself from those sorts of considerations and there is some value in having a non-partisan committee look into these issues. If it were left purely to Government, then people might point to conflicts of interest and that might have an influence on other issues such as divestment of assets. But it is not appropriate for me to comment further on that in the context of this report.

Returning to how the regulatory environment might be improved, there were a number of recommendations that primarily involved regulatory change and network integration issues to help polygeneration become another viable energy generation option for many users. The intention is to enable businesses to access information about the viability of polygeneration for their particular sets of circumstances, make connection to the grid easier and simplify retail licensing arrangements for smaller polygeneration operations considering selling excess energy back to the grid. One role of the Government is to encourage alternative energy solutions but it needs to do that in a way that does not unfairly distort the market or impact on consumers.

To encourage the adoption of polygeneration systems for small-scale developments the Public Accounts Committee has recommended a number of regulatory and administrative changes, including mandatory standards for polygeneration networks in New South Wales; promoting information booklets, which are available from the NSW Office of the Environment and Heritage, about the feasibility of polygeneration; considering issues around the supply, cost and efficiency of gas; consideration of grid connections and selling excess electricity back to the grid; simplified retail licensing agreements for smaller operations; and providing clarity around exclusive dealing agreements. I thank the secretariat, in particular Mr Leon Last, and the committee members for their hard work in producing this valuable report.

Mr GREG PIPER (Lake Macquarie) [1.23 p.m.]: I also make a contribution to the take-note debate and thank the chairman of the Public Accounts Committee, the member for Davidson. I also acknowledge other members: the deputy-chair, the member for Parramatta; the member for Londonderry; the member for Maroubra; and the member for Murray-Darling. The chair has given a fair description of the complex and confusing regulatory environment surrounding this topic, and the committee did a good job grappling with many of those complexities. Overall, we were in agreement with the recommendations that have resulted from this inquiry. However, I have some sympathy for a city the size of Sydney. If it cannot do something innovative with the capacity of its budget, I do not know what city could and perhaps we should be less critical. I understand that the cost expended was closer to \$6.5 million, not the more than \$10 million that has been mentioned. Of course, that has not all been lost. The city has benefitted from some of that expenditure being utilised locally. I make that point as it would otherwise be an unfair characterisation of the expenditure. In his response, Dr Chris Briggs, the policy manager from the Office of the Lord Mayor of Sydney, stated:

Changes to the regulatory environment and the Federal Government's decision to scrap the future carbon price reduced the commercial case for city-wide trigeneration precincts in Australia.

These things happened years after the city first started investigating their establishment and after the Liberal Government came into power and started slashing environmental programs.

All the research, technical material and scoping we conducted has been used to pursue trigeneration systems in our own buildings and for future trigeneration precincts across the city.

I will not go on more about that, other than to say we have to be fair in the way in which we characterise this issue. The City of Sydney should be applauded even though it does not get everything right. A courageous step does not always pay off. In this case it has not paid off as anticipated, but it is not the complete disaster that others may well have suggested. The committee did a good job trying to bring some clarity to this complex issue. I again acknowledge the chairman and the committee, and commend them for their hard work.

Mr JOHN WILLIAMS (Murray-Darling) [1.26 p.m.]: As a member of the Public Accounts Committee, I contribute to this take-note debate on the polygeneration report. The evidence was provided to the

committee through written submissions and public hearings. It became evident during the hearings that we could not look at any one particular model where what could be deemed satisfactory benefits had been gained primarily by cogeneration in some of the bigger buildings. A lot of the criticism was aimed primarily at the constraints within the network and its inability to take excess power generated from buildings during downtime. Despite this, we believe we need to find a model that will work. Although we heard some expert evidence from many people who are developing trigeneration and cogeneration facilities, at no point could we derive a model that would fit.

By leave, consideration of Orders of the Day (Committee Reports) extended beyond 1.30 p.m.

Mr JOHN WILLIAMS: The committee felt we would like this to form part of how we generate power, but there was clear evidence that this industry is in its infancy. During evidence there were suggestions that the City of London employed polygeneration to supplement power demand during the Olympic Games, but there was anecdotal evidence that a lot of units have been shut down since the Olympic Games. That is not what we wanted to investigate. We wanted to look at an alternative method of supplementing power supply in New South Wales to make power cheaper and more available for communities where there is an opportunity to use this technology.

Cogeneration technology could be applied for unit blocks where a number of services need to be provided—not only electricity but also hot water. Unfortunately, we saw far too many of these facilities, having been put in place and commenced operations, not being utilised after a decision was made that it was uneconomic to maintain them. In the future we need to address the constraints in the network and the network's ability to take back power and distribute it when it is not demanded by a particular building. Alternatively, we need to find models that work and have the flexibility.

Question—That the House take note of the report—put and resolved in the affirmative.

Report noted.

JOINT STANDING COMMITTEE ON ELECTORAL MATTERS

Report: Inquiry into the 2012 Local Government Elections

Question—That the House take note of the report—proposed.

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

LEGISLATION REVIEW COMMITTEE

Report: Legislation Review Digest No. 54/55

Question—That the House take note of the report—proposed.

Mr STEPHEN BROMHEAD (Myall Lakes) [1.31 p.m.]: I take this opportunity to update the House on the comments made by the Legislation Review Committee in its recent digest, which was tabled on 6 May 2014. This is the fifty-fourth digest prepared by the Legislation Review Committee of this Parliament. Six bills were introduced in the sitting week commencing 25 March 2014 and the committee made comments about three of them. The first was the Drug Court Legislation Amendment Bill 2014. The bill would implement reforms recommended by a recent statutory review of the legislation concerning the Compulsory Drug Treatment Correctional Centre. In doing so, it would expand the pool of offenders who could be ordered to complete the compulsory drug treatment program. Nonetheless, the committee noted the program aims to reduce drug dependency of eligible offenders, promoting their reintegration into the community and reducing the triggers that see them resort to criminal activity. Given these aims, the committee made no further comment about expansion of eligibility for the program.

The committee also noted the bill would empower the director of the drug treatment centre to instruct an offender to regress to an earlier stage of the program without the need for such a decision to be made by a judge of the Drug Court. However, given such a decision is open to judicial review and covers regressions of up to only three months, the committee made no further comment. The committee also commented on the Legal

Profession Uniform Law Application Bill 2014. The bill would apply the provisions of the Legal Profession Uniform Law Application Bill as a law of New South Wales. The committee noted the bill would require the provision of certain information and documents even if provision of this information by a person tends to incriminate him or her or to encroach on his or her right to legal professional privilege. The committee referred this matter to Parliament for further consideration.

The committee also noted the bill would allow an investigator a limited right to enter non-residential premises without a warrant to search for and seize information related to an investigation. However, given this power would apply only to non-residential premises where an investigator reasonably believes entry is urgently necessary to prevent destruction of evidence, and given the importance of ensuring probity in the legal profession, the committee made no further comment. The final bill that the committee commented on was the Roman Catholic Church Trust Property Amendment (Justice for Victims) Bill 2014.

The bill would allow the property of the Catholic Church to be used to satisfy civil claims in sexual abuse cases that arose before the bill's commencement. The committee raised concerns about this retrospective application. Retrospective provisions in legislation are contrary to the rule of law, which allows people to order their affairs according to the law. The digest is intended to inform members about provisions in bills before Parliament that may warrant further consideration. The committee hopes the digest is a resource which contributes to robust and informed debate in Parliament of issues of public importance. I thank the staff for their diligence and professionalism. I commend the digest to the House.

Ms TANIA MIHAILUK (Bankstown) [1.34 p.m.]: On behalf of the New South Wales Opposition I report on Legislation Review Digest No. 54 of the Fifty-fifth Parliament. As always I acknowledge the chair of the committee, the member for Myall Lakes, my fellow members of the committee representing the electorates of Swansea, Rockdale and Parramatta, and our colleagues from the other place the Hon. Shaoquett Moselmane, Mr David Shoebridge and the Hon. Dr Peter Phelps. I also acknowledge the diligent staff of the committee who have prepared the digest and will prepare next week's digest. The committee considered six bills this week, including the Legal Profession Uniform Law Application Bill 2014.

The bill will introduce a uniform law to regulate the legal profession in New South Wales and Victoria and potentially other jurisdictions. Whilst other State jurisdictions have so far been hesitant to adhere to these uniform laws, I note for the record that New South Wales and Victoria combined are home to approximately two-thirds of Australian legal practitioners, and that the NSW Bar Association and the NSW Law Society have formally expressed their support for these reforms. The bill will repeal the Legal Profession Act 2004 to apply the text of the uniform law as a law of New South Wales and to enact complementary provisions which will affect this State. The committee made the following comment with respect to "search and seizure without warrant":

The Bill allows an investigator a limited right to enter non-residential premises without a warrant to search for and seize information and evidence relevant to an investigation. Nonetheless, the power only applies in respect of non-residential premises and the investigator must believe on reasonable grounds entry is urgently necessary to prevent destruction of evidence. Owing to these safeguards and the importance of ensuring probity in the legal profession, the Committee makes no further comment.

The committee also reviewed the Drug Court Legislation Amendment Bill 2014. The bill will amend the Drug Court Act 1998 and the Crimes (Administration of Sentences) Act 1999 to implement the recommendations of a statutory review of the compulsory drug treatment program [CDTP] and the Compulsory Drug Treatment Correctional Centre [CDTCC]. The centre was established in 2006 by the former Labor Government specifically to target long-term drug-dependent offenders who had been unsuccessful in past voluntary treatment programs for drug and alcohol addictions. The report tabled in this Parliament in October 2013 indicated strong support from stakeholders for the continued operation of the compulsory drug treatment program, and recommended it be made available to a greater number of participants needing treatment for drug or alcohol addiction. The committee commented with regard to expanding the pool of offenders who could be ordered to participate in the program:

The Bill will require the Drug Court to consider an offender's history of prior criminal offending related to long-term drug dependency and lifestyle when assessing their suitability for such an order, to ensure that recidivist offenders remain the target of the program. The Committee also notes the objects of the program include reducing drug dependency of eligible offenders; promoting their re-integration into the community; and reducing their need to resort to criminal activity to support dependencies. The Committee therefore makes no further comment.

The committee considered four other bills. I commend the digest to the House.

Question—That the House take note of the report—put and resolved in the affirmative.

Report noted.

[Acting-Speaker (Mr Lee Evans) left the chair at 1.38 p.m. The House resumed at 2.15 p.m.]

DISTINGUISHED VISITORS

The SPEAKER: I draw the attention of members to the presence in the Speaker's Gallery of a delegation from the Secretariat of the Parliament of the People's Republic of Bangladesh.

VISITORS

The SPEAKER: I welcome to the gallery Dong Dong Yang, Southern Region Chinese Business Association, and Councillor Christina Wu, Hurstville City Council, guests of the member for Oatley. I also welcome a delegation of members of the Woy Woy Rotary Club, guests of the former Clerk of the Legislative Assembly and Clerk Emeritus Mr Russell Grove. I welcome 15 high school captains from the Pittwater electorate, who are guests of the Minister for the Environment, Minister for Heritage, Minister for the Central Coast, and Assistant Minister for Planning, and member for Pittwater.

I also welcome Father Chris Yates, St John's Anglican Church, Raymond Terrace, and retired Colonel Malcolm "Mac" Campbell, guests of the Parliamentary Secretary for Regional Planning and member for Port Stephens. I also welcome Heather Cunningham and Paul Desant of Dapto, guests of the member for Kiama. Finally, I welcome six members of the Wellington Rotary Club and two members of the board from Marantha House, Wellington, guests of the member for Orange. I welcome you all to the Parliament of New South Wales.

CRIMES AMENDMENT (PROVOCATION) BILL 2014

Bill received from the Legislative Council, read a first time and printed.

The SPEAKER: I advise the House that I have received a written authority from Reverend the Hon. Fred Nile, MLC, advising that the Attorney General, and Minister for Justice will have carriage of the bill in the Legislative Assembly.

Second reading set down as an order of the day for a later hour.

QUESTION TIME

[Question time commenced at 2.19 p.m.]

MINISTERIAL CODE OF CONDUCT

Mr JOHN ROBERTSON: My question is directed to the Premier. After three weeks of inaction as Premier, will the Premier support Labor's new standard legislation which requires ministerial diaries, including all meetings with lobbyists, to be published and gives the Independent Commission Against Corruption the power to investigate breaches of the ministerial code of conduct?

The SPEAKER: Order! The question contains a clear imputation: "three weeks of inaction". The question is out of order. It is a clear breach of the warning I gave earlier this week.

Mr MIKE BAIRD: Madam Speaker, I am happy to answer the question.

The SPEAKER: Order! The Premier might be happy to answer the question, but I have ruled it out of order. Perhaps the question should be rewritten. Members must learn to abide by the standing orders in relation to the framing of questions.

MINISTERIAL CODE OF CONDUCT

Mr JOHN ROBERTSON: The question has been rewritten and I am assuming it is not an imputation. After three weeks as Premier—

The SPEAKER: Order! There is too much audible conversation in the Chamber. If it persists members will be quickly removed from the Chamber.

Mr JOHN ROBERTSON: Is that out of order too? It was ruled out of order earlier in the week.

The SPEAKER: Order! Is the member reflecting on a decision of the Chair?

Mr JOHN ROBERTSON: Not at all. After three weeks as Premier, will the Premier support Labor's new standard legislation which requires ministerial diaries, including all meetings with lobbyists, to be published and gives the Independent Commission Against Corruption the power to investigate breaches of the ministerial code of conduct?

Mr MIKE BAIRD: One thing is for sure, I am not going to take lectures from those opposite in relation to probity and transparency. I love the Johnny-come-lately approach we are seeing on that side of the House. All of a sudden probity and transparency are important to them. The Government has already taken action and has been very clear on this issue. We have not sat idly by like those opposite did for 16 years—they did nothing. We have had concerns, we have referred those concerns and we have taken action. Since 2011 we have allocated record budgets to the Independent Commission Against Corruption, record budgets to the New South Wales Ombudsman, record budgets to the Audit Office of New South Wales and record budgets to the Police Integrity Commission.

We banned lobbyist success fees—something on which those opposite did nothing. On all of those things we have taken action. This week we appointed a former Executive Director of the Independent Commission Against Corruption to look at matters within the party and to ensure that we can have confidence in all of our processes. I have not seen those opposite do anything like that. But I have stumbled across something I am sure the gallery will be interested in. We understand the concept of diaries that those opposite are talking about. What happened to come to my attention was a diary extract from the Leader of the Opposition from a few years ago. You can imagine how it went.

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

Mr MIKE BAIRD: I will read from the diary of the Leader of the Opposition. At 9.00 a.m. who did he first meet with? It was with Eddie. So he went to see Eddie: it was 9.00 a.m. and that was the first thing he did.

The SPEAKER: Order! I call the member for Toongabbie to order for the first time. He will cease interjecting.

Mr John Robertson: Point of order: It goes to Standing Order 129 on relevance. The Premier might start work at 9 o'clock but some of us start earlier than that.

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

Mr MIKE BAIRD: Maybe he saw Eddie before 9.00 a.m. At 10.00 a.m. he went to see Joe. At 11.00 a.m. he went to see Eddie and Joe together.

Mr Ron Hoenig: Point of order—

The SPEAKER: Order! The member for Heffron will be heard in silence. Government members will come to order. I call the member for Drummoyne to order for the first time. I call the member for Oatley to order for the first time. I warn the Treasurer that if he continues to interject I will call him to order. I call the member for Wollongong to order for the first time.

Mr Ron Hoenig: Point of order: Standing Order 73 requires that if there is to be a personal reflection upon a member then it should be done by way of substantive motion.

The SPEAKER: Order! There is no point of order. I have not heard any personal reflections yet, but I will be listening for that. The Premier has the call.

Mr MIKE BAIRD: In some weeks members should not rise on points of order. At lunchtime guess who the Leader of the Opposition was going to lunch with? It was Ian Macdonald.

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

Dr Andrew McDonald: Point of order: The Premier is clearly misleading the House. I ask him to table the diary. This is a fictitious diary.

The SPEAKER: Order! There is no point of order relating to anybody misleading the House, and the member knows that. The member is just wasting time. The member will resume his seat.

Mr MIKE BAIRD: It was a busy day so lunch had to be kept short. The next meeting was at 4 o'clock. Who was that meeting with? He had to go back to meet Eddie to see if anything had changed in the afternoon.

Mr Michael Daley: Point of order: In the same way that Standing Order 128 prevents imputations in questions, Standing Order 73 prevents imputations in answers. I ask the Speaker to draw the Premier back to the question.

The SPEAKER: Order! I am not sure that there have necessarily been any imputations in the answer given by the Premier. The Premier's time to answer has expired.

WESTERN SYDNEY ROADS INFRASTRUCTURE

Mr CHRIS PATTERSON: My question is directed to the Premier. How is the Government delivering better infrastructure for Western Sydney motorists?

Mr Clayton Barr: Point of order: Is there not an imputation in that question that the Government is delivering better infrastructure?

The SPEAKER: Order! The member for Cessnock is at risk of being removed from the Chamber for a second time this week.

Mr MIKE BAIRD: Today is a great day for New South Wales. We had an announcement from the Minister for Transport that will mean more trains for this great city in this great State. We had an announcement from the Treasurer that there are more jobs for this State and on the back of the announcement from the Commonwealth Government there is more road funding for this great city.

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

Mr MIKE BAIRD: The largest road project being undertaken in the country is the WestConnex project. It is going to transform Western Sydney. This is an \$11.5 billion project. This motorway, 33 kilometres long, will make a huge difference to the daily lives of everyone who uses it. We welcome the budget announcement from the Commonwealth Government of \$2 billion to enable Sydney's WestConnex M5 to open 18 months earlier than anticipated. The money will be brought forward, so we will not have to wait and can start the project next year. This is a good Government doing good things for the people of Western Sydney.

The SPEAKER: Order! The member for Canterbury will resume her seat.

Mr MIKE BAIRD: It means that the 100,000 Western Sydney commuters who use the M5 every day will see reduced commute time and reduced congestion. Doubling the number of lanes in each direction from two to four will increase reliability and decrease travel times. It adds to our 2011 election commitment—hard fought for by the member for Camden on behalf of his electorate—to the \$400 million widening of the M5 West from King Georges Road to Camden Valley Way. That project is now underway. It is an example of the great leadership from the local member, who has delivered for his local community. This adds to the anticipated construction of the WestConnex M4, starting later this year, which will run from Parramatta to Haberfield. It is going to generate 10,000 jobs. Everywhere one turns, jobs are coming into the economy of New South Wales. It is great news.

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

Mr MIKE BAIRD: It will bypass 52 sets of traffic lights and remove 3,000 trucks a day from Parramatta Road. It is going to deliver more than \$20 billion worth of economic benefit to this great city. It not only will reduce travel times and congestion but also will increase productivity.

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

Mr MIKE BAIRD: Even the Deputy Leader of the Opposition supports this project. She is so excited by this news.

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

Mr MIKE BAIRD: In simple terms, it will mean people will spend less time on our roads and more time with our families. That is what the community wants to see from its Government.

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

Mr MIKE BAIRD: I was drawn to some words by David Borger, a member of the former Government whom I think we all remember. Today on radio he said, "It means that Sydney is finally getting its share of the infrastructure dollar." That is a good quote in so many ways: He is saying that this Government is doing a responsible job and that the former Government did absolutely nothing.

The SPEAKER: Order! The member for Cessnock will come to order. I call the member for Fairfield to order for the first time.

Mr MIKE BAIRD: David Borger's great words are spot on.

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

Mr MIKE BAIRD: We know that members opposite do not believe in providing roads for this great city.

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

Mr MIKE BAIRD: We know that they were against the port transaction, which provided the Government's \$1.8 billion contribution to the funding of WestConnex. Members opposite are against the delivery of this road.

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

Mr MIKE BAIRD: As we have said before, in the movie *Back to the Future* the professor says before they get into the DeLorean, "Where we're going, we don't need roads." That is exactly Labor's policy. Labor will need to build a massive DeLorean and put the whole of New South Wales into it because there will not be any roads under Labor.

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

Mr MIKE BAIRD: It is great to be working collaboratively with a Commonwealth government that is interested in delivering infrastructure for New South Wales. The announcement today means that we will have the opportunity to bring the project forward by up to 18 months. We can start next year, which means WestConnex is finally going to happen. That is what happens when a government is responsible with its budget, makes the necessary tough decisions, allocates money for infrastructure and works collaboratively with the Commonwealth Government: presto, we get the WestConnex project. We are happy to be delivering for the people of Western Sydney, and we will continue to do so.

PREMIER AND POLITICAL DONATIONS

Ms LINDA BURNEY: My question is directed to the Premier. Will the Premier publicly release the details of donations to his campaign and the Manly SEC account since he was preselected in 2006, given that he has not declared any donations despite spending more than \$300,000 on his election campaigns?

Mr MIKE BAIRD: Members opposite know the answer to this question: The donations go to the Liberal Party. We have complied with that.

The SPEAKER: Order! An Opposition member asked the question and Opposition members should listen to the answer. I call the Leader of the Opposition to order for the second time.

Mr MIKE BAIRD: Members opposite know the answer to the question. They are being very irresponsible. The Liberal Party takes the donations and reports them. That has been dealt with.

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

Mr MIKE BAIRD: It is obvious to the people of New South Wales that members opposite are not interested in the issues that matter on the ground.

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

Mr MIKE BAIRD: We have started to take the actions necessary and we will continue to do so.

Mr John Robertson: Point of order: My point of order is relevance under Standing Order 129. The people of New South Wales deserve to know who funded the Premier's campaign.

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

Mr MIKE BAIRD: I will finish my answer because this is very boring for the people of New South Wales. Donations are disclosed by the Liberal Party. I invite members opposite to look at the records; they are all there and they are all right.

TRAIN SERVICES

Mr CHRIS HOLSTEIN: My question is directed to the Minister for Transport, and Minister for the Hunter. How is the Government improving train services for intercity customers?

Ms GLADYS BEREJIKLIAN: Today is a great day for everyone who cares about public transport. I thank the member for Gosford for his question. I have travelled around his community with him a number of times and seen his hardworking, grassroots nature at work.

Ms Linda Burney: There's nobody left on the Central Coast.

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

Ms GLADYS BEREJIKLIAN: The member for Canterbury does not like good news. Today's announcement is great news for the constituents of the member for Gosford and all constituents across this great State. Today I was pleased to join the Premier at Central railway station to announce that our Government is investing \$2.8 billion to purchase a new train fleet for our customers. The fleet will provide unprecedented levels of comfort for the thousands of people who make the daily commute from places such as the Central Coast, Newcastle, the Illawarra and the Blue Mountains. Those thousands of people were ignored by members opposite.

Government members believe that our intercity customers deserve a world-class service, and that is what they will receive. Even the member for Keira will be excited by this, because we are delivering what he could not deliver while he was the Deputy Director General of Transport NSW. I am pleased to say that the Government is starting work to deliver approximately 65 new trains for customers, which we hope will be rolled out in as little as four to five years. That is our goal. We are pleased to announce that the first train will be delivered in about four or five years time.

The SPEAKER: Order! All members who have been called to order on one or two occasions are now deemed to be on three calls to order.

Ms GLADYS BEREJIKLIAN: I will respond to some of the Opposition members' jest. Members opposite announced the introduction of Waratah train carriages in 2004. That was 10 years ago. For the seven years they were in government after making that announcement they did not deliver a single Waratah carriage. Labor announced the new carriages in 2004; seven years later they were still issuing press releases about when they would be arriving. They did not deliver a single carriage. When we came to government we fixed up Labor's mess and started to deliver the Waratah train carriages.

I am still trying to find one positive thing that the Leader of the Opposition did as Minister for Transport. He was good at putting out press releases, and he put out a number about the Waratah train carriages.

They were supposed to arrive in July 2010, then August and then December. The last press release said that the carriages would arrive in April 2015, which we know is after the State election. Labor announced the Waratah train carriages in 2004 and did not deliver one. I am pleased to say that since we have been in government we have delivered 70 air-conditioned Waratah train carriages to the network.

Today's announcement goes further. It confirms that customers who traditionally have been doing it tough on longer journeys will get state-of-the-art carriages with comfortable seats, air conditioning and premium services on offer. Let us now talk about what members opposite thought was acceptable for intercity customers. They thought the late and over-budget Oscar train carriages were suitable for long distance travel. Let us face it: People who were travelling longer distances in Oscar train carriages were not getting the level of service they deserved; however, the Oscar train carriages are suitable to service the greater suburban network in Sydney. Today we announced that those Oscar train carriages will be used in suburban areas to service our intercity passengers.

I know that the member for Wollongong agrees with me, because she has written letters telling me that the Oscar carriages are not really good enough for her constituents. I am pleased that members opposite welcome today's announcement. When this Government was elected, approximately 70 per cent of our trains were air-conditioned. Now approximately 90 per cent of our trains are air-conditioned and by the end of the year the percentage of air-conditioned trains will increase to 95 per cent.

Pursuant to sessional order additional information provided.

Ms GLADYS BEREJIKLIAN: Today's announcement demonstrates that Transport for NSW is listening to its customers. We do care about the customer experience and modernising the network. We will keep working hard to deliver what the people of this great State deserve whether that involves extra train services, cleaner services or more carriages. That is what our customers need, that is what our customers want, and that is what customers deserve. As an aside I mention in relation to the rollout of the Opal card that my staff and I took the train to a press conference today. Because we went there and back within an hour, the trip was free under the Opal system. I have to say that we got a bit of a buzz when we returned to Martin Place and the balance showed zero. We worked out that that was because we went there and back within an hour. That is the Opal card, which represents good services for our customers.

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

Ms GLADYS BEREJIKLIAN: Over 16 years, Labor put out a lot of press releases and made a lot of promises but delivered nothing. This Government is delivering and is improving the lives of our customers, especially in the area of public transport.

POLICE RESOURCES ALLOCATION

Mr MICHAEL DALEY: My question is directed to the Minister for Police and Emergency Services. Can he confirm that despite more than 360 shootings since 2011, he is pulling 800 police officers from all over the State from their regular duties and sending them to the North Coast to break up a lawful protest against coal seam gas mining?

Mr STUART AYRES: I thank the member for Maroubra for his question.

Mr Brad Hazzard: Middle management.

Mr STUART AYRES: Yes, middle management. The decision on where police officers are deployed definitely is a decision made by the Commissioner of Police. Obviously, the Government supports the people participating in legal protest. That is something that this Government always has considered.

The SPEAKER: Order! The member for Maroubra has asked the question. He should listen to the answer.

Mr STUART AYRES: We will ensure that the law is upheld, and the allocation of Police Force officers will be made to do that very thing. But it would be remiss of me not to take the opportunity afforded by the question to update the House about some of the things that the Government is doing in relation to the Police Force.

Mr Michael Daley: Point of order: My point of order relates to Standing Order 129. I did not ask for a general update.

The SPEAKER: Order! I understand the member for Maroubra's point of order. The member for Maroubra will resume his seat.

Mr Michael Daley: I want the Minister to confirm whether he sent 800 officers.

The SPEAKER: Order! The Minister has answered the question. He is now being generally relevant to the question. The member for Kogarah will come to order and cease shouting.

Mr STUART AYRES: The member for Maroubra might want to know about the allocation of 800 or 600. It does not matter what number he is after: we can tell him all the numbers he wants to hear. Some of the numbers that come from the member for Maroubra are very good, such as that in New South Wales right now we have an authorised Police Force of 16,356, which is significantly larger than it was when the member for Maroubra was the Minister for Police. Just before Labor lost government, he confirmed in *Hansard* in response to a question asked in this House that the authorised strength of the Police Force was a little more than 15,500. Under this Government we have seen an increase in that authorised strength. This Government committed to delivering 550 additional police officers, which it is continuing to do. While the member for Maroubra continues to ask questions about how we allocate the resources of our Police Force, it is a good opportunity to mention the results achieved by the Police Force. In the latest Bureau of Crime Statistics and Research information, robbery is down 11 per cent—

Mr Nathan Rees: Not on the Central Coast.

Mr STUART AYRES:—and motor vehicle theft is down 13 per cent in New South Wales.

The SPEAKER: Order! I have warned the member for Toongabbie not to interject. The member for Toongabbie is on three calls to order. He will remove himself from the Chamber until the conclusion of question time.

[Pursuant to sessional order the member for Toongabbie left the Chamber at 2.43 p.m.]

Mr STUART AYRES: Furthermore, stealing from a person offences are down 12 per cent, but not in the case of Eddie Obeid. When it comes to the allocation of policing resources, which I know is of considerable interest to the member for Maroubra and plenty of other members of this House, the budget provides for \$192 million in recurrent expenditure for the Police Force. Some fantastic work is being done by our police in important policing operations, two of which are Operation Talon and Strike Force Raptor. This information is particularly relevant to the question asked by the member for Maroubra. Operation Talon is having a real impact on criminals, particularly in Sydney.

As a result of laws introduced by this Government and passed by this House, Operation Talon has resulted in 431 arrests, the laying of 688 charges, 2,905 person searches, 1,322 vehicle inspections and the issuance of 77 firearms prohibition orders. Most importantly, Operation Talon and Strike Force Raptor have resulted in a reduction in shootings in Sydney. In 2012 there were 98 incidents of shots being fired into premises in Sydney. In 2013, after Strike Force Raptor and Operation Talon commenced, the number was reduced to 51.

The SPEAKER: Order! The member for Kogarah is on three calls to order. She will remove herself from the Chamber until the conclusion of question time.

[Pursuant to sessional order the member for Kogarah left the Chamber at 2.45 p.m.]

Mr STUART AYRES: Why is that number so important? It is because it is the lowest number of shots that have been fired into premises since 1995. For the entire 16 years that Labor was in government, including every single year when the member for Maroubra was the Minister for Police, the incidence of shots being fired into premises was higher than it was last year under this Government.

The SPEAKER: Order! The member for Canterbury is on three calls to order. She will remove herself from the Chamber until the conclusion of question time.

[Pursuant to sessional order the member for Canterbury left the Chamber at 2.46 p.m.]

Mr STUART AYRES: The member for Maroubra can ask as many questions as he likes about the allocation of police resources because the men and women of the NSW Police Force continue to do an exceptional job. They are being supported by a Government that gives them the resources and funding they need to do what they need to do. They uphold the law and they are making New South Wales safer for every single resident of the State. We support them. The Opposition should think about doing that too.

ALCOHOL- AND DRUG-RELATED VIOLENCE

Mr BRUCE NOTLEY-SMITH: My question is directed to the Minister for Hospitality, Gaming and Racing, and Minister for the Arts. What is the Government's latest action to target drug- and alcohol-related violence?

Mr TROY GRANT: I thank the member for Coogee for his question, which is the first question directed to me in this House. I thank the House including members opposite for their kind wishes consequent upon my elevation to the ministry and assuming responsibility for my portfolio. The New South Wales Liberals and Nationals are focused on cleaning up alcohol-related issues across this State. Since this Government's election in 2011, the most comprehensive package of measures to reduce alcohol-related violence has been introduced. I pay tribute to the work of the former Premier, the honourable member for Ku-ring-gai, in relation to this issue. As the Premier, Mike Baird, so adequately said, the legacy of Barry O'Farrell is both positive and permanent.

When it comes to this Government's reduction in the incidence of alcohol-related crime, it is clear for everyone to see the accuracy of that statement. I also add my thanks and pay tribute to the member for Upper Hunter, the Hon. George Souris. I thank him very much for his efforts over an extended period. His contribution to the State is outstanding. He is a giant of The Nationals. I sincerely appreciate the assistance he has given to me since I have taken up this role. Both gentlemen led the way in responding to the overwhelming community calls for action in relation to alcohol-related issues.

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

Mr TROY GRANT: Today we take the next step towards making people safer in and around our licensed venues. I advise the House that this morning the Office of Liquor, Gaming and Racing announced the successful tenderer for the supply and operation of identification [ID] scanners at high-risk venues at Kings Cross. From next month, up to 35 high-risk venues in Kings Cross will operate patron identification scanners that capture the name, date of birth, address and photograph of all patrons who enter those premises during specified times.

The identification scanners will be linked to a centralised system and will alert venue staff and the police if a patron attempts to enter any high-risk premises while having a temporary or long-term banning order in place. This will be a vital tool for the police in their future work in this area. Banned patrons face fines of up to \$5,500 for entering or attempting to enter any high-risk venue during the course of the ban. High-risk venues that fail to operate their identification scanners risk prosecution for any breach under the three strikes disciplinary scheme and further regulatory intervention by the Office of Liquor, Gaming and Racing.

This includes statutory directions and complaint action with serious consequences, including potential loss of licence. I am advised that there are currently 38 long-term banning orders in force across the Kings Cross and Sydney central business district precincts. Police have also issued 260 short-term banning orders in the precincts. The identification scanner system will make Kings Cross high-risk venues safer by stopping troublemakers at the door and also ensuring that patrons who break the law whilst on those premises can be identified and held responsible for their actions.

It is well known in this House that I spent 22 years in the Police Force before entering Parliament. I had a front row seat in witnessing the slow decline in standards and behaviour across all of our communities. It has come to the attention of this House in the last three years that there has been an accelerated decline. As people have pursued every opportunity to get equal rights, freedom and the like, we have abandoned parental responsibility, we have abandoned personal responsibility and we have lost our way on accountability. Under this Government, those days are ending. We can make sure that in a particular area of the State we have the arsenal at hand to achieve that goal. If this behaviour continues to spread across our communities, like the plague in Kings Cross, we will act. We now have the power to do that, and this Government stands firm on that commitment.

I had the opportunity to speak at the Hotels Have Hearts fundraising event held by the St Vincent de Paul Society and I told the hotel industry that anything we do in government we must do as a partnership. The police rely on the community to help them by providing witness statements to bring persons to court and hold them to account. The hotel industry has a role to play with government to make sure their operations are of the highest order and that they are responsible in looking after the community. This Government will join in partnership with the industry to make sure that those bad eggs—and it is not everybody; there are plenty in the hotel industry that run exceptional premises and they will be supported—are run out of town. We will run out of town the rascals who are letting down the industry and our community. This is the first step. There are many more steps to ensure community safety and fairness right across the system.

The SPEAKER: Order! I remind members of the public in the gallery that they should not make any sound. The member for Kiama will come to order. The member for Murrumbidgee will come to order. I call the member for Murray-Darling to order.

POLICE RESOURCES ALLOCATION

Mr JOHN ROBERTSON: My question is directed to the Premier. Does the Premier believe that it is appropriate to pull 800 officers away from their normal duties to help private company Metgasco break up a protest against coal seam gas mining—

The SPEAKER: Order! The Leader of the Opposition has the right to ask the question. So far it is in order. The member for Monaro will come to order.

Mr JOHN ROBERTSON:—to help private company Metgasco break up a protest by peaceful farmers against coal seam gas mining.

Mr Andrew Constance: They are not peaceful farmers.

Mr JOHN ROBERTSON: I note the interjection from the Treasurer that they are not peaceful farmers. Is this confirmation that under his leadership New South Wales and its Police Force are up for sale to the highest corporate bidder?

The SPEAKER: Order! There were two questions in one. Is the Premier prepared to answer either question or both?

Mr MIKE BAIRD: The last comment from the Leader of the Opposition is utterly outrageous.

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

Mr MIKE BAIRD: I pay tribute to our Police Force. Day in and day out we go about our business, and we do it in safety because of the great work of the men and women in blue. Only those on the other side would try to turn politics into policing. We are very happy for peaceful protests to occur within the law. I do not care where it occurs in New South Wales; we are happy to support it because it is part of the rich democracy of which we are a part. That is exactly who we are, here in New South Wales. We are happy to support people to have a difference of opinion and happy for people to protest, but we ask, if they do protest, that they do so peacefully and within the law. Operational matters are for the police to deal with. They are the ones who assess operational risk, they are the ones who deploy, and that is exactly what they will do in relation to this issue. We will continue to monitor the situation. We will continue to work with the local community and with the police, and we will take advice from police.

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

Mr MIKE BAIRD: I want to be clear that for the Leader of the Opposition to make those sorts of slurs against the police is totally and utterly wrong and we will not listen in any way, shape or form to those sorts of accusations. We on this side of the House proudly back our police every day of the week, and we will continue to do that. We are proud of the work they do.

KEEP THEM SAFE CHILD PROTECTION INITIATIVE

Mr MARK COURE: My question is addressed to the Minister for Family and Community Services. How is the Government supporting the State's most vulnerable children?

Ms GABRIELLE UPTON: I thank the member for Oatley for the question. I am honoured to work in this portfolio area, which goes to the heart of our community. Every member in this House understands that this is a portfolio which should transcend politics and electoral boundaries. The issues—the children and the families—are too important to be involved in the argy bargo of politics. Irrespective of which side of the House members sit, we all have a responsibility to work together to ensure the most vulnerable in our community are taken care of. I pay tribute to Minister Goward, who worked tirelessly in this portfolio, and I will build on her work over the past three years.

As the now absent member for Canterbury said in this House, "No child protection system in the world can prevent abuse altogether." I hope she is listening now—I am sure she is—because this is true. We must strive, however, to review and continuously improve the system. Much of the hard work done by the front-line staff of Family and Community Services goes unseen by the public. I know that the front-line staff are committed to continuous improvement of what they do. I know they are passionate and professional. I have spent some time with them over the past two weeks since I have been Minister—the caseworker who patiently listens to that call about suspected child neglect on the Helpline; the caseworker who fights for a vulnerable child to make sure that not only is that child protected but that the child has a future, has a chance to go to school and has a safe home to go to after school.

It is with great pleasure that I can advise the House that the New South Wales Government has committed to more than \$340 million in funding over the next two years for the Keep Them Safe child protection and wellbeing initiative. A key premise of the Wood special commission was that child protection is everybody's responsibility. This remains true today. That is why I welcome the support of the member for Canterbury for the funding commitment and her recognition that child protection is everyone's business.

I also welcome the Opposition's support for the Community Services (Complaints, Reviews and Monitoring) Amendment Bill, which was dealt with in the House yesterday. The public rightly expects that both sides of this House will work together to keep our children and young people safe. Keep Them Safe includes a range of programs that aim to increase the wellbeing of children, young people and families. It will enable our caseworkers to work with families to ensure that children are safe in the family home. It will increase the skills and expertise of front-line staff and it will enable the coordination of services so that those in need get the support that they need.

But the New South Wales Government cannot act alone to respond to the needs of all vulnerable children. Partnerships with non-government organisations are essential and this commitment allows them to continue that important work. As I have said, continuous improvement is imperative and a comprehensive evaluation of Keep Them Safe is underway. This side of the House believes that robust evaluation is essential to ensure our significant investment has the greatest possible impact. Two-year funding will ensure that services continue in the meantime while that evaluation is completed so that the vulnerable receive what they need. I say no more than that this side of the House is committed to improving and strengthening front-line services so that our children, our vulnerable, have a safe home for life.

POLITICAL DONATIONS

Mr JAMIE PARKER: My question is directed to the Premier. Considering the recent evidence presented at the Independent Commission Against Corruption, does his Government support the principle that associated entities, such as the Free Enterprise Foundation, should be banned from making political donations?

Mr MIKE BAIRD: I thank the member for his question and interest in this matter. I have answered the question this week in Parliament, but I make the following point: My interest in donation reform is public for everyone to see. It was my privilege to come into this place in 2007. I remember the day I walked through the door of this Chamber. As every member knows, it is a privilege to come here. When a new member makes an inaugural speech, he or she often outlines the issues that brought that person to this place, the issues that concern that person, the issues about which that person is passionate and the things that person wants to change in this State.

In my inaugural speech I identified clearly that I wanted to change the donation system because, to use my words, it was at a corrosive level in New South Wales. Certainly, from evidence seen before and since that date, I maintain that strong belief. The following year I made a submission about public funding. I was proud also then as part of this Government to bring to this House donation reform under the former Premier seeking to limit the influence of donations. It was a genuine attempt. The High Court knocked back that reform

for reasons I will not go into now. In addressing the member's concern, I say that as Premier of this State I remain concerned about donations. I will take actions and this Government will take actions to ensure they are reduced.

Mr John Robertson: When?

Mr MIKE BAIRD: We will do it in a considered and responsible way that impacts on the whole of New South Wales.

ELECTRICITY PRICES

Mr ANDREW GEE: My question is addressed to the Minister for Resources and Energy, and Special Minister of State. How is the Government reducing the cost of living for the people of New South Wales, and related matters?

The SPEAKER: Order! If members continue to interject, a few more members will be sent from the Chamber.

Mr ANTHONY ROBERTS: It must be Thursday afternoon. I sincerely thank the member for Orange for his interest in bringing lower prices to the people of New South Wales, particularly with respect to energy. The New South Wales Government is delivering on its promise to drive down electricity prices for New South Wales households and businesses. The damage from Labor's mismanagement and Robertson's disastrous reign as energy Minister has been wound back by this Government. Already, the Liberal-Nationals Government's network reform program has brought power bills in this State under control. We remember John Robertson's infamous statement about network reform when he bleated, "It won't cut prices." This House begs to disagree. Those opposite laugh. People have had to make decisions to heat or eat. That type of arrogance booted those opposite out of office. I can inform the House that on 16 April the Australian Energy Regulator announced that household electricity bills will continue to fall as a result of this Government's reform.

The SPEAKER: Order! Members will remain silent. I am finding it difficult to hear the Minister.

Mr ANTHONY ROBERTS: The Baird-Stoner Government's reforms have put money back into New South Wales customers' pockets and, as the great purveyor of stainless steel utensils used to say, "That's not all." We are going further. On 7 April the New South Wales Government announced its commitment to remove retail price regulation from the New South Wales electricity market as from 1 July this year. Deregulating the electricity market will make it easier for new retailers to enter into the New South Wales marketplace. This means more competition and more innovative choices for New South Wales families and businesses. Last year the Australian Energy Market Commission highlighted that switching to a competitive market contract could save families between \$300 and \$400 a year on an average bill.

Mrs Barbara Perry: Rubbish.

Mr ANTHONY ROBERTS: It might not be much for the member, but people out there are doing it tough and this Government is responding. More than 60 per cent of New South Wales electricity customers have made the switch already and are reaping the rewards of this Government. Under our reforms, the remaining 40 per cent will be able to share in the benefits of competitive market reform. Has the Leader of the Opposition switched? I bet he has not. He is a secret switcher. The member for Maroubra and the member for Heffron are smart because they have opposable digits. They would have switched because they are smart; they are intelligent.

Mr Ron Hoenig: Point of order: My point of order is under Standing Order 73. Being complimented by the Minister for Resources and Energy is an imputation that adversely reflects on my character.

The SPEAKER: Order! There is no point of order. There were compliments, but no imputations.

Mr ANTHONY ROBERTS: Those opposite are all secret switchers. They are happy to make the switch to save money, but when it comes to their constituency they say, "No, we can't do that. Let's hide the benefits of competitive market reform."

Mr John Robertson: You clearly don't understand the reports.

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

Mr ANTHONY ROBERTS: Customers on a regulated contract as at 1 July will be switched automatically to a two-year transitional tariff. Whether the Leader of the Opposition likes it or not, he will save money. But he should make an arrangement with his energy provider to keep paying the top bill if he prefers. That switch will provide a great stepping stone for regulated customers to enter this wonderful new and competitive marketplace. I am delighted to inform the House that as at 1 July most households on this transitional tariff will receive a 1.5 per cent decrease on 2013 prices for doing nothing. This Government will decrease power prices even if households do nothing. That is a great change from what occurred when the Leader of the Opposition was energy Minister. The Leader of the Opposition is struggling. We are delivering price decreases.

Pursuant to sessional order additional information provided.

Mr ANTHONY ROBERTS: The Leader of the Opposition is sweating because we are delivering price decreases faster than he can churn out his little scare campaigns, but it gets better.

Mr Guy Zangari: There is no price decrease.

Ms Noreen Hay: They don't believe you.

Mr Michael Daley: We know who's sweating.

Mr ANTHONY ROBERTS: Yap, yap, yap. Change the medication, blue, red, get it right. I inform the House that we are not the first State to enter into deregulation. In 2009 the Victorian Labor Government deregulated its electricity market despite intense union opposition. Despite what the Leader of the Opposition says, since that time Victorian prices compared to prices under the old New South Wales Labor Government actually increased at a lower rate.

Mr Guy Zangari: So they increased. Now we're getting to the bottom of it; now prices go up.

Mr ANTHONY ROBERTS: I would not be too proud about the former Government's record on prices: 60 per cent in five years. But wait—

Mr John Sidoti: There's more.

Mr ANTHONY ROBERTS: There is even more, and I thank the member for Drummoyne. In 2013 the South Australian Labor Government became the second jurisdiction to deregulate its market and it has never looked back. Indeed, a recent Council of Australian Governments Energy Council unanimously applauded our decision to deregulate. Indeed, the South Australian Labor energy Minister, Tom Koutsantonis, singled out our decision to deregulate for special mention and praise.

A Labor Minister applauded the New South Wales decision to deregulate. Unfortunately for Labor, the Minister lives in another State. However the good news is that the member for Heffron is no longer the only intelligent Labor member who understands the electricity market. If only Verity's bench warmer would allow the Leader of the Opposition to say that publicly. I thank this Government because electricity prices are decreasing for the first time in more than a decade.

Question time concluded at 3.10 p.m.

PUBLIC ACCOUNTS COMMITTEE

Report

Mr Jonathan O'Dea, as Chair, tabled the report entitled "Examination of the Auditor-General's Performance Audits April 2012-August 2012", dated May 2014.

Ordered to be printed on motion by Mr Jonathan O'Dea.

PETITIONS

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

Pymont and Ultimo Bus Services

Petition requesting the improvement and expansion of bus services to Pymont and Ultimo, received from **Mr Alex Greenwich**.

Sydney Electorate Public High School

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

Oxford Street Traffic Arrangements

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

Pet Shops

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

Pig-dog Hunting Ban

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

Slaughterhouse Monitoring

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

Container Deposit Levy

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

The Clerk announced receipt of the following ministerial response to a petition signed by more than 500 persons:

The Hon. Stuart Ayres—Wallsend Police Station—lodged 18 March 2014 (Ms Sonia Hornery)

GRAFFITI CONTROL AMENDMENT BILL 2014

Consideration in Detail

Consideration of the Legislative Council's amendment.

Schedule of amendment referred to in message of 7 May 2014

No. 1 Page 3, schedule 1 [1], proposed section 4. Insert after line 27:

- (5) Subsection (1) does not apply to the marking of any public footpath or public pavement with chalk, including, but not limited to, marking out a hopscotch or handball court with chalk.

Mr BRAD HAZZARD (Wakehurst—Attorney General, and Minister for Justice) [3.13 p.m.]: I move:

That the Legislative Council amendment be agreed to.

Mr PAUL LYNCH (Liverpool) [3.13 p.m.]: The Opposition agrees to the Legislative Council amendment.

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

Motion agreed to.

Legislative Council amendment agreed to.

Message sent to the Legislative Council advising it of the resolution.

UNIVERSITIES LEGISLATION AMENDMENT (REGULATORY REFORMS) BILL 2014

Second Reading

Debate resumed from 19 March 2014.

Mr STEPHEN BROMHEAD (Myall Lakes) [3.14 p.m.]: I speak in support of the Universities Legislation Amendment (Regulatory Reforms) Bill 2014. In 2011 the Government introduced the Universities Governing Bodies Act 2011, which commenced the process of updating legislation governing universities. This bill continues that process by reducing the amount of regulation regarding financial management, land dealings and governing body election procedures. Following a request by the New South Wales Vice-Chancellor's Committee, the Minister for Education asked the Minister for Sport and Recreation, in her role as Parliamentary Secretary for Tertiary Education and Skills—the Minister for Sport and Recreation is now the Minister for Community Services—to conduct a review of the State university regulation.

A change of regulation was examined in close consultation with the universities to identify where they could be given greater flexibility and additional autonomy. Part of the context was the competitive tertiary education environment and the increasing need for universities to engage in commercial activities to support their core purposes. The bill reflects the recommendations of the review and deals with some additional matters, either requested by universities or of a technical nature. The bill amends various Acts establishing universities, the university Acts, to remove certain regulatory requirements relating to financial management, land dealings and governing body election procedures of the universities and put beyond doubt the capacity of the universities to generate revenue, to fund the objects and principal functions of the university in relation to each university as follows:

- (a) the requirement for the Governor on the recommendation of the Treasurer to approve borrowings by the university is removed, and
- (b) the requirement for the Minister for Education with the concurrence of the Treasurer to approve university investment powers is removed, and
- (c) the university is specifically authorised to generate revenue for the purpose of funding the promotion of its object and the carrying out of its principal functions, and
- (d) the requirement for the Treasurer on the recommendation of the Minister for Education to approve fund managers is removed, and
- (e) the requirement for the Minister for Education on the advice of the Treasurer to approve guidelines for commercial activities carried on by the university is removed, and
- (f) the requirement for the Minister for Education to approve the sale, encumbrance or lease for more than 21 years of university land is removed and is replaced with a requirement for such approval where the land concerned was granted, transferred or sold at nominal or less than market value to the university by the State or is the lease of any land acquired from the State for a term of more than 21 years, and
- (g) the limitation preventing the university from leasing certain land vested in the Crown which is under the university's control and management for more than 21 years is removed and replaced with a requirement permitting leases for more than 21 years with the approval of the Minister for Education, and
- (h) the university is empowered to delegate to the governing body of the university the power to make rules concerning procedures for elections to that body instead of them being prescribed by the by-laws.

The bill also includes the following:

- (i) amends the University of Wollongong Act 1989:
 - (i) to remove references to the "Convocation" of the University, and
 - (ii) to enable the Vice-Chancellor of the University to sub-delegate functions delegated to the Vice-Chancellor by the Council of the University, and

- (j) makes a consequential amendment to omit Part 11 (Convocation) of the University of Wollongong By-law 200, and
- (k) amends the University of Newcastle Act 1989:
 - (i) to formally include the President of the Academic Senate as a member and Chair of the Academic Senate of the University, and
 - (ii) to enable the Vice-Chancellor of the University to sub-delegate functions delegated to the Vice-Chancellor by the Council of the University, and
- (l) amends the Macquarie University Act 1989 to correct a cross-reference, and
- (m) amends each University Act to make amendments of a consequential or savings nature.

The proposed reforms remove the requirement of university borrowings to be approved by the Governor on the recommendation of the Treasurer. The requirement for the university investment powers to be approved by the Minister for Education, with the concurrence of the Treasurer, is removed. Each university is specifically authorised to generate revenue for the purpose of funding the promotion of its object and the carrying out of its principal functions. The bill removes the requirement for university fund managers to be approved by the Treasurer on the recommendation of the Minister for Education. The bill also removes the requirement for guidelines for commercial activities to be approved by the Minister for Education on the advice of the Treasurer.

The bill removes the requirement for the sale, encumbrance or lease for more than 21 years of university land to be approved by the Minister for Education, except where the land was granted or otherwise obtained from the State at nominal or less than market value. The bill removes the restriction of universities leasing Crown land under their management for more than 21 years, provided any such leases for more than 21 years are approved by the Minister for Education. Finally, the bill allows universities to make rules concerning governing body election procedures instead of requiring election procedures to be set out in by-laws, as is currently required. The bill helps to streamline the regulations covering universities. It helps to allow universities to get on with the job of teaching. It also allows universities to raise funds commercially, thus reducing the impost on the taxpayers of this State. I commend the bill to the House.

Mr ANDREW CORNWELL (Charlestown) [3.21 p.m.]: I support the Universities Legislation Amendment (Regulatory Reforms) Bill 2014. I will make some opening remarks about the role our universities play. The University of Newcastle is one of the major employers in the Hunter region. It provides opportunities for the young people of the Hunter to receive a world-class tertiary education close to home. Until the University of Newcastle was founded 40-odd years ago, Hunter students had to travel to Sydney or overseas to achieve high-quality tertiary education. Indeed, for many decades this resulted in a significant brain drain from the Hunter. The list of alumni from many of the great Hunter high schools—Newcastle Boys High School, Newcastle High School for Girls and Hunter Girls High School—is glittering, but many of them are lost to the region forever.

Students have left to further their academic careers through tertiary education in Sydney. While they still maintain links with the Hunter Valley, the industry they can generate is lost, often forever, to the region. Universities play a vital role in regional communities such as Newcastle and the Hunter. I take this opportunity to pay tribute to the University of Newcastle and the role it plays in our community. It is unusual that the State regulates universities because they are essentially federally funded bodies. However, it has become a little piece of history that the State still has regulatory control over universities. The object of the bill is to make various Acts that establish universities, removes certain regulatory requirements relating to financial management, land dealings and governing body election procedures and puts beyond doubt the capacity of universities to generate revenue to fund the objects and principal functions of each university.

Universities work in a global environment. As a State it is important that we do everything we can to reduce the burden of regulation to enable universities to compete. We have a world-class university system and we have world-class people within that system who provide fantastic learning opportunities for our students. Too often universities have been overburdened with regulation. It would be remiss of me not to pay tribute to the Minister for Education and the former Parliamentary Secretary for Education for the reforms that were introduced soon after we came to office. Traditionally people appointed to university governing bodies were heavily politicised. They had the dead hand of government on them and the government of the day would ensure politically friendly appointments to those boards.

But the changes we have made have freed that up. Universities have much more control over who is appointed to their governing bodies and that commendable reform has gone a long way towards removing the

politics. The university representatives I have spoken to have given nothing but glowing feedback on the hard work of the Minister for Education and the former Parliamentary Secretary for Education, Ms Gabrielle Upton. The bill amends the University of Newcastle Act to formally include the president of the academic senate as a member and chair of the academic senate of the university. It enables the vice-chancellor of the university to sub-delegate functions delegated to the vice-chancellor by the council of the university.

Dr Geoff Lee: Name the vice-chancellor.

Mr ANDREW CORNWELL: The member for Parramatta has asked me to identify the vice-chancellor. It is Professor Caroline McMillen. Professor McMillen has had a stellar academic career. She is doing a sterling job in guiding the University of Newcastle through continuing reform.

Dr Geoff Lee: She has an excellent reputation in research and advocacy.

Mr ANDREW CORNWELL: I acknowledge the interjection of the member for Parramatta. He is absolutely correct. I turn now to the very exciting project to revitalise the Newcastle central business district that is about to be undertaken. When the Government was elected it contributed \$25 million to the University of Newcastle to kickstart a city campus—the campus is currently located at Callaghan in Jesmond. This will bring thousands of students back into the inner city and the inner city will be changed forever. This area, which has traditionally been a heavily based retail area, has been under pressure from large suburban retail outlets and this has resulted in a lot of vacant shops. This will bring life back into the city, particularly in the civic precinct where the university will be constructed. The design has been put on public display recently. It is a magnificent building. This is a very exciting opportunity for Newcastle and the Hunter. This will take the University of Newcastle one step further and hopefully will continue to lift its world-class reputation in the very competitive area of tertiary education. I commend the bill to the House.

Dr GEOFF LEE (Parramatta) [3.27 p.m.]: I support the Universities Legislation Amendment (Regulatory Reforms) Bill 2014 and in doing so acknowledge the great work that the member for Charlestown is doing. I congratulate him on his appointment as Government Whip. I also support the wonderful work of the University of Newcastle and Vice-Chancellor Professor Caroline McMillen. That stellar university is second only to the University of Western Sydney. The University of Western Sydney has six campuses throughout greater Western Sydney—

Mr Bryan Doyle: There is one at Campbelltown.

Dr GEOFF LEE: One of those campuses is in the fantastic area of Campbelltown—the opal of the south-west. I acknowledge the interjection of the member for Campbelltown. He is a passionate advocate. I understand the member for Campbelltown recently gave the—

Mr Bryan Doyle: The occasional address.

Dr GEOFF LEE: He gave an occasional address to the graduating students at that university. I also pay tribute to Mr Barry O'Farrell, who is present in the Chamber, and thank him for his support for the University of Western Sydney. In fact, the member for Ku-ring-gai recently opened the central business district campus of the University of Western Sydney at 100 George Street, Parramatta. That campus is a fantastic initiative. It is dedicated to those students who wish to attend a place of learning that is situated halfway between their workplace and their home. It is conveniently located at 100 George Street—in fact, it is two doors down from my office.

I often have the privilege of visiting the offices not only to talk to students but also to attend meetings. I commend the university for that facility. The latest great news to come out of the university, which was announced by Vice-Chancellor Professor Barney Glover and Chancellor Professor Peter Shergold, is that the board of trustees has approved in principle the strategic move to allocate \$120 million to establish a new building in the Parramatta central business district. This will create an even greater presence of educational institutions in the area. The university is planning to increase student numbers there to 10,000, which will make Parramatta the centre of knowledge for the whole of Western Sydney. What a great achievement that will be.

The building will include many facilities for international students. In fact, a key objective of new Vice-Chancellor Professor Barney Glover is to increase the number of international students who attend the University of Western Sydney. There is significant scope for that to occur. The University of Western Sydney

has about 10 per cent to 11 per cent of international students. It is about not only generating self-regulated revenue—and this bill addresses some of those finance issues—and valuable export dollars, which I think Australia is well positioned for on the international stage, but also giving domestic students the chance to mix with students from around the world, including Vietnam, China, Taiwan and many other countries. It gives students an international experience during their course of study as they work in teams with their colleagues and develop friendships that they will have for the rest of their lives.

Parramatta is not only the capital of Western Sydney but also fast becoming a centre for innovation and education. It is a hub for education. We have not only the University of Western Sydney but also the wonderful University of New England, which has a large remote distance delivery centre in Parramatta. People who live in Campbelltown—that great opal of the south-west—have a direct route to God's own country, Parramatta. The constituents of the member for Campbelltown can visit Parramatta and experience what a town and gown city is like. We can appreciate what town and gown cities are about by referring to institutions such as Harvard University and the Massachusetts Institute of Technology, which have a close relationship with Boston. Parramatta will have a fantastic mix of intellectual horsepower, business and lifestyle as it becomes a town and gown city. There are also examples closer to home. For example, Fremantle is a town and gown city. Mr Deputy-Speaker, do you have something to say?

The DEPUTY-SPEAKER (Mr Thomas George): Order! I am just enjoying the journey.

Dr GEOFF LEE: Thank you. I appreciate your support. Fremantle has a close relationship with the University of Notre Dame. It is envisioned that Parramatta will have a similar town and gown relationship with the University of Western Sydney, the University of New England and perhaps even other universities. I think it is important to encourage the development of centres of knowledge. Of course, I should not forget the TAFE colleges that have been established in the past three years and which offer vocational education and training, and all the private registered training organisations that do a tremendous job not only generating revenue but also training our young people and enhancing their skills and management capabilities.

Universities in Parramatta drive not only economic benefits but also social benefits. The social benefit comes from allowing students to access quality education. Two million people live in Western Sydney, and Parramatta is conveniently located in the geographic centre of Sydney. We have the biggest rail and bus interchange outside the Sydney central business district. This allows people to access not only physical facilities but also, once they have full-time work, their place of learning. Universities bring to the area more than just teaching and academic experience. One third of the universities' activities are devoted to teaching. Their research component is particularly important not only in regard to awarding postgraduate and doctoral qualifications but also in regard to integrating that research with business.

Translational research is particularly important. There can be a perfect match between a university, which has significant research capabilities through its academics and research centres, and industry, which needs research to inform the development of new products and processes. It is about looking at how to improve industries and inform businesses how they can operate better. It is about marrying the intellectual horsepower of a university with the needs of the business community—that is the Holy Grail for universities. That is why I support an engaged learning pedagogy, where students have the opportunity to learn through industry placements—whether they are clinical placements, internships or sandwich courses. I think the future of the University of Western Sydney will be about engagement pedagogy: learning through doing and being part of the community. It is particularly important to give back to the community.

Research shows that people who study in Parramatta tend to stay in the area, and the expansion of the University of Western Sydney into Parramatta means that graduates will stay in the area for full-time work. It is particularly important to address the brain drain, whereby graduates leave university and head to the city of Sydney to work. They find themselves spending long hours commuting, by car or by train, every week. It would be much easier if they had a job closer to home. It is vital to the future of this State that we create jobs closer to home—that is, within 30 minutes travel time. That is why my focus is on creating jobs in Parramatta. We already have some 50,000 jobs there, and I think in 25 years we should have another 50,000 jobs. Parramatta is the capital of Western Sydney and will be the capital of jobs creation in Western Sydney—in fact, it already is. It will benefit from the University of Western Sydney and its \$120 million expansion into the Parramatta central business district. This expansion will be good not only for students but also for industry. It will develop a town and gown city and reposition Parramatta as the education capital of Western Sydney.

Mr BRYAN DOYLE (Campbelltown) [3.37 p.m.]: It gives me great pleasure to speak in support of the Universities Legislation Amendment (Regulatory Reforms) Bill 2014 and to follow my good friend the

member for Parramatta. He holds a doctorate, and is one of two doctorate holders on the Government side. I note that the good Dr Lee's doctorate is in business administration, and he continues to bring his expertise in that area to the House. I support the Universities Legislation Amendment (Regulatory Reforms) Bill 2014, which builds on the Universities Governing Bodies Act 2011. It is designed to support New South Wales universities and to ensure that they remain both major public institutions of great strategic value and key components of economic growth and development in New South Wales.

The bill will reduce the degree of direct regulation and government oversight of universities regarding key aspects such as financial management, land dealings and governing body election procedures. These changes are necessary to bring university legislation in New South Wales into the twenty-first century and allow universities to function and compete as fully-fledged statutory corporations. Further, the changes will enhance the ability of each university to engage in its core functions of providing a quality teaching and learning environment supported by efficient cutting-edge research and scholarship programs. Recognising the responsibility that each university governing body has to its respective institution served as a major driver for the introduction of this bill to limit red tape and to give university governing bodies greater control over how their institutions are run.

In particular, the bill will remove the requirement of the Governor, on the recommendation of the Treasurer, to approve borrowing by universities. It also removes the requirement for the Minister of Education, with the concurrence of the Treasurer, to remove university investment powers. Specifically, the university is authorised to generate revenue for the purpose of funding the promotion of its objects and the carrying out of its principle functions. It also removes the requirement for the Treasurer, on the recommendation of the Minister for Education, to approve fund managers. We are proud and fortunate to have a University of Western Sydney campus in Campbelltown—that great opal of the south-west and the best part of the Macarthur. We should never underestimate the positive impact universities have on our communities. Campbelltown is also proud to be home to a University of Western Sydney medical school, and I have had the privilege of welcoming three classes of graduates into Campbelltown Hospital. It has given students the chance to study at a local university and then serve in their local health district. The people of Campbelltown are extremely proud of that.

The University of Western Sydney also has a school of business and law. My eldest daughter is currently studying a commerce degree at the Campbelltown campus. The University of Western Sydney conducts an outreach program into our local schools, which gives children the chance to identify the greatness they hold within them. The university holds a science expo that gives talented year 8 and year 9 students a chance to come together with university professors and doctors to look firsthand at what a career in science could mean for them. It is wonderful for the children to engage in scientific experiments with some of the best minds in the country. I have been privileged to sponsor some of the students who have attended the expo. I have told them that I look forward to the day when a Nobel prize in science winner emerges from the program. That is the grand vision that universities can bring to our youth. I recently had the pleasure of sharing with members the great work of Professor Alan Bensoussan.

Dr Geoff Lee: He got a prize.

Mr BRYAN DOYLE: He did indeed. Professor Bensoussan won the International Award for Contribution to Chinese Medicine. I think he is the only person outside China to do so. The event was so significant that the Consul General of the People's Republic of China, Li Huaxin, came to Campbelltown to present the professor with his award. It demonstrates that universities provide opportunities to have an international impact across the board. I was fortunate to obtain a Bachelor of Laws from the University of Technology, Sydney. Later I obtained a graduate certificate in management from the University of Wollongong. I note that my friends the member for Keira and the member for Kiama are University of Wollongong alumni. I am also proud to hold a Master of Business Administration from Charles Sturt University, Wagga Wagga. University education gives people a wider view of the world. If it were not for my studies I probably would not be here today.

On 16 April this year I was honoured to present the occasional address at the University of Western Sydney academic graduation ceremony. The University of Western Sydney motto is, "Bringing knowledge to life". The theme of my address to the students was to not be afraid of bringing their knowledge to life. Often one of our biggest obstacles is fear: fear of failure, fear of looking stupid, fear of people laughing at us or fear of not succeeding. I told the students that they must overcome their fear and take the knowledge they have gained into the field. Looking around, I could see how proud the students' families were. As I watched the students in their

gowns preparing for the ceremony I told them that they were living the Australian dream. We are a migrant nation. The students may have had family members who died hoping one day that their descendants would graduate from university and go on to do great things for our community.

During my address I also spoke about the significance of the twenty-fifth anniversary of the University of Western Sydney. I told the students not to underestimate the impact that the university has had on greater Western Sydney and the Macarthur region. The changes in the area over the past 25 years demonstrate how the University of Western Sydney has lifted the region. It has given kids who never would have thought of going to university the hope and opportunity of studying locally. Campbelltown, Parramatta, Blacktown and Penrith have experienced growth and benefited greatly from the establishment of University of Western Sydney campuses throughout the region. This Government was elected to get the economy going and to make New South Wales number one again. This Act removes a range of restrictions and harnesses that impede our universities in doing what they need to do. This legislation is one way that we can help make New South Wales number one again, and I commend it to the House.

Mr JAMIE PARKER (Balmain) [3.46 p.m.]: My contribution to debate on the Universities Legislation Amendment (Regulatory Reforms) Bill 2014 will be relatively brief. It is clear that universities are subject to some arcane and arduous financial reporting that should be dealt with. It is also clear that requiring universities to get the approval of the Governor, on the recommendation of the Treasurer, if they want to seek to borrow funds is an unreasonable impost. The approvals that universities need in order to sell or lease land are also onerous. While The Greens support the thrust of the bill, we believe accountability is important. We believe there should be some period in which universities have to report to the Minister on all matters for which they had to request permission before this bill was enacted. That could take place perhaps every five years and will ensure openness and accountability in the process.

While I acknowledge the positive elements in the bill, I am concerned about the type of deregulation we are seeing today. By increasing the autonomy of universities and encouraging them to act like businesses, it is obvious that the expertise deemed necessary to be elected to the governing bodies will evolve over time. One element of universities that should and must be defended is the role of students and staff on university senates and other board arrangements. Under these new arrangements universities will be able to choose how elections are run. The Government should be concerned about that. Universities may favour less participatory but lower-cost election procedures and models, such as postal or electronic voting systems. That may lead to significant problems with disenfranchisement of university students and staff. Our concerns centre on the changes to governing body election procedures. We do not want the voice of students and staff to be undermined or weakened. The Minister says that protections exist for staff and student representatives, but when the track record of some universities is considered, this is a matter of concern.

I am a very proud graduate of Macquarie University and of the University of Sydney. I have seen what happened at Macquarie University, with attempts by the university to destroy the Macquarie University Postgraduate Representative Association. That raises concerns about the approach adopted by some universities towards representative bodies on their campuses. The undergraduate students association of Macquarie University has tended to become a bit of a joke as the representatives are hand-picked, if not cherry picked, because they seem to be more compliant with the university. They are not representative as a result of having been appointed following an election, with universal suffrage, of candidates on the campuses; rather, universities are coming up with hybrid models in an attempt to ensure that student organisations are compliant.

But representatives being chosen in that manner will never replace a representative and democratic election, which is the Rolls Royce optimal outcome. Universities such as Macquarie University are seeking a degraded, less reasonable and less representative option. If they feel that the students do not participate sufficiently or they want to see more student involvement it is a challenge for the university that should not be met by it throwing away representative democracy and replacing it with some type of half in, half out appointed Suharto-style democratic system. The challenge should be met by the adoption of a legitimate free and fair electoral system, which is what this country expects.

The Government has taken some positive steps in this regulatory reform bill. I acknowledge the work of the Minister and the staff who have participated in this project. However, I believe it is important for us to receive assurances that democratic processes as reflected in university life are maintained by legislation like the bill before the House and not degraded. I will continue to ensure that the university from which I graduated, and of which I am proud, does not ride roughshod over the postgraduate association and other student organisations, even if the university sometimes does not agree with them. I believe the representatives of postgraduate and

undergraduate associations should be students who have been selected by a democratic election of all eligible students and should not be hand-picked by the university. I am sure members in the upper House will address that issue. I support the legislation, notwithstanding the concerns I have raised.

Ms GABRIELLE UPTON (Vaucluse—Minister for Family and Community Services) [3.52 p.m.]: I support the Universities Legislation Amendment (Regulatory Reforms) Bill 2014. As a former deputy chancellor at the University of New South Wales and a former Parliamentary Secretary for Tertiary Education and Skills, I have a keen and abiding interest in the advancement of higher education. Our universities are historic public institutions that have made immeasurable contributions to the prosperity of New South Wales, Australia and internationally. They research, they teach, they invent and they contemplate on behalf of us all. Through attendance at university—which many members have had the privilege to experience—we acquire something that no-one can take away from us: learning. Unlike many other possessions in our lives, I believe that learning is not diminished by age or by use; rather, it is enhanced by both.

Our learning in universities took place through discovery, which is the hallmark of tertiary education. As students we explored, we asked questions, we experimented and we negotiated knowledge. It is that educational tradition through universities that best serves our needs as a State, as a nation and as a society that values ideas and is hungry for knowledge—a society that is forever in quest. The active and open minds that are encouraged by university education are our nation's most precious asset and treasure. I believe they have a higher calling in that they create understanding and tolerance, which are much needed in our divided world.

I have a long association with the reforms that are embodied in the bill. I served as Parliamentary Secretary for Tertiary Education and Skills for more than two years. I was tasked with assisting the Minister for Education to undertake a review to reform the sector. The review was about reducing the regulatory red tape that had encumbered the sector for many years. I was committed to reducing red tape in the sector. I understood from my former professional commitments the impact of red tape and how it diminishes what universities do best, which is research and teaching. New South Wales has some of the best universities in the world. It is very important that those universities are able to partner with industry and pursue commercial opportunities without being prevented, tripped up or distracted by an overly prescriptive regulatory environment.

The Government is committed to reducing red tape by 20 per cent by June 2015. I played a large part in the research underpinning this bill to support the higher education system to reform. We did that by adopting an approach that Labor never took. Labor did not, and could not, engage in that type of approach. I know that because I received requests for reform of this sector. For years the sector had been requesting changes to its governance frameworks and a freeing-up of its regulatory frameworks, but Labor did nothing about it. This Government has taken the appropriate action, which is something of which Government members should be truly proud.

The beginning of that reform was in 2011 when we sponsored a bill that has become law—the Universities Governing Bodies Act—to make university governance arrangements more flexible. During the lead time prior to the introduction of the bill, on behalf of the Minister for Education I consulted closely with all our vice-chancellors and chancellors. Those reforms, which have been encapsulated in law, give university bodies the option to reduce their size and reduce red tape by allowing those governing bodies, for example, to hold teleconferences to conduct their board meetings and to remunerate their members, if they choose to do so. That has also allowed those governing bodies to be more strategic so they can do what they are their best at: education and research.

I contest what the member for Balmain said about the representation of students on university boards. A very firm part of the commitment by the Government, and the bill that became the Universities Governing Bodies Act, was that students would have representation on those boards. The Act does not take away the representational capacity of students on boards that deal with university governance, and it is misleading to suggest that it does. That bill related to governance reform. The issue was put to bed. The legislation sailed through the upper House. Later I was tasked with conducting a further review of the State university regulation at the request of my senior Minister, the Minister for Education. That review concluded more change was required to unshackle our universities to enable them to be strategic and responsive to opportunities, and could conduct research and teach without being encumbered by a great deal of red tape.

This bill goes to the heart of the fact that universities are—but hopefully after this legislation is passed by both this House and the upper House they will not be—encumbered by an excessive level of regulation that impacts upon their capacity to operate efficiently. The bill will cut red tape and allow universities to exercise

greater control over their own affairs in recognition of the fact that they are multimillion-dollar enterprises. They need strategies, boards and processes that reflect that reality. This legislation will allow universities to compete on a more level footing with their interstate and international peers. The bill removes restrictions in financial matters and in matters concerning the leasing and ownership of land and the regulation of internal elections.

My approach when I consulted with the sector was to identify how State Government regulation could be reduced in areas that universities had pretty much identified themselves while striking a balance between maintaining appropriate accountabilities in recognition of public investment and the State's continuing economic and social interest in New South Wales universities. My approach was commensurate with the approach adopted previously by the Government in providing for smaller university governing bodies and flexibility in determining the make-up of those boards. In that instance the Government did not relinquish entirely in legislation its representation on governing bodies and therefore its interest in and recognition of the importance of the university sector to the State.

The bill before the House will remove some of the current financial approvals on borrowings, investment powers, fund manager appointments and commercial guidelines as well as ensure clarity about universities' capacity to engage in commercial activities for their core purposes: research, teaching and scholarship. Against this freeing-up around financial activity, public accountability arrangements remain in place through the annual audit of universities and related requirements under the Public Finance and Audit Act, including public reporting to the Parliament of the outcome of annual audits.

The bill also reduces the regulation and creates greater flexibility around the sale and use of university-owned land and Crown land managed by universities. The only qualification here relates to land granted or transferred to universities by the State Government in which the public of New South Wales will continue to have a residual interest. That approval requirement will remain in recognition of the fact that the State Government will always have an interest in the sale of this land which is, or was, held by the State on behalf of the New South Wales community. There are amendments to university governing body election processes which are now quite properly set out in rules which the universities can themselves change rather than being caught up in by-laws which require the Minister's oversight and agreement.

The bill before the House is a very important one. It is a significant part, not the end, of the work that this side of the House has undertaken to reform the university sector—an important sector—in New South Wales. These are substantial changes that were asked of governments before our time but which the other side of politics ignored and did not act on, and held back our universities. The amendments in this bill will reduce regulatory burden, increase flexibility, reduce administrative costs and allow universities to focus on their core functions of teaching, learning and research.

The bill recognises the reality that universities are commercial enterprises with a public purpose. University governing bodies should have the expertise and capacity to make financial and commercial decisions autonomously without the shackles of the State. These reforms are well considered and well supported. They have been requested by the sector, and we are responding to that. They are appropriate and they are necessary. I commend the bill to the House

Mr TONY ISSA (Granville) [4.01 p.m.]: I support the Universities Legislation Amendment (Regulatory Reforms) Bill 2014. The New South Wales Coalition Government is committed to supporting universities to reflect their twenty-first century needs and requirements. This Government is also committed to supporting their development such that it will properly equip them to maintain, and improve, their current strengths. The aim of the bill is to reduce the degree of direct regulation of universities by the Government with regard to financial management, land dealings and governing body election procedures.

The bill provides universities with increased freedom to enter into commercial arrangements that pinpoint the core functions of teaching, learning, research and scholarship. It reduces the amount of external regulation on universities and gives governing bodies a greater say in the aspect of management. The bill will also reduce red tape by removing any unnecessary regulation. These amendments will give universities greater flexibility and will reduce administration costs.

Changes that have been made to this bill are the result of consultation with universities led by the New South Wales Vice-Chancellors Committee. The Auditor-General, the Deputy Premier, the Treasurer, NSW Trade and Investment, the Crown Lands Division, university chancellors and the New South Wales Vice-Chancellors Committee have provided advice on key matters. The outcome of the consultation will remove

a number of restrictions on decisions made by universities. This bill will assist universities in their operations and decision-making. It will also give the board of each university the responsibility to control and manage the affairs of the university.

The Universities Legislation Amendment (Regulatory Reforms) Bill 2014 gives universities the legal capacity to engage in economic activities to raise revenue as they need to continue to develop their ability to generate income from non-traditional sources. The bill will remove current requirements regarding financial and commercial matters. Previously, any borrowing required the approval of the Treasurer. Also the university fund managers required Treasury approval after recommendation of the Minister for Education and the university guidelines for commercial activities approved by the Minister on the advice of the Treasurer. The reforms in this bill mean that university governing bodies can approve their own commercial guidelines within the existing framework. The removal of requirements gives universities greater flexibility in managing their own financial and commercial arrangements.

The bill also modifies the requirement for the Minister for Education to approve any sale or long-term lease of all parcels of land over which a university has control. This requirement is to be put in place for the reason that, in many cases, universities were given land at minimal or no cost at all by the State and it is important that the State retain some interest in any subsequent sale. The bill will remove the 21-year limit on leases of Crown land but require the approval of the Minister for Education for leases over 21 years.

The bill also will amend three university Acts, which include the universities of Wollongong and Newcastle, and Macquarie. I will not go through the detail of that as I am sure other members have talked about those changes. Under the Annual Reports (Statutory Bodies) Act 1984 universities are required to submit annual reports to the Minister by the end of April each year for tabling in the Parliament. Most importantly, universities are to report to the Commonwealth Government and are subject to a range of accountability requirements from the Commonwealth relating to public funding and national higher education priorities.

In conclusion, under this reform, universities will have more flexibility and freedom to support their key mission focused on teaching, scholarship, research and community engagement. I am pleased to say that the Government is delivering on the commitment to universities and investment in our future generations. I commend the bill to the House.

Mr BRUCE NOTLEY-SMITH (Coogee) [4.06 p.m.]: I speak in support of the Universities Legislation Amendment (Regulatory Reforms) Bill 2014 which amends a number of Acts establishing universities in order to remove regulatory requirements related to universities' financial management, land dealings and governing body election procedures. This legislation expands on the New South Wales Government's efforts, beginning with the Universities Governing Bodies Act 2011, to modernise governance arrangements between the New South Wales Government and our universities and reduce the regulatory burdens that are placed on them by outdated legislation.

The introduction of this legislation comes after a request for review of the New South Wales university legislation by the New South Wales Vice-Chancellors Committee. The review was subsequently undertaken by the former Parliamentary Secretary for Tertiary Education and Skills, the Hon. Gabrielle Upton. I note that the review was conducted in close consultation with the university sector. Advice was sought from universities as to what could be changed to allow them greater autonomy and flexibility. The findings of that review revealed that universities in New South Wales want more flexibility given to their governing bodies and taken out of the hands of government. This legislation reflects the findings of that review and is consistent with the Government's target of reducing red tape.

I mentioned earlier the findings of the review, which showed that universities need legislation that reduces some of their regulatory burden. The University of New South Wales—arguably the largest and finest tertiary institution in our State and country—is located in my electorate of Coogee and I have been in close contact with the university over a number of years as well as being a frequent visitor to the campus. What I have often been told is that the regulatory framework governing that university, as well as other universities, is inadequate to deal with the academic and economic realities that the sector faces today and must be eased. I am confident that this legislation adequately addresses the real concerns held by the university sector in relation to the regulations that are changed or removed by this bill. The bill states that its purpose is to:

... put beyond doubt the capacity of the universities to generate revenue to fund the objects and principal functions of the university.

In doing so, the legislation will equip universities to make some governance decisions without approval of the Minister for Education and the Treasurer that currently is required in relation to some matters regarding the generation of revenue. As significant economic drivers in our State, universities should be allowed to be more commercially independent when entering into arrangements that will benefit the functions of the university and support them in providing high-quality world-class tertiary education to students. University governing bodies are called a governing body for a reason: they are tasked with making decisions that are in the best interests of the stated goals of each university. This legislation empowers governing bodies to carry out decision-making processes of which they are capable. It also will provide them with the freedom to explore potential commercial arrangements that can both generate additional funds for institutions and provide valuable private partnerships for the benefit of students' educational outcomes.

I shall address some specific aspects of the bill. The bill makes provision for investment powers to be determined by the university. Currently, to invest funds universities must first seek approval from the Minister for Education in concurrence with the Treasurer. However, the New South Wales Government believes it is time to lift that requirement and step out of the way of universities. The bill repeals the requirement for the Governor of New South Wales to approve, on recommendation of the Treasurer, the borrowing of money that should go towards achieving educational outcomes. It is an archaic and unnecessary regulation. Universities and their governing bodies should be sufficiently equipped to make their own decisions for borrowing money. The bill also amends regulations relating to commercial ventures. On this point the legislation clarifies the right, under law, of a university to use its property or facilities as a resource for generating revenue that "supports its core purpose". This is a logical and common-sense step that universities should be able to take. The amendment dispels any possible ambiguity in the previous wording.

In relation to fund managers, university Acts previously required universities to gain approval, on recommendation from the Minister, for the engagement of a fund manager to "act in relation to the management of funds of the university". The bill removes also the requirement for the Treasurer to approve a fund manager, which reflects a desire among universities to take better control of their finances. The Liberal Party has an unenviable, if not unparalleled, reputation and history in the university sector beginning, of course, with the establishment in 1959 by the Menzies Government of the Australian Universities Commission. That led to the opening of many new universities and a significantly increased allocation of funds. The amendments in this bill have been drafted in full collaboration with universities and in some cases have been requested directly by the universities.

I thank the Minister for Education, who is the best we have seen in New South Wales, for introducing this legislation and for further demonstrating the New South Wales Government's commitment to improving our universities and allowing them to access further market opportunities. This bill is part of a wider effort to reduce red tape across all sectors and to ensure that we have the best education system possible in New South Wales that is well equipped to meet future demands. I commend the bill to the House.

Mr ADRIAN PICCOLI (Murrumbidgee—Minister for Education) [4.13 p.m.], in reply: I thank all members who contributed to debate on the Universities Legislation Amendment (Regulatory Reforms) Bill 2014, particularly the members representing the electorates of Keira, Cronulla, Myall Lakes, Charlestown, Parramatta, Campbelltown, Balmain, Granville, Coogee and Vacluse. I particularly thank the member for Vacluse and Minister for Family and Community Services both for the work she did during her term as the Parliamentary Secretary for Tertiary Education and Skills and particularly for her consultation with the university sector regarding this legislation. It is clear from the debate that all members understand that this bill reflects the recommendations of the review of State university regulation and deals with some additional matters that either have been requested by our universities or are of a technical nature.

A range of regulations were examined in close consultation with universities to identify where they could be given greater flexibility and additional autonomy. Part of the context of that consultation was the competitive tertiary education environment and the increasing need for universities to engage in commercial activities to support their core purposes. The Government acknowledges the importance of its universities in driving economic activity in this State, particularly in regional areas where universities are major employers with strong links to their communities. This amending bill aims to ensure that our universities are not constrained by unnecessary red tape or any lack of clarity in legislation that applies to them when undertaking commercial activities. We want to ensure that our universities are able to generate revenue to support their core purposes through mutually beneficial partnerships with business and industry—at a local level, statewide, or nationally or internationally. This was a specific request in the speech of the member for Keira. I note his observations and share his support for stronger partnerships between business of all sizes and universities.

Our universities are important players in our regional, State and national economies. This legislation is about supporting the capacity of universities to be more efficient and effective in their commercial dealings. Ultimately it is about ensuring that universities remain competitive as leaders in knowledge and skills development, scholarship, research and innovation. The bill will amend the 10 public university Acts to remove certain regulatory requirements relating to financial management and land dealings to enable election procedures to be set out in rules and other instruments.

I thank the hardworking staff of the Department of Education and Communities for their assistance in preparation of this bill. In particular, I thank Mr Andrew Rolfe, with whom I have worked in the three years I have been the Minister for Education, for his great work in formulating this legislation and consulting with the universities as well as developing an incredibly positive relationship between the Department of Education and Communities and the universities. I thank also the staff of the New South Wales Parliamentary Counsel's Office for its work on this bill. I commend the bill to the House.

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

Motion agreed to.

Bill read a second time.

Third Reading

Motion by Mr Adrian Piccoli 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.

CRIMES AMENDMENT (PROVOCATION) BILL 2014

Second Reading

Mr BRAD HAZZARD (Wakehurst—Attorney General, and Minister for Justice) [4.17 p.m.]: I move:

That this bill be now read a second time.

The Government is pleased to introduce the Crimes Amendment (Provocation) Bill 2014. The Government adopts the private member's bill that was introduced by Reverend the Hon. Fred Nile in the other place on 5 March 2014. The bill makes significant amendments to the law of provocation, which is the partial defence to homicide set out in section 23 of the Crimes Act 1900. The bill represents the Government's response to the recommendations made by the Legislative Council's Select Committee on the Partial Defence of Provocation. The select committee was established in June 2012 following community concern at the result in the matter of Singh. The select committee consulted extensively with stakeholders during its inquiry and noted significant problems with the partial defence. In particular, the select committee was concerned by the use of the defence when a victim left, or attempted to leave, a domestic relationship, or otherwise changed the nature of the relationship. However, the select committee was unable to reach consensus on abolishing the partial defence so instead it made 11 recommendations, significantly limiting use of the partial defence, to which the Government gave in-principle support.

The Government was assisted in formulating the bill by a working group comprising the most senior criminal law experts in the State. The bill also takes into account stakeholder submissions received in response to an exposure draft bill. The Government consulted with the select committee on the final form of the bill and is satisfied that this bill constitutes the only workable means of achieving the intent of its central recommendations. The case to which the select committee was responding was that of Singh. In that case Mr Singh stood trial for murder after cutting his wife's throat several times with a box cutter. At trial Mr Singh claimed that his wife, Manpreet Kaur, provoked him by telling him, before threatening him with deportation, she had never loved him and was in love with someone else. Mr Singh claimed that as a result of this conduct, he lost self-control and should not be found guilty of murder but of the less serious offence of manslaughter. The jury agreed and Mr Singh was sentenced to a minimum term of six years imprisonment with a total term of eight years.

In order to acquit Mr Singh of murder, under the current test for provocation the jury needed to be satisfied there was a reasonable possibility that the conduct of Manpreet Kaur had caused Mr Singh to lose self-control and that her conduct was such that an ordinary person, in the position of Mr Singh, also could have so far lost self-control as to form the intention to either kill or seriously injure her. The rationale for the doctrine of provocation is that a person's moral culpability is reduced where he or she kills in these circumstances, such that a conviction for manslaughter rather than murder is warranted. The doctrine of provocation has been controversial, not least because of its perceived complexity.

The select committee consulted extensively. It received 52 written submissions and heard evidence from stakeholders, including the NSW Bar Association, the Law Society of New South Wales, the Women's Domestic Violence Court Advocacy Service, the Public Defender's Office, the Office of the Director of Public Prosecutions, Legal Aid NSW, the Victims of Crime Assistance League and several community legal centres. A slight majority of inquiry participants supported abolishing the partial defence. Critics noted cases in which the partial defence has been used by men who kill women in the context of intimate relationships. They argued the doctrine blames the victim and is biased against women because it privileges male reactions to conflict and insult. Those who supported retaining the partial defence argued that it remains important in allowing the law to distinguish between the moral culpability of people who kill in response to provocation and people who kill in other circumstances.

The select committee noted significant problems, particularly in the use of the defence where a victim left, or attempted to leave, a domestic relationship, or otherwise changed the nature of the relationship. The select committee considered the partial defence should generally not be available for provocation of this sort, which merely involves the victim exercising his or her right to personal autonomy. After careful consideration of the arguments in favour of abolition, the select committee unanimously recommended retaining, but significantly restricting, the partial defence. The select committee felt that the partial defence remained necessary, particularly for female victims of long-term domestic violence where the complete defence of self-defence might be difficult to establish. The select committee was concerned however to "raise the bar" on the level of provocation required and also to ensure that it could not be used in cases where the provocation claimed was infidelity, leaving a relationship or a non-violent sexual advance.

The report of the select committee was tabled in Parliament in April 2013. It contained 11 recommendations to which the Government gave in-principle support. The Government was assisted in its formulation of the bill by a working group, including the Director of Public Prosecutions, the Public Defender and the Department of Attorney General and Justice. The Department of Premier and Cabinet, Ministry for Police and Emergency Services, the NSW Police Force and Women NSW were also represented. These members represented a range of views and experience and their input has been invaluable. An exposure draft bill was released for public consultation and submissions were received from stakeholders including the Law Society, the Bar Association, the Women's Legal Service, the Women's Electoral Lobby, Legal Aid, the Gay and Lesbian Rights Lobby, community legal centres and the Police Association of NSW. Many of the issues raised had previously been considered and the current bill takes the same form as the exposure draft. I thank all those who contributed their time to such a complex and important issue.

After consultation with the select committee, the Government is satisfied that this bill constitutes the only workable means of achieving the intent of its central recommendations. Some stakeholders raised concerns that the bill goes too far in restricting the partial defence, potentially making it difficult for women who kill their partners after long-term abuse to rely on provocation. However, the Government is satisfied that the bill strikes a careful and appropriate balance between restricting the defence and leaving it available for victims of extreme provocation, including victims of long-term abuse who kill their abuser.

I now turn to the main detail of the bill. Schedule 1 to the bill repeals section 23 in its entirety and replaces it with a new section 23. The bill renames the partial defence of provocation "the partial defence of extreme provocation". Proposed section 23 (2) then sets out the elements of the test for successfully raising the partial defence. Currently when considering the test in section 23 the jury enter into a two-stage test. The jury must first consider the gravity of the provocation to the accused personally, taking into account all of his or her personal characteristics. If members of the jury are satisfied that the accused in fact lost self-control, they must then consider whether it is possible that an "ordinary person", of the accused's age only, provoked to that level might have lost self-control so far as to have formed an intention to kill or inflict grievous bodily harm.

The select committee was concerned to tighten and reduce the complexity of this test. They suggested the use of words such as "gross", "justifiable", "seriously wronged" or "most extreme and exceptional" to

describe certain aspects of the defence. The experts in the field were concerned that this terminology would be difficult to define and apply. The bill instead achieves the select committee's aims by setting out a four-stage test through which "extreme provocation" is established. The first threshold is set out in proposed section 23 (2) (a), which requires that the act causing death was in response to conduct towards or affecting the accused. Proposed section 23 (2) (b) requires that the "conduct" relied upon must amount to a serious indictable offence.

A serious indictable offence is any offence which, when dealt with on indictment, carries a maximum penalty of five years or more imprisonment. The word "conduct" is not otherwise defined. This threshold ensures that the jury must be satisfied there is a reasonable possibility that the conduct of the deceased was behaviour that the community and Parliament have already determined is so serious that it attracts a significant criminal penalty. This reflects the view that, in contemporary society, there is an expectation that people otherwise faced with offensive, insulting or upsetting conduct should not contemplate homicide or inflicting really serious injury.

The requirement that the behaviour of the deceased amount to a serious indictable offence will also ensure that members of the community who are lawfully going about their business do not inadvertently "provoke" another person to form an intention to kill or seriously injure them. What this threshold also provides of course is that merely leaving a relationship or infidelity will never provide a foundation for the partial defence because every member of the community has the right to exercise his or her personal autonomy in this way. As a select committee member, the Hon. Trevor Khan, stated in the other place previously the problem with a list of excluded behaviour was that if the excluded conduct took place in the context of other provocative behaviour it would be highly artificial and difficult to exclude, for example, allegations of infidelity.

Despite this restriction, victims of domestic violence will be able to rely upon the partial defence in appropriate cases. Domestic violence, particularly long-term abuse, will generally include conduct involving serious indictable offences, such as the range of assaults in the Crimes Act 1900. Even where abuse is not physical, but psychological, it may amount to the serious indictable offence of stalking or intimidation set out in section 13 of the Crimes (Domestic and Personal Violence) Act 2007. These offences are committed where the perpetrator's conduct is intended to cause victims to fear physical or mental harm to themselves or another person with whom they have a domestic relationship. These offences are further defined in sections 7 and 8 of that Act to encompass a broad range of behaviours. As sections 7 and 8 make clear, they also envisage the introduction of evidence of past violent conduct, particularly where it involves a domestic violence offence. The concerns of stakeholders that victims of domestic violence may be prejudiced is also addressed by the continued recognition in proposed section 23 (4) that the conduct relied upon need not necessarily have occurred immediately before the act causing death.

Proposed section 23 (2) (c) sets out the third step in establishing provocation, namely that the conduct of the deceased caused the accused to lose self-control. The bill retains a loss of self-control as the partial defence's central element. Replacing this with the requirement that the accused felt a "justifiable sense of being seriously wronged", as recommended by the select committee, could significantly expand the use of the law of provocation, contrary to the committee's policy intent. In particular, if there was no requirement for loss of self-control, this could open up the use of the partial defence to situations involving a premeditated plan to kill. The partial defence should not be available in that situation. If satisfied the accused did lose self-control, then the jury moves on to the final limb of the test in proposed section 23 (2) (d).

Proposed section 23 (2) (d) further tightens the test by requiring members of the jury to apply a purely objective test. They must consider whether the provocative conduct was so extreme that an ordinary person could have lost self-control to the extent of forming an intention to kill or inflict grievous bodily harm. The removal of the words in the existing section "in the position of the accused" will have the effect of removing the need for members of the jury to assume that the ordinary person has been provoked to the level that the accused was, because they will be determining whether an ordinary person could have been so far provoked as to have lost self-control and formed the requisite intent when faced with that conduct. This will simplify the jury's task and provide for a greater focus on ordinary community standards. Although the select committee did not propose this change, it is consistent with its intention to restrict the use of the partial defence, reduce its complexity and bring it into line with community standards. It is hoped that this focus will ensure that cases such as that of Singh, which caused justifiable outrage in the community, will be a thing of the past.

By leave, discussion on a petition signed by 10,000 persons or more postponed to permit the conclusion of the Minister's second reading speech.

Mr BRAD HAZZARD: Proposed section 23 (3) makes specific provision for conduct that can never provide for the partial defence. Proposed section 23 (3) (a) specifically provides that a mere "non-violent sexual" advance may never amount to sufficient provocation. The term "non-violent sexual advance" is not a legal term and is not defined in the bill. It will be a matter of common sense for members of the jury whether they consider that the conduct complained of amounted to no more than that. In his dissenting judgement in the High Court case of Green, Justice Kirby, as he then was, used the term "non-violent sexual advance" and described such conduct as gentle and non-aggressive, even if they were persistent, sexual advances. On one view this exception will have little work to do. It will be a rare occasion when a non-violent sexual advance also constitutes a serious indictable offence. The bill reflects the select committee's clear intention that "advances", such as those in Green, should not give rise to the partial defence. Proposed section 23 (3) (b) would not, on the other hand, exclude, for example, sexual intercourse with a child. Although these offences do not require proof of lack of consent and may, in some instances, not be considered "violent", they are clearly more than advances.

I stress that the use of the partial defence requires, first, that the provocative conduct amount to a serious indictable offence; secondly, that the accused lost self-control in response to it; and, thirdly, that the behaviour constituting the serious indictable offence was so extreme that an ordinary person could also have lost self-control and formed the requisite intent. It is difficult to see how any non-violent sexual advance could satisfy these tests. However it is consistent with the select committee's policy intent that the bill clearly states that this alone is not sufficiently provocative. The exception is included for abundant caution and, as recommended by the select committee, sends a clear message that the partial defence does not extend so far.

New section 23 (3) (b) also excludes the use of the defence in situations where the accused has incited the provocative conduct in order to use violence in response. New section 23 (4) provides that conduct of the deceased may constitute extreme provocation even if it did not occur immediately before the act causing death. As mentioned previously, this will provide protection for victims of long-term abuse in slow burn situations and is consistent with the current section 23 (2) (b). New section 23 (5) ensures that the jury may no longer take into account self-induced intoxication. While self-induced intoxication is currently relevant only to the jury's consideration of whether the accused lost self-control, not whether an ordinary person would have, it is now completely irrelevant in all stages of the test.

The provisions of the bill address the select committee's policy concerns and intent. It is intended to deliver a limited and targeted partial defence. Some of the select committee's legislative recommendations were not adopted in the bill because the working group considered that they were not necessary and ran the risk of introducing new complications into the operation of the defence. A major criticism of the existing provision has been its complexity. It is the Government's intention to avoid that complexity. The select committee recommended that the Government introduce legislation in similar terms to Victoria's provisions providing that "social framework" evidence may be relevant in homicide cases involving domestic violence.

The select committee also recommended that the Government review evidentiary provisions that may enable evidence serving only to denigrate the deceased to be admitted. Relevant social framework evidence is already generally admissible under the Evidence Act and any provision of this sort would only confuse matters appropriately dealt with under that Act. Similarly, evidence serving only to denigrate the deceased would generally be irrelevant and inadmissible under the same Act so that, again, an explicit provision is unnecessary and undesirable.

The select committee also recommended that section 23 explicitly require that trial judges leave the partial defence to a jury only where there is reasonable evidence of it. Under common law only where there is reasonable evidence of partial and full defences must the trial judge explain the relevant law and direct the jury to consider it in reaching its verdict. To legislate this in relation to the partial defence of provocation alone would again serve only to complicate and confuse matters. 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.

Pursuant to sessional order discussion on a petition signed by more 10,000 persons or more proceeded with.

WALLSEND POLICE STATION

Discussion on Petition Signed by 10,000 or More Persons

Ms SONIA HORNERY (Wallsend) [4.32 p.m.]: After three years of deferred delivery and broken promises it is time for the Government to act. Wallsend residents and business are crying out for adequate policing of Newcastle's western suburbs. Early last year I launched a very successful petition to call attention to the Wallsend community's desire for a police station in my electorate. Today it is my honour to present that petition for debate and consideration. More than 13,000 people eagerly signed it. With their signatures put to paper, the people of Wallsend have spoken and their message is simple and clear: We want a police station. Margaret Bennett, a Wallsend resident and volunteer who has been instrumental in helping to gather signatures, said, "It is a matter of safety ... residents and businesses in Wallsend need a police station to help keep them safe."

From the outset, I thank locals Mrs Bennett and Alwyn Watkins because without their hard work we might never have gathered the required number of signatures. I also thank Wallsend Town Business Association President Max McCorkell, who has been a tireless advocate for this issue as well as many others in the Wallsend area. All three can safely add community activist to their already impressive resumes. The people of Wallsend have been continually promised a police station. While in opposition, local Liberals assured us that a station would be built at Glendale and the former Labor Government set funding aside for it. However, on being elected the station failed to materialise, even though the police Minister said in an interview on ABC Radio in November 2010, "The proposed police hub at Glendale is crucial given the expected population growth in the region."

Why the inaction? Why renege on a public commitment? Why is a station no longer "crucial" now that the Liberals control the government? Whatever happened to local police and local policing? There is not a single police station in the Wallsend electorate—even the highway patrol is now being dispatched from Sydney. Priorities may have changed, but I have news for this Government—namely, our population is growing, a police station in the Wallsend electorate is still crucial and my constituents are refusing to stay silent. Indeed, a police station in Wallsend should be a matter of the highest priority for the Government as Minmi, Fletcher and Maryland will undergo further development in the very near future.

My record on this is clear. I have spoken in this place many times in favour of a new police station in my electorate. I have lodged many notices of motion, posed questions during parliamentary sittings, written to the Minister and, of course, championed this petition. The Government's record of response is equally clear—namely, silence, buck-passing and a stubborn refusal to take any substantive action. The Government has redirected the \$21 million budgeted for Glendale in the electorate of Wallsend elsewhere. Although the \$21 million was promised to refurbish police stations in electorates held by Liberals and Independents in Belmont, Toronto and Morisset, those refurbishments have yet to materialise—a promise reneged. But when, and if, they do appear they will have no benefit for my constituents who are wedged on the boundary of two local area commands and who often report delayed response times, despite the best efforts of the under-resourced and overworked Hunter police.

Belmont Police Station is located more than 15 kilometres from Wallsend on a single, frequently congested road. Depending on traffic, the route between Toronto and Wallsend takes 20 minutes at best and up to an hour at worst. Residents are rightly concerned about the tyranny of distance because they know that every second counts in a dangerous situation. A Wallsend resident recently contacted my office after he was assaulted at Stockland Jesmond. He complained that the police took more than three hours to respond to his call when the Waratah Police Station is located only five kilometres away. Do those opposite consider that to be an acceptable response time? I call on the Coalition Government to listen to the 13,000 Wallsend residents and business owners who have signed this petition, to acknowledge that local police and local policing are proven to be the most effective form of fighting crime, and commit to building a new police station in Newcastle's western suburbs. The land and community support is there. It is up to the Government to scrape together the political will to act, but will it?

Mr GARRY EDWARDS (Swansea) [4.37 p.m.]: I make a contribution to discussion on the petition signed by 10,000 or more persons presented by the member for Wallsend. The Liberal-Nationals Coalition Government notes the concerns of residents in and around Wallsend. As members well know, the site for any police station is determined by the NSW Police Force after careful consideration of operational requirements. I assume that is why three police stations in and around the Wallsend area—Wallsend, West Wallsend and

Lambton—were closed and the property sold by the former Labor Government. Conversely, when a responsible Government allocates funding to any building project in any portfolio, but most particularly in the Police portfolio where these sorts of decisions can have massive operational impacts, advice is sought from the people in the know.

As my colleagues on this side have said previously, this Government seeks the advice of the Commissioner of Police in determining the allocation of funding and resourcing of police. In this way we avoid debacles like the failed Glendale police station project, when the former Labor Government allocated millions of taxpayer dollars to a project that never got off the ground. Alarming, a building site was never even identified. It sounds like yet another of the former Labor Government's many furlphies. This Government allocated \$8 million in the 2013-2014 budget to progress the works at Toronto, Belmont and Morisset. The NSW Police Force has advised me that works at Belmont will proceed first, with officers to be accommodated at other stations within the local area command such as Swansea and Charlestown stations. That will occur while construction at Belmont is underway. I am advised that work on the Belmont site is expected to commence in the middle of this year.

This Government is about progress not about putting its head in the sand or constantly insulting the electorate with announcements of projects that are nothing but fiction. While the Labor Government systematically closed and sold off police stations across the State, this Government is building them. While the Labor Government failed to provide enough funding to maintain the police stations that remained open, this Government is providing the NSW Police Force with a record budget and with the resources it needs to keep the community safe. As members know, the Liberal-Nationals Government is committed to increasing the authorised strength of the NSW Police Force by 859 positions, giving a total of 16,665 by August 2015.

Of those positions, 550 have been brought on line since December 2011, and 26 of those positions have been allocated to the six local area commands in the Hunter, including five to those responsible for patrolling the Wallsend electorate. Since May 2011, 71 probationary constables have been allocated to the Lake Macquarie and Newcastle City local area commands—36 and 35 respectively. The most recent recruits joined the NSW Police Force ranks last Friday 2 May. Wallsend will continue to be well served by officers from the Newcastle City and Lake Macquarie local area commands. While these officers may not be rostering on and off from a police station within the electoral boundary, that does not mean they are not out on patrol, solving crimes and keeping the community safe.

For the fourth time since I was elected to this place three years ago I remind the House and the good folk of Wallsend that in addition to Mayfield and Swansea police stations, Wallsend police station was closed by the former Labor Government—of which the member for Wallsend was a member. I also point out—I believe for the second time, although other members who represent the Hunter region have mentioned it—that the time for this matter to be raised with the NSW Police Force was 2½ years ago when the Parsons review was taking place. I remind the member for Wallsend that she did not make a submission to the Parsons review.

Mr CLAYTON BARR (Cessnock) [4.42 p.m.]: I thank my good friend the member for Swansea for reminding me of the Parsons review. I made a submission to that review calling for more police resources in Cessnock. Of course, I am on the wrong side of the Chamber to get any extra resources. Unfortunately, police infrastructure in New South Wales has become all about politics. The Labor Government can be suitably charged with and blamed for closing police stations. I thank the member for Swansea for bringing that to the attention of the House because I will come back to it. But at least police infrastructure was above politics when the Labor Government was in power.

Mrs Roza Sage: Nothing is above politics in the Labor Party.

Mr CLAYTON BARR: The member should hold her breath. I do not want to throw mud in her face. I draw members' attention to Raymond Terrace in the electorate of Port Stephens, which is represented by my good friend Craig Baumann. From 2010 to 2013 the local police station was completely rebuilt at a cost of \$17 million. That project was commenced when Port Stephens was represented by an Opposition member. That work was done because the former Labor Government worked down a list of areas of greatest need. I am a little wound up about this because Cessnock was in the top 10, then the top five and then the top three, but when the Coalition Government was elected the list disappeared. The list that prioritised Cessnock no longer exists.

I return to the member for Swansea's comments about police station closures. I said in my inaugural speech that local area commands do not work in regional New South Wales. I say that despite the fact that they

were introduced by the Carr Government. They might work in Sydney, and I cannot comment on that because I only visit Sydney. In regional New South Wales, where the next nearest police station might be 50 kilometres or 70 kilometres away and the next area command might be 100 kilometres or 150 kilometres away, it is essential that we move away from that concept. A report that was due to be presented to the former Labor Government in late 2010 was not presented until 2011, and therefore to the new Government. That report has never seen the light of day. However, police officers lead me to believe that it supports my contention that local area commands do not work in regional New South Wales. We must get back to local community policing. This Government is in charge of the show and it must fix the problem.

Mr GEOFF PROVEST (Tweed—Parliamentary Secretary) [4.45 p.m.]: I support my colleague the member for Swansea and acknowledge the comments made by the member for Cessnock. It is a pleasure to see him in the Chamber; he has been out of it more than he has been in it in recent times. This Government is committed to ensuring that the NSW Police Force has the powers and resources it needs to keep the people of New South Wales safe, whether they live in Wallsend, Wagga Wagga, Walgett or Wallacia. On many occasions I have had the pleasure of doing night shifts with police officers both in Sydney and in regional areas. One of the things that upset me when I was in opposition was the politicisation of the placement of police officers by the former Labor Government. I saw that happen time and again.

The Coalition Government has recently provided an extra 90 police officers to local area commands to the north of Sydney. According to the Police Association that is the largest increase in policing strength in the past 10 years. Policing should be left to the professional officers, from Commissioner Scipione down. They should be in control, and I am pleased that this Government allows that to happen. It listens to police officers and provides what they need to do an excellent job, which of course they do. The Bureau of Crime Statistics and Research released its report on the 2013 crime statistics on 10 April. It indicates that the incidence of all 17 major crime categories in the Newcastle City Local Area Command, which includes Wallsend, has remained stable or is trending down.

The report revealed significant decreases in assault, non-domestic related, which is down 14 per cent; robbery without a weapon is down a whopping 34.7 per cent; break and enter, dwelling, is down 17 per cent; motor vehicle theft is down 20 per cent; and malicious damage to property is down 15 per cent. The NSW Police Force uses intelligence-driven rostering strategies to target known offenders and crime hotspots. Members opposite should be applauding and praising our police officers because they are obviously doing an excellent job. The incidence of crime in those categories is either stable or declining. The Opposition spokesman on police, the Hon. Walt Secord, is constantly scaremongering and misleading local communities. That is a disgrace. He flies in and out of regional areas.

Mr Clayton Barr: That's his job.

Mr GEOFF PROVEST: He does not speak to police officers in regional New South Wales. They do not like him; he tells lies. I do not support this petition.

Discussion concluded.

COMMUNITY RECOGNITION STATEMENTS

BERESFIELD CARDIOPULMONARY RESUSCITATION COURSE

Ms SONIA HORNER (Wallsend) [4.48 p.m.]: Beresfield Swimming Club and Beresfield-Tarro-Woodberry Neighbourhood Watch invited members of the public to attend a free cardiopulmonary resuscitation (CPR) course at Beresfield Swimming Centre earlier this year. There was a great response from the community, with 60 people attending on the Saturday and 64 people attending on the Sunday. It is pleasing that so many members of the community are willing to learn these basic skills to help save lives. I congratulate Beresfield Swimming Club and Beresfield-Tarro-Woodberry Neighbourhood Watch on undertaking this important public service. It reinforces the value of public swimming pools.

NEW SOUTH WALES MASTERS HOCKEY PLAYER KATRINA HAYES

Mr STEPHEN BROMHEAD (Myall Lakes) [4.49 p.m.]: I inform the House that Katrina Hayes of Taree has been selected to play for New South Wales in the 2014 Australian Hockey Masters Championships to

be played in Darwin in July. This is the third year in succession that Katrina has been selected to play for New South Wales, and in 2014 she is expected to play in the demanding centre-half position. In 2012 Katrina was a member of the New South Wales team which won the gold medal and in 2013 she was a member of the team which won the silver medal. Katrina has played hockey since the age of 10 and has always played with the same club, the Tigers, with whom she has won numerous premierships in the A-grade competition.

SUTHERLAND DISTRICT TRADE UNION CLUB

Mr BARRY COLLIER (Miranda) [4.50 p.m.]: I draw the attention of the House to the very real and positive commitment of service by the Sutherland District Trade Union Club, better known as the Tradies, to our local shire community. That service goes well beyond the financial support and assistance the Tradies gives to more than 100 community and sporting groups and beyond the significant community events, including our Australia Day celebrations, which the Tradies so generously supports each year. It also includes the regular work and commitment, week in and week out, by the Tradies' volunteers. Last year alone, these volunteers contributed over 2,300 hours to our community, giving freely and unselfishly of their own time to help out with services such as Meals on Wheels and even tutoring local seniors on how to use the internet.

Once the Tradies identifies and decides to support a particular community need or valuable community event its commitment is ongoing. Its support for the annual Surf Awareness Program at Eleouera Surf Life Saving Club, which I had the pleasure of attending in January, and its annual support for Relay for Life, which I attended last weekend along with the members for Cronulla and Heathcote, are just two of the many examples I could cite. The Tradies has been serving our shire consistently now for more than 50 years. On behalf of my community, I congratulate and thank the Tradies—its directors, management and staff, and, of course, all its members—on its outstanding and ongoing support and commitment to our shire.

CARINGBAH DISABILITY ACCOMMODATION FACILITY

Mr MARK SPEAKMAN (Cronulla—Parliamentary Secretary) [4.51 p.m.]: I was delighted to join the Minister for Disability Services, the Hon. John Ajaka, the member for Heathcote, Mr Lee Evans, and representatives from St George Community Housing and Sylvanvale on 1 May 2014 to attend the official opening of a new accommodation service in Taren Road, Caringbah, for young people with disability. The purpose-built accommodation will house 10 people, providing specialised support and training to help people with a disability to live independently and away from settings such as residential aged care. The New South Wales Government allocated \$3.6 million towards the building of this accommodation. I commend, among others, Sylvanvale Foundation Chairman Lorna Stone and Chief Executive Officer Alan Bish and all the staff at the Caringbah accommodation facility for their tireless work in delivering this outstanding new service.

WESTERN SYDNEY WANDERERS

Mr GUY ZANGARI (Fairfield) [4.51 p.m.]: On Tuesday 29 April Western Sydney Wanderers held the Western Sydney Wanderers Medal Evening for 2013-14. The evening was an outstanding success, with presentations made to the Powerchair, Youth League, W-League and A-League teams. Present on the evening were sponsors, supporters, coaching staff, support staff and the players' families. Congratulations go to the following award winners: NRMA Insurance Hyundai A-League Player of the Year, Shinji Ono; Amart Sports Members' Player of the Year, Shinji Ono; Visy AFC Champions League Player of the Tournament, Kwabena Appiah; Westfield W-League Player of the Year, Linda O'Neill; Westfield W-League Golden Boot, Catherine Cannuli; Foxtel National Youth League Player of the Year, Jake McGing; Powerchair Player of the Year, Andy Waite; Rod Allen Community Award, Wally van Gool; and Chairman's Award, Anthony Siciliano.

FAMILIES WITH AUTISM FUN DAY

Mr ANDREW ROHAN (Smithfield) [4.52 p.m.]: On 23 April I attended the Families with Autism Fun Day at Calmsley Hill Farm in Abbotsbury in my electorate of Smithfield. It was hosted by the Liverpool-South West Sydney Early Childhood Intervention Coordination Program. It was an exciting day of cow milking, sheep shearing, animal feeding, tractor riding and sporting events. At this event I also had the fantastic opportunity to meet many families within my electorate who have children with autism.

Despite the challenges that come with raising a child with disabilities, these families were glowing with positivity and smiles. They were not impeded from having a fantastic day. It is unfortunate that one in 68 families will have a child affected by autism. I have the utmost respect for these strong, resilient families.

I congratulate the Liverpool-South West Sydney Early Childhood Intervention Coordination Program for organising this event and thank them for their kind invitation. I wish them all the best for their future endeavours.

LIVERPOOL ELECTORATE NEW YEAR CELEBRATIONS

Mr PAUL LYNCH (Liverpool) [4.53 p.m.]: I recognise recent community events celebrating New Year. On Saturday 12 April Khmer New Year celebrations were held at Wat Khemarangsaram Temple at Bonnyrigg. These were organised by the Khmer Community of New South Wales Inc. and the Cambodian Buddhist Society of New South Wales Inc. Those present included Lina Tjoeng, President of the Khmer Community in NSW, and of course her husband, Eric; Mr Kin Houl, President of the Cambodian Buddhist Society; and Mr Pho Sam Ang, First Secretary from the Cambodian Embassy.

On Sunday 13 April the Lao New Year Festival was held at the Bonnyrigg Town Centre Park, near the Lao Buddhist Temple, in Smithfield Road. This was organised by the Lao Buddhist Society of New South Wales Inc. and the Lao Community Advancement New South Wales Cooperative Limited in collaboration with other Lao organisations. The organisers of both these events should be congratulated. These functions were both eloquent exhibitions of Australian multiculturalism and a good reminder that Australia is no place for bigots or politicians who support them.

PITTWATER ELECTORATE SURF LIFE SAVING CLUBS

Mr ROB STOKES (Pittwater—Minister for the Environment, Minister for Heritage, Minister for the Central Coast, and Assistant Minister for Planning) [4.54 p.m.]: I recognise the efforts of the surf lifesavers along the coast of Pittwater—the 12 surf clubs of the Pittwater region and the thousands of lifesavers who give generously of their time as volunteers to ensure the beach-going public is safe. I am pleased to report once again that no lives were lost on the beaches of Pittwater during the 2013-14 season. I also congratulate all the surf lifesavers who competed in the State championships and the Australian championships in Perth recently. In particular, and I hope the House will indulge me, I congratulate Sophie Stokes, who came third in the board rescue at the Australian titles.

POLICE CITIZENS YOUTH CLUB TIME4KIDS

Mr NICK LALICH (Cabramatta) [4.55 p.m.]: On Friday 4 April I was proud to take part in the Police Citizens Youth Club Time4Kids, which was held at Freedom Plaza in Cabramatta. Time4Kids is about raising awareness and funds to help the Police Citizens Youth Club to continue its wonderful work with young offenders and young people who are at risk. Its goal is to provide a safe environment for young people; to give them opportunities to engage in fun, safe activities; and to develop their leadership potential. I congratulate the Police Citizens Youth Club in Cabramatta on the great work it is doing with local young people and on its successful Time4Kids program this year.

COFFS HARBOUR ROTARY PUBLIC SPEAKING WINNER SAMANTHA KIRKWOOD

Mrs LESLIE WILLIAMS (Port Macquarie-Parliamentary Secretary) [4.55 p.m.]: I draw to the attention of the House a young woman from my electorate called Samantha Kirkwood. Confidence seems to come naturally to Camden Haven High School student Samantha Kirkwood. The year 11 student recently won the Rotary District 9650 Public Speaking Competition in Coffs Harbour. Although Samantha has been involved in debating since year 5, this was her first Rotary competition. Speakers choose their own topic but it must relate to at least one of the principles of the Rotary "Four Way Test".

Samantha managed to incorporate all four principles into her five-minute speech. She spoke about the power of words and the need to express opinions responsibly. The Rotary Club of Laurieton, of which I am a member, joined students and staff of Camden Haven High School in congratulating Samantha on this momentous achievement. The win will hopefully give Samantha more confidence in her already well-developed abilities and assist her in her ambition to graduate from science or engineering studies at university. I congratulate Samantha on her magnificent win.

ROSS ROORDA AND PLUMPTON HOUSE SCHOOL

Mr RICHARD AMERY (Mount Druitt) [4.56 p.m.]: During the recess I learned of the departure of Mr Ross Roorda from Plumpton House School. Ross Roorda had been the Principal of Plumpton House School

for some 13 years, doing an excellent job of teaching young people with behavioural problems. The reason behind his departure is that he has been successful in obtaining a position at Casuarina School at Riverstone. Ross's achievements at Plumpton House School have been recognised and have put him in a good position to continue his good work at Riverstone. As the member for Mount Druitt I pass on my congratulations on his service to the students of Plumpton House School and wish him well for his continued success in the future.

SOPHIE AYLWARD 2013 WOOL4SKOOL WINNER

Mr ANDREW GEE (Orange) [4.57 p.m.]: I draw the attention of the House to the fact that year 11 Kinross Wolaroi School student Sophie Aylward was recently given the opportunity to present her Wool4Skool student design competition 2013 winning dress to the Duchess of Cambridge. Sophie's electric blue evening gown was designed especially for the Duchess and won the 2013 Wool4Skool "dress a royal" competition. As part of her prize, her design was made by leading designer Jonathon Ward. At the recent Sydney Royal Easter Show Sophie presented the dress to Catherine, who was suitably impressed. Well done to Sophie Aylward.

CHINESE AUSTRALIAN SERVICES SOCIETY

Ms TANIA MIHAILUK (Bankstown) [4.58 p.m.]: Last Friday I had the pleasure of attending the tenth anniversary celebration of the Chinese Australian Services Society and its Bankstown Hua Xing activities group. It has a membership of over 500 people. It was my honour to celebrate the tremendous work undertaken by not only the Hua Xing activity group but also the Chinese Australian Services Society. They assist Australians of Chinese heritage, particularly through home and health care.

I take this opportunity to express my gratitude to the board of directors of the Chinese Australian Services Society and council elders, including chairperson Mr Benze Leung, vice-chair Mr Tony Pan, and founding chairman Mr Henry Pan, OAM. I thank the Chinese Australian Services Society and the Hua Xing activity group for the honour of being invited to this event to mark this distinguished occasion. I take this opportunity to wish them many years of future success.

RETIREMENT OF LYN MCGUIRE

Mr CHRISTOPHER GULAPTIS (Clarence) [4.59 p.m.], by leave: I offer my congratulations to Lyn McGuire who, after nearly 20 years of working with North Coast TAFE, is retiring from her role as campus manager of Maclean TAFE. During her career Ms McGuire has watched TAFE adapt to the various changes within the industry. The range of courses on offer now includes maritime, Aboriginal languages and language literacy courses, along with information technology and business courses. Under Ms McGuire's management the extremely successful not-for-profit North Coast Computer Project Inc. was established and has thrived in establishing a strong relationship with the Yaegl Aboriginal community. I congratulate Lyn on a wonderful career with TAFE and wish her and Paddy all the best in her retirement.

AUSTRALIAN JUNIOR ATHLETICS CHAMPION DAKOTA THOMAS

Mr GREG PIPER (Lake Macquarie) [4.59 p.m.], by leave: I congratulate Dakota Thomas, from Kilaben Bay, on her outstanding performances in athletics and netball. This talented young athlete won four gold medals and a bronze at the Australian junior athletics championships in March, including the prestigious 100 and 200 metres sprint double in the under-14 division. Dakota followed up this effort last weekend by winning three silver medals at the Australian Little Athletics Championships in Melbourne. This versatile young sportswoman is also the captain of the Newcastle under-13 netball team and, despite her tender age, plays at senior level for her club, BNC, in the regular weekend competition. I congratulate Dakota on her recent results and expect to hear much more of this star of the future in coming years.

COMMONWEALTH GAMES TEAM MEMBER NICHOLAS HOUGH

Mr DAVID ELLIOTT (Baulkham Hills—Parliamentary Secretary) [5.00 p.m.], by leave: The Hills is home to great athletes of many stripes and now we are home to the newest member of our Commonwealth Games team, Nicholas Hough, who competes in the 110 metres hurdles. Nicholas won Olympic Youth gold in 2010 and silver at the Junior World Championships in 2012. Nicholas holds a special place in the hearts of The Hills residents not only for having come through the ranks of the Castle Hill RSL athletics program but also as a part of the New South Wales Institute of Sport Employ an Athlete Program, where he balances his commitments to his sport with working at Castle Hill RSL.

Nicholas is not, however, just an athletic machine. Last year Nicholas won the University of Sydney Academic Excellence award at the 2013 New South Wales Institute of Sport awards for his efforts towards completing a double degree in Technology and Law. In 2012 he was placed on the Undergraduate High Honour Roll, which is reserved for students who achieve an average mark of a high distinction, before earning a high distinction average in 2013. Complementing his efforts off the track, Nicholas has won one gold, three silver and one bronze medal on the track and field circuit, including silver at the 2013 Melbourne Track Classic.

A graduate of The King's School, one of the many fine schools in my electorate, Nicholas has benefitted from not just the fine educational opportunities on offer but also the wonderful coaching of Anthony Benn, who deserves much credit for Nicholas's achievements. While we all hold great hopes for Nicholas in his ultimate dream of representing Australia at the Rio Olympics in 2016, I know that Nicholas will acquit himself very well.

VOICELESS ANIMAL PROTECTION INSTITUTE

Mr ALEX GREENWICH (Sydney) [5.01 p.m.], by leave: I commend the invaluable work done by Voiceless, an independent, non-profit organisation focused on raising awareness of animals suffering in factory farming. Voiceless has a vision for a world in which animals are treated with respect and compassion. It is made up of informed and passionate animal advocates working together to make a difference. Voiceless works to unite Australian leaders in science, business, politics, law, media and the arts to help spread its message to all corners of the Australian community by shaping law, policy, business and public opinion. I recently attended a Voiceless lecture by United States journalist Will Potter on the rise of "ag-gag" laws, which criminalise many of the methods used by animal advocates to uncover incidents of cruelty. I commend the work of Voiceless and animal advocates associated with it.

ANIMAL WELFARE LEAGUE NSW VOLUNTEER LOUISA LOW

Mr MATT KEAN (Hornsby-Parliamentary Secretary) [5.02 p.m.], by leave: I congratulate Louisa Low of Normanhurst for the outstanding work she has done in raising awareness and money for the Animal Welfare League NSW. The league is a registered charity that has been caring for surrendered, neglected and abandoned animals for more than 50 years. It currently operates three animal welfare shelters in New South Wales, where surrendered animals are cared for prior to adoption. In addition, the league has a team of full-time inspectors who respond to reports of cruelty to or neglect of animals across the State. The league also operates a full service veterinary hospital at the Kemps Creek shelter.

The work of the Animal Welfare League is critical to ensuring that the most vulnerable animals have the chance of a safe and loving home. Last year alone the league's volunteer branches found homes for 752 abandoned animals and cared for an extraordinary 12,947 animals in need. As a result of these efforts, the league is working towards achieving its mission of zero euthanasia of healthy and treatable cats and dogs within the community. None of this would have been possible without passionate and dedicated people like Louisa. Without Louisa and other volunteers the league would be unable to help the most vulnerable animals in their time of need. Louisa's passion to make a difference is something of which we should all be proud. I would like to thank her for her efforts and wish her every success in the future.

KIDNEY HEALTH AUSTRALIA FUNDRAISER MICHELLE DALTON

Mrs LESLIE WILLIAMS (Port Macquarie-Parliamentary Secretary) [5.03 p.m.], by leave: I bring to the attention of the House Kendall woman Michelle Dalton who said she was excited as she parted company with her lovely long locks last week. She had organised a very public haircut with Lakewood hairdresser Karen Green as part of a fundraising drive for Kidney Health Australia. Michelle has a genetic condition known as polycystic kidney disease. As someone facing surgery or a possible kidney transplant, Michelle is acutely aware of the need for research into kidney disease. "I decided I'd ask people to make a donation to help fight kidney disease if I promised to cut off my very long hair," Michelle said.

The Dalton family used social media and their network of friends to raise awareness about the fundraising campaign. Before she took her seat in the hairdresser's chair Michelle had well exceeded her \$1,000 target, with more than \$2,000 eventually raised. As a secondary benefit, Michelle now plans to send away her hair to be made into wigs at Pantene Beautiful Lengths who create real-hair wigs for women with cancer. Congratulations, Michelle, on your inspiring fundraising efforts for Kidney Health Australia.

HUNTER MEDICAL RESEARCH INSTITUTE

Ms SONIA HORNER (Wallsend) [5.04 p.m.], by leave: I acknowledge and commend the Hunter Medical Research Institute for yet again leading the charge to cure cancer. Dr Nikola Bowden ought to share this acknowledgement with the Oxford Hockey Club, as together they have helped raise awareness of ovarian cancer and research into the best treatments for this insidious disease. As a legacy for their friend and teammate Hunter local Judy Raymond, who was diagnosed with ovarian cancer and sadly was taken by the disease, the Oxford Hockey Club rallied together to raise \$12,000 to allow Dr Bowden to undertake research. I congratulate Dr Nikola Bowden on her groundbreaking research and commend the Oxford Hockey Club for raising vital funds towards research that will help women all over the world.

ROYAL EASTER SHOW POULTRY AWARD WINNER RYAN MCPARLAND

Mr GARETH WARD (Kiama) [5.04 p.m.], by leave: I congratulate Ryan McParland, who is 19, of Jamberoo, on taking out four placings—a first, a second and two thirds—with his Old English game bantams and langshans in the poultry division at this year's Royal Easter Show. The McParland family used to show cattle and now also exhibit pumpkins, including some that were part of the Southern Division display in the district exhibits. Congratulations and well done, Ryan, on this outstanding achievement in agriculture.

POLICE CITIZENS YOUTH CLUB TIME4KIDS

Mr GUY ZANGARI (Fairfield) [5.05 p.m.], by leave: On Friday 3 April I did time to put a stop to youth crime through our local Police Citizens Youth Clubs Time4Kids campaign. Each year the Police Citizens Youth Clubs run the Time4Kids campaign to raise awareness and fundraise to provide support and assistance to at-risk youth in our area. The local community threw their support behind the Police Citizens Youth Clubs, with residents donating generously to the cause. I especially thank the following organisations which donated to bail me out of the Police Citizens Youth Clubs jail for this worthy cause: Club Marconi, \$500; Meekong Mounties, \$500; Guildford Leagues, \$1,000; and Smithfield RSL, \$5,000. I thank everyone who showed up to support this great cause.

KINROSS WOLAROI SCHOOL STUDENT GEORGA NONNENMACHER**PHILIP SHAW WINES**

Mr ANDREW GEE (Orange) [5.06 p.m.], by leave: I draw the attention of members to Georga Nonnenmacher, who recently completed a week's work experience at my electorate office in Orange. Georga, who is a year 11 student at Kinross Wolaroi School, helped with media events and administration tasks and saw firsthand what it is like to work in politics. When Georga finishes school she hopes to study political science at university. Georga did a great job and I wish her well as she completes her final two years of school.

I congratulate Orange-based winery Philip Shaw Wines, which recently competed in the 2014 Macquarie Group Sydney Royal Wine Show. The winery received three bronze medals for The Wire Walker Pinot Noir 2012, with a score of 87; The Idiot Shiraz 2012, with a score of 87; and No. 8 Pinot Noir 2012, with a score of 86. Congratulations to Damian Shaw and his great team at Philip Shaw Wines on another successful year.

LIVERPOOL MIGRANT RESOURCE CENTRE OPEN DAY

Mr PAUL LYNCH (Liverpool) [5.07 p.m.], by leave: I recognise the work and achievements of the Liverpool Migrant Resource Centre, which celebrated its 2014 Open Day on Friday 4 April. The theme for this year's event was "Celebrating Settlement Success". That theme reflects well the achievements of the Liverpool Migrant Resource Centre and is a pretty good description of Liverpool as a whole. A range of guests was present. I particularly acknowledge the Liverpool Migrant Resource Centre chairperson, Dr Vincent Ogu, and staff, including Kamelle Daboussy, Jimmy Mtashar and Ayman AlHaboub, among others.

CLARENCE VALLEY CLUB

Mr CHRISTOPHER GULAPTIS (Clarence) [5.07 p.m.], by leave: I offer my congratulations to the members of the Clarence Valley Club who, after more than 30 years of fundraising, have wrapped up the group. The members of the club have raised more than \$1.2 million during this time, with all of the funds being

distributed to needy organisations and individuals within the region. This dedicated band of volunteers will be sorely missed. The community at large has benefited greatly through their selflessness. Every member is to be commended for their efforts. I wish them every success in whatever endeavours they turn their hands to next.

CHING MING FESTIVAL

Mr NICK LALICH (Cabramatta) [5.07 p.m.], by leave: On 5 April I attended one of the most important events in the Chinese community's calendar, the Ching Ming Festival. Also known as Grave Sweeping Day, the festival is a time when people make offerings and pay respects to their ancestors and visit their ancestors' graves to tidy up. This is why the festival is also known as Grave Sweeping Day. People offer up prayers and gifts of food, drinks and paper money to their ancestors to ward off bad spirits. Paying respect to ancestors is a wonderful tradition. I congratulate the organisers of the Ching Ming Festival for putting on such a wonderful community event.

NOWRA SHOW SOCIETY PRESIDENT WENDY WOODWARD

Mr GARETH WARD (Kiama) [5.08 p.m.], by leave: I congratulate Wendy Woodward of North Nowra on becoming the first female president of the Nowra Show Society in its 138-year history. I have known Wendy for many years through her involvement with not just the show society but also New South Wales Bravehearts, which I assist as the secretary of the Parliamentary Action Committee.

Wendy and her late husband, Roger, founded the first office of Bravehearts in Sydney in 2007, and a lot of the hard work they did to establish Bravehearts and the Ditto education program in Sydney schools was unpaid, however certainly not unnoticed. Wendy is also well known for her involvement with the Nutrimerics Look Good Feel Better program for women with cancer, Meals on Wheels and the local Scout movement. Congratulations and well done, Wendy, on this outstanding personal achievement. We are all proud of you.

SYDNEY ELECTORATE ANZAC DAY SERVICES

Mr ALEX GREENWICH (Sydney) [5.09 p.m.], by leave: I acknowledge all those involved in Anzac Day celebrations within the Sydney electorate that provided an opportunity for the people of Sydney to come together and honour those who fought for our country. This year I attended the Mustard Seed Uniting Church Anzac memorial service in Ultimo with Lord Mayor Clover Moore. The service led by Reverend Robin Davis was well supported by the local Ultimo and Pyrmont community. I then joined Governor Marie Bashir at Town Hall to watch Sydney's Anzac Day parade. Anzac Day is also an important opportunity to remember our young and Indigenous soldiers who have served. This year's dawn service in Sydney attracted the largest crowd in years. I commend all those who attended.

Community recognition statements concluded.

ACTING-SPEAKER (Ms Melanie Gibbons): Order! Community recognition statements having concluded, the House will now proceed to private members' statements.

PRIVATE MEMBERS' STATEMENTS

DEATH OF ATILIO VILLEGAS

Mr PAUL LYNCH (Liverpool) [5.10 p.m.]: I again draw to the attention of the House the tragic death of my friend Atilio Villegas. As well as being a person I knew, Atilio was a constituent and his family members remain constituents. He was also a proud member of the Green Valley branch of the Australian Labor Party and of the Construction, Forestry, Mining and Energy Union [CFMEU]. Atilio was killed on 27 March 2012 in a preventable workplace accident. He died as a result of multiple injuries sustained when he fell three metres from scaffolding at a construction site at Haymarket. There is a plaque at the site in memory of Atilio. When I spoke in this House in 2012 a little over a week after his death I said that Atilio was a careful and sensible man who did not take risks in his job and who was very experienced at his job. I also said that there should be a full and proper investigation into the circumstances surrounding his death. Regrettably, that does not seem to have happened. In particular, WorkCover's performance has been abysmal. WorkCover, in particular, should explain why prosecutions have not arisen out of Atilio's death, which is a situation that seems to be crying out for them.

The site of Atilio's death was Hay Street in the central business district. It was a Leighton project. Atilio worked for a company called Perform, which was a subcontractor to Leighton. Two years on, Atilio's family feel they have been denied justice. Following Atilio's death Perform directors promised that they would face up to their responsibilities. They said that to the family. WorkCover investigators spoke to the family and reassured them that they would find out what had happened. At first there was regular contact between the family and the investigator from WorkCover, but this seemed to change after about a year. The family heard by word of mouth that Perform was going into liquidation. Concerned, they made further inquiries of WorkCover to no avail. The family had also been in contact with the Coroner but were told that the Coroner was awaiting a report from WorkCover.

In February this year Atilio's son again rang WorkCover wanting to know when WorkCover would know who to prosecute. This elicited a return phone call from a WorkCover representative who I understand was from the safety and return to work division. That person, I am advised, told the family that Leighton was not at fault in the accident but that the subcontractor had broken safety rules. That seems very odd. The subcontractor, Perform, was to blame; however, the WorkCover representative said that because Perform no longer existed no further action would be taken. Understandably, Atilio's son was very angry about this. He said he could not believe what he had heard. To quote Atilio's son:

It is a disgusting and very shameful decision highlighting WorkCover's incapacity to act efficiently and appropriately when tying up prosecutions.

Mr Villegas' son said that he cannot comprehend the decision. He also said:

My father has been let down and my family has been let down. From what I gather, WorkCover has identified what happened and the guilty parties, and been aware of the company's actions to avoid prosecution, yet WorkCover has done nothing about it. It is essentially that WorkCover has watched it with folded arms. It is not good enough. The decision does not improve the safety of workers, nor does it create an awareness of safety. It just promotes the opportunity for companies to get away with these things, while workers and families are left to suffer. WorkCover heightened my expectations, broke promises and falsely reassured us while managing to make our pain and suffering even worse.

This is unsatisfactory. It seems slightly surprising—to put it mildly—that WorkCover has decided that Leighton bears no blame. It is, after all, the company with control of the site. Quite often the usual position in these situations is that prosecutions are taken against not only the subcontractor but the head contractor as well. Moreover, the dissolution of a company is not the end of the matter. There are provisions allowing for company owners to be prosecuted. That seems particularly appropriate here. As I understand it, the owners of the dissolved company, Perform, have commenced a new legal entity with almost the same name doing the same sort of formwork.

To add insult to injury, in February WorkCover offered a meeting with the family to explain what had happened. That still has not taken place, apparently because the family wanted an adviser present—WorkCover's view was that such a meeting was a privilege and it would not involve the investigator coming along. Frankly, this is a case study by WorkCover in how not to treat bereaved relatives of a victim of a workplace accident. The delay in any action is also of concern. The delay in this case is such that even if there is no legal basis to avoid a prosecution it is now outside the time period, which means no prosecution. Such a delay, I am told, is not unusual in the way that WorkCover performs. I am told by a number of participants in the building industry that in recent years WorkCover has been vacating the role of enforcing safety regulations in the industry. That is not, and cannot be, acceptable. The lives of building workers should not be collateral damage. WorkCover has a role and it is not fulfilling it.

SOUTH COAST ELECTORATE ANZAC DAY SERVICES

Mrs SHELLEY HANCOCK (South Coast—The Speaker) [5.15 p.m.]: I note and praise the contributions made by my community in the electorate of South Coast in successfully organising the 2014 Anzac Day commemorations. Following the Milton Ulladulla dawn service on Anzac Day this year I travelled to the Nowra commemoration service. It was a moving reminder of our responsibility to remember not only the First World War but also all the wars since and before in which generations of Australians selflessly answered the call and many sacrificed their lives. As we move towards the centenary of Anzac we are reminded particularly of Australia's contribution to the First World War, which in many ways signified the nation's coming of age, albeit in the most brutal way possible. Some 332,000 Australians served in that war, with 60,000 sacrificing their lives in the service of their nation. The bodies of 23,000 fallen soldiers were never recovered and 155,000 Australians returned home to us wounded. The South Coast was keenly touched by those vast losses. In my community 329 local men enlisted along with three physicians and nurses. Seven were awarded military medals and two were awarded the Military Cross. Seventy never came home.

The Nowra War Memorial remains the only gravestone we have to remember them by. It was not erected until 1931, so it was 16 years before many families had a place to which they could go to grieve for the loved ones they had lost. Four Campbells are acknowledged at the Nowra War Memorial. Two were brothers. I will now pay tribute to some of the young men who left their farms or their jobs to enlist. John Thomas Campbell, a young farmer born at Greenwell Point, was a trooper in the 7th Australian Light Horse. He was killed in Palestine on 9 November 1917. John Campbell was 19 years old and he is interred at the Gaza War Cemetery, Israel. The letters of some of those who gave their lives reflect the love of their community and their willingness to pass on news from anyone in the area to those who waited anxiously at home. The story of Henry James Rauch, who was raised in Nowra and joined the 52nd Battalion, speaks to this. An excerpt from one of his last letters, sent 12 days before he lost his life, reads:

When the enemy got behind us we were getting fire from three sides, and had fairly heavy casualties. I did about four hours stretcher bearing ... it was very hard work, and takes every ounce out of you, but when your mates are wounded you would try and get them out.

Henry's loyalty and courage epitomise the legacy of bravery that those born in Nowra left behind. Young Charlie Roberts of Nowra was with the 4th Battalion at Gallipoli. His dad, George, was the postmaster. Charlie's letter home dated 1 February 1915 notes:

I was pleasantly surprised to find one of my old mates ... also Dr. Kane is in this Brigade but I haven't seen him yet. A young chap named Randall, who used to live in Nowra, also recognised me.

Charlie was killed on Sunday 9 May 1915, aged 21. Edward McMillan, a young farmhand from Nowra Hill, served in the 35th Battalion and died, aged 23, at Messines Ridge in Belgium on 29 July 1917. His platoon sergeant wrote to his mother, Caroline:

Dear Mrs McMillan, I am writing to you to give you an account of the facts of your son's death. I have been acquainted with him ever since leaving Australia as he was in my platoon. I was sorry he died, but I knew when he was carried out of the trenches that he was not long for this world. He was one of the finest lads that ever lived. He will be missed very much by his comrades ... his actions always inspired the rest of the boys.

Austin James Condon of the 24th Battalion was born in Nowra and went to school in Pyree. He was a farmhand. Austin was killed, aged 27, at Gallipoli on 15 December 1915. Edward Condon of Bolong, part of the 25th Battalion, died of pneumonia at age 33 aboard the transport ship *Armada*. He was buried at sea and his name is recorded on the Chatby Memorial in Alexandria, Egypt.

The South Coast community continues to epitomise an Australian spirit that appreciates the men and women who have served and who are currently serving in the defence forces. We remember those who have lost their lives. We will remember people like Henry Rauch, Austin James Condon, Edward Condon, Edward McMillan, John Thomas Campbell, Charlie Roberts, the hundreds of others from the Nowra community and the Shoalhaven, and the countless others beyond them in the Australian community and across our national borders. The inscription on the Nowra memorial reminds us that, while we cannot ever truly give back to those who gave their lives fighting to keep our communities free, we can keep their memory alive. To speak on behalf of the many members of my community who attended the commemoration services across the Shoalhaven this year: We will remember them.

Mr MATT KEAN (Hornsby-Parliamentary Secretary) [5.20 p.m.]: I acknowledge the contribution of the Speaker and member for South Coast and the fitting tribute she gave to the men and women who served the Shoalhaven and our nation at times of war. The war memorial in the Shoalhaven that the member for South Coast spoke of is like the many war memorials we see in our suburbs across this nation. They are a fitting tribute to the men and women who served our nation. The wars in which they fought altered the course of world history and altered the course of their young lives. Many of those young men and women paid the ultimate sacrifice for their service. They lost their lives in defence of the values that have made this country so great: democracy and freedom. I too pay tribute to the men and women of the Shoalhaven who served our nation so valiantly and proudly.

BURRINJUCK ELECTORATE ANZAC DAY SERVICES

Ms KATRINA HODGKINSON (Burrinjack—Minister for Primary Industries, and Assistant Minister for Tourism and Major Events) [5.21 p.m.]: Anzac Day was commemorated in the Burrinjack electorate this year with 53 services held in 38 towns, villages and localities. The dawn service in Young was extremely well attended, with more than 100 locals braving the crisp, cold air to attend the service outside the Town Hall.

I participated in the march and main commemoration service in Young, where I was honoured to deliver an address on the theme of Australian mateship in the context of the Anzac spirit. The march and commemoration service was a profoundly moving occasion. I was particularly proud to see so many residents of Young gathering to attend the commemoration services. It was wonderful to see principal Kel Smerdon and students from Young North Public School, whom I visited on Harmony Day this year to present the 2013 NSW Department of Education and Communities Cohesive Community School Award. Contingents from other Young schools also marched and participated in the parade and service—a most encouraging sign that so many students were willing to give up their school holidays to commemorate the sacrifices of previous generations.

The commemoration began with the laying of two wreaths at the Anderson Park Memorial by Young Shire Mayor Stuart Freudenstein and Young RSL Sub-Branch president John Walker, followed by a march to the Town Hall for the main commemoration service. More than 1,200 people attended the commemoration service, many of them young people or parents with young children. Australian Army Cadets provided an honour guard and the catafalque party. The catafalque party was commanded by Cadet Sergeant Thomas Morton and comprised Cadet Corporal Harry Wilson, Cadet Lance Corporal Jakob Byrne, Cadet Lance Corporal Austin McFeeters and Cadet Baye Bruce. The turnout, bearing and drill of these fine young men were impressive. However, with ages ranging from 14 to 17, it is poignant to consider that when the original Anzacs enlisted some of them were the same age as the cadets.

More than 40 veterans marched, with the less mobile leading the parade in a restored World War II Willys Jeep, while a contingent of officers and other ranks from HMAS *Albatross*, under the command of Commander Cliff Kyle, RAN, provided a service presence for the march. I particularly commend Commander Kyle for the smart turnout of his contingent, which, following a 350 kilometre journey from Nowra on the South Coast, supported the dawn and commemorative services in Young and also the commemoration at Murringo. This is the seventh year that a contingent from HMAS *Albatross* has attended the commemorations in the Young local government area and it is good to see close ties being developed between this naval establishment and local residents. The Young Shire Band kept everyone in step and did a fantastic job providing music and bugle calls during the commemoration service. Organising the march and arranging for the participation of many groups and organisations is a significant challenge, but one to which the Young RSL Sub-Branch was equal. I congratulate Young Sub-Branch president Mr John Walker and his team on the excellent turnout and the smooth running of the parade.

During my address I drew on the experiences of people from my electorate who were forced to endure years of captivity in Japanese prisoner-of-war camps, some working on the infamous Thai-Burma Railway. The horrors and suffering that they endured were only alleviated by the mateship they shared with their fellow Australians. Their enduring commitment to each other and their efforts to support their mates was a significant factor in ensuring that so many Australians survived the horrors. In the Asia-Pacific theatre during World War II more than 22,000 Australian service men and women were taken captive by the Japanese, 15,000 of whom were captured during the fall of Singapore. By the end of the war 8,031 Australian prisoners had died primarily as a result of the brutality and starvation they were forced to endure. Thirty-six per cent of all Australians taken prisoner by the Japanese died during their captivity compared with only 3 per cent who died in captivity in the European theatre.

I also remind the House that service men and women from Young and many other towns, villages and localities across the Burrinjuck electorate are carrying on the Anzac tradition today. Some of them are deployed in Afghanistan as part of Operation Slipper, undertaking peacekeeping duties, protecting local communities from insurgents and providing security for troop withdrawals. Others are serving on Australian warships deployed on maritime security and anti-piracy operations in the northern Indian Ocean. Like the first Anzacs, these men and women have volunteered their service and are serving far from home in foreign lands and on oceans on their assigned missions. They are carrying on the traditions of Anzac for the next generation. I am sure that we all thank them for their dedication and sincerely hope that they will return safely to their families and friends.

Mr MATT KEAN (Hornsby-Parliamentary Secretary) [5.26 p.m.]: I acknowledge the contribution of the member for Burrinjuck. It is great to hear about the wonderful turnout of people across the Burrinjuck electorate who gave voice to our nation's immense gratitude for the service given by those men and women who served our country not just in World War I and World War II but in the many theatres of ongoing conflict. Today men and women are still serving our country and doing us proud. I would like to acknowledge those men and women and their families who sacrificed so much to give us the wonderful country that we have today. I particularly acknowledge those men and women from the electorate of Burrinjuck who have served our

country and I commend the wonderful support that the member for Burrinjuck continues to give her community and the families who have given so much to our country. We should honour and remember them all. Lest we forget.

BLUE MOUNTAINS ELECTORATE TOURISM

Mrs ROZA SAGE (Blue Mountains) [5.27 p.m.]: The Blue Mountains electorate is always a very busy, vibrant place but recently, with the Easter holidays and Anzac Day falling so close together, it was particularly frenetic. The long weekends provided for a tremendously busy tourism sector, with many tourist operators reporting that this was a bumper period—one of the best they have ever had. One of our biggest tourist attractions, Scenic World at Katoomba, normally has 2,000 visitors a day but it was receiving 5,000 visitors daily over this period. Thanks to the promotional campaign run by Destination NSW, Blue Mountains Lithgow and Oberon Tourism and the big-hearted Sydneysiders who heeded the message to visit the Blue Mountains, tourism businesses are now starting to turn around.

This also came on the back of the hugely successful royal visit by the Duke and Duchess of Cambridge to the Blue Mountains. The images that flashed around the nation and the world were priceless tourism publicity. Not only was it a great boost to tourism and all the associated businesses but it was also a great boost to the morale of the people of the Blue Mountains in the aftermath of the worst bushfire in living memory. It was particularly heartening to know that the Duke and Duchess had expressly asked to visit the bushfire-ravaged areas and talk to the emergency services personnel who were involved in the firefighting effort and to affected residents. The visit sent the area into a spin. Many constituents contacted my office asking to see the royal couple in the mistaken belief that I could arrange an audience.

The royal couple were flown by helicopter to Summerhayes Park at Winmalee and taken for a private visit to talk to affected residents, away from the prying eyes of the media. This was followed by an informal lunch at Winmalee Guide Hall, which was the epicentre of the fire-affected area. The hall was filled with emergency services workers who took part in the fire disaster. Present were captains from all the Blue Mountains Rural Fire Service brigades, members of the Lithgow and Bilpin rural fire services, members of the National Parks and Wildlife Service who worked so hard in those difficult remote bush locations managing the fires, the police who were integral in coordination and other duties, the State Emergency Service, NSW Fire and Rescue and members of the citizens fire unit at Yellow Rock.

The reception, which was organised by the Rural Fire Service, was held to recognise the fantastic work those men and women undertook during that dreadful time and to thank them for it. Also present were some of the fire-affected residents who had lost their homes, Step by Step community workers and, importantly, two of the school captains from Winmalee High School and St Columba's Catholic High School, which were severely affected during the fires. Many students from those schools lost their homes. St Columba's students were in lockdown as flames raced around the school grounds. All the Higher School Certificate students at those schools and Springwood High School had their Higher School Certificate preparations and examinations severely disrupted.

The royal couple were warm and sincere and expressed that they were deeply touched by the stories they heard from bushfire survivors. As they met with community members, every person in the Guide Hall at the lunch was greeted and spoken to, and I know they really appreciated the attention. Outside the Winmalee Guide Hall the royal couple were greeted by the entire Springwood-Winmalee Girl Guide troupe and their leaders. They sang a spirited greeting to the Duke and Duchess, who planted a tree at the site. The girls were very excited as the royal couple took time to talk to both them and community members who had gathered on the other side of the fence. Other members of the community set up camp along Singles Ridge Road and Hawkesbury Road as the couple came and went in their car. It was a sight to behold: the banners were out and people were enjoying afternoon tea and morning tea in tents along the roads to make a real day of it.

During their busy schedule the Duke and Duchess also were taken to Echo Point at Katoomba to be greeted by our local Blue Mountains, Lithgow and Oberon tourism organisation. They were met by the general public before visiting MYST, which is the Mountains Youth Services Team, to see firsthand one of the programs run by that group for at-risk youth—abseiling at Narrow Neck. The visit by the royal couple showcased the beautiful Three Sisters site and it was a wonderful advertisement for our tourism industry. As I stated earlier, the visit by the royal couple was a great boost for tourism as well as a boost to the general morale of our Blue Mountains community.

Mr MATT KEAN (Hornsby-Parliamentary Secretary) [5.32 p.m.]: I acknowledge the tremendous efforts of the member for Blue Mountains, who is without peer when it comes to being a dedicated, hardworking and passionate member of this House. Over the Easter long weekend to which the member referred, I too was lucky enough to be one of the tourists at the Blue Mountains. I had a wonderful time and enjoyed the tremendous tourist attractions and many outstanding restaurants. I also did some bushwalking while I was there and my calves are still sore from the Giant Stairway of 1,000 steps.

The message I wish to send is that the residents of all our communities in New South Wales should get behind the Blue Mountains and support the tourism industry. I visited Winmalee and saw the devastating effects of the bushfires. Now more than ever we should get behind that community. It was fitting on the Anzac Day long weekend that the member for Blue Mountains spoke about the tradition of Anzac service in the context of the men and women who comprise our emergency services. The spirit of service of the Anzac tradition is alive and well among our emergency service volunteers, who do so much to protect us and keep us out of harm's way. That was clearly evident during the bushfires at Winmalee. I pay tribute to those men and women.

KAREELA FLYING FOX COLONY

Mr BARRY COLLIER (Miranda) [5.33 p.m.]: In 2008 a colony of grey-headed flying foxes established itself in a gully on a council reserve in Kareela, which is a suburb in my electorate. The origin of the bats, as they are known, is irrelevant. This month council officers estimated the number of the bats at 15,000. Having visited the site last Monday morning—while carefully avoiding the voluminous droppings that covered a nearby driveway—I saw those creatures pack tightly together, hanging upside down and occupying every inch of every branch of every tree, living or dead so I can say that the estimate of 15,000 clearly is conservative. To some, that may not be a problem, but the rapidly growing number of bats at Kareela is both a unique and very serious problem, not just in my electorate but for children and families across the shire.

The colony of disease-carrying bats is located not just near residents' homes but within metres of the Bates Drive school, the Sylvanvale Foundation, ASPECT (Autism Spectrum) and the Mikaree Child Care Centre. These cater for children with special and significant needs, both physical and intellectual, as well as challenging behaviours that require high levels of support, day in and day out. I cannot overemphasise to the House the danger and very serious ever-present threat to the health and wellbeing of these vulnerable young children posed by flying foxes that carry the lyssavirus, which is similar to rabies. I quote from a letter dated 6 May from Mrs Marisa Severino, who is the President of the Bates Drive School Parents and Citizens Association:

Over the years the number of flying foxes occupying the land adjacent to the school has increased dramatically. Along with this increase is the notable increase in smell and the faeces on the surfaces within the school ... our children do not understand that you should not touch or even eat the material from the ground ... A couple of years ago the council provided a 'buffer zone' to decrease the amount of vegetation near the school fence. This appears to have regrown and the flying foxes are once again close to the school grounds.

I am aware that the school has had a dead bat in the grounds which a child was touching and a live one which was found in the toilet block ... The children do not have a sense of danger and would approach both circumstances without realising what they were doing.

I believe that some immediate action needs to take place to ensure the safety and well-being of the children attending Bates Drive School. The most appropriate action would be the dispersal of the camp ...

Our children are one of the most vulnerable groups of young people in our society and deserve to be treated with respect and consideration.

In 2010, following my representations, the then Minister for the Environment advised that Sutherland Shire Council has the responsibility of controlling the bats and gave immediate approval to the council to create a 15-metre buffer zone to help to minimise the impact of the colony on the schools. But, as Mrs Severino said, the vegetation has grown back, and with it the colony has grown exponentially. My predecessor, Mr Graham Annesley, visited the site with the then Minister for the Environment, the Hon. Robyn Parker, and her staff. In a letter dated 3 June 2013 he stated:

Everyone in attendance agreed the current location of the colony is unsuitable ... Minister Parker has offered the full co-operation of her department to work with council to prepare a plan for relocation likely to be approved by State and Federal governments.

Even so, in a letter to me dated 14 February 2014, the Mayor of Sutherland Shire Council stated that the council had decided not to disperse the camp for a variety of reasons, none of which mentioned the consequences for these vulnerable young children. Instead, the council has decided to come up with a series of measures such as netting and screening—none of which address the long-term problem.

At the first meeting of the council's grey-headed flying fox working party, which I attended last Monday afternoon, all representatives of the affected groups and organisations present were unanimous in their decision to request the mayor to review the council's decision not to disperse the colony and, in the meantime, to take steps to remove 60 per cent of the vegetation and 30 metre buffer zone. Dispersal of the colony requires support from both the State and Federal governments because this species is regarded as vulnerable. At the State level, I briefly raised the issue with the new Minister for the Environment, the Hon. Rob Stokes, who appears to be receptive to having a meeting with me. I also invite the members representing the electorates of Cronulla, Heathcote and Menai to join me in meeting the Minister to solve this problem. They too have in their electorates families with vulnerable children who attend the schools and organisations and I note the State Minister for Education is aware of this problem. I also seek support from our local Federal members of Parliament, the Hon. Scott Morrison, and Mr Craig Kelly, MHR, who already has discussed this issue on the *Alan Jones Breakfast Show*.

While I trust we can all work together in a bipartisan manner to address the problem and disperse this flying fox colony, we also must ask ourselves this question: Really, just how vulnerable are these creatures today? Kareela is a unique situation where vulnerable young children are exposed daily to hazards created by those creatures as they fly from their roost at night and fly back in the morning, not to mention their odours, noise and droppings. We must put vulnerable children before vulnerable bats. Vulnerable children must always and forever come first. Let us move the bats on from Kareela.

Mr MATT KEAN (Hornsby-Parliamentary Secretary) [5.38 p.m.]: It is good to hear the common-sense approach advocated by the member for Miranda. I am sure we all share the view that the wellbeing of vulnerable children should be put ahead of vulnerable bats. I welcome his gesture of working with the Government and with the new Minister for the Environment. I will be sure to take the speech made by the member for Miranda to the Minister tonight to ensure that we work together to achieve a good outcome for the students of those schools.

CHINA CULTURAL CENTRE

Mr CHARLES CASUSCELLI (Strathfield) [5.39 p.m.]: "Wee hum wranghin lai lao chili" were the words used to open a Chinese cultural event that was held at the new Chinese Cultural Centre. The words mean, "I am honoured to be here today." Those opening remarks were the start of a wonderful event that showcased a particular part of southern China. The event was held at the new Chinese Cultural Centre at 151 Castlereagh Street, Sydney. I compliment the committee that is responsible for building this fantastic centre for the Chinese community. I believe that the centre will become the showpiece for future cultural events that represent the People's Republic of China.

Many people, including me and many of my constituents who are not Chinese, believe that China is essentially one humungous culture. On researching this, people were made aware that China is not one culture; it is many indigenous cultures that have come together. At this wonderful cultural event—it had many speakers from the Chinese community—it was made apparent to me that one cannot learn about or understand China simply by travelling to or within China; one must experience it. The best phrase I heard on the day was that one has to feel China, such as its cultural tradition, history and background.

My research showed that Guangxi province is not simply a huge mass in southern China renowned for its splendour and beauty. It has beautiful mountains, rivers and coastlines; it is beauty on a majestic scale. It is known for—as an ageing Italian, this caught my eye—the number of villagers who are renowned throughout the world for longevity. Many people living in this area are more than 100 years old and still work in fields. It has become a centre of focus for many people throughout the world trying to find the secret of youth. When villagers are questioned they say things such as, "Work hard." As a hardworking Italian I thought that that could not be the secret, because I have been working hard and I am still ageing.

They said that at the end of a day of working hard one goes for a dip in the local rivers and catches fish as part of their diet. I thought that was a little closer to the secret. Others said that the secret is coming together as a village; when they come together under the magnificent trees they tell stories and sing songs. I thought we were getting closer because I think the secret of longevity is about culture. As an Italian I suggest that culture is best expressed through language and food. However, I suspect that culture is more than simply language, food and art. I think it is also about dancing and music.

The culture event was called "Experience the Magic of Guangxi". The beautiful young women and attractive young men in colourful outfits were athletic in their entertainment through dance and music. It was

simply an awe-inspiring, almost overwhelming event. I thank the organisers who put together this wonderful experience. For many decades the Chinese Australian community has been a valued part of our multicultural society. The Chinese are entrepreneurial, energetic, colourful and loud—in the best sense. They are rich in history; their culture has thousands of years behind it. They make up the fabric of our society. Dare I say that they are on a par with the Italian community.

With more migrants from China continuing to settle in New South Wales, the cultural and economic exchange between our people has grown exponentially and with it our friendship and understanding. I expect that the event, which continues for the rest of the week, will be successful. On behalf of the Minister for Citizenship and Communities and the New South Wales Government, I extended our thanks to the China Culture Centre in Sydney for organising and hosting this wonderful exhibition. I thanked all the performers and exhibitors for sharing their love of Guangxi with the people of New South Wales, and I wished all the organisers, participants and spectators a wonderful event for the rest of the week.

ACTING-SPEAKER (Mr Garry Edwards): Order! I acknowledge the presence of the gentleman in the gallery who seemed to be enthralled by the member for Strathfield's lesson on China.

Mr MATT KEAN (Hornsby-Parliamentary Secretary) [5.44 p.m.]: I am delighted to speak tonight as the Parliamentary Secretary for Communities. First, it is great to see the member for Strathfield doing his homework and research to deepen his understanding of Chinese culture, language and people. The member's passion for Chinese culture and people cannot be doubted. He is a dedicated advocate for the Chinese community in Australia and a great supporter of and friend to the Chinese people in Australia. It is important that community leaders, such as the member for Strathfield and many of us in the Chamber, support what I believe to be the greatest asset of our country—its people. The Australian people have many faces; they come from throughout the world, and they make this country great. The Chinese people have made an enormous contribution to making Australia the great country it is. I acknowledge and thank them for that contribution. We look forward to continuing to support their wonderful involvement and contribution to modern Australia.

TRIBUTE TO THE HONOURABLE BARRY ROBERT O'KEEFE, AM, QC

Mr GREG SMITH (Epping) [5.45 p.m.]: Tonight I will talk about the late, great Barry Robert O'Keefe, AM, QC. Last Friday I attended the requiem mass for my late friend Barry O'Keefe at St Mary's Cathedral. The former Supreme Court justice, Chief Judge of the Commercial Law Division of the court and commissioner of the Independent Commission Against Corruption, died on 24 April at St Vincent's Hospital, Darlinghurst, with his wife of 52 years, Jan, his five children and some of their seven grandchildren at his bedside. He was 80 years old. The former Chairman of the International Group of Experts on Corruption and, until his death, Chairman of the Truth, Justice and Healing Council of the Catholic Church, which was set up to deal with the work of the royal commission, former Chief Judge and Queen's Counsel was highly regarded and respected throughout his long life.

The mass was concelebrated by His Lordship Bishop Peter Comonsoli, Apostolic Administrator of the Catholic Archdiocese of Sydney; His Grace Mark Coleridge of Brisbane; their lordships Bishop Peter Ingham of Wollongong and Bishop Terry Brady, auxiliary Bishop of Sydney; as well as numerous priests. It was attended by about 2,000 of Barry's relatives and friends, including former New South Wales Premiers Barry O'Farrell and Nick Greiner, as well as the Minister for Health, and Minister for Medical Research, other current and retired members of Parliament, and serving and retired judges and magistrates. Many members of the legal, medical and academic professions were also present in the cathedral. Bishop Comonsoli described Barry as a "good but always humble man" whose Christian faith had been the bedrock of both his public and private life. He added:

His was not a selfish life, but one lived generously and ever attentive to others. Marriage and family mattered; justice and dignity mattered; respect and service mattered; beauty and goodness mattered.

Former Sydney Archbishop Cardinal George Pell sent a message from Rome expressing his deep regret at not being able to be present "personally to pray for the soul of a good friend, who was a wise source of advice and a real support; always ready to help". Barry was a member of the equestrian order of the Catholic Church, the Knights of St Lazarus and of the Holy Sepulchre. Literally on his death bed he was invested with a high Papal honour, as a Grand Commander of St Gregory the Great, by Bishop Comonsoli. He was most active in the life of several universities, including as Chairman of the Legal Advisory Committee for the Sydney Law School at the University of Notre Dame, where I served with him. On 8 April 2014 Barry was awarded an honorary doctorate from the Australian Catholic University and gave an address to the graduates. The Vice-Chancellor of the Australian Catholic University, Professor Greg Craven, said of Barry:

Barry served the public with profound integrity and was an honourable and compassionate leader and mentor to those in the Catholic Church. As the Chair of Truth, Justice and Healing Council he brought exactly those values to the Council. Foremost in his mind was the well-being of those who had suffered abuse and how he and the Council could aid the healing process.

The brother of legendary Australian rock star Johnny O'Keefe, known as "The Wild One", Barry would often describe himself as the mild one. He was a long-term member and supporter of the guild of Catholic lawyers, the St Thomas More Society, of which I was president for three years. After a time of public and civil service, including as Mayor of Mosman and a councillor for many years, like St Thomas More, Barry died the State's faithful servant, but God's servant first. His Christian way of living was a magnificent example to his family and friends. He will be long remembered as a great Australian.

Perhaps the greatest decision Barry gave as a judge was in a case called Northridge and Central Sydney Area Health Service in 2000, where he saved the life of a man who had been taken off life support. The family contacted Barry through the Supreme Court on a Sunday and he made orders that life support and nourishment be given back to the man. The man survived. Despite the fact that he was said to be in a persistent vegetative state, the evidence showed that he improved. Justice O'Keefe ultimately said:

Mr Thompson is unarguably alive. He moves, responds, is able to write, articulate and to control a number of muscular and bodily functions. According to the material last put before the court he was then in a nursing home under the control of the defendant.

He saved a man. The point was that hospitals and doctors must take notice of members of a family who say, "There is life. We know this man; please try to save him." He was only in his 30s. He should not have been, as it were, allowed to die.

Mr MATT KEAN (Hornsby-Parliamentary Secretary) [5.50 p.m.]: I too pass on my condolences to Jan O'Keefe and her five children, Philip, Vanessa, Roger, Andrew and Sophie. Barry O'Keefe was a giant in New South Wales—a lawyer, judge, corruption buster, Mosman mayor, influential Catholic and high-profile monarchist. He was a man of public achievement and he was a personal friend of my father. My dad, through his role as chief internal auditor at Energy Australia, worked closely with Barry O'Keefe when he was head of the Independent Commission Against Corruption. Barry O'Keefe has left a huge and lasting legacy in this State. He will be remembered. I thank the member for Epping, the former Attorney General and an accomplished lawyer himself, for acknowledging the work of a great Australian, Barry O'Keefe.

SYDNEY HARBOUR SECOND RAIL CROSSING

Mr JONATHAN O'DEA (Davidson) [5.51 p.m.]: Sydney already needs a second harbour rail crossing. Trains are running close to full capacity, population density is increasing and services are consequently being restricted for North Shore and other commuters due to a bottleneck at Chatswood station. When the North West Rail Link is completed between Rouse Hill and Chatswood at the end of 2019 there will be further pressure on train line capacity. The growing population in Sydney's north and north-west is placing further pressure on existing rail infrastructure. If the Government proceeds with the poles and wires transaction, with up to \$30 billion available for reinvestment in infrastructure projects, a second harbour crossing surely should be built. A second harbour crossing would negate the need for North West Rail passengers to change trains at Chatswood, free up the northern line and restore more services to the upper North Shore.

The New South Wales Government has already established that the best city rail systems around the world, such as the London Underground, have high-capacity trains with simple stopping patterns and segregated tracks without complex junctions. By building a second harbour rail crossing we would allow commuters from a large proportion of Sydney to travel to the central business district with little interruption, on single level trains, more frequently. Detailed planning has already commenced on this project and should be fast-tracked to reinstate the train service that commuters on the middle to upper North Shore once enjoyed and deserve. While the North West Rail Link is a vital, impressive and essential piece of rail infrastructure, we need to do our best to ensure that other commuters are not negatively impacted.

A second harbour crossing would enable Sydney Trains to carry more than 90,000 people per hour in the peak and provide more flexibility for future service extension. The lower North Shore is a business hub and popular residential location for city workers. Increasingly, there is more commercial and residential activity happening further up the North Shore line, as indeed we are seeing at St Leonards, where residential capacity has increased substantially. A similar pattern is happening elsewhere on the North Shore and residential and high-density buildings continue to be erected.

It is not just lower, middle and upper North Shore commuters who would benefit from this rail extension. Those in Western Sydney would also benefit. A second harbour crossing would enable commuters on the South West and North West Rail lines to enjoy rapid transit. By allowing trains to run freely and exclusively

along a separate line from the south-west to the north-west, many of Sydney's commuting problems would be solved. The Minister for Transport has suggested that a second harbour rail crossing, coupled with converting part of the South West Rail Link to rapid transit, could increase capacity on the existing network by 60 per cent.

WOOLGOOLGA CURRYFEST

Mr ANDREW FRASER (Coffs Harbour—The Assistant-Speaker) [5.56 p.m.]: Before beginning my private member's statement I congratulate the member for Swansea on his appointment as Acting-Speaker and say how distinguished he looks in the Chair.

I congratulate the community of Woolgoolga and, in particular, Mr Ray Willing and his committee who again this year organised Curryfest. Curryfest celebrates Vaisakhi and the Punjabi community in the Coffs Harbour electorate. The Punjabi community has contributed greatly to my electorate, especially Woolgoolga, over many years. They originally came to the Woolgoolga area as canecutters, as Coffs Harbour was thought to be founded on cane as an agricultural crop, but did not succeed all that well and moved further up the Clarence Valley. However, many Punjabi Sikhs remained in the area and have grown bananas for years. They have become a fascinating, integral part of our community.

Some years ago it was decided that, because of the great curries they made, a Curryfest would be held on an annual basis in Woolgoolga. Destination NSW supported the event, as did the NRMA, Woolgoolga Lions, National Australia Bank, Coffs Harbour City Council, Handi-Hire, Costa Exchange, which is a fruit-growing group, and a number of other groups. Mr Ray Willing attended and welcomed everyone. Aunty Margaret gave the Welcome to Country. My Federal colleague, Luke Hartsuyker, attended as well as the Mayor, Denise Knight, and Lisa Nicholls, the president of the chamber of commerce. Also in attendance were Ned Sidhu, a member of the Indian community, a priest from the Guru Nanak Sikh temple, the Lions club, Rotary and others.

For once it did not rain; the weather was magnificent. When I got there at about 9.00 a.m. there were easily 5,000 to 7,000 people present. By the time I left at a little after midday there were probably 10,000 to 15,000 people there. I think it is one of the most colourful spectacles that the North Coast—Coffs Harbour in particular—puts on and the cuisine, ranging from curries to Moroccan food and African food, because of the Sudanese who live in my electorate these days, was absolutely magnificent. The smell of the food as I walked down the street was amazing. Woolgoolga and its Sikh community were highlighted to not just the people from Coffs Harbour but also out-of-towners who now recognise that the Curryfest is there to stay. They enjoyed its multiculturalism and I believe it will become one of the most renowned festivals on the New South Wales calendar.

I thank Destination NSW for its ongoing support of Curryfest and Mr Ray Willing, the chair of the organising committee. I congratulate them on a fantastic day that not only brought that great spectacle to Woolgoolga but also gave its economy a shot in the arm especially as this is the first year that Woolgoolga has been bypassed by the Pacific Highway. This festival has given Woolgoolga great opportunities to be recognised for its ethnic diversity, great food, great beaches and sense of community. I commend the organisers for the Curryfest.

Mr MATT KEAN (Hornsby-Parliamentary Secretary) [6.01 p.m.]: As the Parliamentary Secretary for Communities I acknowledge the extraordinary work of the member for Coffs Harbour in supporting the Punjabi Sikh community in Woolgoolga, which is a remarkable community. I acknowledge and offer my warmest wishes to the entire Sikh community not just in Woolgoolga but throughout Australia as they celebrate Vaisakhi. Vaisakhi is one of the most important observances of the year for Sikhs. It commemorates the founding of the Khalsa Sikh community in 1699 by Guru Gobind Singh Ji. It also marks the beginning of the New Year in many parts of India and around the world. Australia is home to a growing and significant Sikh community who make a remarkable contribution to the Australian way of life. I know that some are in Parliament House tonight celebrating Vaisakhi, and I urge all members to support them. I extend my best wishes to all those celebrating Vaisakhi in New South Wales and indeed right around the world.

REDFERN PUBLIC HOUSING FORUM

Mr RON HOENIG (Heffron) [6.02 p.m.]: Last week I held a public housing forum in Redfern to give tenants the opportunity to speak directly to me about ongoing issues in their individual unit or complex. In attendance at the meeting were my colleague the Hon. Penny Sharpe, the shadow Minister for Transport from the Legislative Council, Superintendent Luke Freudenstein, Redfern Local Area Command, and Brett Louart of

Housing NSW. Every day my electorate office is inundated with complaints from tenants living in public housing units in Redfern. Complaints range from ongoing maintenance issues to considerable safety concerns. The forum provided a chance for the tenants to have a voice and it is increasingly apparent that some public housing tenants, particularly those living in Redfern and Waterloo, are living in a daily state of fear and in disturbing squalor.

It was evident from this meeting that public housing tenants have been forgotten by the New South Wales Government. I could see that there has been a substantial cut to the budget, and residents are living in dreadful conditions that would be unacceptable for a developing country, let alone inner city Sydney. To put members of this House in the picture, tenants reported to me that they feel like prisoners in their own home and that they are afraid to leave their units after dark for fear of being attacked—some having been attacked. Security doors are ripped or kicked down the minute they are repaired and unauthorised people enter the building and torment the residents, many of whom are elderly.

Brazen drug deals occur during the day in public spaces, people are visibly intoxicated regularly and are physically and verbally abusive to each other or to innocent people who pass by. People are afraid. I am advised that several residents have the phone number of Redfern Local Area Command on speed dial. These are ordinary Australians living in a state of constant fear. They should not be living in these conditions and they are not being listened to by this Government. One lady reported to me that the communal laundry at her complex was recently closed by Housing NSW because too many people were injecting drugs in there and leaving used syringes on the ground, or defecating or urinating in the laundry. How can any government expect people to live like that? Lives are being placed in danger every day and it is simply unacceptable.

I invite any member of the Executive Government to accompany me to the Redfern-Waterloo area to see for themselves. There is a distinct lack of care and interest in the quality of life of those public housing tenants, and they have had enough and I as their local member have had enough. It is shameful that their Government will not listen and that in order for these public housing tenants to be heard Channel 9's *A Current Affair* has to report the problem. I have personally visited the public housing complexes in Redfern and Waterloo and can attest to the squalor in which these ordinary Australians are living. Elderly residents, many in their seventies and eighties, clean the common areas daily and clear the spaces of used syringes and empty or broken bottles of alcohol, and human faecal matter. It is beyond me how the Government expects people to accept these living conditions. I cannot fathom why, when there is a serious need for an injection of money into this area, millions of dollars are cut from the public housing budget.

Our elderly, who could be our parents or grandparents, should not be subjected to this. They should be enjoying their retirement, but instead are being forced to do the work of contractors for Housing NSW so they may feel a small sense of safety in their living arrangements. This is supposed to be a fair society. This is a society that is supposed to treat our poor and elderly, our most vulnerable, with respect. Instead, they are shown contempt. They are ignored. They are treated like second-class citizens, and it is simply not good enough. A Government cannot move hundreds of people who are mentally distressed, prisoners who have been released from jail or people who are drug affected into the one area, with no support or experts providing support services, and expect that to work. It is a terrible situation in which people find themselves. Those people are real and something must be done now in respect of their quality of life.

TRIBUTE TO HIS BEATITUDE CARDINAL EMMANUEL III DELLY

Mr ANDREW ROHAN (Smithfield) [6.07 p.m.]: It is with great sadness that I speak on the memorial prayer held for the passing of His Beatitude Cardinal Emmanuel III Delly, Patriarch Emeritus of Babylon for the Chaldeans on 16 April 2014, which I attended. The remembrance mass was conducted in the evening at St. Thomas The Apostle Chaldean and Assyrian Church in Bossley Park in my electorate of Smithfield by His Grace Archbishop Jibrael Kassab. It was attended by many leaders from across the Christian denominations. The church hall was filled with the masses who came to pay tribute to their once spiritual leader.

Emmanuel Karim Delly, the name given to him by his parents, was born in the town of Tel Keppe in northern Iraq on 6 October 1927. At the tender age of 13 he was admitted to St. Peter Seminary in Mosul on 21 September 1940, where he received his early theological teachings. He was ordained as a priest in Rome on 21 December 1952 and, 10 years later, at the age of 35, he was ordained as Bishop in Baghdad on 19 September 1963. During the next 42 years, as a bishop, Mar Emmanuel III Delly contributed endlessly to the Chaldean

Church, which included the building of many churches around the world. He was instrumental in establishing the College of Babylon, as a philosophy and theology institution in Iraq, and the then bishop also spiritually supervised a number of Chaldean monasteries and convents.

Mar Emmanuel III Dely is well known for his tremendous reverence for, and cooperation with, leaders of other churches and faiths. As a masterful polyglot, he fluently conversed in seven languages and was dearly loved and respected by his people. True to his abilities, and converting all of his gifts and talent into hard work and unbounded dedication, Mar Emmanuel III Dely oversaw several Chaldean religious journals and publications and was well known for his executive abilities and dedication in listening to and representing his people. Mar Emmanuel III Dely was elected Patriarch on 3 December 2003, thus succeeding the late Patriarch Raphael I Bidawid.

Since his election as Patriarch, Mar Emmanuel III Dely led his church comprising eight dioceses within Iraq and eight dioceses outside Iraq in countries including Iran, Turkey, Syria, Lebanon, Egypt, Europe, Australia, Canada and the United States. Patriarch Dely was elected to the College of Cardinals in the consistory at St. Peter's Basilica and was named as Cardinal by Pope Benedict XVI on 24 November 2007. However, and, most unfortunately, due to ageing and ill health, Cardinal Dely retired from his duties as Patriarch of the Chaldean Catholic Church on 19 December 2012 and moved to San Diego, which is home to a large Chaldean Catholic community. Following Cardinal Dely's resignation, Pope Benedict XVI convoked a Synod in Rome, which elected His Beatitude Louis Raphael I Sako as successor to Patriarch Dely.

Cardinal Dely died on Tuesday 8 April 2014, aged 86 years, in San Diego, California. His funeral mass and last rites were held at St. Peter's Chaldean Catholic Cathedral in San Diego and at Mother of God Cathedral, Detroit. His final resting place is at the Holy Sepulchre Catholic Cemetery in Detroit. This is monumental as it is the first time a Chaldean patriarch has been buried outside his homeland. During this House's invaluable but limited time I cannot do justice in recounting the life story of Patriarch Dely unless I mention that His Beatitude spent his entire life serving his Lord, his church and his community. Like many of the greats, the figures that rise above the call of duty who push the envelope and ensure that their task and privilege in serving the people will be seen through to the end, His Beatitude clearly did so and effortlessly inspired those who heard or saw him to do the same. He will be sorely missed by all.

RACISM AND BIGOTRY

Dr GEOFF LEE (Parramatta) [6.12 p.m.]: I say no to bigotry and racism in Australia and I join the New South Wales Government in opposing the proposed changes to the Racial Discrimination Act 1975. The Commonwealth Government has presented an exposure draft bill that seeks to change the Racial Discrimination Act by amending section 18C, which currently makes it unlawful for someone to act in a manner that is likely to offend, insult, humiliate or intimidate a person on the basis of his or her race or ethnic identity. The proposed changes include the removal of the words "offend, insult and humiliate" and seek also to insert into the Act a new section to deal with racial vilification.

Our community has expressed its overwhelming opposition to the proposed section 18C amendments to the Commonwealth Racial Discrimination Act 1975. Leading members of our community also have expressed their dissatisfaction with the proposed changes, including the United Indian Association [UIA], which is an umbrella body of 21 associations with financial member status and four associate member organisations. In its submission to the Federal Attorney-General, the Hon. George Brandis, the United Indian Association stated:

UIA after going through the proposed amendment to section 18C has come to a conclusion that the proposed change is going to disadvantage many different communities and people i.e. the small level of protection against the racial abuse is going to be taken away from them. If the proposed amendment goes through the parliament our communities at large will be affected by increased racial abuse.

The Australian Chinese Community Association of New South Wales, in its submission to Federal Attorney-General George Brandis, stated:

For the members of our community who have experienced racism and cultural vilification at the hands of the bigots in the past, ACCA sees this as a deeply personal issue that will open up old wounds and a winding back of the clock into the darker era of Australian history.

Finally, Dr Margaret Ghosn, principal of the Maronite College of the Holy Family, Harris Park, which has 1,200 students of Lebanese background, commented:

It is imperative that the Racial Discrimination Act protects the rights of such young people who seek an education in order to contribute positively to Australian life. Any attempt to disadvantage such students due to their cultural and linguistic backgrounds is a loss for the advancement of Australia on the world stage. The Act should clearly support all Australians and protect all Australians from anyone choosing to offend, insult, humiliate or intimidate another due to their race or ethnicity.

While I strongly believe that freedom of speech and freedom of expression are essential elements of a liberal democracy such as Australia, racial vilification and discrimination should never be tolerated. Freedom of expression should not be promoted at the expense of protection from racial and ethnic denigration. This form of denigration breaks the bonds that help make great cities and great communities like Sydney and Parramatta the best places in which to live, work and raise a family. It is important to ensure that we strike the right balance between freedom of expression and protection from racial vilification and discrimination.

Parramatta is one of the best examples in Australia of the benefits of multiculturalism with close to half of its community born overseas. Our diversity is our strength. I applaud the Minister for Citizenship and Communities, Victor Dominello, for his opposition to the proposed bill. Using one's race and ethnic identity to discriminate or insult completely contradicts the meaning of living in a peaceful, diverse and harmonious community. For these reasons I oppose the proposed amendments to the Racial Discrimination Act and commend the New South Wales Government for opposing the bill and supporting the protections that help make Sydney and Parramatta great multicultural cities in which to live.

Mr MATT KEAN (Hornsby-Parliamentary Secretary) [6.17 p.m.]: As the Parliamentary Secretary for Communities, I congratulate the member for Parramatta on taking this strong stance to stamp out racial vilification and discrimination in any way, shape or form. One would struggle to find a more passionate advocate for multiculturalism than the member for Parramatta. I congratulate him on his work on this issue, which is second to none. His point is absolutely correct: freedom of speech cannot be absolute. All freedoms and rights are coupled with responsibility. The current law protects those most vulnerable and most marginalised in our society. I stand with the member for Parramatta in ensuring that we keep the Racial Discrimination Act in its current form.

NATIONAL AGED CARE CONFERENCE

Mr CHRIS HOLSTEIN (Gosford) [6.18 p.m.]: Last week I was privileged to attend the opening of the National Aged Care Conference held on the Central Coast. Under the conference title, "The Elephant in the room" the conference objective was to identify, discuss and disclose the many issues, concerns and challenges aged care providers and aged care customers face now and in the future. With our ageing population, it is beyond the right time to confront the elephant in the room; it has been in the room for years, but we have pretended not to see it. The conference brought together government agencies and private sector providers to discuss issues in an open forum with a mixture of seriousness tinged with a little humour. When one panel discussion was entitled "Sex, Drugs and Rock 'n' Roll" for the elderly, we knew no subjects were taboo. Another panel session was entitled "Recruiting more males for the future"—definitely unusual, but a direction we should encourage.

Noeline Brown, one of Australia's best-loved actresses, delivered a wonderful opening address that set the scene for what was to follow. The keynote speaker was Mark McCrindle, Director of McCrindle Research. The demographics were eye-opening. In 1984 Australia's population was 15.6 million people, of whom 10 per cent were aged over 65 years. In 2014 the population has grown to 23.6 million with 15 per cent aged over 65 years. By 2044 the population is projected to be approximately 38.7 million, of whom it is estimated that 20 per cent will be aged in excess of 65 years—a sobering statistic.

Some of the topics covered in the breakout rooms include clinical initiatives on the Central Coast, managing aged care today and to be ready for the future, managing aggression and violence, supporting a person's self-administration of medicines, flexible appointment practices, leadership in the face of reform, why training goes wrong, and attracting and retaining graduate nurses in aged care. Our longevity has improved, which is great when one looks at the numbers, but it also brings its challenges. For example, in 1984 the average life expectancy in Australia was 75.8 years. Today that figure is 82.1 years and by 2044 it is expected to be 90.4 years.

Between 1984 and today, which is a 30-year span, the number of people over the age of 85 years has increased by a factor of four. As I said, the conference had some moments of good humour. It was noted that in 1952 her Majesty the Queen signed 40 letters of congratulations to Australians who had become centenarians but in 2013 she signed 2,643 letters. By the year 2044 there will be 18,567 people who have reached that milestone. It was suggested that repetitive strain injury within the monarchy is imminent. Ageing and how we service the aged community now and into the future is indeed the elephant in the room, which is why we are hearing so much discussion about it today.

I have learned about builders, baby boomers, generation X, generation Y, generation Z and our recent generation, the Alpha generation. Throughout their lifetime generation Z and the Alphas will more than likely have 17 jobs spanning five different careers and live in 15 different homes. It is paramount that we encourage generation X, generation Y and the Alpha generation to seek employment in aged care related jobs. In conclusion, I note that the conference was extremely informative and one is never too old to learn something new. I knew about those who are DINKs—double income no kids—and I have finally learned about KIPPERS—kids in parents' pockets eroding retirement surpluses. I congratulate those involved in the staging of the conference. It was well organised, it was thought provoking and it was relevant to us all. I am pleased the debate has started. We are no longer ignoring the elephant in the room.

ACTING-SPEAKER (Mr Garry Edwards): Order! I make a comment for the benefit of members. It is inappropriate for members to pass between the Speaker's chair and the Clerks' table. I ask members to desist from doing that.

HAWKESBURY RIVER RAILWAY BRIDGE 125TH ANNIVERSARY

Mr MATT KEAN (Hornsby—Parliamentary Secretary) [6.23 p.m.]: I commence by saying it is so good to see you in the chair tonight, Mr Acting-Speaker. Congratulations on your appointment. It suits you very much. Tonight I acknowledge the 125th anniversary of the Hawkesbury River Railway Bridge. The original bridge was opened in 1889 by then New South Wales Premier Sir Henry Parkes and was considered an engineering marvel of the time, being the world's fourth largest bridge. Historians have documented the great importance that completion of the Hawkesbury River Bridge served as it connected the young colony's interstate railway for the first time in history.

It was only six years earlier, in 1883, that it became possible for rail users to travel between Melbourne and Sydney. By 1887 trains were running from Melbourne to Adelaide and by 1888 travel was possible from Newcastle to Brisbane. There remained only one obstacle in the rail network that prevented the Sydney to Newcastle link connection and that was the Hawkesbury River. The Government contract was awarded to the Union Bridge Company of America, which was assigned to build the bridge project and connect Brooklyn to Mooney Mooney. The connection was considered one of our greatest early accomplishments as engineers were required to build a structure spanning 3,000 feet of water and dig foundations that in 1889 were the deepest in the world.

Make no mistake: this project was a significant challenge for our young colony and was considered the missing link of the 1880s. If we fast-forward 150 years the New South Wales Government is again completing a similar missing link project to connect the M1 and M2 motorways. On Sunday I had the great privilege of joining New South Wales Governor Marie Bashir, that national treasure, and the great-great grandson of Sir Henry Parkes, Ian Thom, to mark the 125th bridge anniversary. Also in attendance were Berowra Federal member Philip Ruddock, Hornsby Shire Council Mayor Steve Russell and representatives of Dangar Island Historical Society, including the president, Peter Wolfe, and vice-president and historian David Reynolds.

Together at Brooklyn Public Wharf we boarded the historic Banksia Ferry, driven by my friend Rick Stockley, and travelled to Dangar Island, which was the home of construction workers building the Hawkesbury River Bridge. When we arrived on Dangar Island we were given a special guided tour of the bridge exhibition and taken to the island's community hall, which was built by the same bridge construction workers. I applaud the efforts of Peter Wolfe and David Reynolds who helped organised a fantastic day enjoyed by everyone who attended the Dangar Island ceremony. Peter and David play an invaluable role for the local community on Dangar Island and are helping educate the next generation about local history in New South Wales.

The anniversary occasion was an opportunity for the entire Hornsby shire to come together and celebrate the early pioneers' role in constructing this grand bridge and the important role it played in moving our State towards Federation in 1901. Sir Henry Parkes was New South Wales Premier at the time of the bridge opening and later went on to become the Father of Federation. Speaking at the anniversary celebrations, Sir Henry Parkes' descendant, Ian Thom, spoke about the vital role the connection of interstate railways played in influencing the public about the great opportunities Federation would bring.

Brooklyn historian Tom Richmond has donated countless hours of research to give the local community a better understanding of the significance of the bridge opening and specific details of the momentous occasion. Mr Richmond told the *Hornsby Advocate* that the bridge completion was a great colonial achievement that demanded phenomenal engineering skills because of the very deep riverbed. Mr Richmond has

previously led calls for greater educational recognition of Brooklyn's early contribution to Australia's Federation. It is hard to disagree when one considers Mr Richmond's assertion that the Hawkesbury River Railway Bridge was the most important bridge for some 50 years until the Sydney Harbour Bridge was finished in 1932. Evidence suggests this view was shared by Sir Henry Parkes himself, who was quoted at the bridge opening as saying:

The Federation of great communities is not to be brought about by any formal resolution. It must be developed by the progress of opinions.

Sir Henry Parkes said the railway helped bind the whole population of Australia in one chain. He, like many, saw the Hawkesbury River Railway Bridge as a physical symbol of a united Australia. I share Sir Henry Parkes' view that the opening of the Hawkesbury River Railway Bridge was an early catalyst for change. The railway connection helped change the public's views to leave behind isolated colonies and expand beyond State borders for something greater. It was only six months later that Sir Henry Parkes made his famous Tenterfield speech, which is credited with revitalising the ailing Federation cause. Tonight I again thank and congratulate Peter Wolfe and David Reynolds on their extraordinary efforts in organising these wonderful celebrations and commemoration. They have done a great service not only for the community of Hornsby but also for the entire community of New South Wales to ensure that the legacy of Sir Henry Parkes and our early pioneers will not be forgotten.

ACTING-SPEAKER (Mr Garry Edwards): Order! I place on the *Hansard* record my congratulations to the member for Hornsby on his elevation to the position of Parliamentary Secretary for Communities.

ALBION PARK EAGLES CRICKET CLUB AWARD RECIPIENTS

Mr GARETH WARD (Kiama) [6.28 p.m.]: On Saturday 3 May I was very pleased to attend the Albion Park Eagles Cricket Club annual presentation night at Albion Park RSL. Firstly, I acknowledge and thank the club secretary, Glenn Bridge, for inviting me to what was a very enjoyable evening. I also congratulate him on becoming Club Person of the Year during the awards. No doubt numerous tweets from Glenn earned him this award, as well as his hard work for the club. Congratulations also go to Keith Coombes, who was awarded life membership on Saturday night—a great award for the long service that Keith has provided to the Albion Park Eagles Cricket Club. I was delighted to be able to present Keith with his award on the night. He was genuinely stunned.

I also acknowledge the following award recipients from Saturday night, starting with the junior awards: Junior Player of the Year under 16s, Will Booth; Joss Pearson Encouragement Award, Tahlia Wilson under 14s greens; under 10A, Coach Warren Campion and Assistant Todd Mitchell; team player, Zane Mitchell; batting award, Keegan Campion; bowling award, Lachlan Marshall; fielding award, Kobe Ross; under 10B, Coach Warren Campion and Assistant Anthony Pickering; team player, Hayden Pickering; batting award, Harry Couley; bowling award, Ethan Barnes; fielding award, Max Steele; under 12s, Coach Graeme Smith and Assistant Scott Coombes; team player, Matt Goodway; batting award, Josh Coombes; bowling award, Blake Smith; and fielding award, Jack Grant.

Under-14 Green award recipients were: coach, Peter Wilson; team player award, Tayne Jolliffe; batting award, Liam Pearson; bowling award, Mitchell Johnston; and fielding award, Rhys Coombes. Under-14 Gold award recipients were: coach, Trevor Horton; assistant coach, Ty Barton; team player award, Dean McPherson; batting award, Jett Preston; bowling award, Declyn Brazulaitis; and fielding award, Callum Barton. Under-16, award recipients were: coach, Mick Booth; assistant coaches Damien Power and Mal Herbert; team player award, Jarrod Booth, who was also the best junior in senior grade; batting award, Aiden Power; bowling award, Brent Hazleton; and fielding award, Blake Strudwick. The seniors awards also included an all-rounder of year award, which went to Adam Coughlan, who was also the captain of the first grade team that won the championship this year.

Best trainer was Ken Hiscocks; best junior in grade, Jarrod Booth; rookie of the year, Joshua Herbert; dummy spit award, Adam Coughlan; and duck award, Connor Smith and Brad Mulley. First Grade player of the year was Rob Monaghan; batting award, Graeme Smith; bowling award, Rob Monaghan; fielding award, Jack Bennett; and team player, Rob Monaghan. Second grade player of the year was Mark McMillan; batting award, Mark McMillan; bowling award, Josh Herbert; fielding award, Kyle Stokes and Jordan Villa; and team award, to Jordan Villa. Third green player of the year was Alex Bruce; batting aggregate, Ryan Tritton; batting average, Steve Bruce; bowling award, Alex Bruce; fielding award, Ryan Tritton; and team award, Brad Herbert. Third Gold player of the year was Matt Burns, who is also vice-president of the club; batting award, Joel Martin;

bowling award, Matt Burns; fielding award, Ryan Meredith and Matt Burns; and team player award, Matt Burns and Mal Herbert. Fourth Grade player of the year was Ken Hiscocks; batting award, Damien Power; bowling award, Ken Hiscocks; fielding award, Josh Hobbs; and team award, Brad Mulley.

I enjoyed presenting these awards at this event. I also acknowledge Terry Burns for hosting and organising the event along with Ken Hiscocks, who did a great job on the night. Cricket is an important part of the Kiama community. Many great clubs in the Kiama electorate do great things. I am delighted to be the patron of the Kiama Cricket Club and enjoy participating in the games when they are played in our community.

Mr Andrew Gee: Do you roll your arm over?

Mr GARETH WARD: I acknowledge the interjection from the member for Orange. I am not in that category, there is no doubt about that. I am proud that the member for Swansea has been elevated to the role of Acting-Speaker. I have been privileged to serve as an Acting-Speaker for the past three years. I thank most sincerely Madam Speaker, Shelley Hancock, who has been a great friend and mentor to me and who has allowed me to act in that role for the past three years. It has been a privilege to serve the Parliament in that role, particularly the members of the lower House. I have learnt a lot about parliamentary privilege as well as the standing orders, and how best to break them. The member for Swansea is the best replacement and I have no doubt he will execute his role with distinction.

I also acknowledge my great friend the member for Hornsby, who is the new Parliamentary Secretary for Communities. He is well connected with the Indian community, in particular, and I have no doubt he will do an outstanding job in that regard. I look forward to seeing his work in the community continuing. I thank all members for their assistance and also their patience with my role in the chair over the past three years. I congratulate the member for the Northern Tablelands on his elevation. He will do a great job and I look forward to working with him in my new role as Deputy Whip. I also thank the staff, Hansard, and the clerks at the table.

Mr MATT KEAN (Hornsby-Parliamentary Secretary) [6.33 p.m.]: Without wanting this to turn into a mutual appreciation society, I congratulate the member for Kiama on his recent appointment as Deputy Government Whip. We joined the Young Liberals together many years ago because we wanted to make a difference to our communities and improve our State—these roles give us the opportunity to do that. The appointment of the member for Kiama is testament to his significant intellect, propensity for hard work and considerable talent. If anyone is not aware of his hard work then they can visit his Facebook page. I am exhausted every time I do because if there is an event or community group that he has not visited, I do not believe that it exists in Kiama. I thank the member for Kiama for his remarkable work. I am pleased that he has visited the Kiama Cricket Club. I hope that he walked away on the night with some tips because we could well use them for the parliamentary cricket game next year against the media 11, which we need to win.

Dr Andrew McDonald: You could use it.

Mr MATT KEAN: I acknowledge the interjection from the member for Macquarie Fields, who also concurs that we need some more talent in the cricket team.

CHILDCARE CENTRES

Mr ALEX GREENWICH (Sydney) [6.34 p.m.]: Almost one-third of Sydney childcare centres are at capacity and parents can wait up to two years for a spot. According to the Australian Women Chamber of Commerce and Industry, childcare demand is growing 13 times faster than supply. The situation is dire in inner-city areas where raising families is a rapidly growing trend. Once in attendance, costs can be astronomical, totalling between \$70 and \$140 per child per day. In the inner city, particularly in areas such as Paddington and Surry Hills, the price is at the upper end. One child in childcare for five days a week at \$140 a day adds up to \$36,400 a year. Australia has a complex system of payments to assist parents through the Childcare Benefit and the Childcare Rebate. However, the investment is low in comparison to other OECD countries and the approach has been blamed for encouraging childcare price increases. Even with benefits, many parents pay more than \$100 per child per day.

The Australian Council of Social Service points out that benefits are completely insufficient for low income earning families. The Australian Council of Social Service also suggests a simpler system with one payment paid at a higher rate to low income earners, which is in line with the Henry tax review

recommendation. In areas where there are few childcare choices, some parents send their children to a facility that is ineligible for rebate claims. A February ABC report revealed that some centres charge up to \$100 to place a name on their waiting list. I understand that it is difficult for childcare centres to manage long waiting lists when parents refuse offers, but parents have no choice but to register with multiple centres, or risk not getting a place at all. The financial strain on parents forces many to weigh up whether it is worth returning to work, and one in 10 mothers does not do so because it is not economically viable. Affordable childcare is critical to helping parents, particularly mothers, return to work, which is vital to the economy.

Recent modelling by Access Economics shows that increasing women's workplace participation could lift national output by \$98.4 billion over 30 years. Canada increased its women's workforce participation by improving childcare affordability. As a result its female labour force rate is 80 per cent compared to Australia's rate of 67 per cent. The State Government is responsible for major developments and can help increase the provision of childcare through conditions in planning approvals. Massive developments such as Barangaroo, Darling Harbour and the proposed Central to Eveleigh corridor should provide for the childcare needs of not only future residents and workers but also existing adjacent residents. In 2012 the City of Sydney allocated \$55 million to build six new childcare centres over the next decade. The Bourke Street Childcare Centre is expected to be completed around October next year and to be opened in January 2016. Other councils are supporting family day care, which is approved care in qualified educators' homes.

I recently held a forum in Pyrmont on family day care for local parents. Educators are nationally accredited professionals in early childhood and care, and councils assess their home for suitability. The small group environment enables strong bonds between children and carers. There are 112 registered educators with family day care services in Waverly, Botany, South Sydney, Bronte and Randwick. I share concerns that the recent drop from one in five to one in four in the educator to children-not-at-school ratio will reduce places and leave more parents without access to quality child care. Governments at all levels should work to encourage more people to become educators. Parents are increasingly using nannies. The 2013 Care4Kids online childcare resource found that 14 per cent of parents engaged a nanny compared to 10 per cent who had done so in the previous year. In New South Wales, 16 per cent of parents employed a nanny.

The cost of a nanny is often more than child care, making it a last resort. Benefits could also be extended to this practice. Other parents are looking at creative responses, including the playrooms model, which combines child care with co-working spaces. Playrooms include a safe play area for a small group of children overseen by professional staff while the children's parents work in the same space. The presence of a parent on the premises at all times provides support and peace of mind, and can reduce regulatory burdens associated with opening a childcare centre. I understand playgroups are emerging in co-working spaces around the world and two Sydney mums have suggested introducing the community-based model here, which they believe will provide an affordable childcare option. The Darling Harbour Live project provides an opportunity for co-working spaces within the new building on the former Entertainment Centre car park site.

While child care is a Federal responsibility, the impact on the economy of an inadequate service should be a call to action for all levels of government. The Productivity Commission has been asked to suggest ways that the system could be made more flexible, affordable and accessible. The State Government should work with the Federal Government, corporations and councils to deliver improvements and increase option for parents.

WILLIAM CAREY CHRISTIAN SCHOOL

Dr ANDREW McDONALD (Macquarie Fields) [6.39 p.m.]: Late last year I attended the end of year assembly at William Carey Christian School and heard a brilliant speech given by Principal Ian Wake. It deserves to be shared with the House. It was an inspiring speech and I will quote from it because it reflects all members need to know about this wonderful school in my electorate. He stated:

We think of friendships that have been grown and good times shared. We have welcomed new families into our community and said farewell to others. We have shared joys and sorrows, we have laughed together and shed tears, school is a place where we experience life together. However, today I want to challenge each of you not to take your life and circumstances for granted. Our continued relationship with our friends in Maphutseng has taught us this: their life is very different from ours the basic necessities that we take for granted are denied.

The World Vision William Carey school-to-school Maphutseng project began in 2007 as a farewell gift to the departing principal, Mr Warwick Wilkie. The money raised from William Carey Christian School goes to Bethesda High Maphutseng, a school of around 300 pupils in Lesotho.

William Carey has so far raised more than \$200,000 for Maphutseng. This is an extraordinary achievement that reflects the commitment of the school community to make the world a better place. Mr Wake also spoke about one of the students in year nine, Jake Garabedian. Jake recently suffered a major injury. Mr Wake commented:

Often it is not until something is taken or something is lost that we realise how privileged we were to have it in the first place. Many of our lives are very sheltered and we cannot imagine anything different.

In July this year one of our year nine students, Jake, was in a terrible accident. So terrible he nearly died ... when I remember this I still become upset when I think of the suffering and journey Jake and his family have been through ... After the medical team eventually got Jake breathing and they determined the extent of ... the damage it was evident that Jake had broken bones including fractures high up in his backbone. The degree of injury meant that Jake was probably facing a life without movement in his legs, possibly his arms and may never breathe unassisted again.

When things get hard in life, when times are tough we are faced with some choices. Do we give in and become a victim of circumstance or do we consider a greater perspective. The Bible teaches us that there is a God who longs to be friends with us. Who loves so much that even though we don't deserve it sent his one and only son to die for us so we could be friends with him. This means that when life gets hard he promises to be with us. Joshua 1:9 says, "Be strong and courageous because the Lord your God is with you wherever you go."

Jake has spent many months in hospital and day by day he has fought and battled and prayed and laughed and cried. It has been a privilege to sit by his bed and pray for him and to watch his condition improve with every visit. Jake has been determined and courageous ...

One day Jake started to regain some feeling and then some small movements in his arms and legs. He was finally able to breathe without the aid of a ventilator. From July to December 2013 Jake continued to improve and on a day in late December he was able to sit with his friends for the first time in five months. This is an amazing story and a cause for celebration for Jake and his family. Their strength, determination and courage are testimony to their faith in God and their reliance on Him. Jake is now in year 10. He remains at William Carey Christian School and continues to recover. He and his family have shown true bravery and deserve congratulations on the effort required to get Jake to this point. Jake has had the support of William Carey Christian School where great things happen each day. This generation of young people is the best Australia has ever seen. They are kind, multicultural and respectful. Every one of the pupils at William Carey Christian School has skills that we will need in south-western Sydney over the next few decades. These young people are our future leaders and the future in south-western Sydney, the land of opportunity, is bright.

Private members' statements concluded.

**The House adjourned, pursuant to standing and sessional orders, at 6.44 p.m. until
Tuesday 13 May 2014 at 12.00 noon.**
