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LEGISLATIVE ASSEMBLY

Thursday 15 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.

VISITORS

The SPEAKER: I welcome students from the University of Georgia to the gallery and the Legislative Assembly chamber.

BUSINESS OF THE HOUSE

Notices of Motions

General Business Notices of Motions (General Notices) given.

The SPEAKER: It being before 10.30 a.m., the House will proceed to General Business Orders of the Day (for Bills).

PROTECTION OF THE ENVIRONMENT OPERATIONS AMENDMENT (PROSECUTIONS) BILL 2013

Second Reading

Debate resumed from 8 May 2014.

Mr BRYAN DOYLE (Campbelltown) [10.07 a.m.]: I resume my speech in opposition to the Protection of the Environment Operations Amendment (Prosecutions) Bill 2013. I welcome the students from the University of Georgia to the oldest Parliament in Australia. The first Parliament met in that room in 1824 when it was the colony of New South Wales. You are standing on historic ground and witnessing democracy close up. The gallery is known as the bear pit because you are so close to the action. Come back for question time, you will enjoy it.

The SPEAKER: Order! Do not bother. Do not waste your time. Go and look at the Opera House. The House is now dealing with a private member's bill.

Mr BRYAN DOYLE: It is a bill put forward by the member for Heffron. The first part of this bill requires affirmative action. The Environment Protection Authority must—a mandatory term without discretion—inform the Director of Public Prosecutions if as a result of its investigations it is of the view that there is a prima facie case against a person in relation to an offence arising under part 5 (2). The proposed amendment would require the Environment Protection Authority, after having gone through the process of making a determination, to inform the Director of Public Prosecutions. Proposed subsection (2) provides that if the Environment Protection Authority is unable to determine whether a prime facie case exists, it must still inform the Director of Public Prosecutions. Whether or not it has made up its mind, it is still required to inform the Director of Public Prosecutions.

Offences under part 5.2 of the Protection of the Environment Operations Act 1997 may normally be prosecuted summarily before the Land and Environment Court in its summary jurisdiction or as an indictment before the Supreme Court. Section 115 of that Act provides that these offences include things such as the disposal of waste harmful to the environment. Section 116 refers to leaks, spillages and other escapes likely to harm the environment and section 117 refers to the emission of ozone depleting substances likely to harm the environment. The penalties under this Act are substantial. The maximum penalty for a tier one offence for a corporation is a fine not exceeding \$5 million for an offence committed wilfully or \$2 million for an offence committed negligently. If the offence is committed by an individual, the fine is \$1 million or seven years

imprisonment if it is committed wilfully or \$500,000 or four years imprisonment if the offence is committed negligently. These are serious matters. Prosecution of these offences is now conducted by the Environment Protection Authority. The authority has a comprehensive prosecution guide, and I draw the attention of the House to section 2.3.5, which states:

As a general principle, where a serious breach of the environment protection laws comes to the attention of the EPA, the EPA will lead any investigation and take any appropriate action. This principle recognises that, because of its functions, powers and objectives and because of the legal and specific expertise within the organisation, the EPA is generally in a better position than most other parties to investigate and prosecute serious breaches.

That probably sums up best why the Government opposes this bill. The proposal to transfer the Environment Protection Authority's powers to prosecute the most serious environmental offences to the Director of Public Prosecutions and the Attorney General will significantly undermine the authority's ability to deal with environmental crimes in a timely way. I thank the member for Heffron for introducing the bill. I appreciate his sincerity and his commitment to its purpose, and it is with some reluctance that I oppose the bill.

Mr RON HOENIG (Heffron) [10.13 a.m.], in reply: I thank members representing the electorates of Mulgoa, Granville, Tamworth, Oatley, Riverstone and Campbelltown for their contributions to debate on the Protection of the Environment Operations Amendment (Prosecutions) Bill 2013. As I probably indicated in my second reading speech, this bill is a genuine attempt to bring serious criminal rubbish dumpers consistently to justice. It arises out of the failure of the Environment Protection Authority to prosecute Dib Hanna on indictment and to bring him to justice for dumping unbonded asbestos allegedly close to a Bankstown school.

As I sought to make clear, dumping unbonded asbestos is extremely dangerous. Breathing one fibre of unbonded asbestos can cause lung cancer and other forms of cancer whose symptoms do not manifest themselves for perhaps 30 or 40 years. By the time someone dies as a result of this conduct it is far too late to bring charges of manslaughter or anything of that nature. The purpose of tier one offences is to ensure that people who conduct themselves in this way and as a result cause death in 30 or 40 years can be brought to justice. That is why the New South Wales Parliament has provided for a penalty of imprisonment for seven years for those conducting themselves this way.

It was not only reading the judgment of Hanna that alerted me to this situation. As a result of the way in which the Environment Protection Authority proceeded by taking civil action against Mr Hanna, the Minister sought to amend the legislation to strengthen the authority's power to impose a penalty. That was occasioned by community outcry about Mr Hanna being given only a three-month suspended sentence for contempt of court. The Environment Protection Authority chose not to prosecute him for his heinous conduct. Mr Hanna was a serial criminal rubbish dumper. He had been issued with 22 penalty notices and he had been convicted seven or eight times in the Local Court, but nothing deterred him before he committed what is in my view a criminal act.

The Environment Protection Authority decided to seek an injunction. The member for Mulgoa, acting as an apologist for the authority, said that that was the quickest way to deal with the matter. It was so quick that while proceedings were pending Mr Hanna breached an order issued by the Land and Environment Court. She asserted that he was found in contempt and that that was a harsher outcome because the penalty for contempt is unlimited and is far greater than the penalty for a tier one offence. That is ludicrous. She would have said that only if the Environment Protection Authority told her because anyone who practises or who knows anything about the criminal law knows that even if the penalty for an offence is not specified the common law indicates the penalty. The Land and Environment Court's imposition of a three-month suspended sentence for being in contempt of court was well within the range and could not be said to be manifestly inadequate.

I ask the Minister for the Environment to apply his independent mind to this bill. I have the greatest respect for the Minister, who not only is a practising lawyer but also has a doctorate in environmental and planning law. He lectured in that area at Macquarie University and I have taken the opportunity to listen to podcasts of his lectures about the proposed planning legislation. As I said, I have the greatest respect for his knowledge of environmental and planning law and urge the Government to listen to his views on the planning legislation. However, I suggest to the Minister—who has not contributed to this debate—that he pay equal respect to my knowledge of criminal prosecution and criminal law, and tier one offences are a component of our criminal law.

Even though I stated in my second reading speech that the object of the bill is to transfer prosecution power to the Director of Public Prosecutions, I remind the House that the prosecution of tier one offences under the Environmental Planning and Assessment Act can be pursued by the Director of Public Prosecutions. As

I indicated, it does not require an amendment to the Director of Public Prosecutions Act. The Director of Public Prosecutions is entitled to indict people for tier one offences in the Supreme Court and the Director of Public Prosecutions could probably indict Mr Hanna today. That might apply in theory but in practice indicting Mr Hanna today would probably be unfair and stayed by the courts. The Director of Public Prosecutions can only indict someone for a serious criminal offence if the director knows about the offence and can apply his mind to it.

The object of this bill was never to burden the Director of Public Prosecutions with a power to indict somebody. Instead, the object was to require the Environment Protection Authority to advise the Director of Public Prosecutions if there was a reasonable possibility that a person had committed a tier one offence so the director could decide whether, in his view, there were reasonable grounds to prosecute the offender. An offence carrying a maximum penalty of seven years is extremely serious. Prosecuting these serious matters is bread-and-butter work for the Director of Public Prosecutions and Crown prosecutors. There is nothing magical about prosecuting criminal offences and this work is not beyond either the knowledge or resources of the Director of Public Prosecutions or Crown prosecutors.

In fact, the Environment Protection Authority may find it far easier to have a Crown prosecutor on such offences than it would be to use the authority's lawyers or outsource prosecution to private lawyers at huge cost to the State when the best prosecutors are on the State's payroll. For tier one offences there is an option either to prosecute alleged offenders summarily in the Land and Environment Court, where there is a maximum penalty of two years, or on indictment, where such a trial would be under the criminal procedure provisions before a judge and a jury, as should be the case for serious criminal offences.

I have been critical of a number of the functions of the Environment Protection Authority and its failure to exercise its powers. The legislation to create the Environment Protection Authority was moved by a Liberal Party Minister for the Environment, Tim Moore, and the brains behind the Act to create the Environment Protection Authority was Lisa Corbyn, who was on Tim Moore's staff. The authority was designed to give the State the power to control pollution and take action against those who fail to comply with the emissions standards of the State. Over the years these regulators have become captive to the very organisations they are supposed to regulate and control, for a variety of reasons.

That has meant that a criminal rubbish dumper—who needs to be brought to justice and go to jail according to prosecution guidelines, having had guilt determined by a jury and a sentence determined by a judge—is not brought to justice because the Environment Protection Authority is not capable of determining whether or not people should be prosecuted. Other failures of the Environment Protection Authority have been brought to the Parliament's attention. There was a prosecution costing hundreds of thousands of dollars after the Hon. Luke Foley exposed, during budget estimates, a corporation for breaching regulations. This highlighted the inability of the Environment Protection Authority to successfully prosecute those suspected of serious offences.

The member for Campbelltown made a considered contribution to this debate. He made reference to the Environment Protection Authority's prosecution guidelines. I assure the House that the Environment Protection Authority, in respect of the matter of Hanna, failed to comply with its prosecution guidelines, which are similar to the guidelines for the Director of Public Prosecutions in New South Wales and in the United Kingdom. The Hanna prosecution fitted within almost every clause of the guidelines, but the most important guideline that should have been applied in this case relates to general deterrence. When the State prosecutes someone for a criminal offence, general deterrence plays a big part. A message must be sent to the community that criminal conduct will not be condoned by the State.

I cannot think of a better way to emphasise general deterrence than to have indicted Mr Hanna before the Supreme Court for dumping unbonded asbestos reasonably close to a school. That would have sent a message to every rubbish dumper and polluter that they will not just get a slap on the wrist or a penalty notice but will be prosecuted on indictment and sent to jail. When amending legislation last year the Minister for the Environment talked about how disgraceful such conduct is. This message needs to be sent out, just as we sent out messages about not tolerating unprovoked violence in areas of the city, the distribution and supply of drugs or paedophilia. We must say that we do not tolerate the conduct of people who dump unbonded asbestos that could kill people. The way we can send out this message is to bring these people to justice. The way we bring them to justice is to charge them with the very offences that this Parliament has laid down.

In this bill the Environment Protection Authority does not have its powers of investigation removed. I believe the Environment Protection Authority is the appropriate authority to investigate allegations of breaches of environmental legislation. In this bill the authority's law enforcement function remains, but once the authority

has completed that function and reasonably suspects somebody may be guilty of a serious tier one offence, it should consult prosecutors. This Parliament has set up prosecutors to make decisions in respect of crime. The prosecutors should be consulted by the Environment Protection Authority to determine whether the prosecutors should charge those suspected of criminal offences.

We should have confidence in the Director of Public Prosecutions and Crown prosecutors, as well as the Environment Protection Authority if the authority were to confine its activities to prosecuting minor offences or investigating allegations of offences before consulting prosecutors. The bill is not designed to wedge the Government or to turn environmental law on its head. The bill is designed to remedy a particular failure to bring people to justice. I have not been able to find a single case—I might be wrong—where anybody has been indicted for a tier one offence before the Supreme Court or a jury. That must say something.

Do members of this House believe that criminal rubbish dumpers have not committed tier one offences? The answer to that question is obviously no. The bill is a genuine attempt to repair and address a problem that was not foreseen. It may be a resourcing problem or it may be a lack of expertise problem. But anybody who practises in a particular field has an expertise in that area, and the Director of Public Prosecutions and Crown Prosecutors have an expertise in deciding whether or not people should be charged on indictment and how to go about that process. I commend the bill to the House.

Question—That this bill be now read a second time—put.

The House divided.

Ayes, 21

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

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Mr Anderson	Mr Flowers	Mr Rohan
Mr Aplin	Mr Fraser	Mr Rowell
Mr Ayres	Mr George	Mrs Sage
Mr Bassett	Mr Gulaptis	Mrs Skinner
Mr Baumann	Mr Hazzard	Mr Smith
Ms Berejiklian	Mr Holstein	Mr Souris
Mr Bromhead	Mr Issa	Mr Speakman
Mr Brookes	Dr Lee	Mr Stokes
Mr Casuscelli	Mr Maguire	Mr Toole
Mr Conolly	Mr Marshall	Ms Upton
Mr Constance	Mr Notley-Smith	Mr Ward
Mr Coure	Mr O'Dea	Mr R. C. Williams
Mrs Davies	Mr O'Farrell	Mrs Williams
Mr Dominello	Mr Page	
Mr Doyle	Ms Parker	
Mr Edwards	Mr Patterson	<i>Tellers,</i>
Mr Elliott	Mr Piccoli	Mr Cornwell
Mr Evans	Mr Provost	Mr J. D. Williams

Question resolved in the negative.

Motion negatived.

Bill not read a second time.

VISITORS

ACTING-SPEAKER (Ms Melanie Gibbons): I welcome to the gallery today Hornsby Primary School leaders, guests of the member for Hornsby. I also welcome to the gallery students from Dural Public School, guests of the member for Hawkesbury.

PARLIAMENTARY COMMITTEES

Membership

ACTING-SPEAKER (Ms Melanie Gibbons): I report the following message from the Legislative Council:

Madam SPEAKER

The Legislative Council desires to inform the Legislative Assembly that it has this day agreed to the following resolution:

- (1) That Ms Cusack be discharged from the Committee on the Ombudsman, the Police Integrity Commission and the Crime Commission and Dr Phelps be appointed as a member of the committee.
- (2) That Ms Cusack be discharged from the Committee on the Health Care Complaints Commission and Mrs Maclaren-Jones be appointed as a member of the committee.
- (3) That Mr MacDonald be discharged from the Joint Standing Committee on the Office of the Valuer-General and Mr Lynn be appointed as a member of the committee.

Legislative Council
15 May 2014

DON HARWIN
President

CRIMES (SENTENCING PROCEDURE) AMENDMENT (VICTIM IMPACT STATEMENTS—MANDATORY CONSIDERATION) BILL 2014

Second Reading

Debate resumed from 20 March 2014.

Mr GREG APLIN (Albury) [10.43 a.m.]: The Government opposes the Crimes (Sentencing Procedure) Amendment (Victim Impact Statements—Mandatory Consideration) Bill 2014—a private members' bill introduced by the Leader of the Opposition—because it will not deliver what he says it will. The Opposition's approach lacks coherency as it has not considered how its reforms fit within the sentencing process. Yes, the bill states that a court "must receive and consider a family victim impact statement if the primary victim has died as a result of the offence". But how exactly is a judge to do that? This bill provides no clear basis as to how a family victim impact statement is to be taken into account. There will be times when the contents of the statement will be relevant to the purposes of sentencing; however, there may be other times when the contents will not be relevant to the sentencing process.

In addition, family members may not want to give a statement—or they may simply want to speak about what the victim meant to them and what they have lost. They may not want their statement to be taken into account by the court in determining the sentence due to potentially being cross-examined. The victim may not have any family members to give a victim impact statement. Requiring courts always to consider a victim impact statement in the sentencing exercise can only work properly if family members in all cases are required to make a statement. This bill tries to get around that problem by providing that where no family victim impact statement has been provided a community impact statement is to be provided by the Commissioner of Victims' Rights. But a community impact statement cannot be compared to a family victim impact statement, which is able to properly represent the grief of the victim's family.

I note that the Acting Commissioner of Victims' Rights was not consulted about this proposed provision during the drafting of the bill, but it is in any case an impractical provision, given the number of homicides that are prosecuted by New South Wales courts. The Government considers that courts should be permitted to take family victim impact statements into account when determining the penalty for the offence, just as courts are permitted to take into account victim impact statements in other sorts of matters. But the Opposition's bill is not appropriate. The bill would make it mandatory for courts always to take victim impact

statements into account, no matter what they contain. The Opposition's reforms do not just cover family victim impact statements but also cover all victim impact statements, whether made by a primary victim or a victim's family member.

The Government does not accept that premise. A court should be allowed to consider a victim impact statement when determining the appropriate sentence, but only if it is relevant. The Government believes that it is the sentencing court, with all the sentencing material before it, that is best placed to determine whether a victim impact statement is relevant to the sentencing exercise. If the court is to do that, it needs to have a basis to allow that to happen. The Government has prepared its own bill, introduced on 7 May 2014, that will override the Prevlitera ruling and allow courts to take family victim impact statements into account on sentence. The Government's bill provides a proper basis for a court to do so by making it clear that the harmful impact of a homicide on the victim's family is an aspect of harm done to the community and it will provide flexibility to allow family victims to decline to have their statement considered for sentencing purposes, if they do not wish that to happen. The Government's bill is superior to this private members' bill, with the capacity to deliver what it sets out to do. It is for those reasons that the Government does not support this bill.

Mr STEPHEN BROMHEAD (Myall Lakes) [10.47 a.m.]: The Government opposes the private member's bill introduced by the Leader of the Opposition. The object of the bill is to amend the Crimes (Sentencing Procedure) Act 1999 to require courts to receive and consider victim impact statements. The bill also provides for the giving of a victim impact statement to assist the court in relation to sentencing and provides for the giving of a community impact statement where the court has received no primary victim impact statement or family victim impact statement. The Government opposes this bill because it will not deliver what the Leader of the Opposition said it will. When he introduced the bill back in March the Leader of the Opposition made much of the fact that at present the courts are free to ignore victims' stories. He said this was wrong.

His bill would give judges no choice but to take victim impact statements into account when determining the appropriate penalty. If the Opposition felt so strongly about the issue, why did Labor not take the opportunity to fix the problem when it was still in government? Unlike the Opposition, before the last election we made a commitment to change the state of affairs if we were elected and to allow courts to take victim's family impact statements into account on sentence. After we came to government the then Department of Attorney General and Justice consulted legal stakeholders and victims groups on the best way to do just that. But the fact is that at the time there was very little support for such measures.

If we look at the claims by the Leader of the Opposition—that judges will have no choice but to take family impact statements into account—we find that the bill states that a court "must receive and consider a family impact statement if the primary victim has died as a result of the offence". But how exactly is a judge to do that? The bill provides no clear basis as to how a victim's family impact statement is to be taken into account. Section 3A of the Crimes (Sentencing Procedure) Act 1999 sets out the following purposes of sentencing: ensuring the offender is adequately punished; deterring the offender and others from committing similar offences; protecting the community; promoting the rehabilitation of the offender; making the offender accountable; denouncing the offender's conduct; and recognising the harm done to the victim and to the community. How would a victim's family impact statement assist the court in achieving the purposes of sentencing in a homicide case? The harm done to the victim is already known, as he or she is dead, and that is the basis of the offence for which the offender has been convicted.

This bill was considered carefully by the Legislation Review Committee which, as the Leader of the Opposition knows, is the hardest working committee in this Parliament. The Legislation Review Committee, whose membership includes members of the Australian Labor Party, unanimously agreed that there were issues relating to this bill. The committee noted that this bill removed the discretion of the court to consider victim impact statements and instead makes it mandatory for those statements to be received and considered by the court. Victim impact statements are to be used to assist the court in sentencing the offender. The schedule to the bill also provides for a community impact statement to be made by a Commissioner of Victims' Rights in circumstances in which a victim impact statement has not been made. In cases in which the primary victim has died the committee notes that the purpose of a victim's family impact statement is to explain to the court the effect of the death on the victim's immediate family.

The committee also noted that victims of crime who have immediate family, and articulate family members, may be in a better position to express the effect of the victim's death than a victim of crime with no immediate family, or family members less able to express the impact of the death. As courts will be required under this bill to give weight to family victim impact statements in sentencing, this may lead to inconsistent

sentencing for otherwise substantially similar offences. The committee also noted that community impact statements could be provided in those circumstances but that community impact statements should be limited to describing the impact of an offence on people living or working in the location of the offence, or on the community generally. The committee noted that an individual is likely to have a lesser impact on people living in the community than on immediate family members. As such there remains the risk that sentences relating to victims without immediate family members would be lesser than sentences relating to victims with immediate family members. The Legislation Review Committee referred the bill to Parliament for further consideration.

The problem with the existing system is not that the courts are not required to take into account victim impact statements when determining appropriate sentences; the courts are actively prevented from doing so. They are prevented by the 1997 New South Wales Supreme Court ruling in *Previtera* that a victim's impact statement that dealt only with the impact of the crime on family members could never be relevant in determining an appropriate sentence. There will be occasions on which the impact on a family will be relevant to sentence but I acknowledge that that will not always be the case and it should not be a mandatory consideration.

Family members might not want to make a statement or they might simply want to speak about what the victim meant to them and what they have lost. They might not want their statements to be taken into account by the court in determining sentence. The victim might not have any family members to make a victim impact statement. Requiring courts to consider a victim impact statement in the sentencing exercise would work only if all victims or their family members are required to make a statement. The Legislation Review Committee expressed concern that the mandatory consideration by a court of a family victim impact statement might lead to inconsistent sentencing. This bill tries to get around that problem by providing that where no family victim impact statement has been provided a community impact statement is to be provided by the Commissioner for Victims' Rights.

But a community impact statement could not be compared with a victim impact statement, which could be expected to focus on the grief of the victim's family. A community impact statement cannot talk about a family's grief and a homicide may have little or no impact on the community as a whole. I note that the Acting Commissioner for Victims' Rights was not consulted about this proposed provision during the drafting of the bill. But in any case it is an impractical provision, given the number of homicides that are prosecuted in New South Wales courts. The courts should be allowed to take family victim impact statements into account when determining the penalty for an offence, just as the courts are permitted to take into account family victim impact statements in other sorts of matters.

This bill is not appropriate as it would make it mandatory for courts to take into account all victim impact statements whether they are made by a primary victim or by a family victim. The Government does not accept that premise. A court should be allowed to consider a victim impact statement when determining the appropriate sentence but only if it is relevant. The Government believes that the sentencing court, with all the sentencing material before it, is best placed to determine whether a victim's impact statement is a relevant factor to take into account when sentencing. If the court is to do that it must have a basis to allow that to happen.

The Government has prepared its own bill which was introduced on 7 May 2014 which will override the *Previtera* ruling and allow courts to take into account family victim impact statements on sentencing. The Government's bill provides the proper basis for a court to do so by making it clear that the harmful impact of a homicide on a victim's family is an aspect of harm done to the community. The Government's bill will provide flexibility to allow a victim to decline to have his or her statement considered for sentencing purposes if he or she does not wish that to happen. The Government's bill, which is a better bill than this private member's bill, has the capacity to deliver.

Some years ago I was involved in a motor vehicle accident in which a number of people were injured. The driver of the offending vehicle who ran from the scene was later caught and it was discovered that he had drugs in his system. When he was brought before the court I was asked to make a victim's impact statement but I declined to do so, which is what could happen in homicide cases involving other families. As the Government has introduced a much better bill I take much pleasure in opposing the Crimes (Sentencing Procedure) Amendment (Victim Impact Statements—Mandatory Consideration) Bill 2014.

Mr NICK LALICH (Cabramatta) [10.56 a.m.]: I make a brief contribution to debate on the Crimes (Sentencing Procedure) Amendment (Victim Impact Statements—Mandatory Consideration) Bill 2014 and commend the Leader of the Opposition for introducing it. Essentially this piece of legislation is about ensuring that our courts place victims and their loved ones, and not the criminals, at the heart of our justice system. The

bill aims to ensure that in relation to sentencing, the decision of the court must meet community expectations. The ridiculous four-year sentence that was handed down to the killer of Thomas Kelly is just one of many examples of courts being out of touch with the community.

The court's decision was a slap in the face for the family of Thomas, who was just 18 years old when he died, and that four-year sentence was a reflection of the worth of Thomas's life. I am not alone in my anger and disgust at such a light sentence and I am sure anyone in the street would agree that four years is not an adequate punishment. Imagine how Thomas's mum and dad felt. Kathy Kelly made a victim impact statement and said, "Every day I'm without my beautiful Thomas life gets more and more sad." Justice Stephen Campbell, who heard the case at the time, said:

I am constrained by law ... in the use that I make of victim impact statements ... I am not entitled to take their attitude as to the proper sentence into account.

Currently victims can make victim impact statements before the Local Court, the District Court, the Supreme Court and the Industrial Relations Court, but courts are not required to take them into account when determining sentence. For a number of reasons the Court of Criminal Appeal has always held that it is never appropriate for a court to consider victim impact statements in homicide cases. First, sentences must take into account the value of human life. Secondly, there is the potential for inconsistent sentences to be handed down in those cases where a homicide victim has no loved ones available or willing to make a victim impact statement. However, this bill will go some way towards addressing some of those issues.

If passed, this bill will make it mandatory for judges to consider victim impact statements when determining a sentence. It will overturn existing laws that prevent courts from considering victim impact statements in homicide cases. It will give the New South Wales Commissioner for Victims Rights the power to make a community impact statement on behalf of the victim if no loved one is available or willing to make a statement. This will help to prevent inconsistent sentencing. Importantly, these changes will still give judges discretion when it comes to determining sentences. Judges will still have to weigh up a range of factors when handing down sentences, including the offender's record and probation and parole reports, and victim impact statements.

The bill will also bring New South Wales into line with other States and Territories. In Queensland, the Australian Capital Territory and the Northern Territory it is mandatory for courts to consider victim impact statements when determining sentences. Victoria, South Australia Western Australia and the Northern Territory allow courts to consider statements in homicide cases. I hope that Government members in this Chamber will support this important bill. It is worth noting that the legislation the Government introduced on the back of this bill is Labor policy. It is worth noting also that it has taken the Government three long years to introduce its flimsy bill. As part of the Coalition's 2011 election promises, the then shadow Attorney General stated:

The NSW Liberals and Nationals will legislate ... to specifically provide that courts in New South Wales ... may consider victim impact statements by family victims in homicide cases ... when determining an offender's sentence.

If the Coalition Government had kept its promise three years ago Thomas Kelly's killer may have received a stronger and more adequate sentence for taking Thomas' life. His parents would then take some comfort from knowing that their son's killer was justly punished. But we should not be surprised that the Government continues to put the welfare of victims of crime last. It has already destroyed the victims compensation scheme, mercilessly cutting entitlements to victims of crimes such as child sexual abuse, domestic violence and homicide. I am proud that Labor has introduced this bill and I am proud to support it. The bill will give victims of crime and their loved ones a voice in the justice system. The bill puts victims' rights, not criminals' rights, at the centre of the case.

Question—That this bill be now read a second time—put.

The House divided.

Ayes, 18

Ms Burney
Mr Collier
Mr Daley
Ms Hay
Mr Hoenig
Ms Hornery
Mr Lynch

Dr McDonald
Ms Mihailuk
Mr Park
Mrs Perry
Mr Rees
Mr Robertson
Ms Tebbutt

Ms Watson
Mr Zangari

Tellers,
Mr Amery
Mr Lalich

Noes, 56

Mr Anderson	Mr Fraser	Mr Piper
Mr Aplin	Mr George	Mr Provest
Mr Ayres	Mr Greenwich	Mr Roberts
Mr Baird	Mr Gulaptis	Mr Rohan
Mr Bassett	Mr Hazzard	Mr Rowell
Mr Baumann	Ms Hodgkinson	Mrs Sage
Ms Berejikian	Mr Holstein	Mrs Skinner
Mr Bromhead	Mr Humphries	Mr Smith
Mr Brookes	Mr Issa	Mr Souris
Mr Casuscelli	Dr Lee	Mr Speakman
Mr Conolly	Mr Maguire	Mr Stokes
Mr Constance	Mr Marshall	Mr Toole
Mr Coure	Mr O'Farrell	Ms Upton
Mrs Davies	Mr Owen	Mr Ward
Mr Doyle	Mr Page	Mr R. C. Williams
Mr Edwards	Mr Parker	Mrs Williams
Mr Elliott	Ms Parker	<i>Tellers,</i>
Mr Evans	Mr Patterson	Mr Cornwell
Mr Flowers	Mr Perrottet	Mr J. D. Williams

Question resolved in the negative.

Motion negatived.

Bill not read a second time.

ACTING-SPEAKER (Ms Melanie Gibbons): Order! It being before 11.30 a.m., the House will now consider General Business Notices of Motions (General Notices).

MANUFACTURING INDUSTRY APPRENTICESHIPS

Ms SONIA HORNERY (Wallsend) [11.15 a.m.]: I move:

That this House:

- (1) Notes that at least 16 apprentices are among the 80 job losses announced at Hunter companies WesTrac and UGL Limited.
- (2) Notes that young people are losing a valuable training opportunity, and career paths for young people who have just completed an apprenticeship are narrowing.
- (3) Calls on the Minister for Industrial Relations to commit to establishing solid career paths for young people by encouraging greater investment to expand and support the State's manufacturing industries.

The community advocacy group for manufacturing in the Hunter, Build Them Here, says, "With no assurances for the future thousands of skilled manufacturing workers in the Hunter are facing uncertainty and worrying times." The Abbott Government's severe 2014 budget has not spared Hunter apprentices. The cuts mean that Hunter industries employing apprentices will be impacted by the abolition of 10 training programs, including accelerated Australian apprenticeship programs. Today's *Maitland Mercury* reports that the head of the Hunter Valley Training Company believes cuts to apprenticeship assistance programs in Tuesday's Federal budget could fuel the fire of Australia's growing unemployment problem.

Alongside tough new conditions for young people trying to access welfare payments, the budget revealed cuts to a number of programs aimed at getting young people into trades. The Tools for Your Trade Program, which provides \$5,500 to apprentices over the course of an apprenticeship, is on the chopping block. From 1 July it will be replaced by the Government's trade support loan, a \$20,000 loan available over the life of the apprenticeship. The budget also axed the Australian Apprenticeship Access Program, which provides prevocational training support for vulnerable jobseekers. Ms Smith said the Federal Government's decision to scrap funding to vital programs is a major concern. She commented, "We are already faced with a growing unemployment issue and a wide range of national skills shortages ... we fear that the decisions made in the Federal budget may further fuel the fire."

The negligence of the conservative State and Federal governments is driving the Australian manufacturing industry to the point of collapse. In November last year the *Newcastle Herald* reported that as many as 16 apprentices were among the 80 who lost jobs at the Hunter divisions of WesTrac and UGL Limited. This is worrying. Historically, in straitened economic times companies would protect apprentices—young vulnerable workers at the beginning of their careers just learning their trades and honing their skills—but not anymore. Apprentices are being left by the wayside. A *Newcastle Herald* article by Ashleigh Gleeson states:

All aged in their 20s they began apprenticeships in the belief that they are pursuing steady, lucrative and responsible career paths. None of them have been able to find work yet.

A young local mother said, "It is hard enough for young people to get an apprenticeship without further reductions." Her 17-year-old son has an apprenticeship. He is one of the lucky ones. But where has that support gone? A commentator on the *Newcastle Herald* article stated:

With these layoffs we are losing the chance to build our skills base in the Hunter. Surely with this Coalition Government business was going to pick up? At least that is what we were told. Seems that was a myth too.

In the struggle for a better bottom line some companies have decided that investment in skilled jobs in Australia is no longer important. These young people are facing narrower career prospects. This adds to the list of worries faced daily by apprentices. They already struggle on wages that are lower than those of the rest of the workforce, they are less aware of their rights and now their future is jeopardised. Australian Manufacturing Workers Union organiser Mr Daniel Wallace told me that times are tough for apprentices, and getting tougher. This Government is increasing TAFE fees and some employers are not living up to their obligations regarding fee support. He commended WesTrac for its strong apprenticeship program but warned, "There is something rotten in the state of apprenticeships".

Mr Wallace said that there was a time when companies would retrench the best tradespersons before they would touch an apprentice. They had to get permission from the authorities to terminate their training. He went on to say that when they cited financial hardship they did not believe the claims were checked. He asked whether WesTrac is losing money. I call on the Minister for Industrial Relations to commit to broadening the career paths for our young people. I call on the Government to commit to investing in an expansion of the State's manufacturing industries. I also call on it to stand by our apprentices and our skilled tradespeople and to act to ensure the future of manufacturing and skilled trades, particularly in the Hunter.

The Government could easily provide stimulus to the depressed manufacturing industry in the Hunter with a promise to spend almost \$3 billion on new trains. But instead of supporting our industry, tradesmen and apprentices, the Government has chosen to purchase these trains off the shelf. Has it forgotten that the skills base and a manufacturing industry already exist in the Hunter? Given all this talk about a debt crisis and a budget emergency, why is the Government hell-bent on spending so much money overseas when it could make a direct injection into the local economy? Tim Ayres, the Australian Manufacturing Workers Union state secretary, said that the collapse of the trained workforce in the Hunter is "the biggest jobs crisis in the NSW Hunter Valley since the closure of BHP and it's the responsibility of this Government to act and make sure that they deliver this contract locally and that they deliver for local industry". Ms Gleeson's article quoted an apprentice, who said:

I really loved my job, it was hard to leave but I can understand the view from the company if they don't have the work.

This Government has the ability to provide these companies with work. Why does it refuse to do so? The time to act is now, before we lose this manufacturing industry and the skills base forever.

Mr GARRY EDWARDS (Swansea) [11.22 a.m.]: The Government opposes the motion moved by the member for Wallsend. In fact, I move:

That the motion be amended by leaving out paragraph (3) with a view to inserting instead:

(3) Notes that the Government has created over 100,000 jobs since April 2011.

I note the mirth of the member for Wallsend. Her motion deals with a serious issue; I fail to see anything that encourages laughter. My amendment continues:

(4) Notes that apprentices have the best opportunities for ongoing employment in a growing labour market.

Having said that the Government does not support the motion, I note that 2014 is a much better time to be living and working in New South Wales than 2010 for both young apprentices and older workers. In the past month

alone, New South Wales has created 7,800 jobs, which is more than half of all new jobs created nationally. In March there were 16,700 more jobs, which is more than three-quarters of the new jobs created nationally. A total of 137,400 jobs have been created since the Coalition came to office. The latest Australian Bureau of Statistics data shows that New South Wales continues to have the second-lowest unemployment rate in Australia at 5.4 per cent, which is well below the national average of 5.8 per cent. The creation of 137,400 more jobs is a fantastic achievement by this Government.

I note that member for Wallsend expressed interest in the State's manufacturing industry. She must have missed the opening of Dincel Construction System's \$28 million manufacturing plant at Erskine Park announced by the then Premier just a week before she gave notice of this motion. The former Premier opened another two manufacturing plants in New South Wales: Deb Group's occupational hygiene and skincare manufacturing facility at Moorebank—which I believe is in your electorate, Madam Assistant-Speaker—in September 2013, and the Byron Group facility at Smithfield, which produces ambulances and police vehicles, in February 2014. This Government has implemented plans and programs in an effort to produce the best possible economic environment to get people into the workforce and to stay there. The April figures for New South Wales were broadly positive. Despite an increase in the seasonally adjusted unemployment rate from 5.2 per cent in March to 5.4 per cent in April, employment continued to improve—7,800 jobs were created—thanks to rises in both full-time and part-time employment, which were up 3,100 and 4,700 respectively.

Additionally, the New South Wales unemployment rate remains the second lowest among the States, behind Western Australia, at 4.9 per cent, which is significantly lower than the national average of 5.8 per cent. The member for Wallsend may be interested to note that April 2014 was the sixth consecutive month of decline in the unemployment rate. But how did we fare against the other States? The New South Wales unemployment rate is now the second lowest among the States after Western Australia, and is 0.4 per cent lower than the national average. New South Wales, Western Australia and Queensland experienced a fall in their unemployment rates, while South Australia and Tasmania experienced a rise and Victoria remained steady. Since the Liberal-Nationals Government was elected, the New South Wales unemployment rate has been at or below the national average for 75 per cent of the time. In trend terms, the number of people employed in this State increased in April for the fifth consecutive month. Employment growth affects household income growth and therefore consumer spending, which has implications for overall economic activity and State taxes. Employment growth is also essential for growth in payroll tax collections. This Government is getting it right when it comes to jobs growth.

Unlike members opposite, the Coalition Government encourages entrepreneurs rather than persecutes them. We must encourage and promote entrepreneurs if we want to create jobs. To do anything else would be to destroy them or they simply would not be created. In my own backyard Newcastle Buses and Ferries' Belmont depot employs a number of apprentices. I will make a private member's statement later today about Belmont airport, which is about to employ a number of new apprentices. Again, this Government is getting it right when it comes to jobs growth and therefore does not support this motion. I point out that I thought the laughter earlier came from the member for Wallsend. I apologise for that and put the blame squarely on the shoulders of my friend the member for Shellharbour.

Ms ANNA WATSON (Shellharbour) [11.29 a.m.]: I thank the member for Wallsend for moving this important motion. It deals with something that affects each and every member of the House, and I take it very seriously. It is disappointing that the member for Swansea does not support it. The families of young people and young people themselves do not care about the Government's rhetoric. They do not want to hear politicians making excuses for the lack of jobs in their region. The young people of Shellharbour and their families want apprenticeships, traineeships and the same opportunities and career paths which members opposite have had and which we have enjoyed. They want nothing less and they deserve nothing less. That is why this is a good motion. Illawarra has high unemployment. Like their parents, young people are desperate to take on apprenticeships. An enormous number of young people in my electorate are looking for apprenticeships but there are not enough on offer.

The last Federal Labor Government invested heavily in the Trade Training Centres in Schools program. Unfortunately, the Abbott Government has abandoned more than 600 of these new trade training centres. This action, by a typical Tory Government, does nothing to assist young people to gain apprenticeships, which should lead to solid career paths especially in manufacturing in New South Wales, particularly in the Illawarra and Hunter regions. If this Government was serious about apprenticeships and traineeships it should scrap the ridiculous Smart and Skilled plan. Instead, the Minister for Education should be looking at where the skills shortages exist in New South Wales. This information is not hard to find: the Minister just needs to search for it on Google.

Clearly, there is a lack of investment in training in New South Wales. We know the kinds of skills in demand differ from place to place. For example, one area may want hairdressers and welders, while another area wants labourers and managers. Young people, particularly those in regional and rural New South Wales, want the opportunity to get an apprenticeship or a traineeship in the first instance. This is a good stepping stone that provides a pathway to school and work, even from one industry to another. Certificates II, III and IV are recognised across the country. Apprentices get paid to study—thank you, Labor. The training is flexible and it is fantastic. I congratulate TAFE campuses across New South Wales. They are second-to-none providers. Parliament's goal should be to increase school, community and industry awareness and to support and generate growth in school-based apprenticeships and traineeships. I thank the member for Wallsend for bringing this motion to the attention of the House. Training affects all of us and we should be taking it seriously.

Mr CRAIG BAUMANN (Port Stephens—Parliamentary Secretary) [11.32 a.m.]: The New South Wales Liberals and Nationals did not deliver 137,400 jobs out of nowhere. The New South Wales Government is implementing programs to support growth and employment in this State. The 2013-14 budget provided up to \$69 million for the Regional Industries Investment Fund and the State Investment Attraction Scheme to drive growth in regional areas and complement the Jobs Action Plan. The Regional Infrastructure Fund provides financial assistance to firms for the purpose of business investment, local infrastructure and economic development projects, which support employment in regional New South Wales.

The Hunter region benefits from these programs but we may have found what the member for Wallsend is looking for, specifically in relation to paragraph (2) of her motion—that is, the Smart and Skilled program. Smart and Skilled is a reform of the New South Wales vocational education and training system. It will give people the chance to gain the skills they need to get a job and advance their careers. This will expand the skills of our workforce to meet future demand for jobs. Under Smart and Skilled a skills list will define what courses will be subsidised by the New South Wales Government. It is based on industry consultation and labour market research.

Industry and employers will exercise greater choice over the training needed, who provides it and when they do it. They will help define the skills list to ensure that we meet skills in demand and the needs of business. Individuals will be able to make informed choices about their training. They will select courses from the skills list knowing that these courses have good job prospects. Smart and Skilled will be implemented from 2014, with an entitlement to government-subsidised training commencing from 1 January 2015.

From January 2015 Smart and Skilled will introduce an entitlement for entry-level training up to and including certificate III; targeted support for higher-level qualifications; informed choice with improved quality measures; recognition of the role and function of TAFE New South Wales as the public provider; greater support for regions and equity groups; and better information for consumers. But that is not the only program the New South Wales Liberals and Nationals have introduced to help create jobs. There is also the Jobs Action Plan or the Fresh Start Support Scheme to look after our workers who have been made redundant.

The Government announced the Jobs Action Plan or Fresh Start Support scheme to look after workers who have been made redundant. The Government announced the Jobs Action Plan to provide an additional \$1,000 for the first year of employment to employers hiring a retrenched worker from a list of designated employers where the appointment is for a new job. The rebate will be paid on the first anniversary of the employment of the employee. The additional \$1,000 means the rebate increases to a possible maximum of \$6,000 for employees formally employed by designated employers. The rebate will be paid as \$3,000 on the first anniversary and \$3,000 on the second anniversary. Rebates will be paid on retrenchments made between 1 January 2014 and 30 June 2015 from a designated employer.

But wait, there is more: the payroll tax threshold increase. The Government increased the payroll tax threshold from \$689,000 to \$750,000 effective from 1 July 2013, removing payroll tax liabilities from an estimated 1,300 businesses at an average cost of \$3,325. An increased payroll tax threshold means more small businesses can afford to hire more employees. The New South Wales Liberals and Nationals are getting on with the job by providing thousands of jobs for the people of New South Wales.

Mr GUY ZANGARI (Fairfield) [11.34 a.m.]: This is obviously a Government in crisis when it sends a member of the calibre of the member for Port Stephens to debate this motion. We were falling asleep listening to what he had to say. We all know that apprentices are essential to any skilled workforce. Without apprentices, industry within this State would be left without a skilled workforce to replace our ageing workers as they reach

retirement age or move on to greener pastures. Apprentices are essential to ensure that industry continues to grow. Given this Government has been boasting about its record jobs growth, and how great a job it is doing for businesses, it was quite remarkable to see an announcement that 16 apprentices are in line for the chopping block in the Hunter region—absolute shame—amongst a further 64 other job losses.

This Government has failed to support our young apprentices in the Hunter region. What are our industries to do when there is a skill shortage because our apprentices have yet to receive the proper training and experience? Is the solution to plead for more skilled migrants to flood into the State to fill the gaps this Government has helped to create? There is a slight problem with that plan as well. When these skilled migrants settle in New South Wales, a large number of them have difficulties having their skills recognised by the State so they may contribute to and continue to work in the industry in which they are specialised. I have met local residents who have faced these difficulties and have since been forced into unskilled jobs as they are not able to continue in their professional line of work as their qualifications are no longer recognised here.

Mr Garry Edwards: Point of order: I ask that you ask the member for Fairfield to get back to the leave of the bill. It has nothing to do with migrant workers. This is all about apprenticeships.

The ASSISTANT-SPEAKER (Mr Andrew Fraser): Order! Number one, it is not a bill. It is a motion and I believe the motion is fairly wide-ranging. I cannot find that the member for Fairfield is outside the terms of the motion.

Mr GUY ZANGARI: We know that new migrants cannot get into their professions as their qualifications are not recognised here. This scenario is not confined to my area but affects the Hunter, the Illawarra and regions across New South Wales. Professionals who migrated to Australia as skilled migrants are facing such difficulties and are driven into jobs like working at their local supermarket, driving a cab or becoming a delivery driver. It would appear that the lack of commitment to apprentices is the same path that this Government, a government in crisis, would like our young apprentices to follow, rather than giving them the skills necessary to flourish and excel in their chosen profession. The Minister for Industrial Relations needs to broaden the career paths for young people.

The Government needs to invest to ensure that our manufacturing industries and trades are expanding. The Government needs to ensure that the skilled professionals and apprentices in this State are looked after and given the opportunity to apply their skills locally. As the member for Wallsend stated, this Government has completely overlooked the skill base and manufacturing infrastructure, which is ready and able in the Hunter. The Government has concluded it would be best to buy off-the-shelf trains from overseas, rather than invest the money in the local men and women in the Hunter region. I cannot understand why this Government is hell-bent on outsourcing jobs. [*Time expired.*]

Ms SONIA HORNER (Wallsend) [11.38 a.m.], in reply: I thank the member for Swansea, the member for Shellharbour, the member for Port Stephens and the member for Fairfield for their contributions to this debate. I say at the outset that we will not support the removal of the action statement from the motion, which calls on the Minister for Industrial Relations to do his job in New South Wales of encouraging investment and expanding and supporting the State's manufacturing industries. I am surprised that Government members would not want the action statement to be included in this motion because it is about doing things and promoting our State, not only in Australia but around the globe.

The amendment is surprising and it shows that the Government has its head in the sand. The Government does not want to acknowledge that there is a crisis with schools in the Hunter and is ignoring it. Is that because local Hunter Liberal members of Parliament have been impotent in assisting industrial growth in the Hunter? The member for Swansea mentioned facilities being open, but not one of those facilities he mentioned was in the Hunter region, which was basically the subject of the motion. The member for Shellharbour spoke about how the schools crisis is affecting everyone in the New South Wales community.

Mr Gareth Ward: The Hunter member from Shellharbour.

Ms SONIA HORNER: Our community, whether it be the Illawarra or the Hunter, is crying out for opportunities for—

Mr Mark Coure: The member for Canterbury is the shadow Minister for the Hunter.

Ms SONIA HORNERY: Thank you, member for Oatley. Save it for later, comrade. Our community, whether it be the Illawarra or the Hunter, is crying out for opportunities for apprentices. I am sure that even the member for Oatley knows that that is the case. Labor has shown investment in these areas and, as the member for Shellharbour mentioned, the trades training centres are acknowledged as a very successful pathway between schools and TAFE facilities, such as at Glendale, which has basically been abandoned by the Liberal Government. The member for Shellharbour congratulated TAFE and I do too. The Opposition commends TAFE for being a public facility that is affordable and available to everyone in New South Wales.

The member for Port Stephens spoke about Smart and Skilled but could not give any examples of how that hypothetical project has worked in the Hunter. We look forward to hearing specifically about apprenticeships creation in the Hunter, and I will acknowledge Smart and Skills when it actually does something. The member for Fairfield pointed out that apprentices are essential to any workforce—on this side of the House we all agree that that is the case. The member for Fairfield also mentioned the skills shortage in New South Wales and how the Government should broaden its career paths for our youth.

This is an essential motion. I spoke this morning about cutbacks to budgets for apprentices not only by the State Government but also by the Federal Government. The skills shortage is at crisis point in the Hunter and we desperately need to provide work, via the State Government, to keep our skills base within the Hunter. One way the Government can do that is to ensure that the Minister for Transport asks UGL and EDI to build rolling stock in the Hunter. I call on Liberal Government members in the Hunter to do as I have, and lobby for jobs in the Hunter and ensure that jobs are not taken away. Finally, I reject the Government's assertion that the third point of my motion should be removed because it is an action statement. This side of the House is about action, so we do not agree with the amendment.

Question—That the amendment of Mr Garry Edwards be agreed to—put.

The House divided.

Ayes, 54

Mr Anderson	Ms Gibbons	Mr Rohan
Mr Aplin	Ms Goward	Mr Rowell
Mr Ayres	Mr Grant	Mrs Sage
Mr Bassett	Mr Gulaptis	Mrs Skinner
Mr Baumann	Mr Hazzard	Mr Smith
Ms Berejiklian	Mr Holstein	Mr Souris
Mr Bromhead	Mr Humphries	Mr Speakman
Mr Brookes	Mr Issa	Mr Stokes
Mr Casuscelli	Dr Lee	Mr Stoner
Mr Conolly	Mr Maguire	Mr Toole
Mr Constance	Mr Marshall	Ms Upton
Mr Coure	Mr Notley-Smith	Mr Ward
Mrs Davies	Mr O'Farrell	Mr R. C. Williams
Mr Doyle	Mr Owen	Mrs Williams
Mr Edwards	Mr Page	
Mr Elliott	Ms Parker	
Mr Evans	Mr Patterson	<i>Tellers,</i>
Mr Flowers	Mr Perrottet	Mr Cornwell
Mr George	Mr Provost	Mr J. D. Williams

Noes, 20

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

Pairs

Mr Baird	Mr Barr
Mr Barilaro	Ms Burton
Mr Roberts	Mr Hoenig

Question resolved in the affirmative.

Amendment of Mr Garry Edwards agreed to.

Motion as amended agreed to.

OAK FLATS RAILWAY STATION COMMUTER CAR PARK

Mr GARETH WARD (Kiama) [11.54 a.m.]: I move:

That this House:

- (1) Congratulates the Government on turning the first sod and starting construction on the Oak Flats Railway Station commuter car park.
- (2) Condemns the previous Government for constructing a police station with inadequate parking for stationed officers and staff, who have to park in other public car parks.
- (3) Commends Oak Flats Progress Society President Councillor Helen Stewart and Councillor Kellie Marsh for their advocacy for this important commuter car park upgrade.
- (4) Thanks Shellharbour City Council, Mayor Marianne Saliba—

she would be a great candidate for Labor preselection for Shellharbour—

and Lee Furness for working with the Government to achieve this outcome.

- (5) Thanks the Minister for Transport for her valued investment into Illawarra public transport and access.

It is another day in Parliament and another day talking about a great Liberal Government achievement—something that the inadequate swill opposite did not achieve during their time in office.

Mr Nick Lalich: Point of order—

Mr GARETH WARD: I withdraw the word "inadequate".

Mr Nick Lalich: The member for Kiama is misleading the Parliament. There is no decent Liberal Party in Australia.

The ASSISTANT-SPEAKER (Mr Andrew Fraser): Order! There is no point of order. The member for Kiama has the call.

Mr GARETH WARD: The member for Cabramatta does not even know where Oak Flats is; indeed, he does not know where his own electorate is. For 16 years members opposite had the opportunity to deliver additional car parking, and what did they do? A big fat zero. Indeed, what they did was worse than that: they built a police station but did not provide adequate car parking. So what was happening? The staff did what anyone would do and parked in the car parks set aside for commuters. We had no action, just condemnation, from members opposite. Contrast that with the performance of this Government: \$770 million invested in transport access, delivering car parks throughout the State. Labor neglected to do that during its 16 corrupt, manifestly inadequate, tawdry years in office.

Ms Noreen Hay: Point of order—

Mr GARETH WARD: In the case of the member for Wollongong I withdraw the word "tawdry" but everything else stands.

Ms Noreen Hay: The member for Kiama should withdraw the word "corrupt", with all the Government members down at the Independent Commission Against Corruption.

Mr GARETH WARD: Corrupt. The member for Wollongong was at the table of knowledge in Wollongong. Corrupt, corrupt, corrupt.

Ms Noreen Hay: Government members are all down at the Independent Commission Against Corruption. Every one of them should go hungry.

The ASSISTANT-SPEAKER (Mr Andrew Fraser): Order! The member for Wollongong walked into the Chamber and took a spurious point of order. There is no point of order. If the member wishes to take a point of order she should provide me with the number of the standing order. If she does not do so she will be removed from the Chamber. The member for Kiama has the call.

Mr GARETH WARD: An article in the *Illawarra Mercury* of 13 May 2014, entitled "Oak Flats commuter park nearly finished", stated:

Shellharbour MP Anna Watson says she is pleased the Oak Flats station commuter car park is finally nearing completion. Ms Watson had been critical of NSW Government delays on the project.

There have been no delays:

"My view was always that the NSW Liberal Government had no real desire to upgrade the commuter car park, which is why the start date for work was continually changed," Ms Watson said.

The Minister always said that it would be completed around this time this year; members opposite had an opportunity to deliver the project but did not do so:

"But I wanted to ensure maximum pressure was placed on the Minister to follow through with completing the project."

If members opposite believe that, why did they not upgrade the commuter car park when they had the opportunity to do so? They failed to deliver that project. I am delighted that the member for Oatley agrees so wholeheartedly with the point I am making. The article continued:

"The public pressure worked and the commuters who use the Oak Flats station now have more car parking spaces available to them."

I agree with that. I am pleased that the Government is investing in public transport. I passionately believe in public transport and in representing the people of the Illawarra. While Oak Flats is not in my electorate—

Mr Nick Lalich: It continues Labor's policy.

Mr GARETH WARD: I acknowledge the interjection by the member for Cabramatta. They say that light travels faster than sound. If that is the case, some people appear bright until one hears them speak. The member for Cabramatta spoke right on cue, saying this is Labor's policy. Well, nothing could be further from the truth. Indeed, when Councillor Stewart from the Oak Flats Progress Society wanted to attend the opening of the police station, which caused the parking issues, she was told that she could not do so. Who told her that she could not attend? The then Labor candidate, now member for Shellharbour, Anna Watson.

Ms Anna Watson: Point of order—

Mr GARETH WARD: Just because you do not like it does not mean you can take a point of order.

The ASSISTANT-SPEAKER (Mr Andrew Fraser): Order! What is the standing order?

Ms Anna Watson: The member for Kiama's statement is untrue.

The ASSISTANT-SPEAKER (Mr Andrew Fraser): Order! There is no point of order. If the member for Shellharbour wishes to contribute to the debate she will have an opportunity to do so.

Mr GARETH WARD: There are no standing orders that state, "I am embarrassed about Labor's years of failure and I will interrupt the debate." However, perhaps the Assistant-Speaker could add one. If that were the case Opposition members would frequently take points of order. I commend Councillor Helen Stewart and Councillor Kellie Marsh, two excellent councillors on Shellharbour City Council, for pushing for this project. Councillor Helen Stewart is the chair of the Oak Flats Progress Society, a group of men and women dedicated to progressing the interests of the community.

Ms Anna Watson: What did they do?

Mr GARETH WARD: I am sorry that the member for Shellharbour is deriding and criticising them by interjecting from the Opposition benches. It is shameful that local members are not backing local progress societies such as the Oak Flats Progress Society. I look forward to sending them a copy of *Hansard* so that they can see the level of support they have from the member for Shellharbour. In contrast, we went to the transport Minister, the Government provided funds and we are now delivering on required infrastructure such as the Shellharbour train station that was promised by the Labor Government in 2001 but that was not delivered until 2011.

If members want an example of what Labor will do in the future they should look at what it failed to do in the past. The word "failure" is written on every project that was promised by Labor. The Labor Government failed the people of the Illawarra. The Labor Government could not even get it right when providing car parking for commuters—something that the Baird-Stoner Government supports. This Government is committed to providing transport access and improving public transport, which is reflected in its provision of 125 new express services and a new car park. This Government is delivering in all those areas where the former Government failed.

Ms ANNA WATSON (Shellharbour) [12.01 p.m.]: The member for Kiama always puts on a very entertaining show. I have no problem with the motion moved by the member for Kiama except for paragraph (2) which states:

- (2) Condemns the previous Government for constructing a police station with inadequate parking for stationed officers and staff, who have to park in other public car parks.

I listened carefully to the contribution of the member for Kiama who sought to substantiate the allegation he made in paragraph (2). I listened to his extraordinary partisan political attack on the Labor Government and I watched as he dug deeper and deeper into a hole—a matter to which I will refer later. Earlier this week I issued a press release drawing attention to the fact that the Oak Flats Station commuter car park had nearly been completed. Indeed, I am pleased that commuters are already taking advantage of the new car parking spaces. My press release states:

Ms Watson said that the former NSW Labor Government built the new Oak Flats Station in 2003 but, over time, the commuter car park was judged too small, and a need to upgrade the facility was determined.

During the 2011 election, the first election in which I was a candidate, I identified the need to increase commuter car parking at Oak Flats Station. Following my election I made numerous representations to the Minister for Transport and Minister for Police and Emergency Services. I attended a meeting convened by Shellharbour City Council to discuss the issue. Following that meeting on 31 January 2012, I again made representations to the Minister for Transport and the Minister for Police and Emergency Services. Throughout that period I carefully tracked progress on the construction of the commuter car park. I was critical of the Government for delaying the project. I obtained and tracked information from questions I placed on *Questions and Answers* and I put pressure on the Government through the local media.

Given that Oak Flats Station is a long way from the Kiama electorate, I find strange the fact that the member for Kiama reacted to every press release I issued. In the end I was quite pleased as it meant that the heat was on the Government. The member for Kiama tried to pretend he was the de facto Minister for the Illawarra. In those days it was his ambition to be Illawarra's free-range rooster instead of the Government's second clipboard holder. It got to the stage where the member for Kiama made so many announcements about the commuter car park that I labelled his stream of press releases as having been reheated on more occasions than a plate of pasta. But the critical part of his motion is rubbish, which is why he will be forced to sit in the hole that he dug for himself today and look stupid.

He will not be a strutting and puffed up peacock for long as his plumage will have been well and truly plucked. While motions that are moved by the member for Kiama always condemn the Labor Government in one way or another, on this occasion he did not reflect the views of this Government. In the second paragraph of his motion he condemns the Labor Government for constructing a police station next door to the Oak Flats Station without providing adequate parking. On 8 June 2012 the Parliamentary Secretary for Police and Emergency Services, Mr Geoff Provest, MP, told me in correspondence that I am more than happy to table:

It is a long-standing policy for the NSW Police Force to provide parking for operational police vehicles only.

As you would be aware the draft conditions and the final Development Application for Oak Flats Police Station require approximately 60 onsite vehicle parking spaces.

The NSW Police Force constructed this building in accordance with the Development Application.

The Parliamentary Secretary went on to make this important point, which spells doom for the second paragraph of the motion:

It is not feasible for the NSW Police Force to provide onsite employee car parking at any police stations, given the size of the NSW Police Force workforce.

I am advised that the NSW Police Force currently has no plans to change this policy.

Finally, let me nail the additional claim that the police "have to park in other public car parks". Again, the Parliamentary Secretary told me:

Whilst it is a commonly held perception that the NSW Police Force staff are solely responsible for an increase in the use of the commuter car park, information received by local police suggests otherwise.

The problem with the member for Kiama is that he always goes a little too far in being unnecessarily politically partisan. It is time to call, "Game, set and match. Thank you linesmen and thank you ball boys."

Mr MARK COURE (Oatley) [12.07 p.m.]: I thank the member for Kiama for delivering yet again another project for the Illawarra region. The truth is that under the Easy Access Program this Government is delivering 230 additional car parking spaces at Oak Flats, as well as other upgrades, over four years at a cost of \$770 million. Some of those upgrades include additional car spaces at commuter car parks in Kiama; a new station at Shell Cove; a transport interchange; commuter car parking including lifts; bus bays and a taxi zone at Albion Park; ramp access upgrades at Dapto; and an interchange upgrade including ramp access at Gerringong. The list goes on. This Government is delivering on its commitment to provide additional car parking spaces and has allocated \$770 million to implement that project over four years.

As part of this Government's Transport Access Program, 25 extra stations are now accessible since we came to office in 2011—Albion Park, Canley Vale, Casula, Gerringong, Glenfield, Hamilton, Jannali, Martin Place, Minto, Newtown, Picton, Riverstone, Sefton, Singleton and Sydenham. We also have delivered 1,200 commuter spots across the network since our election—Kiama, Moss Vale, Fairfield, Kingwood, Mount Druitt, Oak Flats, Gordon, Shell Cove, Granville, Padstow, Sutherland, Lindfield, Rockdale and Liverpool continues. The list continues.

At Oak Flats the Government is delivering on its promises with improvements to existing bus shelters, improved lighting, landscaping and fences. The Government is delivering for the Illawarra area. The list shows that the railway station after Oak Flats is Oatley railway station, and the Government is delivering there. Only recently the Government's plans for that station went on public exhibition. The Government is planning to construct not one but three lifts at Oatley railway station—one on the platform, one in Oatley Parade and one on Mulga Road. The Government is looking at expanding parking and providing closed-circuit television cameras, additional lighting, storage facilities, fencing, accessible toilets and a new pedestrian footbridge. The Government is leading the way, something that Labor failed to do in its 16 years in office. The Government is delivering on the Easy Access Program with funding of \$770 million over four years.

Dr Geoff Lee: Mention the Minister.

Mr MARK COURE: I thank the member for Parramatta for that interjection. I thank the Minister for Transport, the Hon. Gladys Berejiklian, for the good work she is doing on the Easy Access Program.

Mr GARETH WARD (Kiama) [12.11 p.m.], in reply: It gives me great pleasure to thank all members who participated in the debate.

Ms Anna Watson: The plucked peacock.

Mr GARETH WARD: I acknowledge another interjection from the member for Shellharbour about being a peacock. She talks about peacocks, roosters and chickens. I reject all the poultry interjections from members opposite. I do not know what menagerie we have opposite but it is something I am sure George Orwell would have regretted. I address some of the points made by the member for Shellharbour. She says that she supports the car park and I have no doubt that is the case. She claimed she put pressure on the Government and then gave all the reasons why it could not be done. I shall explain to her how the administrative orders work. The member for Shellharbour quoted from a letter from the Parliamentary Secretary for Police and Emergency

Services relating to car parking for train stations. That means talking to the Department of Transport, the people who provide trains, the things that chug along the Illawarra line or, as the member for Oatley pointed out, "the little red engine that couldn't".

The member for Shellharbour talked about politics and suggested that this motion is all political. I draw the attention of members to the fact that in paragraph (3) of my motion I acknowledged an independent councillor, Councillor Helen Stewart, a good friend of mine, who worked hard on the project. At paragraph (4) the motion also thanks the Shellharbour City Council Mayor, Marianne Saliba, who is the former Labor member for the Illawarra. And that is political? The motion refers to people who have worked hard to assist the processes and I appreciate their support, along with the support of Lee Furness from the council. They did a great job dealing with the necessary issues surrounding land acquisition and supply.

I reject the suggestion that this motion is political. Rather, its purpose was to bring about a solution that the community wanted and we were able to obtain over \$5 million for more than 230 car parking spaces for the people of Oak Flats. I know that the member for Shellharbour will agree with that and the community will be grateful we were able to find a solution that people wanted. The politics get a bit fiery in this place but at the end of the day we thank the Minister for her support; I am grateful for it. I have made the point ad nauseam that a police station was built without adequate car parking. The member for Shellharbour has spoken about what a government would normally say about car parking and I knowledge those comments. The main thing is that the Government has been able to deliver this project in a timely fashion and I am grateful for that.

I am also grateful for the other funds that have been invested in the area such as the upgrades at Dapto, Albion Park near Shellharbour, Gerringong and the new station currently being constructed. The member for Shellharbour will join me in expressing thanks to the Government for what has been done and the fact that we are happy with the job. I extend my thanks to the contractors involved in the work undertaken. I am pleased with the work they have done. In fact, I joined the contractors, Councillor Marsh and Councillor Stewart to turn the first sod on this project. I am pleased we have reached the point of delivering this project for the local community. As the member for Shellharbour rightly pointed out, I acknowledge that the project is not in my electorate but people from my electorate will use this station, as will people in Oak Flats in the electorate of Shellharbour. I thank all members who have spoken in debate and I thank the Government for providing the funds for the project.

Ms Anna Watson: I place on the table the letter I referred to in my contribution to the debate.

Dr Geoff Lee: Table it.

The ASSISTANT-SPEAKER (Mr Andrew Fraser): Order! I point out that the letter has not been tabled; it has been placed on the table. Therefore, it will not form part of the parliamentary record. However, members may look at the letter or speak to the Minister for Local Government, who is in the Chamber.

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

Motion agreed to.

CITY OF SYDNEY CITIZENS POLICY JURY

Mr ALEX GREENWICH (Sydney) [12.16 p.m.]: I move:

That this House:

- (1) Commends all members of the newDemocracy Foundation Citizens' Jury entitled "City of Sydney—Safe and Vibrant Nightlife" in relation to alcohol-fuelled violence.
- (2) Acknowledges the Citizens' Jury process had the support of the Thomas Kelly Youth Foundation, Lord Mayor of Sydney and the Premier.
- (3) Notes the recommendations of the Citizens' Jury relating to diversity, transport, policing and safety, education and media, lockouts and licensing.
- (4) Calls on the Government to consider the recommendations of the Citizens' Jury.

Through newDemocracy and with the support of the Thomas Kelly Youth Foundation, Lord Mayor of Sydney and former Premier O'Farrell, last year 43 citizens were randomly selected to look at how we can prevent

late-night violence. In April the Citizens' Jury for a Vibrant and Safe Sydney delivered 25 unanimous recommendations covering diversity, transport, policing and safety, education and media, and lockouts and licensing. I hope the Government will seriously consider these recommendations as they are sensible. Jury members had no political agenda and worked hard on finding innovative solutions. They visited hotspots late on a Saturday night and early into the next morning. They met staff at St Vincent's Hospital and spoke to police, City of Sydney staff and experts and took submissions.

Recommendations were made to both the City of Sydney Council and the State Government, and some require Commonwealth implementation. The jury acknowledged that people want to go out late at night and want that experience to be safe. The jury recognised the need to diversify the late-night economy. It recommended providing people with more entertainment options late at night that do not focus on binge drinking such as shopping, food, music, libraries and art shows. This is in line with what people tell me. Many want choices tailored to different age groups and more civilised and cultured tastes. It follows the popularity of initiatives such as the Australian Museum's Jurassic Lounge nights and the City of Sydney's Late Night Library events of storytelling, debates, live music and film screenings.

The jury highlighted that people want more late-night transport options; they want to be able to get home quicker and easier. They found that while there were some transport options to specific drop-off points, transport to get them home was not always available. The jury made solving this problem a focus of its recommendations. The jury recommended running the entire Sydney metropolitan bus network between 11.00 p.m. and 5.00 a.m. on Friday and Saturday nights. It suggested this could be funded through risk-based licensing fees—indeed such fees have now been introduced. The jury recommended further research on patronage in support of running train services late at night and early in the morning on weekends. It argues that we need to remove barriers and encourage private shuttle services as a new option to enable people to get home. These proposals are sensible and should be implemented.

The jury supports increased visibility of police and I understand more police have been present in late-night inner-city hotspots to coincide with the recent introduction of new liquor venue trading restrictions. This has contributed to a welcome drop in assaults. There are also recommendations for the City of Sydney to increase closed-circuit television coverage, which is important in reducing crime. However, it requires local community support because many people who live in the inner city have legitimate privacy concerns. I understand the City of Sydney is installing 10 additional closed-circuit television cameras.

There is a strong focus on education concerning binge drinking and violence, particularly for young people. The jury recommends community awareness campaigns promoted through licensed venues, takeaway outlets, social media and sporting events. It supports reducing advertising of alcoholic products before 10.00 p.m. The jury's recommendations on lockouts and licensing aim to prevent violence while retaining an exciting and diverse night scene. The jury recommends risk-based licensing, which has been introduced by the Government. It recommends increasing Office of Liquor, Gaming and Racing inspections to enforce responsible service of alcohol provisions in high-risk licensed premises on Friday and Saturday nights—that is essential. Serving alcohol to intoxicated patrons increases the likelihood of alcohol-related harm. While it is an offence to serve alcohol to someone who is intoxicated, a walk down Darlinghurst Road on a Saturday or Sunday morning before sunrise proves that it happens frequently. Monitoring and enforcement must be increased.

Earlier this year the Government introduced 1.30 a.m. lockouts and 3.00 a.m. cessation of alcohol service in venues in the Kings Cross and Sydney CBD Entertainment Precinct. The Government said it would review these provisions in two years. At the time I argued that was too long and requested an independent review within six months. The citizen's jury recommends a review after 12 months, which I feel is much better than two years. An earlier review is required because young people report that live entertainment, arts and culture are suffering. They feel alienated by a process that they say has imposed arbitrary restrictions on their entertainment. Importantly, some licensees report their takings have reduced between 40 to 70 per cent and that staff have been laid off as a result. While there is international evidence that earlier cessation of alcohol service reduces violence, there is limited evidence that lockouts are effective. The vibrancy of Sydney's late-night scene is being impacted by the lockouts.

There are anecdotal reports that Newtown at night is starting to look a lot like Kings Cross. On the second weekend of the lockouts The Star casino had a massive increase in patrons attempting to enter. The link between people drinking and gambling concerns me greatly. I am concerned that the conditions are leading more people to go to an entertainment venue that is focused on gambling. My constituents in areas adjacent to the precincts remain concerned about growth in late-night entertainment in their neighbourhood. These issues should be assessed soon.

The jury supported exemptions from the latest trading restrictions for venues with a proven record of good behaviour, no incidents and lower risks to public safety. Live music venues and lesbian, gay, bisexual, transgender and intersex venues have been calling for this as they say they are part of the solution against late-night violence because they provide their patrons with a safe place to watch entertainment. The Bingham Cup will be held in Sydney in August. It is one of the world's largest lesbian, gay, bisexual, transgender and intersex sporting events and is expected to make a massive economic contribution to Sydney and to New South Wales.

Thousands of interstate and international visitors will be in Sydney for the event and will want to celebrate at lesbian, gay, bisexual, transgender and intersex late-night venues. I urge the Government to consider sensible exemptions for this important event. Lesbian, gay, bisexual, transgender and intersex venues are considered low risk, provide live entertainment, and are ACON safe spaces. Exemptions could be made for the 1.30 a.m. lockout while retaining the 3.00 a.m. cessation of service. Former Premier O'Farrell promised to table the citizen's jury report and I hope our new Premier will give it the consideration it deserves. I commend the motion to the House.

Mr BRUCE NOTLEY-SMITH (Coogee) [12.23 p.m.]: I speak in debate on the motion moved by the member for Sydney. The Citizens' Jury was an initiative of the City of Sydney, with important support from the New South Wales Government. It formed to consider the issue of alcohol-related violence in our city. The 43 members of the jury met between 1 February and 5 April this year and received presentations from stakeholders across government and the community. They have now presented a report containing 25 recommendations to both the City of Sydney and the New South Wales Government.

The recommendations are presented in themes and I am particularly interested in the themes of lockouts, licencing, policing and safety. A number of the jury's recommendations touch on areas which are relevant to the Coogee electorate. Whilst the Government has not finalised its position on many of the recommendations I note its endorsement of the introduction of risk-based licencing fees in New South Wales. This work is already underway and will be known as the risk-based licencing fee scheme. Implementation is underway and the regulations prescribing the detail of the scheme were approved by the Lieutenant Governor on 14 May 2014.

I am pleased to note that the Citizens' Jury has recommended that exemptions be made available from some regulatory restrictions. Where a venue can demonstrate good behaviour and a reduction in its risk levels exemptions from some of the provisions of the Government's tough new liquor laws can be sought through the Office of Liquor, Gaming and Racing. There is an application form for businesses on the website of the Office of Liquor, Gaming and Racing. It must be said that obtaining an exemption will not be easy. The Office of Liquor, Gaming and Racing will assess each application on its merits before recommending whether the Secretary to the Department of Trade and Investment approves or declines the application.

Another recommendation is that the Office of Liquor, Gaming and Racing increase the number of inspectors. I am advised that an assessment of the resources for the compliance function of the Office of Liquor, Gaming and Racing is currently underway. I expect that members will be provided with further advice once this work is complete. The jury also recommended that revenue generated from the risk-based licence fee scheme be utilised to fund the implementation of its other recommendations, particularly improving late-night public transport. The revenue generated from the scheme will, in the first instance, be used to fund the regulatory effort of the Office of Liquor, Gaming and Racing, including maintaining its increased compliance and enforcement presence targeting high-risk venues and precincts. Should there be surplus revenue the Government will consider the most appropriate purposes to which it should be applied.

This Government is serious about dealing with the issue of alcohol-related violence, more serious than any government in the history of this State. I commend the members of the Citizen's Jury for the work they have undertaken and thank them for their genuine interest in improving this city's vibrancy and nightlife. When I first became a councillor on Randwick Council the Coogee precinct was out of control with regard to alcohol, antisocial behaviour and violence. Two of Sydney's largest pubs were situated within 100 metres of one another and at 3.00 a.m. it was described as the charge of the wildebeests. As one venue shut hundreds of people moved across Grant Reserve and attempted to enter the Coogee Bay Hotel. Most of those people were intoxicated. The Coogee Bay Hotel has a particularly strong security force and those who were heavily intoxicated were not allowed entry. At 3.00 a.m., when there was a shift change for taxis, Coogee was awash with drunks who could not get home and who were fighting.

Mr Greg Piper: That was after the council meeting, wasn't it?

Mr BRUCE NOTLEY-SMITH: That is when I used to head down.

[Interruption]

I note the interjection from the member for Murray-Darling. People were getting into fights whilst queuing for a kebab and it was a disaster. When I became mayor in 2008 I called for 1.30 a.m. lockouts to be introduced at those two pubs. Several months later legislation was passed in this place to enable lockouts to be enforced and lockouts were enforced at those premises in Coogee. That was one of a number of approaches that the council took to deal with the issue of alcohol-related antisocial behaviour and violence in Coogee.

However, it had a significant effect on toning down the atmosphere in that area. It is not without its problems, but compared with what was happening in 2001 and 2002, when the situation was at its worst, it is relatively calm. There is no silver bullet to deal with alcohol-related violence or antisocial behaviour. These measures are having a negative impact on patronage in the Oxford Street, Darlinghurst area, particularly at gay and lesbian venues. I have had talks with that community to see how we can ease the pain they are feeling. However, this State needs to change its approach to alcohol.

Mr GREG PIPER (Lake Macquarie) [12.30 p.m.]: I support the motion moved by the member for Sydney. I commend those who participated in the Sydney citizens jury, which is a fantastic initiative to deal with such a vexing issue. I acknowledge the Lord Mayor of Sydney, Clover Moore, and the former Premier, the Hon. Barry O'Farrell, for allowing the jury to do its work. The jury released its recommendations last month. Its inquiry occurred at a time of increasing community debate about safety at late-night entertainment precincts in the wake of a spate of alcohol- and drug-fuelled predatory attacks on young men in Kings Cross and the inner city. As we know, the Government moved swiftly to introduce legislation to address these concerns, including provisions such as new offences and mandatory minimum sentences for alcohol-fuelled assaults; lockouts and curfews for nightclubs and other late-night entertainment venues; restrictions on the sale of shots; reduced operating hours for bottle shops; and free late-night buses to ferry patrons out of the entertainment precinct.

I condemn the Government's move to introduce mandatory minimum sentencing. It is a major initiative that should not have been implemented in a capricious manner and without some community engagement. However, that does not mean the Government did not introduce some good and sensible measures. The other measures that it introduced and which the then Premier championed were sensible. They included initiatives designed to reduce the flow of alcohol after certain times—that is, the 1.30 a.m. lockouts and the 3.00 a.m. cessation of service of alcohol. At the time, the member for Sydney and others were concerned about the impact that that might have on the night economy. Despite that, the Government had to act; we needed a circuit-breaker. The jury's report will allow us to consider what can be done.

Some of the suggestions in the Sydney Citizens' Jury report correspond with actions the Government has taken to reduce alcohol-fuelled violence. However, it also makes good recommendations that go beyond what the Government has implemented. They include initiatives to increase and broaden the nature of night-time activities to attract a wider cross-section of people into the city; improvements to lighting and public toilets to enhance safety and amenity for people in the city at night; financial incentives to promote innovation and diversity in the night-time economy; and a reduction in regulatory requirements or red tape to streamline the process of approvals for events and festivals. The jury also makes extensive recommendations in regard to improving transport options in and out of the city and increasing police presence and visibility.

The jury endorsed the Government's plans to engage in a public awareness campaign about the dangers of binge drinking and the associated risk of alcohol-fuelled violence, and recommended that this process be started at school, with a formal education program designed to develop life skills and build resilience. It broadly supported the system of lockouts and trading controls that have been introduced in the entertainment precinct, but with the proviso that they be subject to prompt review, and recommended that exemptions be offered to low-risk venues that are shown to have clean records regarding violence and misdemeanours. All these suggestions seem eminently reasonable. They certainly do not fly in the face of action taken by the Government. The motion asks the Government to consider the jury's recommendations. That is reasonable and it does not mean that the Government must support them in their entirety. I commend the Government for the steps it has taken to address this issue, but reiterate that I am concerned about mandatory sentencing.

Mr CHARLES CASUSCELLI (Strathfield) [12.34 p.m.]: I am delighted to speak on this motion moved by the member for Sydney. The Sydney Citizens' Jury report, which contains 25 recommendations, has

been supported by not only the community but also the Government. That is highly commendable. The Government is considering and developing its position on some of the jury's recommendations. My initial assessment leads me to believe it is a good report. Some of the recommendations are eminently practical and well considered, but a number need further work from a cost-benefit perspective. I commend the work done by the Sydney Citizens' Jury and the stakeholders who participated in the process. However, I fear that we are all—including the jury—focused on the act of violence rather than the process, which invariably results in a human being in pain and in hospital or, even worse, not in pain but in a morgue.

Surely a substantial part of the problem has its roots in aspects of our society that have little to do with alcohol. As violence is becoming a bigger problem in our community we must ask a number of fundamental questions. What has happened to personal accountability? What has happened to community responsibility? What has happened to the implicit and explicit authority of our parents, our teachers and our police officers? What has happened to those recreational, sporting and entertainment activities that attract the attention of our youth? If we want to decrease violence we must look closely at how we promote personal accountability, not only through legislation but also in a cultural sense. Some of the jury's recommendations deal with these questions. We must go further. While Australians pride themselves on their level of tolerance, my observations and experience suggest that our increasing level of tolerance has contributed, and will continue to contribute, to the level of violence in our community.

Today we tolerate appalling behaviour in our schools, in our public spaces and on our transport systems. We even tolerate criminal behaviour from our police officers and public servants, and we tolerate offensive behaviour directed towards police officers and public servants. The courts also tolerate criminal behaviour when they hand down inadequate sentences. These fundamental issues must be addressed if we want to deal with violence and its consequences. We also tolerate the time of our youths being taken up watching violent movies and playing violent games, and we ignore the effects that they have on our developing young.

These issues must be addressed more broadly, not only in terms of the violence occurring in our community. We spend billions of dollars on providing entertainment that is based on graphic but non-consequential violence. Our youth can experience the glamour, excitement and adventure of violence without experiencing its very real consequences. We tolerate this constant desensitising of our youth. We must act. It is time that we became more intolerant of these things. I again commend the work of the Sydney Citizens' Jury. A similar citizens jury could deal with the broader issues that I have raised and the reasons for some of the violence we are experiencing. I also commend the member for Sydney for moving the motion.

Dr ANDREW McDONALD (Macquarie Fields) [12.38 p.m.]: Three years ago in this place, in response to an excellent private member's statement by the then member for Sydney, Clover Moore, I said the first thing a person with a drinking problem has to do is admit to it. Both the previous Government and the current Government, prior to debate on this motion, did not admit that alcohol-related violence is not only a significant problem but an increasing problem. We should be concerned about more than violence. As the Foundation for Alcohol Research and Education said in its submission:

Each year in NSW more than 1,200 people die as a result of alcohol consumption, over 50,000 are hospitalised, over 14,000 are affected by alcohol-related non-domestic assaults and over 10,000 are affected by alcohol-related domestic assaults.

There are also considerable financial costs, with \$1.02 billion spent on alcohol abuse—about \$1,565 for every household in New South Wales. That is why in mid-November 2013 the Labor Opposition released the Drink Smart, Home Safe policy, which is a plan to tackle alcohol-related harm. Many of the features of that policy have been recommended by the Citizens' Jury policy document, which is why I call on the Government to look very closely at that document. Alcohol policy is a work in progress, which is why a citizens' jury is vital in the ongoing efforts to combat alcohol-related violence. The Government had no option but to take action in late January, because uncontrolled alcohol-related violence 16 months after the death of Thomas Kelly was unacceptable. As Professor Owler of the Australian Medical Association said in a submission to the newDemocracy Foundation:

Over recent years, Sydney's nightlife has become an unsafe environment due to risky and aggressive drinking behaviour. In my line of work, and in the everyday activities of my colleagues, the consequences of alcohol-related harm in the form of binge-drinking and violent assaults are all too familiar.

I speak regularly to staff at St Vincent's Hospital and there is no doubt that the policies introduced in late January have had a dramatic effect on the number of people presenting at the hospital with alcohol-related

injuries. The 1.30 a.m. lockouts and 3 o'clock last drinks are vital. The Labor policy also recommended that there be transport improvements to treat Friday and Saturday nights as major events. I note that the member for Coogee spoke about the difficulty of getting transport at 3.00 a.m. The Labor policy also recommended the new independent liquor regulator committing to minimising alcohol-related harm, risk-based licensing, undercover operations and tracking the cost of alcohol abuse to the community. The Government continues to accept money from alcohol providers. Paul Nicolaou, the lobbyist, is under suspension from the party at the moment but he was a major driver.

Mr Gareth Ward: Point of order: Accepting donations from any alcohol provider is against the law. The Government has not done that.

Dr ANDREW McDONALD: To the point of order: I was not referring to donations. I was referring to the fact that the Government accepts advertising on buses from the alcohol lobby and is likely to continue to do so.

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

Dr ANDREW McDONALD: This Government accepts money from the alcohol industry for alcohol advertising on the side of buses.

Mr Andrew Constance: And you didn't do that in government? Are you sure about that?

Dr ANDREW McDONALD: We did do that in government. It was wrong then and it is wrong now. The Treasurer could say that the Government will no longer accept money from the alcohol industry. That has been recommended in this policy, and I ask him to do so today.

Mr JOHN WILLIAMS (Murray-Darling) [12.42 p.m.]: I sympathise with the views expressed by the member for Sydney and by the community in the heart of Sydney. We have made some reforms, and most members have identified the need for those reforms. There is no doubt that the Kings Cross area attracts people who want to engage in heavy drinking. The area also attracts some elements that are detrimental to the spirit of the inner-city lifestyle. Unfortunately, reform always has some fallout. In this case, the fallout is that law-abiding people also go to the area to socialise and enjoy each other's company. I recognise that this reform will have an impact on such people. The member for Sydney highlighted the fact that areas near Kings Cross are experiencing an increase in patronage as people are driven out of traditional nightspots. Some of the changes, such as the early lockout, will not affect my electorate. However, laws relating to takeaway alcohol will affect all areas. We had to accept that reform in country areas, where the drive-in bottle shop is often also a 7-Eleven. In some regional areas there are no convenience stores and so bottle shops stock items besides alcohol. I have had to deal with a lot of fallout from the takeaway alcohol laws.

The fact is that we are all in this together. We need to reflect on how we are going to change the culture of heavy drinking, which is not in the best interests of the citizens of New South Wales. There is no doubt that alcohol-related violence is on the increase. I did national service and went to Kings Cross in the late 1960s. Altercations occurred then but they were nothing like the recent incidents. Kings Cross was a big attraction as a nightspot and a meeting place but I never witnessed an altercation like those that have occurred there recently. The culture has changed. If we start tinkering at the edges we will increase the likelihood that people seeking entertainment will go to those precincts the member for Sydney wishes to protect. We must allow the changes to take effect and try to change the culture. We may need to revisit this issue at a later date, but now is not the time to do so.

Mr ALEX GREENWICH (Sydney) [12.46 p.m.], in reply: I thank members representing the electorates of Coogee, Lake Macquarie, Strathfield and Murray-Darling for their considered contributions to the debate on this motion. I commend the newDemocracy Foundation for its call for a citizens' jury process, which had the support of former Premier O'Farrell and Lord Mayor Clover Moore. It was refreshing to read the report into a vibrant and safe Sydney from a group that is clearly dedicated to finding ways to reduce violence while ensuring Sydney maintains a vibrant late-night economy. I congratulate all the members of the jury and look forward to the Government's serious consideration of the recommendations.

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

Motion agreed to.

INVERELL LIONS CLUB

Mr ADAM MARSHALL (Northern Tablelands) [12.48 p.m.]: I move:

That this House:

- (1) Notes that the Lions Club of Inverell celebrated 60 years of service to the Inverell community on Saturday 16 November 2013.
- (2) Congratulates Brooke Sheppard, who was awarded the prestigious JD Richardson Award for 40 years of service to the club, and Phillip Beeton for his 20 years of outstanding service.
- (3) Acknowledges Charter President Don Dowda for his foresight in establishing the club in 1953, the twenty-second Lions Club chartered in Australia.
- (4) Pays tribute to current President, David Goddard, and all club members for their commitment and service to the Inverell community and building up the town.

As an enthusiastic Lion, but one who sadly does not get to as many meetings as I should these days, it is my great pleasure to bring to the attention of the House the wonderful contribution the Inverell Lions Club has made to the Inverell community for more than 60 years. When established by the very civically minded Don Dowda in 1953, the Inverell Lions Club was only the twenty-second Lions Club chartered in Australia. The current president is David Goddard, and he is doing a terrific job continuing the important work and the legacy of Lions and leading his fellow members in projects to build the town in which they live. The Inverell Lions Club celebrated its sixtieth anniversary last November. While I could not, unfortunately, attend on the evening, it was my great pleasure to join members of the club earlier for their annual changeover dinner.

The longest-serving member of the club, Gordon Kitching—who has clocked up a phenomenal 50 years of service—was on hand on the evening, along with Brooke Sheppard, who was not far behind with 40 years of service to the club, and the hardworking secretary, Phillip Beaton, who has 20 years of service. I congratulate Gordon, Brooke and Phillip on incredible years of service to the club and to the Inverell community. It has been said before in this place—but this is a good opportunity for me to emphasise it once again—just how much regional communities rely on their service clubs, whether it is Lions, Rotary, Apex or a whole host of other community organisations. Tight-knit rural communities rely on their local service clubs to build their communities and get projects of all sizes completed to advance their communities.

We rely heavily on our clubs and on the magnificent volunteers who are club members. They make an incredible difference to infrastructure, to the wellbeing of our community and to the presentation of all our country communities. In the past 60 years the Inverell Lions Club has completed so many projects that if I started listing them all now I would be standing here until well after question time. A recent project that I will mention today is the development of Lions Park, on the banks of the picturesque Macintyre River. It is a barbecue area with public toilets that offers a welcome haven for travellers and locals alike. One would think that a park and all the amenities would be enough, but the Inverell Lions Club that I praise today in this motion always goes that extra mile. The members of the club, including past president Gordon Ellis—who, as it happens, is a retired boilermaker—decided to build a steel bridge linking Lions Park with the skateboard park on the other side of the river. It was a big project but the members stuck to it, and that bridge stands today as a testament to the hard work of those volunteers.

[Interruption]

I note the interjection from the member for Murray-Darling, who acknowledges the work that went into constructing the bridge; it is quite an engineering feat. But the bridge is also a standing testament to the members of the club.

Mr John Williams: I hope it stays together.

Mr ADAM MARSHALL: It will stay together because it was built by country people in a great country community. In fact, it would be fair to say that the blood, sweat and tears that went into the construction of the bridge is a reflection of the pioneering nature of the Inverell community. It shows how people are always willing to put many shoulders to the wheel to get a project done. Secretary of the club, Phil Beaton, lost the top of one of his fingers during the construction, but he was back on the job after a little medical attention. They make them tough in Inverell!

The Inverell Lions Club has completed other projects in the community, including fencing the community garden at Inverell; building another bridge—I can report that all fingers made it through safely on that occasion—building the Inverell Lookout area about the town, which is well used by day and at night by visitors to the community; and installing a very important helipad at Inverell Hospital. The club constructed a shed and built gates to the facilities at the hockey fields. A special project some years ago was the construction of a memorial wall and remembrance area for infants at the Inverell cemetery. The club organises and runs twice-monthly markets in the Inverell Campbell Park area. It also runs the annual Lions Youth of the Year competition. As a former entrant, I consider that competition to be critical to the development of young people and I thank the club for continuing to hold that important competition.

The club also runs the barbecue at community events, including the recent Relay for Life event in Inverell, which raised well over \$60,000 for cancer research across Australia. Last week the club agreed to buy and install four televisions in the Inverell Hospital for patients. All these projects are additional to the support given directly to Lions International projects, including research into cancer, programs for the deaf, disaster support and youth programs. Drive around any country town in any of our electorates and one will see facilities that Lions clubs have built for the use and benefit of all. Our communities would be a lot worse off without groups such as these and without the volunteers who are happy to give so freely of their time—and sometimes even parts of their fingers—to make projects happen. I am very proud to have the opportunity to publicly acknowledge and praise the work of Inverell Lions Club, which has, over six decades, served the Inverell community and supported community initiatives, past and present. I salute David Goddard and his team, and I sincerely thank the club for building the community in which its members live.

Mr GUY ZANGARI (Fairfield) [12.55 p.m.]: I am delighted to support the motion moved by the member for Northern Tablelands. What a great member he is for thanking the Inverell Lions Club for its 60 years of service to the community.

[Interruption]

I note the interjections from members opposite who represent rural electorates, asking where the member for Fairfield has been. Mr Acting-Speaker, I ask you to bring those members into line because I would like to add to what the member for Northern Tablelands has said about the Inverell Lions Club. I particularly acknowledge Gordon Kitching, who has had 50 years of tremendous service to the community; Brooke Sheppard, who has had four decades of wonderful service; and Phil Beeton. The member for Northern Tablelands spoke about Phil Beeton's wonderful contribution, particularly in relation to the steel bridge, and mentioned that Phil injured his finger during the construction of the bridge.

All members in the Chamber have wonderful Lions clubs in their electorates that do so much for their communities, whether it is maintaining facilities at local sportsgrounds—I note that in Inverell the club built the hockey sheds—erecting memorials or holding markets to raise money. Like all Lions clubs, the Inverell Lions Club promotes the engagement of youth in the community by hosting yearly youth awards. The member for Northern Tablelands mentioned the wonderful contribution that the Inverell Lions Club made recently to Inverell Hospital with the installation of four televisions. Of course, the contribution of Lions clubs goes beyond that highlighted by the member for Northern Tablelands. Lions Club members are devout volunteers, and it is fitting that this motion is before the House during National Volunteer Week.

Last night the member for Bankstown introduced a matter of public importance honouring all our great volunteers. The third paragraph of the motion acknowledges the charter president, Don Dowda, for his foresight in establishing the Inverell Lions Club in 1953. Establishing the twenty-second Lions Club to be chartered in Australia is a magnificent achievement. The fourth paragraph pays tribute to the current president, David Goddard, and to all club members for their commitment and service to the Inverell community and for building up the town. I commend the member for Northern Tablelands, who—I hear through the grapevine in my electorate—left a budding cricket umpiring career to enter Parliament. One hears quite a bit of information in the Fairfield electorate about our counterparts in Northern Tablelands. I congratulate the member for Northern Tablelands on bringing this motion to the House.

Mr STEPHEN BROMHEAD (Myall Lakes) [12.58 p.m.]: I speak in support of the motion and I congratulate the member for Northern Tablelands on bringing it to the House. What a great advocate he is for Northern Tablelands. I was particularly interested to hear about his long association with the Lions Club and I look forward to his joining the New South Wales Parliamentary Lions Club. The New South Wales Parliamentary Lions Club has raised more than \$500,000 over the past 12 years, which is an outstanding

achievement. Those moneys have gone to a number of different charities. Over the past two years the club has raised more than \$300,000, with money going to the Save Sight Institute next door—where \$134,000 was used to purchase equipment—the George Institute and the Barry Palmer Foundation. This year money will be donated for prostate cancer awareness and research. I encourage all members and staff who are eligible, to join the New South Wales Parliamentary Lions Club and help raise money for worthy causes.

Mr ADAM MARSHALL (Northern Tablelands) [1.00 p.m.], in reply: I thank the member for Fairfield and my colleague the member for Myall Lakes for contributing to debate on an important motion. I acknowledge the work of the member for Myall Lakes as president of the parliamentary Lions Club. He does a great job. I place on record that I am a proud member of the Armidale Dumaresq Lions Club, although I do not have a problem with joining the ranks of the member for Myall Lakes and my colleagues as an associate member. Again, I place on record the great work of Inverell Lions Club. Members agree that we cannot speak highly enough of our volunteers, whether they are members of Lions Clubs or Rotarians. As the member for Fairfield said, it is National Volunteer Week, so it is appropriate to debate this motion. Well done to Inverell Lions Club. I look forward to joining the club members soon at another function to celebrate another community project well completed. Well done to all the club members.

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

Motion agreed to.

Pursuant to sessional order committee reports proceeded with.

COMMITTEE ON ECONOMIC DEVELOPMENT

Report: Skill Shortages in NSW

Debate resumed from 27 March 2014.

Mr DAVID ELLIOTT (Baulkham Hills—Parliamentary Secretary) [1.00 p.m.]: Economic development has important implications for the State's youth. Strong economic development encourages economic growth and jobs growth. It ensures that the youth of today and of tomorrow have opportunities for employment. As Parliamentary Secretary to the Premier for Youth, Homelessness and Centenary of ANZAC, I am delighted to be discussing this report in the House. Skill shortages are extensive in New South Wales; the NSW Business Chamber indicated that the health care, social assistance, construction, accommodation, food and beverage services, manufacturing, retail trade, professional scientific and technical services, and information and communications technology sectors are all reporting skill shortages.

My contribution to this debate will focus on how the committee's recommendations will not only address the skill shortages but also help the State's young people. As I said in my report, "There is a crisis for young people who for whatever reason find themselves ill-equipped in the job market". One of the major recommendations of the report was to make the study of mathematics compulsory for high school students and particularly in the Higher School Certificate. I know that making maths compulsory will not make me popular among some high school students. I note that since making the study of mathematics voluntary 1,000 fewer students are studying maths and the number of those completing middle level mathematics has fallen by 18 per cent since 2001. But it will be of great benefit to their future employment opportunities. It seems obvious that employers want those with a high level of proficiency in basic skills, which study in mathematics provides.

Naturally, we want those who leave school to be equipped with the skills needed to succeed in the workforce. Therefore, work readiness should be adopted as a goal for school leavers. Industry has noted that school has become too focused on university entrance criteria and school leavers do not have realistic expectations of a workplace. University is not for everybody. Too often we make the assumption that young people should be going to university. Or there is a pass-fail element; those who go to TAFE have failed their schooling. That is certainly not the case. We need to get beyond the idea that going to university is the best thing for everyone. That is why the committee has recommended that, to improve their attractiveness, trade training and apprenticeships be marketed to parents and young people.

I know many kids who would benefit from learning a trade rather than going to university. They will end up in less debt, have more fun and earn more money in the future. That is a great outcome for young people.

Further, many vocational programs can provide a significant challenge to young people, whilst making them work ready. One program the committee discussed is the Build a Bridge Program run by the Riverina Eastern Regional Organisation of Councils. Engineers from the Riverina Eastern Regional Organisation of Councils and the Riverina Institute of TAFE take students through a three-day camp where they participate in hands-on experience as civil engineers. They are tasked with designing a small bridge, building a model and preparing a budget. Then they get to build a full-scale version of the winning design, with the students who designed it as project managers and the rest of the students as builders. On the final day the students walk across their finished bridge to receive their certificates. That is a great example of the sort of intellectual and practical challenges that our vocational, technical and trade programs can provide. I also note the importance of mathematics at every stage of the process.

TAFE has formed the backbone of our vocational sector, and we need to continue to support TAFE as it seeks to provide world-leading trade and technical training. One way of improving the image of technical and trade qualifications is by ensuring the automatic recognition of these qualifications as prior learning for advanced standing into university courses. At the very least, this means that one can say to parents that their child, once they complete their technical qualification, can go straight into second year at university. However, it also has benefits for industry. As I have said previously, my pre-parliamentary career was as the Chief Executive Officer of the Civil Contractors Federation. I have been told by many members of the federation that what they are seeing with graduates is that they may know all the theory but they have not been on site; or they have not had basic practical experience, so they do not know the difference between, say, concrete and cement. This means that those who go through a trade and then university sectors will be extremely well suited to longer term employment and will better meet the requirements of the industry. The extra years used in training will make up for the now delayed retirement age.

It has been well documented that youth who grow up in the country then move out of their home towns. We found the way to retain skills in country and regional areas is to ensure that there are training and development opportunities in regional areas. If we have training opportunities in the country we are able to retain youth in regional areas and, hopefully, attract youth to the country to get trained and once trained stay there. To that end we recommend financial compensation to employers and training organisations in the country to compensate for the increased costs of training and apprenticeships in regional areas. Furthermore, we recommended providing financial incentives to encourage apprentices to complete training and to assist regional apprentices. On the topic of apprenticeships, we recommended introducing competency-based apprenticeships that would allow high-achieving apprentices to complete their apprenticeships more quickly. This report contains many recommendations that would address the skill shortages in New South Wales. Addressing the skill shortages will provide extensive opportunities for the State's future economic development. However, in addressing the skill shortages we are also providing youth with opportunities to develop lifelong skills for employment and setting them up for long-term success. I commend the report to the House.

ACTING-SPEAKER (Mr Adam Marshall): Order! I remind members that it is disorderly to engage in conversations with people in the gallery while in the Chamber. I acknowledge the presence in the gallery of Mr John Bracey, the President of the Australian Institute of Private Detectives, who is resident in the electorate of Davidson.

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

Debate resumed from 8 May 2014.

Mr GARETH WARD (Kiama) [1.06 p.m.]: It is my pleasure to address the House on the most recent report of the Joint Standing Committee on Electoral Matters on its recent inquiry into the 2012 local government elections. I must say it was an immense privilege to chair this inquiry. As a former councillor and Deputy Mayor of Shoalhaven City Council between 2004 and 2012 and a former Executive Member of the Local Government Association, I have a passion for local government and its important and fundamental role as a local

representative voice and service provider for local communities. Indeed, I gave evidence to this committee in 2008 as a councillor. It was a privilege and a pleasure to be involved in this inquiry, this time as the committee chairperson.

On 8 September 2012, 4.8 million voters across 152 councils went to the polls to elect mayors, councillors, and to vote on a variety of referendum questions. While the electoral process went smoothly, such a large exercise in local democracy will always present challenges and opportunities for reform. As such, following a referral from the Minister for Local Government, the committee pursued various lines of inquiry, and provided its report on these matters. Specifically, the committee adopted terms of reference to address the following items: the costs of the elections; a comparative analysis of elections conducted by the Electoral Commission, private electoral providers, or in-house; candidate participation; voter participation; the non-residential roll for ratepayers; and special provisions for elections in the City of Sydney.

The inquiry received 77 submissions from councils, electoral service providers, political parties, advocacy groups and individuals. Following this, the committee conducted four days of hearings and received 34 witnesses representing 20 organisations. In its report, the committee made 15 recommendations. I will now turn briefly to the committee's major recommendations. The major difference in this election compared to previous elections was that councils were able to choose whether to engage the services of the Electoral Commission to run their elections or whether they would manage their own elections. Most councils that chose to run their own elections contracted a third party—the Australian Election Company—to assist them. On the whole, the committee heard that those arrangements worked very well. The majority of councils that chose to work with the Electoral Commission, and those that did not, indicated broad satisfaction with the administration of their elections.

As such, the committee did not deem it necessary to revisit discussions about the appropriateness of council-run elections. The committee is of the view that the current arrangements are appropriate, and there is no need to vary or rescind the current autonomy granted to councils. However, the committee has recommended that those councils who choose not to work with the Electoral Commission either provide evidence to the Department of Premier and Cabinet that they are capable to conduct an election, or have secured contracts with another electoral service provider, at least 15 months prior to the election. These recommendations were prompted by concerns that some councils encountered difficulties in securing arrangements with third-party providers ahead of the 2012 elections.

In the case of Narrabri, following doubts as to its capacity to conduct a successful election, a late arrangement was entered into with the Electoral Commission, which required ministerial intervention through the making of a regulation. Any delays may result in an appreciable burden on either the contractor or the Electoral Commission to make suitable arrangements in time ahead of the 2016 elections. While the 2012 elections in Narrabri were ultimately successful and event-free on polling day, the same guarantee cannot be made for future elections.

On the issue of candidate participation, there were a significant number of candidates who stood for election, most of whom had positive experiences. Nevertheless, certain issues were identified which could encourage more candidates to stand and simplify the processes for those who do so. Many of the difficulties encountered by candidates involved the requirement to have an official agent to manage campaign finances. The committee was advised that it can be difficult to identify an appropriate person to act in this role and that official agents add an unnecessary level of complexity, particularly for independent candidates and those running in elections for smaller councils. Therefore, the committee has recommended that the mandatory requirement for a candidate to appoint an official agent be removed, although should candidates wish to appoint an official agent, they remain able to do so.

The committee was also of the opinion that the requirement for a candidate to open a campaign account if they receive political donations or incur electoral expenditure of \$1,000 is too low, and that this discourages potential candidates from nominating. Given that a candidate's disclosure is only required to be audited when political donations received, or expenditure incurred, exceeds \$2,500 the committee considers that it is appropriate to increase the threshold for requiring a campaign account to \$2,500.

On the issue of voter participation, the committee was pleased to see a considerably higher voter turnout in the 2012 elections and commends the work of the Electoral Commission, its Commissioner Colin Barry and its entire staff in maximising voter awareness. The committee is also eager to see as many people vote as possible and has made recommendations to remove the eligibility criteria that are required for voters to cast a postal vote or a pre-poll vote. It also recommends that technology assisted voting, iVote, is made available to all electors for the 2016 local government elections. As a person who is classified as legally blind, I firmly believe that iVote will make our democratic system more accessible. [*Extension of time agreed to.*]

But it is also the way of the future. As more and more aspects of our lives become digitised, it makes sense to use modern technology to bridge the gap for those with disabilities, not to mention those in remote New South Wales. I am convinced that iVote is the next logical step and as the chairman of the parliamentary committee charged with the oversight of our democratic system, I welcome the age of digital democracy with open arms. It is a system which was described as "as safe or safer" than our current system of voting by the State's Electoral Commissioner. I am not suggesting that we remove the current system of attendance balloting—rather iVote is a supplement to provide access and participation in the democratic process.

The committee recognised that postal voting would provide a cheaper alternative to attendance voting in certain local government areas, particularly in rural and regional parts of New South Wales. Given the significant concern raised by councils at the high and increasing costs of conducting the elections, it is important to canvass lower cost alternatives. In addition, allowing for universal iVote to work in tandem with postal voting will give many electors an alternative to vote by using their preferred method. In enabling these options, voter participation in the electoral process is likely to increase through greater accessibility to voting.

The committee was concerned to hear that non-residential ratepayers, particularly in the City of Sydney, were not exercising their right to vote. Particular mention was made of the complex enrolment application process, and the lapsing of the non-residential roll following each election. To improve the situation, the committee recommends that the non-residential roll should not be wiped following each election and should be made permanent in the same manner as the residential roll. The committee also recommended following a similar model to that in Melbourne and introducing deeming provisions for non-residential voters in the City of Sydney to ensure that they are enrolled to vote. Deeming provisions achieve this by making non-residential enrolment the default position, distinct from current arrangements in which the onus is put on non-residential ratepayers to actively enrol.

The committee has also recommended that the Government consider extending this franchise to other councils with large business communities. With the imposition of taxes and duties by the British Parliament in the 1760s and 1770s on the 13 colonies in North America, that later became the United States, the catch-cry of "No taxation without representation" was first heard. But the same catch-cry can be heard again today in the City of Sydney where 78.5 per cent of its revenue comes from its non-residential rate base. More than eight per cent of the nation's gross domestic product is generated in the City of Sydney. Approximately one-quarter of the State's gross domestic product is generated in the City of Sydney. As important as its residents are, the essence and flavour of the City of Sydney are also the city's property owners and businesspeople who do not deserve to be subject to a gerrymander that provides for a system that, in my opinion, dissuades voter participation.

Approximately 80,000 businesses and eligible entities could enrol to vote in the City of Sydney. In 2012, 1,709 of those entities enrolled. The issue is given added weight when considering that a total of \$243,242.00 was spent on an awareness and enrolment campaign that ultimately yielded only 1,709 enrolments. Otherwise put, this represents about \$142.00 per enrolment. Given that 211 people on the non-residential roll then failed to vote, then there were only 1,498 eligible entities from the non-residential roll that voted, and the cost per vote cast is therefore even higher. I thank committee members who participated in this inquiry: Deputy Chair the Hon. Robert Borsak, the Hon. Dr Peter Phelps, the Hon. Amanda Fazio, the Hon. Peter Primrose, the Hon. Trevor Khan, the member for Wollondilly now Minister for Mental Health, the member for Wagga Wagga, the member for Coffs Harbour, and the member for Liverpool.

It would be remiss of me not to thank an outstanding and fantastic committee staff—Rachel Simpson, Jason Arditi, Leon Last, Carly Maxwell and Meike Bowyer. I pay particular tribute to Jason Arditi who liaised directly with me as chairman on a number of occasions and made my job of committee chairman much easier. I pay tribute to all of the hardworking members in the Legislative Assembly Committee Secretariat, but particularly those mentioned, and thank them for their energy and enthusiasm for this inquiry. The full report is available from the committee's webpage. Should the recommendations be adopted, it is hoped that it will create new architecture and refine existing procedures, to ensure successful elections in 2016 that provide value for money, encourage candidate participation, and promote voter participation from both residents and non-residents alike.

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

Report noted.

PUBLIC ACCOUNTS COMMITTEE**Report: Examination of the Auditor-General's Performance Audits April 2012-August 2012****Question—That the House take note of the report—proposed.**

Mr JONATHAN O'DEA (Davidson) [1.16 p.m.]: I speak on the Public Accounts Committee's report entitled "Examination of the Auditor-General's Performance Audits April 2012-August 2012". It is my privilege to speak on this report. It is the fifteenth report tabled by the Public Accounts Committee in this Fifty-fifth Parliament and the fourth in its vital role of following up performance audit reports tabled by the New South Wales Auditor-General. The purpose of the committee's performance audit reviews is to follow up on action taken by agencies in response to recommendations in Audit Office performance audits. As part of the follow-up, the committee questions agencies about their response to the recommendations and, if required, conducts public hearings to examine witnesses.

The committee's examination is designed to test action taken on all performance audits in order to maintain a high level of scrutiny of the agencies under review. Concrete outcomes of this process have demonstrated the value of following up on performance audits from the Auditor-General and the recommendations contained therein. This report follows up on four particular Auditor-General's audit reports: "Improving the Literacy of Aboriginal Students in NSW Public Schools", "Settling Humanitarian Entrants in NSW", "Managing Overtime: RailCorp and Roads and Maritime Services" and "Physical Activity in Government Primary Schools". The report makes 10 recommendations designed to improve the performance of government agencies.

Six of the recommendations contained in the report relate to implementation of the Auditor-General's performance audit on "Improving the Literacy of Aboriginal Students in NSW Public Schools". As part of its inquiry, the committee visited schools in Broken Hill, Wilcannia and Menindee and heard directly from teachers and staff about the work that they are doing to improve literacy among Aboriginal students, and the issues involved. Closing the gap in literacy outcomes between Aboriginal and non-Aboriginal students is essential to addressing Aboriginal disadvantage in the long term and the committee considers that more could be done to improve the identification, monitoring and assessment of those students who are in need of assistance. In particular, the six recommendations made in that area are as follows:

RECOMMENDATION 1

The committee recommends that the Department of Education and Communities, as a matter of priority, implement its business intelligence tool to improve monitoring of students' progress.

RECOMMENDATION 2

The Committee recommends that the Department of Education and Communities implement the Auditor-General's recommendation that it develop a means of routinely evaluating the effectiveness of schools' efforts to promote the involvement and support of Aboriginal parents and the local Aboriginal community.

RECOMMENDATION 3

The Committee recommends that the Department of Education and Communities include development of Personalised Learning Plans for Aboriginal students and other students with additional needs in the Principals' Assessment Review Schedule and the associated self-regulation dashboard for principals.

RECOMMENDATION 4

The Committee recommends that, following the assent of the Ombudsman Amendment (Aboriginal Programs) Bill 2014, the Minister for Aboriginal Affairs prescribe by regulation all education initiatives designed to improve educational outcomes for Aboriginal students—

On that point I note that earlier this week I contributed to the debate on that legislation—

RECOMMENDATION 5

The Committee recommends that the Department of Education and Communities work with the Catholic Education Office to improve liaison and coordination between St Therese's Community School and the Wilcannia Central School.

RECOMMENDATION 6

The Committee recommends that the Department of Education and Communities introduce minimum standards for Personal Learning Programs.

Regarding settling legal humanitarian entrants in New South Wales, the Audit Office identified various challenges. The Government's response to such matters and the needs of these vulnerable people was somewhat confusing and inadequate. This has prompted two recommendations aimed at promoting better accountability in this area. Those two recommendations are:

RECOMMENDATION 7

The Committee recommends that the NSW Government ensure that the Community Relations Commission has explicit responsibility and authority for leading engagement with the Commonwealth and other stakeholders on humanitarian settlement matters.

RECOMMENDATION 8

The Committee recommends that the Department of Premier and Cabinet and the Community Relations Commission provide Parliament with a report on actions taken to improve access to services for humanitarian entrants, particularly through the NSW Government Immigration and Settlement Planning Committee, by November 2014.

There were two further recommendations, Nos 9 and 10, which relate to the two remaining performance audit areas and I will briefly outline those two recommendations as follows:

RECOMMENDATION 9

The Committee recommends that Roads and Maritime Services, as a matter of priority, implement the Auditor-General's recommendations relating to the determination of acceptable levels of overtime for operational purposes, revision of overall overtime targets, and ensuring that individual overtime targets are set for all major branches.

RECOMMENDATION 10

The Committee recommends that the Department of Education and Communities enhance its arrangements to effectively monitor physical activity in government primary schools and report on each child's engagement in physical activity to his or her parents or guardians.

Finally, I record my appreciation for the assistance provided by the Auditor-General and the Audit Office staff. I thank all my committee members and the secretariat staff for their assistance in the inquiry process and the preparation of this report, particularly Dr Abigail Groves.

Mr JOHN WILLIAMS (Murray-Darling) [1.22 p.m.]: As a member of the Public Accounts Committee I speak briefly to the report, particularly in the area of Aboriginal education. The chairman alluded to the committee's visit to Broken Hill, Menindee and Wilcannia. It should be noted that Wilcannia and Menindee participated in the Connected Communities program set up primarily to encourage good attendance rates at remote schools and to ensure that adequate funding is provided to enable young Aboriginal students to attend school.

St Therese Community School has a unique problem in that it functions in parallel with a supported school under the Connected Communities program and has Catholic Education Office support. However, there is some miscommunication between the two entities and some cooperation is required. The committee visited Railway Town Public School and was informed about a program to improve attendance rates. The program is being driven by one person within the school, Jan Fraser, who has taken it upon herself to communicate directly with parents of Aboriginal students to ensure that their attendance rates are maintained. The committee's recommendations are meritorious and should be considered by the Department of Education and Communities as they are driven primarily by the observations of the committee and are in line with the recommendations in the Auditor-General report.

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

Report noted.

LEGISLATION REVIEW COMMITTEE

Report: Legislation Review Digest No. 55/55

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

Mr STEPHEN BROMHEAD (Myall Lakes) [1.27 p.m.]: I thank the House for the opportunity to comment on the Legislation Review Committee's recent digest, which was tabled on 13 May 2014. This is the

fifty-fifth digest prepared by the Legislation Review Committee of the 55th Parliament. The committee considered six bills that were introduced in the sitting week commencing 6 May 2014. The committee commented on three. The Constitution Amendment (Disclosures by Members) Bill will require members to disclose certain pecuniary interests of any spouse or de facto partner or any persons under the age of 18 years who are dependent on them for support. Pecuniary interests include certain interests in real property, sources of income received or reasonably expected to be received, and interests or positions held in corporations, trade unions or professional or business associations, among other things. Given that registers of disclosures made by members of Parliament are available to the public, the committee considered that the proposed amendments could impact on the privacy of members' spouses, de facto partners, relatives and children in some circumstances.

The committee recognised the bill's public interest intention in ensuring the integrity and accountability of members of Parliament, and that other Australian parliaments require certain third-party interests to be disclosed. However, given this proposal's potential privacy implications on individuals who are not elected members of Parliament, the committee referred this issue to Parliament for further consideration. In respect to the Crimes (Sentencing Procedure) Amendment (Family Member Victim Impact Statement) Bill, the committee noted that the object of this bill is to enable a court on the application of the prosecutor to take a family victim impact statement into account for sentencing purposes on the basis that the impact of an offence on the immediate family of a deceased victim is an aspect of harm done to the community. The committee noted that enabling a court to take a family victim impact statement into account for the purposes of determining an appropriate sentence may lead to inconsistent sentencing for otherwise comparable offences when a family victim impact statement was not provided. The potential unfairness on both the offender and victim of inconsistent sentencing warranted the committee to refer this matter to Parliament for further consideration.

The committee noted also that this bill clarifies that its proposed changes apply to existing offences and proceedings except where the court has convicted the offender, or the offender already has entered a plea of guilty. The committee is generally concerned when legislative provisions are drafted to have retrospective effect as being contrary to the rule of law and natural justice. The committee referred the matter to Parliament for further consideration. Lastly, the Home Building Amendment Bill 2014 provides for some additional offences with maximum penalties of 12 months imprisonment, and increases penalties for certain current offences to 12 months imprisonment. The committee noted that the penalty provisions of this bill provide, for the first time, terms of imprisonment for offences related to unlicensed or uninsured contract work. The committee expressed concern that these strong penalties may be disproportionate to the offences committed. However, given that the penalties of imprisonment are provided for only second or subsequent offences, the committee made no further comment. I trust the digest continues to be a valuable resource to members to inform them of matters in bills before Parliament. I thank the staff for their diligence, hard work and quick turnaround in back-to-back sitting weeks.

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

[Acting-Speaker (Mr Adam Marshall) left the chair at 1.33 p.m. The House resumed at 2.15 p.m.]

DISTINGUISHED VISITORS

The SPEAKER: I welcome to question time Mr Michael Richardson, former member of the Legislative Assembly who served as the member for The Hills between 1993 and 2007 and as the member for Castle Hill between 2007 and 2011. Welcome back to the Parliament.

VISITORS

The SPEAKER: I welcome to the gallery 10 year 12 legal studies students and their teachers from Lismore High School, guests of the Deputy-Speaker and member for Lismore. Welcome to John and Sharon Thomson and their three daughters Milly, Gemma and Bronte, guests of the member for Kiama. A warm welcome to 39 University of Georgia students from the United States of America. Welcome to the New South Wales Parliament.

ASSENT TO BILLS

Assent to the following bills reported:

Criminal Assets Recovery Amendment Bill 2014
Mining and Petroleum Legislation Amendment Bill 2014
Graffiti Control Amendment Bill 2013

QUESTION TIME

[Question time commenced at 2.18 p.m.]

FEDERAL BUDGET AND STATE FINANCES

Mr JOHN ROBERTSON: My question is directed to the Premier. Given that yesterday the Premier described the Federal budget as a "kick in the guts" and told the House that he would "rule out any policy that is not in the interests of the people of New South Wales", will the Premier join Labor in opposing the new tax on petrol and general practitioner visits?

The SPEAKER: Order! Members will come to order.

Mr MIKE BAIRD: I love it when the Leader of the Opposition talks about policy, but it becomes scary for everyone in the State. It is petrifying. The Government has made clear its position on policy. It is concerned with certain budget measures and it has responded. I know those opposite talk about concern over tax, and I understand that. I assume their concern is due to these words, "Let us have a look at all the taxes and have a proper and considered debate. Let's be mature and talk about tax reform right across the board." Is that what Opposition members are worried about? That is a simple proposition consistent with what I have said—but it did not come from me; it came from the member for Maroubra. That got the member's attention. In relation to taxes that is what I have said: Let us have a mature and responsible debate. It is great to have bipartisan support from the member for Maroubra. I do not know what scare campaign the Opposition will run today or tomorrow but I assure members that every day those opposite will get up and attempt to scare the people of New South Wales.

Mr John Robertson: Point of order: My point of order relates to relevance under Standing Order 129. I asked a simple and straightforward question that even a trainee Premier should be able to answer. Will the Premier oppose the tax on petrol and general practitioner visits?

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

Mr MIKE BAIRD: The Leader of the Opposition gets a little sensitive and personal.

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

Mr MIKE BAIRD: I endorse the strong statements made by the Minister for Health with regard to the budget. In relation to the broad notion of tax, despite any scare campaign, I am backing the words of the member for Maroubra. The member for Maroubra said, "Let us have a look at all the taxes and have a proper and considered debate. Let's be mature." It will be hard for those opposite to be mature. I note a very mature former member in the gallery, Mr Michael Richardson. He added much to debates in this House. The Government will have a mature response to the challenges before the State and will not respond to the Opposition's rank populism.

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

FEDERAL BUDGET AND STATE FINANCES

Mr JOHN FLOWERS: I address my question to the Premier. How is the Government working with the other States to look after the best interests of New South Wales?

Mr MIKE BAIRD: I thank the member for Rockdale for that question and for his fantastic work in his community. He is doing a great job looking after those who matter. He does more than all the members opposite combined. As I said yesterday and as I have said again today, I strongly believe that the people of New South Wales have been let down by some of the measures in the Federal budget. I do not accept Canberra outsourcing its problems to the States and sending bills for the people of New South Wales to pay. I reject that on behalf of the people of this State. We are happy to work together on this. Importantly, I am not here simply to represent one political badge; like all members, I am here to represent the people of New South Wales. That is what the Government stands for—looking after the people of this State.

I have been speaking with my fellow Premiers about the full impact of the cuts in the Federal budget and their potential impact. Collectively we are greatly concerned about what this will mean for the people we represent, and we will fight every inch of the way for them. The health sector is a good area to consider. Health is our largest and fastest growing expense item. Members opposite might not understand, but an ageing population means increased pressure on the health budget, and we must address that challenge.

I know that members opposite do not read the budget papers. Every time a budget is handed down they ask only one or two questions. If they were to read them they would see that they outline the long-term fiscal gap. How will the State respond to the challenges and the anticipated expenditure, given revenue receipts? It has been of great assistance that the Federal Government has picked up the health growth costs. However, that will no longer happen according to the recent Federal budget. We want to negotiate with the Prime Minister and the Federal Treasurer about how we can ensure that we deliver critical health services in the long term in this State and how we deal with the potential impact on our credit rating.

This Government is determined to maintain the State's triple-A credit rating. When members opposite were in power they did everything possible to trash it and left behind a fiscal mess. This Government has taken action to maintain that credit rating, to reduce expenditure, to reduce debt and to build more infrastructure. While we have been at it, we have put another 5,000 public servants on the frontline. Concerns about the Federal budget are shared across the country. The well-respected Laura Tingle stated:

The states have every reason to be screaming about Canberra outsourcing its deficit to them, and warning that it risks the states credit ratings.

I am confident that Tony Abbott and Joe Hockey will find a way to meet the long-term fiscal challenges they are facing. Only members opposite know the mess that Tony Abbott and Joe Hockey inherited. Only they know what Wayne Swan and company did to the finances of this country. The Coalition must turn around the economy and it is doing so, but it cannot do it at the expense of health and other services in this State. This morning I had a discussion with the Prime Minister and I related to him—

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

Mr MIKE BAIRD: —the concerns raised by the people of this State, and he understood. He will listen to those concerns and engage with them, as one would expect from a Prime Minister who cares about his country. He said that he was happy to engage with us and he will do so. The other Premiers will be here on Sunday to discuss our concerns. Their concerns are not dissimilar to ours. Campbell Newman said that the Federal budget is not fair, it is not reasonable and it is not in the spirit of reforming the federation; Colin Barnett said that it would shift costs onto the State; Denis Napthine said that Victoria has been penalised for being a good economic manager; and Jay Wetherill said that the first order of business should be to seek a reversal of the cuts.

The States want to work collectively and constructively with the Federal Government because the challenges left behind by the Labor Government must be addressed. I can assure members that the Government will continue at every turn to stand up for the people of New South Wales. Just as the Government has delivered more services and infrastructure, when challenges like those in the Federal budget arise it will do everything possible to ensure that critical services are maintained and it will stand up for the people of New South Wales.

FEDERAL BUDGET AND GOODS AND SERVICES TAX

Ms LINDA BURNEY: I direct my question to the Premier. Will he guarantee that the first item of business at the meeting with the State and Territory leaders on Sunday will be ruling out increasing the GST to pay for cuts to education and health?

Mr MIKE BAIRD: I will rule out putting on the agenda anything the Opposition suggests. I will give members opposite a life lesson. Those who remember *Seinfeld* know that George Costanza had a miserable life. To make a change he decided that every time an idea popped into his head he would do the opposite. All of a sudden he became a hero. If members opposite make a suggestion we should do the opposite and we will be on the right path. We have George Costanza times 20 opposite.

Ms Linda Burney: Point of order: My point of order relates to Standing Order 129, relevance.

The SPEAKER: Order! I cannot hear the point of order because of interjections from both sides of the Chamber.

Ms Linda Burney: Will the Premier clarify that he is ruling out—

The SPEAKER: Order! The member cannot ask the Premier to clarify anything. There is no point of order. The Premier has answered the question.

Mr MIKE BAIRD: I love the populism of those opposite asking me whether I will rule something in or rule it out. The shadow Treasurer said, "Let us have a look at all the taxes and have a proper and considered debate. Let's be mature and talk about tax reform right across the board." Where is the Opposition's policy? The reason the meeting on Sunday is being held here is that we are concerned about the issues raised in the budget. We will find a collective response and look after the people of New South Wales. I give those opposite the assurance that we will take action and be responsible, which is the opposite of what the Opposition did.

FEDERAL BUDGET AND REGIONAL INFRASTRUCTURE

Mr GEOFF PROVEST: My question is addressed to the Deputy Premier. What impact will the Federal budget have on infrastructure in regional New South Wales?

Mr ANDREW STONER: I thank "Mr 100 per cent for the Tweed" for his very good question. This Government has made it clear that regional infrastructure throughout New South Wales is a priority. In fact, after three years in office, this Government is delivering a record \$13 billion of infrastructure in regional New South Wales. That includes capital investment from Restart NSW, which over three years has already contributed an additional \$1 billion in projects in regional New South Wales including Resources for Regions, some \$403 million for the Pacific Highway, \$170 million for the Princes Highway, \$135 million for Bridges for the Bush, \$41 million for Water Security for the Regions and \$43 million towards fixing the Bells Line of Road. It is clear that the State Liberal-Nationals Government knows the importance of infrastructure to regional communities. That is why we are getting on with the job of delivering record investment in regional projects.

On Tuesday night we looked closely at the Federal budget for its contribution to regional infrastructure. As the Premier and Treasurer have made clear, the Federal budget had negative implications, particularly for funding for schools and hospitals. This Government will always stand up for the best interests of the people of this State. To be frank, I would have liked a greater emphasis on investment in regional infrastructure including water security projects and regional transport projects, particularly roads and bridges. The Federal Government's plans to save \$925 million by pausing indexation of the local government financial assistance grants program will flow through to reduce funding in real terms for local roads and other local infrastructure.

Despite those disappointments there is a silver lining for New South Wales in the Federal budget. Upgrading one of the deadliest roads in the country, the Pacific Highway, has escaped the Commonwealth's budget cuts. In fact, the Commonwealth has allocated some \$5.6 billion from 2013-14 to complete the upgrade by the end of this decade, restoring the 80-20 funding agreement between the Federal and State governments. This agreement had been comprehensively dismantled by the Rudd and Gillard Labor governments led by then Minister Albanese, who took the Commonwealth's contribution from 80 per cent for its State Labor mates to 50 per cent and then to 20 per cent for the Liberal-Nationals Government. Taking 80 per cent to 20 per cent while at the same time promising to finish the road by 2016 is what is called "Alba-nomics".

Mr Nathan Rees: It took you 48 hours to think that up. Do you think you can do this?

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

Mr ANDREW STONER: Labor has form—or lack thereof—when it comes to fixing what was Australia's most dangerous highway. In 1998—who remembers those glory days—under the Carr Labor Government we had a document called "Action for Transport 2010". We would often witness Sparkles and his predecessor Brian Langton waving around "Action for Transport 2010". In this document the former State Labor Government promised to finish the upgrade of the Pacific Highway. When do members think it said it would be finished? It said in "Action for Transport 2010" that it would finish it by 2012. Two years ago its Federal Labor mates promised to finish it by 2016. As is typical for Labor, it promised the world but did not deliver and both these deadlines will pass. The great tragedy is these deadlines passed and more people died on that road whilst massive amounts of taxpayer money were wasted on disastrous projects such as the Rozelle metro.

Pursuant to standing order additional information provided.

Mr ANDREW STONER: Labor's priority was wasting \$500 million on the Rozelle metro without a centimetre of rail line being laid, and spending taxpayers' money on the disastrous pink batts scheme which we read about in the media. This Government's priority is to fix infrastructure for the economic good of this State and to save the lives of those who use our highways. This State Liberal-Nationals Government will finish the job of fixing the Pacific Highway with the support of the Federal Liberal-Nationals Government and so save lives and boost the economy through enhanced transport productivity and creating countless construction jobs across the State. In addition, regional producers will benefit from the Federal investment in WestConnex via lower costs and faster transport for regional produce from paddock to port and from paddock to plate. Whilst the Federal budget falls short in some areas, people in regional New South Wales—particularly those on the North Coast—will applaud the commitment to funding for the long overdue completion of the Pacific Highway.

FEDERAL BUDGET AND GOODS AND SERVICES TAX

Ms SONIA HORNER: My question is directed to the Deputy Premier. Does the Government support any increase to the goods and services tax that will put more pressure on the rural and regional household budgets of families across the State?

Mr ANDREW STONER: I thank the member for Wallsend for her confidence that I have such a significant say in the economic policy of this Government. When it comes to economic policy—

Mr Ryan Park: Point of order: It would be reasonable to expect the Deputy Premier to have something to do with the Government's economic policy.

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

Mr ANDREW STONER: I also thank the member for Keira for his confidence, but my advice to him is to learn how to spell. Talking about economic policy, the Premier and the Treasurer have been searching for any sign of economic policy from those opposite. A glimmer of an economic policy was referred to by the Premier when he was asked pretty much the same question earlier by the hero for middle management. On 20 September the shadow Treasurer said on 2UE, "Let us have a look at all the taxes and have a proper and considered debate. Let's be mature and talk about tax reform right across the board." The member for Wallsend would be well advised to talk to the shadow Treasurer about his plans to increase the goods and services tax.

Ms Linda Burney: Point of order: My point of order relates to Standing Order 129. The question was about the GST and rural and regional New South Wales.

The SPEAKER: Order! The Deputy Premier is being relevant to the question asked.

Mr ANDREW STONER: This Government has been absolutely clear about its agenda for this State. The Government's agenda is not about pursuing an increase in any taxes. In cleaning up the mess left to us by those opposite, we have been quite assiduous in ensuring that taxes have not increased in this State—in fact, they have reduced. We have reduced the overall payroll tax burden, we have reduced workers compensation premiums, we have policies directed at getting housing construction back on the front foot in this State and we have invested a record amount in infrastructure to grow jobs. The results are clear: New South Wales has gone from the bottom of the economic statistics league table to the top. That is our policy; that is our agenda.

NATURAL GAS INDUSTRY

Mr THOMAS GEORGE: My question is addressed to the Minister for Resources and Energy. How is the Government ensuring compliance in the State's natural gas industry?

Mr John Robertson: You didn't expect that question, did you?

Mr ANTHONY ROBERTS: Quiet—adults are talking. I thank the member for Lismore for his question and commend him for his strong interest and advocacy in this important matter. The New South Wales Government supports the safe and environmentally sustainable growth of natural gas resources in New South Wales. However, this must be guided by strong, comprehensive and effective regulation that serves the public interest. Applications that are not able to meet the regulations will be, and are being, refused. The Government is committed to improving industry compliance, transparency and effective community engagement to ensure that the development of our natural gas reserves is conducted only in a safe and sustainable manner.

To meet these commitments the Government has put in place the most comprehensive regulatory controls for natural gas in the country. Additionally, the Office of Coal Seam Gas is conducting an ongoing audit of all petroleum exploration licences and is focused on ensuring company compliance with title conditions. I inform the House that yesterday the Baird-Stoner Government suspended approval for the construction of a petroleum exploration well at Bentley in the New South Wales Northern Rivers. The proposed well is within Petroleum Exploration Licence 16, held by Metgasco Limited. Petroleum Exploration Licence 16 was one of three licences in the Northern Rivers granted by the Carr Labor Government between 1996 and 1998, which were subsequently acquired by Metgasco.

Mr John Robertson: Who renewed it? Who signed off on it?

Mr ANTHONY ROBERTS: Eddie Obeid and Ian Macdonald—while you were in government.

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

Mr ANTHONY ROBERTS: Known as Rosella E01, approval for the well at Bentley was granted by the Office of Coal Seam Gas, subject to more than 300 strict conditions and obligations. Yesterday the director of the Office of Coal Seam Gas advised that fundamental concerns have been expressed by members of the affected community about the way in which Metgasco has characterised its activities. On Tuesday 13 May 2014 the Director of the Office of Coal Seam Gas and the New South Wales Land and Water Commissioner held a meeting with local landholders at which matters of consultation between the community and Metgasco were raised.

Subsequently, the director informed Metgasco Limited that approval to construct the Rosella E01 exploration well had been suspended on the grounds that it did not fulfil a condition of its exploration licence—namely, to undertake genuine and effective consultation with the community as required. Metgasco must now demonstrate to the Office of Coal Seam Gas that it has complied with this fundamental condition of its licence before approval for any activities will be considered. Those opposite blanketed New South Wales with exploration licences without ensuring a sound regulatory framework.

The SPEAKER: Order! I call the Leader of the Opposition to order for the second time. I call the member for Macquarie Fields to order for the second time.

Mr ANTHONY ROBERTS: Those opposite issued 39 licences yet they failed to take steps to ensure that only safe and sustainable development was undertaken, and, as we have seen, failed to pay due regard to who they issued these licences to. As I announced in this place on 26 March this year, we are addressing that issue through a comprehensive audit of all existing licences and licence applications. This audit will ensure that only operators with the required expertise, financial capability and capacity to engage communities can proceed to develop this State's natural resources. If operators cannot pass these tests they should not bother applying.

This Government supports the development of the natural gas industry in a safe and responsible manner. The Government will continue to take a responsible approach to the natural gas industry based on science and on fact. We will continue to act in the best interests of the people of this State. I particularly thank the member for Lismore, the member for Clarence, the member for Tweed and the member for Ballina for their strong advocacy in this area. They have shown how to advocate for their communities—something those opposite should learn from.

The SPEAKER: Order! The Leader of the Opposition will cease interjecting.

Mr ANTHONY ROBERTS: We are cleaning up the mess left by those opposite. We are delivering for the people of New South Wales and we will continue to do so in an open, transparent and accountable manner.

SCHOFIELDS AND RIVERSTONE FIRE STATIONS

Mr MICHAEL DALEY: My question is directed to the Premier. Fire and Rescue NSW is sadly reporting today that a home has been destroyed by fire in Quakers Hill. Is the Premier in a position to reassure the House that the two nearest fire stations at Schofields and Riverstone were not closed during the fire because of budget cuts?

Mr MIKE BAIRD: I am not aware of the details of the issue that the member for Maroubra has raised. I am happy to get those details and to respond accordingly. However, it is a pretty low base to use those sorts of circumstances for political gain in this House.

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

Mr MIKE BAIRD: Even for those opposite that is a low base.

Mr Michael Daley: Point of order: As a member, I have a right to ask a question. I simply asked whether the fire stations were open during the fire. That is all.

The SPEAKER: Order! The member for Maroubra has exercised his right to ask a question. There is no point of order. The member will resume his seat.

Mr MIKE BAIRD: In relation to the question, I will get the details and I am happy to respond because clearly it is a serious situation. If those opposite want to raise issues of State interest they should do so. However, they should not use the sort of event that the member for Maroubra spoke about for their own political advantage, because that is not in the interests of anyone in the community.

SERVICE NSW

Ms ROBYN PARKER: My question is addressed to the Minister for Finance and Services. How is the Government making it easier for local residents and businesses to carry out New South Wales Government transactions?

The SPEAKER: Order! Members will come to order.

Mr DOMINIC PERROTTET: I thank the member for Maitland for her question, for her strong record of service for the people of New South Wales and for the great work she continues to do for the people of Maitland. I start by acknowledging my predecessor, Michael Richardson, who is in the gallery today. Michael served the people of Castle Hill with distinction. He took his responsibilities as a member of Parliament very seriously and I know that he now takes his responsibilities as a constituent of the member for Ku-ring-gai very seriously as the member has taken on extra staff just to deal with the correspondence from Michael.

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

Mr DOMINIC PERROTTET: It was a pleasure to join the Premier this morning to announce the rollout of eight new Service NSW centres across this State. The Coalition Government is committed to transforming New South Wales, and Service NSW is at the forefront of that operation. We are changing the way that people across the State interact and transact with the Government, and we are making it easier for them. Gone are the days of the nine to five opening hours, long queues, grumpy assistants and frustrating forms. After 16 long years in the darkness, we are bringing government into the twenty-first century with the provision of convenient shopfronts where members of the community can access a wide range of government services. Service NSW caters for everyone. Whether it is the member for Hornsby applying for a marriage certificate shortly, the member for Mount Druitt applying for a Seniors Card or the member for Lakemba reapplying for his driver licence, Service NSW has them covered. More than 850 services are available at Service NSW outlets across the State.

The SPEAKER: Order! Members will come to order.

Mr DOMINIC PERROTTET: It would be remiss of me not to single out the work of the former Premier and member for Ku-ring-gai in setting up Service NSW. The previous Government promised integrated service centres on many occasions, but the Coalition Government is now delivering. The former Premier delivered and the new Premier is continuing that great work. Since the launch of the service in July last year close to three million people across the State have benefited from the services that Service NSW has to offer. It is not only the outlets; we are harnessing up-to-date technology and tailoring it to the needs of customers across the State. A telephone hotline is available 24 hours a day, seven days a week. We have an online service where members of the community can access government services at a time and place convenient to them. In the future there will be Live Chat and apps to make Service NSW even more convenient for customers.

This is about providing access to the New South Wales Government around the clock—any time, any place. The New South Wales Government is a 24/7 government. As I said, it was an honour to accompany the Premier this morning to announce the roll-out of eight new Service NSW centres across the State. We are opening centres in rural and regional New South Wales: in Armidale in the Northern Tablelands electorate, in Albury and in Maitland. We are opening new service centres in Bondi Junction, serving the electorates of Vaucluse and Coogee; in Hurstville, serving the electorates of Oatley and Rockdale; and in North Sydney and Ryde. Finally, we are opening a centre in Blacktown.

The SPEAKER: Order! Members will come to order.

Mr DOMINIC PERROTTET: These new service centres complement the 18 service centres already set up across the State. I know the member for Liverpool is excited about the opening of a new Service NSW centre in his electorate.

The SPEAKER: Order! The member for Liverpool will come to order. He will cease arguing across the Chamber. The member for Bankstown will come to order.

Mr DOMINIC PERROTTET: I am happy to move the new centre from Liverpool. We can close it down and move it to Castle Hill.

The SPEAKER: Order! The member for Bankstown will come to order. The Leader of the Opposition will come to order. Opposition members will come to order.

Mr DOMINIC PERROTTET: Service NSW represents everything that is good about this Government: a focus on service and a focus on delivering services efficiently and delivering customer satisfaction.

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

Mr DOMINIC PERROTTET: Like the Government, Service NSW has a 98 per cent satisfaction level.

Pursuant to standing order additional information provided.

Mr DOMINIC PERROTTET: In conclusion, the New South Wales Government will continue to use technology to deliver services in a way that is efficient, effective and convenient to the people of New South Wales.

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

MILLERS POINT PUBLIC HOUSING

Mr ALEX GREENWICH: My question is directed to the Minister for Family and Community Services. To protect vulnerable and elderly tenants, will the Minister consider proposals to retain social and affordable housing in Millers Point, Dawes Point and The Rocks, including through working with community housing providers and other proposals raised in the social impact assessment?

Ms GABRIELLE UPTON: I have met with the member for Sydney and I know that he is a passionate advocate for his local community. We both want to protect the vulnerable in our communities.

The SPEAKER: Order! Government members will come to order. The Minister has the call.

Ms GABRIELLE UPTON: We all want to protect the vulnerable in our community. Those on the front line are expecting us as members of this representative Parliament to do our best to work together to protect those most in need. The New South Wales Government inherited a system that simply managed disadvantage. However, the community expects a social housing system that breaks disadvantage, not just manages it. It is the definition of insanity to do the same thing time and time again and expect a different result. We cannot do what we have done for the past 30 years if we expect the next 30 years to be different.

I assure the member for Sydney that the New South Wales Government's decision to sell the public housing in Millers Point was not made lightly, but it is the right decision in the interests of a sustainable and fair social housing system. The significant expense of maintaining those properties had to be balanced against the needs of the people on the public housing waiting list. The member for Sydney is representing the views of his constituents, but I am representing the views of the more than 50,000 people on the public housing waiting list and the views of the entire New South Wales community.

The SPEAKER: Order! The Leader of the Opposition will come to order. There is too much audible conversation in the Chamber. The member for Wollongong will come to order.

Ms GABRIELLE UPTON: It is important to recognise that the proceeds from the sale of these properties—

The SPEAKER: Order! The member for Murray-Darling will come to order.

Ms GABRIELLE UPTON: —will be reinvested in the social housing system. The money will be used for such things as new houses—

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

Ms GABRIELLE UPTON: The New South Wales Government's approach to the relocation process has been informed by the recommendations of the social impact assessment of Millers Point, to which the member for Sydney referred. Having met with the independent facilitator, Lynelle Briggs, and the Millers Point relocation team, I know that the needs of the residents are at the heart of the relocation process. The team is working with each tenant to ensure that they are provided with suitable accommodation and are well settled in their new community. The approach is personalised and sensitive to their personal needs. The Millers Point relocation team is doing a commendable job. It is listening to the tenants' concerns and replacing misinformation with facts. The fact is that Millers Point is unsuitable for many tenants who are elderly, frail or have a disability. They will be found more suitable accommodation that better meets their individual needs. The Government is delivering for the people of New South Wales.

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

Ms GABRIELLE UPTON: As the Minister for Family and Community Services I will ensure that the Government continues to make the social housing system fairer and more sustainable so that we can break the cycle of disadvantage, rather than manage it.

LOCAL SCHOOLS, LOCAL DECISIONS

Mr DAVID ELLIOTT: My question is addressed to the Minister for Education. How is the Government giving government schools more authority to make local decisions? Are there any other policy proposals?

Dr Andrew McDonald: Point of order—

The SPEAKER: Order! We are nearing the end of question time. What is the member's point of order?

Dr Andrew McDonald: The question is out of order because Standing Order 128 states that questions cannot ask for policy announcements.

The SPEAKER: Order! The Minister was not asked to announce a particular policy. There is no point of order.

Mr ADRIAN PICCOLI: Not even a fellow member of the shadow Cabinet knows that the shadow Minister made an announcement. Last Sunday the Labor Opposition made an announcement on education. Many members would not have seen it, and indeed not many people in New South Wales saw it. Sometimes when members opposite have a secret plan they should keep it a secret. But they foolishly released this secret plan to the public—again. There are many strange things about the proposal. It proposes to allow schools to rent out their facilities to local communities sometimes to raise money. That is a great bit of policy work by the member for Keira.

This Government's Local Schools, Local Decisions reform is widely praised and supported in our communities. The Opposition put out a policy document that is suspiciously similar to it, entitled "Local Schools: The Heart of the Community". Admittedly the colour of the document is red not blue, but it is very similar. I was one of six people in New South Wales who read the document. It has photos of the Leader of the Opposition and the member for Keira on the opening page. The member for Keira is a former schoolteacher. I have said in the past that the best thing that ever happened to education was his election to Parliament. I got to the third sentence before I found a spelling mistake. It deserves to be read onto the record.

Ms Sonia Hornery: Point of order—

The SPEAKER: Order! I am sure the member for Wallsend, as a former teacher, is as disappointed as I am about spelling mistakes anywhere. What is the member's point of order?

Ms Sonia Hornery: My point of order is relevance, Standing Order 129.

The SPEAKER: Order! Spelling mistakes are probably relevant.

Mr ADRIAN PICCOLI: If the Opposition is going to put out alternative policy proposals it has to expect them to be scrutinised. The document states:

As one of the few pieces of public infrastructure that exist in virtually every community across NSW, during term the schools are a hive of activity.

I am not even sure what it is supposed to say, but that is clearly not right. And those opposite want to control a \$60 billion budget.

Ms Linda Burney: Point of order: My point of order is under Standing Order 129. In view of the Federal budget, I would have thought this clown could do a bit better than that.

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

Mr ADRIAN PICCOLI: I have a few things to say about the member for Canterbury.

The SPEAKER: Order! Members will come to order.

Mr ADRIAN PICCOLI: Madam Speaker, as you know my trip to Vietnam last year with TAFE was widely covered in the *Daily Telegraph*. I was criticised partly because I defended the member for Toongabbie, and particularly his wife. One person in this place took the opportunity to have a go at my wife over that visit, and it was the member for Canterbury. No other education stakeholder who was called about that story wanted to comment—

Dr Andrew McDonald: Point of order—

The SPEAKER: Order! The member for Macquarie Fields takes on a point of order.

Mr ADRIAN PICCOLI: —nor did, I believe, the shadow Minister for Education, but another woman did.

The SPEAKER: Order! The member for Macquarie Fields takes on a point of order. The Minister will resume his seat.

[Interruption]

The SPEAKER: Order! The Minister will resume his seat.

[Interruption]

The SPEAKER: Order! The Minister will resume his seat.

Dr Andrew McDonald: That was disgraceful. My point of order is under Standing Order 73. The point of order is quite clear, as you are well aware, Madam Speaker, which is why you were trying to stop the Minister.

The SPEAKER: Order! I am not sure that that is the case at this stage.

Mr ADRIAN PICCOLI: The first chance the member for Canterbury got to have a go at the wife of a fellow member of Parliament, she took it.

Dr Andrew McDonald: Madam Speaker—

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

Mr ADRIAN PICCOLI: Madeleine Albright said—and she is right—"There is a special place in hell for women who treat other women badly". The member for Canterbury has got her spot reserved.

Mr Michael Daley: Point of order—

The SPEAKER: Order! The member for Maroubra takes a point of order. The Minister will resume his seat.

[Interruption]

The SPEAKER: Order! I call the Minister for Education to order for the first time.

Mr Michael Daley: As the Minister well knows, Standing Order 73 states that a member shall not make personal reflections upon another member. The Minister is behaving like a buffoon.

The SPEAKER: Order! That is correct. The Minister will return to the leave of the question.

Pursuant to standing order additional information provided.

The SPEAKER: Order! The Minister will return to the leave of the question. Members will come to order.

Mr ADRIAN PICCOLI: The document goes on to say, "We will spare no effort to develop policies", et cetera. All those opposite needed to do was to google, because the department's existing policy on the use of school facilities states:

In this policy schools are encouraged to make their facilities available for use by their community outside of school hours for appropriate purposes provided it does not interfere with the school's provision of quality education.

This applies to all schools. The policy relates to a broad range of community uses of facilities. The department encourages members of the community and education groups to use facilities when they are available. The Opposition has put out a policy saying something that schools have been able to do for many years. Our policy is dated 2009. The Opposition document refers to sparing no effort but I suggest that those opposite look on the internet occasionally, where they will find that policy hidden on the website. What have other stakeholders said? Lila Mularczyk, President of the Secondary Principals' Council, said that schools must retain control of their own assets and facilities. She continued:

It's absolutely essential that a school does the bookings to maintain an understanding of what's happening.

The Opposition wants to employ more accountants in the Department of Education and Communities. We want to employ more teachers. It goes hand in hand with Labor's previous policy of opening schools that have no students, like Mangoplah Public School. The Government is getting on with reforms—Local Schools, Local Decisions—and with backing Gonski the way we did yesterday. I commend the Premier and the Treasurer and the former Premier for reasserting our commitment to the \$1.7 billion we put into Gonski. This side is doing a great job. Those opposite have a lot more work to do.

Question time concluded at 3.06 p.m.

PUBLIC ACCOUNTS COMMITTEE

Inquiry

Mr Jonathan O'Dea, as Chair, informed the House that, pursuant to Standing Order 299 (1), the Public Accounts Committee has resolved to conduct a follow-up examination of the repeat recommendations from the Auditor-General's 2013 Financial Audit Reports, the full details of which are available on the committee's home page.

COMMITTEE ON ECONOMIC DEVELOPMENT**Chair**

The SPEAKER: I inform the House that, pursuant to Standing Order 282 (2), on 15 May 2014 Kevin Francis Conolly was elected Chair of the Legislative Assembly Committee on Economic Development.

PETITIONS

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

Companion Animals on Public Transport

Petition requesting that companion animals be allowed to travel on all public transport, 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 that the following petition signed by more than 500 persons was lodged for presentation:

Peel River Water Charges

Petition calling on the Government to introduce fair and equitable charges for regulated usage of Peel River water, received from **Mr Kevin Anderson**.

LAW ENFORCEMENT (POWERS AND RESPONSIBILITIES) AMENDMENT BILL 2014

Bill introduced on motion by Mr Brad Hazzard, read a first time and printed.

Second Reading

Mr BRAD HAZZARD (Wakehurst—Attorney General, and Minister for Justice) [3.09 p.m.]: I move:

That this bill be now read a second time.

The Government is pleased to introduce the Law Enforcement (Powers and Responsibilities) Amendment Bill 2014. The purpose of this bill is to amend the Law Enforcement (Powers and Responsibilities) Act 2002 to ensure that police have clear and effective powers to do their job protecting the community. This bill is an important part of the New South Wales Government's commitment to making the very difficult job of policing easier for the men and women of the NSW Police Force. The bill implements recommendations made by two reports regarding the statutory review of the Law Enforcement (Powers and Responsibilities) Act.

The first report, prepared by former Minister for Police, the Hon. Paul Whelan, and former shadow Attorney General, Mr Andrew Tink, dealt with parts 9 and 15 of the Act. The second report dealing with the balance of the Law Enforcement (Powers and Responsibilities) Act was a statutory review completed by the former Department of Attorney General and Justice, as it then was, and the Ministry for Police and Emergency Services. The amendments in this bill will strike the right balance between ensuring that police can do their job safely and efficiently while providing appropriate safeguards for members of the community when dealing with police.

I will now outline the key features of the bill. Schedule 1 to the bill contains amendments to part 9 of the Law Enforcement (Powers and Responsibilities) Act recommended by Mr Whelan and Mr Tink. Part 9 provides safeguards for suspects who are in the company of police for investigation and questioning in relation to an offence. The safeguards include the right to communicate with a friend, relative or lawyer and the maximum investigation period. Items [1] to [5] of schedule 1 will amend sections 109 to 111 of the Law Enforcement (Powers and Responsibilities) Act to clarify that there are two categories of people to whom the part 9 safeguards apply, being detained persons and protected suspects. A "detained person" is someone who is not free to leave the company of police. They are under arrest.

A "protected suspect" is a person who is voluntarily in police company. The term "protected suspect" will mean a person who is in the company of a police officer for the purpose of participating in an investigative procedure in connection with an offence if the police officer believes there is sufficient evidence that the person has committed the offence and the person has been informed that they are entitled to leave at will. Item [6] creates new section 112A, which will ensure that the part 9 safeguards can be applied during the execution of a search warrant in the field. Currently, police have to freeze the search warrant and take a suspect back to the police station to have a custody manager administer the part 9 rights. Operational police advise that this is time consuming and impractical for both the person involved and police.

New section 112A makes special provision for the administration of part 9 rights to detained persons and protected suspects at the scene of a search warrant. It provides that a police officer at the scene who is independent of the investigation and not searching can exercise the functions of the custody manager. This role may be undertaken, for example, by the independent officer at the search. The provision allows for the custody record required under part 9 to be recorded as part of a video recording of the execution of the warrant. Part 9 imposes certain obligations on the custody manager to facilitate communication between the accused and a friend, relative or other support person.

New section 112A (2) (b) provides that these requirements need not be complied with if the officer acting as custody manager holds a reasonable suspicion that doing so may result in bodily injury to any person. This test, which is broader than the one applied to the communication obligations at a police station, reflects the fact that search warrants are conducted in the field and therefore pose a higher potential risk to the safety of officers and others and is a less controlled environment.

Items [9] to [15] of schedule 1 amend division 2 of part 9, which restricts the period during which a person can be detained for investigation. These limitations will only apply to detained persons and not protected suspects as they are free to leave at any time. The amendments do not alter the requirement in section 115 that the initial investigation period end at a time that is reasonable in all the circumstances. However, the maximum initial investigation period is extended from four to six hours. Police can seek an extension of the initial period by obtaining a detention warrant from an authorised justice.

Currently an extension is limited to eight hours; however, the bill will change this to six hours so the total possible investigation period remains at 12 hours. Under sections 116 and 118 of the Law Enforcement (Powers and Responsibilities) Act all relevant circumstances of the case must be taken into account when determining what is a reasonable time for the initial investigation period and whether a detention warrant should be granted. The bill will amend these provisions to require that any period the person spent as a protected suspect be taken into account as part of these circumstances.

Items [17] and [19] of schedule 1 amend division 3 of part 9 to apply all of the safeguards contained in that division to protected suspects as well as detained persons. Item [18] will provide for the summary of part 9 rights which must be given to detained persons and protected suspects to be prescribed by way of regulation. Schedule 2 of the bill contains reforms to part 15 of the Law Enforcement (Powers and Responsibilities) Act recommended by Mr Whelan and Mr Tink. This includes remaking section 201, which sets out information

police must provide to a person when exercising police powers. The section has been amended repeatedly over the years and has become complex and difficult for police to apply. The bill restructures and greatly simplifies what police must apply in the field.

New section 202 maintains the requirement that when exercising a power police provide their name and place of duty, evidence that they are a police officer, unless they are in uniform, and the reason for the exercise of the power. Police will be required to provide this information as soon as reasonably practicable unless they are giving a direction, requirement or request to a single person in which case the information must be provided beforehand. These amendments do not substantially shift the existing time frames that apply to these powers but provide a much simpler regime for police to comply with. New section 203 consolidates the existing warnings that police must give when issuing a direction, requirement or request that a person is required to comply with by law. A single warning will now be given.

New section 204A states that if a police officer fails to provide their name and/or their place of duty when exercising a power as required by the provisions, the failure will not render the exercise of the power or anything resulting from it invalid. This provision will not, however, apply to such a failure if it relates to a direction, requirement or request to a single person. Further, it will not apply if the officer fails to provide this information after being asked for it.

Police will still be expected to provide their name and place of duty when exercising the relevant powers covered by the provisions. New section 204A is only intended to act as a safety net for inadvertent breaches of this requirement. To ensure that a proper assessment of the impact of these reforms is made, item [15] of schedule 2 will add a provision requiring the Ombudsman to scrutinise police compliance with the name and place of duty obligations for 12 months after commencement of the provisions. The Ombudsman will report back to the Government on this issue and the report will be tabled in Parliament. Items [2] to [14] of schedule 2 make consequential and other minor amendments resulting from the reforms to part 15.

Schedule 3 to the bill implements recommendations made by the statutory review of the Law Enforcement (Powers and Responsibilities) Act 2002. Items [1] and [14] clarify that a search under the Act can include searching a person's mouth. Items [1], [3] and [26] clarify how the protections that apply to searches operate in relation to transgender people by replicating relevant provisions from the Crimes (Forensic Procedures) Act 2000 that police will be familiar with. Items [4] to [13] and [18] amend a number of provisions to replace the term "request" with "requirement" wherever the provision contains a request that must be complied with by law. The Act currently uses the terms interchangeably, which has caused confusion. The review recommended using "requirement" where the person must comply. Items [15] and [16] clarify that a search of a person in lawful custody can be carried out immediately before or during transportation to or from a place of detention. There was uncertainty about whether a person could be searched before they were put in a police van. This amendment clarifies that they can and will assist in addressing issues raised by the Deputy State Coroner in the matter of Jason Plum.

Items [17] and [19] will restructure the search powers contained in the Act as recommended by the statutory review. The existing definitions of "ordinary search" and "frisk search" will be combined into one consolidated search power set out in proposed section 30 at item [21]. Item [22] retains the existing test in section 31 for conducting a strip search in the field but amends the test applicable at a police station in accordance with a recommendation of the Ombudsman. Item [24] amends section 32 to make clear that police can delegate their search power to another person in order to comply with the requirement that searches be conducted by a person of the same sex. Item [23] removes superfluous references to persons other than police conducting searches in a number of provisions as they are unnecessary. Item [25] clarifies that police can ask questions during a search but only if they relate to issues of personal safety associated with the search.

Items [27] and [28] contain amendments to section 33 relating to strip searches, including clarifying that a person of the opposite sex can be present during a strip search if the person being searched gives their consent. Further, they restrict the grounds on which a person aged between 10 and 18 years or who has impaired intellectual functioning can be strip searched. Item [29] creates new section 34A, which will provide for consensual searches. Before conducting such a search police will have to ask the person for consent and provide certain information to them. The provision ensures police have explicit power to search a person in accordance with the consent provided.

Item [30] aligns the considerations for an authorised officer issuing a notice to produce documents with those of the officer applying for the notice. Items [31] to [36] amend sections 82 to 84 to allow police to

exercise powers to preserve the scene at premises where a domestic violence offence has occurred. Police will be able to remain at a dwelling and exercise some preservation powers if they reasonably suspect such an offence has occurred at the dwelling and it is reasonably necessary to preserve evidence of the offence. Items [37] to [41] make amendments to provisions governing crime scene powers, including extending the powers a police officer can exercise prior to the issue of a crime scene warrant to include certain non-intrusive investigation powers, and extending the period during which crime scene powers can be exercised from three to four hours, and six hours in prescribed rural areas.

Items [44] and [45] make amendments to clarify that anything police can do with consent must be done with informed consent. Items [42] and [43] make amendments to the provisions governing crime scene warrants, including allowing a person to seek a review of the grounds on which a warrant was issued. Items [46] and [47] amend the provisions relating to in-car video to, amongst other things, remove the prohibition on admitting evidence of conversations recorded after a person's arrest. This amendment follows a suggested review of the provisions in a decision of the Court of Criminal Appeal. The amendment does not alter the existing requirements as to admissibility of admissions made by the accused but allows a recording, if it happens to be made by in-car video, to be admitted where it presently cannot.

Item [49] provides the Commissioner of Police with discretion to order the destruction of photographs, fingerprints and palm prints taken in relation to an offence. Items [50] to [54] make minor amendments to vehicle and traffic powers in the Law Enforcement (Powers and Responsibilities) Act 2002. Those powers will be moved to the Road Transport Act 2013 so that all powers of this type are located in one place. Schedule 4 contains amendments to the Law Enforcement (Powers and Responsibilities) Regulation with regard to record-keeping requirements, inspection of records and forms. Schedule 5 makes consequential amendments to a number of other pieces of legislation which are needed as a result of the reforms contained in the bill. I thank the Hon. Paul Whelan and Mr Andrew Tink for their effort in preparing their review reports. The recommendations they made and the reforms contained in this bill will greatly assist the Police Force in undertaking its very important work protecting the community. 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.

MINE SUBSIDENCE COMPENSATION AMENDMENT BILL 2014

Bill introduced on motion by Mr Anthony Roberts, read a first time and printed.

Second Reading

Mr ANTHONY ROBERTS (Lane Cove—Minister for Resources and Energy, and Special Minister of State) [3.27 p.m.]: I move:

That this bill be read a second time.

This bill will secure the ongoing viability of the Mine Subsidence Compensation Scheme and improve and clarify the operation of the Act more generally. The Mine Subsidence Compensation Act 1961 established a compensation scheme for damage arising from subsidence caused by underground coal mines. The scheme provides for compensation for works to prevent or mitigate subsidence related to buildings and service improvements. It provides for compensation to repair such damage or to replace the damaged improvement. The compensation scheme is administered by the Mine Subsidence Board and funded by a levy on coalmine owners.

New South Wales is one of only a few places in the world to have legislated such a compensation scheme. In some other jurisdictions compensation for subsidence related damage is only available by taking court action. Despite the worthy aims of the Act there is room to clarify and improve its operation. Many of its provisions were drafted more than 50 years ago and they are out of step with contemporary drafting practice. A considerable amount of case law in this area has come about for this reason. Section 12A, as the member for Ku-ring-gai will be aware, is a good example of this. It provides compensation for works to prevent or mitigate damage anticipated to arise from subsidence.

However, legal challenges have highlighted that there is some ambiguity in its meaning. Section 12A was considered by the High Court in 2011. The High Court acknowledged that the meaning of this provision

was unclear. Ultimately, the court held that compensation was payable for anticipated damage, even though the subsidence itself had not yet occurred. Previously, the established position was that compensation for such works was payable only if the subsidence had actually occurred. This High Court decision, which turned on the meaning of an ambiguously drafted provision, has the potential to destabilise the compensation scheme. There are a large number of property owners who could now make such a claim because in theory their property may be damaged by future subsidence. However, in many cases the works would be unnecessary. This is because the subsidence may never occur or, even if it does occur, the damage may be much less than predicted.

The board is well placed to make such an assessment. However, it has little control over these works. This is because section 12A enables reimbursement for works already undertaken. It was never intended that the compensation scheme be used to fund such low-risk works on such a large scale. The bill addresses this risk. It clarifies that compensation under section 12A is available only for expenses incurred after the subsidence has commenced. Importantly, this amendment will not force landholders to stand by and wait for subsidence to occur before they can take action. Section 13A of the Act already empowers the board to fund or undertake works to prevent or mitigate damage in these circumstances. The bill will not change this. Where subsidence is expected, but has not yet occurred, landholders will have to approach the board before works are undertaken, rather than afterwards. This upfront role gives the board greater control over works where subsidence has not yet occurred.

The bill makes several other amendments to clarify the criteria for compensation under section 12A. Currently, compensation under this provision turns on whether the damage is reasonably anticipated. The bill replaces this with a more-likely-than-not test. This test is clearer, consistent with other legislation and supported by a body of case law. The bill also gives the board discretion to refuse a claim for preventative works if the costs are disproportionate to those of repairing or replacing the damaged improvement. This amendment is also directed at securing the ongoing viability of the compensation scheme. Importantly, it will not prevent a person from claiming compensation if actual damage occurs.

To safeguard the interests of claimants, the bill also enlarges existing merit review rights for section 12A claims. The bill clarifies a number of provisions relating to board approvals and compliance certificates. There are currently 21 mine subsidence districts across the State. These are areas vulnerable to subsidence from coalmines. The board's approval is required to build or alter an improvement, or to subdivide land in these areas. This ensures that improvements are built with subsidence in mind. There is a mismatch between approval periods under the Mine Subsidence Compensation Act and the Environmental Planning and Assessment Act. At present, the board can issue an approval for only up to two years at a time. In contrast, an approval under the Environmental Planning and Assessment Act is valid for up to five years. The bill will enable the board to issue an approval for a period of between two and five years. These amendments will drive consistency between these two approval periods. This will increase certainty for developers and boost investment confidence in areas vulnerable to subsidence, such as the Newcastle central business district.

Sometimes improvements or subdivisions are made without the board's approval. In these circumstances, a claim for compensation is barred. However, due to a drafting oversight, the bar applies only to a section 12 claim for damage. The bar does not apply to a section 12A claim for preventative or mitigative works. In 2012, the New South Wales Supreme Court observed the need to amend the Act to rectify this anomaly. The bill makes clear that both section 12 and 12A claims are barred if they relate to an improvement or subdivision made without board approval. The bar can only be lifted if a person obtains a compliance certificate from the board. In broad terms, a compliance certificate operates as a retrospective approval of an improvement or subdivision. The test for granting a compliance certificate is cumbersome and impracticable for the board to apply. In addition, compliance certificates can be used by sophisticated entities to deliberately circumvent the approval requirements. The bill addresses both of these issues. Firstly, it simplifies the test for granting a certificate. Secondly, it imposes sensible restrictions on issuing compliance certificates.

In summary, this bill aims to secure the ongoing viability of the compensation scheme and clarify the operation of the Act. The amendments will remove some current uncertainties that can make administration of the Act difficult for all involved. The amendments will ensure that the legislation remains relevant and that the important work of the Board can continue. It would be remiss of me if I did not acknowledge the professionalism of the Mine Subsidence Board in administering the Act. The board provides an outstanding service to those affected by mine subsidence. However, its work extends well beyond its statutory role. Many people are unaware that the board offers a free advisory service to members of the public.

The board also provides expert advice to property owners, government departments and authorities, local councils, community organisations and industries. It has a high profile in the community, especially in

regions vulnerable to mine subsidence. For instance, it uses advertising campaigns, community forums and displays at regional shows to spread awareness about mine subsidence. For more than 16 years the board's mascot, Maurie the Mole, has been educating children and young adults about the dangers of mine subsidence. These amendments proposed in this bill will serve to benefit the board's work. 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.

CRIMES AMENDMENT (STRANGULATION) BILL 2014

Second Reading

Debate resumed from 7 May 2014.

Mr PAUL LYNCH (Liverpool) [3.37 p.m.]: I lead for the Opposition on the Crimes Amendment (Strangulation) Bill 2014. The Opposition does not oppose the bill, although it will seek responses from the Attorney General in reply to issues that I shall shortly raise. The objects of the bill are:

- (a) to create a new offence that will apply if a person intentionally chokes, suffocates or strangles another person so as to render the other person unconscious, insensible or incapable of resistance while being reckless as to whether the other person is rendered unconscious, insensible or incapable of resistance,
- (b) to simplify and modernise an existing offence that applies if a person chokes, suffocates or strangles another person with intent to enable himself or herself to commit, or to assist another person to commit, another indictable offence.

The law concerning attempts to choke is contained in section 37 of the Crimes Act, which provides:

Whosoever:

By any means attempts to choke suffocate or strangle any person, or by any means calculated to choke suffocate or strangle, attempts to render any person insensible unconscious or incapable of resistance,

With intent in any such case to enable himself or herself or another person to commit, or with intent in any such case to assist any person in committing, an indictable offence, shall be liable to imprisonment for 25 years.

The Government presents this bill as necessary because of a perceived gap in the law pointed out by the Director of Public Prosecutions which means that many attempts to strangle are prosecuted only as common assaults under section 61 of the Crimes Act with a maximum penalty of two years imprisonment, as opposed, of course, to the maximum penalty under section 37 of 25 years imprisonment. This is said to be a particular issue in instances of domestic violence. Section 37 creates an offence that involves attempting to choke, suffocate or strangle with intent to commit another offence. Absent of that requisite intent in relation to the other offence, there is no offence under section 37. Where the assault is the choking and no further intent or offence is involved, no offence is established under section 37.

The argument in support of this bill is that the seriousness of attempts to choke which do not involve actual or grievous bodily harm, which thus would be dealt with by provisions other than section 61, is not reflected by the penalties currently available under section 61. The solution proposed by this bill is to modernise the wording of new section 37 by retaining its current maximum penalty, which becomes new section 37 (2) and introducing a new offence with a maximum penalty of 10 years imprisonment, which is new section 37 (1). New section 37 (2) remains strictly indictable. The offence under new section 37 (1) is included in schedule 1 to the Criminal Procedure Act and thus, in some cases, may be dealt with summarily.

New section 37 (2) requires proof of an intent to commit another indictable offence, thus maintaining the structure of the current section. New section 37 (1), the new provision, makes it an offence if a person intentionally chokes, suffocates or strangles someone so as to make the victim unconscious, insensible or incapable of resistance. This clearly will not include every attempt to strangle currently dealt with under section 61. But, with the increased penalty, neither should it. As the Attorney General noted in his second reading speech, both proposed sections interact with section 344A of the Crimes Act, so that attempts are also criminalised. I also note the Attorney advised that the Government targeted consultation to the Director of Public Prosecutions, the Public Defenders Office, the NSW Police Force and the Legal Aid Commission. I seek clarification from the Attorney General when he replies to debate on this bill that all four of those agencies supported the amendment in this bill.

As I indicated, the Opposition does not oppose the bill. However, several caveats should be noted. The first is that it is a matter of notoriety that increasing maximum penalties usually does not reduce crime levels. While the purposes of sentencing extend beyond general deterrence, I sometimes feel that after debates like this members walk out with an overinflated view of the impact of such legislation on actual occurrences in the real world. The second point is that the inclusion of new section 37 (1) as a table 1 offence means that such matters may be dealt with summarily by a magistrate. If they are then the maximum penalty that may be imposed is two years imprisonment. That, of course, is precisely the same maximum penalty as for section 61—common assault—which was presented as the justification for introducing new section 37 (1). I do not say that that provision is wrong or should be opposed, but it is a more than curious aspect of the bill's consequences.

I am not sure how many offences under new section 37 (1) serious enough to justify proceedings by way of indictment and thus not restricted to the maximum penalty of two years would not also involve actual grievous bodily harm. Provisions for this already exist and carry significantly higher penalties than two years imprisonment. The Bar Association does not appear to have been consulted on the bill. It has, however, contacted me and raised a number of concerns it has about the bill. I seek the Attorney's response to three concerns. The first concern is that new section 37 (1) (a) requires the offender to "intentionally" choke, suffocate or strangle another person. However, the significantly more serious offence under new section 37 (2) does not require such an intention. All that is required is an intention to commit another indictable offence. There is no apparent reason for deleting the word "intentionally" in new section 37 (2) (a). It should be brought into line with new section 37 (1) (a).

The second concern is that it should be made expressly clear that the consent of the person to being choked, suffocated or strangled would be a defence to the offence under new section 37 (1). The third is, bearing in mind the maximum penalty of 25 years, the new section 37 (2) offence should be limited to cases where there is an intention to enable the committing of a serious indictable offence. It would not be appropriate for it to apply, for example, to a case where the choking, strangling or suffocating was done merely with the intent of facilitating a further assault, such as a punch. As I said, I seek the Attorney's response to those issues raised by the Bar Association as well as to the issue I raised about those with whom targeted consultation occurred. Having said that, the Opposition does not oppose the bill.

Mr CHRIS PATTERSON (Camden) [3.43 p.m.]: The Crimes Amendment (Strangulation) Bill 2014 will amend the Crimes Act 1900 to expand and streamline existing provisions in the Act in relation to acts involving choking, suffocation or strangulation. The New South Wales Government is committed to toughening up penalties relating to strangulation, and reforming the law to ensure that people who commit such violent acts, generally in the context of domestic violence, effectively can be prosecuted. It is considered the current offence of strangulation was inadequate and did not fully reflect its serious nature. The new offence of strangulation eliminates the need to prove the offender choked the victim while intending to commit another offence, such as sexual assault, murder or robbery. A mental element of intention to choke, suffocate or strangle has been included in the basic offence to prevent prosecutions for accidental strangulation which may arise, for example, in some sporting activities.

Actual intention to render the victim unconscious, insensible or incapable of resistance is not required under the basic offence. Recklessness as to the outcome of the act of strangulation will suffice. This reform recognises the serious nature of the offence, and delivers tougher penalties—10 years—as opposed to the current maximum two-year penalty. Strangulation cases should not be dealt with as common assault. The New South Wales Government has put in place significant changes to better support and empower victims of domestic violence, and to ensure perpetrators are made properly accountable. Thirty per cent of women worldwide are victims of domestic violence and, sadly, Australia is not immune. Domestic violence would have to be one of the most abhorrent crimes as it involves a supposedly loved family member. It is the ultimate betrayal of a loved one.

We need to work together to do everything we can to stamp out domestic violence and to support the victims. When a woman is killed approximately every week by a current or former partner, we as a Government and as a society need to take this crime seriously. Currently, 70 per cent of strangulation cases in a domestic violence context are dealt with as common assault, attracting a maximum penalty of two years imprisonment. This is inadequate, to say the least. Communities expect more. That is why the New South Wales Government has put in place significant changes which better support and empower victims of domestic violence.

On average there are approximately 15,500 proven charges of domestic violence in New South Wales each year. Choking a vulnerable partner is a horrific act that instils great fear and often acts as a threat within

escalating domestic violence. Often perpetrators strangle their intimate partner to the point of unconsciousness, putting their partners in fear for their lives but leaving little or no physical evidence. This bill displays another measure this Government is taking to address the problem and to see that perpetrators are dealt with by the law in a manner the public expects and should demand. This bill is not aimed at unintentional acts where accidental suffocation may occur. It does not criminalise behaviour that takes place in the usual course of sporting contests, such as wrestling or judo.

Other measures included in the bill are reforming the partial defence of provocation; the launch of the Domestic Violence Justice Strategy; the announcement of the "It Stops Here" Domestic and Family Violence Framework for Reform; the establishment of a Violent Domestic Crimes task force to look at current sentencing options for domestic violence offenders; and giving senior police the power to issue provisional apprehended domestic violence orders.

Camden has an outstanding local area command in Narellan, which is overseen by Ward Hanson, who is an extremely competent and passionate superintendent. It is fitting that I mention Camden Local Area Command because it has two outstanding police officers—Lyndall Blackmore and Sharon Pateman—who look after the domestic violence section together with all the other police at that local area command. I dread to think what their job entails but they do it in an extremely supportive and heartfelt way, and it is a credit to our wonderful police that they support the victims and then go about wholeheartedly ensuring that the perpetrators get convicted in what can sometimes be a very emotional situation. I commend the Camden Local Area Command for the outstanding work it does in relation to domestic violence in my local area.

Further measures to address domestic violence included in the bill are specialist domestic violence training for police prosecutors; legislation to facilitate information sharing to better support victim safety; funding court support pilot programs and 28 Women's Domestic Violence Court Advocacy services; the establishment of a new men's telephone counselling and referral service [MTCRS] for men who have, or are at risk of, perpetrating violence in intimate and family relationships; and the Staying Home Leaving Violence program, which helps women and children escaping domestic violence to remain safely in their homes.

I sincerely congratulate the Attorney General on his initiative in bringing this bill before the House. We read daily about the horrific consequences of domestic and other violence. Each year we recognise White Ribbon Day, which seeks to change the attitudes and behaviours that lead to violence against women. This bill will give our police and our courts more power to deal with the offence of strangulation and it will give the public the confidence that people who choose to commit the offence will be punished appropriately. As I said, we have a responsibility to ensure that we do everything we can to support the police and the courts to ensure that the perpetrators of such heinous acts are brought to justice and that the victims are given all the support and care that they need. I commend the bill to the House.

Mr MARK SPEAKMAN (Cronulla—Parliamentary Secretary) [3.53 p.m.]: I support the Crimes Amendment (Strangulation) Bill 2014, which expands the application of the current strangulation offence in section 37 of the Crimes Act 1900 by creating a new simple offence of strangulation. The provision also retains an aggravated form of the offence, which is an updated and simplified form of the existing section 37. The aggravated offence applies where the act of strangulation is accompanied by an intent to commit a separate indictable offence. These reforms of the strangulation provisions in the Crimes Act 1900 have arisen in response to concerns of those who prosecute such offences as to the inadequacy of the current provisions. The Government thanks the Office of the Director of Public Prosecutions and other stakeholders who have brought these matters to our attention and who have worked proactively to address the deficiencies through the drafting of the new provisions.

Strangulation is a potentially fatal act which causes significant physical and psychological trauma to victims, and it is reported as being prevalent in domestic violence incidents. It epitomises the power dynamic in the domestic violence context because it sends a message to the victim that the offender holds the power to take the victim's life with little effort, in a short time and in a manner that may leave little visible injury. The existing offence provisions in section 37 of the Crimes Act 1900 do not reflect the seriousness of strangulation, because it commonly leaves no visible injury and therefore does not attract charges involving actual bodily harm or grievous bodily harm. As a result, strangulation is most commonly dealt with as a common assault. Existing section 37 of the Crimes Act often cannot be used because it requires an intention on the part of the offender to commit a separate indictable offence, such as sexual assault. Where the offence is the strangulation itself, and where no physical injury is involved, only a common assault charge can be brought.

Research from the United States of America has shown that some 10 per cent of violent deaths in the United States were attributable to strangulation and that most victims were women. The research has shown further that 23 to 68 per cent of female domestic violence victims experienced at least one strangulation-related incident from their abusive male partner during their lifetime. These figures reflect the experience of the police and prosecutors in New South Wales that victims of domestic violence commonly report strangulation events as one of the many violent tactics used by their abusers.

Many people who are strangled survive, and do so with minimal visible external injury, but they may suffer potential internal complications and, in any event, they invariably will suffer significant and long-term psychological trauma as a result of being strangled. However, statistics indicate that 70 per cent of domestic violence assaults in New South Wales involving strangulation are dealt with as a common assault in the Local Court. The bill provides for tough maximum penalties of 10 and 25 years jail for the simple and aggravated offences respectively. Sentences under these new penalties will raise awareness about the seriousness of this unique and terrifying type of violence and will send a clear message that its use will not be tolerated. Schedule 1 to the bill omits existing section 37 and inserts a new section 37, which reads:

- (1) A person is guilty of an offence if the person:
 - (a) intentionally chokes, suffocates or strangles another person so as to render the other person unconscious, insensible or incapable of resistance, and
 - (b) is reckless as to rendering the other person unconscious, insensible or incapable of resistance.Maximum penalty: imprisonment for 10 years.
- (2) A person is guilty of an offence if the person:
 - (a) chokes, suffocates or strangles another person so as to render the other person unconscious, insensible or incapable of resistance, and
 - (b) does so with the intention of enabling himself or herself to commit, or assisting any other person to commit, another indictable offence.Maximum penalty: imprisonment for 25 years.

The expression "another indictable offence" used in proposed section 37 will be defined in section 37 (3) to mean an indictable offence other than an offence against proposed section 37. Schedule 2 to the bill deals with consequential changes to other legislation, namely, the Criminal Procedure Act 1986, the Criminal Procedure Regulation 2010 and the Criminal Records Act 1991. The new simple offence will not require any intention to kill the victim through strangulation; nor will it require that the offender intended to render the victim unconscious. The provision is broader than that, and will apply to an offender whose intention is to overpower the victim.

The aggravated offence will occur if a perpetrator chokes, suffocates or strangles another person with the intention of enabling himself or herself to commit or assist any other person to commit another indictable offence. It is not necessary to spell out that the act of choking, et cetera, or its outcome must be intentional or reckless when the act is carried out for a specified purpose in the commission of another offence. By its nature, this form of offending will be intentional. The bill is not all that the New South Wales Government has done, or is doing, to tackle the endemic problem of domestic violence. The Government has put in place significant changes to support and to empower victims of domestic violence, and to make perpetrators of domestic violence properly accountable.

Other measures the Government has taken include: first, reforming the partial defence of provocation; second, launching the Domestic Violence Justice Strategy; third, announcing the "It Stops Here" Domestic and Family Violence Framework for Reform; fourth, establishing a Violent Domestic Crimes Task Force to look at current sentencing options for domestic violence offenders; fifth, giving senior police the power to issue provisional apprehended domestic violence orders; sixth, providing specialist domestic violence training for police prosecutors; and seventh, introducing legislation to facilitate information sharing for support of victim safety.

The eighth measure is funding court support pilot programs and 28 women's domestic violence court advocacy services; ninth, establishing a new men's telephone counselling and referral service—MTCRS for short—for men who have perpetrated, or are at risk of perpetrating, violence in intimate and family relationships; and, tenth, establishing the Staying Home, Leaving Violence Program, helping women and

children to escape domestic violence and remain safely in their homes. So we are certainly not putting all our proverbial eggs in the one basket of the Crimes Amendment (Strangulation) Bill 2014. This is a whole-of-government approach to attacking domestic violence. One key aspect of domestic violence in New South Wales is the great extent to which it is underreported. [*Extension of time agreed to.*]

In the area of domestic violence, the treatment of the reporting of statistics is quite the opposite of other crimes. With other crimes where the number of reports goes up, that is a bad thing because we infer that the rate of that crime is going up. When the number of reports of domestic violence goes up, conversely we often treat that as a good thing, not because the underlying rate of domestic violence is going up but because it is being exposed. Women in our community should not live in fear of domestic violence from their partners. I have outlined many measures that the Government is taking to tackle the problem, which affects all levels of society and every electorate across New South Wales. It is not peculiarly concentrated in what might be described as lower socio-economic areas; it affects all levels of society, affluent and otherwise. The Government is serious about tackling this problem. The Crimes Amendment (Strangulation) Bill 2014 is our latest effort to tackle the problem. For those reasons, amending section 37 of the Crimes Act to provide a new simple offence as well as an aggravated offence is a welcome initiative. I commend the bill to the House.

Mr BARRY COLLIER (Miranda) [4.03 p.m.]: I am pleased to speak in debate on the Crimes Amendment (Strangulation) Bill 2014. The object of the bill is to amend the Crimes Act 1900 in two ways: first, to create a new offence that will apply if a person intentionally chokes, suffocates or strangles another person so as to render that other person unconscious, insensible or incapable of resistance while being reckless as to whether the other person is rendered unconscious, insensible or incapable of resistance; and, secondly, to simplify and modernise an existing offence that applies if a person chokes, suffocates or strangles another person with intent to enable himself or herself to commit, or to assist another person to commit, another indictable offence. Fundamentally, the bill replaces the existing section 37 of the Crimes Act 1900 with a new offence entitled "choking, suffocation and strangulation".

Currently, section 37 of the Act makes it an offence to choke, suffocate or strangle a person by means calculated to choke, suffocate or strangle to attempt to render a person insensible, unconscious or incapable of resistance. The mental element required is that the person intended to enable himself or herself, or another person, to commit or assist another person to commit an indictable offence. That offence carries a maximum penalty of 25 years imprisonment. Effectively, this bill breaks the current offence into two offences and in doing so responds to concerns raised by the Office of the Director of Public Prosecutions, in particular the adequacy of the current provision of the Crimes Act concerning strangulation. Strangulation is a potentially fatal act and capable of causing significant trauma to victims. That is self-evident. It is also present in domestic violence cases, to which I will return shortly.

The Director of Public Prosecutions identified numerous cases of strangulation that were dealt with as common assaults. A common assault in the Local Court carries a maximum penalty of two years, due to the inadequacy of the current provisions. This bill creates a simple offence of strangulation and retains the aggravated form of the offence—that is, where the person does so with the intent of committing an indictable offence. Interestingly, the Legislation Review Committee noted in its digest that comments on the provisions of the bill were sought from the Office of the Director of Public Prosecutions, the Public Defenders Office, the NSW Police Force and the Legal Aid Commission, and that all stakeholders supported the amendments. The amendments make good sense. The new offence can be dealt with summarily unless a decision is made by the prosecution or a defendant to proceed before the District Court. The redrafted section 37 offence makes that strictly indictable.

Domestic violence is a scourge in our community. As the member for Cronulla correctly said, it is not restricted to lower socio-economic groups in western suburbs. It exists and, sadly, is prevalent in the Sutherland shire. I acknowledge that the Government is taking steps to address the problem, but the former Government put in a lot of time and effort to try to address the problem. Indeed, it reformed the Domestic Violence Act and introduced a new Act which made it easier to prosecute offenders. Whether it is a Coalition Government or a Labor Government, any sensible proposition, reform or program that reduces the incidence of domestic violence or, indeed, provides support for the victims of domestic violence—it is not only women; it is also children and men—must be given due consideration. We must not play politics with the issue but seriously consider a proposal from whichever side of the House it emanates.

I have worked as a Legal Aid solicitor at Sutherland Court House so I know that domestic violence is rampant in the area. Local police and domestic violence workers do a good job. They introduced the "DV pass"

system, which involves giving victims of alleged domestic violence cards, contacts and follow-up visits. Under the former Government a room was provided in the Local Court where parties to domestic violence proceedings can wait so that they feel safe and do not have to eyeball the alleged offender and have pressure put on them. Victims are kept separate from the alleged offenders and receive proper advice, counselling and support from solicitors attending the court. Private solicitors work in this area of advocacy under a duty scheme.

It is perhaps a shame that Legal Aid is not available when there is an allegation of domestic violence. It may or may not be a good thing, depending on one's point of view. But it is important for victims to get all the support and assistance they need. This bill is important. It makes a significant change. It will apply in cases of domestic violence that usually involve a man overpowering a woman. An offender may not leave marks or signs of injury on a woman, but if she is held against a wall, has something tied around her neck or is choked within an inch of her life it invokes fear. Among other things, this amendment seeks to address that, and I commend the bill to the House.

Mr STEPHEN BROMHEAD (Myall Lakes) [4.12 p.m.]: I support the Crimes Amendment (Strangulation) Bill 2014, and I congratulate the Attorney General, the Hon. Brad Hazzard, MP, on bringing it forward. The bill responds to concerns raised by the Director of Public Prosecutions as to the adequacy of the current provision within the Crimes Act 1900 concerning strangulation. Strangulation is a potentially fatal act and capable of causing significant trauma to victims. It is prevalent in domestic violence cases. The Director of Public Prosecutions identified numerous cases of strangulation that were dealt with as common assaults due to the inadequacy of the current provisions. The new provisions create a simple offence of strangulation and retain an aggravated form of the offence. Comments on the provisions were sought from the Director of Public Prosecutions, the Public Defender's Office, the NSW Police Force and the Legal Aid Commission. All stakeholders supported the amendments. The object of this bill is to amend the Crimes Act 1900 as follows:

- (a) to create a new offence that will apply if a person intentionally chokes, suffocates or strangles another person so as to render the other person unconscious, insensible or incapable of resistance while being reckless as to whether the other person is rendered unconscious, insensible or incapable of resistance,
- (b) to simplify and modernise an existing offence that applies if a person chokes, suffocates or strangles another person with intent to enable himself or herself to commit, or to assist another person to commit, another indictable offence.

The bill introduces a new offence of strangulation into the Crimes Act and modernises the language of the existing strangulation offence in section 37 of the Act. Prosecution of strangulation under the new provision will not require proof of any intent to commit another offence, as is the case under the current Crimes Act. The removal of this additional element will make cases of assault by strangulation, choking or suffocation easier to prosecute and to prove. The new simple offence will apply only if an offender intends to choke, suffocate or strangle their victim. The offence will apply to an offender who does so with the aim of causing the victim to become unconscious, insensible or incapable of resistance.

As with the current strangulation provision in section 37 of the Crimes Act, actual unconsciousness is not required. This responds to the domestic violence scenario where a victim's will is overborne by the offender's actions and is placed in a state of such fear by the offender's actions. The need for the actions of the perpetrator to be intentional reflects the seriousness of the offence. The provision is not aimed at unintentional acts where accidental suffocation may occur, for example, in some vigorous sporting activities such as wrestling or football. The legislation does not criminalise such behaviour that takes place in the usual course of a sporting contest. This offence does not require any intention to actually kill the victim through strangulation. Nor will it require that the offender intends to render the victim unconscious. The provision is broader than that, and will apply to the offender whose intention is to overpower their victim. The provisions will apply even where the victim remains conscious throughout a strangulation or choking incident.

A perpetrator who uses choking or strangulation as a tactic—which is typical in the power dynamic that is common in serious and escalating domestic violence scenarios—will be caught under the new provision. The provisions will apply when the victim does not suffer any visible or ongoing injury. An insidious aspect of strangulation or choking, particularly in the domestic violence context, is the lack of any visible or ongoing physical injury resulting from the incident. Yet, at a minimum, victims of strangulation suffer significant trauma as a result of the terrifying experience of being choked. They may also suffer additional long-term physical, psychological and neurological trauma. The modernised aggravated offence will occur if a perpetrator chokes, suffocates or strangles another person with the intention of enabling himself or herself to commit, or assisting any other person to commit, another indictable offence.

It is not necessary to spell out that the act of choking et cetera, or its outcome, is intentional or reckless where the act is carried out for the specified purpose of the commission of another offence because, by its very

nature, this form of offending will be intentional. Any attempt to commit either the simple or the aggravated strangulation offence will be prosecuted under the general attempt provision of the Crimes Act. This means that a person who attempts to choke the victim but is stopped in the act—for example, if they are interrupted—may be liable for prosecution and subject to conviction. The maximum penalty will be the same as if the act had been completed.

Section 37 of the Act currently makes it an offence to attempt to choke, suffocate or strangle any person or, by means calculated to choke, suffocate or strangle, to attempt to render any person insensible, unconscious or incapable of resistance. The mental element required is that the person intended to enable himself or herself or another person to commit, or to assist another person to commit, an indictable offence. The offence carries a maximum penalty of 25 years imprisonment. Schedule 1 [1] repeals and replaces that offence with two separate offences. The first offence is a new offence that will apply if a person intentionally chokes, suffocates or strangles another person so as to render the other person unconscious, insensible or incapable of resistance and is reckless as to rendering the other person unconscious, insensible or incapable of resistance.

The offence will also apply if the offender had intended to render the victim unconscious, insensible or incapable of resistance because section 4A of the Act already provides that recklessness can be proved by proof of intention. The new offence carries a maximum penalty of imprisonment for 10 years. The second offence replaces and simplifies the existing offence under section 37 of the Act. That offence will now apply if a person, first, chokes, suffocates or strangles another person so as to render the other person unconscious, sensible or incapable of resistance; and, secondly, does so with the intention of enabling himself or herself to commit, or assisting any other person to commit, another indictable offence.

Existing section 344A of the Act would apply to both offences. The section provides that a person who attempts to commit an offence under the Act for which a penalty is provided is liable to the same penalty. Schedule 2.1 makes the new offence an offence that is to be dealt with summarily unless the prosecutor or person charged elects otherwise. As I said, the maximum penalty of 10 years will apply to the new offence. The aggravated offence carries a maximum 25 years jail. The maximum penalty for the aggravated offence is the same as the current strangulation offence. The Crimes Act already distinguishes between the seriousness of strangulation and other forms of assault. Assaulting a person with intent attracts a maximum penalty of five years imprisonment whereas strangling a person with intent currently attracts a maximum period of 25 years imprisonment. This bill modernises the Act. It makes it easier for the prosecution to prove a case. It assists in domestic violence situations. I commend the bill to the House.

Mr JAMIE PARKER (Balmain) [4.22 p.m.]: I am pleased to have this opportunity to speak to the Crimes Amendment (Strangulation) Bill 2014. I will keep my comments brief, although I will raise some questions and points that I would like the Minister to consider and address in reply. I support the bill and note the work that has gone into updating the offence to allow feedback from the Director of Public Prosecutions. I endorse the Attorney General's comments in the second reading speech about the high priority that should be placed on the safety of victims of domestic violence. Research demonstrates that strangulation is common in many domestic violence cases to the extent that it is considered an indicator of the risk of further harm from escalating violence. It is, of course, itself a very serious form of violence.

The bill seeks to address concerns that the current offence was not applicable in most cases of domestic violence because it required the intention to commit a separate indictable offence. It is also intended that, although strangulation could properly be considered actual or grievous bodily harm insofar as these offences rely on physical proof of the harm caused, they are difficult or pretty much impossible to prove in most strangulation cases. We note that under section 344A of the Crimes Act it will also be an offence to attempt to commit any of the offences under new section 37. That is entirely appropriate because suffocation and strangulation are very serious offences, the attempting of which should be considered a very serious crime.

The New South Wales Bar Association has raised a number of concerns about the bill. The first concern is that the aggravated offence does not specify that it must be committed intentionally, even though the simple offence does. I wonder why the Minister has not addressed this issue directly. This means that it must be shown that the person intentionally choked, suffocated et cetera another person. I ask that the Minister address that matter in reply. The Bar Association's second concern is that it is not explicit that the consent of the person being choked would be a defence to the basic offence. We have been advised by the Government that currently consent is a defence at common law and there is nothing in the bill to overturn this. I understand that is correct. Consequently, The Greens do not propose any amendments relating to that matter.

The Bar Association is also concerned that the aggravated offence is overly punitive, applying to cases where the strangulation is committed with the intention to enable the commission of an indictable offence, giving the example of a case where, for instance, the choking et cetera was done with the intent of facilitating a further assault, such as a punch. The Greens do not agree entirely with this final point, particularly given that in this sense the new offence is essentially reflecting the existing law. I raise those matters and thank the House for the opportunity to contribute to the debate. I commend the new Minister and wish him the best of luck.

[Business interrupted.]

BUSINESS OF THE HOUSE

Suspension of Standing and Sessional Orders: Order of Business

Motion by Mr Brad Hazzard agreed to:

That standing and sessional orders be suspended to postpone the commencement of community recognition statements until the conclusion of proceedings on the Crimes Amendment (Strangulation) Bill 2014.

CRIMES AMENDMENT (STRANGULATION) BILL 2014

Second Reading

[Business resumed.]

Mr ANDREW ROHAN (Smithfield) [4.25 p.m.]: I make a brief contribution in support of the Crimes Amendment (Strangulation) Bill 2014 and commend the Attorney General, the Hon. Brad Hazzard, for introducing it in the House. The bill has the support of the Director of Public Prosecutions, the Public Defenders, the NSW Police Force, the Legal Aid Commission, the Department for Family and Community Services, Women NSW, and I am sure it will have the support of the community. The Crimes Amendment (Strangulation) Bill 2014 has been introduced as part of a raft of amendments to the Crimes Act 1900 in an effort to increase general deterrence of various criminal offences, including assault. It coincides with the reforms committed by this Liberal-Nationals Government to prevent and end domestic and family violence. I commend the Minister for Women, the Hon. Pru Goward, for putting a framework in motion for the prevention of domestic violence through the "It Stops Here" campaign.

The Government is completely committed to, and places the highest priority on, the safety of victims of domestic violence. In this context, the Government has recognised the gap in justice that has arisen from dealing with and sentencing cases involving strangulation as cases of common assaults. This bill introduces an additional strangulation offence in New South Wales. Cases involving strangulation often include the perpetration of serious assaults resulting in unconsciousness. Other cases may be mere intimidation, but most critically, it may lead to fatal results. According to the Australian Institute of Criminology 2013 Report on Homicide in Australia, throughout 2008-09 and 2009-10 strangulation accounted for 5 per cent of all causes of death in Australia, with the majority of those deaths occurring within a domestic scenario and three-quarters of the victims being female.

Furthermore, there are often silent consequences of assaults involving strangulation, including non-visible physical, psychological and emotional injuries. A study commissioned by the Victorian Government outlined the health costs of violence by measuring the burden of disease caused by intimate partner violence. It found that intimate partner violence is more correlated to ill health and premature death in Victorian women under the age of 45 than any other risk factor. The Government has developed on-the-ground initiatives with the purpose not only of preventing further occurrences of the commission of criminal acts but also of reducing and stamping out any form of domestic abuse or violence. With this reform package we have a great opportunity to curb and break the intergenerational cycle of violence.

Although I am extremely proud of my electorate and know of many great things that have occurred in it over the past three years, as its representative I cannot hide the fact that 736 and 809 domestic-violence related assaults were recorded in the Fairfield local government area in 2012 and 2013 respectively. The Smithfield local government area is one of the worst affected per capita by this type of offence. The creation of a new offence of strangulation that maintains consistency with the current provisions and terms of the aggravated

offence and the expansion of the application of section 37 helps overcome many obstacles to prosecution in the Crimes Act. Various other amendments further clarify and achieve the objectives of the bill. I commend the bill to the House.

Mr BRAD HAZZARD (Wakehurst—Attorney General, and Minister for Justice) [4.30 p.m.], in reply: I thank the members who have contributed to this significant debate, including members representing the electorates of Camden, Liverpool, Cronulla, Miranda, Myall Lakes, Balmain and Smithfield. I will address some of the matters raised during the second reading debate. The member for Liverpool raised a question regarding the outcomes of the targeted consultation referred to in the second reading speech. I refer the member to the second reading speech where it states:

All stakeholders supported an amendment to section 37 to create a simple offence of strangulation and to retain an aggravated form of strangulation involving intent to commit another indictable offence.

I will now address the issues raised by the Bar Association in its submission. It was suggested that there should be a statutory defence, like any other form of assault. An assault that involves strangulation with consent will not necessarily be criminalised. Whilst there is no express statute offence included in the new provisions the common law will apply and provide a defence in appropriate circumstances. The Bar Association suggested that "intention" had been left out of the new aggravated offence. I inform the House that the new aggravated offence is a modernised and simplified form of the existing offence, which requires, to make out the offence, a person to strangle another with the intention of committing an indictable offence. The requirements of the existing section are maintained in the new aggravated offence. The Bar Association suggested that the aggravated offence should be limited to a serious indictable offence. As with the former aggravated offence under section 37(2) of the Act, the redrafted and modernised aggravated offence is committed where the choking, strangulation or suffocation is carried out to enable the perpetrator to commit "another indictable offence". There is no intention to weaken the existing elements of the aggravated offence.

For this reason the Government has chosen to maintain the link to the commission of another indictable offence and not to limit the provision to serious indictable offences. The inclusion of an express definition of "another indictable offence" in section 37(3) makes it clear that, with the act of strangulation, choking cannot be the other offence intended to be committed. The bill amends the Crimes Act 1900 to introduce an additional offence of strangulation in New South Wales and to simplify and modernise the existing strangulation offence. The bill is a considered and appropriate response to the shortcomings in the present legislation.

I note that amendments, particularly in the context of domestic violence, ensure that there is an appropriate response to the offence. Dealing with these offences with revised and simplified offence provisions will lead to more sentences being imposed on offenders that reflect the seriousness of domestic violence and the long-term impact of this particular behaviour. Legislative recognition of this type of offending may ultimately assist domestic violence victims to report and seek protection against this often hidden form of abuse. It is certainly the Government's hope that this legislative recognition will assist domestic violence victims in encouraging them to report incidents of domestic violence and to seek protection against the perpetrators who thrive when these offences occur behind closed doors. 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 Brad Hazzard agreed to:

That this bill be now read a third time.

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

Pursuant to resolution community recognition statements proceeded with.

COMMUNITY RECOGNITION STATEMENTS

TRIBUTE TO BETTY MAYERS

Mr STEPHEN BROMHEAD (Myall Lakes) [4.35 p.m.]: I inform the House that Betty Mayers from Chatham, in the Manning Valley, has recently celebrated 20 years of baking biscuits and other treats for the men and women of the Westpac Rescue Helicopter Service. Over the past 20 years Betty has prepared containers of her baking and tea and coffee for the crews during flights with patients who need to be transferred to or from hospitals in Sydney and Newcastle. The catalyst for Betty's kindness was when her then 11-month-old granddaughter needed to be flown to John Hunter Hospital in Newcastle for specialist treatment—a flight she thought would cost \$14,000 but cost nothing. In return for the kindness of the flight crew and the service, Betty decided that she could bake some treats for the flight crews and as a fundraiser. Two decades of Betty's work has raised tens of thousands of dollars.

SHOWCASE NATIONAL DANCE CHAMPION TAYLAH BENJAMIN

Mr BARRY COLLIER (Miranda) [4.36 p.m.]: I acknowledge the outstanding achievements of Taylah Benjamin of Kareela in winning back-to-back titles at the 2014 Showcase National Dance Championships held at Broadbeach, Queensland. The championships attract competitors in all age groups from across Australia and New Zealand. Nine-year-old Taylah won the prestigious 2014 Petite Dancer of the Year title with her solo performance of "Breath of Life" in the Battle of the Stars final before a packed audience at Jupiter's Casino. In a separate competition the previous day Taylah was also crowned 2014 National Petite Champion having achieved the highest mark in her age group for her solo performance of "The Cruel Sea".

Winning the national dancer of the year has earned young Taylah a trip to the United States, where she will dance in Las Vegas and Disneyland. Taylah has been dancing since age three and has been competing as a soloist for only 18 months in jazz, lyrical and contemporary styles. Her family and friends are very proud of her and I am sure that the House will join me in congratulating Taylah and wishing her every success as she prepares for her performances in the United States.

SYDNEY ROYAL EASTER SHOW AWARD RECIPIENTS

Mr ADAM MARSHALL (Northern Tablelands) [4.37 p.m.]: I congratulate David King of Yallembie Murray Greys at Inverell and Herb Duddy and his sons, Jeff and Robert, of Sara Park Angus at Glen Innes on their recent successes at this year's Sydney Royal Easter Show. Mr King and his stud were awarded junior and grand champion bull, which was also declared the best Murray Grey exhibit. Mr Duddy was awarded the junior champion bull ribbon in the Angus exhibit. I congratulate Mr King and Mr Duddy on their well-deserved achievements at the Royal Easter Show and wish them every success at future shows and competitions.

AUSTRALIAN PALESTINIAN COMMUNITY AWARDS AND COMMEMORATION CEREMONY

Mr PAUL LYNCH (Liverpool) [4.38 p.m.]: I recognise the ceremony held last Sunday, 11 May 2014, in honour of the Palestinian university graduates and the Higher School Certificate achievers in 2013 and also to celebrate the sixty-sixth anniversary of the Nakba catastrophe of 1948 that saw so many Palestinians forced out of their homes, resulting in their becoming refugees. The event featured an address by His Excellency Izzat Abdul Hadi, the Ambassador of Palestine to the Commonwealth of Australia. Amongst other speakers, mention should also be made of Eddie Zananiri. The event was organised by the General Union of Palestinian Workers and the Australian Palestinian Club and they should be congratulated on their efforts. An exhibition was also opened in conjunction with the event, which featured some terrifying photographs and images of Hebron. As someone who has been to Hebron and to Gaza, I am only too well aware of the reality of these places. There was much discussion on the night of the illegal nature of Israeli settlements on the West Bank, occupied in 1967.

CHRIS UNDERWOOD WIMP 2 WARRIOR

Mr JAI ROWELL (Wollondilly—Minister for Mental Health, Assistant Minister for Health) [4.39 p.m.]: I acknowledge Chris Underwood who is taking part in the Wimp 2 Warrior training program and will be featured in a new television reality show of the same name. The show traces the experience of 40 people as they take part in an intensive mixed martial arts program with the hope of competing in a mixed martial arts competition at Luna Park's Big Top on 21 June. Mr Underwood is the president of the Wollondilly Knights

Australian Football League club. He not only leads the team brilliantly but also raises money for local charities. Last year I had great delight in attending a function organised by Mr Underwood where he raised money for beyondblue. Chris Underwood of Oakdale is truly a hero, and I wish him all the best.

CAMBODIAN NEW YEAR

Mr NICK LALICH (Cabramatta) [4.40 p.m.]: In April my community celebrated the Cambodian New Year with a festival in Bonnyrigg. Hundreds of people from the Khmer community across New South Wales attended this family event, which had brilliant displays of traditional Cambodian arts and crafts. There were also performances of Khmer dancing and a fashion parade showing traditional Cambodian clothes. On behalf of my community, I thank the President of the Khmer Community of New South Wales Incorporated, Mrs Lina Tjoeng; her husband, Mr Eric Tjoeng, who was instrumental in organising this wonderful event; and the President of the Cambodian Buddhist Society of New South Wales, Mr Kin Houli. I also thank the volunteers who helped out on the day to ensure the event's success.

PITTWATER ELECTORATE VOLUNTEERS

Mr ROB STOKES (Pittwater—Minister for the Environment, Minister for Heritage, Minister for the Central Coast, and Assistant Minister for Planning) [4.41 p.m.]: Given that it is National Volunteer Week, I acknowledge all the wonderful volunteers who serve and support the community in the electorate of Pittwater. I particularly extend my congratulations to Doug Menzies, who along with his wonderful wife, Sandy, has served the surf lifesaving community of the Northern Beaches for many years in a variety of capacities, including as president of Newport Surf Life Saving Club. Doug has received a Premier's Award for his work. He has recently been elected as the president of Surf Life Saving Northern Beaches and is a former chief executive officer of the surf club. His good mate Terry Sarah is an electorate officer for the member for Port Macquarie. He is a wonderful volunteer. I also thank the outgoing president of Surf Life Saving Northern Beaches, David Murray, and I thank his wife, Louise, and his family for sharing him with the community.

CASSIE UY MIDWIFERY AWARD

Mr RICHARD AMERY (Mount Druitt) [4.42 p.m.]: I would like the Parliament to recognise Cassie Uy, who has been recognised with a Nursing and Midwifery Service Award for her contribution to the Mount Druitt Hospital geriatric ward. The award was part of International Nurses and Midwives Day. Cassie is featured in this week's *Standard* newspaper where she is quoted as saying of her profession:

I wasn't sure I'd like it, but I think I will spend another 40 years in nursing.

I offer my congratulations to Cassie Uy on her achievement and the excellent work she does for patients at Mount Druitt hospital.

PORT MACQUARIE A21 FASHION 4 FREEDOM

Mrs LESLIE WILLIAMS (Port Macquarie-Parliamentary Secretary) [4.43 p.m.]: I acknowledge Kate Hutten of Lake Cathie, who is the local voice of the A21 campaign. A21 is a global campaign fighting to end human trafficking and sexual slavery. There are currently more people living in slavery than at any other time in human history. A21's work spreads awareness of and raises funds to fight this basic denial of human rights. Kate works at the Port Macquarie Hope Shop and is passionate about raising awareness locally by organising and hosting events held by the local A21 group Fashion 4 Freedom. Fashion 4 Freedom will host a number of events in June, including a screening of the movie *Trade of Innocence* and a book club event at Port Macquarie Hope Shop Café. I was pleased to be able to attend and support a breakfast held last week. I congratulate Kate Hutten, Ellie Fredrick, Chloe Rogers, Dimity Sinclair and all the team at A21 Fashion 4 Freedom on their efforts to fight the scourge of human trafficking.

ST CANICE'S CATHOLIC CHURCH ELIZABETH BAY

Mr ALEX GREENWICH (Sydney) [4.44 p.m.]: I congratulate the Catholic parish of St Canice's Church in Elizabeth Bay on celebrating its 125th anniversary. My husband and I were pleased to attend the anniversary mass on Sunday 4 May, which was attended by more than 300 parishioners and friends. The work of St Canice's spreads outside the church walls, with a strong history of social justice work, including volunteers providing food at Canice's Kitchen, providing practical help to people in need, including people who are

homeless and refugees, and supporting the community. St Canice's is an open and inclusive parish and takes pride in the diversity of the parishioners that make up the church community. I commend the parish's clergy, the parishioners and volunteers for the continuing dedication to their community and those in need.

TRIBUTE TO JOSH McMAHON

Mr CHRISTOPHER GULAPTIS (Clarence) [4.45 p.m.]: I congratulate Josh McMahon on his many years of dedicated reporting for the *Clarence Valley Review*. I commend Josh for the unbiased approach he took to every interview he conducted. He was never afraid to ask the tough questions. I wish Josh every success in his new career and know that the world of journalism is the poorer for his leaving. However, having known Josh for many years I know that he will excel in his new role as an employment consultant. He will bring the same professionalism, sensitivity and honesty to his new profession that he displayed in his former profession.

ANNANDALE PUBLIC SCHOOL ANNABEL'S KITCHEN

Mr JAMIE PARKER (Balmain) [4.46 p.m.]: I draw the attention of the House to the fantastic work done by the Annandale Public School Parents and Citizens Association and the wider school community on Annabel's Kitchen. I helped to facilitate a grant of almost \$35,000 for this project, which was also funded by the parents and citizens association. Many parents and friends of the school also volunteered their time to help. I visited the school last October and spoke to members of the association about their vision for turning a kitchen that had been unused for 30 years into a fresh, new learning space. I extend special thanks to Ellie Luff, who gave endless energy to the project. I also thank the architect, Simon Bathgate.

I also acknowledge the marvellous work of the members of the parents and citizens association: Ghezal Ahmadzada, Rachael Beckett, Peter Bestel, Lucia Cavindish-Bell, Susie Choi, Sally Corbett, Michele Cranston, Lester Currie, Cath Derksema, Leanne Eastway, Kay Edwards, Keith Guy, Rick Hull, Jonny Jones, Imogen Kershaw, Ann Morey, Craig Neilsen, Melanie Oxley, James Powditch, Deanna Rhule, Martha Rochas, Christian Rugge-Price, Natalie and Tony Truong and the broader school community. I congratulate the fantastic principal, Ellie Moore. This project also commemorates a wonderful member of the school community, Annabel Bagot. Our thoughts go out to her family and friends, who can be confident that her contribution will live on through this vibrant project.

BELROSE RURAL FIRE SERVICE

Mr JONATHAN O'DEA (Davidson) [4.47 p.m.]: The Warriewood tanker fire incident that took place on 1 October last year resulted in the death of two motorists and injuries to others. One of the Belrose Rural Fire Service members who responded to that incident was Senior Deputy Captain Joshua Sheedy who, along with his crew, was one of the first to arrive on the scene. In recognition of his efforts that day, Josh received a Fire and Rescue NSW Commissioner's Commendation at a ceremony attended by family, friends and colleagues on 4 May. Although he is only 24, Josh has been a member of the Belrose Rural Fire Brigade since 2006. He was presented with the award by the NSW Fire and Rescue Commissioner, Greg Mullins. The award citation reads:

Senior Deputy Captain Joshua Sheedy assisted in the attempts to save the life of one of the casualties who was badly burnt. That put his life in danger. He worked in a team under extremely stressful and dangerous circumstances surrounded by burning fuel and bush in close proximity to the upturned tanker that was leaking fuel.

I believe that this may be the first time that a NSW Fire and Rescue Commissioner's Commendation Award has been presented to a member of the NSW Rural Fire Service.

ST PETERS CHURCH, COOKS RIVER

Mr RON HOENIG (Heffron) [4.48 p.m.]: I draw the attention of the House to a recent celebration held at St Peters Church. St Peter's parishioners and community members commemorated the 175th anniversary of the first burial in St Peter's graveyard. John Benfield, a soldier, was the first to be buried in 1839. Over a period of 57 years a total of 2,515 people were buried in the graveyard, with the last burial occurring in 1896. The last person buried in the graveyard was widow Sarah Ann Sargent. The 2,515 people buried in the graveyard came from across the social spectrum; there were no special designated areas for paupers or suicides and, sadly, two-thirds of those buried were children under the age of 10 years. To mark this occasion, 12 permanent information plaques were installed in the graveyard and people were given the opportunity to

walk through it and to learn the history. It was a wonderful afternoon, with parishioners dressed in Victorian attire celebrating the extraordinary history of St Peter's Church. I congratulate the parishioners at St Peter's Church on organising such an informative and historic event.

MOUNTIES INAUGURAL ANZAC DAY SERVICE

Mr ANDREW ROHAN (Smithfield) [4.49 p.m.]: I attended the Mounties Inaugural Anzac Day Service in Mount Pritchard on 25 April 2014. I was honoured to be given the opportunity to read the prayers of thanks on this occasion. It is an important tradition that acknowledges that the legacy and good deeds of the soldiers transcend distance, time and the physical world. On this day we commemorated the heroic endeavours and sacrifices of our young men and women who have given the ultimate sacrifice in the name of freedom and peace, and in defence of their country. However, that is not all the Anzacs have given us. They have also given us national identity—one built on loyalty, courage and mateship. The least we can do is to continue their legacy, ensuring that they did not fight wars in vain and that the Australia they were passionate enough about to lay their lives down for will continue to prosper and flourish as a peaceful and democratic society.

GEORGES HALL PUBLIC SCHOOL INTERACTIVE PLAYGROUND

Ms TANIA MIHAILUK (Bankstown) [4.50 p.m.]: It is with great pleasure that I inform the House of the opening of Georges Hall Public School new interactive infants' playground with outdoor musical instruments. I am honoured to have been able to attend the official opening on Friday 9 May, along with relieving principal Reg Corney and regional education director Maria Serafim. I congratulate the principal, Iris Rittau, and Georges Hall Parents and Citizens Association president Deb Bennetts on securing funding of \$47,596 through the Community Building Partnership program for the completion of the project. I also acknowledge their drive and tenacity in raising more than \$20,000 through parents and citizens association activities. I take this opportunity to acknowledge the parents, staff and students who also assisted in the fundraising activities. The new infants' playground will enhance the learning experience for the students of Georges Hall Public School and I know that it is a welcome facility.

RUSSELL AND MAISIE BURDON PLATINUM ANNIVERSARY

Mr JOHN FLOWERS (Rockdale) [4.51 p.m.]: I congratulate Dr Russell and Mrs Maisie Burdon of Sans Souci on the very special occasion of their seventieth wedding anniversary, their platinum anniversary, which they celebrated on 11 April 2014. It is a wonderful achievement. I wish them good health and happiness for the future.

TURKEY MINE EXPLOSION

Mrs BARBARA PERRY (Auburn) [4.51 p.m.]: I have a heavy heart from hearing about the awful mining disaster in Turkey. All of us in this House and, in particular, members of the Australian-Turkish community in New South Wales are saddened by the news that an explosion in a coalmine in western Turkey has left 274 workers dead, with more than 120 miners feared trapped. It was estimated that 580 workers were underground at the time of the blast, in what is likely to be the nation's worst-ever industrial disaster.

The Turkish community has been migrating to this country for more than 45 years. These migrants have made an invaluable contribution to Australia and to my electorate of Auburn. Today, the Australian-Turkish community in my electorate is mourning the loss of lives as a result of this tragedy. There are many people from Manisa province, where the coalmine is, and surrounding areas living in Auburn and other parts of Australia. Some of them have relatives working on the affected coalmine. Their lives have been touched by this tragic incident. Members of this House join me in offering condolences to the Turkish community abroad and the Turkish diaspora in New South Wales as we hold out hope that more survivors are found.

Community recognition statements concluded.

PRIVATE MEMBERS' STATEMENTS

WESTERN SYDNEY WANDERERS

Mr GUY ZANGARI (Fairfield) [4.52 p.m.]: I bring to the attention of the House the outstanding efforts of the Western Sydney Wanderers in the 2013-14 season. When people talk about fairytales, they say

they are not true. I, on the other hand, beg to differ because 26 May 2012 heralded the birth of the Western Sydney Wanderers. In just two short years this team has achieved what many other teams in the nine-year history of the A-League have not achieved. The Western Sydney Wanderers have appeared in two back-to-back grand finals and, in their first year, they won the Premier's Plate. Further, they have secured consecutive berths in the Asian Champions League.

Last night the Western Sydney Wanderers achieved what has to be described as an amazing escape act, when they defeated Sanfrecce Hiroshima 2-0 in the second leg of their Asian Champions League round-of-16 game. Prior to this game, the Western Sydney Wanderers lost in Japan to Sanfrecce Hiroshima 3-1. The obstacles placed in front of the Wanderers to advance to the quarter finals were near impossible. However, last night the Wanderers dug deep to produce an outstanding game and to send off in style many of their players who will now move to other clubs. Players like Youssef Hersi, Aaron Mooy, Jerome Polenz and none other than Shinji Ono have contributed greatly to the foundation of this great club.

The great success of the Wanderers is not only measured on the pitch. Their success is measured via the 17,000-strong membership that now follows the club. It is also measured by the 265 ambassador schools that carry the flag for the Western Sydney Wanderers, the 200,000 boys and girls the club has reached out to as a part of their community engagement program and the 1.5 million viewers who have tuned in to sing for their Wanderers on television. The club's achievements speak for themselves. The Wanderers firmly believe in visions, values and competitiveness. They will always strive to make their fan base proud. Western Sydney Wanderers have reunited the region—a region once divided is now united. From Hornsby to Macarthur, from the Nepean to Granville, the Western Sydney Wanderers have given us all something to follow and be proud of.

People who would normally not talk are now talking and together celebrating their club. The Western Sydney Wanderers have helped bridge gaps between communities and have broken down a large number of social barriers. The club's fans have left an indelible footprint on the sporting fan base right across the country. This was evident when 10,000 fans of the Wanderers migrated north to Brisbane for the grand final against the Brisbane Roar. The fans of the Western Sydney Wanderers are to be commended for their representation of the region in Brisbane during the grand final. This was highlighted by a letter from the Superintendent of Police in Brisbane to Football Federation of Australia chief executive officer, David Gallop, commending fans of the Western Sydney Wanderers.

On behalf of the New South Wales Parliament I thank the volunteers who contribute to the club on game days and at other times. I thank Tony Popovic and his coaching staff and support staff for their commitment and hard work to ensure success. I thank Michael Beauchamp and Nikolai Topar-Stanley for their outstanding leadership throughout the season by wearing the club captain's armband. I offer special thanks to the players, who so proudly represented not only the club and Western Sydney but also their families and partners. These players showed commitment, dedication and drive. I thank the executive chairman, Mr Lyall Gorman, his assistant, Ms Fiona Gibson, and the office team. We cannot forget to thank the sponsors for their outstanding contribution to the club. It would be remiss not to offer a final thank you to the Red and Black Bloc—the RBB—who have made attending the games a pleasure. They are to be commended for their efforts this year and for leaving the wonderful footprint that is now emulated by other A-League fan clubs around Australia. I certainly sing for the Wanderers.

AUTISM ADVISORY AND SUPPORT SERVICE

Mr ANDREW ROHAN (Smithfield) [4.57 p.m.]: On 3 May 2014 I joined the Hon. John Ajaka, the Minister for Ageing and Disability Services, at the Autism Advisory and Support Service Foundation of Hope charity ball in Bonnyrigg, where I represented the Hon. Jillian Skinner, Minister for Health. It was a great night of auctions, raffles and entertainment, including a performance by the Cecil Hills High School choir and a recital by Fiona Zammit, the mother of a child with autism, of a poem titled *The Misunderstood Child* by Kathy Winter. Proceeds from the night went to the Autism Advisory and Support Service, and I could not think of a worthier recipient.

The service is a non-profit charity based in Western Sydney, offering services to families with children who have autism. Autism spectrum disorder is a developmental disorder that inhibits open communication and social interaction for those who have it. It is a lifelong neurological disorder that affects not only the child affected by it but also the loving families of the child. It is unfortunate that, like many disabilities, autism is

often not spoken of and removed from the public eye. However, it is more common than we believe. Data from 2009 shows that autism affects one in 100 Australian children, costing the community \$7 billion a year. It also shows that 50 per cent of children aged zero to five with this disability are living within 40 kilometres of the Liverpool area. To put this in perspective, South Korea has one in 38 children and the Centers for Disease Control and Prevention in the United States came up with a statistic of one in 68 children over the age of eight living with an autistic spectrum disorder.

It is why groups such as Autism Advisory and Support Service are so significant for our community. We are fortunate that in 2007 Grace Fava, a local of south-west Sydney, was inspired by her two autistic sons to make a change. I first met Grace in 2008 when she was at a community awards presentation ceremony in Fairfield City Council. She was a woman of passion, love and dedication to her family. She spent countless hours fuelling support from Ministers, businesses and organisations for her to live out her aspiration to help those touched by autism. Since then the Autism Advisory and Support Service has grown to become one of the major support networks for families with autistic children in Australia. The Autism Advisory and Support Service aims to empower these families and to assist them by offering them information, advice and referral to other appropriate services. The service wants to guide children through their stages of social development to ensure this disability does not hinder them in the future.

The Autism Advisory and Support Service runs a 24/7 hotline, various support groups, therapy groups and social groups for youth, among other programs. While the service offers so much to the community, it is mostly reliant on parents, assistants and volunteers to organise and run these programs. However, this overwhelming responsibility has not dampened the spirits of Grace and her team. Over the years, Grace continually lobbied the New South Wales Government for funding. It makes me extremely happy to say that she was successful and is now receiving recurrent funding of \$190,000 a year. I applaud the efforts of Grace and her team and thank them for their dedication over the years to supporting families touched by autism across Western Sydney. There is no cure for autism; however, the Autism Advisory and Support Service has been developing early intervention programs to target crucial early learning in order to improve the performance of children later in their lives.

I am glad to say that the Autism Advisory and Support Service no longer has a shortage of support for its endeavours. The Federal Government has recently established the National Disability Insurance Scheme, with New South Wales being the first State to sign up to it. In conjunction with the Government, universities around Australia are bridging the gap between research and autism, creating new products and services such as Autism CRC, an initiative from Queensland. We are pioneers of the world's first national cooperative research effort, pulling resources from left, right and centre to focus on autism. I hope that one day we can live in a society free from autism, and I would like to proudly state that it was the combined efforts of Grace and the Autism Advisory and Support Service that enabled this positive change in the world.

Mr JAI ROWELL (Wollondilly—Minister for Mental Health, Assistant Minister for Health) [5.01 p.m.]: I thank the member for Smithfield for raising awareness of autism in our communities. I know firsthand how hard the member for Smithfield works and how connected he is to his local community. Right across New South Wales there are hardworking groups such as the Autism Advisory and Support Service, and I acknowledge how hard they work to transform the lives of people in New South Wales.

BENTLEY COAL SEAM GAS OPERATIONS

Mr CHRISTOPHER GULAPTIS (Clarence) [5.02 p.m.]: I express my gratitude to the Minister for Resources and Energy for listening to the Bentley farmers and residents of the northern rivers region who have expressed their concern over the coal seam gas activities proposed to be undertaken at Bentley. Bentley is located in the electorate of Lismore but after the next election will be located in the Clarence electorate, so I have been following this matter closely. The coal seam gas issue cannot be confined to only one electorate; it is a statewide and nationwide issue that has polarised communities across the country. But I am confident that the approach taken by the New South Wales Coalition Government has been measured and appropriate.

The former Labor Government created the problem by issuing licences at will, with scant regard to any regulatory controls. A case in point is petroleum exploration licence 16, which covers the Bentley site and which was issued to Metgasco by the Carr Labor Government in 1996. Scant policies and regulations were in place at the time to regulate the coal seam gas industry, and with former Ministers such as Eddie Obeid and Ian

Macdonald it is no wonder that there is concern about coal seam gas in communities right across the State. It has only been through the efforts of the Coalition Government that restraint and control have been exerted on the coal seam gas industry.

The Coalition placed a moratorium on the industry virtually as soon as it came to office. It was the Coalition Government that banned the use of BTEX chemicals in the fracking process. It was the Coalition Government that introduced the Strategic Regional Land Use Policy and the Aquifer Interference Policy. It was the Coalition Government that placed a two-kilometre exclusion zone around urban areas, introduced well integrity policies and created the roles of the Land and Water Commissioner and 40 regulators across the State. It was the Coalition Government that made the Environment Protection Authority the regulatory watchdog for the industry, and it was the Coalition Government that listened to the people of Bentley and suspended Metgasco's petroleum exploration licence 16 at Bentley.

The Coalition listened and acted because Metgasco had not fulfilled its obligations under the terms of the exploration licence in relation to undertaking genuine and effective community consultation. The Office of Coal Seam Gas is conducting an audit of all petroleum exploration licences across the State to ensure that companies are complying with their licence requirements. I am very pleased that the Bentley farmers had an opportunity to meet the Minister for Resources and Energy in my electorate office and to have a forthright discussion about the concerns they had with the coal seam gas activities proposed adjacent to their properties.

I am also pleased that, together with the support of my North Coast colleagues, the member for Tweed, the member for Lismore and the member for Ballina, we were able to secure a meeting of the Bentley farmers with the Minister for Natural Resources, Lands and Water, when they were again afforded the opportunity to speak firsthand about their concerns at having this activity undertaken in their backyard. This Government listens and acts accordingly in the best interests of the people of New South Wales. I can assure the Bentley farmers who came to see me—the Josephs, Robert Lowry, Charlie Wilkinson and others—that their concerns were also relayed to the Deputy Premier and the Premier by the North Coast Nationals.

This has been a difficult time for residents of the North Coast as the battle lines were drawn, with a significant confrontation looming and a pall of doom hanging over the northern rivers region. Anxiety and stress levels were rising in communities across the northern rivers region and it was having serious health impacts on our residents. There was a very unhealthy atmosphere pervading the northern rivers region. The rule of law is a fundamental principle of our democracy and it applies evenly to all in our society—to the landowner, to the gas company, to adjoining residents and to protestors. I am grateful that the Minister was able to use the rule of law to suspend the petroleum exploration licence and bring calm and peace back to the northern rivers region and to the residents of Bentley.

BELMONT AIRPORT

Mr GARRY EDWARDS (Swansea) [5.06 p.m.]: Tonight I applaud a recent major event in my electorate of Swansea—an occurrence which has the potential to boost our local tourism sector, to create a considerable number of new jobs, including apprenticeships in several disciplines, to improve travel mode options for local communities and to create opportunities for aviation-based activities to be established immediately as well as over the long term. The long-established but, sadly, recently underutilised Belmont Airport has seen a change in owner-operator. A consortium of locally based experienced business operators and professionals have made a major investment in the Swansea electorate and have purchased this asset with a view, in the short to medium to long term, to re-establishing commuter flights and establishing ancillary aviation activities such as adventure flights, skydiving, charter operations, aeromedical retrieval operations and aircraft assembly and maintenance. The sky truly is the limit for the services that could be offered from this outstanding facility.

The airport has not been used as a full-time airport for several years—not since International Air Parts relocated its Aeropelican Air Services operations to Newcastle airport, Williamtown, and ceased its regular flights from Belmont to Sydney. Two weeks ago I was delighted to receive an invitation to attend Belmont Airport for the official launch by the new operators. At the launch I had the pleasure of meeting some of the new owners for the first time and also catching up with Matt Hall. Matt Hall is known worldwide as the Aussie Red Bull Formula One Air Racer, and is now one of the owner-operators of Belmont Airport—a real coup for our electorate. Other new owners were represented on the day by Rob Hibberd, Rick Duncan, Shane Duncan and Russ Duncan of Airborne and Ian Sinclair of Newcastle Helicopters and Skydive the Beach. I was taken up for

my very own aerial inspection, care of Captain Russ Duncan, in one of Airborne's very own locally manufactured gyrocopters—20 minutes of absolute thrill. This group of owners brings amazing experience, talent and vision to this enterprise.

In my role as the member for Swansea I have been privileged to witness many exciting developments in my electorate; however, this new ownership group of Belmont Airport and what they have to offer is, without doubt, the most outstanding private development, representing unprecedented opportunities for our electorate. This enterprise will open up travel and recreational opportunities for tourists and locals—opportunities such as charter flights by aeroplane or helicopter and the chance to experience a sightseeing or skydiving adventure. The new owners of Belmont Airport are currently liaising with Lake Macquarie City Council to finalise certain issues. I implore council to work efficiently and expeditiously to that end. After all, an opportunity such as this does not present itself every day, and the potential community benefits from this project are many and unique.

The alternative is that this wonderful asset falls into disuse and decay, and there is no community benefit in that. All levels of government have a responsibility to support sound, sustainable investment in our communities, and this project ticks all the boxes. I trust that council will recognise this investment in Belmont Airport as a once-in-a-generation opportunity and proceed with the matter accordingly. I wholeheartedly congratulate Matt Hall and his associates, the new owners of Belmont Airport, on making this investment in Belmont. Our community will see many benefits when Belmont Airport is fully operational again and providing an exciting range of aviation-based activities.

JOHN EDMONSTON VC MEMORIAL CLUB: OUR HISTORY BOOK LAUNCH

Mr PAUL LYNCH (Liverpool) [5.10 p.m.]: I advise the House of a function I attended in my electorate on Sunday 13 April 2014 at the John Edmondson VC Memorial Club. The function was for the launch of a book by Mike Davis entitled *John Edmondson VC Memorial Club: Our History*. Appropriately, shortly before the function to launch the book there was the annual wreath laying at the John Edmondson Memorial in the plaza in front of Liverpool Library. This annual event occurs on the anniversary of the death of Edmondson. The book, inevitably and appropriately, has much historical information about Liverpool generally. One cannot separate a club from its community. Equally and understandably, it has a great deal about John Edmondson, after whom the club is named. He was born in 1914 and grew up on a farm at Prestons, attending Austral Public School and Hurlstone Agricultural College. He was killed in Tobruk on 13 April 1941 in the action that led to the awarding of the Victoria Cross.

There are other things named after Edmondson in the Liverpool region, including Edmondson Avenue, in which is located the first school he attended, Austral Public School. Perhaps the most recent is John Edmondson High School in Horningsea Park. At the school opening the school principal, Gary Joannides, noted that the school was only 400 metres from the former family home of the Edmondsons. Mike Davis faithfully records the history of the John Edmondson VC Memorial Club, including the early attempts to establish RSL sub-branches, the Sailors and Soldiers Club at Liverpool largely based on the soldiers settlements at Hillview, now known as Lurnea, and the receipt of a charter by the City of Liverpool RSL sub-branch. Julian de Meyrick, president, and Fred Philips, honorary secretary, were the first office-bearers.

Having acquired land at the corner of Macquarie Street and Moore Street in the centre of Liverpool, the club obtained its certificate of registration after the obligatory legal hiccup in 1947. An opening night had been held in October 1946. Among those present was a predecessor of mine as member for Liverpool, J. J. McGirr, who had also helped get the Army buildings that had been placed on the site. McGirr is noted in history as a strong supporter of the club, which is interesting because his unsuccessful conservative opponent in the 1935 State election was de Meyrick, who was mayor of Liverpool from 1935 to 1937 and the sub-branch's inaugural president. The first proper club building was opened in 1954. There were major extensions in 1961 and the opening of the George Street club in 1991. I remember that latter development because of my time on Liverpool Council.

This type of institutional history is significant and important, granted the longevity and prominence of the club. There has been a significant military presence in the Liverpool region for some time, since the founding of Holsworthy Army Camp in 1913 following a recommendation by Kitchener on his visit in 1910. There is still a Kitchener House at Moorebank. While we deal with the importance and significance of the military in Liverpool, it is also appropriate to note the originating role of soldiers at Casula and Holsworthy in the 1916 Battle of Central Station. The history by Mike Davis is more than just an institutional history. The most important parts of the book to me are about the contribution of so many club members. Mike Davis tells that

story well. He has interesting pen portraits of several club members, including Bill McLennan, Brian Patrick Solomon, Charlie McIvor, Frank Godfrey, Frank Madden, Frank Isted, Fred Johnsen, Eric Davis, Jack Raine, John Stanley Freeman, Joyce Cole, Laurie Tate, Louis Darryl-Krelle, Reginald Findley, Ray Cole, Robert Bright, Roger Grimes, Tony and Dawn Madsen, Tony Wilkins and Vic Reeves.

There is also a plethora of photographs in the book telling the history of the club, and indeed the history of Liverpool. It would be remiss of me not to mention the photograph on page 222 involving former Alderman Peter Fraser with a billiard ball in his mouth. The history also covers issues such as the role of women, the club and the women's auxiliary and the efforts put into the youth club. Because a history of this club is also a history of Liverpool, there are some other interesting aspects of the book. Mike Davis has some interesting and important things to say about the Liverpool Soldiers Memorial School of Arts. Its location was chosen in March 1921 as a memorial to World War I veterans. The foundation stones were laid in April 1924 and the building was officially opened in March 1925. Mike Davis wrote:

It is one of the few buildings dating from the inter-war periods still left in Liverpool and for that reason alone is a significant element of the building heritage of Liverpool.

He further wrote:

Many of Liverpool's original buildings have been demolished or altered beyond recognition often to be replaced by the cheap and the ugly. The Soldiers Memorial School of Arts building is one of only a very few prominent buildings in the Liverpool CBD and the wider area that still retains its original character and gives a sense of the history of Liverpool.

The author quotes the Liverpool Arts Society, saying that the building was not built as a disposable asset for the council to sell indiscriminately to developers. Another aspect of the book I found valuable and interesting was that dealing with soldier settlements. These were an interesting experiment. Mike Davis wrote:

These initial land allotments resulted in triumphs for some and despair for others.

While many settlers simply walked off their lots, some were successful. In Liverpool they were located on the Hillview Estate of 295 acres that had been part of the Church Glebe lands, west of Captain Eber Bunker's grant. Ex-servicemen paid about £350 for allotments, for which they got a two-bedroom house and five to six acres. There are other soldier settlement projects in the Sydney metropolitan area. The book is a great tribute to an important club in Liverpool. It tells an important part of the history of Liverpool. Author Mike Davis has done a great job, and he and the club board, led by president Thomas Jones, should be congratulated on this book and on the club's history.

NORTHERN RIVERS COAL SEAM GAS OPERATIONS

Mr DONALD PAGE (Ballina) [5.15 p.m.]: Tonight I will make some comments about conventional gas, coal seam gas and energy policy as it affects my electorate and the broader northern rivers region. As many will be aware, when we came to government in March 2011 the Labor Government had approved 44 gas exploration licences covering 25 per cent of the State, including the northern rivers area and petroleum exploration licence 16 covering the Bentley area. The regulatory framework around those licences was minimal at that time, so our Government set about putting in place what is now recognised as the toughest regulatory framework in the world to protect our land and our surface and groundwater resources. A moratorium was imposed while this regulatory framework was put in place.

The important initiatives we took included an enforceable aquifer interference policy to protect our groundwater across the State; a requirement for an agricultural impact statement to assess all mining proposals; appointment of a Land and Water Commissioner to oversee regulation of exploration and land access agreements between landholders and miners; new codes of practice endorsed by the Chief Scientist for all exploration drilling and mining activity. We banned the use of evaporative ponds and the use of benzene, toluene, ethylbenzene and xylene, or BTEX, chemicals as additives during drilling and fracking, and we banned all coal seam gas and mining in all residential areas, including a two-kilometre surface and subsurface exclusion zone.

The New South Wales Government also established the Environment Protection Authority as the lead regulator of environmental and health impacts of coal seam gas activities in the State. Recently the Government refused two applications for exploration licences in the northern rivers area. In my electorate of Ballina there is no coal and no coal seam gas. This is because the gas is to the east of the Clarence-Moreton Basin. Notwithstanding there being no coal seam gas in my electorate, the Labor Government had issued petroleum

exploration licence 445, which now belongs to Dart Energy. Petroleum exploration licence 445 covers the whole of the Ballina electorate and a large area beyond. Some months ago I met with Dart and suggested that, as it is required to relinquish 25 per cent of its petroleum exploration licence 445, it should relinquish that part of its petroleum exploration licence that covers the Ballina electorate. Dart agreed.

I have subsequently asked the Government not to reissue the relinquished part of petroleum exploration licence 445 covering my electorate and I believe that good progress is being made in achieving that outcome. I thank the Minister for Resources and Energy for considering my request. In recent times Bentley has been the focus of much attention because Metgasco had an exploration licence to drill an exploration gas well and was planning to bring the equipment on site next Monday. However, today the Minister for Resources and Energy has announced that Metgasco has not met a condition of its exploration licence, namely, to undertake genuine and effective consultation with the community as required. Accordingly, the Office of Coal Seam Gas recommended that its exploration licence be suspended forthwith, and the Minister has correctly suspended its exploration licence.

Given the size of the impending confrontation at Bentley between the protesters and the police, who would rightly have been there to uphold the rule of law, it is good to know that a potentially ugly confrontation will not now occur. The member for Clarence, the member for Lismore, the member for Tweed and I have had many discussions with relevant Ministers over several months expressing our concern about the situation at Bentley. These discussions intensified in the past week. Last week we also met in Parliament House with representatives of local landowners, together with the Minister for Natural Resources, Lands and Water. I welcome the Government's decision to suspend the exploration licence at Bentley, and I thank the Minister for Resources and Energy for taking this action.

There is a great sense of relief across the region today that a large, ugly, lengthy and dangerous confrontation has been avoided. The prospect of up to 1,000 police dealing with up to 10,000 protesters is something we did not need. I have always taken the view that coal seam gas should not proceed if there was environmental damage to our land or water as a result. I will always hold that view. In order to know whether any damage occurs we need to have proper baseline data available before any activity begins. As the Chief Scientist said:

Solid baseline data helps to reduce concerns around an activity and helps with social licences to operate by potentially removing inferred links to environmental impacts such as groundwater quality and seismicity. In other words, baseline data is critical in providing context and allowing critical assessments of any associated risks.

Looking at our energy policy more generally, I believe that the northern rivers region can, and should be, a leader in renewable energy. We have a clean, green image and a strong environmental consciousness. We have several natural options, the most obvious on the North Coast is an abundant sunshine, making solar-powered generation a natural fit for us. Indeed, residents of the North Coast are the biggest users of solar power in New South Wales. Expansion of solar energy generation is something we should be pursuing more vigorously. When I was Acting Minister for the Environment I signed off on the two biggest solar power plants to be constructed in the history of New South Wales, and I am very proud of that fact.

CRACKER NIGHT

Mr DAVID ELLIOTT (Baulkham Hills—Parliamentary Secretary) [5.20 p.m.]: When I was a boy growing up in Western Sydney, autumn's chill would mean something very special was coming. Suddenly the milk bars and supermarkets would come alive with big bags of firecrackers, little boxes of throwdowns and colourful packets of crazy jacks. Like my birthday, Christmas Day, grand final day and Easter, cracker night was one of the best days of the year. As an adult my birthday is still good, Christmas Day is better when one is a dad and grand final day would be exciting if only Parramatta could get there. And then there is cracker night! How I long for the return of cracker night.

The second Monday in June, our celebration of the Monarch's birthday, was cracker night: a night of double bungers, skyrocketes, Tom thumbs, roman candles, Catherine wheels and blazing parachutes; a night when we were allowed to venture into the realm of giants. It was a night filled with a sense of awe and wonderment that not even New Year's Eve comes close to. We were actually allowed to set off the fireworks. My office has been inundated with messages of support for the return of cracker night. A constituent of mine, Colin Keegan of Baulkham Hills, wrote to me. His late father was an Army officer and would always organise an Empire Day bonfire, crackers and sausage sizzle for the Army kids, wherever he was posted. To pay tribute

to his father, on what would have been his father's 100th birthday, he planned to hold a small backyard firework tribute. Of course, the rigmarole imposed by this State made such a tribute impossible. He was certainly right to describe it as "bureaucracy gone stark raving mad".

I find it hard to believe that we are in a State that has a publicly funded heroin injecting room, but denies our kids the natural high of cracker night. Maybe, if we can find ways to engage our youth, we might not need that State-sponsored heroin injecting room. Society needs to return to the simple niceties that young Australians used to enjoy—comic books, milk bars and cracker night. As the new Parliamentary Secretary to the Premier with the responsibility for youth policy, I ask: What has happened to the innocent pleasures of youth? Why do we not do things like calling our parents peers "Mr" and "Mrs"? Or, if they were close friends, "aunt" and "uncle"? Why do we not stand up for teachers when they enter the room? Why do we not salute the flag? Most of all, I want young people to look me in the eye when they give me a firm handshake. I fear some young people need to learn that a grunt is not a form of communication.

Scorching that new woollen jumper on cracker night was a rite of passage for young Australians. It was a small price to pay to ensure that families and communities would come together. In the eyes of a seven-year-old boy growing up in Western Sydney, it was magic. It was a night spent with mum and dad, doing something special. They are the nights that are etched into my memory. Given that the amount of quality time fathers spend with their children averages out at a paltry six minutes per week today, surely we need to encourage every opportunity to bring families together. However, cracker night was not just about fireworks. We sat around a bonfire as a community and talked. Sadly, it is one of those community events that no longer occurs. Strong communities provided me with a broad support network and friendships and helped keep my young friends and me out of mischief. Cracker night embodies that wonderful proverb, "It takes a village to raise a child."

At the risk of raising the ire of the politically correct wowsers, I understand that there are safety risks with fireworks. However, surely heroin is a bigger risk. Besides, only the grown-ups used the most dangerous fireworks, and I know that as a responsible adult I would be the one firing them up, because they are the most impressive. I note that Tasmania, the Northern Territory, Canada, Great Britain and the United States of America all have forms of cracker night with great degrees of success. The spirit of cracker night was encapsulated in the John Williamson song, "Cracker Night":

*Cracker Night was a real big deal,
When I was a little kid,
It seems like only yesterday
Tucked away in bed
Dreams of schemes and double bungers
Daring things we did.*

And daring things we did do. Fireworks have been a part of New South Wales since at least 1803 so the colony was just 15 years old when it celebrated the King's birthday with fireworks. It is a tragedy that a day, which is the oldest public holiday on the Australian calendar, has been allowed to pass into insignificance. Like the reintroduction of knighthoods earlier this year, cracker night acknowledges our traditional connections with the United Kingdom and our shared Sovereign with 52 other Commonwealth partnerships. The reintroduction of cracker night to the calendar requires serious consideration. I hope that on the second Monday in June I will be able again to take out my two sons, "Search" and "Destroy", and show them how to use throw downs and crazy jacks. In an increasingly complex world, I urge our youth not to lose touch with life's simple pleasures, because it is the memories of an Australian childhood that will provide the next generation with the four points of their moral compass.

[Business interrupted.]

SCHOFIELDS AND RIVERSTONE FIRE STATIONS

Ministerial Statement

Mr STUART AYRES (Penrith—Minister for Police and Emergency Services, Minister for Sport and Recreation, and Minister Assisting the Premier on Western Sydney) [5.25 p.m.], by leave: I am advised that today a house fire took place in Quakers Hill. I am also advised that Schofields station is a permanent fire station. I am advised that the crew from Schofields was at the training college in Alexandria today. The Fire and

Rescue unit received a 000 call for assistance at 12.19 p.m. At 12.20 p.m. crews from Huntingwood and Kellyville were assigned to the incident. At 12.22 p.m. a crew from Seven Hills was also assigned to the incident. At 12.30 p.m. a crew from Blacktown became available from an earlier incident and was also assigned to the fire at Quakers Hill. At 12.33 p.m. the crew from Huntingwood arrived, followed by the crew from Kellyville a minute later. Both crews immediately commenced fighting the fire. Another two minutes later, at 12.36 p.m., the crews from Seven Hills and Blacktown arrived. There was no-one at home at the time of the fire, no-one was injured and the cause of the fire at this stage is unknown.

PRIVATE MEMBERS' STATEMENTS

[*Business resumed.*]

CRACKER NIGHT

Mr RAY WILLIAMS (Hawkesbury—Parliamentary Secretary) [5.26 p.m.]: I acknowledge and commend the member for Baulkham Hills for raising that age-old iconic event of cracker night. I cannot remember as a child how many bonfires our family attended either in our backyard or a neighbour's backyard. It was a great way to bring the community together. The member for Baulkham Hills has raised the value and importance of cracker night. I would like that night to reappear across our communities. However, as a horse owner, the one issue I have always been concerned about is that pyrotechnics have been made available to so many people across the broader community. They strike fear into the hearts of every horse owner and dog owner on properties on the periphery of residential areas. We have many parks and council areas that are more than suitable to have community cracker nights.

KIAMA ELECTORATE ANZAC DAY SERVICES

LEGACY

Mr GARETH WARD (Kiama) [5.27 p.m.]: As many members would be aware, 2014 marks the 100th anniversary since the start of World War I, a time that saw our young nation enter a war in a world away from our shores, but in aid of protecting freedom, liberty and democracy. The soldiers who answered the call in the Great War showed a unique character in the face of great adversity. Courage, determination and mateship were typical of Australian soldiers on the front. This year, the centenary of such a significant world event is a momentous occasion to commemorate all the men and women who fought and died for the freedom that our great nation enjoys today.

Anzac Day is an annual and important opportunity to pay tribute to those who made the ultimate sacrifice, as well as those who have served, and still serve, our nation at war. On Easter Saturday this year I attended the Kiama Jamberoo RSL sub-branch commemoration service at the Jamberoo School of Arts which was a terrific service. I congratulate Mongo Delamont for the great job he did of conducting this event. On Easter Sunday I attended the Gerringong RSL sub-branch commemoration service. I acknowledge and thank its president, John Keela, and its hardworking secretary, Bill Poddle, a wonderful and well-respected man in Gerringong whom I have known for many years. This year I began Anzac Day at the Albion Park RSL sub-branch dawn service at the Darcy King Memorial Gardens. I acknowledge and thank its hardworking secretary Deborah Hamilton and president Brian McGrath. I then attended the Shoalhaven Heads RSL sub-branch dawn service. I acknowledge and thank its dedicated secretary Bill Linden, and president Bob O'Grady, whom I have known and respected for many years.

From Bomaderry I attended the Berry RSL sub-branch in Queen Street, Berry. I congratulate secretary Stuart Christmas, who does a terrific job each year putting together the program, as well as Alan Mulley on hosting the event. I take the opportunity to congratulate Dick Bird, who has also run the service for many years. From Berry I travelled to join those enjoying lunch at Kiama pavilion hosted by the Kiama-Jamberoo RSL sub-branch. I acknowledge its dedicated secretary Dennis Seage and president Ian Pullar. During the lunch I was quite humbled to be presented with the Kiama-Jamberoo RSL's Spirit of Anzac award, which is given annually to a person in the community who makes a worthwhile and lasting contribution to the RSL movement. I was shocked and surprised but at the same time deeply honoured because I appreciate that so many people do so much lasting and important work for the RSL movement. To be singled out by this group was touching and very much appreciated.

I acknowledge community representatives who attended other Anzac Day services that unfortunately I was unable to attend, including Mark Jones in Warilla, Councillor Kellie Marsh in Shellharbour, Harry Sprintz in Kiama, Dennis Seage in Kiama, Alan Jones in Bomaderry, Bob Morris at Greenwell Point and Lorraine Mairinger in Kangaroo Valley. Anzac Day, along with Australia Day, is probably our country's most important national event. It is a time when Australians reflect on the many different meanings of war. The spirit of Anzac recognises the qualities of courage, mateship and sacrifice which were demonstrated at the Gallipoli landing. It is that spirit and those enduring values that in many respects define who we are.

I also reflect briefly on a couple of other things. Every Anzac Day I carry the medals of my grandfather who fought on the Western Front. He lost his arm in battle and was retired medically injured back to Australia. Upon returning home he died of a blood clot when my father was two years old. As a result I never knew my grandfather and my father never knew his father. However, he came to know people from Legacy and they assisted in bringing up my dad. His teeth were attended to, and he was given swimming lessons and extra tuition. There is no doubt that without the dedicated and hard work of Legacy so many widows and widowers would not receive the attention and care they deserve.

Often when war ravages a family and nation not many people hang about to pick up the pieces left after those tragic events. Legacy has filled this important void. It has played an important role and touched families such as mine. I know Legacy touches so many, as people from Legacy spend time with widows and widowers, assisting them with services they may need and ensuring that they have comfort in their time of grief. Legacy certainly assists people in remembering the important times, such as Anzac Day. I thank all those who assist service personnel both currently serving and returned personnel. Tonight I pay tribute to Legacy for the work that it did for my father, my family and the many other families like ours that benefited from Legacy's extraordinary kindness and great contribution to the wider community. I commend my private member's statement to the House.

Mr RAY WILLIAMS (Hawkesbury—Parliamentary Secretary) [5.32 p.m.]: I commend the member for Kiama for raising these important issues of Anzac Day and Legacy. I, too, proudly wear the medals of my grandfather, Cecil St Clair Williams, whom I also did not know. I wear those medals proudly every Anzac Day. Anzac Day services were held throughout my electorate, including Annangrove, Kenthurst and Glenorie but, most importantly, 13,000 people attended the dawn service held at Castle Hill RSL under the stewardship of President Don Tait. As we head towards the 100th anniversary of Anzac, the patriotism observed across this country is second to none. I am proud to be an Australian.

CONCORD HOSPITAL

Mr JOHN SIDOTI (Drummoyne) [5.33 p.m.]: It is with pleasure that I make a private member's statement in the presence of the member for Swansea in his newly appointed role as Acting-Speaker. During my inaugural speech in 2011 I referred to Concord Hospital and to the importance of ensuring that local residents have the services that they need and deserve. I am now able to inform the House of recent and planned improvements to diagnostic services at Concord Hospital. The hospital recently upgraded the endoscopy unit at a cost of \$800,000 to enable patients to have access to reliable, high-standard endoscopic services. Already improvements in the quality of the service provided have been noted, with both the gastroenterologists and colorectal surgeons commenting on the ease-of-use, improved quality of images and consequent increased diagnostic accuracy of the procedures.

The unit already provides more than 6,000 endoscopic procedures each year and this is likely to increase with the new equipment. This means that more patients will be able to access more timely diagnostic, therapeutic and surveillance procedures, with the superior equipment likely to provide significant long-term benefits for patients. With the recent upgrade to the endoscopic unit and programs such as enhanced recovery after surgery, the colorectal unit at Concord Hospital is able to offer prompt and accurate assessment of patients with suspected bowel cancer and the latest treatments and technologies to treat such patients, delivering world-class treatment whilst keeping patients involved and central to key decisions relating to their care.

The hospital has also recently commenced works for the upgrade of one of the X-ray units to a unit with digital radiography. Digital radiography represents significant advancement in medical imaging and provides a number of advantages. For example, examinations can be completed in a shorter time; images are of a higher quality, which increases diagnostic value; lower doses can be used in many examinations; flexible display allows the appearance of images to be changed to aid physicians in making differential diagnosis; and, importantly, the upgrade also increases the capacity of the unit to perform additional examinations, thereby reducing patient waiting times.

As part of this project the hospital will also upgrade the patient waiting room and reception area. The waiting room upgrade will improve efficiencies in the department by separating inpatient and outpatient flows. The inpatient area will support the department in achieving the best utilisation of existing equipment and provide patients with changing facilities and bathrooms. It will also provide for the storage of electric bed movers, coordination of patient transport and a processing point for reviewing images. The Concord Hospital radiology department is also in the process of replacing the angiography unit with the new digital unit at a cost of \$1.2 million. The new unit will increase the information available to interventionalists during procedures, increase image quality and allow a number of software programs, such as vessel analysis, to be utilised during angiographic examinations, thereby benefiting patient care.

I am pleased to advise that the hospital is also in the process of purchasing an additional mobile image intensifier to be used within the operating theatres. The new unit will be capable of producing high resolution images while reducing the radiation dose to both staff and patients. The unit will also increase the scope of capabilities and functionality, especially in relation to performing vascular procedures. The aim of Concord Hospital to continuously improve its services and place patients and their families central to the care the hospital provides is both pleasing and reassuring. However, improvements can always be made and wherever possible we must work hard to provide Concord Hospital with the funds and resources it needs to provide the services residents deserve.

WESTERN SYDNEY WANDERERS

Dr ANDREW McDONALD (Macquarie Fields) [5.38 p.m.]: Late last year at the Macarthur Regional Organisation of Councils breakfast meeting a large number of locals gathered for a keynote address by Lyall Gorman, Chairman of the Western Sydney Wanderers. The first game of football recorded in New South Wales was in Western Sydney on 14 August 1880 between the Kings School and the Wanderers. The first A-League match of the Western Sydney Wanderers was only over 18 months ago on 6 October 2012 and the first derby win against Sydney FC was only on 15 December 2012. For Lyall Gorman, a Bankstown boy from East Hills Boys High School who has moved this team from scratch to two grand finals in two years, this has been a fantastic achievement but not one that has come by accident.

Following the magnificent 2-0 win over Sanfrece Hiroshima at Parramatta, in Shinji Ono's final match for the club, the Wanderers have now reached the quarter finals of the Asian Champions League. Last night they were six minutes away from the end of their season and with a late goal the fairytale will continue. Western Sydney Wanderers now have 16,500 ticket holders—their maximum—and their books are now closed for the season. Lyall Gorman spoke about the vision, culture and values that have been the foundation of the team's success.

The Western Sydney Wanderers is a long-term project, one which will be measured over the years, and its vision is "to do today with tomorrow in mind". They see themselves as more than just a football club. They aim to have a social impact and to drive positive change across Western Sydney and that contribution is measured in far more than money. Lyall Gorman talked about the vital three C's: communication, collaboration and connectivity, all of which focus on the needs and hopes of our local community. As Lyall Gorman said, one cannot buy success. In Western Sydney success is built with excellence as the major driver—both on and off the field. For example, at Western Sydney Wanderers the meetings start on time and the room is left clean and tidy after them, with chairs being pushed back in for the next group.

The Western Sydney Wanderers know that it is important to respond to the market. That is why they had seven community forums before they started, which were monitored by an independent agency. At those forums they listened to the needs and wants of the Western Sydney community about their future football team. Their message was about a flawed perception of Western Sydney and they wanted the team to represent a community that is useful, inclusive, aspirational and not elitist or intimidated. For that reason investing in people is one of the club's main goals. Central to the success of the club is the belief that people must believe in themselves, including the players and staff. However, at times, as in any workplace, difficult decisions have to be made to let people go.

The club's motto is that while decision-making may need to be ruthless, the execution of it should be gentle. Nevertheless, for the Western Sydney Wanderers having the "right people on the bus" is the only way to ensure success. Those practices have resulted in two grand finals in two years. After the first grand final some 35,000 people stayed behind for one hour to celebrate their club and sing their songs. For them the key performance indicator of Western Sydney Wanders is: Stand up, make us proud and be competitive. The club

focuses on player development rather than results, and insists that its players be involved in school, work or education. Young players who are no longer needed are allowed to pursue further opportunities without a transfer fee.

In the Macarthur region of south-western Sydney we have opportunities. Some 186 languages are spoken and for some of those communities football is a way of life. The success of the Western Sydney Wanderers will be measured over many years; its core success will be its social impact on the people of Western Sydney. This year teams from China, Japan and Korea have come to play in Parramatta. Western Sydney Wanderers is now one of the final eight in the Asian Champions League. I am a member of the Parliamentary Friends of the Western Sydney Wanderers. All members of that group wish the Wanderers well. We know they will do us proud on and off the field. I commend the Western Sydney Wanderers to the House.

Mr RAY WILLIAMS (Hawkesbury—Parliamentary Secretary) [5.43 p.m.]: I commend the member for Macquarie Fields for bringing this matter to the attention of the House. As one of the friends of the Wanderers, I too watched with a heavy heart as they were once again defeated at the final hurdle—the grand final. The Western Sydney Wanderers continue to impress and inspire. Indeed, many members have commented on the important values that sustain the Wanderers and those values are promoted in the club's ambassadorial role in supporting junior soccer players across Western Sydney. The comment was made that soccer has come home. Many Western Sydney parents like me have registered their children to play soccer. When my son, Ryan, was growing up he played for the Kellyville Kolts Soccer Club. The colours of that club are exactly the same as those of the Western Sydney Wanderers—red and black. We are all very proud to have this wonderful team to follow in Western Sydney and wish them well in the future. I know they will bring the pennant home in the years to come.

MENAI ELECTORATE TRAFFIC MANAGEMENT

Ms MELANIE GIBBONS (Menai) [5.44 p.m.]: I commence my contribution by saying: Go the Wanderers! Tonight I bring to the attention of the House some traffic issues that have recently been occurring in my electorate. I also want to inform the House what my electorate staff and I have been doing to have them rectified. The Federal Government is in the process of upgrading access to Holsworthy Barracks as part of the \$870 million Moorebank Units Relocation Project. Approximately 1,000 contractors are now working on this upgrade and they drive to and from the site daily.

Normally I would be talking about the number of jobs this upgrade has created and how great it is for the local area, but that is not the case in this instance because of the location of this upgrade. For the benefit of those who may not have visited Holsworthy, the barracks are located next to the train station. An additional 1,000 cars entering and exiting the barracks at the exact same time as commuters are arriving at and departing from the train station has caused traffic chaos. The traffic is banking back along Heathcote Road as the contractors get their identification checked before entering the barracks. A large number of constituents have been contacting me about the additional time it is taking them to get to and from the train station.

This traffic congestion around Holsworthy station is having an unbearable impact not only on the families who live in Holsworthy but also on the lives of our commuters. A drive that would normally take five minutes is now taking about 40 minutes. This means that people have to get up earlier or face the possibility of being late to work or late dropping their children to school or day care. I too have been caught in this traffic a number of times as I drive past the station on my way to my Hammondville office. I have been to the train station on numerous occasions to gather signatures on a petition calling on the various levels of government to work together and fix this mess. I have also raised the matter regularly with the relevant State Ministers.

The Army has provided a number of dates for the opening of the new entrance but, unfortunately, they have not been met. The good news is that the new entry to Holsworthy Barracks opened on Tuesday 15 April but the Army will not begin using the new entrance until the end of the year. However, the 1,000 construction workers will now enter and exit the barracks via that entrance. This will not completely solve the traffic congestion but it is a positive step—I hope the first of many. I have promised to continue to monitor this situation, to gauge the success of these modifications and endeavour to find other solutions as needed. It is important that we get this intersection operating properly because I am currently advocating for more parking spaces at Holsworthy station to improve our access to public transport.

Members might recall last year I spoke about a traffic accident that occurred near Menai High School. The accident occurred when a 12-year-old girl leaving school with her friends attempted, like many other

students do each day, to cross Old Illawarra Road to board a red Metrobus. This young girl was running for the bus, missed it, quickly turned around and was struck by an oncoming vehicle. She ended up in hospital shaken and with a broken leg. Considering the amount of traffic and the fact that this was a 60 kilometre zone, she is incredibly lucky that her injuries were not worse. Something needed to be done to avoid accidents like this occurring again so I requested Sutherland Shire Council to work with Roads and Maritime Services to develop a solution to improve safety in response to representations from the community.

The council quickly sprang into action with Roads and Maritime Services to extend the school zone. Cars now have to slow down further away from the school and variable message boards have also been installed to remind motorists to watch out for pedestrians and that they are travelling near a school. I am pleased to inform the House that pedestrian safety is soon to be improved on Old Illawarra Road with new traffic lights, including pedestrian crossing facilities, to be installed at the intersection of Oriana Road near Menai High School. The NSW Government has funded \$250,000 and Sutherland Shire Council is contributing \$150,000 for the installation of a signalised pedestrian crossing on Old Illawarra Road. This is a great outcome and forms part of the Government's commitment to improving road safety.

BONDI SWIMMING CLUBS

Ms GABRIELLE UPTON (Vaucluse—Minister for Family and Community Services) [5.49 p.m.]: Bondi Beach, in my electorate of Vaucluse, is a world-famous destination renowned for its sun, surf, lifeguards and importantly the iconic Bondi baths—home of the Bondi Icebergs Club. Although internationally iconic, Bondi is also the hub of the local community with many water-based activities including swimming clubs and two surf life saving clubs—Bondi and North Bondi. At the southernmost point of the beach is Bondi Icebergs, etched white into the rocky outcrop. It is a special hub of activity. Fitness and community groups base themselves there. There are great amenities that include a fine dining restaurant, bistro and cafe.

On Sunday 4 May 2014 I once again had the pleasure of opening the Icebergs' winter swimming season. As it was last year the weather was sunny and warm. Icebergs was a hive of activity with over 200 members and local residents joining together to celebrate the first of many season opportunities to compete in the pools. Young children, teenagers, parents and seniors crowded around the pool—each with blocks of ice—waiting for me to declare the season open so they could all jump into the water. It was a spectacular and lively scene followed by the first regular swimming races of the winter season. David Hall, the president of Bondi Icebergs and Geoff Carr, patron, have done a fantastic job of carrying on the winter swimming tradition, since its founding in 1929 by a group of committed local lifesavers who aimed to maintain their fitness over the winter months. They drew up a constitution and elected office bearers. Included in the constitution is a requirement for members to compete on three Sundays out of four for a period of five years. It requires dedication and commitment. This unique requirement of members still exists today. A children's swimming group has also been formed, most fittingly called the Cubes.

The Bondi Icebergs Club remains the only licensed winter swimming club in the world today. It has welcomed visitors and club members alike since its inception. Just as the Bondi Icebergs begin their winter swimming season, many clubs are celebrating the close of their swimming season ahead of the colder months. On Friday 2 May 2014 I had the privilege of attending yet another sporting celebration at the Bondi Surf Bathing Life Saving Club for the Bondi Amateur Swimming Club awards presentation for the 2013-14 season. The sheer number of awards presented to both children and adults is evidence of the love of water sport in the electorate of Vaucluse. This was the club's 122nd award ceremony and was celebrated by children and parents alike. Likewise it was a lively gathering for the young and the not so old.

I was pleased to present a number of awards across age categories and competencies. Of note was the 2014 best breaststroker award, which went to Billy Dubos. It was presented by Marg Keebler, patron and life member at the Bondi Surf Life Saving Club and the Bondi Amateur Swimming Club. There were too many award winners to name them all tonight. There is strong community support for the Bondi Amateur Swimming Club that provides ongoing swimming activities for young and old in the community. I am happy to report that aquatic sport is thriving in Bondi and the electorate of Vaucluse. The community celebrates Bondi's iconic status and its commitment to aquatic activities. I commend my private member's statement to the House.

GALSTON GLENORIE CRICKET CLUB

Mr RAY WILLIAMS (Hawkesbury—Parliamentary Secretary) [5.54 p.m.]: I had the pleasure, together with my wife, Wendy, of attending the presentation night for the Galston Glenorie Cricket Club on

Saturday 10 May at Glenorie RSL. This season Galston Glenorie Cricket Club won the club championship for the first time in their 111-year history. As club president Glen Gittins said on the night, it was easily the club's most successful season. The master of ceremonies for the night was the former member for Hornsby, Steven O'Doherty, whose son plays for the club and won the premiership for their division.

I pay tribute to president Glen Gittins who has been a valued member of the cricket club for many years and has taken on the responsibility of president for the past two seasons. He has encouraged membership in the club and importantly provided an additional mentoring role to encourage children in the district to get involved in the great sport of cricket. Life members Mark Middleton and Stan Shore were both present on the night and long-time member Bob Black has been nominated for life membership at the next annual general meeting. Another notable long-time member is Noel Beard. Both Noel and Bob have been members of and former players for this club for more than 40 years.

The club has also enjoyed the support of the Galston and District Community Bank branch of Bendigo Bank whose manager, Bernie Triebe, was also in attendance. This cricket club has been an institution in the Glenorie and Galston area for 111 years and is an amalgamation of several other clubs over the past century. After a century of cricket in the Galston and Glenorie district, by 2003 the current cricket club had been formed by combining Dural, Galston, Hills and Arcadia cricket clubs. Those clubs had appeared and disappeared over the years while the founding and strongest club over that century had been the Glenorie Cricket Club. It was established in 1893 and possibly prior to that time. Throughout that time it was known as the northern fruit growers district of the County of Cumberland. In 1957 Glenorie Hills District Cricket Club, with the financial assistance of Baulkham Hills Shire Council, started to build a new oval at Glenorie Recreation Reserve, Old Northern Road.

It was used for the first time during the 1963-64 cricket season. In 1972 a second oval was built at Glenorie Reserve. In 1989 Glenorie Reserve was dedicated as Les Shore Oval in honour of his then 20 years service to Baulkham Hills Shire. I had the privilege of serving with Mr Shore during his last term on the council, where he completed no less than 40 years of service. Through Mr Shore's commitment and dedication to this club a new cricket pavilion at Les Shore Oval in Glenorie was built and officially opened in November 2010. Cricket matches within the northern fruit growers district of the County of Cumberland dated from 1877, the year in which the first two Australian test matches were played in Melbourne.

In August 1886 Galston Cricket Club was officially formed. In 1933 Galston Cricket Club amalgamated with Dural Cricket Club and was renamed Hills District Cricket Club. In 1964 Hills District Cricket Club amalgamated with the Glenorie Cricket Club and was renamed Glenorie Hills District Cricket Club. In 1973 Arcadia Cricket Club folded and the remaining players moved to Glenorie Hills District Cricket Club. In 1996 Galston Kanga Cricket Club and Glenorie Hills Junior Cricket Club amalgamated and were renamed Galston Glenorie Junior Cricket Club. In 2003 Galston Glenorie Junior Cricket Club reformed with Glenorie Hills District Cricket Club and was renamed Galston Glenorie Cricket Club as we know it to this day.

The scorebooks the club still retains indicate that it was not uncommon for players to play with different clubs in the district as different friendships formed. Poaching of players from clubs and teams appeared to be an additional sporting event undertaken in the district, which is still alive and well today. In terms of the grounds that were used for matches, the Dural Cricket Club first used the ground in Quarry Road and derived most of its players from the Hunt, Roughley, Best, Sippe and Fuggle families. The Dural and District Historical Society states that one of the first cricket pitches used by the Hunt family was situated at the water tower on Galston Road. The Hunt family had a whole cricket team and are credited with laying the first cricket pitch in the paddock near the Water Tower.

In 1964 a meeting was held at the Glenorie Memorial Hall where Hills District Cricket Club amalgamated with Glenorie Cricket Club due to the shortage of active members in the Hills District Cricket Club. Members at that time included Ray Scott, Adam Daniel, Harry and Chris Gartung, John Sherwood, Graham Hemers and Les King as president of the Memorial Cricket Club. All the names I have mentioned represent the early pioneering families of the district. Glenorie Cricket Club, which was officially formed on 23 October 1893, played its first game at Green Hills, the property of Fredrick Black. Following the Glenorie fires in September 1895 Glenorie Park, which is located next to Glenorie Public School, was used for the first time for cricket matches on 7 December 1895.

In 1893 Glenorie Cricket Club was made up of the Douglas, Stubbs, Best, Black, Roberts, Dacker and Mould families. Glenorie Park was used by the Senior Glenorie Cricket Club for 69 years. It was refurbished in

1988 by Rotary International and is used by the junior cricketers and Glenorie Public School to this day. The Galston Glenorie Cricket Club has gained a proud history over the past 111 years and it is my great pleasure to acknowledge and commend the work and effort of every member of this club past and present who has helped provide this community, and especially young people in our community, with the opportunity to play and enjoy cricket. Well done to everyone and congratulations Galston Glenorie Cricket Club on winning the 2014 club championship. I wish them another fabulous year.

COOGEE ELECTORATE EVENTS

Mr BRUCE NOTLEY-SMITH (Coogee) [5.59 p.m.]: I rise to update the House about recent events in my electorate of Coogee. On Sunday 27 April I was honoured to attend the official unveiling of the Fallen Lifesavers National Memorial at Goldstein Reserve at the southern end of the promenade at Coogee Beach. I have been a member of a trust tasked with overseeing the development of the memorial since it was first proposed in 2012. This fine bronze statue honours surf lifesavers from communities from all corners of Australia who served our country in conflict but never returned home. Since the surf life saving movement began in 1907—in my electorate, I might add—there have been thousands of surf lifesavers who have served in active duty. They left behind their local communities to protect our way of life, which is encompassed so symbolically in our surf lifesaving culture. In saying that, I echo the words of the Premier Mike Baird, who said at the ceremony that lifesavers embody the greatest values that Australia has to offer. He is exactly right. Our lifesavers embody the traditional Australian values of mateship and loyalty. These are values that they took from our beaches to the battlefield, and they are values that I reflected on at the unveiling of this special memorial.

In attendance were Her Excellency the Governor of New South Wales, Marie Bashir; the Premier, Mike Baird; Surf Life Saving Australia President Graham Ford; Australian Army Chaplain Lieutenant Colonel Jim Cosgrove; Mayor of Randwick City Council Scott Nash; and the Federal Minister for Communications, the Hon. Malcolm Turnbull, representing the Prime Minister. Amongst the distinguished guests were many members of the local Coogee Surf Life Saving Club, local residents and members of the wider community, including many members from RSL clubs, other surf life saving clubs and veterans of different wars across many decades. The memorial was made possible through a partnership between the New South Wales Government, Randwick City Council, the Returned Services League of Australia and Surf Life Saving Australia. I was pleased to secure a \$100,000 grant for the project from former Premier Barry O'Farrell.

We have heard from the member for Vaucluse and will soon hear from the member for Cronulla. They both claim to have the most beautiful coastal electorates in metropolitan Sydney. I will not go into that, because we all know that Coogee is the most beautiful. As a coastal electorate, Coogee has some of the most perfect backdrops for this memorial that you will find anywhere in Australia, and so I am pleased that Coogee Beach was chosen as the location. The memorial was designed and crafted by one of Australia's finest artists, Alan Somerville. He has created a poignant and moving tribute that can help us all reflect on the values we hold dear as Australians.

The following Sunday, May 4, I attended Clovelly Childcare Centre's Green Fair. This was Clovelly Childcare Centre's fifth Green Fair, where they showcase their environmentally sustainable initiatives to the public. They have been leading the way in my local community through their dedication to environmentally friendly practices and inspiring our entire community, as well as the children they care for, to live more sustainably since their opening in 1985. This is a not-for-profit centre which cares for up to 55 children per day. Amongst its green initiatives is the use of cloth nappies to enable waste reduction. This has saved more than 450,000 smelly disposable nappies going into landfill since it was established. The children's meals are prepared every day using fresh ingredients from the centre's very own organic garden. The centre has also installed insulation and reflective film on windows to save energy on heating and cooling, in addition to energy efficient lighting and a solar hot water system. They also use 100 per cent green power.

The Green Fair welcomes the entire local community to come and have a look at their initiatives with the aim of inspiring people to take up similar environmentally sustainable practices in their offices, businesses and homes. They are an example of how any organisation can adopt these practices and how we can all do our bit to lessen our impact on the environment. The fair also had fun activities for the kids, provided by Reverse Garbage. Musical entertainment was provided by the local Eastern Suburbs band the Uke East Big Band. I have supported Clovelly Childcare Centre as Mayor of Randwick and since being elected to Parliament. I was pleased to recommend a \$40,000 grant for the centre in the 2011 round of the Community Building Partnership program to assist them in undertaking an extensive refurbishment. I have enjoyed my fifth visit to the centre's Green Fair. I praise them for their innovative projects.

Mr MARK SPEAKMAN (Cronulla—Parliamentary Secretary) [6.04 p.m.]: Apart from disagreeing vigorously with the member for Coogee's characterisation of the most attractive coastline in Sydney, which we all know is Cronulla, I commend the member for Coogee on bringing the matter of the Fallen Lifesavers National Memorial to the attention of the House. The Government is delighted to have contributed \$100,000 towards this memorial, in partnership with the other organisations that the member mentioned. Its unveiling on the Anzac Day weekend was particularly poignant. Every weekend lifesavers risk their lives for our citizens, and those lifesavers who have fallen in battle have made the ultimate sacrifice in defence of our country. It is a great memorial and I congratulate the member for Coogee for bringing it to our attention.

THE HUB CARINGBAH COMMUNITY CENTRE

Mr MARK SPEAKMAN (Cronulla—Parliamentary Secretary) [6.05 p.m.]: I draw the attention of the House to the great work that is being done in Caringbah by The Hub community centre. The Hub community centre is a not-for-profit organisation that offers programs and services direct from its Caringbah centre to community members in Cronulla and Caringbah and via outreach programs to people in Bundeena and Kurnell. Basically it assists members of the local community with information and referral services, in particular supporting those who are financially disadvantaged and socially isolated. It is funded by the Department of Family and Community Services and is managed by Shire Community Services, which is an incorporated association with a management committee made up of community volunteers.

The information, referral and advocacy services that The Hub offers relate in particular to accommodation and housing, Centrelink assistance, dealing with government departments, family matters, financial difficulty, health issues, parenting challenges, personal issues and transport. It offers a wide range of activities to help the local community and to overcome, amongst other things, social isolation. It has regular tai chi classes and meditation classes. To help those in need, on Wednesdays it has a low-cost food pantry of grocery items open between 11.00 a.m. and 1.30 p.m. It also has available some free fruit and vegetables and bread. The low-cost food pantry is run in partnership with Second Bite and Coles. The food services are available to low-income earners who are holders of Centrelink concession benefit cards.

The Hub conducts a walking group which involves brisk one-hour walks. It conducts golden zumba classes, and the member for Cabramatta might be interested in that it involves gentle exercise to music from the comfort of a chair. There is a knitting group. The knitters are currently busy making cosy bags, which are sleeping bags for the homeless and the disadvantaged. There are also regular games at The Hub such as Scrabble and the like. The Hub now has available by appointment a registered counsellor and psychotherapist, who is experienced in all areas of mental health issues, grief and loss, and generalist counselling. She gives clients referred to her by The Hub a generous discount. There are regular free financial counselling services provided by the Wesley Mission. The Hub has a computer that is free for community use between 9.30 a.m. and 4.00 p.m. to help those who need it to access emails or safe sites on the Internet. The Hub can also arrange for travel passes from Sydney Trains for those who are struggling financially in between Centrelink payments.

A new initiative of The Hub is a support group for single mothers. It has recently commenced and has been well received by those in need. Regular free-of-charge events are organised to encourage further community involvement. In the past The Hub has organised a film festival at Kurnell, workshops to inform members of the community about issues affecting the community, and social events to encourage member interaction and socialising. The Hub builds on the fantastic work being done by Shire Community Services neighbourhood and community centre. Community centres like The Hub play a vital role in providing a social safety net for our community, and our community is all the stronger for centres like this. I congratulate all the volunteers at The Hub, there are many of them, and the staff—Joanne Love and Lindi McMullin—on their well-managed facility and thank them for their tireless work in supporting residents and families in the shire.

OATLEY ELECTORATE EVENTS

Mr MARK COURE (Oatley) [6.10 p.m.]: I congratulate you, Mr Acting-Speaker, on your appointment. Tonight I draw the attention of the House to a number of issues and community groups in my electorate. As members are aware, I am a strong advocate for community groups and organisations that assist people with autism, and I am a proud supporter of World Autism Day, which was on 2 April this year. Autism spectrum disorder affects about one in 100 Australians, which means that approximately 230,000 Australians are affected by autism. Worldwide, tens of millions of people are affected by an autism spectrum disorder. World Autism Day is an annual event that is dedicated to raising awareness of autism worldwide. Blue is the colour of World Autism Day and it is customary to light up major buildings and landmarks in blue. I was pleased to see many landmarks lit up blue in recognition of the day.

I participated in a number of events in my electorate to mark World Autism Day. I recently visited Lugarno Public School for its Autism Awareness Mufti Day, which was organised by the parents and citizens association with the assistance of the Lugarno Lions and raised \$800. I was impressed by the awareness displayed by students of the need to provide assistance to people with autism and to raise awareness. I was invited by the school to read a book to the kindergarten class on a topic related to raising awareness about autism. I applaud the school for its initiatives with regard to World Autism Day. I have been informed that many other schools across the State are now also participating in initiatives to raise awareness. I have been able to get funding of more than \$7,000 for the Country Autism Network to build a new website.

In addition, I was able to secure \$5,000 for a local community group, the Autism Community Network, which was established by Steve Drakoulis. Another key community organisation for which I am a firm advocate is the Pole Depot Community Centre, which assists people of all ages who have all sorts of disabilities, including autism. It is important that organisations that support people who have autism continue to receive assistance from governments so that they can continue to do the work that must be done to support those most in need, and particularly families. We all know someone who is affected by autism and we know the strain that it can put on the families and carers of those who are affected.

I recently visited Learning Links, which is a non-profit organisation. The Minister for Ageing and Disability Services, the Hon. John Ajaka, and I announced a grant for Learning Links at Penshurst. The organisation provides services to children with disabilities and supports families, carers and communities. It works to assist children with a wide range of disabilities, such as autism, and learning support needs to help them to realise their individual potential. Learning Links was given a grant of \$20,000 to support its preschool at Peakhurst. The preschool is open to children aged 2½ to school age with a wide range of abilities. It has been making great contributions to the lives of many of our fellow residents. I am happy to announce this well-deserved funding. With this grant the organisation will be able to better support children and families in our community. It will be able to continue in its mission to provide services to all those who are affected by disabilities.

The early childhood years are some of the most important in a child's development. As a father to James—who is eight weeks old this Saturday—I appreciate that it is important to support local community groups such as Learning Links. It helps children to reach their potential through early childhood intervention, specialist literacy and numeracy support, speech and occupational therapy, counselling and so on. I look forward to seeing more great work from Learning Links in our community. Once again, I commend everyone who supported World Autism Day, both in Australia and overseas. I look forward to seeing more initiatives that raise awareness of autism and which assist those who have autism and their carers.

Mr MARK SPEAKMAN (Cronulla—Parliamentary Secretary) [6.15 p.m.]: I congratulate the member for Oatley on his efforts to assist the ageing and those with disabilities in his electorate and beyond. The member mentioned the Country Autism Network. He was a champion in fighting for a \$7,000 grant to build a new website for the network. He has also vigorously supported the Autism Community Network in gaining a \$5,000 grant. He managed to get \$23,000 for the renovation of disabled toilets at the Pole Depot Community Centre, \$5,000 for a new disability toilet for the Resourceful Australian Indian Network, \$4,000 for local community groups to celebrate Youth Week, \$4,500 for local community groups to celebrate Seniors Week, \$3,000 for a workshop at the Men's Shed, and the list goes on.

MEDICARE

Mr NICK LALICH (Cabramatta) [6.16 p.m.]: I place on the public record for posterity my objection to the Abbott Liberal Government's attack on Medicare. Medicare is central to our universal health system. It ensures that no matter how much money someone has, they are guaranteed care when they are ill. Medicare provides free or subsidised healthcare services to every Australian citizen. Since it was established by the Whitlam Labor Government in 1975, our citizens have come to value Medicare and what it represents. The Federal Liberal Government's general practitioner co-payment tax of \$7 on every visit to the doctor and to hospital emergency departments is causing a great deal of anxiety in my electorate of Cabramatta. My constituents are among those most likely to be affected by the Liberal Party's demolition of universal health care for Australians. Cabramatta has one of the highest unemployment rates in the State and it has many families struggling to pay their rent and to put food on the table. It has many families with young children and many older people with chronic health issues. These are the most vulnerable groups in our community and they are under fierce attack by the Federal Liberal Government.

My community includes many mums with two or three children. Of course, those children go to school and they catch whatever bugs are being spread around. I know that those with concession cards will not be required to pay more than \$7 for visits to the doctor, but if there are three children in the family that will be multiplied by three. The mums and dads in my electorate cannot afford that. Prescriptions covered by the Pharmaceutical Benefits Scheme cost \$5 for those without a concession and concession card holders will pay 80¢. Of course, scans and blood tests must also be done. The mums and dads in my electorate will be paying much more for health care. It is awful having to explain to them the Federal Government's attack on Medicare.

But this is not the first time that the Liberal Party has tried to destroy Medicare. Let us not forget that under the Fraser Liberal Government Medicare was all but dismantled. It reduced medical benefits and restricted bulk-billing, free hospital and medical care to people with pensioner health benefits cards—those it judged to be socially disadvantaged. Thankfully, the Hawke Labor Government overturned the Liberal Party's changes and brought back Labor's original Medicare model. That is what we have kept until now.

Health groups have universally condemned the "GP tax". The Australian Medical Association said it would deter people from seeing their general practitioner, which could risk lives. It would certainly lead to fewer general practitioner visits for preventive services such as childhood immunisations or cancer screening. The Australian Healthcare and Hospitals Association said co-payments would provide limited financial savings with the burden instead being shifted to emergency departments. Even international bodies such as the World Health Organization and the Organisation for Economic Co-operation and Development [OECD] are critical of using co-payments to finance health care.

I promise that on behalf of the people of Cabramatta I will join the fight to save Medicare. The last thing I want to see in my country is a move towards a United States style of health care. In the United States access to public health is very limited, getting sick can bankrupt a person and their family and the health industry lobby has too much influence on public policy. In the United States the cost of health care ranks among the highest in the world yet their citizens lead shorter lives and are in poorer health than people in other developed nations. The United States also has some of the highest infant mortality rates and obesity rates in the world. Why does the Abbott Government want to follow its lead? On behalf of my community of Cabramatta, and personally, I urge the Liberal State Government to oppose all the Abbott Government attacks on Medicare and to join the fight to protect universal health care for all Australians.

CONTAINER DEPOSIT SCHEME

Mr ALEX GREENWICH (Sydney) [6.21 p.m.]: My constituents support a container deposit scheme and frequently ask me why New South Wales has failed to introduce this effective form of waste management. A container deposit scheme adds a small fee of perhaps 10¢ to the price of beverages sold in containers. The fee can be refunded when the container is presented for recycling at collection depots and vending machines. Australians are among the biggest waste producers in the world and we are far from meeting our 2010 packaging recycling target of 65 per cent. Sydney sends about two million tonnes of waste to landfill every year. Our dumps could be full by as early as 2017. We need to act urgently.

More than 12 billion containers are consumed in Australia every year and only 50 per cent are recycled. New South Wales accounts for approximately 40 per cent of the beverage market, which equates to almost five billion containers each year. Of the 12 billion containers used in Australia every year around six billion end up either in landfill or as litter. We recycle only 42 per cent of our beverage containers and the rest—about two billion containers—end up as litter in streets, parks and beaches or filling up landfill. Beverage litter is not just an eyesore; it blocks drains, contaminates land and waterways and, shockingly, is responsible for the deaths of thousands of birds, marine mammals and turtles. Whole bottles have been found inside whales. While beverage containers are easy to recycle, most drinks are consumed away from home and away from recycling facilities.

The Boomerang Alliance reports that for non-alcoholic beverages, 55 per cent of glass bottles, 39 per cent of PET plastic bottles and 54 per cent of aluminium cans are consumed away from home. Recycling bins in public places do not work because they get contaminated with non-recyclable rubbish and end up in landfill. Space is also limited in parks and along footpaths. Deposit schemes create an incentive to not discard beverage containers but instead present them for recycling at depots to get a refund. Discarded containers are collected by community groups to raise funds.

Based on a PricewaterhouseCoopers assessment for the Council of Australian Governments, if a scheme were introduced New South Wales councils would save \$66 million a year from reduced litter and waste

collection and improved efficiencies in the operation of recycling programs because of the need for less transport and sorting. There would be less litter to clear in the public domain and container collection depots would create recycling hubs that would deal with problem waste such as electronics and chemicals and councils would not have to deal with them. The Boomerang Alliance estimates that the average waste collection cost per home will be around 20 per cent less if a container deposit scheme is introduced. Because recyclables under a container deposit scheme are sorted and cleaned they attract higher prices than those collected in kerbside recycling.

Container deposit schemes exist in some States in the United States of America and Canada and in Sweden, Germany, Norway, the Netherlands, Belgium, and Denmark as well as South Australia and the Northern Territory. On average, schemes achieve beverage container recycling rates of 80 per cent. In South Australia it is more than 80 per cent, which is more than double what New South Wales recycles. In some countries it is as high as 95 per cent. A deposit scheme in New South Wales is expected to increase drink can and bottle recycling rates to 80 per cent. In South Australia, where a scheme has operated since 1975, drink bottles and cans only make up 4 per cent of litter. Drink bottles and cans make up a third of the litter in New South Wales. The Northern Territory joined South Australia and introduced a scheme last year. The Tasmanian Parliament has voted unanimously to introduce one and is preparing a feasibility study. I hope that the new government in Tasmania continues the study. The Victorian Premier publicly supports a scheme and favours a national model.

The Environment Protection and Heritage Council released a regulatory impact statement with two options: a container deposit scheme or extending the Australian packaging covenant using more bins and advertising. The covenant is unlikely to help given that it is yet to reach its 2010 recycling target. While a national approach is preferable, New South Wales should be a leader and push for a national model at the Council of Australian Governments Standing Council on Environment and Water while advancing work on a State scheme. Polls consistently show that people think container deposits are a good idea. The community campaign has gone on for more than 30 years. The only opposition comes from industry; however, it will get used to a scheme as it has done elsewhere, with no impact on sales. What are we waiting for? I call on the Government to show leadership and work with other Australian governments while pursuing a State scheme if a national model is not possible.

Mr MARK SPEAKMAN (Cronulla—Parliamentary Secretary) [6.26 p.m.]: I thank the member for Sydney for bringing this important matter to the attention of the House. As the member for Cronulla, I have seen firsthand the impact of plastic and other pollution in my electorate, particularly around the Towra Point Aquatic Reserve. Last year I toured the Cooks River, which is outside my electorate, to see firsthand how the pollution from the river ends up in my electorate. The Government is working with the Council of Australian Governments on a national container deposit scheme. Having seen the impact of plastic pollution, I am unambiguous in my support for such a scheme. My view is that the regulatory impact statement to which the member for Sydney referred shows that a container deposit scheme along the lines of the Boomerang Alliance proposal could be implemented at a cost of about \$3 to \$4 per person per year. That is nothing compared with the environmental benefits it will bring. I thank the member for bringing this to my attention. I believe a national container deposit scheme would have strong support in my electorate and elsewhere.

Private members' statements concluded.

**The House adjourned, pursuant to standing and sessional orders, at 6.27 p.m. until
Tuesday 27 May 2014 at 12 noon.**
