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LEGISLATIVE ASSEMBLY

Wednesday 28 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.

OMBUDSMAN AMENDMENT (ABORIGINAL PROGRAMS) BILL 2014

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

INDEPENDENT COMMISSION AGAINST CORRUPTION

Report

The Speaker tabled, pursuant to section 78 of the Independent Commission Against Corruption Act 1988, a report entitled "Investigation Into the Conduct of the Commissioner of the NSW State Emergency Service", dated May 2014.

Ordered to be printed.

BUSINESS OF THE HOUSE

Notices of Motions

General Business Notices of Motions (General Notices) given.

HEALTH SERVICES AMENDMENT (AMBULANCE FEES) BILL 2014

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

Second Reading

Mrs JILLIAN SKINNER (North Shore—Minister for Health, and Minister for Medical Research) [10.01 a.m.]: I move:

That this bill be now read a second time.

The Health Services Amendment (Ambulance Fees) Bill 2014 amends the Health Services Act 1997 to facilitate the more effective recovery of unpaid debts to the Ambulance Service of New South Wales for services that it provides to the public. Both historically, and continuing until the present time, ambulance services in New South Wales have not been provided free of charge. The Commonwealth Government does not make any contribution to the cost of State ambulance services, as it does for public hospital services, and that has always been the case. In New South Wales the most any New South Wales resident will need to pay for ambulance transport is 51 per cent of the cost as the State Government subsidises almost half—or 49 per cent—of the cost.

New South Wales residents who hold private health insurance are exempt from payment as they have already made a contribution through their health fund under the Health Insurance Levies Act 1982. NSW Ambulance does not charge fees for ambulance services provided to pensioners or government concession card holders. NSW Ambulance also has a hardship policy in place under which individuals can apply for waiver of fees, deferral of payment or a payment plan on a case-by-case basis on grounds of hardship, both financial and non-financial. Unfortunately some people may have the financial capacity to pay for services provided by NSW Ambulance but decline to do so. This results in NSW Ambulance having to write-off significant amounts as unpaid debt each year. The value of the debt owed by each individual to NSW Ambulance is, on average, relatively modest.

In 2011-12 the average debt owed by individuals for a NSW Ambulance service was approximately \$400. However, cumulatively the unpaid debt is substantial—in the 2011-12 financial year alone it amounted to approximately \$26 million in debt. This represented an increase from \$21 million in 2008-09 and \$22 million in 2009-10. One can see that this has been going on for a long time across both the former Government and the current Government. These substantial unpaid amounts impact on the ability of NSW Ambulance to continue to provide a world-class ambulance service to the people of New South Wales. Given the large number of individual debtors, and the relatively modest amount owed on average by those debtors, taking the usual court-based steps to recover the debt is simply not cost effective or practicable, as court and administration costs and legal fees will quickly exceed the value of each debt. I reiterate that most users of the NSW Ambulance Service do not pay any fee through a wide range of exemptions including pensioners, concession cardholders and those with private health insurance.

The bill proposes providing the Commissioner of Fines Administration with similar civil enforcement powers to those the commissioner has under the Fines Act. These powers allow recovery of a debt by garnisheeing wages, making a property seizure order or placing a charge on land. The power to recover debts using these civil enforcement powers is broadly modelled on the Intoxicated Persons (Sobering Up Centres Trial) Act passed by Parliament last year. Like that Act, this bill proposes to give the commissioner only limited civil enforcement powers. The bill does not give the commissioner a range of other powers the commissioner has under the Fines Act in relation to fine defaulters, such as the power to suspend or cancel the individual's driver's licence or vehicle registration, impose community service orders, or imprison individuals. Further, recovery of ambulance fees by the commissioner will not result in a criminal conviction being recorded or impact on the credit profile of affected individuals.

The proposed amendments include a range of privacy and procedural protections to ensure that information is used appropriately, and that individuals against whom fee recovery action is taken have ample opportunity to demonstrate that they are excused from payment, including access to review processes. The new powers proposed to be given to the commissioner in this bill will only impact on the approximately 7 per cent of occasions of service provided by NSW Ambulance at the present time that result in an unpaid debt where none of the available exemptions apply. Transferring responsibility for the recovery of unpaid fees owing to NSW Ambulance in these circumstances to the Office of State Revenue is expected to result in an improvement in the debt recovery rate and result in an increase in revenue for NSW Ambulance.

I reiterate that this bill does not involve any increase in ambulance service costs or change to services for patients. It will mean that the Ambulance Service can get on with the delivery of healthcare. It is healthcare focussed and not about collecting money. However, it is in the interests of equity that all New South Wales residents who can meet the costs associated with use of the service, and who are not otherwise exempt or excused from payment, do so and that there are appropriate mechanisms in place to seek recovery of these amounts where necessary. I turn now to the detailed provisions of the bill.

Schedule 1 to the bill proposes amendments to Chapter 5A of the Health Services Act to make changes to the provisions of the Act that allow NSW Ambulance to recover fees for its services. There is currently a provision in section 67O of the Act that permits the Minister for Health to fix a scale of fees for ambulance services, and this power will be retained in the new section 67L. The bill proposes to amend the Act to permit the Health secretary to charge a fee for ambulance services, which is modelled on the current provision permitting fees to be charged by public health organisations for hospital services in section 70 of the Act.

Under new section 67M, the person who is liable to pay the ambulance fee is the person who received the service. However there are important exceptions to this principle included in the bill. First, the bill excludes children from personal liability to pay for an ambulance service provided to a child. Under the provisions contained in the bill liability to pay for an ambulance service provided to a child, and potential subsequent fee recovery action by the Office of State Revenue, applies to the parents or legal guardian of the child. Second, the bill recognises current categories of persons who are exempt from payment of ambulance fees. These include persons who hold or are covered by private health insurance that includes ambulance services or ambulance only cover, which also includes family members covered by family membership; and persons who hold a government concession card of a kind prescribed by the regulations, which includes pensioners.

Section 67O of the Act allows the Health secretary to make payment rules. Under the payment rules, which must be published in the *Government Gazette*, the secretary may determine: additional categories of exempt persons, and grounds for waiver or reduction of ambulance fees, extension of time to pay, payment by instalments and fee reviews. I am advised that NSW Ambulance intends to consult widely with affected

stakeholders in the development of the payment rules so as to consider whether there are any additional categories of exempt persons who should be considered, or any modifications to NSW Ambulance's current hardship policy that should be implemented under the payment rules.

In order to ensure appropriate procedural protections for persons who are liable for ambulance fees, the bill provides for two distinct steps that must be taken to seek payment of a fee owed to NSW Ambulance prior to referral of the debt to the Commissioner of Fines Administration for fee recovery action. First, the secretary must issue an invoice, called a fee invoice. Under new section 67P a fee invoice must contain certain required information about the ambulance service provided and the basis for the fee, and must also be in the prescribed form, if any. Second, if a fee invoice is not paid at least 28 days after the date on which the invoice is served, the secretary may issue a debt notice. A debt notice must also contain certain required information, and be in the prescribed form, if any. A debt notice must include information about the consequences of non-payment, including that the debt may be referred to the commissioner for fee recovery action.

Under new section 67V of the Act, if a debt notice is not paid within 28 days of the debt notice being served, the secretary may refer the fee to the commissioner for the making of a fee recovery order. When referring an unpaid fee to the commissioner, section 67W (1) of the bill permits the secretary to disclose only limited categories of information about the ambulance service giving rise to the fee. The intention of this restriction is to limit the kind of information that may be disclosed by NSW Ambulance to the commissioner for the purpose of fee recovery action to information that is reasonably necessary for the purpose of recovery of the outstanding fee. It does not permit the disclosure of any health information of a clinical nature. The categories of information that may be provided by the secretary to the commissioner were compiled in consultation with the New South Wales Privacy Commissioner. Additional categories to those listed in the Act may be prescribed by regulation, however any such regulation may only be made with the agreement of the Attorney General and following consultation with the Privacy Commissioner.

The bill proposes inserting a new part 6 into chapter 5 to provide persons who are charged an ambulance fee a right to request review of the fee by the secretary. During the period in which a review application is being considered, fee recovery action is effectively stayed. The secretary may take a range of actions following a fee review, including revoking the decision to charge the fee, waiving the fee, confirming the decision to charge the fee, or issuing a new fee invoice. The bill contains transitional provisions permitting the recovery of ambulance fees incurred before commencement of the bill. Where it is intended to refer a pre-existing ambulance fee debt for recovery action by the commissioner, the bill requires the Health secretary to first issue a debt notice to the person who incurred the debt in accordance with the provisions in the bill. The bill provides that the capacity to recover pre-existing debts using the powers under the bill is subject to the Limitation Act 1969. Pre-existing debts in relation to services provided to children cannot be recovered.

The bill inserts a new schedule 9 into the Health Services Act, which confers powers on the Commissioner of Fines Administration to take action to recover ambulance fees. These provisions broadly mirror the civil enforcement powers of the commissioner under the Fines Act 1996. Following a referral of an ambulance fee to the commissioner by the secretary, the commissioner may make a fee recovery order. The commissioner must serve notice of the fee recovery order on the debtor, who has 28 days within which to pay the fee, following which the commissioner may take fee recovery action. Fee recovery action may be taken by any one or a combination of: a garnishee order which may be issued to a debtor's bank or employer, a property seizure order to allow goods and other property belonging to a debtor to be seized and sold, or registration of a charge on land owned by a debtor. The bill also incorporates by reference the corresponding machinery and administrative provisions relating to these civil enforcement measures under the Fines Act.

Clause 22 of schedule 9 allows the commissioner to suspend fee recovery action and to refer a matter back to the secretary where the commissioner is satisfied the person may be exempt or for some other reason. This may include, for example, where the commissioner considers the person may satisfy the criteria for waiver of payment on the basis of financial hardship or similar grounds. Suspension of the fee recovery action will be revoked and fee recovery resumed only if requested by the secretary. The commissioner may withdraw a fee recovery order in a range of circumstances, including where the commissioner is satisfied: the person is exempt from payment, the person was not aware the debt notice had been issued, the person was otherwise hindered by accident, illness or misadventure or other cause from taking action in relation to the debt notice, or the order was made in error, such as where the person named in the order is not the person who incurred the liability to pay for the ambulance service, or the amount of the ambulance fee has been incorrectly calculated. The commissioner must withdraw a fee recovery order if the secretary revokes the referral of the ambulance fee to the commissioner.

Under clause 24 the commissioner may cancel a property seizure order, garnishee order or charge on land. This would generally occur where the fee recovery order has been withdrawn. Under clauses 10 to 12 the commissioner will have similar powers to those under the Fines Act to recover the prescribed fee recovery costs as well as sheriff's costs where applicable. These amounts will be in addition to the amount of the ambulance fee. The commissioner will also have a power to cancel fee recovery action in whole or part if the commissioner is satisfied that, due to the financial, medical or personal circumstances of the debtor, the debtor does not have sufficient means to pay the ambulance fee, and fee recovery action is not likely to be successful. This clause mirrors provisions in the Fines Act in relation to the commissioner's own review powers in respect of fines.

Under clause 27 the Hardship Board is given the same functions with respect to ambulance fees as it has with respect to fines under the Fines Act. As under the Fines Act, the commissioner can grant a debtor additional time to pay. Under clause 29 the commissioner and the Health secretary may enter into arrangements for the payment to the secretary of ambulance fees that are recovered by the commissioner under the schedule. This may include provision for the commissioner to retain an amount for services provided in relation to ambulance fee recovery. Clause 32 allows disclosure of personal information by the commissioner to the secretary, including disclosure in connection with the administration or execution of the commissioner's functions under schedule 9, and in connection with the secretary's functions under Chapter 5A of the Act.

Clause 32 places restrictions on the disclosure by the commissioner of information supplied in relation to ambulance fee recovery. The bill prevents the commissioner from sharing this information with other government agencies or external bodies without the consent of the person to whom the information relates, except in connection with the administration of chapter 5A of the Health Services Act unless it is required or permitted by legislation such as for Hardship Board applications, or if required to be produced by a law enforcement agency such as the New South Wales Crime Commission. The Office of State Revenue advises that it will be quarantining information supplied by NSW Ambulance from the rest of the operational areas within the Office of State Revenue and will maintain it exclusively for the use of the collection team allocated to the NSW Ambulance debt process. This means that the Office of State Revenue will not be able to use personal information regarding ambulance fees for the purposes of its general fine enforcement functions or other functions such as tax administration or first home owner grants.

This bill is just part of the New South Wales Government's plans to reform the way in which NSW Ambulance operates. As part of our wider policy of devolution and local decision-making, NSW Ambulance has introduced the Frequent User Management initiative. This award-winning initiative involves NSW Ambulance working collaboratively with patients and other key stakeholders to provide timely and appropriate treatment to patients who have been identified as frequent callers to NSW Ambulance. The initiative has adopted the definition of "frequent" as "10 calls or more per 12-month period", this being the definition most often used in the literature. Patient-specific interventions were implemented with the 18 most frequent callers in 2011-2012. The frequency of calls were analysed both pre- and post-intervention, showing an average reduction of 45 per cent in calls from this cohort of patients in the three-month period post-intervention. As well as providing more appropriate care options, this initiative frees up ambulance resources to attend to urgent cases.

In conclusion, NSW Ambulance provides a vital and essential service to the New South Wales public. In order for it to be able to continue to provide that service effectively it is essential that all users of the service with financial means to pay meet their obligation to contribute towards the cost of the service. As I said, this was a problem over many years under the previous Labor Government and millions of dollars remain outstanding to this day. Many individuals and families already pay via private health insurance or ambulance-only cover for which they pay insurance premiums, noting that such cover is commercially available for as little as \$1 per week or \$45 per year. For those users of NSW Ambulance who choose not to take out insurance, or who are not exempt or excused from payment, the proposals contained in this bill permit a more efficient, effective and fairer process for recovery of the debts owed by those individuals while ensuring appropriate protection of privacy and procedural fairness. The powers to be given to the commissioner are limited to civil enforcement powers, with mechanisms in place to quarantine information about ambulance services from the other activities of the Office of State Revenue, including its administration of fines, taxes and grants legislation. I commend the bill to the House.

Debate adjourned on motion by Dr Andrew McDonald and set down as an order of the day for a future day.

BUSINESS OF THE HOUSE**Suspension of Standing and Sessional Orders: Bills**

Mr ANTHONY ROBERTS (Lane Cove—Minister for Resources and Energy, and Special Minister of State) [10.34 a.m.]: I move:

That standing and sessional orders be suspended to permit the resumption of the adjourned debate and passage through all stages, at this or any subsequent sitting, of the following bills:

Crimes (Domestic and Personal Violence) Amendment (Information Sharing) Bill 2014
Election Funding, Expenditure and Disclosures Consequential Amendment Bill 2014
Statute Law (Miscellaneous Provisions) Bill 2014
Trade and Investment Cluster Governance (Amendment and Repeal) Bill 2014

As I outlined to the House yesterday, the Legislative Council has set a deadline for the consideration of bills that have progressed through this place. To this end, I thank members who sat last night to debate bills and also thank the staff who stayed back to ensure the efficient running of this Parliament. To continue the Government's reform agenda and having regard to the deadline set for the House, I have moved this motion to suspend standing and sessional orders.

Mr MICHAEL DALEY (Maroubra) [10.35 a.m.]: I know the Government has a new Premier and one could forgive it on the basis that it might be a little disorganised, but the motion of the Leader of the House—and I do not blame him—underpins the disarray of the Government. Yesterday the Leader of the House spoke about justifying the Government's legislative program on the basis that the Legislative Council has set a cut-off date. He has done it again this morning. For the benefit of the House, the motion for the cut-off date for legislation was agreed by the Legislative Council on 27 March 2014 and two months later the Government in the Legislative Assembly has finally twigged that there is a cut-off date.

Mr Ryan Park: What was the date again?

Mr MICHAEL DALEY: For the elucidation of the member for Keira, the date was 27 March—about 60 calendar days, and 20 sitting days, ago. The penny has just dropped for the Government that there is a cut-off date. If the Government cannot run the Parliament, it cannot run the State. It appears that the only thing this Government can run well is a slush fund. It certainly cannot run the Legislative Assembly.

ACTING-SPEAKER (Ms Noreen Hay): Order! The Leader of the House will resume his seat.

Mr MICHAEL DALEY: The first bill for which the Government is seeking urgency and to proceed through all stages is the Crimes (Domestic and Personal Violence) Amendment (Information Sharing) Bill 2014. This bill was assented to in May 2013. A year ago the Governor got around to assenting to the bill but it has not yet commenced. A year later the Government claims it is so urgent that it must be amended. I listened intently yesterday to the Attorney General's second reading speech on the Statute Law (Miscellaneous Provisions) Bill 2014 and there is nothing—not a skerrick—in that bill to require it to be rushed urgently through this House. Similarly, the Deputy Premier's Trade and Investment Cluster Governance (Amendment and Repeal) Bill 2014 deals with catastrophically urgent considerations such as repealing the Chipping Norton Lake Authority. The only organisms likely to be affected by the repeal of that authority are the ibises in the lake. The bill is not urgent.

The only bill that the Opposition agrees might have some sort of urgency is the Election Funding, Expenditure and Disclosures Consequential Amendment Bill 2014. We said we would deal with that bill in a bipartisan manner but it is really rectifying the cock-up by the member for Ku-ring-gai. The High Court handed down its decision in December and almost six months later the penny has dropped that it, too, must be amended. The Leader of the House and I have a good relationship, as I did with the former Leader of the House, and we cooperate when we can. But we will not cooperate in an exercise that is attempting to cloak the embarrassment being suffered by the Premier, given the fact that the Millennium Forum and the Free Enterprise Foundation as of this day can still accept donations. The rest of it is a plain old garden-variety cock-up. We oppose the motion.

Mr ANTHONY ROBERTS (Lane Cove—Minister for Resources and Energy, and Special Minister of State) [10.39 a.m.], in reply: The member for Maroubra well knows that the Government

has a significant reform agenda before the House. We are proud of this reform agenda. The legislation being put through both Houses during this period is critical and essential to good governance for the people of New South Wales. We make no apologies for driving these reforms for the people of New South Wales.

ACTING-SPEAKER (Ms Noreen Hay): Order! I call the member for Murray-Darling to order for the first time.

Question—That the motion be agreed to—put.

The House divided.

[In division]

DISTINGUISHED VISITORS

The ASSISTANT-SPEAKER (Mr Andrew Fraser): Order! I welcome to the public gallery a delegation from Malaysia, who are guests of our colleagues in the other place. Welcome to the New South Wales Parliament.

Ayes, 56

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

Noes, 23

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

Question resolved in the affirmative.

Motion agreed to.

**CRIMES (DOMESTIC AND PERSONAL VIOLENCE) AMENDMENT (INFORMATION SHARING)
BILL 2014**

Second Reading

Debate resumed from 27 May 2014.

Mr PAUL LYNCH (Liverpool) [10.50 a.m.]: I lead for the Opposition in debate on the Crimes (Domestic and Personal Violence) Amendment (Information Sharing) Bill 2014. The objects of the bill are as follows:

- (a) to permit dealings with information about a primary person (being a person who is (or is alleged to be) subject to, or threatened by, domestic violence) and any associated respondent (being a person who is (or is alleged to be) the perpetrator of the violence or the cause of the threat) without the consent of the primary person or associated respondent, but only to seek the primary person's consent:
 - (i) to the provision of domestic violence support services to the primary person, or
 - (ii) to further dealings with the information in relation to the provision of such services,
- (b) to permit dealings with information about a primary person and any associated respondent without the consent of the associated respondent for the purposes of providing domestic violence support services to the primary person,
- (c) to set out the circumstances in which an agency may deal with information about a person without the person's consent where the agency believes domestic violence poses a serious threat to the life, health or safety of any person.

This bill makes a number of changes to part 13A of the Crimes (Domestic and Personal Violence) Act 2007. That part was inserted into the principal Act by the Crimes (Domestic and Personal Violence) Amendment (Information Sharing) Act 2013. The Opposition received a copy of the bill yesterday when the second reading commenced. The Opposition will not oppose the bill in this place but we reserve our position and will give further consideration to it. If the bill does what it says it is going to do the Opposition will support it. One of the reasons is that similar legislation was introduced into this House last year and the Opposition supported that legislation as opposed to the usual Opposition formula of not opposing new legislation.

I must say that that raises some extraordinary questions. The legislation that this bill amends passed through the House last year but has not been commenced. That bill was introduced on 27 March 2013, passed through the Parliament on 22 May 2013 and was assented to on 27 May 2013. On the first anniversary of that legislation being assented to another bill is introduced to amend it. No doubt there will be a conga line of Government members reading speeches prepared by the Minister's office saying how important and serious domestic violence is as an issue. That is true.

Unfortunately, the Government has not seen fit to proclaim that legislation, which means it does not take domestic violence seriously, it is incompetent or it is lazy—in the case of this Government, it is all three. It is extraordinary. There will be a series of speeches from Government members proclaiming how much the Government cares about this issue, yet the legislation dealing with it was introduced a year ago and since then has sat gathering dust on the shelf and has not been implemented. That is a disgrace. To suggest now that this bill must be dealt with as a matter of urgency reflects the fact that the Government has been sitting on its hands for a year.

Mr MARK SPEAKMAN (Cronulla—Parliamentary Secretary) [10.52 a.m.]: I support the Crimes (Domestic and Personal Violence) Amendment (Information Sharing) Bill 2014. It is disappointing that the member for Liverpool seeks to politicise the grave issue of domestic violence in the way he has done. The member made no substantive contribution to the debate and gave no substantive commentary on the bill. Rather, he sought to have a screaming match that politicises this grave issue. The first object of the bill is:

- (a) to permit dealings with information about a primary person (being a person who is (or is alleged to be) subject to, or threatened by, domestic violence) and any associated respondent (being a person who is (or is alleged to be) the perpetrator of the violence or the cause of the threat) without the consent of the primary person or associated respondent, but only to seek the primary person's consent:
 - (i) to the provision of domestic violence support services to the primary person, or
 - (ii) to further dealings with the information in relation to the provision of such services,

The second object of the bill is:

- (b) to permit dealings with information about a primary person and any associated respondent without the consent of the associated respondent for the purposes of providing domestic violence support services to the primary person,

The third object of the bill is:

- (c) to set out the circumstances in which an agency may deal with information about a person without the person's consent where the agency believes domestic violence poses a serious threat to the life, health or safety of any person.

This bill amends an Act that has not commenced. The Crimes (Domestic and Personal Violence) Amendment (Information Sharing) Act 2013 was passed by Parliament last year. That Act implemented an information-sharing framework as part of the Government's Domestic Violence Justice Strategy for domestic violence victims in contact with the justice system. The commencement of the Act was delayed to allow supporting information management protocols to be developed. In the meantime, it has been identified that legislative change will be required to support the Government's domestic violence reforms. Members will recall that the domestic and family violence reforms introduced new referral pathways for victims of domestic violence to ensure that they can be provided with domestic violence support services in a coordinated and efficient way. That is why the commencement of the Act was delayed: to allow management protocols to be developed.

The Government has identified that there needs to be legislative change to support those reforms. That is why these amendments are before the House and information-sharing protocols are being developed to support information sharing under broader reforms. The primary purpose of the amendments will be to modify the restrictions placed on public sector agencies by New South Wales privacy legislation. Those restrictions have been identified as the main barrier to agencies being able to respond appropriately to domestic violence in New South Wales. At the moment non-government organisations are not regulated by New South Wales privacy law except where they deal with health information. In many cases, the non-government organisations involved in this area are not subject to other privacy laws or regimes and are able to collect, use and disclose personal and health information.

Following implementation of these amendments non-government organisations will still be able to collect, use and disclose personal information but in order to receive information from public sector agencies non-government organisations will have to comply with the information management protocols being developed to support these amendments. The amendments reflect the Government's desire to have improved information sharing and a more holistic and integrated Government response to domestic violence. There have been several inquiries in recent years to review the effectiveness of the Government's response to domestic and family violence in New South Wales. Those reviews include the following: reviews conducted by the New South Wales and Australian law reform commissions in 2010, the Auditor-General in 2011, and the Legislative Council Standing Committee on Social Issues in 2012. Those inquiries recommended that further integrated Government responses be developed and that there be more responsive collaboration and improved information sharing in cases of domestic and family violence.

As I have stated, earlier this year the Government released the final version of It Stops Here, which is the Government's comprehensive response to the problem of domestic violence in New South Wales. Last year in New South Wales 24 women died as a result of intimate partner violence. The Government believes greater sharing of information can save lives and facilitate access to vital support services. Under the reforms victims will be referred principally by police and other agencies to a central referral point. This central referral point will allocate referrals to a local coordination point operating in the victim's local area. The local coordination point will contact the victim to offer domestic violence support services. Victims are often traumatised or under significant stress and can be fearful of making contact with services. They are often unaware of the domestic and family violence services available and the range of services that may be on offer.

Victims are often reluctant to give consent to police. Those who are contacted and offered a service are considered most likely to take up that service if the service contacts them. Information sharing allows services to contact the victim to offer a service rather than the victim having to research the options and services available. What are the results? First, the victims are supported as soon as they make contact with an agency or service. Secondly, victims do not have to negotiate complex service systems on their own. Thirdly, victims do not have to retell their stories every time they make contact with a new service; and, fourthly, they are more likely to take up a service if a service contacts them and they receive the support they need. Finally, victims receive the benefits of coordinated government agency and non-government responses to reduce and prevent serious threats to their life, health or safety.

As I have said, these amendments modify some of the privacy restrictions that apply to government agencies to make it easier to share information about victims and perpetrators. There will be some implications

for Aboriginal victims of domestic and family violence and victims from other vulnerable communities. Aboriginal women are six times more likely to be victims of domestic and family violence than are non-Aboriginal women. A range of factors contribute to the higher rates of domestic violence in the Aboriginal and Torres Strait Islander communities, including historical trauma experienced by Aboriginal people that has eroded family and social structures and created a distrust of authority. Aboriginal and Torres Strait Islander victims who have had past negative experiences with agencies and services may be reluctant to engage in the domestic and family violence reforms processes, or may refuse to give consent and accept support from agencies.

Therefore, with the level of support that will be provided as part of the new referral pathways and the information sharing provisions, families will be more supported than previously to face the difficulties associated with domestic violence. The Government's intention is that support services will be wrapped around a victim and her children in response to their identified need. Each local coordination point will provide case coordination and warm referrals to local domestic violence support services. The case coordinator will assess the victim's needs and consider the circumstances of her situation—her background, for example, whether she is Aboriginal, Torres Strait Islander or from a non-English speaking community; and whether she has any disability—and develop a safety plan that addresses her specific identified needs. This bill will remove some of the primary obstacles to sharing information. The Government believes that sharing information will save lives and improve services on offer to victims of domestic and family violence. For those reasons I commend the bill to the House.

Mr KEVIN ANDERSON (Tamworth) [11.01 a.m.]: I support the Crimes (Domestic and Personal Violence) Amendment (Information Sharing) Bill 2014. The purpose of the amendments, according to the New South Wales Auditor-General's 2010 report "Responding to domestic and family violence", is that domestic and family violence is the single greatest cause of death, ill health and disability for women aged under 45 years. Approximately three-quarters of female homicides are classified as domestic homicides and include victims who share a family or domestic relationship with the offender, yet most domestic and family violence deaths, serious injury or disability are preventable. Several inquiries have been undertaken in recent years to review the effectiveness of the Government's response to domestic and family violence in New South Wales, including reviews conducted by the Legislative Council Standing Committee on Social Issues in 2012, the Auditor-General in 2011 and the New South Wales and Australia law reform commissions in 2010.

These inquiries recommended the development of more integrated government responses, ongoing and responsive collaboration, and improved information sharing in cases of domestic and family violence. In February 2014 the Government released a final version of "It Stops Here", a comprehensive response to the problem of domestic violence in New South Wales. These reforms introduced new referral pathways for victims of domestic violence and are underpinned by the information-sharing legislation. Under the reforms, the aim of information sharing is to improve the provision of support services to victims at threat, and to lessen or prevent serious threats to life, health or safety of victims resulting from domestic or family violence. Last year in New South Wales 24 women died as a result of intimate partner violence. Sharing information can save lives, and it facilitates victims' access to vital support services.

Under the Government's reforms, victims will be referred by police and other agencies principally to a central referral point, which will allocate referrals to a local coordination point operating in the victim's local area. The local coordination point will contact the victim to offer domestic violence support services. Victims often are traumatised or under significant stress and may be fearful of contact with services. Often they are unaware of the range of available domestic and family violence services. In addition, victims often are reluctant to give consent to police. Victims being contacted and offered a service are considered most likely to take up that service if the service contacts them. Information sharing allows services to contact the victims to offer a service rather than the victim having to research the options and services available.

The result is that victims are supported as soon as contact is made with an agency or service, they do not have to negotiate complex service systems on their own, they do not have to retell their stories every time they make contact with a new service, they are more likely to take up a service if the service contacts them and receive the support they need, and they receive the benefits of coordinated government agency and non-government responses to reduce and prevent serious threats to their life, health or safety. I refer now to impacts on privacy. The amendments modify some privacy restrictions that apply to government agencies and, in so far as they make it easier to share information about victims and perpetrators, they have the potential to impact on privacy rights. Careful attention has been paid to striking an appropriate balance between privacy rights and the public interest in addressing domestic violence in a timely and coordinated manner.

Generally, information about victims and perpetrators will be exchanged only after the consent of the victim has been obtained. In some circumstances, these amendments allow for information to be shared without the consent of the victim. However, these are limited to initial transfers of information into the information-sharing framework—for example, in cases where police have made an initial referral following an application for an apprehended domestic violence order, and the more exceptional cases where agencies will be able to share information without consent where there is a serious threat to a person's life, health or safety and the sharing is necessary to prevent or lessen that threat. In such cases, it is considered that the interest in being able to respond appropriately to lessen or prevent the serious threat provides justification for overriding the victim's wishes.

Generally, the existing Act allows the sharing of an alleged perpetrator's information without his or her consent when an alleged victim has given consent. These amendments take the same approach. The rationale for not requiring the alleged perpetrator's consent is that it would be unworkable if agencies were required to seek the consent of alleged perpetrators. If agencies were required to do so, this could place victims at further risk of violence. Information management protocols are being developed to provide guidance and establish standards for the appropriate management of information shared under the framework. These protocols will have to be approved by the Attorney General. This bill has been talked about for a long time, and more of its aspects will be referred to by other members, including amendments that treat non-government support services differently to public sector agencies that provide those services.

The primary purpose of these amendments is to modify the restrictions placed on public sector agencies by New South Wales privacy legislation because these restrictions have been identified as the main barrier to agencies being able to respond appropriately to domestic violence. Currently, non-government organisations are not regulated by the New South Wales privacy law, except when they deal with health information. In many cases, the non-government organisations involved in this area would not be subject to other privacy laws or regimes and, generally, would be able to collect, use and disclose personal and health information. Non-government organisations will still be able to collect, use and disclose personal information. However, in order to receive information from public sector support agencies, non-government organisations will have to comply with the information management protocols being developed to support these amendments.

The amendments will allow the sharing of personal information and health information relating to alleged victims and perpetrators in domestic violence cases where an apprehended domestic violence order has been sought or made, where a person has been charged with a domestic violence offence, or where a person is considered to be at threat of a domestic violence offence. Under proposed division 2, only information about the alleged victim and alleged perpetrator will be able to be shared, although it may be possible to share information about children or other associated persons pursuant to the other information sharing regimes, such as under chapter 16A of the Children and Young Persons (Care and Protection) Act 1988. Generally, information can be shared for two reasons: to contact an alleged victim to offer domestic violence support services and obtain consent for the further sharing of information, and to disclose to further agencies where it is reasonably necessary for the provision of support services to the alleged victim.

This means that the information shared will be primarily information that is relevant to identifying the victim's needs in order to be able to provide appropriate support to the victim. This is likely to include information such as the victim's name and contact details, the victim's relationship to the alleged perpetrator and the alleged perpetrator's name and address. It could include potentially sensitive information such as allegations of previous criminal conduct, including previous domestic violence incidents or previous convictions and information about drug or alcohol use, a person's mental health or access to weapons. Given the range of personal information or health information that could be shared under this framework, it will be important that the information management protocols provide further detail on the management of that information. We need to look after and protect those who are the subject of domestic and family violence and treat them with the utmost respect and care they deserve. I support the bill.

Mr GARRY EDWARDS (Swansea) [11.11 a.m.]: I support the Crimes (Domestic and Personal Violence) Amendment (Information Sharing) Bill 2014. The domestic and family violence reforms introduce new referral pathways to victims of domestic violence to ensure that they can be provided with domestic violence support services in a coordinated and efficient way. The new referral pathways are underpinned by the information sharing legislation. Victims will now be referred by police, Local Court and other agencies principally to the central referral point. The central referral point will allocate referrals to a local coordination point, generally a non-government organisation operating in the victim's local area. The local coordination point will contact the victim to offer domestic violence support services. At the same time, police will still be able to refer a victim directly to a support agency to address a victim's immediate needs.

Victims of domestic violence are often traumatised or under significant stress and may be fearful of contact with services. They are often unaware of the range of domestic and family violence support services that may be available. Information sharing allows the services to contact the victim to offer a service rather than the victim having to research the options and services that are available to them. The result is that victims are supported as soon as they make contact with any government agency or service; they do not have to negotiate complex service systems on their own; they do not have to retell their stories every time they make contact with a new service; they are more likely to take up a service if the service contacts them and they receive the support they need; and they receive the benefits of coordinated government agencies and non-government responses to reduce and prevent serious threats to their life, health or safety or that of their children.

The primary purpose of these amendments is to modify the restrictions placed on public sector agencies by the New South Wales privacy legislation because it is these restrictions that have been identified as the main barrier to agencies being able to respond appropriately to domestic violence. Currently, non-government organisations are not regulated by New South Wales privacy laws except where they deal with health information. In many cases, the non-government organisations involved in this area would not be subject to other privacy laws or regimes and generally would be able to collect, use and disclose personal and health information. Non-government organisations will still be able to collect, use and disclose personal information. However, in order to receive information from public support sector agencies, non-government organisations will have to comply with the information management protocols being developed to support these amendments.

The amendments will allow the sharing of personal information and health information relating to alleged victims and perpetrators in domestic violence cases where an apprehended domestic violence order has been sought or made, where a person has been charged with a domestic violence offence, or where a person is considered to be at threat of a domestic violence offence. Under the new division 2, only information about the alleged victim and alleged perpetrator will be able to be shared, although it may be possible to share information about children and other associated persons pursuant to other information sharing regimes, such as under chapter 16A of the Children and Young Persons (Care and Protection Act) 1988.

Generally, information can be shared for two reasons: to contact an alleged victim to offer domestic violence support services and obtain consent for the further sharing of information; and to disclose to further agencies where it is reasonably necessary for the provision of support services to the alleged victim. This means that the information shared will be primarily information that is relevant to identifying the victim's needs in order to be able to provide appropriate support to the victim. This is likely to include information such as the victim's name and contact details, the victim's relationship to the alleged perpetrator, or an alleged perpetrator's name and address. However, it could include potentially sensitive information such as allegations of previous criminal conduct, including previous domestic violence incidents or previous convictions, information about alcohol or drug use, and information about a person's mental health or access to weapons.

Sharing will also be possible in domestic violence cases where an agency believes on reasonable grounds that the collection, use or disclosure of personal or health information is necessary to prevent or lessen a serious threat to the life, health or safety of a victim, any children or other persons and it is impractical or unreasonable to obtain the person's consent to such collection, use or disclosure, or the person has refused consent. In these circumstances, any information necessary to address the risk could potentially be shared. This could include, for example, information about an alleged perpetrator's whereabouts, allegations of previous criminal conduct, or possible future criminal conduct based on risk assessment or reports by the alleged victim about the alleged perpetrator's behaviour. Given the range of personal information or health information that could be shared under this framework, it will be important that the information management protocols provide further detail on the management of that information.

Under the domestic reforms, police will be able to refer victims to the central referral point or local coordination point where they take out an apprehended domestic violence order or lay charges for a domestic violence offence. They will also be able to make referrals where no legal proceedings have been commenced, but a person is considered to be at threat of a domestic violence offence. The central referral point will transfer information to a local coordination point to allow the local coordination point to contact the person and seek consent for the provision of the services and any subsequent use or disclosure of the person's information. Victims will be given the opportunity to consent to or refuse the assistance of the local coordination point at this first contact.

In January 2012 a survey of individuals using domestic violence support services found that 92 per cent of victims would be happy to be automatically referred to a support service. Significantly, 100 per cent of

Aboriginal victims surveyed preferred automatic referral and these victims are amongst those least likely to seek police assistance yet are at a high risk of domestic and family violence. Qualitative responses to the survey indicated that the reason participants supported such automatic referral was because they were unaware of the services offered and they preferred to speak to a victim support worker rather than a police officer. The provisions of the bill allow the Local Court to disclose personal and health information that is contained in an application for an apprehended domestic violence order to the central referral point, unless a person expressly opts out. This approach was taken to ensure that private applicants for apprehended violence orders in the Local Court could also be given the opportunity to be offered support services.

The Local Court will provide information to the central referral point, which will then forward it to the local coordination point to allow it to contact the victim to offer services and seek consent for the further sharing of information. This will ensure that support services can be offered by an organisation that is familiar with the range of services available and does not rely on court staff to seek a consent order to offer services with which they are unlikely to be familiar. However, recognising that in some cases individuals may be strongly opposed to such a transfer of information, the provision allows an applicant to opt out by expressly objecting to the disclosure. In conclusion, I note that the Privacy Commissioner has been consulted and her views have been taken into account in developing the proposals. I commend the bill to the House.

Mr GEOFF PROVEST (Tweed—Parliamentary Secretary) [11.21 a.m.]: I make a brief contribution to debate on the Crimes (Domestic and Personal Violence) Amendment (Information Sharing) Bill 2014. The purpose of the Government's domestic and family violence reforms in regards to information sharing is to establish a number of new referral pathways for victims of domestic violence. In the past I have had the opportunity to go on nightshift with police both in my electorate and in Sydney. I also have had the opportunity to do 12-hour shifts with the NSW Ambulance Service. Unfortunately, domestic violence is a part of our community and the Government is taking enormous steps to deal with this issue.

It really comes home to you when you attend a house at 3.00 a.m. or 4.00 a.m. where violence is occurring. At most of the incidents I have attended young children were present. The sheer terror in the eyes of those children and the victims was unbelievable. It breaks your heart to see it. Often people living in a city or a town are not aware of what is occurring in their street. Indeed, most of us are tucked up in bed at 3.00 a.m. or 4.00 a.m. But it is soul destroying to witness domestic violence and I give full credit to our local police and ambulance officers, who are often the first to attend, for the work they do.

The bill will establish these new referral pathways for victims of domestic violence for two reasons: it will give victims greater access to support services; and it will improve safety, where the victims are at risk. In my previous life I worked at a number of licensed clubs, including the great Revesby Workers' Club at Bankstown. I was fortunate to become active in the Bankstown Women's Refugee and Resource Centre. I saw firsthand the efforts of volunteers, and I commend them for their work. However, the victim is required to source the information. Any measure that will increase the level of information is a vital step.

The bill also establishes a central reference point, which will receive referrals from police, government agencies and, in certain circumstances, the Local Court. The central referral point will then share this information with the local coordination point operating in the victim's local area. The local coordination point will seek consent to share the victim's information when necessary. The local coordination point will also conduct multiagency safety action meetings to address the issue of victim safety in cases where the victim has been identified as at serious threat of domestic violence. However, careful attention has been paid to striking an appropriate balance between privacy rights and public interest in addressing the problem of domestic violence in a timely and coordinated way.

These amendments are needed. Last year 24 women died as a result of intimate partner violence. According to the Auditor-General's 2010 report "Responding to domestic and family violence", domestic and family violence is the single greatest cause of death, ill health and disability for women under the age of 45 years. This bill is a very important step but we still have a long way to go before this scourge is wiped from our community. I note the efforts of groups such as the National Rugby League and the Australian Football League to reinforce the message that domestic and family violence is not alright. Disappointingly, in recent criminal statistics sourced in the Tweed Byron Local Area Command the incidents of domestic violence are increasing. However, I am advised by police and other support agencies working in this area that people are reporting domestic and family violence more often than they used to. In other words, women are no longer suffering in silence.

Women are putting their hands up and saying, "I want help. I want to get out of this terrible cycle that I am in." I applaud them for doing that. As I said earlier, I have met a number of victims of domestic violence. It takes great strength to finally say, "Enough is enough. I will no longer put up with this. I am going to take a positive step." I have witnessed family violence. In one particular case I nursed a three-year-old girl, an alleged victim of family violence, who had had her head cracked open. It was a very upsetting experience. I am pleased that the Government is taking these extraordinary and positive steps but, as I said, we still have a long way to go. The bill will open up the possibility of future information sharing, particularly across the border. That is a relevant issue in my electorate. People who offend in my electorate can run across the border to escape detection and/or prosecution. I commend the bill to the House.

Ms PRU GOWARD (Goulburn—Minister for Planning, and Minister for Women) [11.28 a.m.]: I speak very proudly as the New South Wales Minister for Women in support of the Crimes (Domestic and Personal Violence) Amendment (Information Sharing) Bill 2014. I acknowledge the presence in the Chamber of the former Attorney General. He was incredibly involved in the development of these reforms. This Government has consistently and tirelessly worked towards improving the way the crime of domestic violence is treated. Let us remind ourselves of the terrible facts. On average one woman a week is killed in this country by her partner or former partner, and that figure varies very little from year to year. It is shameful that members such as the member for Liverpool have stooped to the depth of trying to politicise this important debate. I find it hard to believe that this Parliament does not hold a consensus view on this issue.

Domestic violence is the greatest cause of death and disability for women under the age of 40. These women are mothers. They are sisters. They are aunts, nieces, cousins and girlfriends. Every one of the women who dies at the hands of her partner or her former partner is somebody's partner. For every member of this place who has a daughter, that should be a sobering thought. We need, all of us, to ensure that our daughters do not suffer as so many have to date. I do not think we should shy away from the fact that this is primarily a women's issue. Yes, it certainly involves mental illness, it involves drug addiction and it involves children. But primarily this is a women's issue. This is about the rights of women to live safely in their own homes surrounded by people who love them and who are committed to keeping them safe.

What a terrible betrayal it is to be beaten and intimidated by someone whom you say you love and who you believe loves you. It is a women's issue, which is why there is not one women's Minister in this country, either State or Federal, who does not see domestic violence reform as absolutely central to their role as a Minister for women. Yes, it is about ensuring that we have more women in leadership positions. Yes, it is about ensuring that the gender pay gap is narrowed. But absolutely, fundamentally, it is about keeping women safe. If we cannot keep women safe then what claim can we make on the pursuit of equality? That is the first thing we must do, and it is recognised around the world as the primary factor that must be present in every life of every woman and girl.

We are talking about domestic violence against not just women with children; we are talking about domestic violence against girls aged 17 or 18 who are bashed by their partners. We are talking about domestic violence suffered by women in their fifties whose children have left home, and women in their seventies who are still being bashed and intimidated. They have their telephones taken away. They have the petrol removed from their car so they cannot leave without his consent. Domestic violence is about control and intimidation, and it does not relate to just one small demographic or to only women with children. This is a fundamental issue of women's rights. For every woman who has died because of domestic violence and for every woman who lives in fear of that our Government, and, I would say, the former Labor Government, has worked tirelessly.

A large part of my working career has been dedicated to the cause of women. One of the great personal privileges, if we can indulge ourselves for a moment, of coming to government is the capacity to make a difference to something that really matters to you. That is what the reforms we have embarked upon since the day we came to government are all about: making a difference, driving change and being determined to ensure that this issue is not pushed back by other priorities but remains front and centre for this Government, and it has. Since being sworn in as Minister I and my colleagues have worked to improve how we respond to domestic violence. We have invested heavily in the expansion of the Staying Home Leaving Violence program, which was begun under the former Labor Government. We have expanded the number of sites and the way in which the program operates.

We all recognise that if we can ensure that women, whether or not they have children, can stay safely in their own homes and that the perpetrator is removed then we have done two things: we have kept the woman safe and we have focused on the perpetrator's responsibility. Unfortunately, the perpetrators are mostly males. It

is his life that has to change, not hers. She no longer has to escape through the window in the middle of the night with just her mobile phone in her hand. It is not her life that has to change but, for once, it is his. It might just make that perpetrator think twice about his actions with his next girlfriend and what he does when he gets into his next relationship. He says that he loves her so much that he cannot bear to have her out of his sight—that is how it starts. I have heard those conversations. I know the member for Miranda would have heard them too.

Mr Barry Collier: I have.

Ms PRU GOWARD: We must be vigilant. We must enable the victim to remain in her own home. If we put the focus on only the victim and the perpetrator remains invisible then why would a perpetrator change his behaviour? This is what our reforms are about. We have invested in ensuring the victim can stay at home. We have beefed up the ability for the police, at sergeant level and above, to issue an Apprehended Domestic Violence Order [ADVO] on the spot so that police do not have to spend weeks looking for the perpetrator. In the meantime he comes back and gives her another thumping just for good measure.

I again acknowledge the role of the former Attorney General as well as the former Minister for Police and Emergency Services in this area. We have made one of the most significant changes to practice in 20 years. We have invested in partnership with Domestic Violence NSW to provide specialist accommodation for domestic violence victims. We have announced a men's referral service to work with perpetrators and potential perpetrators, because boys learn this from watching what their dads. We have investigated in ensuring that those boys have different role models and a different idea about how to resolve conflict and how to express your love for your partner.

The Crimes (Domestic and Personal Violence) Amendment (Information Sharing) Bill is about the reforms I announced earlier this year, which we have called "It Stops Here: Standing together to end domestic and family violence". As we all know in New South Wales, this is a long-overdue coordinated effort. That is what this bill helps to deliver. Let us not kid ourselves—we cannot expect health, police, criminal justice and a whole lot of non-government organisations to coordinate the right response if they cannot share information. It would be pointless trying to integrate responses without being able to share what you know about that woman and her background. It is about what you can bring to the table based on that knowledge. Integration essentially means a group of agencies and stakeholders sitting down with victims or clients and working together to determine what, in this case, keeps them safe. The old system fell short. Nothing made that clearer than the 2011 report by the New South Wales Auditor-General entitled "Responding to domestic and family violence", in which he said:

Organisations are not providing a response that works or lasts for many victims and perpetrators ...

He said that a coordinated response is required. Domestic violence reform and coordination was put in the too-hard basket by the former Labor Government. But the It Stops Here reforms mean that victims will get a coordinated response. They will get personalised and dedicated case management. A team of people will provide wraparound services for victims. The 70-year-old victim does not need what the 21-year-old victim needs. We all need to know the framework for the 70-year-old victim and her background. We are launching two sites, one in Waverley and the other in Orange, with up to 22 additional sites to come. These sites will help us break the cycle of violence, which is what we are here to do. We are not here to manage violence or provide bandaid solutions; we are here to break that cycle of violence. We must build a system that provides each victim with a whole-of-government response and a whole-of-agency response.

We also need to look at the barriers to prosecution of perpetrators and what sentencing options are available. This is a chance for me to say that we now have a task force consisting of the member for Campbelltown, Mr Bryan Doyle; the Hon. Natasha Maclaren-Jones; Karen Willis, Executive Officer of the NSW Rape Crisis Centre; and Domestic Violence NSW, which is looking at how we can focus on reducing recidivism of perpetrators. For the sake of every mother, every sister and every daughter—that is, every woman; we are here because they are women—we must continue the fight against domestic violence in this State. I am so proud of these reforms and I commend them and this bill to the House.

Dr GEOFF LEE (Parramatta) [11.38 a.m.]: I support the Crimes (Domestic and Personal Violence) Amendment (Information Sharing) Bill 2014. I pay tribute to the Minister for Women, Pru Goward, who made a passionate contribution to this debate. She is dedicated to reforming society and legislation, and taking a whole-of-government approach to stopping domestic violence. The Minister's speech on this important issue highlighted the importance of government doing its part to break the cycle. The victims of domestic violence are

women, children and families. The perpetrators are men, and as a man that disgusts me. One can only imagine how difficult it must be for women who do not have a safe place to live because of domestic violence. Every time they or their partner come home they do not know whether they will be bashed because their partner has been at the pub or just because he feels like it.

Domestic violence is a terrible, shameful act committed by cowards who want to exert control over another person and in so doing put their innocent children and families in harm's way. Domestic violence affects not only the individual victim but also the entire family. It is sad to see families experience that. It is also sad to see that some sons who grow up in the terrible cycle of domestic violence witness their fathers engaging in the type of behaviour and the pattern repeats itself for generations. As a Government we must do whatever we can to break that cycle. I commend former Attorney General Greg Smith, who is in the Chamber, for his work in this area.

The shameful act of domestic violence affects sisters, mothers, girlfriends, wives and daughters. It is very disappointing that Aboriginal women are six times more likely than non-Aboriginal women to experience domestic violence within the home. I am sure Opposition members agree that as legislators we have a responsibility to work in a bipartisan way to find solutions to this problem. I know all members on the other side of the House will work with the Government to ensure women can live safely in their homes. Legislators can pass laws, but tackling this issue involves more than passing laws. We must create a change in society. Women should be able to speak up and have the confidence to say that enough is enough. Women should know that they will not be persecuted for speaking up and that the wraparound services Minister Goward spoke about will be provided. Those services must cater for younger victims, who may be 17, 18 or 19 years of age, as well as older victims of domestic violence.

Eliminating domestic violence will require members of society to report domestic violence when they know it is happening in a family. It is not okay for males to sit by and say that they are not going to report an incident because the perpetrator is their friend. Perpetrators are not friends; they are cowards. Males need to change their culture by stigmatising domestic violence. It is a crime, and we should never tolerate that behaviour in people we know. It is up to individuals, especially males, to inform the police and give support when and where it is required to break this terrible cycle. The whole community must change and say that there is no excuse for domestic violence. The reforms contained in the bill are no more important anywhere than in the Parramatta area. The former member for Parramatta, Tanya Gadiel, runs the Parramatta Mission, which provides safe houses for victims of domestic violence and their families.

Tanya and her team have done outstanding work with victims, but they often speak about the difficulties victims face and about the need for increased resourcing for safe houses and other places in which people can find refuge from the terrible situations in which they live. I again take my lead from Minister Goward and say that it is the perpetrators who should pay for these crimes. The women and children should be able to stay in the home while the perpetrators are made to take responsibility for what they have done. We should kick the perpetrators out of the homes and make them pay the penalty for their actions. Many times the victims are victimised again because they have to leave the home to find refuge and sometimes perpetrators stalk their ex-partners. Many perpetrators will leave no stone unturned as they continue to try to make contact. It is sad that the location of the Parramatta Mission in Western Sydney has to be kept a secret because the perpetrators often try to find the women who have left them.

Ms Pru Goward: It is stalking.

Dr GEOFF LEE: As the Minister pointed out, it is about stalking. It is also about trying to control and intimidate these women. Only cowards perpetrate that terrible crime. I am sure that I am joined by all males in this House when I reiterate that as males and as a society we need to play our part in saying enough is enough. We must speak up and report any incidents. The bill will go some way towards achieving this aim. It will strengthen legislative powers. The bill has three objects. It will permit dealings between government and non-government organisations to share critical information to provide a more concerted, focused and streamlined approach to case manage individual situations of domestic violence and what support services can be offered. It is not good enough just to give somebody a refuge in which they have to hide away from a perpetrator; we must give them more support than that.

I am sure most people who experience domestic violence do not know what services are available to them. It is up to us to remove any barriers to women gaining that valuable support. The bill also sets out the circumstances in which agencies may share information about a person. The protocols for information sharing

are particularly important and will allow us to provide wraparound support services in the case work coordination and therefore provide a better outcome. We will be able to share information such as the perpetrator's violent history or mental health problems and whether the perpetrator has access to firearms, which will all help to case manage situations.

I will conclude by commending Wayne Cox from the Parramatta area command and Scott Whyte from the Rose Hill and Granville command, and their staff for their work to stamp out domestic violence. It must be very distressing and difficult for police to attend domestic violence situations when they do not know what they are walking into when they intervene in family disputes. I commend the police for their fantastic work. I also commend Tanya Gadiel and her team at the Parramatta Mission for their work in providing refuge, counselling and wraparound services that assist victims and their families to get back on their feet. I join with the Minister for Women, Pru Goward, in saying that domestic violence stops here. We must break the cycle and as legislators we must pass all laws and regulations that are required. As a society we must say that enough is enough. We must report all incidents of domestic violence and provide assistance to the victims.

Mr BARRY COLLIER (Miranda) [11.48 a.m.]: I will make a brief contribution to the debate on this very important bill, the Crimes (Domestic and Personal Violence) Amendment (Information Sharing) Bill 2014. This is a bill to facilitate the sharing of personal information and health information about victims and perpetrators of domestic violence for the purpose of providing domestic violence support services to those victims, and for other purposes. The objects of the bill are to permit dealings with information about a primary person—who is defined as a person who is, or is alleged to be, subject to, or threatened by, domestic violence—and any associated respondent—being a person who is, or is alleged to be, the perpetrator of the violence or the cause of the threat—without the consent of the primary person or associated respondent, but only to seek the primary person's consent to the provision of domestic violence support services to the primary person, or to further dealings with the information in relation to the provision of such services.

As I read new section 98D (3), such consent is not required from the threatening person. That is a most significant part of this legislation. It is a further object of the bill to permit dealings with information about a primary person and any associated respondent without the consent of the associated respondent for the purposes of providing domestic violence support services to the primary person. As a person who, in a former career as a solicitor, appeared regularly in Campbelltown Local Court and Sutherland Local Court, I know that the problem of domestic violence is everywhere. It sits there, seething below the surface, affecting women, children and indeed men. It is one of the scourges of our society. Sadly, it exists in the seemingly affluent parts of the Sutherland shire, and it exists just about everywhere across Sydney and our great State.

One of the problems in dealing with domestic violence is the lack of information sharing. Quite often the alleged victims of domestic violence do not know where to go, or do not know what services are available. If they did, quite frankly there may be a better response, as well as a much better and quicker outcome, to the problems that confront victims of domestic violence and their families. All too often I have seen court cases in which alleged victims withdraw a complaint about a threat of domestic violence made against the alleged perpetrator, even though there clearly is such a threat. Often this is because the victims simply do not know where to go or what assistance is available to them. The children, who may be at court, may well end up homeless if the complaint is proven. It could be a situation where the wife goes to work one day having taken an action regarding domestic violence, only to return home to find the house has been cleared out, the door has been locked, the locks have been changed and she cannot get into the house. She and the children are then homeless.

There is a certain mentality among the perpetrators of domestic violence that complaining victims should be punished. Domestic violence fundamentally is about control—controlling a partner's behaviour, where they go, whom they speak to, who their friends are, what they do and what they do not do. This is control by really gutless men who could not stand up to another male. Information is available and we need to ensure that information is provided to the victims of domestic violence—and that it is provided without the consent of the perpetrators, who often move from one relationship to another. Where the victim ends the relationship and the perpetrator moves on to another, the cycle starts all over again. Very disturbingly, all too often the children in the family where domestic violence occurs become perpetrators themselves. That is a real cause for concern.

In my first term in office I was pleased to present a Woman of the Year award to Diane Manns. Diane was involved in developing and implementing the DV Pass Project, under which volunteers altered the scenes of alleged domestic violence to give women information about where they could go to get assistance. The Sutherland Shire Family Support Service, at Jannali, is also a very important organisation in the Sutherland shire

that was assisting women. There are women's refuges as well, but these are a last resort. The more information we get out there and the more information we make available to potential or actual victims of domestic violence, the quicker we will be able to confront this scourge of domestic violence in our community. It is really important that we do so.

Members might remember a production called *So Help Me, God!* based on real cases at the Campbelltown Local Court. I happened to appear in that court, but not in the case in which a gentleman—I should not call him a gentleman, a scumbag—appeared. Police had serious concerns about this person committing domestic violence against a woman. He rolled up to court with long hair, wearing shorts and thongs, and sat in the court watching her, following her round the court. Eventually, she withdrew the application. The very good police prosecutor, David Bentley, said:

Unfortunately, Your Worship, despite the very serious concerns that the police have for this lady's safety, we have no choice but to withdraw the information.

Off they went, with this fellow abusing the magistrate as he walked out. Lo and behold, three months later guess who was my client appearing in court? It was the same bloke, in the same shorts and thongs, on an attempted murder charge. When they got home the relationship was all rosy. But, later, one day when she came home, here was Sonny Jim waiting in a walk-in wardrobe with a set of scissors, intent on finishing her off. Not too many people in the court that day were unhappy to see Sonny Jim go to jail for a ten-month stretch. The charge had been pleaded down. The important point is that the sooner the police had this information the sooner they could deal with it. The sooner the victims have the information, and know that other people have access to the information about the alleged perpetrator, the better off potential or actual victims of domestic violence will be. This is a positive step in tackling this scourge of insidious activity within our society. I commend the bill to the House.

Mr CHARLES CASUSCELLI (Strathfield) [11.56 a.m.]: I support the Crimes (Domestic and Personal Violence) Amendment (Information Sharing) Bill 2014. I was somewhat surprised when I read the brief on this bill. I had failed to comprehend the scale of this scourge on our society. I note that, according to the NSW Auditor-General's 2010 report "Responding to domestic and family violence", domestic and family violence is the single greatest cause of death, ill health and disability for women aged under 45 years. I was shocked when I read that in the Auditor-General's report. But I do not believe that domestic violence is solely a women's issue, though it is unquestionably predominantly a women's issue. I think it is equally a family issue, a children's issue and a community issue—because every woman I know is a mother, a grandmother, an aunty, a niece, a sister or a cousin. In that respect, violence affects far more people in our community than the title of this bill might suggest. Domestic and family violence is a betrayal of the love and affection that our women have for us. I have seen it within my extended family.

It is a soul-destroying, demeaning and callous attack on the most fundamental human right—to feel safe and secure, and to be loved. When I became aware of what was happening within my extended family, I felt powerless to do anything about it. I remember thinking, "Why didn't someone, anyone, do anything about it?" I remember thinking, "Why didn't she just run away?" Of course, there were no simple answers to such questions. I guess one answer was that the loyalty, obligation and love she had for her family compelled her to stay and suffer the consequences of what she was going through. But I also guess that she felt there was a lack of support, that she was not aware of the support that was available to her, and that that contributed to her staying in the situation in which she found herself, and that she felt pretty much resigned to her personal circumstance. Coming from a multicultural background, an Italian background, I guessed that she felt that she had an obligation to her parents, brothers and sisters to remain in her situation because not to do so was somehow letting the family down. I think there was a mixture of all those things that came into play.

Ms Pru Goward: And fear.

Mr CHARLES CASUSCELLI: And fear, of course. Those things convinced her—sometimes against the advice of those who loved her—and she stayed where she was. The bill deals with the issues that affected her directly and it has my absolute, unconditional support. Approximately three quarters of female homicides are classified as domestic homicides involving victims who share a family or domestic relationship with the offender. Yet most domestic or family violence incidents causing death, serious injury or disability are preventable. Several inquiries have been undertaken in recent years to review the effectiveness of the government response to this scourge on our society. In February 2014 the Government released the final version

of It Stops Here, a comprehensive response to the problem of domestic violence in New South Wales. These reforms introduce new referral pathways for victims of domestic violence which are underpinned by the information-sharing legislation.

Under these reforms the aim of the information-sharing is to improve the provision of support services to victims at threat and to lessen and prevent serious threats to the life, health or safety of victims as a result of domestic and family violence. We know that there are many benefits of information-sharing for victims themselves. This is a statistic that I hate and one which makes me stop and reflect: Last year in New South Wales 24 women died as a result of intimate partner violence. Sharing information can save lives and facilitates a victim's access to vital support services. Under the Government's reforms, victims will be referred by police and other agencies to a central referral point. The central referral point will allocate referrals to a local coordination point operating in the victim's local area. This is an important point in the bill: that it is a local issue, requiring local knowledge and affording a victim local access to services. The local coordination point will contact the victim to offer domestic violence support services.

Victims are often traumatised or under significant stress and may be fearful of contact with support services. They are often unaware of domestic and family violence services that may be available and the range of services that may be on offer. That was certainly the case of the member of my extended family. In addition, victims are often reluctant to give consent to police. Victims are considered most likely to take up a service if the service contacts them. I sometimes think that if someone had picked up the phone and contacted that member of my family, she may not have suffered a violent end. Information-sharing allows services to contact the victim to offer a service, rather than the victim having to research the options and services that are available. Victims are often not in a state of mind to go looking for the information they need to obtain help in alleviating their violent domestic situation.

Domestic violence victims will be supported as soon as they make contact with an agency or service. They will not be required to negotiate complex service systems on their own or to tell their stories every time they make contact with a new service. They are more likely to take up the service if the service contacts them and they receive the support that they need. Finally, victims receive the benefits of a coordinated Government agency and non-government responses to reduce and prevent serious threats to their life, health or safety. In short, there will be a central point where the nature of the problem and the needs of the victim are understood with a whole-of-government, coordinated approach to the problem. Support agencies and support services deal with one individual but we need to have the benefit of the resources of multiple agencies that are geared up to provide services.

These amendments modify some of the privacy restrictions that apply to Government agencies, because sometimes it is the privacy restrictions that inhibit service delivery to victims. The amendments make it easier to share information about victims and perpetrators but they have the potential to impact on privacy rights. Careful attention has been paid to striking an appropriate balance between privacy rights and the public interest in addressing the problem of domestic violence in a timely and coordinated way. In general, information about victims and perpetrators will only be exchanged once the consent of the victim has been obtained. In some circumstances, these amendments allow for information to be shared, without the consent of the victim.

However, these are limited to initial transfers of information into the information-sharing framework, for example, in cases where police have made an initial referral following an application for an apprehended domestic violence order and the more exceptional cases, where agencies will be able to share information without consent, where there is a serious threat to a person's life, health or safety and the sharing is necessary to prevent or lessen that threat. In such cases it is considered that being able to respond appropriately to lessen or prevent the serious threat provides a justification for overriding the victim's wishes. Generally, the Act allows the sharing of an alleged perpetrator's information without his or her consent where an alleged victim has given consent to the dealing. These amendments take the same approach.

The rationale for not requiring an alleged perpetrator's consent is that it would be unworkable if agencies were required to seek the consent of alleged perpetrators and that, if they were required to do so, it could place victims at further risk of violence—the last thing we want to do. Information management protocols are being developed that will provide guidance and establish standards for the appropriate management of information shared under the framework. These protocols will have to be approved by the Attorney General. I reflect on my personal experience of domestic violence against women within my own family and agree with everything contained in the bill as being entirely appropriate. The Crimes (Domestic and Personal Violence) Amendment (Information Sharing) Bill 2104 should be supported by the House.

Mr GREG SMITH (Epping) [12.05 p.m.]: I support the Crimes (Domestic and Personal Violence) Amendment (Information Sharing) Bill 2014 and pay tribute to my successor, Mr Brad Hazzard, for introducing the bill. I pay particular tribute to the Hon. Pru Goward for her great work in this area. Before she came to Parliament she was the Director of the Office of the Status of Women in the Federal Government and then became the Sex Discrimination Commissioner of the Human Rights and Equal Opportunity Commission, as it was then known. During her period in those roles, she passionately pursued the protection of women, including the prevention of violence against women. I have read material from her office over those years, in particular material dealing with the abuse of pregnant women. Her office issued some brilliant reports based on surveys that indicated that in more than 40 per cent of domestic violence cases the woman was pregnant.

Ms Pru Goward: Twenty per cent.

Mr GREG SMITH: Twenty per cent—an incredible figure and one of which I do not think the community is aware. I think the community has accepted that there will always be a degree of violence towards women, but such acceptance is not correct and should be removed from our culture. The previous Government and other governments in this State and elsewhere in the country have attempted to fight against the domestic violence curse—for that is what it is. However, such violence is often caused by mental illness or the misuse of alcohol or drugs. Those problems go untreated and a woman, often uncomplaining, continues to live in a violent domestic situation in order to protect her children and to give them a home and a regular income from their father. Sometimes the woman must become the breadwinner when she has to leave the family home and care for her children alone.

Unfortunately these women have not received a lot of help from agencies over the years. Whilst there are many dedicated persons who have worked in agencies that deal with domestic violence, the situation can be similar to the general intelligence-sharing in government departments—there is jealousy and distrust. In working in places such as the National Crime Authority, the Independent Commission Against Corruption [ICAC], the Stewart Royal Commission and various prosecution agencies, my experience has been that there is over-protection of information. Where people's lives are at stake, that over-protection must end. That is what this legislation seeks to do. Jealousy and rivalry in agencies causes a culture in which information is not shared and it can be a hard habit to break. Departments and agencies do not work together, despite the fact that it would save enormous amounts of money and provide greater protection to women suffering domestic violence.

I have had the dubious privilege of prosecuting a number of men for violence against women—sometimes the murder of women—including cases that went to the Court of Criminal Appeal and the High Court. One case, to which I will refer briefly, involved a declared habitual criminal—a rare declaration in those days. He was declared so basically because of his intimidation and harassment of women. He would see a woman in a supermarket who took his fancy and would follow her home. No-one should be afraid because he went to jail for a very long time. He decided to hone in on that woman and find out all about her. In the end he broke into her house and attacked her.

That sort of person exists in our society. That is one reason this Government was so passionate about the Crimes (High Risk Offenders) Bill 2013, which extended the important serious sex offender classification to cover violent offenders. Our prisons house some violent people who will never get that violence out of their system. The dedicated prison programs work hard, but only a small percentage of really violent people are completely rehabilitated when they are released. That is why it is important that the State maintain the power to have those people on extended detention orders or supervision orders. I appeal to the courts to take more notice of the dangers to the community of some of these people rather than just sticking to their traditional views. It goes against the grain for a court to extend a sentence, but there are cases in the pipeline involving very dangerous people who should not be released and others who should be placed on extended supervision orders with many strict conditions.

One thing that hurts me, as I am sure it hurts the Minister for Women, is that some women, after being flogged incessantly, going to the police and obtaining an apprehended violence order, then return to the man saying, "I love him, I love him." It is a sort of Hollywood attitude to the Clark Gable character, "I'm the rough type, baby." Some women seem to tolerate that behaviour and I plead with them not to. So many domestic violence cases have resulted in a reconciliation of the parties, yet the violence becomes worse until death finally results. Exposure to this behaviour also impacts enormously on children.

At one time I prosecuted some police for protecting paedophiles. I asked one young man, who was a witness, having lived with a notorious paedophile from when he was aged 14—the police basically told him

to run away when they raided the house—"Why did you live with this man? Why?" He said, "My dad was dead. My mother took up with a man who was a violent alcoholic and I just couldn't stand it anymore. He used to flog her. He used to flog me. I got out and I lived on the street. And when you live on the street there's only three ways of surviving: you sell your body or you sell drugs or you find a sugar daddy. He was my sugar daddy and he was kind to me. Those words will haunt me for the rest of my life because those evil men pick up young boys or girls and sometimes live with them in a so-called kind relationship, but they really just use their bodies for pleasure, filming them and showing them to their friends. That is the habit of some people.

We should do anything we can to protect women from violence. We should promote good husbandry. We should be saying that it is good to be a husband, it is good to be a father and to raise your kids in a good way. The impact of good fathering means great children. Children need good fathering as well as good mothering. Without the presence of a good, strong father, children are sometimes deficient in their formation. I encourage men and our community to promote good husbandry, good partnership and good men who look after their women and children. I believe this legislation goes a long way to help to achieve that.

ACTING-SPEAKER (Mr Garry Edwards): Order! I thank the member for Epping for sharing his extraordinary insights as a legal practitioner into a side of life that, fortunately, very few of us ever experience.

Ms GABRIELLE UPTON (Vaucluse—Minister for Family and Community Services) [12.14 p.m.]: I thank the House for the opportunity to speak in strong support of the Crimes (Domestic and Personal Violence) Amendment (Information Sharing) Bill 2014. The bill builds on existing provisions in the Crimes (Domestic and Personal Violence) Amendment (Information Sharing) Act to support this Government's domestic and family violence reforms. Like the former Attorney General and Minister for Justice, I find domestic and family violence very troubling. The dynamics are complex, but domestic and family violence is totally unacceptable and can lead to lifelong damage to those who experience it and those around them. Domestic violence strikes at the very heart and social health of our community and our families. Tragically, according to the New South Wales Auditor-General's 2010 report "Responding to domestic and family violence", domestic and family violence is the biggest cause of death, ill health and disability in women aged under 45 years.

In 2012, more than 29,000 domestic-violence-related assaults were recorded by the NSW Police Force. Astonishingly, more than 125,000 incidents are reported annually. More worrying is what we do not know—the unknown unknowns. How many incidents go unreported for reasons about which the former Attorney General just spoke so passionately? Several inquiries have reviewed the effectiveness of the Government's response to domestic and family violence in New South Wales: the Legislative Council Standing Committee on Social Issues in 2012, the Auditor-General in 2011 and the New South Wales and Australian law reform commissions in 2010. Collectively, these inquiries recommended a number of things, in summary: the development of more integrated government responses, ongoing and responsive collaboration, and improved information sharing in cases of domestic and family violence.

The Government has a critical role to play in minimising the risks of domestic and family violence, and in supporting victims. This issue not only is for the Government to examine; it also is for the whole community to examine. We have a role to play in identifying domestic and family violence, calling it honestly as we see it and, of course, supporting those affected. Earlier this year the New South Wales Government released "It Stops Here: Standing together to end domestic and family violence"—a whole-of-government response to reduce the incidence of domestic and family violence and to support people impacted by its consequences. The priorities of that framework are a strategic approach to prevention and early intervention; streamlined referral pathways to make sure victims are safer; accessibility to and flexibility about person-centred service responses; making sure we have the best strong, skilled and capable workforce supporting those at risk or affected by domestic and family violence; and strengthening our criminal justice system response.

Of course, the new referral pathways are underpinned by information-sharing legislation. The aim of information sharing is to improve the provision of support services to victims at threat, and to lessen or prevent serious threats to the life, health or safety of victims as a result of domestic and family violence. This new system about which we should all be rightly proud is implementing important responses. Victims of domestic or family violence who present to one part of the system will be linked to other needed services and supports in another part of the system. These legislative amendments are vital if we are to have an integrated justice and community response that does the right thing by the tens of thousands of victims of domestic assaults each year, their families and their friends.

I thank Minister Goward, the Minister for Women, who has had lots of input into this bill in her former capacity as Minister for Families and Community Services, which is now my portfolio. I acknowledge the strong contributions of the former Attorney General, the member for Epping, who spoke passionately today. I acknowledge the contributions of Minister Hazzard, now Attorney General, and the continued input by Minister Goward, the Minister for Women. This is an important bill. It is integral in delivering the Government's commitment to making our community safe and free from domestic and family violence. I commend the bill to the House.

Mr TONY ISSA (Granville) [12.20 p.m.]: I am pleased to support the Crimes (Domestic and Personal Violence) Amendment (Information Sharing) Bill 2014. The issue of domestic violence is close to my heart. On 20 June, with the assistance of Minister Dominello, I am conducting a seminar on domestic violence. I am inviting 150 people from non-English-speaking backgrounds, doctors, other professionals and police to speak about domestic violence. I hope Government members will volunteer to attend the seminar to share their opinions about what the Government is doing to address the issue of domestic violence in New South Wales. I wish to share my feelings and opinions on domestic violence.

The primary purpose of these amendments is to modify the restrictions placed on public sector agencies by New South Wales privacy legislation because it is these restrictions that have been identified as the main barrier to agencies being able to respond appropriately to domestic violence in New South Wales. The bill will allow the sharing of personal information for two reasons: to contact a victim to offer domestic support services and to obtain consent for the further sharing of information, or to disclose to further agencies where it is reasonably necessary for the provision of support services to the victim.

I am not sure if the views of the ethnic community representative on domestic violence were taken into consideration in the drafting of the bill. There are more than 170 nationalities in my electorate. Language barriers prevent people who are involved in domestic violence from reporting issues to the police or to agencies. On a daily basis I receive complaints from people who are suffering from domestic violence. Their families and children are also suffering. Domestic violence occurs for many reasons but three main factors are drugs, alcohol and broken marriages. Due to different cultural backgrounds, women and children suffer because they are told to keep their mouths shut. I am building a bridge between my community, government agencies and police so that victims will be encouraged to come forward to talk about their personal experiences and report incidents of domestic violence.

Domestic violence is likely to occur six times more within Aboriginal and ethnic communities. I live in a multicultural community and I share information with many people. The domestic violence services do not reach everyone. It is not the Government's fault. One of the reasons for conducting the seminar is to promote the services that are on offer and to encourage people to take advantage of the services that are available to them. Only last Sunday the police requested that I intervene and provide mediation to two families because of domestic violence. Although that is not my role, as a community member I felt it was important for me to play that role.

The Privacy Commissioner has been consulted about these legislative reforms. I hope that in the future wider consultation will take place with different stakeholders from different ethnic backgrounds. This reform will help us to crack down on domestic violence and to provide the services that are needed in the community. Domestic violence legislation is one of the most important types of legislation introduced into this House. It addresses many issues. Too many people have been silenced by fears of domestic violence. Today we are encouraging people to come forward to talk about the issues that concern them. It is with great pleasure that I support the Crimes (Domestic and Personal Violence) Amendment (Information Sharing) Bill 2014. I commend the bill to the House.

Mr ANDREW CORNWELL (Charlestown) [12.26 p.m.]: I make a brief contribution to debate in support of the Crimes (Domestic and Personal Violence) Amendment (Information Sharing) Bill 2014. There are two horrific numbers that indicate the glaringly obvious scale of the problem of domestic violence: 30 per cent of homicides in Australia occur in a domestic setting and 73 per cent of those homicides involve a partner, predominantly a woman. I share a personal story. On my baby daughter's first visit to the shops, I was pushing her pram around when I saw a group of women sitting in the middle of the Charlestown shopping centre with 52 pairs of shoes, which aroused my curiosity. I spoke to the women and each pair of shoes represented one woman who is killed in Australia every week as a result of domestic violence. They were taking part in a public awareness campaign in the lead-up to White Ribbon Day.

It struck home that as a father I do not want my children, particularly my daughter, to grow up and experience domestic violence. It is a problem which crosses all demographics. I live in an incredibly diverse electorate. There are parts of my electorate that have a great advantage and other parts suffer from disadvantage. Domestic violence is an unspoken and hidden problem that occurs behind white picket fences in each community. It takes many forms and is not just about physical violence. Domestic violence also occurs in the form of emotional abuse. As we have heard in many of the contributions to this debate, much of the time domestic violence occurs because a male partner has issues with control. Domestic violence is intergenerational and no doubt many of the perpetrators witnessed domestic violence in the households in which they grew up and were also victims of domestic violence.

This bill is about information sharing between departments. That is a proper course of action. For example, if Housing NSW has three reports of holes being punched in the wall of a house over 12 months, the department has a maintenance issue, but there is obviously also a violence issue in that house. The capacity to share information between agencies is vital so that the root cause of the problem can be addressed. I take this opportunity to pay tribute to the organisations in my electorate that provide support to women in this sort of situation, such as the East Lakes Family Support Service, which does a wonderful job.

Work will need to continue if we are to reduce the impact of domestic violence on society. There is no quick fix. It will be a gradual cultural change. I commend the Government for its efforts in trying to tackle this issue. I commend the Hon. Pru Goward, former Minister for Family and Community Services and current Minister for Women, the Hon. Gabrielle Upton, Minister for Family and Community Services, Mr Greg Smith, former Attorney General, and the Hon. Brad Hazzard, Attorney General, who is present in the Chamber. People do not like to talk about this significant community issue. In fact, it is actively not talked about. It is very much to the credit of this Government that it is prepared to tackle this issue. The bill highlights the dark underbelly of Western society and we will need continual reform and change in order to address what has been an intractable issue. With a heavy heart, I take great pride in supporting the bill.

Mr JAMIE PARKER (Balmain) [12.31 p.m.]: On behalf of The Greens I make a contribution to debate on the Crimes (Domestic and Personal Violence) Amendment (Information Sharing) Bill 2014. I note that the former Leader of the House, former Minister for Planning and Infrastructure, and current Attorney General, is present in the Chamber. I appreciate the Attorney General's presence because he knows that engaging with the community is all about consultation. I hope he brings those qualities to his new portfolio.

Mr Brad Hazzard: I will.

Mr JAMIE PARKER: I take that as a promise.

Mr Brad Hazzard: It is.

Mr JAMIE PARKER: I note also the presence in the public gallery of a number of students. I am addressing the often hidden issue of domestic violence. Many people do not understand the huge impact it has on our community—on police resources and, of course, on women. On average, one woman a week is killed in this country at the hands of her partner or former partner. Domestic violence is now the most lethal danger faced by a woman under the age of 45 years—a breathtaking statistic that needs to be addressed—and more than one million Australian children are also affected. The terms "epidemic" and "national emergency" are used when talking of domestic and family violence.

The bill goes some small way towards addressing this issue. Information sharing is a very important measure as it minimises the need for victims of domestic violence to constantly repeat their story. The Greens recognise the benefits of this bill and the need to continually introduce measures to address this issue. Other members have spoken about services in their electorates. I am the member for a very strong and vibrant inner west community and in my electorate many fantastic services have been won by women, particularly during the wave of feminism in the 1960s and 1970s. Women's refuges were not just provided to women in the community. Government did not stand up. Government rarely leads, it usually follows.

Mr Brad Hazzard: Not this Government.

Mr JAMIE PARKER: I am talking about government in general, not this Government. Unfortunately, this Government is so far behind we can hardly see it.

Mr Kevin Humphries: How long did it take to get Elsie Women's Refuge when you needed it?

Mr JAMIE PARKER: It took a year to write the letter.

ACTING-SPEAKER (Mr Lee Evans): Order! The member for Balmain will direct his remarks through the Chair.

Mr JAMIE PARKER: Elsie Women's Refuge in my electorate was one of the first refuges in Australia. It was established because women occupied those empty buildings. They said, "We want a refuge. We want a place for women to stay." The women's refuge movement was a result of their tenacity. At Glebe we have Detour House, a place for women who are homeless and at risk due to drug and alcohol dependency. We also have the Stepping Out Housing Program for women who are homeless and at risk due to a history of child sexual abuse. Kathleen York House deals predominately with women and children. It also offers a medium-term program for women who are managing challenging drug and alcohol abuse issues. Glebe House offers a fantastic service focused on men coming out of the criminal justice system. It manages them in an intensive way to help them move into the broader community.

The Leichhardt Marrickville Domestic Violence Committee, which has been functioning for more than 20 years, manages domestic violence issues in my electorate. However, specific women's specialist services are under threat because of the Going Home Staying Home reforms being introduced across New South Wales. These reforms are seeking to lump men, women, families and youth together, yet most of the violence perpetrated in the community in the domestic setting is against women. I have raised this matter with Minister Upton. The Going Home Staying Home program enforces a prescriptive tendering process that actively prevents community service organisations from applying for money on the basis of gender-specialised services.

Of the \$15.39 million in funding for inner-city homelessness services, \$11 million has been provided to four established faith-based organisations and just \$1.1 million of the remaining funds is going to services run solely by women for women, and only for those who are fleeing domestic violence. About \$6 million is being taken from inner-city services to be distributed elsewhere. A lot of vital services in my electorate with proven track records are facing closure because they do not meet the gender-blind imperative. In fact, it is next to impossible for women's specialist services to tender for that program because it does not provide for them. Gender is a complex factor in service provision, as are age and ability status. Detour House has been operating for 30 years. As I said, it provides care for women and girls who have experienced drug and alcohol dependency.

Mr Brad Hazzard: What is it called?

Mr JAMIE PARKER: Detour House. This great organisation offers supported accommodation to young women aged 13 to 17 years who are homeless or at risk of homelessness. As one can imagine, they often come from challenging family situations. The organisation's Young People's Refuge for girls at Leichhardt is now tendering under the Going Home Staying Home program on the basis that it offers services for both males and females aged 12 to 25 years. That is the prescriptive nature of the tender process. One of the challenges I am taking up with the Minister is that a specialist women's or girls' service such as Detour House, which has operated for 30 years and which is producing great results, under the tender process can apply only if it offers services for both males and females aged 12 to 25 years. That is not satisfactory.

It is well known that putting young girls and boys together is risky. Indeed, that is why there have been gender-specific, women's-only services. This issue has been discussed at length and there have been deferrals around tenders, but I will continue to encourage the Government to address it. Another fantastic service in my electorate that is also under threat from the Going Home Staying Home program is the Stepping Out Housing Program based in Leichhardt. This service, which opened in 1986, works with women and children who are homeless and survivors of childhood sexual abuse—which often can develop in situations of domestic violence.

The B Miles Women's Foundation, a women's and girls' emergency centre, is another specialist women's homeless service that works in an interconnected way. All of these services are being challenged by the Going Home Staying Home program because they offer gender-specific services that do not meet the requirements of the tender. This is a complex area, and one to which we are all committed. I acknowledge the work of the Minister and the department; they have worked very hard. I hope that together we can protect the interests of women, defend their rights and provide opportunities for young people, children and families. We must work together to avert this crisis of domestic violence and to support the women and their families who are in vulnerable situations. In that regard, there is a need to maintain women's-only specialist services. I will work with the Minister and others to maintain those services.

[Business interrupted.]

VISITORS

ACTING-SPEAKER (Mr Lee Evans): I draw the attention of members to the presence in the gallery of students from the Department of Education and Communities Student Leaders Program who are visiting our Parliament as guests of Minister Piccoli. I welcome the students and trust they will learn from their visit.

CRIMES (DOMESTIC AND PERSONAL VIOLENCE) AMENDMENT (INFORMATION SHARING) BILL 2014

Second Reading

[Business resumed.]

Mr BRAD HAZZARD (Wakehurst—Attorney General, and Minister for Justice) [12.40 p.m.], in reply: I thank members for their contribution to this debate. I specifically thank members representing the electorates of Liverpool, Cronulla, Tamworth, Swansea, Tweed, Goulburn, Parramatta, Miranda, Strathfield, Epping, Vacluse, Granville, Charlestown and Balmain. This bill represents a very important advance in protecting our daughters, our mothers, our sisters, our female work colleagues and our female students—indeed, our partners in every aspect of life.

This legislation has been developed in conjunction with the community and has been directed by the Government at ensuring that women and children who are vulnerable to domestic violence receive the protection they need. Much of the capacity to deliver the protection that is needed has been limited because of the failure to implement an appropriate level of information sharing. That is understandable because of privacy requirements, but it is why this Government is moving on this issue. As I indicated, we want to ensure that our partners in life have the protection they require. As I said in my second reading speech, let us be very clear and let us send a message across this State and the nation that domestic violence is a crime and one that our community will not tolerate. This issue requires a coordinated and integrated response from all areas of government and non-government organisations so that we are able to collectively address the concerns.

The Crimes (Domestic and Personal Violence) Amendment (Information Sharing) Bill 2014 provides a framework which the Government believes is necessary for all of those government agencies and non-government support services to work together in partnership to exchange the information that is necessary to provide protections for girls and women in our community against the ever-present problem of domestic violence, which often leads to death, illness or injury. I believe that every member who has spoken in this debate has acknowledged that the Government's reforms represent a significant step forward in managing the services available to victims of domestic violence in this State.

Every member who has spoken in this debate has acknowledged the need for better coordination between the services provided by government agencies and non-government organisations to overcome the barriers presented by a failure to properly share information in appropriate circumstances. The amendments that the Government has presented to the House provide a firm basis for better coordination and sharing of information. As I indicated earlier, the aim is to protect our daughters, our mothers, our sisters—our partners in life. 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.

STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL 2014**Second Reading**

Debate resumed from 27 May 2014.

Mr PAUL LYNCH (Liverpool) [12.45 p.m.]: I lead for the Opposition on the Statute Law (Miscellaneous Provisions) Bill 2014. The Opposition received this bill yesterday. I know it is an old-fashioned view but I like to read and analyse a bill before I come to a final conclusion. I know that view is not shared by most Government members. They clearly do not read their own bills. The Opposition will not oppose the bill in this place but will consider its position in the upper House. If the bill is as it has been presented by the Government, there is likely to be no opposition from us—that is, if it is just a standard collection of miscellaneous statute law revision and minor amendments.

Looking at it quickly, I note the traditional amendment to the Aboriginal Land Rights Act to avoid the implementation of a particular provision in that Act. I am aware of the difficulties surrounding that provision. But, frankly, the Government at some stage will have to be honest; it cannot keep adjourning it. If it is not going to implement the provision in the principal Act, then it ought to repeal it rather than just continually adjourning it. I understand the complexities around the issue better than anyone in this place, but at some stage a decision will need to be made. The other point I make is that I anticipate the member for Mount Druitt might have something to say about the Cemeteries and Crematoria Act.

Mr Kevin Humphries: There is nothing imminent, is there?

Mr PAUL LYNCH: Large numbers of the Minister's party refused to vote for the principal Act when it went through this House not all that long ago. I find it extraordinary that the Government has to come back with another set of amendments to try to fix it up yet again. I dare say the member for Mount Druitt will want to expand on that. As I indicated, the Opposition will not oppose the bill in this place. When some of us have actually had a chance to read it, then we might form a different view.

Mr MARK SPEAKMAN (Cronulla—Parliamentary Secretary) [12.47 p.m.]: I support the Statute Law (Miscellaneous Provisions) Bill 2014. This bill does in broad terms what the statute law revision program has been doing for the past 30 years, that is, make minor policy changes, repeal redundant legislation and maintain the quality of the New South Wales statute book. Schedule 1 to the bill makes minor and, we understand, uncontroversial amendments to 22 Acts and two regulations. Because of their miscellaneous, minute and uncontroversial nature, it is not convenient to deal with them one by one in separate amendment bills, so the amendments are all contained in this omnibus bill.

Schedule 2 makes minor technical changes to legislation which Parliamentary Counsel considers are appropriate. Schedule 3 makes some consequential and other minor amendments related to the enactment of the Government Sector Employment Act 2013. Schedule 4 repeals five redundant Acts and superfluous or redundant provisions of two other Acts. Schedule 5 contains general savings, transitional and other provisions. I will give some examples of the sorts of minor and uncontroversial amendments to the 22 Acts and two regulations that are contained in schedule 1 to the bill. The first example is in schedule 1.1, which is an amendment to the Aboriginal Land Rights Act 1983. The bill states:

The proposed amendment to the *Aboriginal Land Rights Act 1983* extends (until 31 December 2015) a transitional period within which a Local Aboriginal Land Council can continue to operate social housing schemes (that were in existence on 1 July 2007) for Aboriginal persons in its area without an approval of the New South Wales Aboriginal Land Council.

The proposed amendment is consistent with a recommendation resulting from a ministerial review of that Act. The bill makes amendments to the Animal Diseases and Animal Pests (Emergency Outbreaks) Act 1991, the Associations Incorporation Act 2009 and the Cemeteries and Crematoria Act 2013. The amendments to the Contracts Review Act 1980 that are contained in schedule 1.5 will ensure that a community association, precinct association or neighbourhood association under the Community Land Management Act 1989 is not excluded from being granted under the principal Act in respect of unjust contracts by providing that such an association is not a corporation for the purposes of that same Act. This amendment will ensure that those associations are treated under the Contracts Review Act in the same way as owners corporations constituted under the Strata Schemes Management Act 1996.

The bill contains amendments to the Crimes (Forensic Procedures) Act 2000. The proposed amendment to the Fisheries Management Act 1994 allows a fee to be prescribed by the regulations under that Act for

requests by aquaculture permit holders to vary the area or type of aquaculture specified in the holder's permit. The bill makes amendments to the Growth Centres (Development Corporations) Act 1974. The amendments to the National Parks and Wildlife Act 1974 will expressly enable conditions to be imposed on an authority to harm animals, fell trees or pick native plants.

The bill will amend the Ombudsman Act 1974 by the insertion of additional subsections in new section 25A that will enable the regulations to exclude agencies providing substitute residential care for children, or parts or employees of such agencies, from the definition of "designated non-government agency" in connection with the reporting requirements of part 3A of the Act, which relates to child protection, and provides for the effect of such exclusions. The amendments will also enable the regulations to declare that only a particular part of an agency is to be treated as the agency providing substitute residential care for children for the purposes of that definition.

The bill makes amendments to the Ombudsman Regulation 2011, the Pawnbrokers and Second-hand Dealers Act 1996, the Pesticides Act 1999, the Property, Stock and Business Agents Act 2002, and the Property, Stock and Business Agents Regulation 2003. Some of the amendments to the Public Finance and Audit Act 1983 will clarify that a direction issued by the Treasurer with respect to the principles, practices and procedures to be observed in administering the financial affairs of the State applies to all accounting officers and to all other officers of authorities unless otherwise specified in the direction. Among other amendments to the Act, the bill will recast a provision that requires the head of an authority to establish an effective internal audit organisation to clarify that such an organisation is not required to be internal to the authority. The proposed amendment replaces the requirement to establish such an organisation with a requirement to establish effective arrangements for the internal audit of the authority, which may include the establishment of any internal or external organisation responsible for the internal audit. Schedule 1 to the bill will also amend the Radiation Control Act 1990.

The amendments to the Residential Tenancies Act 2010 include clarifying a provision that allows a tenant to terminate a fixed-term tenancy agreement without paying compensation to the landlord if the landlord notifies an intention to sell the premises and did not disclose the proposed sale before entering into the residential tenancy agreement. The proposed amendment makes it clear that the tenant's right to terminate is linked to the requirement imposed on the landlord by section 26 of the principal Act. That section requires a landlord before entering into a residential tenancy agreement to disclose any proposal to sell the premises for which a contract of sale has been prepared. A tenant will have the right to terminate the agreement early unless the proposed sale was disclosed in accordance with that section.

Schedule 1 will amend the Retirement Villages Act 1999, the Stock Medicines Act 1989 and the Subordinate Legislation Act 1989. The proposed amendment to the Valuation of Land Act 1916 will enable the Valuer-General to authenticate valuation lists and supplementary lists in a manner the Valuer-General considers appropriate, such as electronic authentication, which will replace the current requirement for those lists to be authenticated by means of a physical stamp or the Valuer-General's signature. Schedule 1 will also amend the Water Management Act 2000 and the Western Lands Act 1901. As I have said, these are minor amendments and the Government expects them to be uncontroversial. I hope that the examples I have given are indicative of the general nature of the amendments contained in the bill. Statute law bills are a way of tidying up the statute book and making minor policy changes without burdening Parliament and the public with a plethora of Acts. For those reasons, I commend the bill to the House.

Mr RICHARD AMERY (Mount Druitt) [12.55 p.m.]: As the previous speaker indicated, the statute law bills that come before the Parliament are tidying up bills. They clarify definitions and make amendments to wording that has been detected in drafting and brought to the attention of the Government by court rulings, changes to other pieces of legislation and so on. I cannot recall a case of a statute law bill being voted against. Whilst this bill contains a couple of clauses that warrant further debate, I will draw the attention of the House to the ones I am most interested in. At page 5 of the bill under the heading "Cemeteries and Crematoria Act 2013 No 105" the amendments contained in items [1] to [6] clarify a couple of things. Item [1] refers to omitting section 7. Item [2] refers to omitting the words "and cemetery renewal". The explanatory note in the bill states:

... makes it clear that a cemetery operator is required to give notice of its intention to re-use an interment site or remove a memorial to each person (if any) who may be shown in the operator's register as a secondary contact.

That is of some concern to me. I again remind members that as this bill takes effect and private operators start looking to find the owners or the persons of interest in a cemetery they will send out letters to both a primary and secondary contact person to notify them that the gravesites will be reused, the remains will be removed and

a memorial, if it exists, will be removed. I do not believe this situation has been fully appreciated by the public or the media, but I assure members that in the lead-up to the next election they will be reminded of it. The other issue relates to item [6], and perhaps the Minister might clarify it during his speech in reply. The bill provides:

Item [6] makes it clear that the definition of *cemetery* includes commercial cemeteries on privately-owned land but excludes burials on private land in a location approved by a local government authority.

That means that the bill will not apply to farming communities that contain large rural properties where family members are buried on a part of the property down through the ages. We do not expect that the authority set up by this legislation will have any say in that. I think item [6] clarifies the position but I ask the Minister to respond to the situation, for example, at Riverstone Cemetery, which is in the Blacktown local government area and is run and controlled by Blacktown City Council. Is Riverstone Cemetery, for the purposes of this legislation, a Crown cemetery? It is important to clarify that. I have a number of important meetings to go to, so I will conclude. The meeting is with a lot of Government members. It is called the Independent Commission Against Corruption. Members who are now laughing will have plenty of opportunity in the next 10 months to argue their point.

Mr John Williams: Well, come out west and get buried. We have plenty of room out there—plenty of room.

Mr RICHARD AMERY: Out west. It will be very interesting to hear why a place with so much land, like Broken Hill, needs to renew grave sites. I look forward to the member's answers to the media on that subject. I make this point: I said in the second reading debate that this measure will introduce a two-tiered system and that the price of graves would increase, so that the attraction of a limited tenure grave will decrease. I advise the House that on 1 March this year the standard grave price went up from \$3,960 to \$4,400, an increase of 11 per cent, and that the charges made by private cemetery operators for grave digging went up 10.5 per cent, to \$2,310.

The groundwork is now being set for a two-tiered system under which low-income people will be forced to take the less attractive option, the less expensive option. This amending provision tidies up a bill that came before this House only a few months ago, showing that for some reason this Government is acting with undue haste, perhaps under pressure by private companies, like InvoCare, which put pressure on the Government to bring in this goldmine for the cemetery industry in this State. That is an appalling situation. These amendments do not change structure, so we will not be voting against the bill overall. But I tell the House one thing: We will be promising to repeal this draconian piece of legislation and restore some decency to what is a very sensitive part of public policy.

Mr RON HOENIG (Heffron) [1.01 p.m.]: I am delighted to contribute to the debate on the Statute Law (Miscellaneous Provisions) Bill 2014. This is a significant piece of legislation, but it is required as a matter of urgency to be passed by the Parliament. It is of such urgency that the Government could not even agree to provide the Opposition with time to consider the details of this riveting bill. This riveting bill deals with some very complex areas of the law. I listened to the member for Cronulla whose views, as a member of the senior bar of New South Wales, I have enormous respect for. However, I have yet to fully comprehend matters contained in clause 1.5, dealing with proposed amendments to the Contracts Review Act, to ensure that "a community association, precinct association or neighbourhood association under the Community Land Management Act 1989" is not excluded from being granted relief under the principal Act in respect of unjust contracts. I think that requires far more consideration and detailed knowledge than is afforded by rushing through this legislation. I have no doubt that the Minister will, in reply, be able to identify clearly and concisely what that provision means.

Buried away in this bill is an amendment to the Associations Incorporations Act 2009 No 7. Item [3] of schedule 1.3 will amend section 76 to entitle the registrar to cancel the registration of an unincorporated association if it has not appointed a public officer, or the appointed public officer is not aged 18 years or more or is not ordinarily a resident in New South Wales. One of the problems with cancelling registrations of unincorporated associations is that we are dealing with voluntary organisations, often sporting organisations, which have neither the knowledge nor the ability to comply with these sorts of legislative requirements. Are we going to cancel the registration of the under-6 Wallsend Soccer Club because it has not, within a 12-month period, completed some registration document that the Act requires? Is this the sort of legislative change that is being slipped through by amendments in the Statute Law (Miscellaneous Provisions) Bill 2014? What would happen if a Gulargambone netball club had the audacity to not appoint a public officer in accordance with the provisions of the Associations Incorporation Act?

The other issue I bring to the attention of the House is a cause of considerable concern. I am sure the member for Sydney shares this concern. It relates to the proposed amendments to the Radiation Control Act 1990 No 13. It proposes enabling a delegation of authority to make decisions in relation to the movement of radioactive material. Decisions about nuclear rods and radiation material need to be decided at the highest level, otherwise one might as well delegate that authority to the member for Murray-Darling, because he has plenty of land in which to hide away nuclear material if he so chooses. But I take the opportunity in the debate on this riveting bill—which the Government has determined must proceed in such a hurry that it had to suspend standing orders—to make reference to the same legislation to which the member for Mount Druitt referred, that is, to further the perpetuation of the provisions contained in the Cemeteries and Crematoria Act 2013. I said in this House at that time that that legislation is of significant concern to the Jewish community in this State, that it is of significant concern to the Greek community in this State, and that it is certainly of significant concern to the Muslim community in this State.

Although it is asserted that a choice will be provided as to whether or not a grave site will be used in perpetuity, the problem that I identify for the Jewish community is not that the choice is to be made by the deceased person, but that the choice will be made by the relatives of the deceased person. Though the deceased happened to be an observant Jew with a particular preference, the family that will inherit the resources and the money from the deceased's estate may well opt for the two-tiered structure. So it will not necessarily be the deceased who will have the choice in these matters. We all know what happens with estates and the arguments that occur between beneficiaries of the estate. The two-tiered pricing structure to which the member for Mount Druitt referred is a matter of significant concern.

The other matter that I raise in relation to the Statute Law (Miscellaneous Provisions) Bill 2014 concerns the amendments proposed to the Legal Aid Commission Act 1979, perpetuating the same myth of amendments made a number of years ago by maintaining one statutory position, being the chief executive officer. When the then Legal Services Commission Act was enacted by this Parliament in 1979 the Parliament, through then Attorney General the late Frank Walker, ensured the internal functions of the Legal Aid Commission—that is, when the Legal Aid Commission acts for specific individuals who are granted legal aid—by setting up a statutory position of historical significance called the Public Solicitor so that the legal practising arm of Legal Aid was not merged with a huge bureaucracy that may well be established as a Legal Aid organisation administered by itself.

The Parliament, in its wisdom, decided to repeal those statutory positions many years ago. What has occurred is what I anticipated: that is, huge bureaucracies set up within the Legal Aid Commission have been eating into valuable legal aid funds, perpetuating the myth of having one chief executive officer being the only statutory appointment. Making that person responsible to government in respect of the administration of this bureaucracy, while at the same time imposing obligations to act for individuals where the government is on the other side, creates in itself a major conflict. A merging of functions I do not believe is sustainable. Other than that, I endorse the comments made by the shadow Attorney General in his second reading speech.

Mr KEVIN ANDERSON (Tamworth) [1.09 p.m.]: I support the revision program put forward by the Government to a number of Acts and amendments. The program brings common sense to a lot of issues that burn brightly in my electorate such as the Retirement Villages Act 1999, the Stock Medicines Act 1989, the Residential Tenancies Act 2010, the Pesticides Act 1999, the Property, Stock and Business Agents Act 2002, the National Parks and Wildlife Act 1974 and the Western Lands Act 1901. The Opposition has raised concerns in relation to crematoria and other issues. This is a Government that listens and one that will respond to concerns. If the Opposition has any further concerns in relation to some of these amendments, I ask its members to put them forward and we will be happy to listen. Those opposite talk about rushing legislation through, but one can remember the legislation that was rushed through prior to the 2011 election, when electricity assets were sold off in the dead of night. Members opposite know all about rushing through legislation, but we are happy to listen and consult. This is a Government that makes common-sense decisions, based on consultation with the community. I commend the Statute Law (Miscellaneous Provisions) Bill 2014 to the House.

Mr BRAD HAZZARD (Wakehurst—Attorney General, and Minister for Justice) [1.14 p.m.], in reply: I thank members for their contributions to the debate on the Statute Law (Miscellaneous Provisions) Bill 2014. I specifically thank the members for Liverpool, Cronulla, Heffron, Mount Druitt and Tamworth. As the member for Tamworth stated, this legislation addresses a range of minor amendments to 22 Acts and two regulations contained in schedule 1 to the bill. Schedule 3 makes certain consequential and other minor amendments related to the enactment of the Government Sector Employment Act 2013. The bill also deals with matters of pure statute law revision, repeals certain Acts and provisions of Acts and instruments that are redundant, and makes other necessary savings, transitional and other provisions.

The amendments contained in the bill are generally of a minor and non-controversial nature. As part of the ongoing statute law revision program the bill enables minor policy changes to be made efficiently, redundant legislation to be repealed and, overall, ensures that the New South Wales legislation remains as up to date and effective as possible. Whilst we aim in these bills to introduce amendments that are of a minor and non-controversial nature there are, from time to time, matters raised by members in this place and that is their entitlement. I note the interests and passion of the member for Mount Druitt on particular issues. He has displayed those same concerns in this place on similar matters. As the member for Tamworth just indicated, the Government and I, as Attorney General, are always open to discussion with members on both sides of the Chamber.

If it goes to the merit of a legal, statutory or regulatory change, I am more than happy to talk to members on both sides to see what can be done. These issues will be dealt with in the upper House. I will consider the matters that have been raised by members today, but some of them may need to be addressed in a broader context than the Statute Law (Miscellaneous Provisions) Bill 2014. Some of the matters raised by the member for Mount Druitt have been debated in this place and it was not possible, in the context of those debates, to satisfactorily address his concerns. However, the Government dealt with the issues as best it could and as it considered to be in the best interests of the community of New South Wales. 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:

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 sessional order community recognition statements proceeded with.

COMMUNITY RECOGNITION STATEMENTS

WARREN MILLS AND EDGEWORTH EAGLES FOOTBALL CLUB

Ms SONIA HORNER (Wallsend) [1.15 p.m.]: I acknowledge Warren Mills, Treasurer of the Edgeworth Eagles Football Club. His long service with the club began as a player coach in 1989 and he has actively assisted the club in many capacities since then. I am proud to announce that the club, as a legacy for Mr Mills' efforts, named the new stand at Jack McLaughlan Oval, Edgeworth, in his honour. On behalf of the Edgeworth community and the Eagles' loyal supporters, I congratulate Mr Mills on his continuing community service.

JUST CRONULLA NEWS

Mr MARK SPEAKMAN (Cronulla—Parliamentary Secretary) [1.15 p.m.]: I congratulate John Mulcair on his recent launch of *Just Cronulla News*. The *Just Cronulla News* blog can be found at www.justcronullanews.com. John is a former journalist with the *St George and Sutherland Shire Leader*. His blog of Cronulla-oriented news fills a gap left by the recent demise of the *Cronulla Magazine*. I commend John for his initiative, and look forward to reading all his insights and collection of news about Cronulla.

MILLERS POINT COMMUNITY WORKING PARTY

Mr ALEX GREENWICH (Sydney) [1.16 p.m.]: I put on record the inspiring support and collective action of the Millers Point Community Working Party following the Government's decision to remove all social

housing tenants from the area. This close-knit and supportive community has rallied to provide support to those who have been told that they have to leave their homes and community. The Millers Point Community Working Party has brought together public, community and co-op housing tenants, along with other residents who value the mixed and diverse community in this precinct. The group's focus is to ensure support for residents who are being forced to relocate and to oppose the large-scale relocation and sale of assets, and the break-up of this community whose social significance is recognised on the State Heritage Register. I am proud to be working with the Millers Point Community Working Party and the Millers Point community to retain and maintain social housing in Sydney. I thank the City of Sydney for the legal and funding support it has given the group.

NEW ENGLAND BOWLS ASSOCIATION JUNIOR BOWLER OF THE YEAR NICK ELLEM

Mr ADAM MARSHALL (Northern Tablelands) [1.16 p.m.]: I congratulate Nick Ellem of Glen Innes who—for the second year in a row—has been named the New England Bowls Association Junior Bowler of the Year. After winning the New England District's Junior Singles Championship last year, Nick has topped his achievements this year by taking out the Junior District's Singles title as well as runner-up in the Junior Pairs. With his sights firmly set on a hat trick, the 15-year-old is travelling to Manilla this weekend to contest the Zone 3 Junior Singles as well as playing third in the Zone 4's team. A victory in either event will ensure his appearance at the State competition, which will be held in Wollongong later in the year. Nick is also vying for selection in the Junior Zone 3 seven-a-side team to travel to Figtree in August. With the New England Bowling District stretching from Walcha through to the Glen Innes area, and contributing a significant portion of the largest zone in the State, Nick's achievements have set him well on the road to a high level of bowling competition. I congratulate Nick and wish him all the best in his upcoming competitions.

SERBIAN FLOODS

Mr NICK LALICH (Cabramatta) [1.17 p.m.]: After three days of heavy rainfall earlier this month—the heaviest since records began 120 years ago—Serbia has been hit by devastating floods. Rivers have burst their banks and triggered hundreds of landslides. More than 40 people have lost their lives and hundreds of thousands have been forced to leave their homes. The cost of this devastation on communities and infrastructure will run into billions of dollars. The Serbian community in Australia has organised a fundraising appeal on Sunday 1 June at the Serbian Cultural Club at Middleton Grange to support the men, women and children of Serbia. The Bonnyrigg Sports Club—the meeting place for many Serbs in Sydney—is having a fundraiser on 9 June. I call on all levels of Government to show their compassion and to help our brothers and sisters in the Balkans as they try to rebuild their lives, cities and homes.

HAYLEY BELL AUSTRALIA'S BIGGEST MORNING TEA PARTY

Mrs TANYA DAVIES (Mulgoa) [1.18 p.m.]: On Sunday 25 May 2014, I was thrilled to attend Hayley Bell's seventh birthday party. What was unique about Hayley's birthday was that she wanted to host an Australia's Biggest Morning Tea to raise money for the Cancer Council. Mum, Donna Bell, and big brother, Ryan, had led by example with their own fundraising efforts and marathons. Hayley raised \$900 towards the fight against cancer.

I express special thanks and deep appreciation to Peter Dable of the Cheesecake Shop, who supplied cupcakes and cake pops; Kylie Riley of Sei Pak Packaging Pty Ltd in Smithfield, for the castle turrets; Jade Child and Karyne and Emma Opdam, for face painting; Maddie Tourgelis, the hair stylist; proud grandmother, Mary Bell, whose painting collected \$85 in raffle money; proud grandfather and photographer, Philip Bell; Michelle Schwenke, who assisted with preparations for the day and with serving; Amanda Smeekens, for supplying scones and sandwiches; Kerri and Daniel Suhr, who assisted in cleaning up; and fabulous dad, Michael Bell, for his all-round help. I thank the friends and family who supported and encouraged Hayley. I extend to Hayley the congratulations of the New South Wales Parliament for her heart of gold in raising \$900 for the Cancer Council.

NEPALESE INDIGENOUS NATIONALITIES FORUM AUSTRALIA

Mr ROBERT FUROLO (Lakemba) [1.19 p.m.]: I congratulate the Nepalese Indigenous Nationalities Forum Australia on once again organising its annual speech competition, which was held this year on Sunday 25 May. The competition topic "Multiculturalism: How to build a Stronger Australia", was a chance to see how a vibrant and civil society willing to engage in considered debate will benefit our pluralistic democracy. The Nepalese Indigenous Nationalities Forum Australia was formed in 2006 to represent the Nepalese community in

Australia and to foster an awareness of its cultural and national identity among Nepalese Australians. I congratulate Mr Ganesh Tamang on his vision in organising this event and the participants who demonstrated that an Australia that embraces multiculturalism is a stronger Australia.

DONNA CLARKE, BREAST CANCER AWARENESS FUNDRAISER

Mrs LESLIE WILLIAMS (Port Macquarie-Parliamentary Secretary) [1.20 p.m.]: I acknowledge Donna Clarke, who is a Port Macquarie resident passionate about boosting breast cancer awareness. The 36-year-old mother, who was diagnosed with breast cancer late last year, said that she survived due to the support of family members and friends stepping up to help her. On Mother's Day that support continued as friends and family formed her Braver Stronger Smarter team to compete in the Mother's Day Classic, Australia's largest breast cancer research fundraising event. The team donned pink tutus for the occasion. Friend Amanda Hammond has also set up the Travelling Tutu Project with supporters around the country wearing pink tutus in support of breast cancer research. Photos from around Australia were posted on the project's Facebook page and bring joy and hope to breast cancer sufferers such as Donna. All money raised supports research funded by the National Breast Cancer Foundation. I congratulate Donna on raising funds for breast cancer awareness in the face of her own battle.

MUSTANG BASEBALL CLUB

Ms TANIA MIHAILUK (Bankstown) [1.21 p.m.]: Last Sunday I had the pleasure of attending the annual presentation day for the Mustang Baseball Club. I have recently become the club's patron. It was a privilege to present trophies and awards to the teams, particularly the under 10s and under 12s. I take this opportunity to acknowledge all the players, members, friends and families of the Mustang Baseball Club. I congratulate Mustang's president, George Johnstone, Vice President Chris Bunney, Secretary Chris Mustow and life members Cheryl, Graham and Al Barnier, and all the volunteers, coaches, scorers and families at the club on their efforts this season in organising a fantastic presentation day event. The clubhouse currently is undergoing renovations and I look forward, along with players, to seeing the new facility in the next season.

ROCKDALE PHOTOGRAPHY COMPETITION

Mr JOHN FLOWERS (Rockdale) [1.22 p.m.]: I congratulate gifted competitors in the recent photography competition in Rockdale. Based on the "Living Local" theme in the camerART 2014 photo competition winners received a Samsung Galaxy Tablet, a photo shoot and a photographic workshop. Two outstanding entries by members of a creative local family living in Bardwell Park were the winners. My congratulations to Carla Miers on winning the junior category with her impressive entry titled "Early Morning at the Bay" and Andrew Miers, father of Carla, on his innovative entry titled "Into Town", which won the open category. My best wishes to the Miers family. Well done.

BRING IT ON! FESTIVAL

Mr GUY ZANGARI (Fairfield) [1.22 p.m.]: The annual Bring It On! Festival 2014 was held on Sunday 6 April at the Fairfield Showground to celebrate Youth Week. I had the opportunity to meet local youth and to celebrate with them in their special week. I was happy to receive positive feedback and to discuss concerns from our local youth. It was great to see a number of local community groups and community service providers on the day showing their support for local youth. The day was filled with demonstrations and stalls ranging from skateboarding, basketball and soccer displays to diverse culinary experiences. The Bring It On! Festival truly lived up to its name. I congratulate the sponsors and the organisers on making the festival possible and say a big thank you to everyone who showed up on the day to support Youth Week. Special thanks go to the Fairfield High School Parents' Cafe, which catered for the VIP luncheon. They did an outstanding job serving authentic Middle-Eastern cuisine, which was absolutely amazing.

BOWLS CENTRAL COAST VOLUNTEERS DAY

Mr CHRIS HOLSTEIN (Gosford) [1.23 p.m.]: I congratulate the four peninsular bowling club members who received a Bowls NSW Volunteer Certificate at the Bowls Central Coast Volunteer Day on 13 May: Steve Thornhill from Ettalong Memorial Bowling Club, Howard Frankland from Everglades Country Club, Mark Speering from Umina Beach Bowling Club, and Bob Knight from Woy Woy Bowling Club.

SERBIAN FLOODS

Dr ANDREW McDONALD (Macquarie Fields) [1.24 p.m.]: This Sunday 1 June 2014 a fundraising event will be held at the Serbian Cultural Club, Middleton Grange, in aid of the victims of the recent flooding in

Serbia. The function is being organised by the local Serbian community, of which Dragan Milovanovic is one of the leaders. For three months between 14 March and 16 May rain fell on the region, resulting in the worst floods since records began 120 years ago. The worst hit areas of central and western Serbia were affected severely, with 90 per cent of the town of Obrenovac flooding and 30,000 people needing evacuation. Many lives have been lost and more than one million people were affected by these floods. Streets, fields and whole villages are under water. Agriculture has been totally destroyed. The total damage bill combined with overall economic losses due to flooding will be measured in billions of Euros. Northern Bosnia and Republika Serbia also are under flood and to date 24 people have been confirmed dead. I commend this fundraising function to the House and urge the local community to dig deep this Sunday.

ST MARY'S ANGLICAN CHURCH WAVERLEY SESQUICENTENARY

Mr BRUCE NOTLEY-SMITH (Coogee) [1.25 p.m.]: St Mary's Anglican Church, Waverley, recently celebrated its 150th anniversary. St Mary's has a very active congregation, led by Reverend Peter Clark and his wife, Helen. The church was consecrated in 1864 by the then Archbishop of Sydney Frederick Barker. In its 150 years Reverend Clark is just the eighth rector, taking on the role in 2010. Last weekend the church held a sesquicentenary service attended by the Archbishop of Sydney, the Right Reverend Glenn Davies. I congratulate Reverend Clark and the St Mary's congregation on this wonderful milestone for their community.

TRIBUTE TO JOCKEY ROBERT THOMPSON

Mr CLAYTON BARR (Cessnock) [1.25 p.m.]: I congratulate yet another sporting champion to come out of the Cessnock electorate. We have given the State Andrew Johns, Casey Stoner and Chad Reed, and now we have also given it legendary jockey Robert Thompson. In early May at Broadmeadow racecourse Robert rode his 4,000th winner. It will not surprise anyone to know that that is an Australasian record. It may surprise people to know that Robert was 14 when he started in 1973—just after I was born. Nobody who has jumped on a horse in this country has ridden more winners.

Robert actually passed another record back in 2008 when he rode his 3,372nd winner and then managed to eke out another 628 since—pretty good considering he is 55 years old. The life of a jockey can be pretty punishing with falls, not eating what they want and spending hours every day travelling to and from race meetings, but Robert Thompson loves it. After celebrating his 4,000th winner, he was off to Mudgee on the Sunday and Quirindi on the Monday. That is professionalism, and a lesson to young people in my electorate and around the State to find what you love and work hard. There is no limit to what you can do.

MACLEAN 123RD AGRICULTURAL AND INDUSTRIAL FESTIVAL

Mr CHRISTOPHER GULAPTIS (Clarence) [1.26 p.m.]: I offer my congratulations to the committee that organised the 123rd Agricultural and Industrial Show at Maclean earlier this year. I offer my sincere congratulations to president Brian Ferrie, secretary Nerida Dufficy, treasurer John Robson and their fellow directors Colin Marsh, John McLennan, Bobby Sutherland, Leigh-Ann Messer, Glen Pfeffer and Bruce Green, along with all the dedicated volunteers who have given their time to ensure a fantastic show. The community is truly blessed to have so many people working hard together to once again produce a jam-packed program with something for everyone. Well done.

UNIVERSITY OF WESTERN SYDNEY

BATTLE OF CRETE

Mr DAVID ELLIOTT (Baulkham Hills—Parliamentary Secretary) [1.27 p.m.]: I am delighted to be able to say that my alma mater, the University of Western Sydney [UWS], has managed to achieve international recognition as one of the world's best universities established in the past 50 years. I am honoured to be the first UWS graduate to be elected as a Liberal member of Parliament. This demonstrates that Western Sydney is capable of being a centre for learning and excellence. UWS provides many students from Western Sydney with a world-class university education that they may not otherwise have received. I congratulate the University of Western Sydney also on celebrating this milestone while celebrating another important milestone, its twenty-fifth anniversary and my first year at that particular institution.

While on history matters, for many, the Second World War invokes memories of German and Japanese aggression and the realities of war encroaching on Darwin and Sydney Harbour, but we sometimes forget other

battles. On 17 May, I attended the remembrance service and wreath-laying ceremony for the seventy-third anniversary of the Battle of Crete. The Allied forces were the first to defeat a German assault using intelligence gathered by the decryption of German missives by using an intercepted Enigma machine. Among those in attendance to pay tribute to the fallen were Lieutenant General Georgios Petkos of the Hellenic Armed Forces; Greek Ambassador, His Excellency Mr Charalambos Dafamos; and Greek Tourism Minister, the Hon Olga Kefalogiannis.

"FAITH AT WORK" PHOTOGRAPHIC EXHIBITION

Mr JONATHAN O'DEA (Davidson) [1.28 p.m.]: Last week I attended the official launch of a photographic exhibition called "Faith at Work" at the St Mary's Cathedral Crypt—just down the road from this place. It was hosted by the Catholic Commission for Employment Relations as part of Sydney's "Head On Photo Festival" and featured the work of Australian photographer Oliver Strewe. The collection demonstrates the ministries and works of the modern Catholic Church across a wide range of work places in New South Wales. It features those who represent its face as workers at the front line, rather than those higher in the hierarchy, as they serve or care for vulnerable and disadvantaged people such as children, prisoners, students, the elderly and Aborigines.

The exhibition captures a wide diversity of activity and connection between the spiritual and regular work life. The Catholic Church is the largest non-government employer in Australia with 130,000 workers, including religious and lay people. It has been part of the fabric of Australian society for more than 200 years, with 25 per cent of Australians identifying as Catholic. At a time when past injustices in the church have been rightly highlighted, it was refreshing to witness a statement reminding people of the loving care of so many of those who make up the organisation's presence in New South Wales. I recommend a visit to see the exhibition, which runs until 8 June.

CLAIRE SCHOMBERG 100TH BIRTHDAY

Ms MELANIE GIBBONS (Menai) [1.29 p.m.]: Earlier this month Claire Schomberg turned 100. Claire had just started high school when her mother passed away, leaving her to look after her father and three siblings. Claire worked for David Jones for 25 years. During the war she was a member of the Women's Auxiliary Australian Air Force where she served her country and made many friends. She met her husband during this time before they were both discharged from the services and married in 1946. Throughout her life, Claire has enjoyed playing competitive tennis and ballroom dancing. Claire has lived a very happy life and believes that her longevity is due to staying positive and also enjoying a brandy of an afternoon with the occasional shandy or white wine. Claire has a son-in-law, a grandson, a granddaughter and five great grandchildren. She now lives at Bangor. I wish her a happy 100th birthday.

ANNETTE BARRON PRIDE OF WORKMANSHIP AWARD

Mrs ROZA SAGE (Blue Mountains) [1.30 p.m.]: Annette Barron is a well-deserved winner of the prestigious Pride of Workmanship Awards, which was held at the Upper Blue Mountains Rotary Club. Annette works for Blue Mountains Cancer Help Inc. [BMCH], a not-for-profit charity that supports people with cancer in the mountains and Penrith Valley. Annette Barron is a registered nurse and trained counsellor. She has extensive experience and for more than 10 years she worked with leprosy patients in Darwin and she also worked in Aboriginal communities for many years in the Northern Territory and Bathurst Island. Annette has been a volunteer with BMCH since 2009. She has skills in finance and administrative tasks, including relief at short notice for staff and volunteers, which has made her an invaluable part of the team. Annette's contribution to Blue Mountains Cancer Help has been integral to its growth and professionalism.

Community recognition statements concluded.

[Acting-Speaker (Mr Lee Evans) left the chair at 1.31 p.m. The House resumed at 2.15 p.m.]

VISITORS

The SPEAKER: Order! I draw the attention of members to the presence in the gallery of student leaders from Bomaderry High School, Nowra Anglican College, Shoalhaven Anglican School, Kiama High School, St John the Evangelist High School and Albion Park High School, guests of the member for Kiama. I welcome 30 diploma of community services students from Nirimba TAFE, guests of the member for Mount

Druitt. I welcome 30 members of the Oatley Probus Club, guests of the member for Oatley. Finally, I also welcome 30 members of the Umina Peninsula Probus Club, guests of the member for Gosford. Welcome to the Parliament of New South Wales.

REPRESENTATION OF MINISTER ABSENT DURING QUESTIONS

Mr MIKE BAIRD: I advise members that during the absence from the Chamber today of the Minister for Primary Industries, and Assistant Minister for Tourism and Major Events, the Deputy Premier, Minister for Trade and Investment, Minister for Regional Infrastructure and Services, Minister for Tourism and Major Events, Minister for Small Business, and Minister for the North Coast, will answer questions relating to her portfolio.

NATIONAL RUGBY LEAGUE STATE OF ORIGIN

Ministerial Statement

Mr MIKE BAIRD (Manly—Premier, Minister for Infrastructure, Minister for Western Sydney) [2.17 p.m.]: I am sure everyone in this Chamber, including the many people seated in the public gallery today, wish the NSW Blues the best of luck for the opening State of Origin game tonight. It has been a lean time for Blues fans. Everyone agrees that we have had enough of the eight years of gloating from those up north. But I do pay tribute to Mal Meninga who has been a colossus in the State of Origin space. Mal Meninga has been undefeated but his time has come to an end.

The former Premier is a great supporter of the NSW Blues. When New South Wales last won a State of Origin series Twitter did not exist. Tonight on Twitter, in lounge rooms and pubs across this State passionate Blues fans will be cheering on Paul Gallen and the boys. We will be offering all types of opinions on those cocky Queenslanders. We will even be offering opinions on the standard of refereeing. I do not want to influence the refereeing but it is about time that Blues fans had a bit of rub of the green—it has been pretty harsh against us. We all have fantastic memories of origins of old. For example, I clearly remember when Brett Kenny carved up the great Wally Lewis. I remember Eric Grothe doing one of the greatest tackles ever seen on any football field in the world.

Mr Nathan Rees: Parramatta is always looking after you.

Mr MIKE BAIRD: The member is, of course, an Eels fan. Tonight new memories and new legends will be created. Every person in this House wishes Laurie Daley, captain courageous Paul Gallen and the entire Blues team well. Even the Deputy Premier loves them. When they pull their jerseys on tonight more than seven million people across this State will be saying, "Go forth and be victorious." Queensland says that it has it in the bag, but we say their time has come to an end. I take this opportunity to pay particular tribute to Robbie Farah, who is a friend of the former Premier. Robbie said that he wants to win the State of Origin in memory of his mum. He also said he does not deserve to wear a Kangaroo starting jersey until he wins a State of Origin series. That is the sort of passion that we love to see. Tonight the NSW Blues will be starting a new journey and we will be supporting them. The whole State will rock when they return to Sydney one nil up in the series.

Mr JOHN ROBERTSON (Blacktown—Leader of the Opposition) [2.21 p.m.]: It has been eight years since the NSW Blues won the State of Origin series. On one of those great occasions when we did win I am reminded that Bob Carr gave the gee up to the Blues in their change room and they were successful. He talked about them being gladiators. In Bob Carr's *Diary of a Foreign Minister* he talked about how he had the strength of 16 gladiators. In tonight's game I hope there will be 13 gladiators on the field wearing the NSW Blues jersey. Tonight New South Wales will be going into battle against Queensland. Our thoughts go with all the players and, in particular, Laurie Daley. This is Laurie Daley's second year as coach of the NSW Blues. This morning Freddy Fittler said that Laurie has taken a much more active approach in coaching this year's team. Laurie has been addressing things such as culture and pride, something we all should have as the NSW Blues run out onto Suncorp Stadium tonight.

They do go with our hopes. We certainly look forward to this year being the year that we finally break an eight-year drought. It has been a long drought. We have had to listen to the Maroons crow time after time. I certainly hope that New South Wales wins—that we do get over the line this time and that we take the fight up to Queensland—the State of Origin game this time. It is interesting to note the statistics that over the last few

years there has only been four points in it. The difference has been only four points. I hope that this year, with Laurie Daley in his second year as coach, we see New South Wales get over the line, take the fight up to Queensland and bring that trophy back to New South Wales, where it belongs.

The SPEAKER: Order! I notice that the former Premier, the honourable member for Ku-ring-gai, is wearing a Blues top. Normally that would be unacceptable, but on this occasion it is absolutely encouraged. Well done.

BUSINESS OF THE HOUSE

Notices of Motions

Government Business Notices of Motions (for Bills) given.

QUESTION TIME

[Question time commenced at 2.25 p.m.]

POLITICAL DONATIONS REFORM

Mr JOHN ROBERTSON: My question is directed to the Premier. One month ago the Premier said:

I am on the record as a supporter of public funding of political campaigns, as a mechanism to expunge the corrosive culture of political donations.

Will the Premier take up my bipartisan offer to ban political donations and implement public funding before the next election?

Mr MIKE BAIRD: To use the words of the former Premier, those opposite have more front than Woolworths. For the Leader of the Opposition to come in here and ask that question is unbelievable. First of all, I welcome those leaders who are visiting Parliament today from the electorate of Kiama and are in the visitor's gallery. It was a privilege to meet them, and I apologise for what they are about to witness.

The SPEAKER: Order! I have already apologised to them.

Mr MIKE BAIRD: What I love about those opposite and the Leader of the Opposition is that they say one thing and then do the absolute opposite. There was a letter that came from the Leader of the Opposition. He said, "We would like to see the full public funding of election campaigns, and I offer my commitment to work with you to make this possible". Let us go through this and look at what happened. Yesterday I rang him before question time and said we are establishing a group which includes Kerry Schott—I am not sure if those opposite have any complaints about Kerry Schott—John Watkins, a former member of Parliament from the other side; and Andrew Tink, a former member of Parliament from our side. I said to him, "Would you like to work in a bipartisan way on this?" He seemed receptive.

Then we saw the actions of the Opposition in question time. I was trying to work out what happened. I worked it out. If you look at the desk of the Leader of the Opposition, you will see that there is a phone in the middle of it. It rings occasionally. It rang yesterday. It was the unions. "Hello unions," he said. They said, "Now, listen, John, we are not so sure about this situation. How about you get out of it?" "No problems," he said, and off he went. That is what we have from those opposite. Are they kidding? There are three people in this group who he himself has said are fantastic. He is happy to support having all of those people solve the problem. They know that this is complex—there are constitutional issues and there are legal issues. You need to take the time to do it properly; you do not need just a political fix. That is what those opposite do—they do political fixes. We on this of the House do things properly.

The SPEAKER: Order! The member for Wollongong and the member for Lakemba will come to order. The member for Heffron will come to order.

Mr MIKE BAIRD: I say to the Leader of the Opposition: the offer remains open. If he wants to work with this committee, and have the opportunity to transform this State forever—which is what this committee has the chance to do in relation to donation reform—then I welcome that.

Mr John Robertson: Point of order: My point of order goes to Standing Order No. 129 on relevance. The question was whether the Premier will do this before the next election.

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

Mr MIKE BAIRD: I know the Leader of the Opposition does not read things in detail. He might have seen in my press release that I said we would be bringing forward other options before the next State election campaign. We need to do this properly. We have a very clear difference. We on this side said we are going to take action and we have taken action on lobbyists. I note again that we have said that Ministers are happy to provide a summary of our diaries on a quarterly basis. Who is happy to provide their diary summaries? Members on this side are happy to provide their diaries but, hello, look at members on the other side of the House. How has that discussion gone in shadow Cabinet? Did someone say, "By the way, John, that could be a problem"? It is a problem because people will see the phone records. People will see that every day union after union is coming in and members opposite do not want anyone to know about it.

Mr Michael Daley: Point of order: My point of order is taken under Standing Order No. 129, relevance. The only problem is the Premier's inability to answer the question. It is very simple.

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

Mr MIKE BAIRD: The member for Maroubra is waiting for the phone call that he needs to take over as leader. The Government is dedicated and committed to reforms to clean-up politics in New South Wales. In relation to lobbyists we have announced comprehensive reforms. Members opposite have said they will not do anything about that in Opposition. They are ignoring it. We put forward a bipartisan approach to transform donations in this State forever and what have members opposite done? They have played politics with it.

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

Mr MIKE BAIRD: The good news for the people of New South Wales is we are going to get on with the job and improve transparency to return trust to New South Wales politics. We will do that with or without members opposite.

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

STATE INFRASTRUCTURE

Ms MELANIE GIBBONS: My question is directed to the Premier. How is the Government investing in infrastructure to grow jobs and the economy?

Mr MIKE BAIRD: I thank the member for her interest not only in matters in her electorate but also in the growing New South Wales economy. On a daily basis Government members take action to grow the economy, jobs, investment and confidence. Today with the Deputy Premier I was pleased to visit the site where construction is starting on Sydney's world-class convention, exhibition and entertainment precinct. It is an amazing place where over the next two years a \$1 billion facility will be built to transform Darling Harbour and Sydney. The construction will create close to 4,000 jobs at its peak and once the facilities are in place 4,000 ongoing jobs will be created. Those jobs will help grow the economy and provide a fantastic destination for domestic and international visitors. It will be the largest fully integrated convention and exhibition centre in the country. Every other State and Territory will look at the facility and say they wished it was theirs. The good news for us is that it is situated in the middle of Sydney.

There is no doubt that people will call the convention centre the jewel in the Asia-Pacific because it is unbelievable in its size, scope and the facilities it will provide for conventions and exhibitions. The project will include a \$2.5 billion redevelopment of the 20-hectare Darling Harbour site and it will be situated next door to the \$6 billion Barangaroo development, which will also deliver more jobs to this great city and State. All of the plans are fully costed, planned and the project will be delivered. That is a bit different to how members opposite handled these projects. The convention centre will bring fantastic events to the people of New South Wales. Visitors will stay in our hotels, eat at our restaurants and shop at our stores. It is almost as though an economic smorgasbord is coming to town. The convention centre will transform the precinct and the expectation is that it will bring \$5 billion to the economy over the next 25 years. I pay tribute to the former Minister, who played a role in the project.

What economic growth means is often lost in these debates. A growing economy means that as revenue comes in we will have more capacity to invest in our roads, trains, buses, ferries, hospitals and schools. It also increases our capacity to employ more nurses, teachers and police on our front line, which is what we continue to do. It also ensures that we can continue to protect the vulnerable. That is a key pillar of our strategy and we will continue to do it as the economy grows. I remember when we were in opposition that we and the former Leader of the Opposition sat down and made a plan to get on with this job.

We did not have to wait. John O'Neill put out a report saying that Sydney was being held back economically so we decided to start a process in opposition that we could get happening when we came to government. That is what people are seeing today through the work of the Deputy Premier. It provides a stark contrast. Cranes are now going up but what did members opposite do when faced with the same problem and requirement in the lead-up to the election? Needless to say, they brought out a policy document. It has pictures and it is glossy so it must be real. I thought it would be interesting to read the document to find out what members opposite were going to do about a convention and exhibition centre.

Mr David Elliott: Check the spelling.

Mr MIKE BAIRD: I think the spelling is okay on this one. Labor's policy if it had won the election was to invest \$5 million to finalise a plan. Nothing could sum up members opposite better than a decision to spend \$5 million to finalise a plan. Actually, they had one other plan because they wanted to attract major events. The former Minister had huge success bringing events to the State. Labor members wanted to attract music events. How does the same policy document say they were going to do that? They were going to create a rock commissioner. We know the member for Keira wanted to bring Michael Bolton here. I can tell school leaders in the gallery that the member for Keira loves Michael Bolton. That is a perfect example of the difference between this Government and the former Labor Government. We get on with the job and get cranes in the sky; it did policy and spin. We will continue to do the right thing for the people of New South Wales.

ELECTION FUNDING AND EXPENDITURE

Mr MICHAEL DALEY: My question is directed to the Premier. One month ago the Premier backed calls from Geoffrey Watson, Senior Counsel, to move to public funding of political campaigns and promised he would "take decisive action". Will the Premier bring forward the reporting date and put in place these new laws before the election or is he backing away from his promise to take decisive action?

Mr MIKE BAIRD: I answered that question earlier but I am happy to be given a bit of time to play. Members opposite have asked the same question twice. I am trying to understand how their strategy works. Do they sit down and say, "Well, team, we have nothing. We can't ask questions about transport, health, education or planning. There's nothing we can ask because the Government is doing an amazing job. What do we do?" Far be it from me to help members opposite with their tactics, but I think they need some advice. For the benefit of members opposite, this is the last sitting week before the budget is delivered. When we were in opposition we generally spoke about the budget in the week leading up to it. It is a big document.

Mr Andrew Stoner: Don't tell them.

Mr MIKE BAIRD: I am just trying to offer them some help.

Mr Michael Daley: Point of order: My point of order is taken under Standing Order 129. It is a simple question. Will the Premier bring in the new laws before the election or not?

The SPEAKER: Order! The Premier indicated that he has answered the question previously. There is no point of order.

Mr MIKE BAIRD: That is where the Opposition's questions come from—opening the *Sydney Morning Herald* or the *Daily Telegraph*. The member for Maroubra is a little bit sensitive; all of a sudden he has realised the budget is coming. The shadow Treasurer has just said, "Oh my gosh, is that coming? When did this happen? When is the budget? Haven't we had it?" No, it is coming in a couple of weeks. Members of the shadow Cabinet need to recognise that the budget document is important to them and they should focus on forming questions relating to each policy.

Mr John Robertson: Point of order—

The SPEAKER: Order! I remind the Leader of the Opposition that the Premier has indicated that he answered the question in a previous answer.

Mr John Robertson: The Premier's response has not been relevant to the question. The budget is in no way relevant to the question. This question is about the Premier's inability to do anything now about electoral funding reform.

The SPEAKER: Order! The Leader of the Opposition will resume his seat. The Premier indicated that he had answered the question. There is no point of order. The Premier has the call.

Mr MIKE BAIRD: The Leader of the Opposition just made the statement that the budget is not relevant.

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

Mr MIKE BAIRD: I find it a little disappointing that the Opposition did not know the budget was coming; and all I am trying to do is provide some advice to them. I answered the question that the Leader of the Opposition asked. I answered that in detail in response to the first question. Those opposite park their moral high horse out there, then come in here and ask questions suggesting something completely different. I make no apologies for wanting to do this properly. For too long those opposite would run and look for a political fix. I am interested in fixing New South Wales. I am not interested in a political fix, which is the way that Labor approaches things. I make no apologies for doing this.

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

Mr MIKE BAIRD: The time frame will be determined by the panel, which will ask the questions on what needs to be undertaken and seek expert advice.

The SPEAKER: Order! I call the Leader of the Opposition to order for the second time. He will cease interjecting.

Mr MIKE BAIRD: The Leader of the Opposition cannot be serious about wanting this to be done, no matter the way, shape or form. It needs to be done properly, and I make no apologies for doing it properly. I make no apologies for asking the panel to present a report that will provide an opportunity to fix New South Wales for the long term.

The SPEAKER: Order! Members will come to order.

INTERNATIONAL CONVENTION CENTRE SYDNEY

Mr JOHN SIDOTI: My question is directed to the Deputy Premier, Minister for Trade and Investment, Minister for Regional Infrastructure and Services, Minister for Tourism and Major Events, Minister for Small Business, and Minister for the North Coast. How is the Government's commitment to conventions, exhibitions and major events growing the State's economy?

The SPEAKER: Order! Members will come to order. There is too much audible conversation in the Chamber.

Mr ANDREW STONER: I thank the member for Drummoyne for a very good question—looking splendid in his sartorial elegance today. What a great morning it was down at Darling Harbour with the Premier. The old convention and exhibition centres have been completely demolished and construction is underway on the new International Convention Centre Sydney. These are exciting times for Sydney and New South Wales: progress, construction, transformation. As the Premier said, the cranes are going up all round Sydney and New South Wales. After 16 long years of inaction we are getting progress and transformation in this State.

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

Mr ANDREW STONER: This is a triumph of policy over politics—politics being what we saw from those opposite for those 16 long years.

The SPEAKER: Order! The member for Macquarie Fields will cease interjecting.

Mr ANDREW STONER: This transformation of the western plank of the Sydney CBD has quite a history. More than six years ago John O'Neill produced for the then Government a report that recommended substantial investment in our convention, exhibition and entertainment facilities in Sydney to attract the events that we were missing out on because they were going to competitor jurisdictions, for example, Singapore, Hong Kong or even Melbourne. Back in 2008 then Premier Morris Iemma promised to act on that report. He commented on the report finding that the lack of modern facilities was costing Sydney nearly \$500 million each and every year. But, guess what? Nothing happened. Another Premier came along, Nathan Rees—nothing happened. Another Premier came along, Kristina Keneally—nothing happened. That is a common story when it comes to action on infrastructure and progress by the previous Government. But, thank goodness for the people of New South Wales, in 2011 all of that changed.

Within the first 100 days of the new Government, expressions of interest for the development of the new world-class convention, exhibition and entertainment facilities were called for by this Government. That is because this Government understands that business visitors in particular are incredibly valuable for our visitor economy. In 2013 alone, New South Wales welcomed nearly five million business visitors, who stayed some 15 million nights in this State, spending more than \$3 billion. That is a huge contribution to the State economy; and it is a lot of jobs in our hospitality and tourism sector. The reaction to what this Government is doing has been fantastic. This morning we spoke to the president of the Exhibition and Events Association of Australasia, Joyce DiMascio, who was absolutely thrilled with the progress, including the new temporary convention centre facilities on Glebe Island. The Tourism and Transport Forum had this to say:

Sydney missed out on hundreds of millions of dollars in economic activity every year because the old Sydney Convention and Exhibit Centre did not have sufficient capacity. The new International Convention Centre Sydney will change all that, giving Sydney the biggest exhibition space, the biggest meeting space and the biggest plenary space in the most advanced facility in the country. That will allow Sydney to bid for and host multiple major business and entertainment events simultaneously, generating spending that will create jobs and support businesses.

We are seeing a huge transformation of the Darling Harbour precinct that includes more public space, more accommodation, more businesses, a new start-up precinct, and also a state-of-the-art, world-class convention, entertainment and exhibition facilities that will drive an additional \$200 million per annum into the New South Wales economy. The contrast could not be more stark. Back in 2008 it was promised by those opposite, but they did absolutely nothing. After less than 100 days in government, this Coalition started the ball rolling, and today marked the construction of our world-class International Convention Centre Sydney.

POLITICAL DONATIONS REFORM

Mr PAUL LYNCH: My question is addressed to the Premier. One month ago, when asked about the donation scandal at the Independent Commission Against Corruption [ICAC], the Premier told the people of New South Wales that he would "fix this", and that he was "determined to get rid of the activities that we have seen." Premier, will you shut down the Liberal slush funds, including the Millennium Forum and Free Enterprise Foundation, or are you backing down again?

Mr MIKE BAIRD: Yet again, a similar subject. Did we move on to the budget? No. Are they learning? No, they are not. That does not surprise me. I have answered the question. In relation to the second part of the question, I have asked the State director to respond and provide an appropriate response. An inquiry is underway and the party will be making a response. We make no apologies for trying to fix New South Wales. That is what we on this side of the House have done. It does remind me when I see the Leader of the Opposition over there—I mean, it is hard not to remember—of the contribution he made when he was asked as the energy Minister to fix electricity prices in this State. We all remember where energy prices went under those opposite.

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

Mr John Robertson: Point of order: This is one of the most pathetic performances from a Premier in the history of this State.

The SPEAKER: Order! There is no point of order. The Leader of the Opposition will be directed to resume his seat if he approaches the table with those types of introductory remarks.

Mr John Robertson: It is under Standing Order 129, relevance.

The SPEAKER: Order! There is no point of order. I have warned members not to approach the table in an argumentative manner and without citing a standing order, which the Leader of the Opposition did not do. He will resume his seat.

Mr MIKE BAIRD: I did not know that they had put a mirror in here so the Leader of the Opposition could see his own performance.

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

Mr MIKE BAIRD: I will answer this question quickly and for the last time, because I do not want to distract the House. It is very simple. We have been addressing this issue in the past six weeks. We have taken actions in relation to our house. I do not know what those opposite did in relation to their house, but we have appointed an ex-director of ICAC to look at compliance and processes across our party—something that needed to be done. We also changed the lobbyist code of conduct. We have ensured a range of measures to dilute the influence of lobbyists.

Ms Linda Burney: Point of order—

The SPEAKER: Order! The Premier is answering the question. What is the member's point of order? Is the member taking a different point of order?

Ms Linda Burney: It is not a different one. It is about the Millennium Forum and the Free Enterprise Foundation. Will the Government close them?

The SPEAKER: Order! That is not a different point of order. The member for Canterbury will resume her seat. There is no point of order. The Premier is answering the question.

Mr MIKE BAIRD: The Government has taken those measures in relation to lobbyists. I note that the shadow Cabinet is silent, incredibly silent, on whether it will release its diaries. Members opposite say one thing but do another. Yesterday the Government announced an opportunity for a bipartisan approach to fix donations in this State for the long term but those opposite, for political reasons, turned their backs. If that is what they want to do, they can do so. But for the people of New South Wales the good news is that this Government is determined to take every action possible to return trust to New South Wales politics. That is what we will do, and further announcements will be made about that. The Government makes no apologies for getting on with the job, with or without those opposite.

STATE ECONOMY

Mr MARK COURE: My question is addressed to the Treasurer and Minister for Industrial Relations. How is the Government strengthening the New South Wales economy?

The SPEAKER: Order! Members will come to order and cease interjecting.

Mr ANDREW CONSTANCE: I thank the member for Oatley for his question. I recognise that the member is fighting hard for Hurstville Public School and St George Hospital and I congratulate him on achieving the upgrade work at Oatley Railway Station. In three short years the New South Wales economy has turned around. Why? Because the New South Wales Liberal-Nationals took control of the budget and focused on housing, jobs and infrastructure. Members will recall that life under Labor was stark. On the jobs front, under Labor New South Wales had the slowest jobs growth of any State for the past decade. Now New South Wales has the highest growth of all the States. In relation to economic growth, under Labor we had the slowest growth of any State for the past decade. Now New South Wales is the strongest of all the States. Under Labor business confidence was at the lowest level of all the States, and now business confidence is the most positive of all the States.

As to housing supply, under five years of Labor we had the lowest number of new dwelling starts per capita. Now housing approvals are at their highest levels in over a decade. The same applies to the retail trade. The bottom line is that those opposite do not want to know about it. We have a union boss masquerading as the member for Blacktown and the Leader of the Opposition, who wants to get his hands on the economy and trash it. Earlier today the Housing Industry Association [HIA] issued an important forecast about home building in

New South Wales. The HIA has forecast that over 49,000 dwellings will have commenced construction in New South Wales this financial year, compared to 48,000 in Victoria. For the first time since 2003-04 New South Wales is ahead of Victoria when it comes to new homes. Harley Dale, HIA chief economist, is quoted today as saying:

New South Wales and Western Australia have driven the new home building recovery to date with commencements for both these markets at decade highs. The impetus behind the recent strong growth in New South Wales and Western Australia is likely to remain.

Housing approval figures are the strongest they have been in over a decade, with 51,000 approvals in the 12 months to March this year. That clearly demonstrates that the policies adopted by the New South Wales Liberal-Nationals are driving this important sector to the benefit of the State's economy.

The SPEAKER: Order! The member for Macquarie Fields will cease interjecting.

Mr MIKE BAIRD: We are seeing successful outcomes in our labour market. Those opposite do not want to hear the good news. Currently New South Wales has an unemployment rate of 4.4 per cent—4 per cent below the national average. When we compare that figure to Victoria at 6.4 per cent, it clearly demonstrates the robustness of the New South Wales economy and shows that the strength of public policy enacted by the Government is reaping results. The most important figures I cite are those for March. Nationally 18,300 new jobs were created—and 16,300 of those new jobs were created in New South Wales. The economy is showing signs of improvement and the Government's focus on housing, jobs and infrastructure is growing confidence in New South Wales and delivering good outcomes.

In relation to underpinning jobs growth, the Government's Jobs Action Plan is also important. We are achieving our goals through our emphasis on addressing payroll tax thresholds and assisting business across the board to deliver the results they want to achieve. The reforms to the workers compensation scheme have delivered 12,600 jobs in this State. Under the previous Labor Government, businesses were facing a 28 per cent price hike because the scheme was in disarray. When this Government came to office, we made it clear that we would seek to create 100,000 jobs in the first four years. I am pleased to report that the figure now stands at 137,400 jobs. That is a marked improvement on the figures when those opposite were in government and New South Wales had the slowest jobs growth of any State. It is pleasing to see these continuing results.

[Business interrupted.]

VISITORS

The SPEAKER: I welcome members of the Liberal Women's Council, led by their president, Felicity Wilson. They are guests of the member for Castle Hill and the Minister for Finance and Services. Welcome to question time.

QUESTION TIME

[Business resumed.]

POLITICAL DONATIONS REFORM

Ms LINDA BURNEY: My question is directed to the Premier. Will the Premier fix the terms of reference of the task force he has set up to ensure that there is no scope to consider overturning the caps on political donations and the bans on donations from property developers and alcohol, tobacco and gambling businesses?

Mr MIKE BAIRD: Madam Speaker—

The SPEAKER: Order! The member for Canterbury will resume her seat. An Opposition member asked the question and the Leader of the Opposition should listen to the answer. The member for Wollongong will cease interjecting.

Mr MIKE BAIRD: Those opposite keep asking the same question and I am happy to answer it. In fact, I have answered it already, in different guises, in this question time. The answer is simple: The Government has asked a group of experts to examine the system and to look at every avenue to pursue public

funding. That is what I have argued for and articulated. It is up to the experts to determine whether public funding is feasible. Concerns have been raised, but I am on the record as saying that that is my preferred model. I have asked a group of experts—those opposite would not know what that is—to look at the issue, to consider the advice and to provide recommendations.

Ms Linda Burney: Point of order: Although the Premier asserts he has answered—

The SPEAKER: Order! The member will not make a statement. What is the member's point of order?

Ms Linda Burney: Standing Order 129, my question was about caps on political donations, bans on property developers, and alcohol and tobacco.

The SPEAKER: Order! Members should cite the standing order that has been breached, which I presume is Standing Order 129?

Mr John Robertson: She said it.

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

Mr MIKE BAIRD: We have reached a point where it has become almost embarrassing for those opposite. Yesterday we identified a committee who would look at this in detail. Even the Leader of the Opposition said the expert panel members were outstanding, or words to that effect. Let the experts do the work and make a determination. Those opposite had the chance to do something and did the complete opposite.

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

Mr MIKE BAIRD: It is hypocritical, with a capital "H", for those opposite to come in here and pretend they actually care.

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

Mr MIKE BAIRD: From their actions yesterday it is evident that they do not care about the future of this State. Those opposite want to score political points at every opportunity. Sure, that is what the Opposition does, but this is an opportunity to fix this State for the long term and the Opposition is playing politics. If that is what the Opposition wants to do, we expect nothing less. The Opposition can do this all question time, but I remind every person in this House, those in the gallery and those across the State who are watching—I think my mum is watching today—that we need to understand that the week before the budget the Opposition is yet to ask a single budget question. If that is its approach, the people of New South Wales would expect nothing less, but we are going to get on with the job of looking after the people of New South Wales and no-one else.

ENVIRONMENT PROTECTION

Mr GEOFF PROVEST: My question is addressed to the Minister for the Environment, Minister for Heritage, Minister for the Central Coast, and Assistant Minister for Planning. What is the Government doing to protect communities and the environment?

The SPEAKER: Order! Members will come to order. There is too much audible conversation in the Chamber. When members cease interjecting the Minister may commence his answer. The next member who interjects will be removed from the Chamber, even if it is the member for Balmain, as much as I would not like to throw him out of the Chamber.

Mr Jamie Parker: I didn't even say anything.

The SPEAKER: Order! I was warning the member for Balmain. He was not listening. The member for Macquarie Fields will cease interjecting.

Mr ROB STOKES: I should commence, following the Premier, by advising that my mother is in the Chamber this afternoon. I expect those opposite to be suitably respectful.

The SPEAKER: Order! The level of audible conversation in the Chamber is unacceptable. Members will come to order.

Mr ROB STOKES: I thank the member for Tweed for his question. The member has always been more than 99.9 per cent for the Tweed and a passionate protector of the marine environment, particularly penguins. Today the New South Wales Government has announced a range of measures that will further strengthen the Environment Protection Authority [EPA] and provide it with the toughest regulatory tools in Australia to protect our community and environment. My predecessor, the Hon. Robyn Parker, the member for Maitland, led the charge to re-establish the EPA as the independent and tough regulator that the community expects and our environment deserves. Last year further reform was introduced to tackle dodgy dumpers by passing legislation to introduce jail time for unscrupulous operators convicted of multiple illegal dumping offences. Today the New South Wales Government offers an opportunity to industry.

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

Mr ROB STOKES: They do not like good news.

The SPEAKER: No, they do not.

Mr ROB STOKES: Companies that meet their responsibilities to the environment and the people of New South Wales will be rewarded, while those operators who ignore, neglect or forget their environmental obligations will face increased punishment and scrutiny from the EPA and the courts. First, for the 10 most serious environmental offences, we are increasing on-the-spot fines by up to 10 times. Fines for offences such as polluting waters, dumping asbestos, operating without a licence or not complying with a clean-up or prevention notice will increase from \$1,500 to \$15,000 for companies. These will be the toughest penalties for offences of this nature anywhere in Australia.

These serious penalties provide a real deterrent. The penalties have not increased for years—in many cases not since last century—and have fallen out of step with community expectations. Even the most unscrupulous operator will no longer be able to treat these penalties as "just the cost of doing business." These increases are for on-the-spot fines. Other enforcement options available to the EPA include court action where a successful prosecution will attract penalties of up to \$5 million or seven years jail. Secondly, the Government is closing the liquidation loophole that underhanded operators might use to avoid prosecution for blatant environmental offences. No longer will crooked companies be able to dive in and out of liquidation in order to avoid having their environment protection licences revoked by the EPA for engaging in dodgy operations.

Thirdly, the Government is providing the Land and Environment Court with alternative approaches to sentencing. Restorative justice actions can benefit the environment and the victims of environmental incidents. These reforms will allow communities whose health or livelihood has been impacted by an environmental incident to participate in the sentencing response to that incident, including in the formation of a remedy appropriate for the harm caused. Finally, this Government recognises that good environmental performers should be rewarded for responsible practices. Licensees will receive a level of regulation based on the risk their business poses to the environment, with strong incentives for industry to improve environmental performance.

Proven performers and lower risk licensees will have lower licence fees and reduced red tape. Conversely, licensees whose actions result in poor environmental outcomes will face higher licence fees and increased monitoring from the EPA. These reforms continue the strong legacy of New South Wales Coalition governments in environmental enforcement. Your predecessor, Madam Speaker, as the Liberal member for South Coast, Jack Beale, was the first environment Minister in Australian history. A New South Wales Coalition Government created the first New South Wales State Pollution Control Commission and the first New South Wales Clean Waters Act. Another New South Wales Coalition government created the original independent EPA and, for the first time, made public utilities liable for environmental crimes.

Labor got into power and what did it do? In the words of Lipman and Farrugia in a recent peer review article, it considerably diminished the powers of the EPA. Even in opposition Labor is trying to tie the EPA's hands behind its back. Just two weeks ago in this place the Opposition again sought to weaken and traduce the EPA's ability to prosecute. I suspect the EPA may be investigating a hazardous spill opposite in the weeks to come. Our reforms to strengthen the EPA include measures tougher than those anywhere in the Commonwealth: tougher than Victoria, Western Australia, Tasmania, South Australia and even Queensland. Let us hope that our boys in blue are the same tonight.

PARLIAMENT CODE OF CONDUCT AND DISCLOSURE

Mr JAMIE PARKER: My question is directed to the Premier. Considering that the expert panel will not report until December, will the Premier take action now to improve transparency and commit to the Independent Commission Against Corruption [ICAC] 2010 recommendations to include ministerial staffers and parliamentary and senior bureaucrats in the disclosure regime?

Mr MIKE BAIRD: I thank the member for his question. I make the point that the member for Maroubra actually has been seen in his electorate recently. We remember that even though the member for Maroubra called The Greens the greatest shysters in politics, for six months before the last election he pretended he was one. He displayed a green poster saying he was green. He is trying to do the same again because he does not want Verity Firth to win: he is handing out flyers in the Balmain electorate for Jamie Parker. I shall respond quickly to two key issues. I have said that we will introduce options before the next State election. I said that yesterday, I say it today and I will continue to say it. We need to examine what we do with the donation system. We will bring forward options.

Mr Michael Daley: That wasn't the question.

The SPEAKER: Order! The member for Maroubra does not need to point out what the question was.

Mr MIKE BAIRD: In the longer term we will establish the panel, but I will get to that in a moment. Regarding lobbyists, we have asked senior public servants to look at the issues the member has raised and bring forward recommendations, and we will respond. We have made some initial announcements regarding lobbyist codes. I need to say slowly to the member—because members opposite do not have a great capacity to comprehend—that we have taken significant action on all of the issues that have been raised in the past six weeks.

The SPEAKER: Order! I call the member for Macquarie Fields to order for the first time. I remind the Leader of the Opposition that he is on three calls to order.

Mr MIKE BAIRD: I will not be lectured by Opposition members. Members of the gallery, we are watching a *Seinfeld* episode. It is an episode about nothing and the Leader of the Opposition is George Costanza: he does the opposite of what he says so he will have a successful life. That is what happens when the Leader of the Opposition speaks. In answer to the member's question, we have taken action. We have appointed a former director of the Independent Commission Against Corruption to look at the overarching principles and compliance of our party. The State director has said that we need to look at compliance within our House. We have taken that action. We have also announced a range of measures in relation to lobbyists. Opposition members had the opportunity to do that. In 2010 they received a lobbyist report and they did absolutely nothing about it. They are on their high horses saying, "Do this; do that." When they had a chance to do something they did absolutely nothing, but we have taken action.

The point I make for the member for Balmain is that we have taken significant action and we have said that we will take more action. Indeed, I have said that we will do whatever it takes to ensure that we return trust to politics in New South Wales. I know members of the community share my concern and I am happy to engage with them on those broader issues. Whether it is via this House, lobbyists or a long-term option to fix politics through donations reform in this State, we have outlined a road map and we have a genuine intention to fix politics in New South Wales. We are proud to have taken action and we continue to be open to additional measures and ideas. It is critical that we return confidence back to New South Wales politics.

MINERALS INDUSTRY ACTION PLAN

Mr KEVIN ANDERSON: My question is directed to the Minister for Resources and Energy. What action is the Government taking to drive economic growth in the mineral sector?

Mr ANTHONY ROBERTS: Opposition members should not get so excited, it is a cardboard box. Imagine it is Christmas.

The SPEAKER: Order! Members will come to order.

Mr ANTHONY ROBERTS: I thank the member for Tamworth for his question and for his ongoing commitment to the minerals industry and communities in New South Wales. Last week I was pleased to announce the establishment of a minerals industry task force to develop for the first time a Minerals Industry Action Plan for

New South Wales. This will deliver growth, investment, employment and opportunity for New South Wales, providing a real boost for this industry, its communities and the State's economy over the next decade. New South Wales is proudly home to a vibrant minerals industry sector, a sector that provides more than 33,000 direct jobs and more than 130,000 indirect jobs. As Minister for Resources and Energy, I am proud of this sector. The Baird-Stoner Government is strongly supporting miners, their families and mining communities across this great State. The Minerals Industry Action Plan will provide a road map for further growth in the minerals sector. I have put together a task force of industry leaders, experts and representatives to deliver this plan.

Members on this side of the House are committed to doing all we can to support this vital sector. However, it gives me no pleasure to inform members that, once again, Opposition members are failing New South Wales miners and mining communities. We know that the Leader of the Opposition has his own plan to shut down the industry, which will put people out of work and leave their families in the lurch. It also gives me no pleasure to inform members that last year the Leader of the Opposition proudly told an anti-mining forum that he and Luke Foley were developing a plan to phase out the coal industry. He openly stated that this was Labor policy and he was applauded by The Greens.

The Leader of the Opposition is not talking with or listening to anyone in the industry or the community because he and his Labor mates apparently know better. It is typical Labor policy made on the run. It is out of touch, has no process and is doomed to fail. Some parts of the mineral industry are under considerable pressure at this time, particularly the coal industry. The contrast between Labor and the Liberal-Nationals Government could not be clearer. Labor's policy is a knife in the back to the thousands of hardworking men and women across the mining industry in New South Wales. It is a knife in the back of the more than 2,200 coalminers who live and work in the electorate of the member for Cessnock, who is a proud supporter of this industry.

It is a knife in the back of more than 750 coalminers who live and work in the electorate of the member for Keira. Perhaps that is why the member for Keira is currently counting numbers. His counting is better than his spelling, but he is counting numbers with both hands. It is a knife in the back of more than 660 coalminers who live and work in the electorate of the member for Lake Macquarie. The Leader of the Opposition had no problem knifing Labor premiers with his mates Eddie Obeid and Joe Tripodi, and he has no problem knifing hardworking miners across this great State. Our miners are the men and women who ensure that when we flick a switch the lights turn on. It is not only members on this side of the House who are alarmed by the behaviour of the Leader of the Opposition.

The SPEAKER: Order! Members will come to order. Members will be removed from the Chamber if this level of interjections continues.

Mr ANTHONY ROBERTS: Members should be made aware of former Labor Treasurer Michael Costa's position with respect to Labor's plan. He said:

I view this as a betrayal of Labor's traditional base.

He went on:

That traditional base is precisely what Labor needs to reconnect with, and these sorts of comments to get a cheap headline at a forum dominated by The Greens is indicative of the problems that Labor has faced.

New South Wales is and has been a proud mining State for more than two centuries. Members on this side of the House are proud of this and that is why we are getting on with the job of boosting the economy and creating jobs. One would think that there would be some Opposition members who would be proud of this too.

Pursuant to standing order additional information provided.

Mr ANTHONY ROBERTS: Sadly, while they support the current Leader of the Opposition they still support his plan to shut down the coal industry. I look forward to further updating the House on the Minerals Industry Action Plan in the months ahead. I have been asked what is in this small box.

Mr Michael Daley: Point of order: It is the Eightbyfive money box or it is a prop. Either way it is against the standing orders. It is a prop or it is full of slush funds, and it is not allowed in the House.

The SPEAKER: Order! The member for Maroubra will resume his seat. There is no point of order. The Minister has the call.

Mr ANTHONY ROBERTS: Labor has been incapable of making decisions on a lot of issues for a long time. This box came into our possession when the Leader of the Opposition lost it about six months ago.

Mr Michael Daley: Point of order: If this is not a prop then I do not know what is. It is not a document so it must be a prop. It is clearly against the standing orders.

The SPEAKER: Order! The member for Maroubra will resume his seat.

Dr Andrew McDonald: Point of order—

The SPEAKER: Order! The member for Macquarie Fields will resume his seat.

Dr Andrew McDonald: No, I will not. I have a right to take a point of order under Standing Order 94.

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

Dr Andrew McDonald: It is Standing Order 129, relevance. The question was about the minerals industry. The box has nothing to do with it.

The SPEAKER: Order! That is exactly the question the Minister has been answering for the past five minutes. The member for Macquarie Fields has not been listening. Does the Minister have a document in the box that he would like to table?

Mr ANTHONY ROBERTS: It is something of great importance.

Mr Richard Amery: Madam Speaker— [*Time expired.*]

Question time concluded at 3.18 p.m.

PUBLIC ACCOUNTS COMMITTEE

Government Response to Report

The Clerk announced the receipt of the Government's response to Report No. 12/55 of the Public Accounts Committee entitled "Examination of Auditor-General's Performance Audits October 2011 to March 2012", received 27 May 2014.

COMMITTEE ON THE OMBUDSMAN, THE POLICE INTEGRITY COMMISSION AND THE CRIME COMMISSION

Chair

The SPEAKER: I inform the House that, pursuant to Standing Order 282 (2), on 28 May 2014 Bart Edward Bassett was elected Chair of the Committee on the Ombudsman, the Police Integrity Commission and the Crime Commission.

BUSINESS OF THE HOUSE

Notices of Motions

Amended General Business Notice of Motion (General Notice) No. 2849 submitted by Mr Greenwich by leave.

PETITIONS

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

Public Libraries Funding

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

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

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

Greenwich Hospital Rehabilitation Beds

Petition requesting that the Government continue to fund 25 public rehabilitation beds at Greenwich Hospital, received from **Mr Anthony Roberts**.

Low-cost Housing and Homelessness

Petition requesting increased funding for low-cost housing and homelessness services, 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**.

BUSINESS OF THE HOUSE

Suspension of Standing and Sessional Orders: Order of Business

Mr ANTHONY ROBERTS (Lane Cove—Minister for Resources and Energy, and Special Minister of State) [3.21 p.m.]: I move:

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

- (1) at 4.00 p.m. Government business;
- (2) private members' statements;
- (3) matter of public importance; and
- (4) the House to adjourn without motion moved at the conclusion of the matter of public importance.

I am pleased to inform the House that we should be able to finish today's sitting at an earlier and more reasonable hour than we finished last night, but that will depend on the timely passage of Government bills. I currently envisage that Government business should conclude prior to the dinner break. This will allow the House to move to private members' statements and the matter of public importance.

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

Motion agreed to.

CONSIDERATION OF MOTIONS TO BE ACCORDED PRIORITY**Housing Supply**

Mr MARK COURE (Oatley) [3.22 p.m.]: The motion I seek to have accorded priority states:

That this House:

- (1) Notes that New South Wales is leading the nation, with residential building approvals the largest since 2004.
- (2) Commends the Government's approach that:
 - (a) creates more housing supply to support first home buyers;
 - (b) supports the creation of jobs; and
 - (c) grows the New South Wales economy.

My motion should be accorded priority because today's Housing Industry Association and Commonwealth Bank Housing Affordability reports confirm that the New South Wales Government is delivering on its promise to make housing more affordable. In doing so the New South Wales Government is supporting the creation of jobs, supporting first home buyers and growing the economy. I hope both sides of this Chamber support these objectives. The Australian Bureau of Statistics released statistics at the start of this month that confirm that housing approvals in this State are the highest since 2004. We are increasing the supply to meet demand for homes in New South Wales and driving down prices so that more people can achieve the great Australian dream of buying and owning their own home. My motion should be accorded priority because there are fewer issues more important to families in my electorate than the cost of housing, the cost of living and jobs availability.

My motion is important because all members of this House should vote to support first home buyers, to support the creation of jobs and to support growing the New South Wales economy. My motion should be accorded priority because this House should highlight the plan of the Leader of the Opposition to take a wrecking ball to the State's economy. The Leader of the Opposition is not interested in reducing house prices; he is only interested in grabbing a good headline. That is why he wants to rip \$2 billion from the State budget to give stamp duty concessions to people buying existing homes. Wrecking Ball Robbo does not understand that this will only drive house prices upwards, further hitting those struggling families who are looking to put a roof over their heads. My motion should be accorded priority because the Baird-Stoner Government will reduce pressure on housing prices, increase housing supply, create jobs and grow the New South Wales economy.

Political Donations Reform

Mr JOHN ROBERTSON (Blacktown—Leader of the Opposition) [3.25 p.m.]: Currently there can be no more pressing issue than people's confidence in politics in this State, which has been rocked to the core. Scandal after scandal has been playing out at the Independent Commission Against Corruption [ICAC]. There has also been a lot of talk about action in this Chamber. Saying it is so, does not make it so. We now have Premier Mike Baird—"I am looking into this" and "I am looking into that". Looking into things is not action. Making no apologies for taking no action is unacceptable in this State.

My motion deserves to be accorded priority because I have said all along that I will work in a bipartisan manner with the Government to end donations and implement reforms that deliver public funding for elections. This was highlighted by the ICAC. It was even highlighted by the High Court of Australia. On 4 May I wrote to the Premier and said the time for the debate has passed. What we need now is action—action on the implementation of public funding of elections and on the banning of political donations. We cannot afford to continue to allow this perception of donations for decisions in New South Wales. We do not need a debate, we need action. I stand by what I said to the Premier.

I told the Premier that I will work in a bipartisan manner to implement proposals that address public funding and proposals that ban political donations. I did not commit or give any indication to the Premier that my bipartisan support was a blank cheque for any terms of reference that he wanted to put in place. The Premier's terms of reference for this task force that we keep hearing about go well beyond dealing with public funding for elections and banning donations. The terms of reference that the committee will be required to address every step of the way will potentially open up and overturn the reforms that were put in place by the last Parliament—a ban on donations from the liquor lobby, a ban on donations from the gambling industry and a ban on donations from property developers.

In the Premier's terms of reference there is opportunity to overturn those bans and turn back the clock to the bad old days of the liquor lobby, gambling industry and property developers making donations. We should not allow terms of reference to pass this House that will allow that to occur. I stand by my commitment to work in a bipartisan fashion with the Premier to ensure that we have publicly funded elections and that we put a ban on donations. My motion deserves priority. It should be debated here and now in this Chamber.

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

The House divided.

Ayes, 57

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

Noes, 24

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

Question resolved in the affirmative.

HOUSING SUPPLY

Motion Accorded Priority

Mr MARK COURE (Oatley) [3.37 p.m.]: I move:

That this House:

- (1) Notes that New South Wales is leading the nation, with residential building approvals the largest since 2004.
- (2) Commends the Government's approach that:
 - (a) creates more housing supply to support first home buyers;
 - (b) supports the creation of jobs; and
 - (c) grows the New South Wales economy.

We all know that when residential building approvals rise the economy is doing well. The New South Wales Government is making homes more affordable by increasing supply. The recent level of building approvals is the highest in a decade. There were 46,838 residential building approvals in New South Wales, the highest since 2004. Some 34,500 new homes were approved in the Sydney metropolitan region—levels not seen since 1999. We can compare this to the lowest point when 16,200 homes were approved in 2009 under the former failed Labor Government. From February to March New South Wales was the only mainland State to record an increase in housing approvals. Today we saw the release of the quarterly Housing Industry Association and Commonwealth Bank Housing Affordability report, which confirmed that the New South Wales Government is delivering on its promise to make housing more affordable for families in New South Wales. Since the end of 2010, housing affordability has improved by 31 per cent in Sydney—

Mr John Williams: Well done, Hurstville.

Mr MARK COURE: Out in Hurstville, that is exactly right. Since mid-2011 housing affordability has improved 25 per cent in regional areas around New South Wales. I think everyone in this Chamber can agree that this is a good result for the people of our State. We are on track to make New South Wales number one again. A good housing market means a good economy, and the Coalition is getting on with the job of fixing the economy and cleaning up Labor's mess. When Labor left office jobs growth in New South Wales was the lowest of any State. Now we are growing faster than any other State in Australia. When Labor left office economic growth in New South Wales was the slowest of any State. Now it is the strongest of all the States in Australia. When Labor left office business confidence in New South Wales was the lowest of any State amongst small and medium businesses. I suppose that did not include Eddie Obeid's businesses. Now business confidence has been on a positive upward trend for nine months. Labor left us with the lowest number of new housing starts per capita and we are now seeing the highest number of dwelling approvals in 15 years.

We are securing the future for New South Wales by investing in the key levers of economic growth: infrastructure and housing. Members opposite could not be bothered investing to grow our economy and build infrastructure when they were in government. They preferred headlines over train lines and media releases over housing releases. Now members opposite are led by Wrecking Ball Robbo and the shadow Treasurer and member for middle management, the Daley Deficit. This is an election year and the truth should be told. The current Leader of the Opposition, Wrecking Ball Robbo, wants to rip \$2 billion from the State budget to give stamp duty concessions to people buying existing homes. It is a pity he does not understand the economics of housing in New South Wales. Any economist would tell him when money is given to people to buy existing homes it drives prices up by exactly the amount they are given. It will not do a thing to improve housing affordability. Members opposite do not understand that the key to improving housing affordability is supply, supply and more supply.

But, wait, it gets worst. Not only do Labor members want to drive up housing prices; they also want to tax families hard. Labor's Jobs and the Economy Policy Commission said that if Labor members got back the Treasury benches—God help us—they would increase the overall tax take, broaden the base of land tax, introduce a congestion tax on already struggling motorists and not give tax breaks to sectors in need or cut red tape for businesses. One would think the Labor Party would have learnt by now that it cannot tax its way to prosperity. Only the Baird-Stoner Government will lower pressure on housing prices, increase housing supply and create jobs. I commend the motion to the House.

Mr MICHAEL DALEY (Maroubra) [3.42 p.m.]: I am glad the member for Oatley is enjoying himself. We probably have about 25 or 30 sitting days left in this year. If I was the Government and in the charitable mood it is in I would give every motion accorded priority to the member for Oatley. He knows they will be the last 25 motions he will move in his life after O'Byrne Smith takes him apart at the next election. I am glad the member for Oatley is enjoying himself with his contrived enthusiasm. He has a use-by date stamped on the forehead of his career. The Labor Party apologises for the mess it left. We are sorry about the 14 surpluses in 16 years and the triple-A credit rating that has made the Government's budgets bulletproof despite its economic mismanagement. We are sorry about the 200,000 jobs we created in the past two years. We apologise for the strong trend of growth that was in fact better than any other State considering that they were enjoying mining booms. They have fallen away but the trend of growth that Labor created is continuing. Members opposite have been struck in the backside by a rainbow.

The global financial crisis came and went and we restored the budget to surplus in one year. Unlike Government members, who have the blood of 15,000 public servants on their hands, we did not have to sack a single worker to return the budget to surplus in one year. Under Labor there was low unemployment in this

State. The unemployment rate was at 5 per cent when the Government took office and now it is at 5.8 and 5.5 per cent. It is certainly higher than the day that members opposite were elected. This motion is more of the same self-serving claptrap that we are used to at this time every sitting day. The motion notes that the New South Wales Government is leading the nation. Well, it is. It is leading the nation in slush fund protection rackets. Minister Roberts, the leader of the House, even brought the Eightbyfive slush fund money box into the Chamber and bragged about it with the encouragement of the Speaker.

Mr Matt Kean: Point of order: My point of order is relevance under Standing Order 129.

Mr Richard Amery: No, 129 is to do with question time.

Mr Matt Kean: Either way.

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

Mr MICHAEL DALEY: The Premier is going to take action but the Millennium Forum is still open and Eightbyfive is before the Independent Commission Against Corruption. Is the Free Enterprise Foundation closed?

Mr Matt Kean: What about your friend Michael Williamson's slush fund?

Mr MICHAEL DALEY: He has been taken down. He is gone. He is exactly where he should be. The Millennium Forum and the Free Enterprise Foundation are still open. I congratulate new Premier Baird. He has had a month to shut down the slush funds but he has done nothing. He says the State director is going to get back to him. Has anyone ever seen a Premier of New South Wales defer to his State director?

Mr Kevin Conolly: Point of order: The House voted on which motion to debate and the member is ignoring the will of the House. You should sit him down if he does not want to talk about this motion.

ACTING-SPEAKER (Ms Melanie Gibbons): Order! I believe the member is correct.

Mr MICHAEL DALEY: He does have a point. The motion notes that residential building approvals are the largest. Does the member for Oatley mean the files that have been submitted are the largest? There is no point building houses in the western suburbs—

Mr Mark Coure: Point of order: My point of order is Standing Order 76. The member is not speaking to the motion; he is talking about slush funds.

ACTING-SPEAKER (Ms Melanie Gibbons): Order! I believe the member was returning to the leave of the motion.

Mr MICHAEL DALEY: The Government should be congratulated on looking after property investors. The motion notes that New South Wales is leading the nation, with residential building approvals the largest since 2004. Ninety-nine per cent of those houses will be bought by investors. Australian Bureau of Statistics [ABS] figures from 13 May 2014 show that only 1,191 first home buyers received financing to purchase a home in March 2014 compared with 2,400 two years before. There has been a consistent decline in finance approvals for first home buyers, who now represent only 7.8 per cent of the New South Wales housing market.

Mr Mark Coure: What is the source? Did you just make that up?

Mr MICHAEL DALEY: The ABS. I am not like you, I did not make it up. But I will cut you some slack because you will not be around in a year. Obray Smith will not come in here and make things up. She will show you up, my friend. The rate of 7.8 per cent in New South Wales is well below the national average of 12.6 per cent and a far cry from the 18.3 per cent of the housing market that was represented by first home buyers when the Government took office.

Mr KEVIN CONOLLY (Riverstone) [3.47 p.m.]: That was an interesting performance by somebody who would love to be Treasurer and perhaps Premier of New South Wales should he get the opportunity. He does not understand how numbers work. What does larger mean? It means we have had something like

51,000 house approvals in the past 12 months compared with the 16,000 houses that were built in 2009. In the past 12 months we have approved more than three times the number of houses that were built in 2009. It does not really matter what percentage were first home buyers in 2009 because the number was so small that not many of them could find a house.

When housing approval and construction is at the lowest level in 50 years, as it was under Labor, how does that help a first home buyer achieve home ownership anywhere? When the housing construction rate is the lowest in 50 years how does it help a tenant find a place to rent and how does it help the homeless, who we would all like to support? Under Labor there was simply no supply in the market. It does not help anybody to allow the economy to stall and to bungle planning so much that housing cannot be delivered to the market. During the time of the former Labor Government housing production rates in New South Wales were lower than in South Australia. For the benefit of the member for Maroubra, who has left the Chamber, South Australia is somewhat smaller than New South Wales.

Mr Michael Daley: I'm back.

Mr KEVIN CONOLLY: I welcome you back. We would expect that New South Wales would be producing far more housing—in proportion to its population obviously—than South Australia. But Labor's performance when in government meant that tenants, first-home buyers, homeless people, people trying to move up in the market, and those moving from one place of work to another were all disadvantaged because housing supply was so tight that nobody's needs could be met. But, worse than that, when housing supply dries up, when there is no more housing construction going on, employment suffers. People right across the economy feel the effects and knock-on effects of the downturn in the housing industry, because it is one of the biggest employers in any modern economy.

It is critical to our economic performance to have housing construction going on. That is why the 51,000 housing approvals that have occurred in the year to May this year are such good news for New South Wales. That is why this New South Wales Government is leading the nation in restoring confidence right across the whole of the economy, because it is so fundamentally important that housing construction be performing well. I have only a few seconds to talk about the performance in my electorate of Riverstone, where for years it was a gunna, gunna, gunna situation: they were gunna do this, gunna do that. But now the momentum is really there. Housing activity is occurring right across the electorate.

The DEPUTY-SPEAKER (Mr Thomas George): Order! I remind the member for Maroubra, who is making comments from outside the Chamber, that he is already on three calls to order. I ask the member to refrain from making comments. If he does not he may find himself outside the Chamber for the rest of the day.

Mr RICHARD AMERY (Mount Druitt) [3.50 p.m.]: The Opposition will oppose this self-congratulatory motion, by which the Government commends itself on its economy, housing starts and so on. At the very start of this contribution, I want to emphasise why the motion should be opposed: it is that the Government is commending itself for housing starts since say 2011, and comparing that number to a period of time in 2009. Every member of this House knows what happened in 2009—except members of the Liberal Party. There was a global financial crisis. It caused recessions around the Western world—but not in Australia. Why? Because we had a Federal Labor Government—which of course has been criticised for spending our way out of the global financial crisis. So, at the cost of a deficit, Australia kept its triple A-rated economy—an economy which is the basis of why we are doing so well today.

The DEPUTY-SPEAKER (Mr Thomas George): Order! The member for Oatley will have his chance to respond when he speaks in reply.

Mr RICHARD AMERY: I rang the other day to try to get some research on this economic argument. I wanted to get some details on what they call the all ordinaries index: they just sent me an alphabetical list of the Liberal Party members. Quite clearly, those are the people who are making their self-congratulatory contributions here today. In relation to housing starts, my electorate has always been high on the list of first home buyer grants; 80 per cent of the first-home-buyer grants were for existing properties. It had nothing to do with kick-starting the economy that the current State Government, in its first budget, brought in a new first home buyers grant. It was not about kick-starting the economy; it was about saving money, because 80 per cent of first-home-owner grants went to people who were purchasing existing houses, which of course are cheaper than the big places being built in the Riverstone electorate. Existing houses are cheaper, so lower income earners got that kind of money.

The Government's argument that we should compare only an isolated part of the economy, that is, housing starts, is an absolutely outrageous misquoting of history. The comparison of housing starts, home loans and so on was distorted because of the global financial crisis. The real result of the Government's home grants is not the sale of homes to residents of New South Wales; most of those homes are sold to foreign investors. Most of the new home owner grants to which the Government is allocating New South Wales money are going to foreign investors and not residents of Western Sydney, who deserve a better go.

Mr MARK COURE (Oatley) [3.53 p.m.], in reply: I thank the member for Riverstone for his contribution, and of course the failed attack by those opposite on the motion. When it came to jobs growth, under Labor it was the slowest of any State for the past decade. When it came to economic growth, it was the slowest of any State for the past decade, under Labor. When it came to business confidence, it was the lowest of any State among small and medium businesses for the past five years of Labor. Housing supply saw the lowest number of new dwelling starts, per capita, for the past five years under Labor. Retail trade had its lowest annual average rate of any State under Labor.

Let us look at the alternative in the two minutes available to me. Under this Government, the most jobs in all States were here in New South Wales. It was the strongest of all the States on a quarterly and annual basis, and positive for nine consecutive months in business confidence. When it comes to housing supply, the number of private dwelling approvals in New South Wales is the highest since 1999. Retail trade in New South Wales was the strongest of all the States, on a monthly, quarterly and annual basis. But when it comes to the member for Maroubra, let us look at his actions when Labor was in government. One thing notable about the administration of the member for Maroubra is the Daley deficit.

When he was police Minister, in 2009-10 he blew the budget by \$244 million. When he was roads Minister, in 2008-09 he blew the budget by \$316 million. How much would he blow the budget if he were to become State Treasurer? Do not look at what he promises; look at what he has done. This Coalition Government has created 134,000 jobs since coming to office. New South Wales now has the second-lowest unemployment rate in Australia and is securing the future for New South Wales by investing in the key levels of economic growth, infrastructure and housing—areas in which the previous Labor Government failed. Despite revenue challenges, New South Wales continues to live within its means, with expenses being within budget for the past three years. We are getting on with the job of building infrastructure, supplying houses and making New South Wales number one again.

The House divided.

Ayes, 57

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| Mr Aplin | Ms Goward | Mr Roberts |
| Mr Barilaro | Mr Grant | Mr Rohan |
| Mr Bassett | Mr Greenwich | Mrs Sage |
| Mr Baumann | Mr Gulaptis | Mr Sidoti |
| Ms Berejklian | Mr Hazzard | Mrs Skinner |
| Mr Bromhead | Mr Humphries | Mr Smith |
| Mr Casuscelli | Mr Issa | Mr Souris |
| Mr Conolly | Mr Kean | Mr Spence |
| Mr Constance | Dr Lee | Mr Stokes |
| Mr Coure | Mr Maguire | Mr Toole |
| Mrs Davies | Mr Marshall | Ms Upton |
| Mr Dominello | Mr Notley-Smith | Mr Ward |
| Mr Doyle | Mr O'Dea | Mr Webber |
| Mr Edwards | Mr Page | Mr R. C. Williams |
| Mr Elliott | Ms Parker | Mrs Williams |
| Mr Evans | Mr Patterson | |
| Mr Flowers | Mr Perrottet | |
| Mr Fraser | Mr Piccoli | <i>Tellers,</i> |
| Mr Gee | Mr Piper | Mr Cornwell |
| Ms Gibbons | Mr Provest | Mr J. D. Williams |

Noes, 21

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

Question resolved in the affirmative.

Motion agreed to.

Pursuant to resolution Government business proceeded with.

**ELECTION FUNDING, EXPENDITURE AND DISCLOSURES CONSEQUENTIAL AMENDMENT
BILL 2014**

Second Reading

Debate resumed from 27 May 2014.

Mr JOHN ROBERTSON (Blacktown—Leader of the Opposition) [4.00 p.m.]: I lead for the Opposition on the Election Funding, Expenditure and Disclosures Consequential Amendment Bill 2014. This bill is about cleaning up the Liberal Government's election funding mess—a mess of their own making. It is a mess that was created in 2012 and a mess that was subsequently taken to the High Court where it was rightly struck down. The High Court found the 2012 laws infringed the implied constitutional right to free communication on governmental and political matters. The High Court found the laws impeded the ability of organisations to engage in free political communication in a way that was not appropriate or adapted to their supposed purpose of stamping out corruption.

It is worth reflecting on the High Court's comments because those of us who were here when the member for Ku-ring-gai introduced the laws in 2012—even those opposite who listened prior to their introduction and since—remember that it was supposed to be all about stamping out corruption. The highest court in the land said that nothing could be further from the truth. The High Court's judgement is quite insightful and very telling about the motivations of the then Premier, now the member for Ku-ring-gai, when he introduced those laws.

The High Court decision speaks volumes not just about the motivations of the then Premier but also about the attitude of the Coalition to election funding reform and the continued lectures in this Chamber from the new Premier: Mike-the-mirror-Baird—the man looking into everything and making no apologies for doing so. He is a bit like a B-grade version of the member for Ku-ring-gai, who made no apologies for anything he did and to this date has not apologised for the reasons he resigned. We now have a Premier who seeks to imitate the member for Ku-ring-gai and is doing an appalling job. Today we experienced an example of that. His only claim to fame is that he has on a pair of training wheels and is doing his best to make no apologies for doing nothing other than setting up committees and running inquiries. But I digress. The High Court found that the burden imposed by the laws could not be justified because:

... it is not possible to attribute a purpose to s 96D that is connected to, and in furtherance of, the anti-corruption purposes of the EFED Act.

The court concluded:

There is ... nothing in the provision to connect it to the general anti-corruption purposes of the ... Act.

The court found also that the laws focused solely on the Labor Party. Is that not very telling? The High Court ruled first that the provisions had nothing to do with anti-corruption and then said that in fact the whole purpose of the laws were to focus on the Labor Party. That says a lot about the approach of those opposite to election funding laws and their seriousness in reforming election funding. No-one on that side is serious about election funding

reform. All they are interested in, as they were in 2012, is tipping the scales in their favour and dressing it up as something else. They cannot run away from the fact that the highest court in the land, the High Court of Australia, exposed those opposite for their true motivations. The reforms had nothing at all to do with anti-corruption measures or cleaning up politics in New South Wales. They were all about personal advantages to those opposite. Personal advantages are playing out at the Independent Commission Against Corruption [ICAC]. Where are the three little piggies who have been blowing down everyone's house on that side of the Chamber and exposing the real motivations of the Liberal Party?

From what is playing out at ICAC, they are providing real insight into how those opposite operate regarding electoral funding disclosures. Goodness knows what we will see emerge from the ICAC in 11 weeks. Interestingly, the High Court exposes the motivations of the 2012 laws and the ICAC exposes the 2011 election farce when the then Opposition leader told the people of New South Wales that he will be whiter than white, will end the scandal and set a new standard. The new standard set by those opposite has played out at ICAC for the past three or four weeks. On electoral funding reform those on the other side stand condemned. Interestingly, the High Court not only was insightful about the motivations of those opposite and the fact that the laws targeted the Labor Party, but also went on to suggest that a complete ban on donations would be a more reasonable and improved anti-corruption measure. The court said:

Section 96D stops just short of a complete prohibition upon political donations. A complete prohibition might be understood to further, and therefore to share, the anti-corruption purposes of the EFED Act ... a complete prohibition is not the course taken in s 96D.

The result is that the purpose of its wide, but incomplete, prohibition is inexplicable.

I am not sure that it is inexplicable. The motivations of those opposite speak for themselves regarding explanations as to why section 96D did not apply a total ban on donations and implement a proposal to actually address the problems playing out in the ICAC. Today we should not be talking simply about amendments required as a result of the High Court decision or about amendments that remove the text of provisions struck down by the High Court and replace it with provisions that existed prior to the O'Farrell 2012 amendments, thus reversing other consequential 2012 amendments and restoring earlier provisions that regulate donations from corporations and other entities.

Today we should be discussing how this Parliament can implement a total ban on political donations and a regime of public funding, about which those opposite mouthed platitudes and then set up a committee with terms of reference that allow 2008 laws to be wound back so that we go back in time. The Prime Minister already has us travelling back in time with knights and dames; now we have a New South Wales Premier who wants to go back in time by putting in place terms of reference that could send us back in time to allow the alcohol lobby and property developers to again make donations. Those opposite would love that.

The DEPUTY-SPEAKER (Mr Thomas George): Order! Government members will come to order. The member for Murray-Darling will come to order.

Mr JOHN ROBERTSON: I think he is on a call already from earlier.

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

Mr JOHN ROBERTSON: It is a bit difficult to interject on my own speech.

The DEPUTY-SPEAKER (Mr Thomas George): Order! The Leader of the Opposition has the call.

Mr JOHN ROBERTSON: This bill is the Premier's attempt, under the guise of a committee inquiring into a range of things, to put in place terms of reference that open up New South Wales to once again enabling property developers, the alcohol industry, the gaming industry and the tobacco industry to make donations to political parties in New South Wales. That is an absolute disgrace. If this Parliament and this Premier were serious about addressing this problem, he would not be putting in place the terms of reference he proposes for the committee inquiry.

The Premier talks about his commitment to public funding of elections. He talks also about the fact that in his inaugural speech he made a point of arguing for public funding. He then talks about the fact that he made an individual submission to an inquiry into electoral funding set up by this place. But after being given the number one job in the State with his hands on the levers to make it a reality, what does he do? He squibs it. Not only does

he squib it with the committee's terms of reference, he squibs it by including a time frame that will result in the committee's findings being handed down after this Parliament has risen at the end of this year and after having the opportunity to implement a regime before the next election. The obvious question is: If the Premier of New South Wales is serious and passionate about it and is committed to it, why wait seven months? Why does it take seven months? There is one reason and one reason only: there is no real commitment to deal with the issue.

Mr John Williams: John Watkins. Don't you trust John Watkins?

Mr JOHN ROBERTSON: It is interesting to listen to members opposite screaming out the names of members of the committee.

Mr John Williams: Poor old John. Honest John. You knifed him in the back.

Mr Paul Lynch: You spent six years attacking him in this place, you dill.

Mr JOHN ROBERTSON: I acknowledge the interjection by the member for Liverpool. Clearly the member for Murray-Darling spends far too much time in the wilderness. If he knew anything, he would know his statement is far from the truth.

The DEPUTY-SPEAKER (Mr Thomas George): Order! The Leader of the Opposition may refer to it as the wilderness, but it is his electorate.

Mr JOHN ROBERTSON: We have a Premier who talks up his commitment but when it comes to doing something about it he does nothing. It is very much like travelling back three years when we had Barry O'Farrell as Premier and committees, inquiries and reviews. It seems to be the way this Government works. The Premier has said, "I will make this happen. I will put in place a committee that will create a regime that will allow for public funding and a complete ban on donations", but that is not what we have. There is no real commitment that the Parliament is addressing the issue. The Premier said that the Government will hand down its findings in seven months, but at the end of seven months we will go to the next election and whoever gets elected in 2015 will implement these reforms. It is too little too late.

We should not be talking about amendments because of the High Court decision. We should be talking about a new regime, a culture change, which is what the people of New South Wales want. They are sick and tired of the scandals coming out of the Independent Commission Against Corruption. They are sick and tired of inaction and the culture of donations for decisions. They have had enough. They have seen what happened with the slush funds that the Premier has refused to shut down. The two slush funds identified at ICAC—the Millennium Forum and the Free Enterprise Foundation—are still operational and taking money. The Premier has been given the opportunity time and again to say he will shut them down, but he squibs it.

The Premier says he has appointed someone to conduct an internal audit but he does not say that the slush funds have been shut down and that the internal audit will be publicly released to expose what has gone on with electoral funding. What is he hiding? If the Premier were serious about electoral funding reform we would be talking about real changes, not the problems that were created by Government members overreaching—and were caught out by the High Court—because of their motivation to take the Labor Party out of the game. The Government was never serious about electoral funding reform. I wonder whether that will ever change.

Mr GARETH WARD (Kiama) [4.23 p.m.]: I speak in debate to the Election Funding Expenditure and Disclosures Consequential Amendment Bill 2014. Before I do I will respond to some of the comments made by the Leader of the Opposition. When this legislation was introduced in its original form, its intent was to ban third party contributions from corporations and unions. The Parliament sought to do that to clean up political contributions and donations for deals in New South Wales. After listening to the Leader of the Opposition, I am now convinced that his residential address is in a parallel universe and one would need to use Dr Who's TARDIS to locate its location. I remember being in the building when the member for Toongabbie was knifed. He was knifed because he had the courage of his convictions to ban donations from developers. Joe Tripodi, Eddie Obeid and the right faction of Labor then took to him with the sharpest axe they could find. At a press conference at Governor Macquarie Tower, the member for Toongabbie said:

Should I not be Premier by the end of this day, let there be no doubt in the community's mind, no doubt, that any challenger will be a puppet of Eddie Obeid and Joe Tripodi.

Labor introduced a section of the planning Act known as part 3A, which was consistently used to funnel donations into Labor for decisions.

Mr Robert Furolo: Where is your evidence?

Mr GARETH WARD: I acknowledge the interjection from the member for Lakemba. Where is the evidence? In fact, it is in my electorate in the Calderwood development. The Department of Planning and Infrastructure stated this development should not progress. Months later after donations were received from the applicant, Kristina Keneally, who was the then Minister for Planning and Infrastructure, agreed to planning approval. Tony Kelly approved rezoning. This particular development was to receive approval for the concept stage when, as the Liberal candidate for Kiama, I exposed the donation and the fact that that particular development had not been presented to the Planning and Assessment Commission. In an embarrassing public backdown, Tony Kelly had to say there had been an administrative error. There was no administrative error. There was a culture of donations for deals within the former Government and the Liberal-Nationals Government has sought to clean it up. If one is not on the electoral roll, why would one want to make a contribution? Clearly something is wanted in return, which is why this was sensible legislation.

Mr Ron Hoenig: It was unconstitutional and you knew it.

Mr GARETH WARD: I acknowledge the constitutional question from the member for Heffron. He knows how free speech cases began—Theophanous, Stevens and Langley. I am sure he could regale us about the attempts by the Keating Government in 1991 to ban paid advertising by political parties on the basis of a pre-elected Parliament. Rightfully, the legislation was struck down by the High Court because of the way the Parliament of Australia sought to gerrymander political advertising to benefit political parties. The legislation sought to limit contributions to people on the electoral roll. Labor opposed it because their union masters control everything it does in every way every day.

This side of the House is not captive to the interests that Labor is. We do not have business councils on our preselections mandated by our constitution. The Liberal Party and The Nationals will not be bought by any one interest, unlike the Labor Party which is owned wholly and solely by the trade union movement. I will not be lectured by members of such a party. Labor's attempt to mount a case with any degree of intellectual expression is beyond the pale in the extreme. I now turn to the Election Funding, Expenditure and Disclosures Consequential Amendment Bill 2014.

Mr Clayton Barr: About time, 4½ minutes in.

Mr GARETH WARD: I can come back to the member for Cessnock. As chairman of the Joint Standing Committee on Electoral Matters, I am delighted to speak in debate to this bill, which will address the gap in election funding regulation that has arisen following a recent High Court decision. As a result of this bill, all disclosure obligations that previously applied to corporate donations will be restored. This bill will ensure that corporate donations made since the corporate donations ban was struck down on 18 December 2013 do not simply slip through a regulatory loophole. It is an essential step in the regulation of political donations in this State.

Under the Election Funding, Expenditure and Disclosures Act 1981, political parties, elected members, candidates, groups, third party campaigners and major political donors are required to make certain disclosures in relation to political donations and electoral expenditure over the course of an annual disclosure period ending on 30 June each financial year. The amendments contained in the bill will apply to donations made or received during the current disclosure period, that is, before 30 June this financial year. So that affected individuals and other entities have adequate notice of these amendments, it is important that the passage of this bill is not delayed. For fairness, I note that the bill allows extra time for compliance for certain affected obligations until 28 days after the commencement of the amending Act or for such longer period as the Electoral Commissioner may allow. There is already a time buffer for other obligations, as most disclosures are required to be made within 12 weeks after the end of the disclosure period ending 30 June 2014.

In the case of a disclosure made by a major political donor, other than a donor who was also a third party campaigner, these disclosures must be made within sixteen weeks after the end of the disclosure period. It was originally intended that the amendments in this bill would form part of the Government's rewrite of the Parliamentary Electorates and Elections Act 1912, which was announced in 2013. Work on that rewrite is well advanced. However, the Government decided to progress these particular amendments in a stand-alone bill.

As has been explained already, the amendments in this bill will operate retrospectively to ensure that no corporate donations fall through any regulatory gap. For fairness, the bill does allow extra time for compliance with certain affected obligations, as I mentioned earlier. There is already a buffer, and I have mentioned the buffer in relation to the context and framework of the bill.

Unless the amendments contained in this bill operate retrospectively there will be a gap in corporate donations made between 18 December 2013 and the commencement of the amendments. This will be a significant loophole in election funding regulation. Applying these amendments retrospectively will help to enhance the transparency and accountability of election funding and expenditure. For fairness, the bill does allow extra time for compliance with certain affected obligations as mentioned. There is already the buffer for other disclosure obligations, as most disclosures are required to be made within 12 weeks after the end of the disclosure period on 30 June 2014. In the case of a disclosure made by a major political donor, other than a donor who is also a third party campaigner, these disclosures must be made within 16 weeks after the end of the disclosure period.

In *Unions NSW v State of New South Wales* the High Court found the 2012 reforms to be invalid because they impeded freedom of communication on governmental and political matters, contrary to the Commonwealth Constitution and its conventions. The effect of a High Court decision that a law is constitutionally invalid is that the offending provisions are taken to have been invalid from the outset and therefore were never law at all, that is, sections 96C and 96D. On this basis, it may be suggested that the bill should be completely retrospective to 2012. However, this would result in an unusual situation whereby the disclosure requirements under the Election Funding, Expenditure and Disclosures Act would apply to corporate donations that were not permitted under the law as it then was. Therefore, there would be little utility in making this bill retrospective to the date of the 2012 amendments as outlined.

There also may be practical difficulties in lengthening the period within which the bill will be taken to have retrospective operation, given that the amendments would apply to disclosure periods that have since concluded. The date of the High Court's decision in *Unions NSW v State of New South Wales* is the date on which people became aware that the ban on corporate donations did not apply. It is sensible that the associated consequential amendments are only reversed to this date as a result. Retrospectivity to the date of the High Court's decision closes a loophole without creating unworkable new rules for past disclosure periods.

This is a sensible amendment. The Premier is committed to greater transparency and accountability in relation to donation laws. We remember the donations-for-deals culture of those opposite, which cost a former Premier his tenure. We remember the way in which government was used to benefit the interests of those opposite. I will always stand up to whoever is in government and whatever party is in control to ensure that we have transparent and accountable provisions. Currently there is a feeling in the community that all of us in this place are the same. I know that is not true not only of those on my side but also of others opposite. It is up to those of us who believe in transparency, accountability and good government to stand up for those principles today.

Mr ROBERT FUROLO (Lakemba) [4.33 p.m.]: I am pleased to make a contribution to debate on the Election Funding, Expenditure and Disclosures Consequential Amendment Bill 2014. As the Leader of the Opposition has indicated, the Opposition will not be opposing the bill. I am pleased to support this bill because it gives us a chance to help correct the mistakes the Government made when it sought to politicise the Act with the Election Funding, Expenditure and Disclosure Amendment Bill 2012. Those mistakes were a consequence of this Government's cynical and politically motivated attempt to use the Act to disenfranchise unions and their members, as well as community organisations, from being active participants in the State's political discourse.

As we now know, the New South Wales Liberal-Nationals Government overreached. That is not only my view; it is also the view of the High Court of Australia, which struck down this tawdry attempt to silence organised labour and not-for-profit groups from their right to engage in the democratic processes of this State. I quote from the High Court judgement in relation to the sections added to the Election Funding, Expenditure and Disclosures Act by the Coalition Government:

Is s 96D of the Election Funding, Expenditure and Disclosures Act 1981 (NSW) invalid because it impermissibly burdens the implied freedom of communication on Governmental and political matters, contrary to the Commonwealth Constitution?

The answer was yes. The quote continues:

Is s 95G (6) of the Election Funding, Expenditure and Disclosures Act 1981 (NSW) invalid because it impermissibly burdens the implied freedom of communication on governmental and political matters, contrary to the Commonwealth Constitution?

Again the answer was yes. In that High Court judgement a number of criticisms of the Coalition's ham-fisted attempt to play politics were highlighted. For example, the judgement suggested the amendments introduced by the Coalition were not anti-corruption measures. It continues:

Ultimately, section 95D and 95G (6) were invalid for the same reason: that is, because "there was nothing in the provision to connect it to the general anti-corruption purposes of the EFED Act"

Further, Justice Keane observed that the reason he voted down the laws was that they were clearly partisan. What an embarrassing revelation. The much-hyped laws introduced by the Coalition—the laws we are here today to fix—were not connected to anti-corruption purposes and they were clearly partisan. Government members criticised the Opposition for not supporting those laws. They got on their high horse and attacked us. We can now see that the Government was using the Parliament to further its own political agenda by bastardising the electoral laws of this State.

As a former chair of the Joint Standing Committee on Electoral Matters and as someone who oversaw several inquiries into election funding and donations and whose committee delivered the biggest reforms to the State's campaign funding laws in 30 years, I retain a strong interest in election funding matters. One of the reasons I believe these laws were found to be faulty is that the process by which they were developed was contrived. Unlike the comprehensive laws introduced by Labor in 2010, these laws were not the result of an open, bipartisan and public process. When developing laws of this nature, fairness must be one of the core principles. Dr Joo-Cheong Tham, Associate Professor, Melbourne Law School, and a noted expert on electoral matters, said:

A democratic political funding regime should aim to protect the integrity of representative government by preventing corruption and undue influence. More than this, it should promote fairness in politics—especially in elections—and also respect political freedoms.

The laws we are here to fix simply failed on these fundamental points. The High Court upheld that view. That is why any significant change to the laws governing election funding, expenditure and disclosures should be the subject of an open, multi-party process. They should not be cobbled together to achieve partisan political objectives, like the Government's last attempt. As I mentioned, we are here to fix the Government's failed attempt to tinker with properly functioning and carefully considered election funding and donation laws. Laws that were introduced by the former Labor Government have been found to be fair, effective and robust. I again quote Dr Tham, who said:

... of all Australian election funding laws, the New South Wales laws provide the most effective measures addressing the problems of corruption and unfairness attending political money, with caps on political donations and election spending. There are also distinctive features of New South Wales laws worth emulating: its Policy Development Fund functions as a "start-up" fund for new parties, thereby reducing barriers to entry; and the exemption it provides to membership fees (including trade union affiliation) is founded upon respect for freedom of political association.

Those opposite seem to have forgotten that when they tried to introduce the last reforms. I remind those opposite that the laws Dr Tham refers to are those introduced in this House by the former Labor Government. Perhaps those opposite can take a break from patting themselves on the back and finally realise that some issues must be beyond partisan politics. In regard to the bill before us, the Opposition will of course help the Government clean up its mess. One of the provisions of this bill will be to ensure that corporate donors and other entities will have to disclose their donations if they exceed the threshold. Transparency is of course a key ingredient in a robust election funding system. The problem with the current system of disclosures, however, is that it can take up to a year for the donation to be in the public domain. This is simply too long.

As part of the reforms flagged by the Premier, consideration should be given to strengthening the disclosure requirements. A possible solution to this issue would be to require all political donations to be made to the Election Funding Authority New South Wales and then channelled to the intended recipient candidate or political party. This independent clearing house model would obviate the need for candidates to appoint agents to manage receipt of their donations and would enable real-time disclosure by the Election Funding Authority for voters to know who is donating, how much they are donating and to whom they are donating. While further reforms of our election funding laws are necessary, we should be careful not to ignore the sound foundation we have developed in New South Wales. Again to quote Dr Joo-Cheong Tham:

Given the revelations being made in ICAC hearings, it may be odd to point to New South Wales as a model to follow. Yet, what is being largely alleged in these hearings is deliberate non-compliance with these laws; conduct that is occurring in spite of these laws, not because of them.

Those opposite could learn something from that. I support the Election Funding, Expenditure and Disclosures Consequential Amendment Bill 2014 to help this Government clean up the mess it made and to reverse the clearly partisan laws introduced to stop unions and community groups from engaging in the political process.

Mr ANDREW FRASER (Coffs Harbour—The Assistant-Speaker) [4.41 p.m.]: I listened with some interest to the contribution of the Leader of the Opposition in this second reading debate on the Election

Funding, Expenditure and Disclosures Consequential Amendment Bill 2014. I did not come into the House because I felt as though I may interject and I wanted to give him a fair go, and there was some interjection. The one thing I would say is that someone from our side should have taken a point of order under Standing Order No. 73 because I believe it was nothing more than a personal attack on the Premier.

Why this personal attack on the Premier? It was to hide the deficiencies of Mr Robertson's leadership and to disguise the real reason for the Labor Party's existence—that is, the membership fees paid to unions that prop up not only the members in this place and their election campaigns but also their head office. Any piece of literature relating to unions these days will advise that somewhere between about 18 and 25 per cent of the workforce, depending on which sector you are looking at, are members of a union. Yet those sitting opposite are obliged, before they can be preselected, to actually hold union membership.

I can remember in the last Parliament taking points of order under Standing Order No. 176, Standing Order No. 177 and Standing Order No. 276 in relation to members of the Labor Party voting on particular legislation because of their union connection. The then Speaker of the Parliament, Richard Torbay, advised the House that he would rule on it, but he did not. We can look at the contributions made to Mr Torbay's past campaigns and ask: Where did they emanate from? This man was a member of the Labor Party. He then stood as an Independent and resigned his Labor Party membership when elected. He received donations from Eddie Obeid and from the Labor Party. One only needs look at the returns on the public record to see that. So as far as I am concerned "corruption" and "Labor" are words that are synonymous.

I grew up in Newcastle. It was a town that was run by the unions. We all knew the Jones boys. I have to say that there were some good grassroots members of Parliament who came from Newcastle. They were people whom I respected. But one thing I do remember is that the unions closed the dockyard in Newcastle, a place that employed thousands of people and a place that operated for more than 100 years. Why did they close it? The unions had 90 work practices that the Jones boys in government federally, as they were at the time, wanted them to disband. The Labor Party in government found that it was impossible to work with those particular unions, because there was no productivity coming out of the dockyard and the existence of the dockyard could not be justified.

The unions ignored the pleas from their Labor mates and closed the dockyard. Financially it cost that city a lot of money. So even when their purported Labor masters asked them to do something in the interests of the nation the unions would not do it. And yet those opposite have to belong to a union before they can belong to the Labor Party and before they can be elected to this place. We all remember the reasons why amending legislation was brought in by the then Premier the Hon. Barry O'Farrell. It was brought in because, under part 3A of the Environmental Planning and Assessment Act 1979, the mob opposite absolutely rorted the planning system when they were in government. There were bags of cash going every which way but loose. I think Mr Sartor would tell you the pressure he was under when he was the Minister for Planning.

Mr Rob Stokes: He wrote about it.

Mr ANDREW FRASER: He wrote about it. He was under pressure to approve developments because of donations made to the Labor Party. People were told that if they wanted to get a development application through, whether at council level or at planning Minister level, then they had to go to a function put on by Sussex Street and pay huge amounts of money. We are talking about tens of thousands of dollars. Legislation has since banned developer contributions. At the same time we should get rid of union contributions. On the North Coast we have seen union advertising in relation to something that is not out for public dissemination.

This Government has said that if they do anything in relation to the sale of electricity poles and wire then they would actually go to the people with their policy. What do we have at the moment? We have the Electrical Trade Union, the union which the current Leader of the Labor Party in New South Wales led for so long, putting pieces of paper into letterboxes across the North Coast, anywhere where there are a number of people employed in the power industry, advising people that this Government is going to sell these assets and therefore you have to do X, Y and Z. It is a dishonest campaign. Every time there is a union campaign in the lead-up to an election where the Coalition has the opportunity to win, the dishonesty comes out. Lies are told.

Mr Clayton Barr: What about when they were concerned about your Government selling the ports?

Mr ANDREW FRASER: I am listening to the member for Cessnock interjecting. He knows of the corruption in the Hunter in relation to the unions. It has gone on for many years. In fact, it has gone on for

generations. He should talk to Dr Amy McGrath and Dr Frank McGrath about their experiences with the postal union. They were members of the Labor Party. He should look at what the Labor Party did to them for exposing union corruption and ballot rigging within the postal unions. Books are written on it. I support the legislation before the House. But I remind those members opposite that they have no right to come in here and make personal attacks on people. They know how rotten the union movement is, has been and will remain until they really get rid of it and remove it from the electoral process. They have no right to stand up and be counted.

The then Premier of New South Wales, who was almost ready to be flicked, lost office on that day through Eddie Obeid and his crew—Joe Tripodi and the rest of them. They were the ones who set up the culture of the part 3A corruption in this place. They are people who were endorsed by unions in New South Wales. What I would like to see—and I have been looking at this for months now, and anyone is quite welcome to have a look at the file I have been working on—is a way to publicly fund elections in New South Wales. Public funding would present a new way. We cannot, and will not, continue to have this influence from the unions. We would not have these dishonest third party campaigns, such as the one being run on the North Coast at the moment and which have been run in relation to education.

Name any union, for example, the Electrical Trade Union or the Australian Manufacturing Workers Union; they will run a dishonest campaign on anything they wish. Yet a builder in my electorate who happens to own a couple of display homes is classed as a developer. The Joe Average who worked hard and put up with the nonsense from the unions, which made the cost of his home building exorbitant and was then passed on to the purchaser, is restricted as to what he can do. But the union that is making life so hard for him can do what it likes with these dishonest campaigns. I support the legislation, but at the same time I remind members opposite that I will watch the campaigns from the unions. I will highlight every time they stick their head up and highlight members opposite who belong to unions. I would guess the member for Cessnock belongs to the Teachers Federation.

Mr Clayton Barr: Incorrect.

Mr ANDREW FRASER: Incorrect? Which union is yours?

Mr Clayton Barr: Members are not allowed to engage in discussion across the table.

Mr ANDREW FRASER: The member for Cessnock will not stick his head up. We will find out and remind him about his affiliations, and the corrupt activities of the union to which he and every other member opposite must belong. I commend to bill to the House.

Mr NATHAN REES (Toongabbie) [4.50 p.m.]: Before I address the substance of the Election Funding, Expenditure and Disclosures Consequential Amendment Bill 2014 I must respond to some of the remarks by the member for Coffs Harbour and correct the record. Even if the member for Cessnock is a member of the Teachers Federation, it has not been affiliated with the Australian Labor Party for as long as I can recall.

Mr Gareth Ward: That's because they've got more respect than that.

Mr NATHAN REES: Those opposite were heard in silence. In his own good time I am sure the member will provide the appropriate correction. I also cannot leave unchecked the assertions by the member for Coffs Harbour that the union movement has gone around Australia deliberately wrecking the economy and introducing an element of corruption into political parties, which the member apparently has a magnifying glass for. If the member for Coffs Harbour seriously believes that to be the case there is no shortage of authorities to which he can report it. What the member for Coffs Harbour did not allude to in his remarks was the analogous situation of industry associations and organisations such as the National Farmers Federation that also donate to political candidates such as him.

It may be the case that there is an occasional strike on a dock and it may be an inconvenience. But members should not engage in the sort of Coalition approach we saw in 1999 where dogs and thugs in balaclavas were sent onto the docks to break a strike. The Australian people made a judgement on that and kicked into orbit John Howard and WorkChoices, which embodied the approach. When the Australian people had to choose whether they thought legitimate union activity or the actions of Peter Reith to clamp down on it was appropriate, the people of Australia clearly made their choice. They rejected Reith's fascism.

I agree that the union movement has been imperfect on occasion, but people understood the fundamental principle that was at stake for unions and workers to work as a collective in pursuit of their conditions. Too many people in this place enjoy those conditions with nary a thought for how people in the

general workforce attain them. Government members do not have to worry about entitlements for sick leave, superannuation and holiday leave. People in the real world do. The people out there who get up in the dark each morning and come home in the dark each evening and have to rely on an award wage or a collective agreement are the people for which union existence matters. Those characters in here who think that it is not a legitimate part of Australian society should have a discussion with some of the blue and white collar workers in their electorates who are on fixed wages or collective agreements. Then they will understand precisely why the union movement exists in Australia. It is not to look after people like us; it is to look after the people who do not have power in the workplace.

Members who know me know it is not in my nature to stand on my dig, but I will on this issue. In November 2009 I stood up at the New South Wales Labor Party conference and without consultation with head office I said that we were going to ban developer donations to the New South Wales Labor Party and the body politic in New South Wales. I also said we would commence a process to move towards public funding of election campaigns. I did that because it was my view as Leader of the Government at the time that the people of our State were forming a view that there was a propensity for donations for decisions and it was deeply corrosive to public confidence in the body politic. I said at the time that I wanted to move towards public funding of election campaigns. I wanted to see minimal donations from corporations and individuals, recognising that there is an implied right to freedom of association within the constitution. We appointed a bipartisan parliamentary committee that made 51 recommendations in a period of only four months. That proves this is doable.

The point I make is that any leader—from the Labor Party, the Liberal Party or The Nationals—does not have sole responsibility to his or her party and the inconvenience that changes to donation laws may embody. The leader has a responsibility to the people of New South Wales to nourish public confidence in the system and ensure that participants in the system are absolutely squeaky clean on these matters. It is not about making sure that the party is looked after, as the High Court found in its judgement. It is about making sure that the mums and dads in the street understand that Australia, and New South Wales in particular, are resistant to the type of corruption that we have seen in too many jurisdictions overseas.

The next thing I will say relates to an element that has not yet been touched on in this debate. I will bell the cat on it. Guess what? Party machines have a different view and different responsibilities on this issue than have party leaders. It is not in the interests of the party machine to get rid of political donations or move towards a public funding model. It is, however, the role of the leader to make that move against all the arguments, objections and the hitting the sand approach that a political machine will put up. That is why I did not consult with my head office when I announced those changes in 2009. I simply stood up and did it because I knew that they would resist at every turn, as indeed some of my parliamentary colleagues did. It is now nearly five years on and I doubt there is anybody who would argue that we did not do the right thing.

It is worth putting on record that I do not have a view that property developers per se or the industry group is corrupt or approaching being corrupt. I do say, however, that for corruption to occur there needs to be both motive and opportunity. Unlike big pharmaceuticals or any other organisation we deal with as policymakers and lawmakers, hundreds of decisions are made about the development industry at local, State and Federal government levels each week across Australia that can confer or otherwise very significant profits on the people making the proposals. There is a profit motive for those who are so inclined. There is also adequate opportunity across three levels of government hundreds of times a week in Australia. That is why a ban on developer donations was considered important at the time.

This may as well be called the missed opportunity bill. I believed the Premier when he said in his inaugural speech that he wanted to move towards public funding of campaigns. It is now roughly six weeks since the exposé commenced at the Independent Commission Against Corruption about Eightbyfive, the Millennium Forum, the Free Enterprise Foundation and other various organisations the Liberal Party has used to further its political causes. I have to say that six weeks on the Millennium Forum outfit and the Free Enterprise Foundation are still in existence and the New South Wales Liberal Party machine has been deliberately folded into the policymaking on this matter.

As I said, the New South Wales Liberal Party machine is deeply conflicted about this. It does not want public funding of election campaigns. Instead, it will drag the chain to ensure that some element of corporate donation continues. Bear in mind, it is a party in which the systemic circumvention of donation law was rubber stamped by its head office. As a result, there is a cloud across the election of every Liberal Party and Nationals member in this place. That is unfair on all members who have done the right thing, but it is the reality.

Mr John Williams: Not the National party, mate. We are clean as a whistle.

Mr NATHAN REES: We can go back to the white shoe brigade if you like. The reality is that systemic perversion of compliance with New South Wales laws by the New South Wales Liberal Party has put all members opposite in this position. I acknowledge the interjection of the member for Kiama. This is precisely what has occurred, and this is precisely what ICAC is examining: the systematic and cynical circumvention of New South Wales donations law by the New South Wales Liberal Party. That is precisely what ICAC is looking at. That is precisely what party officials have had to answer down at the Piccadilly Centre. I could go on.

The point I would make is this: All of us in this place have a responsibility to lift our head above the ruck, lift our head above what might suit us for the political term that we are currently serving and the ease with which we may or may not be able to campaign with a big bank balance. Instead, we owe it to people such as those in the gallery, those walking along Macquarie Street and those who as we speak are knocking off work and heading down to Wynyard Station; we owe it to those people to put in place a model in which they can have confidence and that they can trust, a model that does not leave all of those opposite exposed in a way that has occurred recently.

Mr BART BASSETT (Londonderry) [5.00 p.m.]: I support the Election Funding, Expenditure and Disclosures Consequential Amendment Bill 2014. This bill will address a gap in election funding regulation that has arisen after a recent High Court decision following the Unions NSW High Court challenge. On 18 December 2013 the High Court of Australia held that two provisions of the Election Funding, Expenditure and Disclosures Act 1981 are invalid as they infringe the implied freedom of political communication under the Commonwealth Constitution. The two provisions—which banned corporate donations and aggregated the campaign expenditure limits of parties and their affiliates—were struck down, but various consequential amendments remain in force.

The Election Funding, Expenditure and Disclosures Consequential Amendment Bill 2014 will reverse these consequential amendments so that, in particular, all disclosure obligations that applied previously to corporate donations are restored. It will also formally repeal the two invalid provisions and restore the provisions that existed before the two invalidated provisions were inserted in 2012. The amendments contained in the bill should be passed before the end of the annual disclosure period for political donations and electoral expenditure, which concludes on 30 June. The bill includes amendments to the Election Funding, Expenditure and Disclosures Act to: one, repeal the provisions invalidated by the High Court and restore the former provisions; two, reverse the 2012 associated consequential amendments, with retrospective effect from the date of the High Court's decision in December 2013; and, three, provide transitional arrangements that allow additional time for compliance with certain restored disclosure obligations in relation to corporate donations.

Tongue in cheek I say that I think one other thing is missing from the bill: obviously, there should have been guidelines regarding reporting times for those who are approached with bribes. Having listened to the Leader of the Opposition this afternoon, it seems to me he was pointing the finger at those on this side, trying somehow to pretend that no action was ever taken by him when he was approached regarding a particular bribe in a particular location. It is also interesting that Labor members who indulged in sanctimonious wind-bagging on donations, as well as their union bosses, do not see any hypocrisy in supporting the banning of developers from making donations while unions that represent workers involved in development, who negotiate and do deals with developers, are not bound. I think there is massive hypocrisy in Labor's position on this. Why not support a total ban?

I refer to a point that was just raised by the member for Toongabbie. I absolutely support what he did whilst he was Premier in trying to tidy up donations in New South Wales. He absolutely did try, and he was knifed because of it. The sad thing is that he said he was not suggesting in any way that any particular developer was corrupt. He was saying that there was potential for corruption because of what developers are involved in, and of all tiers of government potentially being involved. My question to the other side is: If that is to be taken as accurate and factual, how on earth can they suggest that unions that represent workers in the development sector are not in exactly the same invidious position? How can they argue a case that developers should be banned from making donations but that unions representing workers in the development industry should not be banned? How can they argue that? They cannot have one without the other.

One cannot pick and choose who one decides to ban from making donations. If the liquor industry and developers are to be banned, so, too, must the unions who represent the workers in those sectors also be banned; or donations across the board must be banned completely and there must be a move towards public funding. It is

time to stop picking and choosing who one believes are the winners and losers. When I say "public donations", I mean there needs to be either bans or restrictions on organisations, such as unions or industry representatives, on what they can spend over particular periods. I repeat: We cannot pick and choose any more. It is either all in, or all out.

Under the Election Funding, Expenditure and Disclosures Act 1981, political parties, elected members, candidates, groups, third party campaigners and major political donors are required to make certain disclosures in relation to political donations and electoral expenditure over the course of an annual disclosure period, ending on 30 June each year. The amendments contained in this bill will apply to donations made or received during the current disclosure period—that is, before 30 June this year. So that affected individuals and other entities have adequate notice of these amendments, it is important that the passage of this bill is not delayed. It was originally intended that the amendments in this bill would form part of the Government's rewrite of the Parliamentary Electorates and Elections Act 1912, which was announced in 2013. Work on that rewrite is well advanced. The Government decided, however, to progress these particular amendments in a stand-alone bill.

As has been explained already, the amendments in this bill will operate retrospectively to ensure that no corporate donations fall through any regulatory gap. I repeat: This Government is ensuring that no corporate donations fall through any regulatory gap. So who is making sure that there is transparency in the donation system in New South Wales? Who is tidying up gaps in the system? It is this Government that is doing so. Unless the amendments contained in this bill operate retrospectively, there will be a gap in regulatory power over corporate donations made between 18 December 2013 and the commencement of the amendments. This will be a significant loophole in election funding regulation. Applying these amendments retrospectively will help to enhance the transparency and accountability of election funding and expenditure, and show that the Government is serious about its intentions when compared to the Opposition's position in defending union donations.

In its Unions NSW decision, the High Court found the 2012 reforms to be invalid because they impermissibly burdened the implied freedom of communication on governmental and political matters, contrary to the Commonwealth Constitution. The effect of a High Court decision that a law is constitutionally invalid is that the offending provisions are taken to have been invalid from the outset, and therefore that they were never law at all. On this basis, it may be suggested that the bill should be completely retrospective to 2012. However, this would result in an unusual situation whereby the disclosure requirements under the Election Funding, Expenditure and Disclosures Act would apply to corporate donations that were not permitted under the law as it then was. Retrospectivity to the date of the High Court's decision closes a loophole without creating unworkable new rules for past disclosure periods.

This Government is firmly committed to the task of cleaning up political donations, and is currently working to develop sensible reforms that will strengthen the regulation of election funding in New South Wales. This commitment was shown yesterday with the announcement by the Premier of a panel to review and report back to the Government on election funding matters including donations. The panel is bipartisan with former members Liberal shadow Attorney General Andrew Tink, Labor Deputy Premier John Watkins, and respected businesswoman and public servant Kerry Schott to chair the panel. One would think Labor would be very supportive of this panel and review. But Labor members have shown yet again today that they simply are not. In 2013 the Joint Standing Committee on Electoral Matters issued a report on its review of the State's electoral laws, the Parliamentary Electorates and Elections Act 1912 and the Election Funding, Expenditure and Disclosures Act 1981.

Mr Gareth Ward: A great report.

Mr BART BASSETT: I believe the member for Kiama was a member of that committee, and may have chaired it.

Mr Gareth Ward: I am chair now; I was not then. I will take the credit though!

Mr BART BASSETT: He was very much involved, as is our Assistant Speaker now also very much involved on that committee. And what a very good outcome that was. The report into which those two people put so much hard work made 27 recommendations to reform the State's electoral laws. The committee's main recommendation is that the Government introduce legislation to create a single consolidated electoral Act for New South Wales that regulates both the conduct of elections and campaign finance matters. A new electoral bill is in the process of being drafted. This is a complete rewrite of the Parliamentary Electorates and Elections Act 1912.

The drafting of this bill is well advanced and is expected to be introduced into Parliament in the near future. The Government is firmly committed to the task of cleaning up political donations and is also working on sensible reforms to the Election Funding, Expenditure and Disclosures Act 1981. I ask those opposite to look very closely at the industries that they criticise and label as those who should not be donors and the unions that represent those sectors. The two simply cannot be seen as separate; they must be seen as one and the same. I commend the Election Funding, Expenditure and Disclosures Consequential Amendment Bill 2014 to the House.

Mr JONATHAN O'DEA (Davidson) [5.10 p.m.]: Unlike some other speakers, I will start with the Election Funding, Expenditure and Disclosures Consequential Amendment Bill 2014 and then I will follow the debate. In the context of the debate, I will emphasise the problem or the issue, as I see it. I will review some of the solutions that may or may not have been successful in the past but which might be looked at again in the future. I will then look at how we might undertake a process which involves public input. Finally, I will look at some of the inconsistencies from Labor to date. I start with the legislation. The legislation addresses a gap in election funding regulation that has arisen following last year's High Court decision. That decision overturned the Government's previous ban on corporate donations and union donations. Importantly, the High Court found that the New South Wales laws were invalid after Unions NSW challenged them in a test case on the concept of freedom of political expression.

The court found that the law infringed the implied freedom of political communication under the Commonwealth Constitution. There has been a suggestion that the decision was based on striking down some partisan action but that is misleading and may have arisen from comments that were made by a particular judge. The essence of that decision was as I have stated, so let us keep that in mind. The legislation today ensures that corporate donations are again regulated in the same way as all other political donations. That is clearly a good thing and it is a good thing that the Opposition recognises that and is supporting the bill in that sense. The amendments will apply retrospectively from the date of the High Court decision, so that corporate donations made between the date of the decision and the passing of this bill will be required to be disclosed in the usual way.

I go back to the broader debate and look at the issue as I see it. Even when conducted strictly within the law, the political donations system appears to invite corruption on occasions and erode confidence that decisions are made based on honest judgement and deliberation about optimal public outcomes and public interests. There is no doubt, in my opinion, that the pressures of raising campaign funds—both on the other side and on our side—potentially threatens the integrity of the legislative process and drains the time of parliamentarians that I think can be better spent on other public pursuits.

The Premier has clearly stated his determination to restore the public's trust in New South Wales politics and the political system generally. But whatever the rules, there needs to be a robust system which allows election campaign funding, however it occurs. It must occur in a transparent and ethical manner, ensuring that there is public confidence in the process. That is the most important thing to emphasise—we need to restore public confidence in the process. What are the solutions? I share the Premier's personal preference for a total ban on donations and a 100 per cent public funding system. I put that on the record. But I also emphasise that such an easily stated solution may not be easy to implement and that there are complexities that need to be looked at, particularly with regard to legal implications and constitutional issues.

In the High Court's decision we saw some of those challenges, in terms of restricting implied freedoms of speech and communication. It is not simple or easy and we need to ensure that whatever we do, we do it properly. There has been an unsuccessful attempt on this side of the Parliament to ban corporate and union donations. That did not succeed. Why not? We have seen why not. There may well be future challenges based on the same or similar logic to—dare I say it—even the 2010 reforms. They have not been challenged on that basis but they could easily be, as indeed a total ban could be challenged on a similar implied constitutional right. So the expert panel will look at those issues thoroughly, as they should.

How then should the New South Wales Government and the Parliament modify rules for election campaign funding to promote, in the long term, an improved level of openness, trust and confidence in the system? I ask the question: Is there a need for an independent mechanism or mechanisms to provide input to such a review, or should the Parliament just come up with a quick solution and impose that in a way that would probably erode public confidence further? I am pleased that the Premier has not only announced recent measures but also foreshadowed potential future and more immediate measures, in addition to putting in place an expert panel to examine full public funding of election campaigns and related matters.

The process put in place towards longer term reform cannot happen quickly but it should involve an openness to other options, ideas and public input. I have gone on the record in an opinion piece in the *Sydney Morning Herald* about the option of a citizen jury providing input into that process. The newDemocracy Foundation has previously argued for the use of citizen juries in setting parameters for matters involving political donations and I have supported that call. I will not go into detail about the features of the citizen jury process, other than to say it involves random selection and a process of deliberation which is far beyond a superficial straw poll. But even if one goes by the straw polls, there is clearly strong public support for substantial reform in this area.

What we have to do is to make sure that the process is open to ideas that might emerge from the community for the benefit of the wider community. We trust juries on questions in serious criminal matters and there is no reason why we cannot trust them to help set the rules for election campaign funding and how such matters might be better regulated. I again put on the record my support for embracing that type of opportunity, aware that there are certain risks, but trusting in the public's capacity for careful deliberation and sensible judgement. This Parliament does not have a mortgage on that and we could, in fact, make New South Wales a leader in democratic reform through those sorts of processes. I point out four inconsistencies with Labor's arguments to date. Firstly, some speakers have acknowledged that it is a complex equation, that there are complex arguments and potential challenges involved; others have said no, we need to rush a quick fix because it is easy to do.

Speakers opposite have been inconsistent in acknowledging the complexity of the matter. Secondly, some of them, particularly the member for Lakemba, said that an open, bipartisan public process is needed. Others seem to think that the public are not that important and that Parliament could impose something quickly. I presume that is more a point of public participation versus parliamentary participation. Thirdly, some speakers argued that the previous reform system Labor introduced in 2010 was fantastic and the be-all and end-all, yet the argument is made for a new system. Did we get it right with the old system or do we need a new system? Those opposite present a further inconsistency. Fourthly, I ask those who are yet to contribute to this debate: If they call for the disbanding of organisations such as the Millennium Forum, do they make a commitment also that Labor will receive not one cent of union money prior to the 2015 election? To be consistent with what they argue in this debate that they should not accept any money from unions, will they make such a commitment?

Mr CLAYTON BARR (Cessnock) [5.20 p.m.]: I contribute to the debate on the Election Funding, Expenditure and Disclosure Consequential Amendment Bill 2014. Of course, as noted by other speakers, we find ourselves in this position as a result of action Unions NSW took to the High Court to test the constitutional grounds on which the previous Election Funding, Expenditure and Disclosures Amendment Act 2012 was based. The interesting journey of that particular Act is that, for the 12 months prior to its introduction into this place, the then Premier, Mr Barry O'Farrell, and member for Ku-ring-gai, frequently spoke at length about his intention to introduce the legislation. While he spoke in this Chamber about his intention to introduce that legislation, what it would do and who it would ban from making contributions—for example, corporations and unions—the Liberal Party was busily holding as many functions as possible to get as much money as possible from those same corporations that would be ruled prohibited donors.

The moral question of the 2012 legislation was: If you knew you were introducing legislation to take a certain course of action, why did you spend so much time, energy and effort making sure you received all donations before the legislation was enacted? That moral question is best left to the New South Wales Liberal Party rather than this Chamber. Frankly, since 2009, when developer donations were banned, everybody in this Chamber and all head offices of this State's major parties knew exactly the intent of the legislation and why it had been enacted. The legislation was passed to achieve a certain end: to try to provide some confidence for the New South Wales community—the people of New South Wales, who ultimately go to the ballot box and mark a paper to elect members into this place. Knowing the intention of that legislation, the Liberal Party deliberately, consciously and knowingly went about trying to get around it.

That then raises the question: How much legislation can we have for those who morally want to adhere to it and for those who might try to get around it? We have the examples of Eightbyfive, Free Enterprise Foundation, the North Sydney Forum and, of course, the Millennium Forum. The Millennium Forum is quoted quite frequently, so we should examine some of its major contributors. We know they include organisations such as British American Tobacco, Meriton Apartments, Mirvac, Stockland and Multiplex—all of which have been reported widely in the media. All banned donors cannot donate to our campaigns, but the Millennium Forum, which was set up by the Liberal Party to get around the legislation, can accept donations from those

banned donors. I have read the disclosures of every single Government member. It is pretty brief reading. My young son in year 1 is starting to learn to read at school and he brings home his library books, some of which have perhaps 50 or 100 words. I have not read a Government member's disclosure that has 50 or 100 words.

None of them has declared any donations. Apparently donations do not go directly to Government members; they all get funnelled through their head office. That process seems to be anything but transparent. I welcome anyone to read my disclosure because all donations are listed. The legislation before us contains an amendment to the 2012 legislation, yet I have cited a number of examples where behaviours of individuals are contrary to the intent of that previous legislation. That is extremely disappointing because we in this Chamber represent, amongst many things, the conscience and moral fibre of our communities. I return to what the current Premier is trying to achieve with this bill. Six weeks ago the problem with how the New South Wales Liberal Party handled donations was brought to the attention of the Premier.

He had six weeks in which to do something about it, but even today in question time he said that he would need to check his position with the Liberal Party head office. I did not believe it was the job of the New South Wales Premier to check his position with his head office and to make such a public announcement about it in this Chamber. Plenty has been said by those opposite about how much the Labor Party does or does not respond to the unions, but today in question time the Premier of New South Wales specifically and directly said that his behaviours, actions and decisions needed to be checked with his party's head office. That is of real concern. It has been proven beyond doubt that certain individual rotten eggs within the Labor Party have acted corruptly and are morally bankrupt.

While Labor may have had rotten eggs amongst its members, the Independent Commission Against Corruption [ICAC] has proven that the Liberal Party, represented by the Premier who has introduced this bill, has a rotten structure throughout, which, unfortunately, raises questions about all the good, decent and honest members of this Chamber who belong to that party. The structure, foundation, core and root of what they do is corrupt. That can be addressed very quickly. Public confidence is the most important thing that will be needed when going into the 2015 election. Unfortunately, the select group that the Premier has chosen has no constitutional lawyers in it, which is disappointing, but on the timeline given to them change will not be enacted before the 2015 election.

The public will go to an election having zero confidence in its outcome, and the nature of donations means that they will fund the propaganda of that election. It is a disappointing outcome. The Premier has had six weeks to act. It is simple: shut down the forums that have been proven through ICAC investigations to be morally bankrupt. It is time to shut them down. Just say stop. No more. Zero. Zip. Zilch. It can happen instantly but it has not yet happened. This legislation is seeking to correct a wrong that was made previously. The Labor Party supports the legislation but I ask and urge the Premier to act more quickly than he has.

Mr JOHN WILLIAMS (Murray-Darling) [5.30 p.m.]: We have heard the Leader of the Opposition speak with passion about what the Premier should do. The Terrigal member was anointed into the group of elite Labor Party members on the Central Coast. I do not know what happens during the initiation of the Terrigals, but they come out done over at the end of the process. They have a fair bit of buy-in with Uncle Eddie and Uncle Joe who are the controlling influences of that organisation. Their network guaranteed that one would be a Terrigal and that their next campaign would be funded and they could become a Minister. That was the only way that the system could work. The Terrigals controlled their membership by making available easy funds in order to gain election. That situation needs to be avoided when it comes to electoral funding.

I share the same belief as the Premier as to how elections should be funded. The old story is that in most cases it is he with the biggest bank account who will win the election. We see people enter this House when they are ill-equipped to represent their constituents. As a favour they are selected by the Labor Party and they become members of Parliament but they have no ability to service the needs of their constituents. They are funded by unions and have a great deal more funds than those candidates who are running against them. The people who really represent their electorate are those who have contact with their constituents. If one is running as a candidate with the intention of winning an election, I suggest they meet as many of the 45,000 voters as possible to win their confidence. When I entered this House, I met people who did not know their constituents. They were elevated into this House on a tide of money because they were owed a favour. I do not agree with that concept. We need to move away from that situation and recognise that someone needs to win an election on his or her merits, not because he or she has a certain amount of money.

It is all well and good for the Labor Party to criticise the Premier. The truth of the matter is that the Premier would not have been aware of a lot of the activities that have been revealed by the Independent

Commission Against Corruption [ICAC]. He was never exposed to the dangers. People will always find a way around the rules. Some people think that the processes that have been revealed by ICAC are not illegal. In time we will find out whether it was illegal. In the spirit of what we are attempting to achieve with this bill, it was the wrong way of doing business. We also get caught up in the fact that the Federal and State jurisdictions have different laws. For all intents and purposes, the Liberal-Nationals have accepted donations from illegal donors, but they have been diverted to the Federal Government. Labor and its unions made sure there was a difference and the Federal Government has continued to be polluted by these donations.

The Government has tried to clean up this State. To his credit, Nathan Rees was the only person who was brave enough to say, "If we are going to make the Labor Party work, we have to make a change." Interestingly, no-one within the party supported his views. They were prepared to tip him out and bring in puppets of Eddie Obeid and Joe Tripodi, the Terrigals who ran the Labor Party. The only honest man in the Labor Party was tipped out and it was a disgrace. If Nathan Rees had been able to get across the line, we would have seen more Labor members sitting on that side. Unfortunately, Labor members stuck to their rotten practices and they are wearing the consequences. We need to change the way things are done and make the process fair and equitable. The problem is that the unions control fundraising for elections. They have been funded to the eyeballs and they have been able to support Labor's campaigns. Members on the other side need to achieve equalisation but the money war is continuing.

Mr Guy Zangari: So it is okay to have Eightbyfive slush funds?

Mr JOHN WILLIAMS: I have mentioned that already. The member for Fairfield is pretty slow. It has not got through to him.

Mr Guy Zangari: No, it doesn't get through to you.

Mr JOHN WILLIAMS: I think Joe Tripodi anointed the member for Fairfield. He has done well; he is Joe Tripodi's replacement. Where did the member for Fairfield come from? Does he want to talk about his endorsement arrangements? He wants to be careful about exposing the history of him getting into this place. I do not think the pathway was that clean.

Mr Guy Zangari: It was aboveboard.

Mr JOHN WILLIAMS: I will bet it was. There was no separation with his election. It was just a trail left behind by the previous member. The member for Fairfield comes from a bad background and I do not appreciate the interjections during my speech. We need to return to the days when elections were won by the best candidate, not by the guy with the most money. It is an absolute disgrace to think that Labor candidates are being pumped into this place because they are funded to the eyeballs; they are not even capable of representing their constituents. We need to clean up this electoral funding business which those opposite polluted. They ran the agenda. The rot was created by Labor but, unfortunately, a lot of others were dragged into it. We have capped the size of electoral campaigns but it is still too much money.

I was elected in 2007 and I ran for re-election in 2011. I am happy for those opposite to look at the amount of money that was spent on my election campaign—it was under \$40,000. I work on the theory that if someone has done the job well enough for four years then they do not need electoral funding. They should be able to stand on their own two feet based on the work they have done. Unfortunately, there are too many Labor people who are looking for the next handout for the coming election because that is the only way they can win. They need a massive amount of money to promote them because they are that damn hopeless.

Mr RON HOENIG (Heffron) [5.40 p.m.]: Mr Assistant-Speaker—

Mr Guy Zangari: Bring a bit of order to the debate.

The ASSISTANT-SPEAKER (Mr Andrew Fraser): Order! The member for Heffron does not need any assistance. The member for Fairfield will have his opportunity to make a contribution to the debate.

Mr RON HOENIG: The Election Funding, Expenditure and Disclosures Consequential Amendment Bill 2014 relates to a very significant public policy issue. The concept of political donations has plagued every democratic institution around the world. Most countries, let alone the States and Territories of Australia, have tried to cope with the impact of political donations. Every political party needs money to get elected. Every

candidate who seeks to be elected needs money. Since being elected, members on both sides of this House have been under pressure from their parties to raise considerable sums of money for the upcoming March 2015 election. Some of them have looked in amazement at and are unsure of how they will meet the demands of their party to raise funds of that nature.

Immense pressure is put on members of Parliament and candidates to raise funds to participate in this democracy. Those of us who have been around for a long time know something about campaign donations. Some who believe in our political philosophies and some party members in local electorates will donate \$10, \$50 or \$100. But those who donate tens of thousands of dollars, or in the case of major political parties millions of dollars, do not do so because they believe in our philosophy; they do it because invariably they want something. It may not be that they want a favourable decision; they may only want access or to rub shoulders. But why should the rich have the opportunity of access when the poor do not? It is nonsense for a member to say in this House, or in any other democratic institution around the world, that people donate money because they believe in their party's political philosophy. But attempts are being made to try to curb that situation.

The Election Funding, Expenditure and Disclosures Consequential Amendment Bill 2014 results from a failure of this Parliament to enact legislation that was constitutionally valid. The legislation was not constitutionally valid because it sought to infringe a freedom of political communication that we, fortunately, have in this country. It was specifically designed to impact upon the Labor Party. In debate on the Election Funding, Expenditure and Disclosures Amendment Bill 2011, before I was a member of this place, the member for Maroubra said:

The Premier should come clean and admit that this is about one thing and one thing only. This is about the politics of extirpation. What he wants is simply to put to death the Labor Party in New South Wales. That is all he wants to do.

Effectively that is what the High Court determined when it, properly, struck down the bill. When one pretends to be sanctimonious and wants to clean up political donations one exposes oneself to examination. At the very time when the former Premier was prancing up and down in this Chamber espousing the virtues of reform of political donations, millions of dollars were going into various slush funds and being raised by the Liberal Party or various candidates in various ways. This was hypocrisy at its height. It is those sorts of undeclared funds that impact upon the democratic framework of this nation.

Members well know that I am not one to embark upon character assassinations of Government members but when they pretend and proclaim that they are reforming political donations and then themselves are exposed in the way in which the Liberal Party has conducted itself, it is plain hypocrisy. It would appear from the arguments of counsel for Senator Sinodinos that the Liberal Party will assert that some of the organisations in question were lawful for a variety of reasons. It is also apparent from the submissions that they had probably had some legal advice. But what was occurring was the very thing that the legislation tries to control, that is, providing undeclared and undisclosed money at a high rate. The Government then has the temerity, which I suppose it is forced to do, to plug a loophole in its bill as a result of its own conduct. The only problem is that the Government is not competent in doing so in the way that it is.

For example, with the insertion at the end of schedule 2 of new part 9, section 26 there comes another gaping hole as a result of the Government's lack of competence. I will return to this shortly. Premier Baird has repeatedly proclaimed in this House what he said, commendably, in his inaugural speech in 2007. He has indicated his views on this from the time he first became a member of Parliament. He is now the Premier of this State and he is in a very unique position. When it comes to his belief about public funding of elections he has the entire Labor Party to support him—not only in this House but in the other House as well. I say to the Premier, "It is time for you to lead. It is time for you to use the numbers that are available in this House to achieve your aims."

Mr Gareth Ward: That is unconstitutional.

Mr RON HOENIG: The member for Kiama says that is unconstitutional.

Mr Gareth Ward: It is.

Mr RON HOENIG: Have you asked the Solicitor General?

Mr Gareth Ward: I am not going to give you that advice.

Mr RON HOENIG: Have you asked the Crown Solicitor's Office?

Mr Gareth Ward: That worked out so well for us in the last court case.

Mr RON HOENIG: I suspect the member for Cronulla would have used it. Go and have a look. The member for Kiama says it is unconstitutional. Why has it been tabled? Why has the Government established a committee that will report back at the end of parliamentary sittings? The Government has done that because it is putting off the decision. It does not want public funding of elections. It wants to go to the election in 2015 with the huge war chest it has been collecting. I suspect that one of the Government's war chests relates to its failure to deal with new section 26 (1), which states:

This act is to operate after the commencement of the *Election Funding Expenditure Disclosure Consequential Amendment Act 2014*, as if the amendments made by this Act had commenced on 18 December 2013 ...

That is the date of the High Court decision.

Mr Gareth Ward: That is right.

Mr RON HOENIG: What about the funds that have been donated to your party from 2012 to 2013? What if Nathan Tinkler's company donated money to the Liberal Party from 2012 to 2013? How will that be caught by this bill because, as a result of the High Court's decision, the provisions are invalid? In his reply I want the Premier to assure the House that any money the Liberal Party received between 2012 and 2013, before 18 December 2013, is going to be caught by this bill. The situation is that they have not backdated the commencement of the bill to the originating principal Act; they have backdated it only to December 2013. That means the very restrictions in terms of corporations and caps that exist prior to that date may not apply. They may well have stuffed up this bill just like they stuffed up the one-punch bill earlier this year. I say again to the Premier that the Labor Party is prepared to support him on the public funding of elections. He is required to lead. This is his moment and he has the support of both Houses of Parliament.

The Premier has an army of lawyers in the Crown Solicitor's office and he has the Solicitor General. He has every resource available to him. There is no need to push this off to a committee. He should deal with it himself. What has he been doing for the last seven years? Has this not been at the forefront of his mind? One would think he would have asked himself, "How am I going to do things if I ever become the Premier of New South Wales?" This is Premier Baird's moment in the sun. This is a time when the people of New South Wales are crying out for leadership. This is a way in which he can further the legacy of Nathan Rees, who compromised his own political career to take steps in this area. The Premier now has the ability to deliver on this legacy.

Mr ALEX GREENWICH (Sydney) [5.50 p.m.]: I support the Election Funding, Expenditure and Disclosures Consequential Amendment Bill 2014. It will close the loophole created by the December 2013 High Court decision in *Unions NSW and Ors v State of New South Wales*, which ultimately makes donations from corporations, industrial organisations and peak industry groups lawful even though they were previously banned by this House. While the decision opened the way for donations from these donors, the law is not drafted to require their disclosure. Following a meeting with the Electoral Funding Authority earlier in the year, I repeatedly asked the Government to close this loophole. New South Wales has made positive steps in donation reform over the last five years, including the banning of developer and tobacco industry donations under the previous Government and the limiting of permissible donors to individuals on the electoral roll under this Government.

It is unfortunate that the High Court restored the ability for corporations and organisations to make political donations. I believe the motivation for such donations is usually different to that of individuals. Although the High Court did restore that ability, it is obviously the decision of the political parties to accept those donations. Individuals often make donations to help get elected the candidate who they believe best reflects their values and beliefs. It is a valuable form of political participation and I hope it continues under future reforms. As an Independent, my election campaign relied heavily on donations from residents and members of my local community who believed in me because of my work or who wanted to retain an independent representative in Parliament following this Government's anti-democratic move to force the resignation of the former Independent member of Parliament Clover Moore.

In comparison, corporate donations are rarely community minded and often represent an attempt to achieve influence. Recent hearings of the Independent Commission Against Corruption [ICAC] showed us how

desperate some are to influence the political process. They find the loopholes in the system so that donations that do not comply with community values or the spirit of recent reforms can be made. We hear of corporations and developers making donations through other means, including from staff members, and this needs to be addressed. I welcome the commitment of the Premier to look at further reforms and the establishment of an expert panel to report on options. I join the member for Davidson in calling for a citizens jury on electoral reform.

The first step in this bill to ensure that all donations over \$1,000 from corporations, peak industry groups and organisations are made public following the High Court decision is vital. Transparency and accountability of political donations is essential for confidence in the political process. I understand from my discussions with the Electoral Funding Authority that the High Court decision was retrospective, making all donations that were previously banned now lawful, including those made prior to 18 December. I understand this means donations made unlawfully before this date are now valid, and this would be a defence in court. I am concerned that the law require disclosure of such donations so that the public is fully informed. I ask the Premier, in his reply, to respond to these concerns and explain why the 18 December date is needed in the bill. I join the member for Heffron, who made a similar call.

I am concerned that the expert panel does not include representation from Independents or minor parties, whose situation is different. Independents and minor parties often run local campaigns without support from concurrent statewide party campaigns and this means we have different needs. It is harder for an Independent who is not the incumbent to get elected. We need more community representatives and donation reform should not make it harder for new Independents to run and be elected. The panel, for example, could have included John Hatton, a former Independent of this House, or former Democrats MLC Arthur Chesterfield-Evans. I hope that the panel also looks at fundraising events that allow lobbyists and industry and corporate leaders to pay to sit at tables with Ministers and shadow Ministers. This contact should be limited and placed on the public record.

The ICAC hearings show us the need to continually assess our political donations system to ensure that it protects the broader public interest and prevents undue influence on the political process or indeed the perception of it. It was not long ago that we had a very lax donations regime in New South Wales, and I welcome the commitment of this House to further improvement, especially to address concerns raised at the ICAC hearings. I hope our political system becomes fairer and more transparent as a result. This bill brings us up to date and ensures that most donations will now be disclosed. I commend the bill to the House.

Mr GUY ZANGARI (Fairfield) [5.56 p.m.]: I make a contribution to debate on the Election Funding, Expenditure and Disclosures Consequential Amendment Bill 2014. The object of this bill is to make consequential amendments to the Election Funding, Expenditure and Disclosures Act 1981 relating to the restriction of political donations. On 18 December 2013 the High Court handed down its decision on *Unions NSW and Ors v State of New South Wales*. The court unanimously held that sections 96D and 95G (6) were invalid as they were contrary to the Commonwealth Constitution. These sections impermissibly burdened the implied freedoms of communication on governmental and political matters. These provisions were introduced by those opposite back in 2012. Under section 96D, donations were explicitly restricted to individuals who were enrolled to vote. The result was that any unions, non-government organisations and corporations were prevented from making political donations.

Furthermore, section 95G (6) put in place a cap on expenditure incurred by political parties, candidates and third party campaigners for political advertising and any election-related material. This ruling combined the amount spent on electoral communication by a political party and by any affiliated organisation of that party. It was a bold move by the O'Farrell Government, which most notably ensured that any unions affiliated to the New South Wales Labor Party would be prevented from fighting changes the Government made in their representative sectors.

As a result of this ruling, the legislation requires the addition of a transitional provision to ensure that any changes, which are to revert to the previous arrangements, will operate from 18 December 2013. The proposed amendments will remove the text of the invalid provisions from the Act and will restore the provisions that they replaced. Additionally, any other consequential amendments this Government introduced to this legislation in 2012 will be removed and the legislation will be restored to its original state. Those on this side of the House believe that more can be done other than solely restoring the legislation to its original form. The Government could take this one step further and introduce further amendments to guarantee the public's right to access all political donation and expenditure information that has been disclosed to the Election Funding Authority New South Wales.

Members opposite love to spruik their commitment to open and transparent government. Why not heed the message and ensure that the public has access to papers, correspondence and other materials that have been lodged to "vouch for" declared donations and expenditure? Since the Government proclaims it is committed to transparency and keeping the general public in the know about these things, why not make further amendments to ensure that it is legislated for? While it is at it, the Government could also ensure that the current statutory limitation period for bringing prosecutions for offences under the Act is increased from three to seven years. Accountability is important after all.

We all want an open, honest and fair system to be in place to resolve a number of issues that have arisen as a result of the amendments the Government has introduced. I am in support of this legislation; however, I firmly believe the amendments proposed today need to be considered and introduced. They must be introduced to ensure that the open and transparent system that those opposite regularly spruik comes into effect. It will ensure that the people of New South Wales are no longer kept in the dark. I support the bill.

Mr NICK LALICH (Cabramatta) [6.00 p.m.]: The aim of the Election Funding, Expenditure and Disclosures Consequential Amendment Bill 2014 is to make consequential amendments to the Election, Funding, Expenditure and Disclosures Act 1981 following the High Court decision on 18 December last year in *Unions NSW v State of New South Wales*. The High Court made the determination that sections 96D and 95G (6) of the Act were invalid because they impermissibly burdened the implied freedom of communication on governmental and political matters, which was contrary to the Commonwealth Constitution.

The O'Farrell Government introduced the invalid provisions in 2012. Section 96D effectively banned charities and other non-government agencies, unions and corporations from making donations. Section 95G (6) aggregated the amount spent on election campaigns by a political party and by any affiliated organisation to that party, including unions. Since the High Court handed down its decision that the provisions that Barry O'Farrell introduced went against the constitution there have been no legal restrictions or regulations placed on political donations. Ultimately, Barry O'Farrell introduced the provisions not to clean up politics but to attack the Labor Party.

Mr Gareth Ward: That's garbage.

Mr NICK LALICH: The irony is that for the past three years when Barry O'Farrell was Premier—

Mr Daryl Maguire: Point of order: The standing orders of this House require that members are referred to by their correct titles.

ACTING-SPEAKER (Ms Melanie Gibbons): Order! I uphold the point of order.

Mr NICK LALICH: The Premier of the day, Mr Barry O'Farrell, came into this Chamber and stated that he was holier than thou and that the Liberal Party was lily white. He said they would not do anything wrong because it was not in their genetic structure to be able to do so. We saw at the Independent Commission Against Corruption [ICAC] just how wrong he was. It is true that there were three or four mavericks in the Labor Party. They worked alone, nobody else knew what they were doing, and I hope they will be taken care of through the system. In contrast, six or seven members of the Liberal Party and two or three Ministers have appeared before the ICAC to give evidence on the funding rorts and slush funds that had been set up. The Liberal Party's systematic defrauding of this legislation through setting up slush funds has gone on for far too long. I cannot at the moment include The Nationals in that comment. This bill will go a long way to stop any of it happening again.

The other irony is that the war cry of the Liberal Party in this place has been "16 years". It is true that after 16 years the time and tide turned against the Labor Party and we were thrown out of government. But I must say that it has taken the State Liberal Party only three years to become hated by the electorate and the Liberal Federal Government has become hated in just over one year. We will see what happens at the next election. I cannot help but think that if Barry O'Farrell spent more time, energy and money cleaning up politics than attacking the Labor Party his party would not be in such disarray and so many of his party's members would not have gone before ICAC. I understand that many more members are to appear.

Mr Gareth Ward: Point of order: I ask that the member be brought back to the leave of the bill. The bill is not about matters before ICAC. The member should not be commenting on those matters, given the fact that they are before the commission. He should be commenting on the substance of the bill. He has not referred to any of its provisions.

Mr NICK LALICH: To the point of order: I am speaking about the legislation, which says if people break the law they will appear before ICAC. I am being relevant to the issue.

ACTING-SPEAKER (Ms Melanie Gibbons): Order! Members are given some latitude in debate. The member for Cabramatta will return to the leave of the bill.

Mr NICK LALICH: Opposition members will support this bill. It will ensure that disclosure requirements applying to donations made by individuals will apply also to donations from corporations. Donations made by a corporation will now be aggregated during a particular financial year. These amendments will apply retrospectively to the date when the High Court handed down its decision. I support this bill because it is a small step towards cleaning up politics in New South Wales but I do not believe it goes far enough. To make political donations more transparent, firstly, I call on the Government to guarantee the public's right to access all political donation and expenditure information that has been disclosed to the Election Funding Authority by restoring public access to papers and correspondence and other material lodged to "vouch for" declared donations and expenditure. Secondly, I call on the Government to increase the current three-year statutory limitation period for bringing prosecutions for offences under the Act to seven years.

Like many others, I was glad to see Mike Baird finally take some action to clean up New South Wales politics. I welcomed his decision this week to appoint an expert panel to advise him on how to clean up the election funding system. But I, like many people in New South Wales, am concerned that the panel's report will be delivered too late for any reforms to apply to the next State election in March 2015. As was mentioned in the *Sydney Morning Herald* today, given that the New South Wales Parliament has completed comprehensive inquiries and reports into this issue, it is hard to understand why the panel has been given so long to deliver its report. It leaves the election funding system vulnerable to unethical practices through to the next election. The people of New South Wales are crying out for quick action to clean up politics. To wait until December for the report, with reforms to apply after the next election, is too long. This morning the *Sydney Morning Herald* did a good job summarising the people's view of the Premier's actions to date in an article that stated:

Baird came to the Premier's office vowing to "clean up" NSW politics. So far, though, his lobbying reforms have fallen short of expectations. If the same fate befalls crucial political donations reform his credibility will be seriously compromised.

This bill falls far short of what is needed to reform political donations. In my view, the Premier's credibility is already seriously compromised.

Mr JAMIE PARKER (Balmain) [6.08 p.m.]: On behalf of The Greens I address the Election Funding, Expenditure and Disclosures Consequential Amendment Bill 2014. The bill has a long title but it is a simple bill to deal with the High Court challenge that Unions NSW brought against the State Government. We know the reason why we are here. It is because we have seen a fundraising arms race. From 1999 there was a huge campaign for fundraising, which Labor basically led but the Coalition tried to keep up. I will state one number: \$43,216,273. That is the amount of developer donations the Labor and Liberal parties have received since 1999.

You ask yourself why development is out of control in certain areas, why developers tend to have the whip hand, and why the community and the environment come second. Well, it is clear why: because, in particular, in the term of the former Labor Government there was a problem. That is now admitted, I think by everyone, but there is a lot of blame to go around. It was a major problem and it led to poor outcomes in public policy, and that corroded people's confidence in democracy. As we have seen, it led to corruption, which has been exposed by the Independent Commission Against Corruption [ICAC]. I should say parenthetically that that is why we need a Federal Independent Commission Against Corruption. However, that proposal put forward by The Greens in Federal Parliament last week was voted down by both Labor and the Coalition parties. They do not want a Federal ICAC. But New South Wales has one, and those parties are stuck with it. We are seeing these matters investigated and uncovered on behalf of the people of New South Wales.

This bill is not controversial. It takes us back to 2012. We heard discussions about the dying days of the former Labor Government. The then Premier introduced some very good legislation, which was amended by The Greens in the upper House. Among other things, it allowed for the banning of donations from developers and tobacco companies, and from alcohol and gambling industries. Now we have seen, from the latest revelations from ICAC, allegations that fake companies have been established to allow backdoor donations from developers in contravention of that law. This bill deals with the problem that followed a decision of the High Court. As we know, when the Liberals were elected they said they wanted to change the political funding

system. That was a credible thing that they sought to do. They realised that they had to take steps to try to manage this. But the bill went too far, infringing the rights of citizens of New South Wales to participate in the political process, and therefore the High Court struck down that legislation.

The High Court said there is an implied right of people to contribute, and that there is an implied right of free speech. The court therefore saw fit to strike down that legislation. The Government has now introduced this bill to bring us back to 2012, when corporations could donate, and under which unions and other organisations can continue to donate. This obviously is a significant problem. The Premier has said that the Government will set up a panel chaired by a very well-respected former public servant, with one person being a former Labor Minister and one person being a former Liberal Minister. As a Green, that worries me. For minor parties, Independents and emerging political parties it is a concern. It is a concern that the two old, major parties are basically working out how the system could work. You could imagine why there is concern from people like me about that.

Mr Gareth Ward: Make a submission.

Mr JAMIE PARKER: We will make a submission. It will be great to make a submission. It would be even better if The Greens were represented; however we understand that is not the case. But that is not the main focus of this bill. It is addressing how we deal with the corruption of our political process, the disgrace in which members of Parliament are viewed because of the illegal activities and processes some have allegedly been involved in. As we know, there are steps that the Premier and his Government can take now. The Independent Commission Against Corruption has set the pathway for us. The Independent Commission Against Corruption produced in 2010 a report on lobbying. I think it is quite clear that the former Labor Government failed to act on that 2010 report. Some very clear proposals were put forward. One clear proposal was that the disclosure regime that applies should be extended to ministerial staffers as well as parliamentary and senior bureaucrats. That is a very simple proposal: extend the disclosure regime to those people. Labor did not want to do that; the Coalition does not want to do it either.

I know that today the Premier said in response to a question that the Government is looking at it, and that it has bureaucrats addressing the matters, and so on, and that the Government has to work out the best way to proceed. ICAC has set the scene quite clearly. It is now 2014. In 2010 Labor failed to do pretty much anything about it, and there is an opportunity for us to act now. This bill is recognition by the Government that the High Court's ruling needs to be adhered to, and that there are four steps the Government could take. First of all, when it comes to lobbying of Ministers, Parliamentary Secretaries and ministerial staffers, those events should be minuted and made publicly available. We know that notes are kept of these meetings; those notes should be made publicly available so that people can see where the lobbyists intervene in the political process. That is a positive thing; I welcome it as a positive step forward.

Mr Gareth Ward: We're publishing our diaries.

Mr JAMIE PARKER: I am happy to publish my diary. There is nothing specifically exciting there. The only coal seam gas companies that come to see me are coming to complain. There are further issues about lobbying influence. The Minister could take steps to ban people who have held positions in government from professional lobbying for at least five years—to make it clear that people involved in political parties and government should not just go through the revolving door into the lobby industry. There should be full personal financial disclosure for members of Parliament. Members of Parliament should be required to disclose the financial affairs of their family members—as we have seen in the Obeid situation, that would be quite illuminating—to make it harder to hide the proceeds of corrupt dealings. There are also questions that should be addressed around unexplained wealth and full disclosure of interests when it comes to voting and lobbying.

The cooling-off period was endorsed. The cooling-off period in our view is too short, and that is one of the reasons we proposed amendments in the upper House, but we were not successful in having those carried. There should be an extended cooling-off period between holding public office and working for an industry that was regulated by the public official to cover public servants and ministerial staffers. We think that is reasonable. Finally, of course, is ongoing donation reform. I appreciate that this is what the Premier is grappling with at the moment with his Government. I conclude by saying that we believe that steps can be taken now. We do believe that it is important to get it right. People say full public funding is a great idea. What about third party campaigners? How do we deal with third party campaigners if we introduce full public funding? Does that mean that companies—

Mr Daryl Maguire: Or unions.

Mr JAMIE PARKER: Exactly. Does that mean that companies will just set up New South Wales for growth, so that they can be out there campaigning and intervening in the political process, as will trade unions? How does that work? Do we ban political donations exclusively? We have had some direction from the High Court on that matter. Does that mean that people have no right to make any contribution? What does that mean for Independents in particular? It is actually a very complex field, because we can create more problems than we have at the moment. In our view, full public funding is an issue that is full of potential problems. I support this bill. I look forward to working with the Government to help clean up politics. We have suggestions and proposals that we would encourage the Government to consider, and we look forward to the expert panel reporting in a very open and transparent way, and taking into account the input from all of us, not just those from the old parties who are participating in the political process.

Mr GREG PIPER (Lake Macquarie) [6.17 p.m.]: I contribute to debate on the Election Funding, Expenditure and Disclosures Consequential Amendment Bill 2014. I am absolutely amazed at how wide ranging this bill obviously is. Though I read through the bill, then went back to read the Premier's second reading speech, I was amazed at what I had missed given what was said by others who have contributed to the debate. They have expanded this into an all-ranging debate on election donation reform and the operations of the two major parties, the Labor Party and the Liberal Party. I have heard a lot of hypocrisy, perhaps from both sides, but I take note that much of it came from the Labor Party today.

During my time in politics in New South Wales, in local government and in State government, I have been most traditionally exposed in my area to the workings of the Labor Party, whether in respect of election donations or any other ways in which people can manipulate or make best use of the local system in their area. This may also occur with our friends in the Liberal Party, but it is not something to which I have been particularly privy. However, I have been quite amazed, as has the rest of New South Wales, by what a relatively minor investigation into a \$5,000 donation has led to most recently. We have had discussions about that and the blowout in the workload of the Independent Commission Against Corruption. I do not think anybody would have believed some of the allegations and some of the things that we are learning as a result of its inquiry.

I have watched this over the time and wondered where it was going to stop. It has to stop with the amount of donations and the demand for parties to raise funds. This House has one former member and a current member who have been involved in questions about electoral funding lately. One is the member for Newcastle, who has made it clear that he was not aware of the funding arrangements relating to his election in 2011; the other is the former member for Newcastle, Jodi McKay, who, it is clear, was also not fully aware of the funding arrangements that were put in place by members of the Labor Party in running her campaign in 2007. I think that is the case for many candidates, especially those new to politics. They cannot be expected to understand all the details. That is particularly so if they have come late into the election process, and there is an imperative for them to get out and start meeting people, to campaign and to put forward policy to the electorate. The candidate is surrounded by trusted lieutenants and workers who say: Don't worry about that; you get out to the public and we will deal with this.

I have dealt with the issue in another way. I decided that, where I could, I would fund my own campaigns. I do not know how many members in this House do that. I am sure that some contribute, at least to some degree, to their campaigns. In 2007 I funded half of my campaign by making a call on my mortgage. That was a big decision by my wife and me. I am not saying it is a decision that everybody could make. The second time I contested the State election for the electorate of Lake Macquarie, I invested the funds I had regained from the Election Funding Authority. I will be fully funding my own campaign in the next election. I do not wish to seek funding, but I know others do and it should be within a reasonable amount.

I have concerns about a range of issues on which many members have spoken. I will not make veiled allegations, as some have done, about the integrity of others in the House. However, I do have concerns about the integrity of the system and I am sure that many members, and members of the political parties, have concerns about the integrity of the processes within their parties, because they have been proven to be flawed. The question is: How do we address this issue? I applaud the Premier, Mike Baird, for the stance he has taken, as I applaud former Premier, Nathan Rees, and the strong stance that he took. Significant steps have been taken to improve the integrity of the system. As I said to a parliamentary inquiry in 2010, we should be careful that the changes we make do not make the system so difficult that good people will be deterred from running for office. No doubt, while we are looking at ways to make the system better, people will be thinking of ways to get around it. Others have said that here today, but it has been played out in graphic terms.

The Government—and particularly the Premier—should be congratulated for taking the lead on this. I hear the criticism from the Labor Party about the time frames in which the Premier is acting, but neither the Parliament nor the community want capricious and ill-considered decisions that will fail. The Premier has set up a process in which worthy and highly regarded persons will consider the matter and report back in a timely manner. We should not make kneejerk decisions in order to fit the needs of the 2015 election. There may be ways in which some of the measures that the Labor Party and other members of the House are asking for can be considered in time for the election, but the matter is too important for quick decisions.

We must be careful not to further damage the credibility of the election-funding system in New South Wales by having to revisit the matter after a short time. The Premier has made a good and considered decision in the action he has taken. Most of the speakers tonight have agreed with the provisions of the bill, but have wanted to take the matter further. What we must do is deal promptly with the issue and then work cooperatively in order to get a system to return the confidence of the New South Wales public in the integrity of the election-funding system in New South Wales.

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

HOME BUILDING AMENDMENT BILL 2014

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

TRADE AND INVESTMENT CLUSTER GOVERNANCE (AMENDMENT AND REPEAL) BILL 2014

Second reading

Debate resumed from 27 May 2014.

Ms SONIA HORNER (Wallsend) [6.25 p.m.]: In the dead of night, the conservative Liberal Government has introduced the Trade and Investment Cluster Governance (Amendment and Repeal) Bill 2014. It is a bill that the Government thought it could sneak through without adequate consultation or community consideration. This bill was introduced yesterday. Less than 24 hours later we are debating it. Perhaps the Government hoped that the community and the Opposition would not notice, would not care and would not ask questions. The Government might have hoped that we would let Screen NSW—a vital resource for the State's filmmakers and filmmaking industry—or the Lake Illawarra Authority and the Chipping Norton Lake Authority disappear into the Government's agenda of wholesale cuts. The Government has moved the bill without any consultation with members or relevant stakeholders and with little consideration given to what these cuts might mean for connected communities, businesses and industries. Let us take a look at the bill overall. The objects of the bill show the bodies that are to be dissolved with their assets, rights and liabilities transferred to the Crown. They are:

- (a) the Chipping Norton Lake Authority,
- (b) the New South Wales Dairy Industry Conference,
- (c) the Lake Illawarra Authority,
- (d) the Ministerial Corporation for Industry,
- (e) the Poultry Meat Industry Committee and Poultry Meat Industry Advisory Group,
- (f) the Film and Television Office (also known as Screen NSW) and its Board,
- (g) the Homebush Motor Racing Authority, its Advisory Board and the Event Implementation Committee.

I define for members some of the areas within (a) to (g) that are going to be affected. I understand that the Government plans to merge the Dairy Industry Conference into the Department of Primary Industries [DPI] and that a new Dairy Industry Consultative Committee will be formed by the DPI. I ask the Minister to clarify how the new consultative committee will be appointed and the make-up of the committee. But, of course, it is all a mystery because the bill was introduced only yesterday. Those parliamentarians interested in all the elements contained in paragraphs (a) to (g) in the overview of this cluster bill have had less than 24 hours in which to consult their communities about its provisions.

For that reason we will oppose the bill because we on this side of the House care about making sure we undertake consultation. We cannot consult with our communities about this large wholesale bill in less than 24 hours. Of the many reasons we oppose this bill, lack of consultation is the fundamental reason for our opposition. Why is there such a rush to introduce on Tuesday such a large wholesale bill that affects so many industries and continue the debate today? If the Government is fair dinkum about ensuring community consultation and that all stakeholders are comfortable with the proposal, why introduce it and hastily debate it in less than 24 hours?

Ms Noreen Hay: That is right.

Ms SONIA HORNER: The member for Wollongong is of the same opinion because she is concerned about the dissolution of the Lake Illawarra Authority after all the good work it has done. This bill requires careful thought and should not be rushed through. A big interest for me as shadow Minister for the Arts is the film industry and the future of Screen NSW. In 2013 Screen NSW was involved in television productions such as *Janet King*, *Puberty Blues* and *Redfern Now*. Politicians are busy people, but many community members love watching these series. I thank the ABC particularly for the various series it produces because of its fundamental involvement in all community elements. These Australian productions tell true Australian stories by giving voices to the more marginalised groups in our society, including the lesbian, gay, bisexual, transgender and intersex [LGBTI] group—*Janet King*'s titular character is in a same-sex relationship—and Indigenous Australians, as in *Redfern Now*.

I have a personal relationship with *Redfern Now* because in my four years teaching at Walgett and six years at Kempsey I appreciated the importance of Indigenous Australians to our community, and this exceptional show is a channel through which their message can be sent to all Australians. Importantly, Screen NSW also has an international presence. Just last year it was involved in producing *The Great Gatsby*, which made \$350 million at the box office, and *Wolverine* starring Sydney's own Hugh Jackman, which made more than \$400 million worldwide. That is a substantial amount of money from which Australia can benefit, yet the Federal Liberal-Nationals Government wants to abolish Screen Australia. Screen NSW has been involved in many past blockbusters. In my research today I discovered that until now Screen NSW received \$8.2 million in funding from the State Government to keep the organisation viable. If this entity is dissolved, that \$8.2 million will remain with the Crown, which is the purpose of this bill.

An amount of \$8.2 million is peanuts for the return on investment we receive for showcasing our great city and beautiful State to the film industry and the movie-going public—whether it is Balmain, Baulkham Hills, Wollongong, Fairfield or Miranda. The film industry is important for our community, and it is so little to invest when the community rewards may be boundless. These cuts will be coupled with Federal budget cuts to the Film Finance Corporation. If Screen NSW is dissolved, our creative industries will suffer a body blow from which it may not recover. The uncertainty this bill introduces could be extremely damaging to the industry. How does this sit with the Deputy Premier, and member for Oxley? What will happen to the Creative Industries Taskforce, which is designed to stimulate the creative industries in New South Wales? Unfortunately, the Government is saying one thing and doing another—nothing especially novel, some of us would say, from backflip Premier Baird. Although I have had less than 24 hours to research this proposal, I quote comments on this issue from an anonymous media source:

The nature of how film works is that patronage is essential. This patronage can come from the public or private sphere. If we as a community don't provide that funding then film-makers are forced to find funding from a private source, which raises a number of problems. It's becoming more and more difficult to find that private funding.

Do we know what private organisations think of films or series, such as *Redfern Now*, or those about same-sex relationships? The Opposition has real problems with this bill and its impacts on the community, especially with its introduction at such short notice. Why are we being asked to debate and decide our position on this bill in less than 24 hours? The member for Wollongong and the member for Shellharbour, and perhaps even the member for Keira, will flag the problems associated with the proposed dissolution of the Lake Illawarra Authority. The best procedure would be to set the bill aside and provide an opportunity for us all to consult, as the Opposition always does, with our communities and the screen and film industry to determine the best outcome before a decision is made about this bill. We oppose the bill not only because it has been conceived hastily but also because it is not in the best interests of the people of New South Wales.

Mr KEVIN CONOLLY (Riverstone) [6.38 p.m.]: I support the Trade and Investment Cluster Governance (Amendment and Repeal) Bill 2014. Parliaments and governments are good at creating

organisations, bureaucracies and structures; we do it all the time, and often for good reason. A genuine need is addressed by setting up a body to do something. But parliaments and governments are not so good at coming along later with the broom and sweeping away those organisations, structures and entities that are required no longer or ideally serve their purpose because of changed circumstances. With a consciousness and awareness that the passage of time has made a number of structures, government requirements and regulatory bodies unnecessary, governments need to act to determine whether those structures are still serving the need for which they were created. There will always be some regulations, some structures and some entities that have passed their use-by date which governments should clean out, end or restructure to better suit the purpose for which they were originally created.

This bill does not abolish Chipping Norton Lake; it dissolves the authority. It deals with the responsibilities that the authority was created to have in a more efficient way through the Public Reserves Management Fund. Similarly, the New South Wales Dairy Industry Conference will be dissolved and its assets, rights and liabilities will be transferred to another organisation rather than create a separate entity for this purpose. Similarly, the Lake Illawarra Authority does not need to be a stand-alone body. It can continue its responsibilities and meet its objectives without the stand-alone entity being in place. The various other entities in the bill can also have their responsibilities allocated more efficiently to other agencies already in existence rather than having separate stand-alone entities for each of these objectives.

This bill did not come out of the blue. It emerged in 2013 from a review within the Department of Trade and Investment, Regional Infrastructure and Services of the various entities that existed within that cluster and a report was produced which outlined suggested ways of reducing the number of separate entities, separate bodies and the overlapping regulatory bodies that existed. Some of them have perfectly valid objectives that continue to be met in other ways. In some cases, the objectives are no longer required because they have been superseded by events that have occurred since their creation.

One of the changes in the bill affects the Poultry Meat Industry Act. That Act was put in place to prevent potential abuse of market power by regulating the relationship between contract growers and processors of poultry meat. That objective remains valid but there is no longer the need for a state-based entity to regulate the relationship. The Australian Competition and Consumer Commission now offers strengthened investigation and intervention powers, which did not exist at the time the Act was passed, and that is why we can now change the way in which we meet that objective. The changes to the poultry meat industry are the result of a comprehensive review that brings New South Wales into line with other States. In addition, the Office of the Small Business Commissioner will be available to industry to assist with contract negotiations while the industry transitions to the Commonwealth model.

The Dairy Industry Act is similar legislation that was put in place to provide for the deregulation of the New South Wales dairy industry, to constitute the Dairy Industry Conference and to transfer certain industry service functions to the NSW Food Authority during deregulation. These latter functions ceased with deregulation in 2000. The role of the Dairy Industry Conference was to consult with the NSW Food Authority about dairy food safety schemes on behalf of the \$500 million New South Wales dairy industry. Since 2000, the New South Wales dairy industry has undergone significant change with 1,000 fewer dairy farms—750 remain—and fewer processing businesses. The bodies representing the industry have also undergone substantial change. Following these industry changes and recent resignations, the Dairy Industry Conference and its subsidiary DICONF Management Pty Limited have been unable to form a quorum. As a result, the Dairy Industry Conference has not consulted with industry for almost two years and apart from some limited promotional activity soon after deregulation, the conference does not provide the industry services that are set out in the Dairy Industry Act.

Requiring the Food Authority to consult directly with individual licensees is inefficient and in order to overcome these consultation problems, the Food Authority will establish more effective food safety consultation arrangements with the New South Wales dairy industry. The new committee will have functions and representation similar to committees that consult on food safety schemes for other industry sectors. Providing the new dairy committee with appropriate membership and representation will ensure best practice regulatory outcomes and compliance with dairy food safety regulations. The current situation also leaves the DICONF Management subsidiary company holding around \$640,000 of residual funds which cannot presently be used or reallocated. The issue will be dealt with by winding-up the subsidiary company and consolidating its funds with other dairy industry funds held by the Department of Primary Industries. All funds will then be collectively allocated to appropriate purposes to achieve the best long-term outcomes for the dairy industry. These purposes will be determined with industry consultation and support.

As indicated earlier, the NSW Food Authority will implement new consultation arrangements for the dairy industry that are consistent with those for other industry sectors and which are no longer subject to the constraints and inflexibility of arrangements under the Dairy Industry Act. These actions tidy up matters that over the passage of time have become apparent as problems, bottlenecks or insufficiencies in organisations which once had good purposes and once had ways of delivering on those objectives. It does not mean it remains the best way for Government to meet those objectives. I turn briefly to Screen NSW. It is not the function of assisting the film-making industry in New South Wales that has been abolished; it is structure that is in place.

The Act gives to the secretary to the department a number of functions under the Act, including the provision of financial and other assistance to the film and television industry in carrying out the industry's activities in New South Wales and to disseminate information about those activities. In the Act a number of similar functions are allocated to the secretary to the department. It is not the function that is being abolished but the manner in which that function is being delivered. The review of the cluster undertaken by the department in 2013 identified these suggested actions as ways in which the objectives could be more efficiently and effectively met but not abolished. It is a matter of the Government continuing its housekeeping approach to remove unnecessary regulation and entities that no longer meet objectives and to ensure that the Government and its departments can adequately and efficiently serve the people of New South Wales through the processes that are in place.

Ms NOREEN HAY (Wollongong) [6.46 p.m.]: After listening to the member for Riverstone one might be forgiven for thinking that everything is hunky-dory, rosy and quite cute until one looks at what is going on. I am in full agreement with the member for Wallsend, especially when she said in her speech that this Government introduced the bill in the dead of night and thought it could sneak it through without adequate consultation or consideration.

Mr John Sidoti: Shame on you, member for Wollongong.

Ms NOREEN HAY: The Government does not know how to consult or to deal with people. If it did it would not have to sneak this bill through without giving people proper time to look at the details of the proposal. I am not surprised that the member for Drummoyne is interjecting because I am sure he is used to sneaking around and hiding in corners without consulting with people while making decisions.

Mr Kevin Conolly: Point of order: If the member wishes to make a personal reflection on another member it should be by way of substantive motion.

ACTING-SPEAKER (Ms Melanie Gibbons): Order! I uphold the point of order.

Ms NOREEN HAY: In typical fashion the Coalition Government sought to sneak through the Trade and Investment Cluster Governance (Amendment and Repeal) Bill 2014 which was introduced by Deputy Premier Andrew Stoner who claims:

The Trade and Investment Cluster Governance (Amendment and Repeal) Bill is a package of changes to entities within the trade and investment cluster which will decrease the number of separate statutory bodies in the cluster and create savings from reduced operational, financial reporting and audit costs. The changes will benefit the delivery of services by the trade and investment cluster. In most cases the changes to be made are to back-office organisation. The aim is to improve efficiency.

We have heard that before. Mr Andrew Stoner also says that the aim is to improve efficiency. If that is the case the Government should be given an "F" for failure for every occasion it has tried to do anything and claimed efficiency. First, I have yet to see cuts to departments or services that have led to greater efficiency. This is clearly demonstrated by the abolition of the Lake Illawarra Authority. The Lake Illawarra Authority [LIA] was established by the New South Wales Labor Government in 1988 with the aim of transforming the degraded waters and foreshores of Lake Illawarra into an attractive recreational and tourist resource. The restoration of ecological values was identified as an important objective.

The LIA was charged with the task of repairing the environmental damage that had accumulated over decades, both within the lake itself and along the lake foreshores. In 2013 a review of the LIA was undertaken to determine the best future management options for Lake Illawarra—we all knew what that meant. The Liberal-Nationals Coalition Government has decided to adopt the recommendations of the review of the Lake Illawarra Authority, which found the LIA had achieved its targets for improving the aquatic ecosystem and the foreshore recreational and boating amenities.

The main recommendation was to replace the LIA with an estuary management committee, effectively returning the management of the lake to Wollongong and Shellharbour councils. But they have failed to tell those councils when they will be getting the money, how they expect the committee to operate or who will even be on the committee. The most disturbing thing is that those councils are regularly calling on this Government to communicate with them about where the money is going. We cannot just do away with the LIA, which has done such a magnificent job in cleaning up the lake. Many years ago one could not even drive down Northcliffe Drive because of the stench and my constituents who live around Port Kembla, Warrawong, Cringila and Berkeley Lake Heights now enjoy a different experience to what they experienced many years ago. This is yet another money-grabbing, cost-cutting exercise by this Government.

Whilst that sounds all cosy and happy families, the reality is that the lake is an ever-changing, diverse ecosystem that has had more than its fair share of problems over the years—from sand build-up blocking the entrance to the lake, to being smelly and stagnant from water that could not ebb and flow. Indeed, the united position on the opening of the entrance to the lake has greatly improved the situation. But what saved one of the jewels in the crown of Wollongong and the Illawarra? The answer is a dedicated team known as the Lake Illawarra Authority. My dear friend Doug Prosser was the chairman of the authority for 22 years. Doug and chief executive officer Brian Dooley, together with the dedicated LIA team, managed to deal with each and every problem that was thrown at them. They made it what it is today—a magnificent system.

One of their greatest achievements, and one of their last acts as members of the LIA, was to ensure that the public had access to 85 per cent of the lake foreshore. A brochure was produced for the public filled with information about walking and cycling trails, public toilets and barbeque areas. In my opinion the abolition of this group was not a wise decision. The interests of the lake will now rest in the hands of Wollongong and Shellharbour councils under the guise of an estuary management committee. Whilst I am sure both councils are capable, it has not started off on such a good foot. In fact, the lake was under the management of those two councils when the unpleasant situation occurred that I referred to earlier. That was before the LIA. The dedicated government funding was not there whilst the lake was under the control of the councils.

The Government is now going to put the lake back under the control of the councils without telling them about the dedicated funding needed to look after the lake. The councils are already arguing for money from the Government to keep the lake in its pristine condition, as well as arguments about which council has more or less responsibility—for example, the ratepayers who reside near the lake live in the Wollongong local government area so the argument is that the Wollongong City Council should pay more—and if they have the time. This has been dragged through the local media. In March this year the *Illawarra Mercury* reported:

Wollongong City Councillors will have to wait until next month to learn what Lake Illawarra Authority assets will be transferred to their council.

Last December, Shellharbour councillors unanimously backed the proposed structure of a new estuary management committee which would replace the LIA.

At the same time Wollongong councillors deferred making a decision, demanding a firmer financial commitment from the State Government—

which is understandable as they are going to take the bulk of the responsibility—

meaning the management of Lake Illawarra remained in limbo.

This does not fill me with great confidence. What is more interesting is that the member tasked to do the report on the lake was the member for Dubbo. What does the member for Dubbo know about the lake and our beaches? It is blatantly obvious that the axing of the LIA was nothing more than a cost-cutting measure, with minimal funds transferred to council and the rest transferred into the Government's coffers. I want to know that my grandchildren and their grandchildren will still be able to enjoy this natural wonder. I want to know that the lake will not be left to rot and fall back into the state it was before the introduction of the LIA. That is why, amongst many other reasons already raised by my colleague, and no doubt the member for Shellharbour will raise others in her contribution, I do not support the Trade and Investment Cluster Governance (Amendment and Repeal) Bill.

I am disturbed at the lack of Government consultation and negotiation over this bill. I am equally concerned at the Government's attempt to sneak the bill through. I was disturbed by the comments of those Government members who earlier today said that the job has been done so basically the State has no need for any oversight or management of the lake. I am also concerned that the local councils will see this as just another

cost-shifting exercise they cannot afford. The lake will fall back into disrepair and many of my constituents will suffer the consequences because Wollongong City Council is expected to take the lion's share. I call on the Government to ensure that they get the LIA money and, if necessary, they get additional funding.

Mr ANDREW FRASER (Coffs Harbour—The Assistant-Speaker) [6.56 p.m.]: I make a contribution to debate on the Trade and Investment Cluster Governance (Amendment and Repeal) Bill 2014 and raise some concerns that have been raised with me by two industry bodies in particular. Those two industry bodies are involved in the dissolution of certain authorities. The first body is the Dairy Industry Authority. It is my understanding from the brief discussions I have had with Mr Mike Logan from Dairy Connect that the majority of the funds being held under the authority which is to be dissolved have been contributed to by the dairy industry—that is, the growers who get up at ungodly hours to milk the cows, and go to bed after milking the cows again at night, and provide us with a nice, fresh product on our tables for breakfast, lunch and dinner.

Dairy Connect has been doing some great work with Norco in my electorate. They have now secured contracts for fresh milk delivery to China. I acknowledge that the dairy industry can be fractious at times, but at the end of the day it is not only providing local milk products but also providing products for export. I have not had a lot of time to fully discuss these issues with industry representatives, but they are somewhat concerned that any money that is now handed over to the Department of Trade and Investment or the Department of Primary Industries may be taken away from the use of the industry. They are seeking an assurance from the Deputy Premier and the Government that those funds will be available for use in the promotion and sale of products, for developing new markets and ensuring that the industry stays up to speed both nationally and internationally.

Unfortunately, I have not been able to contact anyone today from the Poultry Meat Industry Committee and Poultry Meat Industry Advisory Group, but I would like to know what consultation they have had and if they have similar concerns I would like them addressed by the Minister. One phone call I did get was in relation to the dissolution of the Homebush Motor Racing Authority under the Homebush Motor Racing (Sydney 400) Act 2008. Many members of this House would know that I take a keen interest in motorsport, not only the Homebush race but also what goes on at Eastern Creek and, more especially, the World Rally Championship [WRC], which is due to be held on 14 and 15 September in Coffs Harbour. I appreciate the great work done by the Homebush Motor Racing Authority and the fantastic work done by Andrew Papadopoulos, the President of the Confederation of Australian Motor Sport Limited [CAMS]; and Ben Rainsford, Chairman of the Australian Rally Championship, and the great committee underneath him.

I remind the House of the phenomenal amount of money that the rally championship brings in not just for Coffs Harbour but also for the whole Coffs coast—covering the electorates of Oxley, Coffs Harbour and Clarence. Last time it was run a net value of about \$30 million came into that area because of that event. We are expecting that or more this year. My concern is that if the Homebush Motor Racing Authority is to be disbanded, which is what will occur under this bill, we still need the expertise in place to ensure the success of the WRC. We are guaranteed the WRC for another two years in Coffs Harbour, and we are hoping we will get another three years after that. It is an international event that is viewed by over 50 million television viewers every time it is held. It is great promotion for Australia and in particular Coffs Harbour and the Coffs coast.

I also point out that the Homebush Motor Racing Authority has some influence on other motorsport events. I believe that we as a Government need to be looking at things such as the Formula Ford that is intended to be held at Eastern Creek. We need to have an oversight body which understands the economics of car racing. We have the World Rally Championship in Coffs Harbour. Homebush has a race event. It has often been said that the Homebush race costs taxpayers a fair bit of money. It probably does. But it gives country people who otherwise cannot get to Bathurst an opportunity to see live motorsport. Getting to Bathurst from the North Coast is somewhat hard—one has to come to Sydney and then head west; it is an expensive business. So the Sydney 500 at Homebush is something that people from regional areas can access and enjoy.

This event is to be handed to Destination NSW. As I said, I have the greatest respect for Sandra Chipchase, Chief Executive Officer of Destination NSW; the new chairman of the board; and the other directors on the board of Destination NSW. I think they are fantastic people. But what I am looking for is an assurance that these events will go ahead and be run in the same professional manner that has occurred in the past. Something needs to be set up to ensure that the right advice can be sought and obtained by Destination NSW to make sure the World Rally Championship goes ahead, to make sure that Formula Ford at Eastern Creek progresses and to make sure the Homebush race continues for at least the contracted period. We need to make sure that motorsport is and continues to be an important part of recreation within New South Wales. As I said,

neither of the two bodies mentioned have, to my knowledge, been consulted in relation to this matter. One wish is to know that its funds are secure. The other wish is to ensure that its events are secure and will proceed in the same professional manner as they have in the past. I support the bill.

Ms ANNA WATSON (Shellharbour) [7.03 p.m.]: I briefly add my genuine concerns to this debate on the Trade and Investment Cluster Governance (Amendment and Repeal) Bill 2014. As part of its overall provisions, this bill formally abolishes the Illawarra Lake Authority [LIA]. I have spoken about this issue on numerous occasions in the past in this House and I know that those who are present tonight will remember those speeches. It is nothing short of a disgrace that in June 2012 the Government announced the abolition of the Lake Illawarra Authority. It announced that the LIA, in existence for 25 years, would be replaced by an estuary management committee. This pointless committee has still not been established by those opposite despite their promise. Instead we have witnessed an unseemly bureaucratic mess with the usual finger-pointing and buck-passing, which those opposite are very good at. On 19 November last year, in an answer to a question on notice, the Minister said, and I ask the member for Drummoyne to listen as he might learn something:

Operational and governance arrangements will be a matter for the Councils to establish.

So the Government has just washed its hands of even establishing the estuary management committee. The Minister says it is a "matter for the councils". As I have said in my numerous other contributions on this issue in this place in the past, if this is what we can expect in establishing a simple committee, just wait for the circular firing squad when the Government gets around to forming the committee. When the Lake Illawarra Authority was established the lake was a smelly clogged-up mess. Many projects and works have been undertaken over the past 25 years to improve the foreshore and water quality of Lake Illawarra, from the construction of jetties and foreshore walkways to works that will permanently open the lake's entrance to the Pacific Ocean.

The Lake Illawarra Authority has been the coordinator of various New South Wales Government agencies and the two local government authorities whose communities bound the lake—as the member for Wollongong has said. Those two local governments are the Shellharbour and Wollongong city councils. Wollongong City Council has refused to entertain the idea of an estuary management committee because the cost-shifting onto it by the Government is unacceptable. We all know that, including the member for Murray-Darling. Last year the council considered a report which said:

... that Council's current operational budget allocation to Lake Illawarra does not fully fund the financial requirements should these transfers occur.

[Interruption]

I will entertain the interjection from the member for Murray-Darling. I am happy to table right here and now for the House the minutes from Wollongong City Council. I am more than happy to table that.

Mr David Elliott: The member for Murray-Darling did not say a word.

Ms ANNA WATSON: I heard him say something. The member opposite might need to go and have his ears checked. He just said something. I am happy to table the minutes from Wollongong City Council pertaining to a meeting relating to this issue.

Mr John Sidoti: Who wrote this?

Ms ANNA WATSON: The report also states, and I point this out to the member for Drummoyne:

... the significant loss on State Government funding committed to Lake Illawarra as a result of the LIA closure and that funding under existing State Government programs applicable to Lake Illawarra would require 50% contribution from Council and would compete against other state-wide priorities.

In effect that means, "You get nothing." Usually we warn people that they should not throw the baby out with the bathwater. This Government has been trying to trick Wollongong City Council into keeping both the baby and the bathwater. This is a very bad deal—a dud deal—for the people of Wollongong. It is a very bad deal for local government area ratepayers in the broader Illawarra region.

Mr John Sidoti: You have convinced me!

Ms ANNA WATSON: Oh good, that is good news. I can hear every word those opposite are saying. I have urged the council to walk away from any further discussions with the New South Wales Government about transitional arrangements relating to Lake Illawarra. Clearly those opposite cannot be trusted, not one of them. We all know that. They are uncaring and they are untruthful.

Mr David Elliott: Were you in Eddie Obeid's faction?

Ms ANNA WATSON: No. Only when the New South Wales Government becomes serious about the management of Lake Illawarra should the council re-engage with it. The Government should put on the table secure ongoing funding and governance arrangements that do not expose Wollongong and Shellharbour local government area ratepayers to decades of ongoing expenses and contributions for the management of Lake Illawarra. I know that members opposite do not take this issue seriously, but in the Illawarra region this is an extremely hot, deeply and widely felt issue.

Mr Adam Marshall: Point of order: My point of order relates to Standing Order 264. The member for Shellharbour has insisted that she is tabling a document. Private members in this House cannot table documents; they may simply lay them upon the table.

Ms ANNA WATSON: To the point of order: They are upon the table. The Lake Illawarra Authority was and remains a successful model. The Government does not need to reinvent the wheel. My fear is that after nearly a quarter of a century of marked progress on the water quality and foreshore access to the lake, it will become once again the oversized, polluted, stale and stinking duck pond that it once was. The committee—if it is ever formed, which I doubt—will be a tangle of bureaucratic paper shuffling, finger pointing and blame shifting. The management of Lake Illawarra will become what it once was—the care of everybody, but the responsibility of none. I am pleased that the Opposition will be opposing the passage of this bill in the House.

ACTING-SPEAKER (Mr Garry Edwards): Order! The document referred to by the member for Shellharbour has been placed on the table for the information of members, as opposed to forming a part of the official record of the House.

Mr DAVID ELLIOTT (Baulkham Hills—Parliamentary Secretary) [7.11 p.m.]: I support the Trade and Investment Cluster Governance (Amendment and Repeal) Bill 2014. I was hardly entertained by the contributions of those opposite. Before I begin my substantive remarks in this debate, I will just say how horrified I am every time I sit in this Chamber and hear members on the other side of the House attempting to dictate to members of the Coalition—members of two political parties that have an iron-clad, gold-plated record in economic management in this country—

Mr Robert Furolo: In your dreams.

Mr DAVID ELLIOTT: The member for Lakemba interrupts. Of course, champagne socialists like him driving around in his Lamborghini and telling us how we should defend the worker get absolutely no traction at all—

Ms Sonia Hornery: Point of order: If we are given less than 24 hours to peruse the bill and make a decision—

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

Ms Sonia Hornery: Standing Order 129, relevance.

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

Mr DAVID ELLIOTT: There is no point of order because those opposite are a disorderly bunch. They try to lecture us about economic management and they try to give us some sort of tripe about—

ACTING-SPEAKER (Mr Garry Edwards): Order! The member for Shellharbour will address her remarks through the Chair.

Mr DAVID ELLIOTT: The member for Shellharbour interrupts my remarks because truth hurts and those opposite are in pain. They do not want to sit here and listen to a contribution from a member who, unlike

them, has employed people. I have been in jobs where I have had to employ people, find money for payroll tax and fill out a business activity statement. Those opposite have forfeited the right to make any contribution on economic policy in this State because theirs is the political movement that gave us 10 per cent unemployment.

ACTING-SPEAKER (Mr Garry Edwards): Order! Opposition members will come to order.

Mr DAVID ELLIOTT: Anybody over the age of 30 will remember Labor being on the Treasury benches in Canberra when one million people were out of work, and what did the world's greatest Treasurer—Robbo's mate—say? He said it was the recession we had to have. They were the types of policies that those opposite tried to dish up.

Ms Sonia Hornery: Point of order: My point of order relates to Standing Order 129, relevance. We are debating the Trade and Investment Cluster Governance (Amendment and Repeal) Bill.

ACTING-SPEAKER (Mr Garry Edwards): Order! The member for Wallsend will resume her seat.

Mr DAVID ELLIOTT: I am responding to the comments that those opposite made in their contributions to this debate. If they think that I am speaking out of order they should not have raised their mantra, they should not have made some false accusation about the economic credentials of this side, and they certainly should not have spoken about economic management knowing full well that they are the workers' enemy. Labor is the political party that makes union membership compulsory in industry. It is the political party that gave us a million unemployed people.

Ms Sonia Hornery: Point of order: My point of order relates to Standing Order 129. Union membership has nothing to do with this bill. The member for Baulkham Hills has gone off on a tangent.

Mr John Williams: To the point of order: Standing Order 129 is only relevant during question time.

Ms Sonia Hornery: Standing Order 76, I am sorry.

Ms Anna Watson: Mr Acting-Speaker, could you ask the member for Baulkham Hills to turn it down a little bit. We are sitting about three metres away from him and we do not need to be yelled at.

ACTING-SPEAKER (Mr Garry Edwards): Order! I think that is the normal mode of speech of the member for Baulkham Hills.

Mr DAVID ELLIOTT: They do need to be yelled at because my side of politics has been trying to explain to them the reason they had a failed mantra for years; yet, they still dished themselves up to the election. In Queensland they were left with six members of Parliament; in New South Wales they were left with 20. We take more people on a Wallabies tour than they have got on their side of Parliament, yet they tell us that we have no right to give them a lecture. We do have a right to give them a lecture.

Mr Clayton Barr: Born to rule.

Mr DAVID ELLIOTT: Born to rule—I love that from the member for Cessnock. How many jobs has the member for Cessnock created? He would have created zero jobs because his political party was committed to 10 per cent unemployment. His political party committed to 17 per cent interest rates.

Ms Sonia Hornery: Point of order: Can we get back to the leave of the bill?

ACTING-SPEAKER (Mr Garry Edwards): Order! I uphold the point of order. The member will return to the leave of the bill.

Mr DAVID ELLIOTT: Labor is the political party that thought it deserved re-election after putting a million people out of work.

Ms Anna Watson: Point of order: My point of order relates to Standing Order 76, relevance. The member for Baulkham Hills is not being relevant to the debate. He is talking about union membership and the Labor Party. We are here to debate the Trade and Investment Cluster Governance (Amendment and Repeal) Bill.

ACTING-SPEAKER (Mr Garry Edwards): Order! The member for Shellharbour will resume her seat. There is no point of order.

Mr DAVID ELLIOTT: These points are relevant to the bill because this bill is an opportunity to create efficiency. This bill is an opportunity to create jobs. This bill creates an opportunity for us to have appropriate and statutory bodies reduce duplication. This bill will save money by reducing audit costs and operational costs. The party on the other side of the House—the party that we hope and pray to God will never be on the Treasury benches again—is in favour of this. The member for Maroubra is on the record as saying we need more regulation and we need more middle management. If it was not for middle management in the public service this State would not be what it is today. Those opposite are in favour of middle management in the public service because that is where they put their failed politicians.

This bill is about improved efficiencies and high-quality performance of a trade and investment cluster. This is the type of legislation and policy that we want to introduce. The bill removes two organisations that are in desperate need of being removed. I dare say that if we scratch beneath the surface we would find that those two organisations were established by those opposite as a dumping ground for their failed candidates and their union hacks. We need to get rid of the Chipping Norton Lake Authority as it has completed its role and now serves as a duplicate to a local council.

ACTING-SPEAKER (Mr Garry Edwards): Order! Members on both sides of the Chamber will come to order.

Mr DAVID ELLIOTT: The Lake Illawarra Authority has achieved its objective and now acts as a duplicate to the local council in that area. Members opposite need the authorities to continue because they need to place their many failed Labor candidates from the last local government election somewhere. Speaking about both authorities individually seems like duplication, so I will refer to them together. It is more appropriate to create efficiency by removing duplicate organisations. Furthermore, it will make it easier for stakeholders to know who to deal with in these areas.

The bill also dissolves the Dairy Industry Conference. The role of the conference was to consult with the NSW Food Authority on behalf of the dairy industry. However, it has not consulted in two years; just like Labor's favourite public servants who have been on two years gardening leave. The bill provides for a new consultative body, similar to other industries that consult with the NSW Food Authority. Following industry changes and resignations, the Dairy Industry Conference and its subsidiary are no longer able to form a quorum. This leaves its subsidiary holding \$640,000 in residual funds that cannot be presently used or reallocated. One could buy many Labor politicians for that kind of money. The bill allows for these entities to be wound down and consolidated into other dairy industry funds.

The Poultry Meat Industry Act aimed to prevent the potential abuse of market power by regulating the relationship between contract growers and processors of poultry meat. That objective remains valid. However, it can be better regulated by Australian Competition and Consumer Commission processes that offer strengthened investigation and intervention powers. This has come about as a result of comprehensive review and will bring New South Wales into line with the other States. [*Extension of time agreed to.*]

Further, the Office of the Small Business Commissioner will be available to industry to assist with contract negotiations while the industry transitions to the Commonwealth model. We are committed to ensuring that New South Wales is the premier State for screen production in Australia. I note that *Mad Max: Fury Road* and *The Great Gatsby* have been supported by Screen NSW. There will be changes to Screen NSW by removing statutory reporting, but it will continue to report through the NSW Trade and Investment Report. These changes will allow more time and funds to be devoted to the film industry. However, the board of the Film and Television Office will be replaced with the Screen NSW Industry Advisory Committee. This will consist of industry members appointed by the Minister for the Arts. The advisory body will provide decision-making for production decisions and offer industry feedback and market intelligence. I am delighted to be removing duplication and making it easier to do business in New South Wales. Improving the public sector will continue to be a priority for this Government. I commend the bill to the House.

Mr CLAYTON BARR (Cessnock) [7.23 p.m.]: Mr Acting-Speaker, this is my first opportunity to speak in the House while you have been in the chair. I welcome you to that esteemed position, which provides an opportunity to bring sense and sensibility to the House. I take this opportunity to contribute to debate on the Trade and Investment Cluster Governance (Amendment and Repeal) Bill 2014 and its objects. However, before

doing so I will respond briefly to some of the comments made by the member for Baulkham Hills in this wide-ranging debate. It is true that at one time in his life the member for Baulkham Hills was an employer and created jobs, and that gives him a position from which to make a contribution to the debate.

Mr Michael Daley: It gives him another high horse.

Mr CLAYTON BARR: Typically, though, the trouble with laying claim to that high moral ground is that one can only comment if one has life experience. Effectively, that logic means that the member for Baulkham Hills will be completely unable to make a contribution to debates about women, Aboriginal communities—

ACTING-SPEAKER (Mr Garry Edwards): Order! I know we have been liberal with our latitude in this debate, but I advise the member for Cessnock to return to the leave of the bill.

Mr CLAYTON BARR: I draw the attention of members to the objects of the bill, which are to dissolve a number of statutory bodies and transfer their assets, rights and liabilities to the Crown and, in some cases, transfer their functions to other bodies. We are talking about the Chipping Norton Lake Authority, the New South Wales Dairy Industry Conference, the Lake Illawarra Authority, the Ministerial Corporation for Industry, the Poultry Meat Industry Committee and Poultry Meat Industry Advisory Group, the Film and Television Office, also known as Screen NSW, and the Homebush Motor Racing Authority. I will start at the bottom and work my way up.

It is worth noting that when the Labor Government introduced legislation to establish the Homebush Motor Racing Authority the then Opposition voted against it. The authority was established because it looked like V8 Supercar racing was leaving Sydney permanently after the closure of some facilities. To go back a little further, part of the Liberal Party's policy agenda in 2007 was that if it was elected to government in 2007 it would establish a motor racing authority to secure V8 Supercar racing in New South Wales. So if a Coalition Government had been elected in 2007 it would have established the authority. However, when the Labor Government introduced the legislation in 2008 the then Opposition voted against it. Now that members opposite have their hands on the controls and levers they will get their way by disbanding the authority. One concept of the Homebush Motor Racing Authority was that a particular group would cut through all the necessary planning, development approvals and those kinds of things without offloading it onto another body or group; it would get the job done.

Similarly, the Chipping Norton Lake Authority and the Lake Illawarra Authority were established because they crossed over a number of local government areas, and getting the local councils to cooperate with each other and reach common ground to move the issues forward would have been nigh on impossible. So the State Government established that broader group. It does not matter whether the politics change; the geography does not change. The Chipping Norton Lake Authority and the Lake Illawarra Authority still reach across a number of local government areas. I do not disagree that their work is largely done. Fortunately, through funding from the previous Labor Government, they managed to do an enormous amount of work. Indeed, it would have been impossible to contribute funds again through local government to get that work done. The funding had to go to a peak body. The problem with legislation coming through this House—I refer to biosecurity as an example—is that in good and safe times members opposite want to take their feet off the accelerator and rest on the laurels of the success of the previous Government.

Mr David Elliott: Your nose is growing.

Mr CLAYTON BARR: I certainly hope not; it is large enough as it is. The Government's position is that, while the good times established by Labor are rolling, it will step back and, hopefully, it will not fall over. Governments should never take their eyes off the ball. However, this bill is about the Government taking its eye off the ball. No Minister in this House is more likely to take their eye off the ball than the Deputy Premier, Minister for Trade and Investment, Minister for Regional Infrastructure and Services, Minister for Tourism and Major Events, Minister for Small Business, and Minister for the North Coast. I do not say that without offering other examples of the Government taking its eye off the ball in terms of legislation. The Resources for Regions Fund has been an embarrassment to the Minister at the budget estimates hearings every year. What happened to the Regional Relocation Grant? Some of the money that was meant to go to the bush was spent on the Star casino in Sydney. That was an outstanding success. During budget estimates the Minister responsible for that program—

ACTING-SPEAKER (Ms Melanie Gibbons): Order! There are too many interjections across the Chamber. The member for Cessnock has the call.

Mr CLAYTON BARR: Thank you, but I do not mind the interjections. Management of that program now belongs to a Minister who has enormous responsibilities in so many areas that he is unable effectively to keep his finger on the pulse of all those things. This bill seeks to bring more responsibilities into a ministerial portfolio that is already beyond the capacity of that particular Minister. If the Government wants to enact this legislation, a new Minister who has a greater capacity to deal with all the things that make up the portfolio should be appointed. If the Government does not do that it will set itself and this State up for failure.

I will speak briefly about the history of the Dairy Industry Conference. The conference was established to secure the welfare of dairy farmers across New South Wales, which this Government is now walking away from. One would think that members of The Nationals in this Chamber would have a stronger voice in supporting and protecting the needs of dairy farmers in New South Wales. The reality is that a Coalition Federal Government and a Coalition Victorian Government deregulated the milk industry—

Mr Stephen Bromhead: It was the New South Wales Labor Party.

ACTING-SPEAKER (Ms Melanie Gibbons): Order! Government members will come to order.

Mr CLAYTON BARR: If I am continually interrupted I will seek an extension of time. I will read from the debate when the New South Wales Labor Party was also forced to introduce a deregulation bill. At that time the member for Mount Druitt was the Minister for Agriculture and he said:

It is with considerable reluctance that I introduce this bill. It effectively repeals legislation which has for more than 68 years in one form or another had significant impact on regulating the conduct of the NSW dairy industry.

He went on to say that was the result of deregulation by a Coalition Government in Victoria and the fact that milk was going to come across the border.

ACTING-SPEAKER (Ms Melanie Gibbons): Order! The member for Monaro will have an opportunity to contribute to the debate.

Mr CLAYTON BARR: At the same time the Minister sought to put a floor price in the dairy industry with some protections. In fact, the Liberal-National Party Opposition at the time voted against putting a floor price into the industry, an initiative that was being put forward by the Labor Party to try to protect the dairy industry. The former Government established the NSW Dairy Industry Conference because it needed to do all it could to protect the dairy industry at that time. That industry got no support from the Liberal Party or its champions from The Nationals who suggest that they represent them in this House.

ACTING-SPEAKER (Ms Melanie Gibbons): Order! I warn Government members that if they do not come to order I will place them on a call to order.

Mr CLAYTON BARR: The member for Myall Lakes has interjected a number of times. I ask him to read the second reading speech of Mr Richard Amery on 1 June 2000 if he wants facts about the dairy industry. The Opposition opposes this bill.

Mr JOHN BARILARO (Monaro—Parliamentary Secretary) [7.33 p.m.], on behalf of Mr Andrew Stoner, in reply: I thank all members for their passionate and fiery—and quite loud in the case of the member for Baulkham Hills—contributions to this debate. It has been a good debate about a very important piece of legislation which commits to what the Coalition said in Opposition it would do: cut red tape and get on with delivering front-line services to the people of New South Wales. The Trade and Investment Cluster Governance (Amendment and Repeal) Bill 2014 amends or repeals a number of Acts in order to dissolve a number of statutory corporations and transfer their assets, rights and liabilities to the Crown, or to another entity overtaking their functions.

The purpose of the bill is to streamline the Trade and Investment Cluster and create savings from reduced operational, financial reporting and audit costs. By making these amendments the Government is fulfilling its commitments to reduce legislation and improve the organisation of the public sector. In the past three years in government we have been up-front about wanting to do that, as we were in opposition. I have

received correspondence on the changes to the Dairy Industry Conference from Mr Mike Logan, Chief Executive Officer of Dairy Connect [DICON]. DICON has not been able to perform its functions for some time, including applying the funds held by its wholly owned subsidiary company DICONF, Management Pty Limited—known as DICONF.

The funds currently held by DICONF are intended to be used for the long-term benefit of the dairy industry. They will in the first instance be transferred to the NSW Food Authority but only as a holding arrangement whilst DICONF is wound up. The funds will then be placed into an account and combined with the funds of another company being wound up, Milk Marketing. A dairy industry advisory committee is being established to advise how the funds can be best spent to achieve long-term outcomes for the entire dairy industry. Dairy Connect does not represent the entire dairy industry and it is important that the views of the entire industry are taken into account before these funds are allocated to specific projects. The funds will not be used for general government purposes. Their expenditure will be for purposes to achieve the best long-term outcomes for the dairy industry.

Contrary to the concerns of the member for Wallsend there is no mystery about the composition of the new Dairy Industry Consultative Committee. The membership is likely to be similar to the membership that was intended for the Dairy Industry Conference. It will be representative of the dairy industry as a whole, including producers, researchers, processors, merchants and the retail sector. It will be established using procedures already contained in the Food Regulation, and is likely to replicate the food industry committees established under that regulation.

The member for Shellharbour expressed concern about cost shifting involved in the repeal of the Lake Illawarra Authority. Its work has now been completed, and the improved land is now ready for maintaining by more appropriate bodies. Cost shifting is a red herring. An estuary management committee is a commonly used mechanism to manage this land. There are many in existence in coastal areas of New South Wales. Councils need to approach the Office of Environment and Heritage to establish this.

Members representing the electorates of Wallsend, Wollongong and Shellharbour also raised concerns about the Lake Illawarra Authority. The dissolution of that authority was the subject of a review, including public consultation. The authority has not had a board appointed since mid-2013 and has been in the process of winding up ever since. Its statutory functions have been completed or are now duplicated by local councils. Accordingly, there is no need to have a stand-alone statutory authority, with its attendant operating costs.

Another concern of the member for Wallsend is that the abolition of the board of the Film and Television Office means that Screen NSW is itself being abolished. Screen NSW will continue to exist and carry on with its current work. The proposed amendments to the Film and Television Act will result in no disadvantage to the New South Wales screen industry, including in relation to funding applications. While the amendments will abolish the board of the Film and Television Office, an advisory body to the Minister will replace it. The Minister will appoint the members of the advisory committee who will be industry experts. They will be appointed for a term, in the same way as the current board is composed.

The member for Wallsend expressed concern about the abolition of the statutory board. The Government is committed to supporting the continued growth of the New South Wales screen sector. These amendments result from a whole-of-government review of agencies to clarify governance structure arrangements and accountability mechanisms and to streamline activities within government departments. Removing the need for separate financial reporting, the duplication of administration and reducing red tape should make Screen NSW easier to do business with and give staff the capacity to devote more resources to the industry. These changes are separate from budget allocations which are still to be announced by this Government. The member for Wallsend is concerned that changes to the structure of Screen NSW will diminish the role of Screen NSW and lead to a reduction in resources for the sector. The Government's role for Screen NSW in the sector will not change.

The agency will continue to exist; its remit, including its suite of funding programs, will be unchanged as a result of this step and it will continue to have the resources needed to deliver on the Government's objectives. Screen NSW staff members are already employees of NSW Trade and Investment and are integrated into the department. The changes will create efficiencies and streamline governance. The member for Coffs Harbour asked if there will be expertise to run motor races in Coffs Harbour. Homebush Motor Racing Authority staff are already employees of Destination NSW. Destination NSW is able to source expertise as

required. Destination NSW has proven itself to be able to manage large-scale events in New South Wales. It will have all the powers and functions under the Homebush Motor Racing Act, as well as its own Destination NSW Act, including a wide mandate to organise events. There is no need for a stand-alone authority.

The member for Wallsend was concerned that there has been no consultation on this bill. The bill is the result of a cross-government review of public sector governance. This bill has been developed in consultation with the leadership of each entity affected by these proposals. The Poultry Meat Industry Committee was subject to an external review, as was the Lake Illawarra Authority. The changes to these bodies will not adversely affect the functions that they undertake. The changes will enhance functionality and will also result in cost savings to the Government which can be used to enhance services. The bill makes logical changes to improve efficiency and effectiveness and to consolidate operations of the trade and investment cluster. This bill will ensure that the department's compliance and financial reporting obligations can be done more efficiently and at less cost to the taxpayer. I commend the bill to the House.

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

The House divided.

Ayes, 48

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|--------------|-----------------|-------------------|
| Mr Anderson | Ms Goward | Mr Rohan |
| Mr Aplin | Mr Grant | Mr Rowell |
| Mr Barilaro | Mr Gulaptis | Mrs Sage |
| Mr Bassett | Mr Holstein | Mr Sidoti |
| Mr Baumann | Mr Humphries | Mrs Skinner |
| Mr Bromhead | Mr Issa | Mr Smith |
| Mr Conolly | Mr Kean | Mr Speakman |
| Mr Constance | Mr Maguire | Mr Stokes |
| Mrs Davies | Mr Marshall | Ms Upton |
| Mr Dominello | Mr Notley-Smith | Mr Ward |
| Mr Doyle | Mr O'Dea | Mr R. C. Williams |
| Mr Edwards | Mr Page | Mrs Williams |
| Mr Elliott | Ms Parker | |
| Mr Flowers | Mr Patterson | |
| Mr Fraser | Mr Perrottet | <i>Tellers,</i> |
| Mr Gee | Mr Piccoli | Mr Cornwell |
| Mr George | Mr Roberts | Mr J. D. Williams |

Noes, 21

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

Pairs

| | |
|--------------|-------------|
| Mr Baird | Ms Mihailuk |
| Mr O'Farrell | Mr Park |

Question resolved in the affirmative.

Motion agreed to.

Bill read a second time.

Third Reading

Motion by Mr John Barilaro, on behalf of Mr Andrew Stoner, agreed to:

That this bill be now read a third time.

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

CRIMES AMENDMENT (STRANGULATION) BILL 2014

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

**ELECTION FUNDING, EXPENDITURE AND DISCLOSURES CONSEQUENTIAL AMENDMENT
BILL 2014****Second Reading**

Debate resumed from an earlier hour.

Mr MICHAEL DALEY (Maroubra) [7.48 p.m.]: I have circulated an amendment to the Election Funding, Expenditure and Disclosures Consequential Amendment Bill 2014 and ask that the bill be considered in detail. I understand that the Government has accepted the amendment. I will confine further remarks to the consideration in detail stage.

Mr ANTHONY ROBERTS (Lane Cove—Minister for Resources and Energy, and Special Minister of State) [7.49 p.m.], on behalf of Mr Mike Baird, in reply: I thank members for their contributions to the debate. I speak on behalf of the Government in reply. The Election Funding, Expenditure and Disclosures Consequential Amendment Bill 2014 will address a gap in election funding regulation that has arisen following the recent High Court decision in relation to New South Wales electoral funding laws. In particular, as a result of this bill, all disclosure obligations that previously applied to corporate donations will be restored.

Ms Linda Burney: Speak up.

Mr ANTHONY ROBERTS: Turn up your hearing aid. This bill will ensure that corporate donations made since the High Court decision on 18 December 2013 do not slip through a regulatory loophole and will ensure that the same disclosure requirements that apply to donations by individuals also apply to corporate donations. The Government has dedicated itself to follow a proper, independent process to reform political party funding in New South Wales. Unlike those opposite, we will not politicise this process at the expense of gaining a satisfactory outcome. Of those opposite, only the member for Heffron chose to actually address the substance of the bill. The member for Heffron said that the bill should be completely retrospective to 2012. However, this would result in an unusual situation whereby the disclosure requirements under the Election Funding, Expenditure and Disclosures Act would apply to corporate donations that were not permitted under the law as it then was.

ACTING-SPEAKER (Ms Melanie Gibbons): Order! I remind the member for Canterbury that she is on three calls to order.

Mr ANTHONY ROBERTS: There would be little utility, therefore, in making this bill retrospective to the date of the 2012 amendments.

ACTING-SPEAKER (Ms Melanie Gibbons): Order! I cannot hear the Minister. There is too much audible conversation in the Chamber.

Mr ANTHONY ROBERTS: The date of the High Court's decision in the Unions NSW matter is the date on which people became aware that the ban on corporate donations did not apply. It is sensible that the associated consequential amendments are reversed as of this date. Nonetheless, I accept the concerns of the member for Maroubra and the member for Heffron, and I thank them for their understanding. I understand that the member for Maroubra will move an amendment to require corporate disclosures to be backdated to 9 March 2012. I indicate that the Government will accept this amendment. This bill is the first step in fulfilling the New

South Wales Government's promise to clean up New South Wales politics. We are genuine in our desire to do this and to get it right. I also briefly thank those who worked to put this bill together, in particular Julia Carland from the Department of Premier and Cabinet. I commend the bill to the House.

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

Motion agreed to.

Bill read a second time.

Consideration in detail requested by Mr Michael Daley.

Consideration in Detail

ACTING-SPEAKER (Ms Melanie Gibbons): Order! By leave, I will propose the bill in groups of clauses and schedules.

Clauses 1 and 2 agreed to.

Mr MICHAEL DALEY (Maroubra) [7.52 p.m.]: I move Opposition amendment No. 1 on sheet C2014-049:

No. 1 Page 5, schedule 1 [14]. Insert after line 6:

- (3) Any political donation that was made by a corporation after the commencement of the Election Funding, Expenditure and Disclosures Amendment Act 2012 (being 9 March 2012) that has not been disclosed in a declaration lodged with the Authority before 18 December 2013 is required to be disclosed in a declaration lodged after the commencement of the Election Funding, Expenditure and Disclosures Consequential Amendment Act 2014 even though the donation was made before the relevant disclosure period to which the declaration relates.

It is my view—and now the view of the Government, it having indicated that it will accept the amendment—that inadvertently the drafting of this legislation creates two classes of potential donors. On 9 March 2012 the Election Funding, Expenditure and Disclosures Amendment Act 2012 banned corporate donations. On 18 December 2013 the High Court ruled that that ban was unlawful, for reasons that I will not go into now. The effect of that was to nullify the provisions in that Act that banned corporate donations. The bill before us will amend the machinery of political donations to require disclosure of donations made by corporate donors made after 18 December 2013. It is my view, and by implication that of the Government, that that simply now means that a corporate donation made in the period between 9 March 2012 and 18 December 2013, notwithstanding that it was at that time unlawful, has now been made lawful.

An unintended consequence is that such a donation does not need to be disclosed. That donation, of course, could have been made by a corporate donor to either of the major parties or to The Greens or indeed to an Independent member of Parliament. However, it should not stand that even though a donation that was unlawful at the time but which has now been made lawful does not need to be disclosed. So now, notwithstanding the disclosure period has ended, a minor duty will be imposed on parties and corporate donors to go back and have a look at their books to see whether they did inadvertently or otherwise make a donation, and if they did they should now declare the donation. It is a simple proposition. It goes to the heart of transparency. I commend the amendment to the House.

Mr ALEX GREENWICH (Sydney) [7.55 p.m.]: I speak in support of the amendment moved by the member for Maroubra. I raised this issue in my speech, and before making my speech I raised this issue with the Labor Party and encouraged that party to ensure that it amended the bill. Labor members looked into this issue in detail, and I appreciate the time that they have taken to consider it. I appreciate that the Government is supporting this amendment. I am pleased to see all sides of this Parliament working together to ensure transparency in political donations.

Mr ANTHONY ROBERTS (Lane Cove—Minister for Resources and Energy, and Special Minister of State) [7.56 p.m.]: In that case, I add my thanks to the member for Sydney. The Government will be supporting the amendment.

Question—That Opposition amendment No. 1 [C2014-049] be agreed to—put and resolved in the affirmative.

Opposition amendment No. 1 [C2014-049] agreed to.

Schedule 1 as amended agreed to.

Consideration in detail concluded.

Third Reading

Motion by Mr Anthony Roberts, on behalf of Mr Mike Baird, agreed to:

That this bill be now read a third time.

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

Pursuant to resolution private members' statements proceeded with.

PRIVATE MEMBERS' STATEMENTS

FAIRFIELD FOOD SERVICES FIFTIETH ANNIVERSARY

Mr GUY ZANGARI (Fairfield) [7.55 p.m.]: On Friday 23 May 2014 I attended the Fairfield Food Services fiftieth anniversary celebration at the Fairfield Senior Citizens Hall, Kenyon Street, Fairfield. It was an outstanding celebration, with Food Services volunteers, staff and clients past and present joining in the celebrations. Also in attendance were Fairfield City Council councillors; Fairfield mayor Councillor Frank Carbone; and the member for Smithfield, Andrew Rohan. Local supporters, including representatives from Fairfield RSL, Smithfield RSL and Cabra-Vale Diggers, were present to mark the occasion. The master of ceremonies for the event was entertainer Mr Christian Guerra, who did an excellent job compering as well as performing Latin songs on the night.

The fiftieth anniversary celebrations coincided with the launch of the Fairfield Food Services DVD and new website. Fairfield Food Services began in 1963 with just four volunteers and two clients. Now the service has expanded to 250 clients and provides thousands of meals a year. Fairfield Food Services supports the frail aged and people with disabilities and their carers to live independently in the community. Its menu is diverse and caters for the cultural and dietary needs of clients. This is an incredibly important aspect to the delivery of its service, as many of the elderly clients would be at a loss without their traditional meals. The connection and understanding that Fairfield Food Services has with our multiculturally diverse community truly makes it stand out from the rest. I had the opportunity to hear firsthand from a number of its clients about how happy they have been with the services they have been offered and how they were amazed that Fairfield Food Services tailored the meals to each culture in order to meet the needs of its clients. Fairfield Food Services specialises in providing food from countries such as China, Italy, Spain, Poland, Russia, Vietnam and the Middle East, to name a few.

Fairfield Food Services prides itself on providing quality and nutritious foods at affordable prices. Once a referral to a new client has been received by Fairfield Food Services it takes them only two days to commence the service. A review is conducted within 12 weeks of the commencement of the service, to ensure that the meals received by the new client meet their nutritional needs and cultural requirements. Annual assessments are also conducted to ensure that the changing needs of clients are being met. One day's notice is all that is required to make changes to a client's diet. When it comes to delivering quick, reliable and tailored services, Fairfield Food Services aims to ensure the needs of their clients come before anything else. The service is flexible: Meals are delivered chilled or frozen and hot meals are provided for clients who cannot reheat their meals.

Fairfield Food Services also helps community groups with catering for events. I recently attended the Spanish-speaking Carers Day, where the food was catered for by the service. It was of outstanding quality and culturally sensitive to the dietary requirements of the Spanish-speaking community. I thank Mrs Radhika Canchipuram, the Executive Officer of Fairfield Food Services, for her outstanding work. I thank also the staff and volunteers who make Fairfield Food Services possible. Without their ongoing efforts, we would have residents in our local community going without. It is commendable to see the staff of Fairfield Food Services going above and beyond the call of duty to cater for the needs of all their clients.

NEW SOUTH WALES JUSTICES ASSOCIATION CONFERENCE

Mr BRYAN DOYLE (Campbelltown) [8.00 p.m.]: I have pleasure in sharing with the House the events of the annual conference held by the New South Wales Justices Association on Saturday 24 May 2014 at Hornsby. The theme for the conference was Knowledge, Education, Training and Development. As the proud patron of the local Macarthur branch of the Justices Association, located at Campbelltown—that great opal of the south-west, the very best part of the Macarthur—it has been my honour to be invited as a special guest speaker for two years in a row at the New South Wales Justices Association conference. The conference was hosted by the Hornsby branch and Brian Daniels, JP, was the master of ceremonies. The acknowledgment of country was given by Aboriginal elder Kerrie Kenton and the welcome to Hornsby shire by Ken Anthonisz, the Hornsby branch president.

My good friend Paul Mannix from Campbelltown, President of the New South Wales Justices Association, opened the conference. The major item on the agenda was the learning update provided by Rodger Anderson. He spoke about online learning for justices of the peace. The association has been working closely with the Attorney General's Department to develop the online learning program with a view to lifting the professionalism of justices of the peace across the State. My friend Matt Kean, the member for Hornsby, was also in attendance and former Attorney General Greg Smith attended the State conference dinner. I am reliably informed that he sang a wonderful rendition of *Danny Boy*.

When I spoke at the conference, I raised the question of whether justices of the peace are still important in society today. I asked what our community would look like if we had never had justices of the peace. The answer was that our great State and our great country would look very different if we had never had justices of the peace. I said that more than ever there is a vital need for volunteer justices of the peace. In an era where tradition and respect are often seen as fleeting, our volunteer justices continue a distinguished history of unbiased, disinterested service to our community. I told the conference the story of the first trial in the colony in which, on 19 February 1788, convict Mary Jackson was accused by Edward Dean, a seaman on the *Lady Penrhyn* of detaining some of his clothes. The justices heard the case and dismissed it when it became known that the couple had been cohabitating on the ship on the way out.

I also told the conference about this Parliament's links to the protection of the integrity of the office of justice of the peace. Commissioner Bigge was sent to the colony to investigate claims that ex-convicts were being appointed as justices of the peace, including Dr William Redfern and the Reverend Henry Fulton. I invited the delegates to visit our great House. I told them that the Wentworth Room is where the first Legislative Council sat as a result of the Bigge commission of inquiry. I said that when one walks into the Wentworth Room the hairs stand up on the back of one's neck from the sense of history. One can stand in the same room in which Governor Thomas Brisbane, Chief Justice Francis Forbes, the Surveyor General, Oxley, the Colonial Secretary, Goulburn, and the Principal Surgeon, Bowman, stood.

I spoke to the conference about the impact that women justices of the peace have had in our great State and I told them that my great-grandmother Katherine Hislop was one of the first women justices of the peace in New South Wales, after legislation was passed to allow women to be appointed in 1921. Those women justices focused on the need for women to be allowed to serve jury duty and also to be appointed to the bench as magistrates.

I told the conference of the great support given by the former Attorney General, Greg Smith, and the current Attorney General, Brad Hazzard, who have been visitors to Campbelltown courthouse to see the volunteer desk run by the justices of the peace and the wonderful work being done there. I commend our justices of the peace for their volunteer service to our community. One of the best things about being a member is the opportunity to interview potential justices of the peace and to be part of the process of their admission to that wonderful office. I commend the work of our justice of the peace to the House.

LIONS ALERT

Mr KEVIN HUMPHRIES (Barwon—Minister for Natural Resources, Lands and Water, and Minister for Western NSW) [8.05 p.m.]: I draw to the House's attention a wonderful initiative that began in the Barwon electorate and which will help communities across New South Wales. Following the devastating Victorian bushfires of 2013 and floods in northern New South Wales, the Lions District 201 N1 initiated a project to help communities that have experienced serious hardship as a result of natural disaster. Lions District 201 N1 comprises a number of towns in the Barwon electorate, including Narrabri, Boggabri, Collarenebri, Moree and

Wee Waa. As part of this collaborative project, a number of business and community groups—Lions clubs, Santos and GrainCorp, together with many local businesses across the Narrabri district—came together as part of the Lions Alert initiative, which sees Lions groups across the world provide humanitarian assistance to people affected by disasters.

Following a series of devastating floods in the north-west of the State, Narrabri Lion Vince Haire, chairman of the Alert project, contacted fellow Lion Alan Hayward, chairman of the Victorian Bushfire Recovery Committee, to determine how they could work together to provide assistance and help the communities get back on their feet. They decided that through Lions Alert they would team up with local business and community groups to establish a tool library. The tool library, which is contained within a brand-new 20-foot shipping container, is equipped with a wide range of tools needed for post-disaster recovery. The tool library can be loaded onto a truck and quickly taken to wherever it is needed in the Lions district, which reaches from Yamba to Collarenebri and places such as Premer. If needed, it can be taken even further afield. Once it has reached a disaster-affected community, local residents can borrow the tools for repairs and clean-ups.

The collaboration of so many groups and businesses across the Narrabri region was incredible. The development, equipping and fitting out of the tool library was undertaken at the Narrabri Men's Shed. Santos donated the shipping container, GrainCorp provided a large amount of logistical support, and the Australian Lions Foundation contributed \$10,000 for the purchase of tools. The tool library is now finished and will soon be relocated from Narrabri to its new home in Tamworth, where it will be ready to respond to regional disasters. I congratulate all those involved on this fantastic, community-driven initiative.

KAREELA FLYING FOX COLONY

Mr BARRY COLLIER (Miranda) [8.09 p.m.]: On 8 May I drew the attention of the House to the Kareela flying fox colony, then estimated at 15,000, which had established itself immediately adjacent to Bates Drive School, the Sylvanvale Foundation, Autism Spectrum—ASPECT—and the Mikarie Child Care Centre. On that occasion I noted the very serious and daily threat the bats pose to the health and wellbeing of the vulnerable young children with special and significant needs and challenging behaviours who attend these facilities. This unique situation at Kareela demands that vulnerable children be put first, before vulnerable bats.

The need to move the bats on was obvious to everyone, except Sutherland Shire Council, which had decided not to take steps to disperse the colony. Dispersal requires State and Federal government approval. Having called for an urgent meeting with the State environment Minister and, believing that the wellbeing of these vulnerable children should be above politics, I sought and received bipartisan support from the member for Cronulla, the member for Menai and the member for Heathcote, who also represent electorates in the shire. To his credit, Minister Stokes met promptly with me and the other shire members of Parliament on 14 May. On 19 May he emailed the shire mayor noting his genuine concerns about the impact of the colony on the community, stating:

Kareela is a uniquely challenging situation that justifies an innovative and urgent response.

Referring to council's Draft Plan of Management, and noting its work on step 1 of its three-step plan, the Minister said:

I would also encourage council to begin works to deliver Step 2 ... As you will be aware this stage ... will require approval under the ... (State) Act.

Step 2 involves the removal of 60 per cent of the vegetation and the establishment of a 30-metre buffer zone. While it is abundantly clear that the responsibility of managing the colony rests squarely on the shoulders of Sutherland council, the Minister has offered our mayor the skills and experience of his department in preparing any application under the New South Wales Act, and has asked his department to expedite its decision. He also encouraged the mayor to contact the Federal Government for assistance with approval for dispersal under the relevant Commonwealth Act. Previously, I had spoken to the Federal member for Hughes, Craig Kelly, MP, who offered his full support. I am sure that the Hon. Scott Morrison, MP, Federal member for Cook, will be equally supportive.

I thank Minister Stokes and my three State parliamentary colleagues for their bipartisan support on this important issue. The shire mayor has since written to me "clarifying council's intentions" to write to the relevant Ministers "applying for a licence to move to Step 3, dispersal of the colony." Given council's earlier decision not

to disperse the camp, this is a welcome turnaround. In his mayoral minute of 19 May the mayor noted that the number of bats had increased to 18,000, and councillors agreed unanimously that staff should prepare a section 91 application to the State Minister for dispersal of the camp as a matter of urgency. On 20 May, in a letter to me, the mayor noted that the circumstances of these vulnerable children and the four Kareela facilities:

represent a different level of risk to the general population. The intellectual disabilities and special needs of the students and users of these centres present unique exposure and infection pathways, such as direct ingestion of both bat carcasses and faeces, which are not generally considered when assessing risk.

Having reached this principled and common-sense conclusion, and the council having decided unanimously to proceed with the dispersal option as a matter of urgency, Councillor Simpson just could not help but throw in the old mayoral chestnut, "Council cannot afford it. Show us the money!" Having quoted three different estimates in three different council documents—\$500,000, \$569,500 and \$669,000—the mayor notes in one letter that \$500,000 is "presently beyond the means of Council" and in another letter estimating the cost at \$669,000 said:

... that without significant financial assistance from both the State and Federal governments, it is unlikely that Council will have the financial capacity to undertake dispersal action.

Give us a break! Sutherland council is the second-largest local government area in the State. Its 2014-15 budget shows a gross income of \$223.4 million, a gross expenditure of \$202.4 million and \$21 million available in "Discretionary Funding". I, for one, am sick and tired of our council always crying poor mouth, putting out its hand to the State and Federal governments for money at every opportunity and using its failures to secure funds from the State and the Commonwealth as an excuse for doing nothing. Clearly, council has responsibility for managing the flying fox colony by using its own funds, its own equipment and internal resources, including the services of its own employed environmental scientists to disperse the colony. Above all, Mr Mayor, the buck must stop with you and Sutherland council.

It is okay for council to waste \$372,000 on the error-ridden PricewaterhouseCoopers report to get rid of the independent shire Ombudsman and to tell us what we know already about our dysfunctional entertainment centre. It is okay to spend \$7.2 million on a botched three-year upgrade to Gynea shopping centre. It is okay to borrow \$2.3 million to upgrade the Cronulla Esplanade. It should be okay for council to fund the dispersal of bats. This is not about the cost of dispersing the colony; it is about priorities and council responsibilities. The State Minister has offered the shire council every support and the local members of Parliament have adopted a bipartisan approach.

Please, Mr Mayor, do not play politics with the needs of these vulnerable children. Do not just pay lip-service to the urgent need to disperse the flying fox colony. Do not make dispersal of these bats dependent on State or Federal funding. Just do it. At the end of the day, and as with every other level of government, your council will be judged on how you treat the most vulnerable members of our community. So, having decided to disperse the colony and protect some of the most vulnerable children in the shire, do not make any more excuses. Do not delay. Just do it. You, Mr Mayor, and your council will stand condemned if you do not.

INVERELL BUSINESS AWARDS

Mr ADAM MARSHALL (Northern Tablelands) [8.14 p.m.]: Recently I had the immense pleasure of attending the seventeenth annual Inverell Business Awards hosted by the Inverell Chamber of Commerce at the Inverell RSM Club. More than 250 locals came together to celebrate business success and excellence over the past 12 months, and it certainly was a night to remember. The award nominees were submitted by the community; the judges had a difficult task. The community's engagement with these awards is incredibly impressive and is a reflection on the quality of Inverell businesses that so many are always nominated. It was truly an enjoyable evening and a chance to celebrate the strengths of Inverell as a vibrant centre of commerce and industry.

Inverell is one of the strongest communities in the Northern Tablelands electorate with an impressive growth rate, a very diverse economy, and a well-led and well-presented community. No wonder it had such strong support again at the 2014 business awards. The event provides a time and place for people to come together to celebrate commerce, industry and Inverell's growing employment base. This year's awards attracted 67 nominations from 35 separate businesses. The awards covered 12 categories and I am happy to say that every category was sponsored by local businesses. I pay tribute to Inverell Chamber of Commerce President, Anthony Michael. Anthony does an extraordinary job leading a very dedicated team, which includes Peter Caddey who was the emcee for the evening.

Anthony is a councillor on Inverell Shire Council and a local businessman. It was pleasing to see him continuing that great Inverell ethos of putting back into the local community. The Chamber of Commerce team does a mountain of work, and the great success of the awards night is largely due to the team and its supportive committee. The ceremony was made all the more successful by guest speaker Dr John Tickell, a medical doctor, international speaker, bestselling author and television personality who gave an impressive and inspirational address about the need in our busy lives to continue to look after ourselves and our health, otherwise our businesses and personal lives will suffer.

Magnolia Home and Gift was the overall winner on the night, picking up Best Business of the Year with four to six employees, in a very strong field of finalists. Owners Ivan and Cherylle Dowsley thoroughly deserve the accolades and are ably supported by their professional and dedicated employees Kristy Buxton, Deb Campbell, Tilly Willoughby, Sue Brissett and new staff member Antonia Gapes. Everyone in Inverell is familiar with the Magnolia store, which is one of four established by the family in New South Wales. There are two Magnolia stores in Sydney and one on the Central Coast. I thank Sue and Kristy who, last Saturday, helped me to select a thirtieth birthday gift for a very good friend of mine. They were attentive and provided great customer service. I certainly understand why they thoroughly deserved to win that accolade.

Hany Gerge won Best Employee of the Year. Five years ago he came to Australia from Egypt as a trained pharmacist looking for a safe place to raise his family. He first travelled to Sydney where he lived for a few months, but then saw the light and moved to country New South Wales and the wonderful town of Inverell. Hany had to practise in pharmacies for a year and sit exams to receive his Australian qualifications. He was offered a locum position with David and Michelle Goddard at their Amcal pharmacy in Inverell. Hany is very much respected by his customers and is a crowd favourite in Inverell—he has quite a personality. It was great to meet Hany and his family on the night. It is no surprise that with Hany's employment at the Amcal pharmacy David and Michelle Goddard's business won the Best Business of the Year for seven-plus employees. It is an impressive effort. Congratulations to the entire Amcal team.

Patti Garrett and Chantal Sutton of Vivier Boutique won Retailer of the Year with one to three employees, and Luke Fenton from McMahon Structural won the Apprentice Young Employee of the Year award. Consolidated Manufacturing Enterprise picked up a swag of awards on the night. Employee Brett Hawkins won Employer/Supervisor of the Year Award against a very strong field, and general manager Wes Sims and his team won the Training and Development Award. This award is in recognition of this company's magnificent work in the community employing many Aboriginal people and also building the business up from the ground over the past few years to an impressive diverse local business. Heinrich Haussler received the Outstanding Achievement Award for staging a very successful junior soccer Mini World Cup. Connections, led by Robbie Duff, was a very worthy winner of the Not For Profit Business award. I acknowledge all the winners on the night and congratulate the chamber of commerce. It was a wonderful acknowledgement of local businesses.

Mr JOHN BARILARO (Monaro—Parliamentary Secretary) [8.19 p.m.]: The small business sector in regional and rural communities underpins the lifeline of the local economy as well as the State economy. Small businesses are important because they are a large employer in rural and regional communities. I congratulate the Inverell Chamber of Commerce on hosting the awards that recognise small businesses for their efforts within the community. I congratulate the member for the Northern Tablelands. I have been a mayor and I understand the importance of government joining with the private sector to create jobs for the mums and dads in our community. I congratulate the small businesses that were nominated for the Inverell Business Awards and the winners.

CENTRAL COAST MARINERS MEDAL DINNER

Mr CHRIS HOLSTEIN (Gosford) [8.20 p.m.]: On Friday 23 May I had the pleasure of being a guest at the Central Coast Mariners medal dinner, which was held at Kooindah Waters. The Central Coast Mariners were inaugurated in 2004 and the club is proud to be the first professional sporting entity to represent the Central Coast region on an international and national stage. A trait of the club is the diligent work it carries out within the local community, which is reflected by the positive outcomes on and off the field. The Mariners, a foundation team in the Hyundai A-League, has been one of the most successful teams in the relatively short history of the league.

The club's record of achievement is staggering considering the Mariners club is one of the less well-off clubs in the country. It has won two Hyundai league premierships, one A-League championship, four A-League

grand finals and three Asian champion league campaigns. The Mariners is the first club to finish in the top two of the competition three years in a row. In 2011-12 the Mariners were the National Youth League champions and in 2005-06 they were the preseason champions. In 2011-12 the club also defeated the Scottish giant Glasgow Celtic team 1-0 in an international friendly in Sydney.

The club is involved in a range of community programs such as the MarinersACTIVE schools program and a range of development programs, including the mini Mariners for children aged five to nine years and junior Mariners for children aged nine to 13 years, as well as a number of Futsal programs. After winning the A-League last year the Mariners lost a number of its best players and head coach Graham Arnold to overseas clubs. Phil Moss, who had been the assistant coach, took over as coach and has done an exemplary job. New players were recruited, but the Mariners were not expected to do well this year as a result of the upheaval. Against all odds, the club finished third in the A-League on 42 points, which was the same number of points scored as the team that finished in second place. The club made it into the semifinals of the play-offs and also competed well in the Asian Champions League.

The success of the club is highlighted by its link to Socceroo team members such as Alex Wilkinson, Mile Jedinak, Matt Ryan, Tom Rogić and Oliver Bozanic. The Mariners even lay claim to James Holland, who had his first match in the top league with the Mariners before moving to the Newcastle Jets. The Mariners also claim Mark Milligan as one of their own because his mum is a local dyed-in-the-wool Mariner fans. It is not too bad when more than one in four of the Socceroos have links to the Mariners. I wish the Socceroos all the best for the upcoming World Cup campaign, especially those with links to the Mariners.

Previous head coach and inaugural coach of the Mariners Lawrie McKinna was the master of ceremonies at the medal dinner. I acknowledge some of the winners on the night. The Volunteer of the Year award went to Melissa Woods. The National Youth League Player of the Year went to Jesse Curran. The Goal of the Year award went to Anthony Caceras, and the Mariners Medal, which was the highlight of the night, went to goalkeeper Liam Reddy. It was a great night that was enjoyed by all who attended. The Mariners celebrated a mighty season and there are better seasons to come.

BALLINA ELECTORATE INFRASTRUCTURE PROJECTS

Mr DONALD PAGE (Ballina) [8.23 p.m.]: The New South Wales budget is due to be delivered in mid-June so I thought it was timely to raise the three projects for which I have been lobbying hard to receive funding. The first is Byron Shire Central Hospital. This project was first discussed many years ago when asbestos was found in the roof of Mullumbimby Hospital. It was clear that the asbestos would eventually result in the closure of Mullumbimby Hospital. At the time it was agreed to form a community consultation committee that would look at how to best provide medical services to the whole of the Byron shire into the future.

In consultation with the community, the committee and the then area health service, we agreed that the best option was to build a new central hospital to service the whole of the Byron shire, including Bangalow, Mullumbimby, Byron Bay, Ocean Shores, Brunswick Heads and surrounding areas. This project has been progressing steadily over the past 10 years. The land for the hospital was purchased at Ewingsdale about five years ago and had to be rezoned. In 2012 a \$1.4 million ambulance station was constructed on the site to complement the future hospital.

The community consultative committee and the local health network have worked tirelessly to develop the service plan for the hospital. In particular there is a commitment that neither Mullumbimby Hospital nor the current Byron Bay Hospital will close until the completion of the new Byron Shire Central Hospital. A problem may arise if Mullumbimby Hospital has to close because of the health issues associated with asbestos in the building. It is anticipated that when the new central hospital is completed it will provide an accident and emergency unit, 50 acute medical beds, low-risk maternity services, medical imaging facilities, day surgery and a 20-bed mental health unit.

Health experts also advise that a new, larger central hospital will attract more clinicians and the use of state-of-the-art technology. It is anticipated that the day surgery facility will service both private and public patients, thereby guaranteeing the viability of the facility. In short, the Byron Shire Central Hospital project is shovel ready. I know the Minister for Health understands our project very well because she has visited my electorate on several occasions. The project is competing with other projects, but if the Minister for Health can do anything to help she most certainly will.

The next project, which has also been discussed for many years, is the need for a Byron bypass. The serious traffic congestion, particularly at the northern entrance to the town, creates extensive delays on a regular basis. The impact is felt not only by visitors arriving by car but also by local businesses. For example, it takes more than an hour to make a delivery from the industrial estate to Suffolk Park when it should take less than 10 minutes. During the peak periods of Christmas and Easter the traffic delays are even worse. Byron Shire Council has passed a development application to extend Butler Street up to a proposed new railway crossing at the end of Browning Street, which I am advised will provide around a 20 per cent reduction in traffic flows through the main part of town. While this is not a complete solution to the traffic problems, it will help to alleviate the congestion.

Even though this is a local government responsibility, it has become obvious that Byron Shire Council is not in a financial position to fund the entire project, which is estimated to cost around \$9 million. However, it is able to contribute \$2.24 million towards the bypass. From a tourism and local perspective, I have lobbied the Minister for Roads and Freight and the Minister for Regional Infrastructure and Services to seek funding so that this urgent project can proceed. The final project that I have been lobbying hard for is the Northern Rivers Rail Trail. In 2004 the former Government closed the Casino to Murwillumbah rail line and the infrastructure has been sitting idle and deteriorating for 10 years.

The concept of a rail trail for cyclists, walkers and possibly horseriders was first mooted a couple of years ago. I could see immediately the enormous benefits it would bring to the region. The rail line is a valuable asset that stretches 130 kilometres from Casino to Murwillumbah and meanders through some of the most scenic countryside in Australia. Rail trails are very popular overseas and have been particularly successful in the United States and New Zealand. When the Queenstown trail opened in New Zealand in 2012, it exceeded all expectations. It was forecasted that around 30,000 visitors would use it per year. However, 95,000 visitors used it within the first six months.

There is even greater potential for the Northern Rivers Rail Trail because the Northern Rivers attracts approximately 2.2 million visitors annually. Also our rail trail would be open all year round whereas the Queenstown trail closes in the winter months due to snow. Cycling is growing in popularity and more people are walking these days so the opportunities are endless. I believe a rail trail would bring economic benefits to our region, and health and social benefits to the community. The direct construction costs of the rail trail are estimated to be around \$52 million. The Northern Rivers Rail Trail from Casino to Murwillumbah via Byron Bay and another seven villages is a worthwhile project and should be funded by the New South Wales Government and Federal Government because the benefits to the region are enormous.

Mr JOHN BARILARO (Monaro—Parliamentary Secretary) [8.28 p.m.]: I congratulate the member for Ballina, who has been a member of this place for 26 years. The member for Ballina has been elected and re-elected on seven occasions. I am informed that those elections have never gone to preferences—what a great feat. Why has the member for Ballina been re-elected? It is because he is connected to his community. He listens to his community and understands their needs. I was listening to the projects the member has advocated on behalf of his electorate, including the Byron Bay Bypass, Northern Rivers Rail Trail and Byron shire hospital. They are important infrastructure projects for the region. He has put politics aside and not blamed the Federal Government or another level of government. I am sure if we were to scroll through the budget papers for the past 26 years we would see a list of things that the member for Ballina has achieved for his community. The job of every member of Parliament is simple: listen to your community and be its voice in this place. No member does it better than the member for Ballina.

Private members' statements concluded.

VISITORS

ACTING-SPEAKER (Mr Adam Marshall): I draw the attention of members to the presence in the gallery of Michael Rolik, Chief Executive Officer of Sydney Gay and Lesbian Mardi Gras, and Mitchell Price. Welcome to the Parliament of New South Wales.

DECRIMINALISATION OF HOMOSEXUALITY THIRTIETH ANNIVERSARY

Matter of Public Importance

Ms CARMEL TEBBUTT (Marrickville) [8.30 p.m.]: The date 22 May marks the thirtieth anniversary of the passing of legislation introduced by then Premier Neville Wran to decriminalise homosexuality. Tonight

we celebrate this significant law reform, which paved the way for so many subsequent reforms. I acknowledge that it was the member for Sydney who suggested this matter be placed on the *Notice Paper* as a matter of public importance. The history of the campaign for law reform to decriminalise homosexuality shows that this change, like so many areas of gay and lesbian law reform, has been a hard fight.

The campaign to amend the Crimes Act gained pace throughout the 1980s. Whilst many gay and lesbian activists deserve acknowledgement for their courage and determination in the campaign, I want to mention the work of Lex Watson and Craig Johnston in particular. Lex and Craig established the Gay Rights Lobby [GRL] and worked assiduously with other activists throughout the 1980s to achieve reform. Lex Watson's recent death makes it all the more important to acknowledge his tremendous impact on our society and his achievements in gay, lesbian, bisexual, transgender and intersex [GLBTI] reform.

I, like others in this place, had the privilege of Lex being my first year lecturer in government at Sydney University many years ago. He opened my eyes to inequality and injustice and to the importance of standing up for what you believe in. A number of members of Parliament should also be recognised for their efforts prior to the 1984 Wran legislation and during its debate, including John Dowd, George Peterson, Frank Walker, and Jack Ferguson. Neville Wran left a great legacy of reform in New South Wales. Gay law reform was part of that legacy, as was the establishment of the Anti-Discrimination Board, professionalising the public service and reforming the Legislative Council.

Wran was pragmatic—you do not win four elections without being pragmatic—but he genuinely understood that you need to be in government to achieve change and that in pursuing change you have to be mindful of where the community is at. Wran recognised that the Crimes Amendment Bill was not perfect, particularly with regard to the unequal age of consent, but his response to those who believed the bill did not go far enough was to say "half a loaf is better than none". However, more telling were his reasons for introducing the bill. He said:

I feel that NSW and the NSW Parliament will be completely out of touch with current community standards if some substantial reform to the law is not achieved. This approach seems to me to involve not only the reality of contemporary social circumstances but the implication of such important concepts as the freedom of choice, the rights of the individual and freedom from discrimination.

Since the passage of this legislation Labor has continued to act to remove social and legal barriers to equality for the GLBTI community, including finally establishing an equal age of consent, eliminating discriminatory provisions in more than 40 Acts, making changes to superannuation laws, funding gay, lesbian and transgender services and supporting same-sex adoptions. Much has been achieved. Justin Koonin, convenor of the NSW Gay and Lesbian Rights Lobby, said in the *Star Observer*:

It is remarkable to think that in a generation we have gone from criminals to a situation today where we are on the verge of legislative equality for gay and lesbian people and their families.

There is more to be done, and marriage equality remains the stand-out issue. I am confident that eventually reason will prevail and this too will be achieved. It is not right that people should suffer discrimination and prejudice because of who they love. The violence, cruelty and harassment perpetrated on GLBTI activists because of their sexuality is a stain on our collective conscience, but we can also take heart that committed individuals and community campaigning does create change. Tonight we pay tribute to those members of the gay and lesbian community who campaigned with courage and intelligence against the criminalisation of homosexuality. We also pay tribute to Neville Wran, who was a great reforming Labor Premier, and his Government for the courage to back these reforms.

The actions of those members of the gay and lesbian community and the reform of the Wran Government began decades of change for the GLBTI community in this State. I believe that we can look to the future with hope and optimism. Opinions have shifted. The needs and interests of the GLBTI community are very clearly a part of the contemporary political agenda. However, we know that people still suffer discrimination. We know that young GLBTI people particularly have a hard road to hoe. We know there needs to be more change and that marriage equality is the big issue for the future. I commend this matter of public importance to the House.

Mr ALEX GREENWICH (Sydney) [8.35 p.m.]: Before I commence my contribution to debate I join the Acting-Speaker (Mr Adam Marshall) in welcoming Michael and Mitchell to the House this evening. I also thank the member for Marrickville for introducing this matter of public importance and for the longstanding

commitment to the lesbian, gay, bisexual, transgender and intersex [LGBTI] community of both the member and her husband. Thirty years ago this month legislation was introduced in New South Wales that removed the act of consensual homosexual sex from criminal law. Tonight I speak about how those shameful laws impacted on gay men, lesbians, bisexual, transgender and intersex people, and of how far we have come thanks to the hard work and dedication of community activists and their allies in this place.

Criminalisation of homosexual sex was an appalling moral approach to law that protected no-one and harmed many. It institutionalised homophobia, discrimination, violence and abuse. Even after criminalisation was removed, endemic homophobia and violence continued for more than a decade with many gay bashings, hate crimes and murders occurring in Sydney in the 1980s and 1990s. Gay bashings and hate crimes coincided with a history of discriminatory policing, including entrapment, abuse and victimisation of crime victims, brutality, cover-ups and inadequate resourcing.

The first mardi gras was a gay and lesbian rights activist protest held on 24 June 1978. While protest organisers got police permission, this was later revoked and police broke up the march and arrested participants. Those who were there—"the 78ers"—have told me of the shocking police brutality that left permanent psychological scars and added to a long-term mistrust of police. Some of this remains despite the recent reforms that have seen massive improvements in police and LGBTI relations. The names of those arrested at that first mardi gras were published in the *Sydney Morning Herald*, outing people and having a major impact on their personal and professional lives. That publication should apologise.

Criminalisation meant many homosexual men were imprisoned and received criminal records. The public exposure caused many to lose their jobs, careers, homes and families, with lasting repercussions for all their lives. Gay men coming out and pushing for reform did this at considerable personal risk, with sex between men considered sexual assault and punishable by 14 years prison. State-sanctioned homophobia meant LGBTI people were actively oppressed, and humiliated by social and cultural organisations and institutions. Education, health services and workplaces were not safe places to be openly gay or "different". While the experience for many transgender, intersex and bisexual people are not simply a result of homophobia, many were labelled and mistreated in similar ways.

There is a long history of diagnosis of homosexuality as a mental illness and social deviance, of harmful treatments, isolation and segregation policies and of denigrating concepts of homosexuality that have resulted in serious and enduring health and mental health impacts. A history of discrimination and forcing many to live in the closet had appalling impacts on their health and wellbeing. Liberal member of Parliament John Dowd tried to introduce a decriminalisation bill in 1978, but it did not get through the party room. How proud John Dowd would be to know that the Liberal member for Coogee will soon introduce legislation to expunge the criminal records of gay men who were charged during that time.

Labor member of Parliament George Petersen tried in 1981, but debate was prevented by the then Speaker. He reintroduced the bill as a private member's bill but it was defeated. After a number of failed attempts, then Premier Wran introduced decriminalisation as a private member's bill in 1984 and it passed, putting New South Wales on the path to further reform and to acceptance and inclusion. At the time decriminalisation had already occurred in the Australian Capital Territory, South Australia, Victoria and the Northern Territory. Reformist members of Parliament like Jan Burnswoods continued to push for equal age of consent as the 1984 bill included a higher age of consent for sex between same-sex partners. It was only in 2003 that a Carr Government bill achieved this. We have come a long way since with the removal of discrimination in de facto couple laws, including workers compensation, superannuation and taxation, and a State-based register to protect same-sex relationships. [*Extension of time agreed to.*]

Clover Moore's homosexual anti-vilification bill made it illegal to incite hatred of lesbians and gay men and empowered the Anti-Discrimination Board to investigate complaints. Her same-sex adoption bill allows same-sex couples to adopt their children as a couple, protecting families. There has been significant progress in health, welfare and policing policy and programs to address homophobia. We have come this far thanks to courageous campaigns by lesbian, gay, bisexual, transgender and intersex [LGBTI] people and their activist allies, who lobbied and protested for law reform and equality. These groups include the Campaign Against Moral Persecution [CAMP], Lesbian and Gay Solidarity, the Homosexual Law Reform Coalition, the Gay and Lesbian Rights Lobby, the AIDS Council of New South Wales [ACON], the AIDS Coalition to Unleash Power [ACT UP] and the AIDS Action Committee. I pay special tribute to Lex Watson, who recently passed away. His life will be celebrated in a service in Parliament this Friday. For over 40 years Lex championed LGBTI law reform, health and welfare advocacy.

Campaigns for acceptance and inclusion, equal treatment under the law and the removal of discrimination continue. Loving and committed same-sex and gender-diverse couples are still unable to marry in Australia, despite widespread community support for marriage equality. We need to remove sanctioned discrimination in all areas of the law, particularly in service provision, employment, education, disability care and aged care. Transgender, intersex and sex and gender diverse people still face legal and social discrimination, and I am committed to fighting this. In some parts of the world gay men and lesbians still have no rights and live with the constant threat of violence and imprisonment. I acknowledge Australian gay and lesbian activists advocating for change across the globe.

The removal of the provocation defence for "gay panic" murders is another recent reform that sends a message that homosexual lives are equal to others. The House will soon consider a private member's bill from the member for Coogee, Mr Bruce Notley-Smith, to expunge criminal convictions recorded by gay men for engaging in consensual homosexual sex. This is vital to healing wounds and righting our homophobic past. I congratulate the member for Coogee on introducing this bill. The House should also apologise to LGBTI communities for our shameful history.

The LGBTI community is grateful to have so many strong advocates in both this House and the upper House. I commend the Hon. Penny Sharpe, the Hon. Helen Westwood, the Hon. Trevor Khan, all of The Greens members, including Dr Mehreen Faruqi who holds the portfolio, and in this House Bruce Notley-Smith and Carmel Tebbutt who introduced this matter of public importance. I join members of this House in acknowledging our history of homophobia, transphobia and discrimination and confirm our commitment to work with LGBTI communities and advocates to move towards a future of equal treatment, inclusion and opportunity.

Mr BRUCE NOTLEY-SMITH (Coogee) [8.43 p.m.]: I am not sure that there is much left to say following the contribution of the member for Sydney. I acknowledge and thank the member for Marrickville for bringing this matter on and the member for Sydney for facilitating this matter of public importance. Here we are 30 years on from the decriminalisation of homosexuality in New South Wales, and what a great day it is. I remember 30 years ago when homosexuality was decriminalised in this State. I was a young man, 20 years old. I was firmly in the closet.

In the run-up to the vote being taken in this place I was listening to talkback radio—which I used to do when I was 20 years old, and I wish I had not done that. I heard the opinion of some radio announcers who are still on air to this day and the disgraceful things that were said about the bill amending the Crimes Act back in 1984. It had a damaging effect on me, and I can only imagine the effect it had on all those other young people who perhaps did not come from such a secure and loving environment. It must have caused them irreparable damage. I pay tribute to the champions of gay and lesbian rights and indeed the Crimes (Amendment) Bill 1984.

I was reading the Crimes (Amendment) Bill 1984 in Committee debate today. Even in the House, in this place, at that time 30 years ago the then Premier, the Hon. Neville Wran, was interrupted by interjections from the floor. It caused him to say, "Do not be so smutty—all these closet perverts." So even in this House, on both sides, there were people who opposed this common-sense bill. It is a bill about decency and fundamental human rights. The people who contributed so much to this amendment bill passing included, as mentioned already, the late Lex Watson, whom we lost just a few weeks ago. He formed the Campaign Against Moral Persecution [CAMP]. I found out about CAMP in 1979 when I was 15. I was at Sydney TAFE, or Sydney Tech as it was known at the time.

A good friend of mine was a member of CAMP. His name was Kym Skinner. He befriended me and took me under his wing. He was a close friend of Lex Watson and was in there fighting the good fight. At the time he was the partner of Ron Austin, another very well-known advocate. To this day Kym is a very dear friend of mine. I did not come out to him for another 10 years, and he was as surprised as anyone. I saw firsthand these people fighting the good fight, from 1979 onwards. They are heroes in our community. [*Extension of time agreed to.*]

There were others who facilitated what happened here and what was brought to fruition by the Hon. Neville Wran through a private member's bill. We must not forget Sir John Gorton. He actually introduced a private member's bill in the early 1970s. It decriminalised consensual sex between males at a Federal level and in the Territories. Murray Hill, the father of the Hon. Robert Hill, whom we know as a former Minister in the Howard Government, moved a private member's bill in the South Australian Parliament which was passed and decriminalised homosexual acts in South Australia. The Hon. John Dowd moved a

private member's bill in this House. As the member for Sydney mentioned, the Australian Labor Party member George Petersen moved a private member's bill in 1981 but it was not to be. Three years later we saw decriminalisation come to fruition.

We have come so far, and it has come through the hard work of many people. We have mentioned but a few of them tonight, some who are with us still and some who are no longer with us. I recognise Mitchell and Michael from the Sydney Gay and Lesbian Mardi Gras in the gallery and thank them for coming along. I must say that I am glad that I am not the only gay in the village any more. I am very happy to have the member for Sydney here in this place. I thank the Hon. Carmel Tebbutt for bringing on this very important matter of public importance today. I acknowledge the support from all sides of politics. We still have a few more things we need to achieve in this place.

Ms CARMEL TEBBUTT (Marrickville) [8.48 p.m.], in reply: I thank the member for Sydney and the member for Coogee for their thought-provoking contributions to debate on this matter of public importance. In different ways both members reminded us of the prejudice that once existed in our society. Some prejudice still exists today but it is to a far lesser extent. In the late 1970s and early 1980s the extreme prejudice in our society visited itself upon people in the form of violence and gay bashings. That behaviour is so extraordinarily unacceptable it is amazing to think it was only 30 years ago that it was acceptable in the minds of many people. I am reminded of the words of Michael Kirby, who put it similarly at the Town Hall recently during the memorial ceremony held for Neville Wran. He said:

It is hard for those who have forgotten, or did not know, those bad old days to realise the hostility and hatred that then existed towards gays in our community.

Considering that environment, we can see that it was remarkably brave of the activists who risked their personal safety and standing and sometimes their relationships with family and friends to fight the fight that was so important and paved the way for much subsequent reform. This is an important legislative reform to acknowledge and it is important that members in this House spend time debating the issue. As the speakers have indicated, there is more to be done. More change is to come and more reform is needed. Whilst ever a young gay or lesbian person feels they are not accepted or feels discrimination or prejudice or that they cannot talk to their family about their sexuality we have much more work to do. Having said that, it is important to acknowledge our gains and realise that community campaigns and courageous individuals can bring about change. We saw that through this legislation. I commend this matter of public importance to the House.

Discussion concluded.

The House adjourned, pursuant to resolution, at 8.51 p.m. until Thursday 29 May 2014 at 10.00 a.m.
