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LEGISLATIVE ASSEMBLY

Wednesday 17 September 2014

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

The Speaker read the Prayer and acknowledgement of country.

VISITORS

The SPEAKER: I welcome to the gallery today 56 students from Molong Central School, guests of the member for Orange.

EXECUTION OF SEARCH WARRANTS ON MEMBERS' OFFICES AND PREMISES

The SPEAKER: Members would be aware that in December 2009 the former Presiding Officers entered into a memorandum of understanding [MOU] with the Commissioner of the Independent Commission Against Corruption concerning the execution of search warrants on the Parliament House offices of members. In 2010 a similar MOU was entered into with the NSW Police Force.

Earlier this year the President and I authorised the Clerks to enter into discussions with the commission with a view to developing a revised MOU based on the form of the later MOU with the NSW Police Force and covering not only the Parliament House offices of members but also other premises used and occupied by members, including the electorate offices of members of the Legislative Assembly. I now table a revised draft MOU, developed through those discussions.

I further table correspondence from the President and I to the commissioner, dated 8 September 2014, and return correspondence from the commissioner, dated 10 September 2014, in which we agree that it would be appropriate for the draft MOU to be tabled in each House and referred to the respective privileges committees for inquiry and report.

Motion by Mr ANTHONY ROBERTS agreed to:

That:

- (1) This House notes the revised draft Memorandum of Understanding on the execution of search warrants on the premises of members of the New South Wales Parliament between the Commissioner of the Independent Commission Against Corruption, the President of the Legislative Council and the Speaker of the Legislative Assembly tabled by the Speaker on Wednesday 17 September 2014.
- (2) The Standing Committee on Parliamentary Privilege and Ethics inquire into and report on the provisions of the revised draft Memorandum of Understanding.
- (3) A message be sent informing the Legislative Council accordingly.

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

BUSINESS OF THE HOUSE

Notices of Motions

General Business Notices of Motions (General Notices) given.

MUTUAL RECOGNITION (AUTOMATIC LICENSED OCCUPATIONS RECOGNITION) BILL 2014

Second Reading

Mr DOMINIC PERROTTET (Castle Hill—Minister for Finance and Services) [10.05 a.m.]: I move:

That this bill be now read a second time.

I am pleased to introduce the Mutual Recognition (Automatic Licensed Occupations Recognition) Bill 2014, which will enable certain licensed occupations such as electricians to work in their licensed trade in New South

Wales on the basis of the licence they hold in their home jurisdiction. In this way an occupational licence will be able to operate like a driver's licence. This bill achieves the main goals of the former National Occupational Licensing Scheme policy by providing a power to recognise a licence issued by another jurisdiction as being equivalent to a New South Wales licence and leveraging existing administrative structures to support this objective.

This bill proposes a low-cost model which will facilitate labour mobility. In December 2013 the Council of Australian Governments [COAG] decided not to continue with the National Occupational Licensing Scheme policy. Our model, as set out in this bill, makes good on the COAG's announcement that States would work to develop alternative options to national licensing. The model set up in this bill enables a variety of occupational licences issued by other jurisdictions, and which have an equivalent in New South Wales, to be prescribed thereby deeming that licence to be a New South Wales licence for practical purposes. This bill builds on the current mutual recognition policies that have been in place since 1992.

This automatic version of mutual recognition will mean, however, that the holder of a prescribed licence will be able to carry out their trade without registering in or being required to hold a licence issued by New South Wales to do so. The licence that the person has been issued in their principal place of residence will be sufficient to carry out the regulated work. This model supports our tradespeople, our regional communities, especially those who live on a border, and small business whose needs lie at the heart of this Liberal-Nationals Government.

I will now explain the detail of the bill. The bill will deem a recognised licence issued under the law of another jurisdiction to be the same as an equivalent local licence that is issued in New South Wales. This is provided that the holder of the recognised licence has their principal place of residence in that other jurisdiction. The clear objective is to ensure that the person holding the original licence is able to work under that licence in New South Wales. It is envisaged that these people who live and work in border communities will be the main beneficiaries of the policy. If the person moves to New South Wales, they must apply for a New South Wales licence under the general mutual recognition policy that has been in place since 1992. The remainder of the bill contains provisions to support this principle.

The New South Wales laws apply to the deemed local licence. Disciplinary and enforcement action can be taken against the holder of a deemed local licence in the same circumstances as those taken against the holder of the local licence. Similarly, the same rights of appeal and review will apply in respect of any action as those that apply with respect to a local licence. If a person is disqualified from holding a licence in New South Wales, the person is prohibited from working under a licence issued by another jurisdiction as a deemed local licence in New South Wales. New South Wales law will not be circumvented by this policy. If the person's licence in their home jurisdiction becomes suspended then it is ineffective under this policy because it is no longer current and their recognised licence is no longer in force. If the original licence has a condition, that condition is part of the deemed New South Wales licence under this policy. The bill contains a power for local and interstate licensing authorities to establish a shared register should that be warranted in the future.

The policy behind this bill is conceptually simple. The bill contains definitions of "disciplinary action" and "enforcement action" for the purposes of notifying interstate licensing authorities of action taken by New South Wales against the holder of a licence that they have issued. Disciplinary action is defined to include all the actions that can be taken against the holder of a licence, including cancelling or suspending a licence, imposing conditions on the licence or any disqualification on the holder of the licence. An adverse finding or determination against the licence holder can be made, as can a reprimand or caution be issued. An undertaking can be required from the licence holder and a financial penalty imposed as well as any other action that is prescribed. Enforcement action is defined as the prosecution or conviction or the issue of a penalty notice to the holder of the licence for any offence. Other enforcement action can be prescribed in the regulations.

If disciplinary action and enforcement action is taken against the holder of a deemed local licence, the local licensing authority must notify the appropriate interstate licensing authority that issued the licence. A power has been provided to the local licensing authority in New South Wales to report particulars about disciplinary and enforcement action taken in another jurisdiction against the holder of a New South Wales licence. The entry in the register may be made in terms used to describe the action in information that is provided to the local licensing authority. This means that a more fulsome record of relevant information may be kept in the relevant public register of licences. The deemed local licences will be prescribed in a regulation and the regulation-making power is broad enough to support the objectives of the bill.

In the first instance, it is proposed that Queensland electrical mechanics and Australian Capital Territory unrestricted electricians will be deemed to be equivalent to the New South Wales qualified supervisor certificate holder, electrical wiring. Queensland has already recognised the New South Wales licence as being equivalent in its Electrical Safety Act and Regulations. In the case of the Australian Capital Territory, the population is so small and the economy so integrated with New South Wales that early recognition is only sensible. The Minister who has responsibility for the Act is required to review the Act after five years to determine whether the policy objectives remain valid and to establish whether the terms of the legislation remain appropriate for achieving those objectives. The report of the review is to be tabled in each House of Parliament within the following 12 months.

The main driver of this policy is a red tape reduction commitment to small business and to improve the economic conditions of regional communities, especially those who live on borders, thereby reducing their costs. It will no longer be necessary for specified occupations to hold two licences to do the same work on the Gold Coast and in Tweed Heads, for example. The regulation that will accompany this bill will list the name of the deemed local licence against the relevant New South Wales licence. It is intended to ensure that the arrangements are reciprocated, so that in general New South Wales people obtain the identical benefit that will be extended to deemed licensees. Jurisdictions, especially those on the east coast, are committed to achieving this goal.

The policy had its gestation in the efforts to improve the operation of the mutual recognition policies and the now abandoned National Occupational Licensing System policy. While the national licensing policy proposal was on foot, decision regulation impact statements were commissioned and published for public consultation. The decision regulation impact statement demonstrated that the greatest net benefit—more than \$16.5 million in net present value—would be obtained for New South Wales by abandoning its duplicative licence for refrigeration and air-conditioning occupations in favour of the Commonwealth licence. Currently, air-conditioning and refrigeration mechanics in New South Wales must hold an Australian Refrigeration Council licence and a New South Wales refrigeration air-conditioning licence. The training is identical under both licences. The New South Wales licence duplicates the applicable Commonwealth licence. Thus, the unamended bill introduced in the other place by my colleague the Hon. Matthew Mason-Cox, Minister for Fair Trading, sought to repeal the requirement for a New South Wales refrigeration and air-conditioning licence.

The bill would have instead created a new category of specialist electrical wiring work that applies only to the disconnection or reconnection of refrigeration or air-conditioning equipment. This would make New South Wales consistent with the approach taken in other Australian jurisdictions. No other Australian State or Territory has the sort of intrusive occupational licensing requirements for air-conditioning and refrigeration mechanics as New South Wales. Other States and Territories rely to a much greater extent on the Commonwealth licensing requirement, the work health and safety laws, public health laws, Australian Standards, manufacture guidance material and the Australian Consumer Law. The holding of a New South Wales licence is no substitute or alternative for these requirements.

However, the bill was passed in the other place with an amendment to retain the existing licensing for refrigeration and air-conditioning work—in essence, to maintain the status quo. This defeated the Government's attempt to reduce red tape for tradespeople and improve the viability of local and regional communities by cutting costs for building. The unamended bill went further in its attempts to remove red tape by removing mandatory continuing professional development [CPD] for residential builders and swimming pool builders, based on the recommendations contained in the Independent Pricing and Regulatory Tribunal [IPART] review of licensing in 2014. The IPART has estimated that the burden on these very small businesses is about \$8.1 million per annum.

A decade ago, the continuing professional development requirement was introduced partly in response to concerns about building. It subsequently became evident that these concerns had a basis in the entry standards for a builder's licence. Since 2006, the entry standards to obtain a builder's licence and other licences have become more strict. Formal qualifications are required. In most cases, two qualifications are necessary for a builder's licence as well as proven on-site building experience. The most common applications are made by applicants who have achieved a Certificate III in Carpentry and a Certificate IV in Building and Construction or a Certificate IV in Building and Construction and Diploma of Building and Construction. All applications for a building licence are carefully examined and verified.

In the 10 years since CPD commenced, licensees have more training than their predecessors and this better educated builder is more than able to keep abreast of change. Sixty per cent of builders have entered the industry since 2006 under the higher qualification requirement. Targeted Fair Trading information programs

also keep builders up to date. These include email newsletters, material on its website and educational seminars run throughout the State. Many tradespeople also keep up to date through their association, such as the Master Builders Association or the Housing Industry Association [HIA]. New South Wales is the only State that has CPD requirements for builders. The HIA supports the removal of CPD requirements for tradespeople. However, despite these goals to reduce red tape for tradespeople in New South Wales, members in the other place decided to maintain the status quo. While we oppose the amendments, the Government prefers to pass the bill in its amended form.

Finally, amendments were made to the bill to provide a power for the licensing authority to recognise licences pertaining to New Zealand. The current Trans-Tasman Mutual Recognition (NSW) Act 1996 provides for mutual recognition of New Zealand occupational licences and it would be desirable to provide a power under this bill should there be a need to allow for automatic mutual recognition of certain licences issued in New Zealand. The bill is another step in common-sense proposals which will streamline the regulatory landscape. One licence and not two will be sufficient. The consumer protection laws and no additional requirements will ensure that licensed occupations are held to account for the services they provide. The leadership of New South Wales in relation to these reforms is indicative of the Government's commitment to remove redundant and duplicative regulatory requirements. For many years Queensland has recognised the various electrician licences as being the same as the Queensland licence through its external licence recognition provisions in the Electricity Safety Act.

This bill will ensure New South Wales is in a position to reciprocate, and will provide the framework to work with Queensland to extend similar reciprocal arrangements to plumbers, drainers and gasfitters. The Australian Capital Territory is also waiting to see the New South Wales model. Negotiations with Victoria will be able to proceed once the architecture of the arrangements is settled. As agreed by the Council of Australian Governments it is the role of Government to continue to create the conditions for business to evolve and grow, adapt and compete and thereby assist workers to develop the skills they need to adjust to new opportunities. These preconditions are essential to improve the efficiency of the enterprises which employ regulated occupations. I commend the bill to the House.

Ms TANIA MIHAILUK (Bankstown) [10.21 a.m.]: I lead for the Opposition on the Mutual Recognition (Automatic Licensed Occupations Recognition) Bill 2014 in my capacity as the shadow Minister for Fair Trading. I thank the Deputy Leader of the Opposition, the Hon. Adam Searle, for having carriage of this bill in the Legislative Council. I state from the outset that the Opposition does not oppose the bill. However, I note that the bill required very significant amendment. The Opposition successfully amended it in the Legislative Council particularly with respect to the integrity of occupational licensing in New South Wales and the standards required of certain licensed tradespersons in New South Wales.

The purpose of this bill is to mutually recognise certain occupational licences issued in other Australian jurisdictions so that an individual who holds such a licence will be deemed to hold the New South Wales equivalent. It will increase labour mobility of certain licensed occupational tradespeople, specifically those in border communities such as the Tweed, Queanbeyan and Albury, which was the original intention of the bill, and also will reduce red tape and provide mutual recognition within the Commonwealth of Australia, especially for the benefit of consumers and tradespeople in those communities.

Following a decision of the Council of Australian Governments on 13 December 2013 not to pursue a national occupational licensing system, the impetus for mutual recognition has been shifted from the Commonwealth to the States. New South Wales has since become the first State to propose a mutual recognition licensing scheme in Australia and, as I stated from the outset, the Opposition does not oppose this initiative. However, the Opposition has amended the bill in the Legislative Council to ensure that the object of increased labour mobility between State jurisdictions is balanced carefully so that there is not a lowering of the minimum quality and training standards in New South Wales.

The Opposition amended the definition of "another jurisdiction" within clause 3 to omit the words "or another jurisdiction prescribed by the regulations". Those words may have had the effect of opening up mutual recognition to unintended jurisdictions not within the Commonwealth of Australia. The Opposition opposed the addition of the words "or New Zealand", which was supported by the Government and crossbench. It is noteworthy to highlight for the record that in his second reading speech the Minister for Fair Trading did not refer to New Zealand for the purposes of mutual recognition, so it seemed to be a policy on the run. Adding an international jurisdiction was not part of the object of the bill, which was to increase labour mobility for tradespeople within the States and Territories of Australia.

The Minister stated that mutual recognition "is a very important development for regional New South Wales", with which the Opposition agrees, but it is clear that the mutual recognition of New Zealand licenses will not benefit regional New South Wales border communities, as I am sure the member for Tweed will agree. In the Legislative Council, the Opposition also amended schedule 2 to the bill to retain continuing professional development requirements within the existing home building legislation. In his speech the Minister for Finance and Services, representing the Minister for Fair Trading, noted that it was an Opposition amendment that made sure that continuing professional development requirements remain in the legislation and was not removed.

The original bill introduced by the Minister for Fair Trading and by the Government removed that very important requirement. The Opposition will continue to support measures—such as continuing professional development—that will lead to a reduction of consumers being exposed to instances of substandard building work. I note that the Shooters and Fishers Party in the Legislative Council made very clear that continuing professional development should remain a requirement of all tradespeople to undertake in New South Wales if they wish to retain a licence in New South Wales.

It has been well recognised by industry professionals that existing requirements for the licensing of skilled tradespeople such as builders, electricians and plumbers in New South Wales are some of the strongest in Australia. Historically, many of these requirements have been the initiatives of previous Labor governments that have encouraged the continual professional development of existing tradespeople. In 2002 the Labor Government established the Joint Select Committee on the Quality of Buildings amid growing concerns of a decline in the quality of builders and buildings within the residential building industry. This inquiry made the recommendation for the mandating of continuing professional development.

The Carr Government subsequently introduced compulsory continuing professional development within the scope of the Home Building Act in 2004 as a prerequisite for licence renewal of all personal licence and certificate holders in the categories of building and swimming pool construction. In late 2006, following a request from the then Minister for Fair Trading to assess the effectiveness of continuing professional development, an independent evaluation was undertaken consulting with training providers, licensees, industry associations and the Department of Fair Trading. As a result of this evaluation, the current model of continuing professional development came into effect from 1 January 2008, which requires residential building or swimming pool builders to complete 12 study points in certain topic areas.

The requirements to complete continuing professional development obligations are not onerous, and can be attained by attending either workshops, seminars, conferences, forums or classes conducted by industry professionals—Master Builders Association of New South Wales, Housing Industry Association and tertiary education providers such as TAFE or universities, or other approved institutions or providers. The New South Wales Government originally proposed to remove the continuing professional development requirements within section 40 (2D) and section 40 (2E) of the Home Building Act 1989, but these sections were subsequently amended by the Opposition and thankfully supported by members of the crossbench in the Legislative Council. I hope to hear members of the Government who contribute to this debate say how delighted they are that continuing professional development was retained through the efforts of the Opposition.

Continuing professional development was introduced by the former Labor Government to ensure that residential building and swimming pool building licence and certificate holders stayed informed with the most recent knowledge, skills and practices within the industry. It is an important consumer protection against potential defective building work whilst promoting public safety. The value of this protection was clearly missed by the Minister, who described the continuing professional development requirement as "an expensive and unnecessary cost burden on all businesses" prior to voting against the Opposition amendment in the Legislative Council to retain it.

Mr Geoff Provost: True.

Ms TANIA MIHAILUK: I entirely disagree with the member for Tweed. Indeed, I am sure that many consumers in his electorate who require the services of tradespeople from time to time would be far more thankful if these continuing professional development requirements were retained. The New South Wales Opposition consulted with stakeholders within industry because we believe there is a need to ensure that continuing professional development obligations are retained for the holders of contractor licences, supervisor certificates and tradesperson certificates issued under the Home Building Act 1989. I also note that following an amendment proposed by the New South Wales Opposition, which was supported by the crossbench, the existing occupational licensing regime for air-conditioning and refrigeration work has also been retained.

In his second reading speech the Minister said that the Commonwealth refrigerant handling licence was equivalent to the New South Wales refrigeration and air-conditioning licence. He said the requirement for the New South Wales licence was duplication and "the training is identical under both licences". It is evident that the Minister was ill informed about the nature of the existing requirements for a refrigeration and air-conditioning licence. The Commonwealth licence does not regulate, control, monitor or determine the skills necessary for the satisfactory performance of the full range of refrigeration and air-conditioning work beyond those skills necessary for the safe handling of a specific range of synthetic greenhouse gases [SGG]. The Commonwealth licence relates to refrigerant gases only; not associated electrical work currently covered by the existing refrigeration and air-conditioning licence. Further, the Commonwealth licence does not apply to refrigerants such as carbon dioxide, ammonia or other non-ozone depleting hydrocarbon gases.

Mr Geoff Provost: Name them.

Ms TANIA MIHAILUK: These refrigerant gases are toxic, flammable and environmentally hazardous, and require regulation—they obviously keep the member for Tweed very amused.

ACTING-SPEAKER (Ms Noreen Hay): Order! The member for Bankstown will be heard in silence.

Ms TANIA MIHAILUK: The existing licensing system for refrigeration and air-conditioning licences in New South Wales ensures that the tradespeople who are performing the work are fully trained and qualified to carry out in a correct and safe manner the complete range of refrigeration and air-conditioning work, including electrical componentry, by requiring the satisfactory completion of a Certificate III in Electrotechnology Refrigeration and Air Conditioning and further training courses specified by NSW Fair Trading if the licence is to include associated electrical wiring work.

The proposal to deregulate these licensing categories may result in a significant risk to the safety of both consumers and tradespeople who come into contact with the electrical conducting components of a refrigeration or air-conditioning unit. The removal of this licence category will result in a significant lowering in the standards of consumer protection and workplace safety in New South Wales. I again thank the crossbench for its support of the Opposition amendment. The Opposition believes unreservedly that it is essential for New South Wales to continue to maintain the highest possible professional standards.

ACTING-SPEAKER (Ms Noreen Hay): Order! The member for Murray-Darling will come to order.

Ms TANIA MIHAILUK: The New South Wales Opposition will continue to support measures that protect consumer interests and uphold safety. Indeed, other jurisdictions should be increasing their standards to meet the New South Wales threshold, rather than us lowering our standards to meet theirs.

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

Ms TANIA MIHAILUK: It is disappointing that the Minister did not support our amendments in the Legislative Council. They would have given New South Wales licensing authorities the power to refuse mutual recognition if grounds for cancellation existed. Under this bill a person who holds an interstate licence is deemed to hold the New South Wales equivalent but there is no capacity for the New South Wales licensing authorities to withhold mutual recognition. The bill does not provide scope for New South Wales authorities to refuse mutual recognition if there is a potential gap or flaw between New South Wales and other States or New Zealand licensing models.

The model we proposed would have permitted New South Wales authorities to refuse mutual recognition and, under the same guidelines, a licence would have been issued in the normal course of events in New South Wales, thus ensuring that New South Wales standards are always met and maintained. The Minister for Fair Trading missed this fundamental point. The higher New South Wales standard will be watered down by merely deeming licences from other jurisdictions with weaker educational and training requirements to be the holders of an equivalent local licence.

The Minister noted that the New South Wales licensing authorities will have full disciplinary powers, which can be enforced upon the holder of a mutually recognised licence. The bill will also require mutual notification between interstate jurisdictions of disciplinary or enforcement action against a deemed local licence holder and for particulars about disciplinary and enforcement action taken in another jurisdiction against a

New South Wales licence holder to be recorded in a relevant register kept by a New South Wales licensing authority. That may be so, but if a licensing authority were to have matters brought to its attention prior to the mutual recognition of a particular State or New Zealand licence to practice a recognised occupation in New South Wales, the New South Wales authority would not have the capacity to refuse mutual recognition where otherwise support for cancellation would exist. The Minister ignored this legislative flaw. The New South Wales licensing authorities should have that power.

As noted from the outset, the New South Wales Opposition does not oppose mutual recognition and we will not be opposing this bill following the adoption of the amendments to retain mandatory continuing professional development requirements for the holders of contractor licences, supervisor certificates and tradesperson certificates and the preservation of refrigeration and air-conditioning work within the definition of "specialist work" in the Home Building Act 1989 and Home Building Regulation 2004. The New South Wales Opposition has stated that the predominant object of this bill should be to recognise mutual recognition within the Commonwealth for the benefit of consumers and tradespeople who live in our border communities without diminishing the high standard required to obtain certain occupational licences in New South Wales.

For those reasons, the New South Wales Opposition proposed amending clause 14 of the bill to reduce the proposed review period from five to three years. That would have been a more appropriate period in which the Government, stakeholders, tradespeople and consumers could assess the effectiveness of the legislation and its potential impact upon consumer safety as well as occupational health and safety. It would have been a prudent course of action. The Opposition will continue to ensure that New South Wales keeps setting the benchmark in licensing standards to offer the greatest protection and benefit for consumers and tradespeople. I take this opportunity again to thank the Hon. Adam Searle and to recognise the crossbench support in the upper House for those very important amendments. I commend the bill to the House.

ACTING-SPEAKER (Ms Noreen Hay): Order! I acknowledge the presence in the public gallery of students from St Bede's Primary School, Braidwood, who are guests of the member for Monaro. Welcome to the Parliament of New South Wales.

Mr BRYAN DOYLE (Campbelltown) [10.38 a.m.]: It is with much pleasure that I stand in front of the students from St Bede's Primary School—

Mr Stephen Bromhead: The member for Monaro is behind you.

Mr BRYAN DOYLE: —and their hardworking representative to speak to the Mutual Recognition (Automatic Licensed Occupations Recognition Bill) 2014. This bill is all about encouraging small business owners and contractors by reducing red tape, which one often hears about. Reducing red tape is central to the Liberal Party ethos: It is all about making it easier for businesses to do their work and to get ahead. Easing operation costs and hurdles is central to this Government's efforts to make New South Wales number one again. One might ask why we need this bill. The students of St Bede's have probably studied government—

Mr Paul Lynch: They have nothing else to do in this Chamber.

Mr BRYAN DOYLE: Boys and girls, you might notice that some rude people in this House interject from time to time. But do not worry about them because the Acting-Speaker will bring them to account. Boys and girls, you may have been taught how the various Australian States were formed—it goes back to colonisation. Each of the States had a separate governing body; they were federated into Australia but retained their own laws. This causes some problems when the laws are different between the various States. Indeed, some members in this House have electorates bordering other States. Some tradespeople in Wagga Wagga provide services to Albury and Wodonga while people in the Tweed provide services to residents of the Gold Coast. The member for Murray-Darling has just left the Chamber but when I was in Broken Hill we dealt with four different States; it was almost like dealing with different countries as it involved different sets of laws.

The Mutual Recognition (Automatic Licensed Occupations Recognition) Bill 2014 will provide for automatic recognition of certain occupational licences issued in other jurisdictions. This means that the licence of a person in a particular State will also be valid in another State. Currently, two licences are required in that a person must obtain one licence in New South Wales and then go interstate to obtain another licence. It does not make sense does it, kids? It is much easier to have one licence.

ACTING-SPEAKER (Ms Noreen Hay): Order! The member for Campbelltown will not encourage interjections from the gallery.

Mr BRYAN DOYLE: The differences in the regulation, regardless of the basis, are keenly felt by local communities that straddle borders. The Liberal-Nationals Government's commitment to those communities resulted in the inaugural appointment of the Cross-Border Commissioner, Mr Steve Toms.

ACTING-SPEAKER (Ms Noreen Hay): Order! If the member for Murray-Darling does not cease interjecting I will call him to order for the second time.

Mr BRYAN DOYLE: The New South Wales Government wants to ensure that all regional communities are treated fairly and that regions located close to two States are given a clear and effective voice when dealing with the complex issues they face. From its commencement, this bill will provide for the automatic recognition of certain occupation licences issued in other States so that an individual who holds a recognised licence will be deemed to hold the equivalent New South Wales licence, with the deemed local licences prescribed in a regulation. The New South Wales licensing authority will be required to notify the relevant interstate licensing authority of any disciplinary or enforcement action taken by a New South Wales licensing authority in respect of a deemed local licence. That means if a licence holder misbehaves he or she will be called to account—it is a bit like children who misbehave at school being sent to the deputy principal's office. Licence holders will be able to address their wrongdoing, rectify it and improve their performance.

The bill will provide for particulars about disciplinary and enforcement action taken in another jurisdiction against a New South Wales licence holder to be recorded in a relevant register kept by a New South Wales licensing authority. The bill will remove the requirement that persons who carry out refrigeration work—and we all have a refrigerator in our houses—or air-conditioning work must hold a specific refrigeration or air-conditioning authority for specialist work under the Home Building Act 1989. The current New South Wales licence duplicates the applicable Commonwealth licence that a refrigeration mechanic must hold anyway. Instead of this, the bill will create a new category of specialist electrical wiring work that applies only to the disconnection and reconnection of refrigeration or air-conditioning equipment that is fixed electrical equipment.

These policies will resolve many of the practical operational difficulties that the Cross-Border Commissioner has encountered firsthand in the way that Australian States regulate particular practical occupations. The removal of the requirement for two licences will dismantle a barrier for tradespeople and improve their capacity to do business and serve customers. The preservation of the principle that one licence is sufficient regulation for an occupation will reduce costs for tradespeople in regional communities, in particular, and make it better for consumers. That is why I support and will vote for the Mutual Recognition (Automatic Licensed Occupations Recognition) Bill 2014.

Mr GREG APLIN (Albury) [10.44 a.m.]: The Mutual Recognition (Automatic Licensed Occupations Recognition) Bill 2014 has been a long time coming and will be welcomed by the border community I represent. Those of us living on a State border exist with the reality that tradespeople work on both sides of the border. One way or another, the builders, plumbers, electricians, refrigeration specialists and other trades have made things work despite a web of inconvenient licensing schemes and inconsistent requirements. However, there has been a cost, and only part of this is financial. The lack of mutual recognition is an administrative burden that can tumble over into a logistical nightmare, particularly for small business, which is at the heart of the home building and maintenance industry.

In our united Federation, the States have managed to make trades licensing a muddle of red tape, adding little appreciable value. I welcome these new steps towards mutual recognition of various trade licences. I welcome the fact that recognition will be automatic for the listed categories, as prescribed by regulation. I welcome the disciplinary provisions ensuring that adjoining jurisdictions will not be left in the dark should a tradesperson be sanctioned in some way. The bill establishes the requirement that a New South Wales licensing authority must notify the relevant interstate licensing authority of any disciplinary or enforcement action taken by a New South Wales licensing authority in respect of a deemed local licence.

Further, the bill provides that particulars about disciplinary and enforcement action taken in another jurisdiction against a New South Wales licence holder must be recorded on the register of the appropriate New South Wales licensing authority—so far, so good. I now turn to some issues that were also raised in another place. I express caution about schedule 2.1 [4], which sets out to amend the Home Building Act 1989 by removing mandatory continuing professional development obligations for the holders of contractor licences, supervisor certificates and tradesperson certificates issued under that Act. According to the explanatory notes:

The amendment also removes the power that allows refusal of the renewal or restoration of an authority on the grounds that the applicant or its directors, partners or employees have not completed approved further education courses or other training.

In his second reading speech the Minister said:

A mandatory education requirement for builders and swimming pool builders is no longer necessary, as since 1 January 2011 the Australian Consumer Law has both assured and required that consumers get the right outcomes.

I am not sure that the existence of the consumer law provisions about the provision of a building service with "due care and skill" is ample replacement for the principle of continuing professional development and education. One is about prevention; the other offers the solace of legal rights, which, if one is capable and financially resourced, can be enforced through the courts. Builders are called upon to use new materials that reduce the cost of building a home. It is an evolving industry. I am sure all members have seen the foam now commonly used to replace brickwork. There are insulation materials to manage, new waterproofing technologies, solar energy collection and other environmentally beneficial systems to install correctly, and so on.

Implications of the use of modern materials and technologies spread out into questions about their suitability for application in bushfire-prone areas, alpine environments or in river flood zones. We place a burden on real estate agents and strata and stock agents to update their professional skills annually. When a failure of skill can lead to financial loss—or even loss of life or injury—is it appropriate that we remove mandatory continuing education for builders? Swimming pool installation, too, has caused a fair share of consumer problems over the years, as I am sure we all recall. I understand the education imperative is a cost to business—one that the Minister measures in terms of hundreds of dollars a year per builder.

I know that it calls for time off the job, and this must not be made more awkward or disruptive than absolutely necessary for a professional to keep on top of new materials and technologies in their field. I appreciate that some industry groups and individuals will be pleased to see the back of a mandatory requirement such as this. Yet if we remove the mandatory continuing professional education requirement for the trades, it will not be the end of the matter. Other professions are watching. When reviewing a draft of the bill, Tim McKibbin, Chief Executive Officer of the Real Estate Institute of New South Wales, had this to say:

If mutual recognition came back on the agenda REINSW would support it, but we would insist on increased entry-level education and increased educational requirements for ongoing professional development.

REINSW suggests that a real estate agent who is seeking the equivalent Licence or Certificate in another jurisdiction be initially recognised under the principles of mutual recognition, and then be required to undertake mandatory training to acquaint themselves with the unique regulatory and cultural aspects of that jurisdiction.

This ensures agents are cognisant of any unique practice requirements attaching to the particular jurisdiction and additionally provides protection for the consumer.

Clearly, a Victorian-licensed real estate agent would need professional development in the practical and legal effect of, for example, contracts for sale and leases in New South Wales before they could practise here. Real estate agents are not part of the bill. But the dynamic of mutual recognition and the removal of red tape, which adds unnecessary costs and difficulties for local economies, applies to real estate agents in a related, though not identical, way to how it applies to the building trades.

I present my concerns on behalf of a border community and would appreciate it if the Minister could elaborate on the need to remove the mandatory continuing education requirement for home builders and swimming pool builders. Back in June 2009, when I spoke in the House about Labor's Occupational Licensing Legislation Amendment (Regulatory Reform) Bill 2009 I expressed concerns about the removal of training requirements and registration across a number of skilled areas, such as optical dispensers and lift mechanics. At the time I said:

... lift mechanics apparently do not need to be licensed either, with its red tape about training and registration procedures, because—and members will be interested in this—if your lift falls from the twenty-third floor you can take your complaint to the Consumer, Trader and Tenancy Tribunal.

The Consumer, Trader and Tenancy Tribunal is now the NSW Civil and Administrative Tribunal [NCAT]. Returning to that quote, I have a sense of déjà vu today in talking about this bill. With a view to the safe and efficient working of a range of technical industries, I am uncomfortable with the implication that continuing professional development is red tape. On a second point, if New South Wales is reducing its requirements for automatic recognition of these licences in another jurisdiction, could the Minister please assist the Murray River border communities with some information about the sticking points, if any, that have prevented Victoria from joining in at this time? It is hard to understand what they might object to in this bill.

Border communities pose peculiar challenges for legislators. I was pleased recently to welcome the second Cross-Border Commissioner, James McTavish, to Albury and have been encouraged by his recognition of the need to engage more deeply and more frequently with businesses operating across borders. The office of the Cross-Border Commissioner was created in 2012, and it would be fair to say to the House that businesses in my border community have not seen much of a return on their substantial investment of time and energy into the first two years of this office. When the Premier was in Albury on 31 July and 1 August he was quoted in the local newspaper. The article read:

"NSW Premier Mike Baird this morning put the acid on the recently appointed cross-border commissioner James McTavish to unlock problems experienced by local businesses.

"Mr Baird attended a business breakfast arranged by the Albury Northside chamber of commerce at Cafe Borellas and fielded questions from frustrated business owners about existing arrangements.

"Mr Baird suggested Mr McTavish should be making regular visits to chamber meetings and provide regular updates in the media of his dealings."

Indeed, Mr McTavish delivered on that request in the first week of September when he addressed a business chamber lunch meeting. The Mutual Recognition (Automatic Licensed Occupations Recognition) Bill 2014 is a positive step in assisting border businesses, and indeed all residents, to obtain trades and services efficiently and without undue cost or delay caused by archaic State-based administrative barriers. As I said, the bill is a step forward. As my colleagues from Tweed, Monaro, Murray-Darling and other border electorates well know, there are many more barriers still to be dealt with.

Mr GEOFF PROVEST (Tweed—Parliamentary Secretary) [10.52 a.m.]: I make a contribution to debate on the Mutual Recognition (Automatic Licensed Occupations Recognition) Bill 2014. As a number of previous speakers have indicated, the electorate of Tweed is deeply affected by cross-border issues. Currently, 30 per cent of the full-time workforce in my electorate is employed across the border, and about 30 per cent of businesses operating in Tweed Heads are Queensland based. I applauded the Government for appointing the first Cross-Border Commissioner, Steve Toms, a number of years ago. Steve embarked on a lengthy listening tour to clearly document all relevant issues. Frankly, the issues list reads like the *Yellow Pages*—and open the *Yellow Pages* at any page and you will find an industry affected adversely by cross-border issues.

I have difficulty with mutual licences. It is hard for tradies, who are the backbone of the building industry, to figure out a year in advance where they are going to be working. Will they do 80 per cent of their work in Queensland and 20 per cent in New South Wales? Jobs come in as they are successful in their quotes. I support the bill because it goes a long way to recognising some of the building trades—covering air-conditioning and electrical work, residential building, swimming pool building and so on—and breaking down barriers to create jobs. A key point is that this bill is about creating jobs.

The new Cross-Border Commissioner is James McTavish, who has yet to visit the Tweed. Hopefully, he will do so shortly so that he can continue the good work begun by the previous commissioner, Steve Toms. This Government has always been a strong advocate for removing barriers across borders. I think only recently we removed the requirement for veterinarians to be licensed in both States. Before then if a sick dog from Queensland crossed the border into New South Wales it could not be treated by a New South Wales veterinarian. That is ludicrous in this day and age.

Unlike in other border areas, the border between Queensland and New South Wales in my electorate is represented by a road. There is no physical boundary whatsoever; if you cross the street you are in a different jurisdiction. I implore the New South Wales Government to ensure that all regional communities are treated fairly and that towns and regions located close to State borders, which face complex border issues, are given a clear and effective voice. I support this legislation but it needs to go further. Many other industries are similarly affected. I am a little disappointed that the member for Bankstown is not in the Chamber to hear my contribution to this debate.

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

Mr GEOFF PROVEST: I am interested to know when the amendment was made to include New Zealand. I thought that was different. I think the Gold Coast has one of the largest Kiwi populations in Australia—bless their cotton socks. They make a good contribution to our local economy. On the matter of mutual recognition, this bill is an important step forward. But I have some questions about professional

development. As I said before, where tradies work can change from year to year. New South Wales based tradies might end up working a lot over the border in Queensland for a couple of years, and tradespeople in that State do not have the same professional development requirements.

Tradespeople in New South Wales must keep up their professional development—and pay the costs of attending courses and so on—even if the bulk of their work is in Queensland. But then they may work in a different location. I question the professional development requirements, although I understand why they are needed. The consumer should always come first. Consumers should be protected from bodgie builders, swimming pool installers or whatever. But I envisage the professional development requirements not going over well with workers in my electorate. After all, we are here to represent our local communities and to advocate on their behalf on the issues that affect them deeply.

On a positive note, housing approvals in the Tweed are up by around 10 per cent. About 20,000 new homes will be built in the next three to seven years. Only a few years ago people referred to the highway north as the "tradies highway" because every day at four o'clock in the morning there was nothing on that road but utes with ladders and concrete buckets heading over the border to seek work. That trend has been reversed and we are now seeing a lot of development locally. But mutual recognition will be a long road to travel for the Cross-Border Commissioner, James McTavish. One area of mutual recognition I am concerned about is recognising the qualifications of bus drivers on both sides of the border. We are at an impasse, and it is affecting service delivery.

I appreciate what the Minister for Fair Trading has attempted to do. He has taken on an issue that was largely neglected by the previous Government—for at least as long as I have been in this place. Cross-border issues affect a small but significant area of the State, from Albury to Broken Hill to Queanbeyan. I know that my colleague the member for Monaro has cross-border problems in his electorate. The issues facing the electorate of Tweed are not replicated anywhere else in the State. There are 600,000 to 700,000 Queenslanders just across the road—there is no river border. It is a major metropolitan centre. For the information of my Sydney colleagues, what the Central Coast is to Sydney, Tweed Heads is to Brisbane.

That is the same scenario. There are good transport links. Other provisions in this bill will remove the barrier that requires tradespeople to hold two licences. The bill provides benefits for small businesses. Most of the traders in my town are small businesses, such as sole traders or small companies that employ two or three people, and they make a significant contribution to this State's economy. Often small businesses are terribly confused about the different licence requirements on each side of the border. Those tradies who have left New South Wales have said that it is too hard, that there are too many requirements and that it will cost them too much money, which is a shame. This bill is a step down the path to ensure the creation of employment opportunities in New South Wales for the betterment of all. I will continue to work with the Cross-Border Commissioner and my colleagues.

This legislation has a lot of clout. I am aware, after having worked in other jurisdictions for a number of years, that they believe their laws or licences are best and that we should conform to them. That is not the case. This legislation is about people and about common sense. Importantly, its purpose is to try to remove red tape. I am a strong believer in simplifying legislation and in ensuring that governments stay out of small businesses and let them get on with the job of providing service and employing people. We must encourage apprentices to work in the building industry. If they walk away there will be a skills drain and we will not have an adequate number of apprentices in this important industry, in particular, in rural and regional areas. I support the Mutual Recognition (Automatic Licensed Occupations Recognition) Bill 2014 and commend it to the House.

ACTING-SPEAKER (Ms Noreen Hay): A number of the issues raised by the member for Tweed in his contribution today were raised at the hearings of the Committee on Economic Development in its inquiry into the establishment of special economic zones.

Mr GEOFF PROVEST: You were there, Madam Acting-Speaker.

ACTING-SPEAKER (Ms Noreen Hay): Indeed, I was. That was brought to mind by the contribution of the member for Tweed.

Mr STEPHEN BROMHEAD (Myall Lakes) [11.02 a.m.]: I support the Mutual Recognition (Automatic Licensed Occupations Recognition) Bill 2014, which has as its purpose to provide for the automatic mutual recognition of certain occupational licences issued in other jurisdictions so that an individual who holds

a recognised licence will be deemed to hold the equivalent New South Wales licence. Cabinet considered the national occupational licensing system in November 2013 prior to the Council of Australian Governments [COAG] meeting held on 13 December 2013. COAG decided not to continue with the national occupational licensing system policy. The model set out in the bill makes good on the COAG announcement that States would work to develop alternative options to national licensing.

Cabinet requested that legislative amendments be prepared for implementation by 1 July 2014 for automatic mutual recognition of eligible licences. This bill gives effect to that request. Additionally, it was decided to adopt certain recommendations from the draft Independent Pricing and Regulatory Tribunal [IPART] report on licensing released on 22 May 2014. The bill gives effect to that by making changes to the Home Building Act 1989. The differences in regulations, regardless of their basis, are keenly felt by local communities that straddle borders. The member for Tweed made an outstanding contribution to this debate. I support what the member for Tweed had to say about the difficulties for small businesses either side of the border. The member for Albury spoke about the difficulties being experienced by businesses in his electorate.

The Liberal-Nationals Government's commitment to these communities resulted in the inaugural appointment of the Cross-Border Commissioner, Mr Steve Toms. The New South Wales Government wants to ensure that all regional communities are treated fairly, that the complex issues facing towns and regions located close to State borders are resolved, and that communities are given a clear and effective voice. The difficulties arising from the requirement to hold two licences for the same work are a matter of concern. The automatic mutual recognition policy, a common-sense policy, will make a big difference to regulated occupations located on borders.

The provisions in this bill will benefit small businesses in particular. Approximately 96 per cent of the businesses in New South Wales are small businesses that employ more than 50 per cent of the workforce. Each enterprise would employ fewer than 20 employees. Businesses established around licensed occupations often are small businesses. In the case of electricians or plumbers frequently it is the licensee who undertakes the work and the spouse looks after the administration of the business. While there is no suggestion that these occupations will be deregulated it will make a big difference to pay only a single licence fee to the licensing authority with jurisdiction over their principal place of residence. The time taken for administration will be vastly reduced, which in itself will assist small businesses.

The automatic mutual recognition policy is aimed at border and regional communities. The policy will also support a natural disaster response by facilitating licensed tradespeople to attend a location quickly without having to register or take out a duplicate licence issued by the jurisdiction in which the emergency has occurred. We have seen disasters in the form of tropical cyclones, floods and bushfires. This bill will remove other costs for licensees. A New South Wales refrigeration and air-conditioning mechanic no longer will have to pay fees for a refrigeration licence in this State. For a three-year renewal this will save an individual \$480, a partnership \$730 and a corporation \$860—a significant saving. New South Wales consumers will still be using Commonwealth licensed refrigeration and air-conditioning mechanics. Again for small business the requirements will be simplified.

Under the bill there are savings for builders and swimming pool builders because the mandatory continuing professional development [CPD] requirement has been repealed. The Housing Industry Association has estimated that CPD costs a builder between \$100 and \$500 annually. Only New South Wales has imposed this requirement on its builders and swimming pool builders, which are additional costs that are not known to their peers over the border. This provision is common sense as businesses are competing against one another. It is a competitive environment for small businesses. It does not make sense to have people on one side of the border paying up to \$500 annually and people on the other side of the border paying nothing at all. Similarly, the licence cost for refrigeration, air conditioning and the like, is now covered by Commonwealth licences. There is no longer a need to pay for licences in New South Wales and the Commonwealth; it is an unnecessary cost.

It is good that common sense has prevailed. This bill will remove those licence fees and the CPD requirement. People on the other side of the border do not have to pay those fees or undertake those courses. Those licensed businesses no longer will be obliged to spend time and money on further education that might not be required at the time. It will be their choice based on their business needs when they update their industry knowledge. In all businesses things are constantly changing. As things change anyone wanting to stay ahead of his or her competitors has to implement new technology and learn how to use other devices. It makes sense for everybody, including tradies in building and other industries, to keep ahead of the game and keep up with constant change in our society.

Under the Australian Consumer Law, consumers are entitled to get the services they pay for and businesses are obliged to fulfil the commitments they make. Mandatory education is irrelevant in the context of the general pervasive law. We have heard today from the member for Tweed and the member for Albury, who see every day the problems faced by small businesses competing with their neighbours across the border, and in the case of the Tweed on the other side of the street. It makes sense to have mutual recognition so that they can compete on a level playing field. I commend the bill to the House.

Mr DARYL MAGUIRE (Wagga Wagga—Parliamentary Secretary) [11.10 a.m.]: I am delighted to make a contribution to debate on the Mutual Recognition (Automatic Licensed Occupations Recognition) Bill 2014. I join other members in stating that it is long overdue. It will change the way in which operators transact their business across the States. This bill will deem licences to be local licences and deals with the application of laws to deemed local licence holders. It also explains the effect of local licence disqualification, suspension of a recognised licence, the conditions or limitations of a deemed local licence, and the arrangements between local and interstate licensing authorities.

The electorates of the member for Albury, the member for Tweed and also the member for Murray-Darling are affected by the different State laws and regulations covering licences. I throw into the mix the fact that multinational companies or companies with establishments in other States often bring in tradespeople who are specialised in their field and they must be licensed. So it is not only cross-border towns and communities that are affected by this situation. Indeed, it affects big companies that operate manufacturing plants that need to be shut down from time to time for regular maintenance procedures. They include abattoirs, paper mills, coalmines, goldmines or any form of industrial establishment.

This bill provides for a licence to be deemed a local licence for a person who holds a recognised licence under the law of another jurisdiction. Such a person is deemed to have a local licence that is prescribed by the regulations. The bill also provides that a person's principal place of residence includes any jurisdiction that was within the past three months the person's principal place of residence and that a person does not hold a deemed licence if he or she holds the local licence concerned. The bill also provides that a person who holds a deemed local licence is taken to hold the local licence for the purposes of the laws of New South Wales except any provision of such law that is prescribed by the regulations as not applying to a deemed local licence holder, either generally or in specified circumstances.

A number of issues have been raised by members in their contributions to this debate. They include the disciplinary and enforcement action. That action is covered by the bill and it is a clear indication that through the Council of Australian Governments all State Ministers are determined to introduce sensible regulations and to have sensible dialogue that will make it easier for tradesmen and tradeswomen to operate. While I welcome this long-overdue bill, I will put one issue on the record for the Minister's edification and perhaps it can be addressed in the future. While we are fixing the licence discrepancies across Australia, mutual recognition could be improved for immigrants.

We should investigate that issue. I will provide an example. I made representations for a Mr O'Donovan from Ireland, who had worked as a builder for 28 years. Although he was very well qualified, he faced challenges in obtaining a licence here. I would like to see something done to accommodate people like him. He was required to provide to TAFE and Master Builders Australia the relevant information to get trade recognition. Many people who immigrate to Australia have worked in trades very successfully in their home country and I would like to see their professional transition made easier.

If the good voters of New South Wales support this Government at the next election perhaps we can investigate what can be done to ensure that Mr O'Donovan and others who come to this country and who bring their kids here to make a life can work with the appropriate licences while not diminishing standards. We should be able to benefit from the contribution that they can make to this country. It is clear that this Government has improved employment prospects in this State. Unemployment is declining, housing starts are again the best in Australia and we have retained our triple-A rating under the guidance of the Premier, the Treasurer and the Minister for Finance and Services. The prospects for employment are good and that will mean that tradesmen and tradeswomen who have gone to other States will want to return to New South Wales. They will be needed to work in the factories and on the new housing estates and apartments that will be generated by the increasing development in this State.

The employment cycle in Australia is such that workers follow development. We have seen that happen in North Queensland and in response to the increasing number of oil and gas rigs in Western Australia. Workers

have migrated from Victoria, New South Wales and elsewhere and clearly they must be licensed. They are migrating back to this State in response to the Government continuing to ramp up our economy and restore this State as number one in Australia. We will need those licensed workers. Not only will New South Welshmen return to work to deliver much-needed infrastructure; people from other States that are not doing as well will also migrate here.

It is clear that the Federal Government is also having an impact because the national indicators are improving. There will be great opportunities for everyone. That is why this bill is important. The cross-border towns are excited about it because this has been an ongoing problem. I acknowledge James McTavish, the Cross-Border Commissioner. I have had a long association with him and he is a very capable man. He is a former Army officer who served at Kapooka Army Base at Wagga Wagga. He was also the State Emergency Service administrator/controller in the Riverina region. He guided us through the 2010-12 flood emergencies. One could not find a better person to be in charge of a complex and, from time to time, difficult issue.

The person in charge deals with authorities in multiple jurisdictions, whether in Albury-Wodonga, Tweed or the Murray-Darling, where affected communities have shared government facilities or services. I believe members can have confidence in the abilities of the Cross-Border Commissioner. This bill was introduced after Council of Australian Governments discussions. Many such bills have been passed since the Liberal-Nationals Government was elected, and I predict there will be many more. In Australia the States have developed their own laws and regulations, and even different gauges for train lines. It is time for us to get such matters in order so that people can go about their business in an economy unimpeded by red tape and different State regulations.

Mr CHARLES CASUSCELLI (Strathfield) [11.20 p.m.]: I support the Mutual Recognition (Automatic Licensed Occupations Recognition) Bill 2014. This bill, which is a no-brainer, addresses a number of issues that have been around for some time. The bill addresses those issues by adding value to the processes, especially those involving small and local businesses. I remember the good old days.

Dr Geoff Lee: Tell us about them.

Mr CHARLES CASUSCELLI: I am not talking about the Jurassic period, but in the good old days large corporations, like the former Postmaster-General's Department, employed a large number of trainee tradespeople and technicians. When I applied for a job in the department I was number 493 in an intake of about 500 people. My training consisted of six years of on-the-job training and going to Granville Technical College and North Sydney Technical College—wonderful institutions. After six years of training I received a licence and I was surprised to learn that it was not recognised in many parts of Australia—a ludicrous situation for a national organisation like the Postmaster-General's Department. The fundamentals of many of our trades remain the same, regardless of State jurisdictions.

The same is true for occupational licences. It is good that we have national standards and an example of that are our Australian road rules. We have a consistent set of standards for the way we regulate traffic and roads across Australia, right down to the issuing of licences. We have a common set of laws and regulations dictating how we behave on our roads. The same is true for licences. This bill goes some way towards achieving a consistent set of licences for occupations across different jurisdictions. A number of contributors to this debate have spoken about local tradespeople living close to State borders. But it goes further than those tradespeople travelling across borders to deliver services to make a living; it is also about larger organisations operating in multiple jurisdictions with tradespeople deployed across States, consistent with demand for services.

A great aspect of this bill is that it will make our response to emergencies a lot easier. Emergencies do not recognise State boundaries and they occur across State boundaries. The scale of emergencies in Australia today is larger and more intense than previously, and the emergencies are more frequent. Part of the problem relates not just to the response to the emergency but also to recovering from the emergency after the deployment of resources across State jurisdictions. New South Wales tradespeople are travelling to Queensland in response to hurricanes and other events, and tradespeople from Queensland and Victoria are coming to New South Wales in response to emergencies.

ACTING-SPEAKER (Ms Noreen Hay): Order! I call the member for Parramatta to order.

Mr CHARLES CASUSCELLI: Tradespeople go across State borders in every direction in response to emergencies. One of the problems is that often tradespeople crossing State jurisdictions do not have their

licences recognised, which complicates recovery from emergencies. This bill goes some way towards dealing with this real issue. While it may be an administrative matter, it directly impacts on vulnerable communities that have suffered as a result of an emergency. Plumbers and the fundamentals of plumbing and drainage are the same across State jurisdictions. Water does not flow uphill in any jurisdiction. There are no jurisdictions in which electrons behave differently in copper wire when delivering electrical services. The gases used in refrigeration are exactly the same in the different jurisdictions and I assume that even swimming pool builders have exactly the same issues, regardless of where they are building.

I turn to the technicalities of the bill. The bill will commence on proclamation to provide for the automatic mutual recognition of certain occupational licences issued in other jurisdictions so that an individual who holds a recognised licence will be deemed to hold the equivalent New South Wales licence. The deemed local licences will be prescribed in a regulation. Initially it is intended to apply to Queensland electrical mechanics and Australian Capital Territory unrestricted electricians. I was once a sparkie.

Mr Daryl Maguire: You are still a bright spark.

Mr CHARLES CASUSCELLI: I am a bright spark. It was the first licence I received after doing four years of a telecommunications technician course in the late 1970s. The bill will also require a New South Wales licensing authority to notify the relevant interstate licensing authority of any disciplinary or enforcement action taken by the New South Wales licensing authority in respect of a deemed local licence. The bill will provide for particulars about disciplinary and enforcement action taken in another jurisdiction against the New South Wales licence holder to be recorded in a relevant register kept by a New South Wales licensing authority. The bill will remove the requirement that persons who carry out refrigeration work or air-conditioning work must hold a specific refrigeration or air-conditioning authority for specialist work under the Home Building Act 1989.

The current New South Wales licence duplicates the applicable Commonwealth licence which a refrigeration mechanic must also hold. Instead a new category of specialist electrical wiring work will be created that will apply only to the disconnection and reconnection of refrigeration or air-conditioning equipment that is fixed electrical equipment. The bill will remove mandatory continuing professional development obligations for the holders of contractor licences, supervisor certificates and tradesperson certificates issued under the Home Building Act 1989.

In my electorate one small business—Vision Technology Systems—regularly sends electricians and closed-circuit television [CCTV] specialists interstate to Queensland and Victoria. The company does some great work. It has access to some world-class closed-circuit television technology and it deploys along the eastern seaboard. It needs to send out electricians and installers along the eastern seaboard quite regularly. The requirement for them to hold multiple licences in order to operate according to law in those jurisdictions is now removed. This will be a wonderful benefit for that company. I commend the bill to the House.

Mr KEVIN CONOLLY (Riverstone) [11.29 a.m.]: It is always a pleasure to address the House in relation to sensible legislation that is designed to help the citizens of New South Wales. The Mutual Recognition (Automatic Licensed Occupations Recognition) Bill 2014 may not be earth-shattering, it may not be history in the making, but it is sensible, progressive and intelligent legislation that governments always aspire to bring in to make life better for the people of New South Wales and, in this case, for the people of Australia in cooperation with other States and with New Zealand. This bill provides for automatic recognition of licence holders of various occupations in trades and technical areas across Australia.

It is a sensible provision because, currently, people who live in a border area where their business is effectively in two States or in a State and Territory, need two sets of licences to carry out their ordinary business, which means two lots of costs, and two lots of time and paperwork. That is simply an unnecessary burden on business and it makes us less competitive and less productive than we should be. It is not only in cross-border areas that this happens. We have heard about disaster relief when people in a hurry go to a particular location to lend their services and skills, and the nuisance value created by having to obtain a licence to work in that area slows down the relief effort.

I add another dimension to this convenience factor. We have heard about the mobility of labour in Australia; there are jobs in the mines in Western Australia and there are areas of growth in Australia where there is a real demand for skilled labour. In other parts of Australia there are qualified workers, but to take up those positions and work in those fields often requires another set of paperwork, another licence, another delay and

another expense, which is a disincentive for people to take up those speculative opportunities. If licences were mutually recognised there would be no impediment to people moving to where the work is, which would mean that businesses that are likely to engage them would be more efficient, more effective and more profitable and, at the same time, they would provide a livelihood for the contractor who is working for them.

Situations such as this require the flexibility that governments can create by mutual recognition of licences, where appropriate. We all know that government has a role in regulation. The Government has to protect the community by regulating and setting standards. But, unfortunately, governments have had a tendency over the years to regulate too often, to regulate unnecessarily and to duplicate regulation with other authorities. It requires constant vigilance to ensure that we do not step on the community's rights and impinge on their flexibility and their opportunities because we are a heavy-handed Government regulating all the time. We need to be aware that if another State or Territory has set in place an appropriate regulatory system with an adequate set of standards we do not need to duplicate that. We should not make our citizens jump more hurdles than is necessary.

By recognising systems that are appropriate in other States and Territories and allowing our authorities to make those determinations about where an appropriate benchmark already exists, we are making life easier for the residents in New South Wales and, in return, residents of other States and Territories who want to contribute at times in New South Wales. I note that this also applies to New Zealand, and while there are some xenophobes who think New Zealand should not be included in our prosperity, I think the more the merrier. We all benefit from making life easier for the people of New South Wales and, in return, for others: The sum is greater than the parts when everybody is productive and efficient. We have all heard of qualified people who come to Australia from other countries and do not have their qualifications recognised. It seems to me that this is a parallel issue. People are qualified, they are capable and they want to contribute, but at times government is a bit heavy-handed and makes it hard for them to do so. It would be unfortunate if we were to continue down that path and make life more difficult for our citizens rather than easier.

ACTING-SPEAKER (Mr Lee Evans): Order! I remind the member for Bankstown that the member for Riverstone has the call.

Mr KEVIN CONOLLY: This bill provides for the automatic recognition of licensing of certain occupations in other jurisdictions and for other purposes. It is a proportionate and targeted response to an economic need for streamlining regulation. A dramatic illustration of the need for this policy can be seen when considering where people live and their proximity to a border. I believe that the member for Tweed and the member for Albury have already had something to say about this issue. It is no surprise to me that people from those sorts of locations are very well aware of this kind of issue and are very much in support of a common-sense response to it. No doubt people who live near the Australian Capital Territory have exactly the same issues. People who live in Queanbeyan have a five-minute drive to Canberra and if they are going to take up jobs in both jurisdictions they are going to work commonly across the border. It makes sense for us to facilitate that where a properly accredited scheme of recognition of qualifications already exists in the other jurisdiction. There is no need for us to recreate that scheme.

Currently there is a licence requirement for those engaged in the air-conditioning industry. This bill provides for that to be removed because there is already a Commonwealth licensing system. Why would we need to duplicate that licensing process, charge people a second time and waste their time and effort to get another licence when they are already qualified and recognised to work throughout Australia under the Commonwealth licensing scheme? The Government has undertaken a prudent, vigilant exercise to ensure that we do not encroach too far, that we do not overregulate and that we do not stifle creativity and productivity in New South Wales through unnecessary layers of regulation. I welcome this legislation before the House. I congratulate the Minister for Fair Trading on having brought it to us to ensure that we remain on the path of making New South Wales number one again.

Mr JOHN FLOWERS (Rockdale) [11.37 a.m.]: I speak in support of the Mutual Recognition (Automatic Licensed Occupations Recognition) Bill 2014. This bill will provide for the automatic mutual recognition of certain occupational licences issued in other jurisdictions—to be known as recognised licences—so that an individual who holds a recognised licence will be deemed to hold the equivalent New South Wales licence, with the licences to which automatic mutual recognition will apply to be prescribed by the regulations. A New South Wales licensing authority will be required to notify the relevant interstate licensing authority of any disciplinary or enforcement action taken by the New South Wales licensing authority in respect of a deemed local licence.

The bill will provide for particulars about disciplinary and enforcement action taken in another jurisdiction against a New South Wales licence holder to be recorded in a relevant register kept by a New South Wales licensing authority. The bill will remove the requirement that persons who carry out refrigeration work or air-conditioning work must hold a specific refrigeration or air-conditioning authority for specialist work under the Home Building Act 1989 and instead will create a new category of specialist electrical wiring work that applies only to the disconnection and reconnection of refrigeration or air-conditioning equipment that is fixed electrical equipment. The bill also will remove mandatory continuing professional development obligations for the holders of contractor licences, supervisor certificates and tradesperson certificates issued under the Home Building Act 1989.

By way of background, the Minister for Fair Trading, the Hon. Matthew Mason-Cox, indicated that in December 2013 the Council of Australian Governments [COAG] decided not to continue with the national occupational licensing system policy. Minister Mason-Cox further said that the mutual recognition model set out in this bill makes good on the COAG announcement that States would work to develop alternative options to national licensing and that it would facilitate labour mobility. With respect to the automatic recognition of the licensing of certain occupations in other jurisdictions and for other purposes, the differences in regulation, regardless of the basis, are keenly felt by local communities that straddle borders.

The Liberal-Nationals Government's commitment to these communities resulted in the inaugural appointment of the Cross-Border Commissioner, Mr Steve Toms. The New South Wales Government wants to ensure that all regional communities are treated fairly and that the complex issues facing towns and regions located close to two States are given a clear and effective voice. As an advocate for cross-border issues, the commissioner has been travelling to affected communities and meeting with businesspeople and residents to ensure that there is a strong understanding of concerns and that they are reported. The difficulties arising from a requirement to hold two licences for the same work are a matter for concern.

Automatic mutual recognition policy is a common-sense policy that will make a big difference to regulated occupations of people living on borders. The reality of a border has brought up practical difficulties for people doing business in two jurisdictions. Border communities are a single economy, and the impact of regulation needs to be acknowledged and tailored to those special conditions and circumstances. This bill is designed with the needs of cross-border communities front of mind. The policies in the bill resolve many of the practical difficulties that the Cross-Border Commissioner has encountered firsthand in the way States regulate occupations.

The removal of a requirement for two licences means that a barrier for tradespeople is dismantled and improves their capacity to do business and serve consumers. This enshrining of the principle that one licence is sufficient regulation for an occupation will reduce costs for tradespeople in regional communities in particular. The provisions in the bill will particularly benefit small business. More than 96 per cent of New South Wales businesses are small businesses and they employ more than 50 per cent of the workforce. In these enterprises there are fewer than 20 employees.

Businesses established around licensed occupations are often very small businesses. In the case of electricians and plumbers, for example, frequently it is the licensee who undertakes the work and the spouse looks after the administration of the business. Time for administration will be vastly reduced and this in itself is assisting small business. The policy will also support a natural disaster response by facilitating licensed tradespeople quickly getting to the location without having to register or take out a duplicate licence issued by the jurisdiction in which the emergency is located. We have seen these disasters in the form of tropical cyclones, floods and bushfires across many States.

The dramatic illustration of the need for this policy can be seen when considering where people live and their proximity to the border regions. The Australian Capital Territory is located entirely within the geographic region of New South Wales, meaning that the economies of both are integrated. When considering the New South Wales and Queensland border communities, we find that Australia's sixth-largest city is the Gold Coast and adjacent parts in New South Wales provide a complementary environment for this conurbation. For these reasons, both Queensland and New South Wales are committed to resolving how licensed occupations can become more mobile.

This model of automatic mutual recognition is based on the Queensland model of external licence recognition in its Electricity Safety Act. It is a forerunner for the model New South Wales has adopted. Fair Trading intends to make it easy for interested parties to access interstate public registers of licences, which

are part of this automatic recognition scheme, by providing links from its website. Information and assistance will be provided by stakeholders, the Cross-Border Commissioner, the Small Business Commissioner and NSW Fair Trading to ensure that parties get the maximum benefits and advantages from this policy. I commend the bill to the House.

Mr CHRIS HOLSTEIN (Gosford) [11.46 a.m.]: I will make a short contribution in support of the Mutual Recognition (Automatic Licensed Occupations Recognition) Bill 2014. In doing so, I commend the Minister for Fair Trading for his great work in bringing this bill to the House. What the bill does is important; it is about reducing unnecessary red tape. The bill will have a major impact on small business—individual operators and small partnerships. Small business is the lifeblood of my community. The economic benefit that small business brings to my electorate is huge, and anything we can do to fulfil our election commitment to reduce unnecessary red tape has my total support.

From my experience in small business, I know that one of the biggest problems in the community is the extent of red tape imposed on small business. It is all right for large companies and corporations—they deal with red tape as part of their business. However, dealing with red tape is significant for small business operators, individuals or husband-and-wife partnerships. Red tape is a burden on small businesses when they simply want to do their job and go about their business of making a living and supporting their families. I will always support the reduction of unnecessary red tape. Our good Minister for Fair Trading has done great work with this bill in taking another step towards reducing unnecessary red tape.

The bill will provide for the automatic mutual recognition of certain occupational licences issued in other jurisdictions so that an individual who holds a recognised licence will be deemed to hold the equivalent of a New South Wales licence. It is a proportionate and targeted response to the economic need for streamlined regulations. Certain communities cross borders, whether between New South Wales and Queensland or New South Wales and the Australian Capital Territory and so on. Indeed, Australia's sixth-largest city is the Gold Coast, and adjacent parts that are complementary to this community are located in New South Wales. The Australian Capital Territory is surrounded by New South Wales, so it stands to reason that our economies are mixed. There is integration between them with regard to business, and the issuing of licences affects cross-border communities.

While the Council of Australian Governments decided not to continue with the national occupational licensing systems policy, the model as set out in this bill makes good on the announcement of the Council of Australian Governments that States would be required to develop alternative options to mutual recognition of eligible licences. Both Queensland and New South Wales are mutually committed to resolving how licensed occupations can become more mobile and streamlined across our borders. The model of automatic mutual recognition is based on the Queensland model, which is external licensing recognition in its Electricity Safety Act. Under this model, the licence to carry out a regulated occupation becomes portable, however it only applies to an individual who possesses the required skills to carry out the work—it does not apply to an entity such as a corporation. It will ensure a watchful eye is kept over those who are actually undertaking the work and ensure clarity about who they are.

The New South Wales law applies to a licence that is recognised under this policy in the regulation. It also covers relevant discipline enforcement action that can be taken if necessary in the same way as a New South Wales licensee. If this were the case, New South Wales would be required to report this action to the interstate authority that initially issued the licence. This will also work in reverse—information regarding action taken on a New South Wales licensee will be entered on the public register, which achieves a more holistic view of the individual's history. Fair Trading will provide links on its website to the necessary registers.

An automatic mutual recognition policy is common sense. It will make a big difference to those who are licenced in regulated occupations living in border communities. It removes the requirement for two licences to be held and it improves their capacity to carry out their services effectively. It just cuts red tape. Those who are affected the most and will benefit the most are those in small businesses, and those who reside and work in border and regional communities. We want to support small business, which is the bread and butter of our local communities.

It was unfortunate that other proposed inclusions in this bill to repeal redundant New South Wales licences for refrigeration and air-conditioning mechanics were removed by amendment in the Legislative Council. Tradespeople would have saved significant costs for a three-year renewal—\$480 for an individual, \$730 for a partnership or \$860 for a corporation. This is a significant saving because New South Wales

consumers would still be using Commonwealth licensed refrigeration and air conditioning mechanics. Under the bill in its original form builders and swimming pool builders would have benefitted from unnecessary continuing professional development costs being repealed.

In dollar terms, the Housing Industry Association estimated that continuing professional development costs can be between \$100 and \$500 annually for builders. New South Wales is the only State that has imposed this requirement, which amounts to another cost not known to their counterparts over the borders. This requirement really is irrelevant, given that Australian Consumer Law ensures our consumers get the services they pay for, and that those carrying out the works are obligated to ensure this occurs and that the consumer is duly satisfied. In the context of consumer protection, mandatory education really is unnecessary and the onus to keep up to date with skills should be on the professional; it should not be a red tape measure.

I have spoken about the reduction of red tape and the supporting of small business. It was a commitment that a Coalition Government would reduce red tape for businesses across this State, and this is another fine example of our carrying out that commitment. I commend the fine Minister for Fair Trading for introducing this bill that unfortunately has been amended in the Legislative Council. However, it is a positive step in the right direction. Nonetheless, I commend the Minister for Fair Trading for removing unnecessary red tape and I commend the changes in this bill to the House.

Mr TONY ISSA (Granville) [11.55 a.m.]: I support the Mutual Recognition (Automatic Licensed Occupations Recognition) Bill 20144, which is long overdue. This bill will provide for the automatic mutual recognition of the licensing of certain occupations in other jurisdictions. This bill also repeals the requirement to have refrigeration and air-conditioning licences in New South Wales, and mandatory continuing professional development for licensed builders—residential and swimming pool builders. This is a targeted response to an economic need to streamline regulation and simplify requirements for small business.

The Government wants to ensure that all regional communities are treated fairly and that the issues faced by those living in towns and regions close to two States are given a clear voice. Many difficulties arise from the requirement to hold two licences for the same work. An automatic mutual recognition policy is a common-sense policy. When I was a small business owner I learned that a person had to have a gasfitter's licence, a plumber's licence and a drainage licence to do the same job. I am pleased that that requirement will be removed.

The Liberal-Nationals Government appointed a Cross-Border Commissioner, Mr Steve Toms, to meet with communities and businesspeople to discuss the difficulties that arise and to ensure that their concerns are reported. The policies in this bill resolve many of the practical difficulties encountered by the Cross-Border Commissioner by removing the two-licence requirement for tradespeople, which will improve their capacity to work. This will also reduce costs for tradespeople in regional communities, with small businesses being the main beneficiaries. In New South Wales more than 96 per cent of businesses are small businesses and they employ more than 50 per cent of the workforce. In reality, they are the backbone of the economy.

In my electorate small businesses, such as plumbing and electrical, are usually operated by the licensee who carries out the work and his family generally looks after the administration side of the business. There is no suggestion that these occupations will be deregulated; the big difference is that they will only have to pay a single licence fee to the licensing authority. The policy will also support a natural disaster response by utilising licensed tradespeople who can get to the location quickly without having to register or take out a duplicative licence issued by the jurisdiction in which the emergency is located. There is no doubt that businesspeople in Granville will welcome the changes as they will save time and cut red tape, and will give them more time and money to spend with their families.

Only two days ago I hosted local businesspeople in my electorate at a "business after five" function because I believe it is necessary to hear first-hand their thoughts on issues that directly affect their ability to do business in New South Wales. I received a very clear indication that they are pleased with this Government's performance and, in particular, with the role the Small Business Commissioner plays in making their life easier. At that event the importance of the Small Business Commissioner was highlighted. On 22 September I will go back to my electorate to talk to businesspeople and support their needs.

The small business community will get the maximum benefit of this reform and it welcomes the change with open arms. The mandatory continuing professional development requirement will be repealed for builders and swimming pool builders, which means more savings for business owners. The Housing Industry

Association estimates that professional development costs a builder between \$100 and \$500 annually. Licensed businesses will no longer be obligated to spend more time or money on further education that they may not require. The Australian Consumer Law states that consumers are entitled to get the services they pay for and that businesses are obliged to fulfil their promises. A mandatory education requirement is irrelevant. I come from a small business background so I understand the importance of this bill and the difference it will make to small businesses, particularly in my electorate of Granville where many people are involved in small business activities. I commend the bill to the House.

Mr JOHN SIDOTI (Drummoyne) [12.01 p.m.]: It gives me great pleasure to support the Mutual Recognition (Automatic Licensed Occupations Recognition) Bill 2014. As has been outlined exhaustively today, the bill provides for the automatic recognition of licensing of certain occupations in other jurisdictions and for other purposes. Differences in regulation, regardless of the basis, are keenly felt by communities that cross borders. For example, a tradesperson who lives in northern New South Wales and who wants to work across the border in Queensland often requires different accreditation or licensing. That does not make any sense. This bill is blue ribbon Liberal policy: We are reducing red tape for small business and letting people get on with the job of earning a dollar and looking after their families.

More than 96 per cent of New South Wales businesses are small businesses, which employ more than 50 per cent of the workforce. Indeed, this policy is very close to my heart and I support it wholeheartedly. Businesses established around these licensed occupations are often very small and, in the case of tradespeople like electricians and plumbers, frequently the licensee undertakes the work while the spouse looks after the administration of the business. Although there is absolutely no suggestion that the occupations will be deregulated, this bill is a move in the right direction. It does not make sense to duplicate and pay twice for different licences to do the same job. Time spent on administration will be vastly reduced, which in itself will assist small businesses.

The automatic mutual recognition policy is aimed especially at border and regional communities. It will be most effective during times of natural disasters. We have seen in the past with the floods in Queensland the high demand for tradespeople. Economic growth may not be occurring in New South Wales at that particular time so people will cross the border to work for a few months. This policy will streamline the process and make it easier, particularly during times of natural disaster such as cyclones, bushfires and floods, for a mass of tradespeople to cross the border without encountering licensing discrepancies. I am pleased that Parliament is considering this bill, which is about reducing red tape. I hope the Government will continue to monitor other policies that will have similar results, reducing costs for business and streamlining processes. I thank the Minister for introducing this great bill. It is a targeted response to an economic need to streamline regulation. On that note, I commend the bill to the House.

Mr BRUCE NOTLEY-SMITH (Coogee) [12.04 p.m.]: I speak in support of the Mutual Recognition (Automatic Licensed Occupations Recognition) Bill 2014. The bill provides for the automatic recognition of licensing of certain occupations in other jurisdictions and for other purposes. It is a proportionate and targeted response to an economic need to streamline regulation, which is what this Government is all about—cutting through red tape and streamlining burdensome regulation, particularly for small business. A dramatic illustration of the need for this policy can be seen when one considers where people live and their proximity to a border. Considering New South Wales and Queensland border communities, Australia's sixth-largest city is the Gold Coast, and adjacent areas in New South Wales provide a complementary environment for that conurbation. The Australian Capital Territory is located entirely within the borders of New South Wales, meaning that the economies of both are integrated. Several large communities can be found along the border with Victoria and small businesses in Albury-Wodonga, Wagga Wagga, Wentworth, Mildura and other Murray River communities will all benefit from this legislation.

For these reasons Queensland and New South Wales are both committed to resolving the question of how licensed occupations can become more mobile. This model of automatic mutual recognition is based on the Queensland model of external licence recognition in its Electricity Safety Act. It is a forerunner to the model that New South Wales has adopted. Under this model the licence to carry out a regulated occupation becomes portable. It applies to the actual individual with the skills not to an entity such as a corporation. In this way, a line of sight is maintained over who does the work. There can be no hiding who is undertaking the regulated work. The law of New South Wales applies to a licence that is recognised under this policy in the regulation. The person working under the automatically recognised licence can be disciplined in the same way as can a New South Wales licensee. Enforcement action can be taken if necessary. If disciplinary or enforcement action is taken, New South Wales must report this to the interstate authority that issued the licence.

Conversely, a power has been provided so that if such an action is taken against the New South Wales licensee, the information that is reported about the disciplinary or enforcement action may be entered on the public register. This will provide a much more fulsome history of a licensee. Fair Trading intended to make it easy for interstate parties to access interstate public registers of licences that are part of this automatic recognition scheme by providing links from its website. Information and assistance will be provided by stakeholders to the Cross-Border Commissioner, the Small Business Commissioner of New South Wales and the New South Wales Fair Trading Commission to make sure that parties get the maximum benefit and advantages from this policy.

More than 96 per cent of New South Wales businesses are small businesses, which employ more than 50 per cent of our workforce. In these enterprises there are fewer than 20 employees. Businesses established around licensed occupations are often very small. In the case of electricians and plumbers—and my grandfather was an electrician and my great-great-grandfather was a plumber—frequently it is the licensee who undertakes the work and the spouse who looks after the administration of the business. Whilst there is absolutely no suggestion that these occupations will be deregulated, it will make a big difference to pay only a single licence fee to a licensing authority with jurisdiction over their principal place of residence. Administration ties down small business people; it is a burden we have to work continually to relieve so that time spent on administration is vastly reduced, which in itself will assist all small businesses.

The automatic mutual recognition policy is aimed at border communities and regional communities. The policy will also support a natural disaster response by facilitating licensed tradespeople attending the location quickly, without having to register or take out a duplicate licence issued by the jurisdiction in which the emergency is located. We have seen disasters in the form of tropical cyclones, floods and bushfires. The bill introduced in the other place proposed removal of other licence costs. For a three-year licence renewal, a New South Wales refrigeration and air-conditioning mechanic would save \$480 as an individual, \$730 as a partnership, and \$860 as a corporation. That is a significant saving.

Sadly, amendments to the bill removed the provisions that repeal this redundant New South Wales licence. For builders and swimming pool builders, the original bill would have repealed unnecessary continuing professional development costs. The Housing Industry Association has estimated that continuing professional development costs a builder between \$100 and \$500 annually. Only New South Wales has imposed this requirement on builders and swimming pool builders, which amounts to another cost unknown to their peers over the border. The New South Wales Government intended to allow licensed builders to choose how and when they developed their skills, according to their business needs. However, members in the other place decided to maintain this pointless red tape. I commend the bill to the House.

[Business interrupted.]

DISTINGUISHED VISITORS

ACTING-SPEAKER (Mr Lee Evans): Order! I welcome to the Speaker's gallery Mr Gordon Tse and Madam Ling Lee from Guangzhou province. They are visiting to attend the address by the Governor of Guangzhou on Friday. Gordon's son Jason is married to the Governor's daughter. Welcome to the Parliament of New South Wales.

MUTUAL RECOGNITION (AUTOMATIC LICENSED OCCUPATIONS RECOGNITION) BILL 2014

Second Reading

[Business resumed.]

Mr ANDREW ROHAN (Smithfield) [12.11 p.m.]: I speak in support of the Mutual Recognition (Automatic Licensed Occupations Recognition) Bill 2014, which aims to cut red tape concerning individuals such as tradies, especially those living or working near a State border. The bill incorporates and fast-tracks a number of Independent Pricing and Regulatory Tribunal [IPART] recommendations from the "Draft Report: Reforming licensing in New South Wales". It is part of the Department of Fair Trading's target to reduce red tape by 20 per cent by next June.

The bill provides for automatic recognition of licensing of certain regulated occupations, such as electricians or plumbers. This effectively deems specified types of licences issued in another State or Territory

to be equivalent to a local licence issued in New South Wales. This specifically benefits border communities and regional communities within and outside New South Wales, including the Gold Coast and Tweed Heads on the New South Wales-Queensland border. Importantly, it will affect work coming in and going out of the Australian Capital Territory—which is, of course, an enclave within the boundaries of New South Wales. It will also affect New South Wales regional communities such as Albury on the New South Wales-Victorian boundary.

Most importantly, however, is the direct benefit for small businesses, which represent 96 per cent of all businesses in New South Wales. These businesses account for about 50 per cent of the New South Wales workforce, and most are cottage-type operations and family-based businesses run by individuals and their spouses. The amendments in this bill will provide significant time and monetary savings to such individuals. They will also enhance labour mobility, which will have a flow-on effect on competition, thereby benefiting consumers. Small business operators are experiencing hard times and working hard to stay solvent, and that is why I will always support them in any way to make their lives easier.

The bill enables the law of New South Wales to apply to licences recognised under this policy in the regulations. Individuals holding licences automatically recognised will be disciplined and subject to enforcement actions in same way as New South Wales licensees. There is also a requirement for New South Wales to report to the relevant authority in the issuing jurisdiction, and vice versa. This means an increase in transparency through a recorded and publicly accessible history of disciplinary or enforcement action, with public registers available in New South Wales and in other States and Territories. This further enables consumers and enforcement authorities to trace who is responsible for the work.

The bill adopts IPART's recommendations. It delivers on a previous bill that originally sought to remove several redundant licence cost structures. It seeks to remove the redundant refrigeration and air-conditioning mechanic licence, which presents a saving of \$16.5 million for industry and up to \$860 on licensing fees for tradies. The position for consumers will remain the same, as they continue to use Commonwealth-licensed fridge and air-conditioning mechanics. Under the bill, builders and swimming pool builders will enjoy a cost saving of between \$100 and \$500 per year, and the industry will save about \$8 million, based on the bill's removal of the mandatory continuing professional development requirements. This will align New South Wales with all other States and Territories.

There are no suggestions that the occupations that this bill covers will be deregulated, but paying a single licence fee to the licensing authority will simplify processes for many small businesses, which are the lifeblood of this State's economy. Furthermore, consumer protection provisions under the Australian Consumer Law will ensure that consumers get what they pay for. Residents of Smithfield can expect to benefit from this bill, despite it focusing on border communities, as some major building and electrical works are carried out in the electorate. This is a common-sense and long overdue bill. I commend the Minister for Fair Trading, the Hon. Matthew Mason-Cox, in the other place for his diligent and timely delivery of this critical piece of legislation. I commend the bill to the House.

Dr GEOFF LEE (Parramatta) [12.18 p.m.]: I support the Mutual Recognition (Automatic Licensed Occupations Recognition) Bill 2014. It is not my intention to reiterate previous contributions to this debate by members representing the electorates of Smithfield, Tweed and Granville. They were exemplary in their articulation of the reasons that this is a good bill. It makes a lot of sense. It is about licensing and providing automatic mutual recognition of certain occupational licences issued in other jurisdictions. I will not reiterate the arguments of previous speakers in this debate; I want to talk about cross-border labour mobility. This bill goes to the heart of cross-border labour mobility. It is an important issue for not only New South Wales but the whole country.

This bill addresses issues with New Zealand—our little brothers and sisters. We quite like New Zealanders; it would be wonderful to see New Zealand become part of Australia. Cross-border labour mobility is important because the current situation costs businesses a lot of money through an increased burden of licensing between States. This bill will improve efficiency for contractors working between States. It is about delivering efficiencies and reducing red tape. The Baird Government is about improving the efficiency of and operational conditions for small business. As members know, small businesses are particularly important.

We have approximately 650,000 small businesses in New South Wales, which are making a valuable contribution not only to employment but also through innovation. Parramatta has 16,000 small businesses in its central business district. Many of them involve fewer than four people, so they could be characterised as

microbusinesses. Many tradespeople are also involved in microbusinesses. Cross-border labour mobility is particularly important as the Baird Government delivers \$62 billion worth of infrastructure projects over the next four years. I am proud that the electorate of Parramatta has been the recipient of some of that infrastructure funding.

Mr Geoff Provest: That is the result of your hard work.

Dr GEOFF LEE: I acknowledge that interjection from the member for Tweed and I thank him for his support. This is about the Baird Government delivering for Parramatta. The State budget allocated more than \$1 billion to my electorate and I know that the people of Parramatta appreciate the \$400 million that will be spent on the light rail project. Because these projects are large they will require tradespeople. It is fine if they come from other States as long as we can minimise costs and maximise efficiency while delivering projects on time. I commend Minister Berejiklian for delivering the South West Rail Link a year early and \$300 million under budget.

Mr Mark Coure: How much?

Dr GEOFF LEE: It was delivered \$300 million under budget. I know that the member for Oatley is a big supporter of the Minister. That efficiency is notable because it will allow us to build a light rail service in Parramatta. It is sad that Labor opposes that project, but the people of Parramatta love it. In fact, I think it is a game changer because it will connect the 50,000 workers in the area to their jobs in the central business district, which is predicted to grow to employ 100,000 workers over the next 20 years. That is why I call it the capital of Western Sydney. As members know, Parramatta is in the eastern suburbs of Western Sydney and it offers employment opportunities that are not always accessible unless people live in the central business district.

The budget allocated \$398 million for the commencement of the WestConnex project and it will start in Parramatta. It is important because it will provide four lanes in each direction from Church Street to Concord and alleviate congestion. That project is the start of the Baird Government's vision to address congestion. I am sure members are aware of the benefits that it will deliver for people in Western Sydney, and especially in Parramatta. The time it takes to travel from Parramatta to the airport will be reduced by 40 minutes and motorists will be able to avoid 52 sets of traffic lights. It will open up Parramatta because people will be able to fly into the international airport at Mascot and within 25 to 30 minutes they will be in Parramatta. That will help the local area because more businesses will want to establish their head office in Parramatta as they will have efficient transport to and from the international gateway. That is particularly important because we must create more jobs in Western Sydney.

About a year ago I was delighted when the then Premier announced the creation of 3,000 extra jobs in Western Sydney with the decentralisation of the public service. At least 1,300 of those jobs will be created in Parramatta. The Office of Environment and Heritage is one government department that is making the move, and those workers will need accommodation. We are looking at erecting a new building covering 25,000 square metres and the tradespeople required for that project may come from interstate. Of course, this economic activity in Parramatta is a catalyst for creating other jobs. Mr Acting-Speaker, I know that you are a big fan of the principles of agglomeration. Those principles will change as we move more and more public servants from expensive real estate in the Sydney central business district to more cost-effective real estate in Parramatta. We get three-star office accommodation in the city for about \$450 a square metre and for the same amount we can secure five-star accommodation in Parramatta.

Parramatta offers not only employment but also a wide range of night-time activities. We have Eat Street, Little India, the sporting precinct, a racecourse and many other attractions. Parramatta offers sensational activities. People can not only work in the central business district but also live close by. We want to create job centres and provide people with accommodation within 30 minutes travelling time, and Parramatta certainly offers that. I commend the University of Western Sydney for erecting a new 25,000 square metre building that will bring 10,000 students into the city, 5,000 of whom will be from overseas. All of this building activity will require qualified tradespeople.

We must erect the right, cost-effective, high-standard buildings. At last count, we had 33 projects in the planning stage or commenced, which represents about \$8 billion worth of work. That is why Parramatta is the capital of Western Sydney. Members are overjoyed; I see them nodding in furious agreement that Parramatta is the capital of Western Sydney. I am a big fan of the three-cities strategy, which will see Parramatta, Penrith and Liverpool developed as the economic and employment hub of Western Sydney. The member for Smithfield has a huge manufacturing and industrial base in his electorate, employing 3,000 people.

Mr Andrew Rohan: No, there are 3,000 businesses.

Dr GEOFF LEE: That is even better. That is the heart and soul of the area. Greater Western Sydney is the manufacturing powerhouse of New South Wales. I commend the member for Smithfield for his great stewardship of his community. This bill represents common sense and addresses cross-border labour mobility. It will be welcomed by all businesses as this Government lowers their costs and reduces red tape.

Mr CHRISTOPHER GULAPTIS (Clarence) [12.28 p.m.]: I take great pleasure in supporting the Mutual Recognition (Automatic Licensed Occupations Recognition) Bill 2014. I thank the Minister for Fair Trading for drafting this common-sense, long-overdue bill. I am sure the points raised by the member for Parramatta will be considered when the Minister contemplates any amendments. The contribution by the member for Parramatta was illuminating, and I can understand his and his constituents' concerns about the situation this bill addresses. The object of the bill is to provide for the automatic recognition of licensing of certain occupations in other jurisdictions and for other purposes. In 2009 I travelled to Queensland to work as a surveyor registered to undertake cadastral surveys in New South Wales but I could not do that work in that State.

When I worked in Mackay as a surveyor I was required to have reciprocal recognition for my registration, so I applied to the Queensland Surveyors Board for accreditation in order to undertake surveys in Queensland. It is an onerous exercise as the standards and surveying techniques vary from State to State. It would be more effective if standards were standardised across Australia. It is difficult to standardise certain professions, but for the industries this bill focuses on it will make an enormous difference. The Clarence electorate, which is not far from the Queensland border, has a number of cross-border issues as Brisbane is much closer to it than Sydney.

Many tradespeople in my electorate work over the border, particularly during difficult times in New South Wales. During the 16 years under the previous Labor Government, when regional New South Wales completely collapsed as the Government's focus was on Sydney, Newcastle and Wollongong, we had to go elsewhere for employment. That is what I and other tradespeople had to do. As mentioned, during times of natural disasters when there is a need for tradespeople to travel interstate to undertake immediate repair works in disaster areas, it is critical that licences and credentials are recognised so they can undertake repair works posthaste.

The provisions in this bill will particularly benefit small business, the prevalent employer in New South Wales. Approximately 96 per cent of New South Wales businesses are small and they employ more than 50 per cent of the workforce. These enterprises often have fewer than 20 employees. Small businesses are prevalent in my electorate of Clarence and in regional New South Wales. Businesses established around licensed occupations are often very small businesses. In the case of electricians and plumbers, for example, frequently it is the licensee who undertakes the work and the spouse who looks after the administration of the business.

While there is absolutely no suggestion that these occupations will be deregulated, it will make a big difference to pay only a single licence fee to the licensing authority with jurisdiction over the principal place of residence. That is a critical factor. Time for administration will be vastly reduced and that in itself will assist small businesses. In addition, the automatic mutual recognition policy is aimed at border and regional communities, as the member for Tweed and the member for Albury stated earlier. I am familiar with the Tweed and I am aware that when I cross the road I cross the border from Tweed Heads to Coolangatta and move into a very different world.

Mr Ryan Park: It's a bit slower; not into daylight savings.

Mr CHRISTOPHER GULAPTIS: It is certainly a bit slower and, as the member for Keira pointed out, it is not into daylight savings. As a consequence the curtains of people living in Queensland have not faded. The policy will also support a natural disaster response by facilitating licensed tradespeople to get to the location quickly without having to register or take out a duplicate licence issued by the jurisdiction in which the emergency has occurred. There have been disasters in the form of tropical cyclones, floods and bushfires, including the south-east low that hit northern New South Wales and south-east Queensland a couple of years ago. There was widespread devastation from Bundaberg in Queensland to the mid-north coast of New South Wales. Tradespeople from both New South Wales and Queensland crossed the border to assist people whose properties had been ravaged by that natural disaster.

The bill will remove other costs for licensees. A New South Wales refrigeration and air-conditioning mechanic will no longer pay fees for a New South Wales refrigeration licence. Under the bill this will save an individual \$480, a partnership \$730 and a corporation \$860 for a three-year renewal fee—a significant saving considering that New South Wales consumers will still be using a Commonwealth-licensed refrigeration and air-conditioning mechanic. For small businesses the requirements will be simplified. For builders and swimming pool builders there are savings because the mandatory continuing professional development requirement is being repealed. The Housing Industry Association has estimated that continuing professional development costs a builder between \$100 and \$500 annually.

Only New South Wales has imposed this requirement on its builders and swimming pool builders, amounting to another cost not known to their peers over the border. Licensed businesses no longer will be obliged to spend time and money on further education, which they may not require at the time. They can choose how and when they keep up to date based on their business needs. Under Australian Consumer Law consumers are entitled to get the services they pay for and businesses are obliged to fulfil those promises. A mandatory education requirement is irrelevant in the context of the general and pervasive law. I congratulate the Minister for Fair Trading on introducing this bill. It simplifies the licensing regulations in New South Wales, cuts red tape and makes running a business simpler for small business operators. This is good legislation and tradespeople in my electorate and other border communities will recognise its benefits. I commend the bill to the House.

[Business interrupted.]

DISTINGUISHED VISITOR

ACTING-SPEAKER (Mr Lee Evans): Order! I draw the attention of members to the presence in the gallery of the Ambassador of the Republic of Kosovo in Australia, Dr Sabri Kiqmari. Welcome to the New South Wales Parliament.

MUTUAL RECOGNITION (AUTOMATIC LICENSED OCCUPATIONS RECOGNITION) BILL 2014

Second Reading

[Business resumed.]

Mr MARK SPEAKMAN (Cronulla—Parliamentary Secretary) [12.38 p.m.]: I am delighted to support the Mutual Recognition (Automatic Licenced Occupations Recognition) Bill 2014. In December last year a decision was made by the Council of Australian Governments [COAG] not to continue with a proposed national occupational licensing system. Instead COAG announced that the States would work to develop alternative options to national licensing. The model set out in this bill makes good on that announcement in New South Wales. The bill will commence upon proclamation. It will provide for the automatic mutual recognition of particular occupational licences issued in other jurisdictions so that someone who holds a recognised licence will be deemed to hold the equivalent New South Wales licence. The deemed local licences will be prescribed in a regulation. The initial intention is to apply this to Queensland electrical mechanics and Australian Capital Territory unrestricted electricians.

The bill will require a New South Wales licensing authority to notify the relevant interstate licensing authority of any disciplinary action or enforcement action taken by a New South Wales licensing authority regarding a deemed local licence. The bill will provide for particulars about disciplinary and enforcement action taken in another jurisdiction against a New South Wales licence holder to be recorded in a relevant register kept by a New South Wales licensing authority. The bill will remove the requirement that people who carry out refrigeration work or air-conditioning work hold a specific refrigeration or air-conditioning authority for specialist work under the Home Building Act 1989.

The current New South Wales licence duplicates the applicable Commonwealth licence, which a refrigeration mechanic must also hold. Instead the bill will create a new category of specialist electrical wiring work that applies only to the disconnection and reconnection of refrigeration or air-conditioning equipment that is fixed electrical equipment. The bill also will remove mandatory continuing professional development obligations for the holders of contractor licences, supervisor certificates and tradesperson certificates issued under the Home Building Act 1989. The bill will provide for a regulation-making power to deem a recognised licence under the law of another jurisdiction held by an individual whose principal place of residence is in that other jurisdiction as a local licence.

I turn now to the provisions of the bill. Clause 4 relates to a recognised licence being a deemed local licence. The clause provides that a person who holds a recognised licence under the law of another jurisdiction is deemed to hold the local licence—to be known as a deemed local licence—that is prescribed by the regulations as equivalent to that recognised licence, but only if the person's principal place of residence is in that other jurisdiction. Clause 5 provides that a person who holds a deemed local licence is taken to hold the local licence for the purposes of the laws of New South Wales except any provision of such a law that is prescribed by the regulations as not applying to a deemed local licence holder, either generally or in specified circumstances.

Clause 6 provides that a person will not hold a deemed local licence under the proposed Act if the person is disqualified in New South Wales from holding or applying for the local licence concerned. Clause 7 provides that the suspension in another jurisdiction of a recognised licence issued in that jurisdiction will operate to suspend the deemed local licence that is equivalent to that recognised licence. Clause 8 provides that if a person's recognised licence in another jurisdiction is subject to a condition or limitation, the person's deemed local licence in New South Wales will be taken to be subject to the same condition or limitation.

Clause 9 provides for arrangements between local and interstate licensing authorities for the purposes of establishing a shared register and for other purposes. Part 3 of the bill deals with disciplinary and enforcement action. Clause 11 provides that a local licensing authority must notify the appropriate interstate licensing authority of any disciplinary action or enforcement action taken by the local licensing authority against a person in respect of a deemed local licence held by the person. Clause 12 contains provisions for the recording of particulars about disciplinary and enforcement action in another jurisdiction. Clause 13 in part 4 of the bill contains the regulation-making power.

Clause 14 deals with a review of the Act. If the bill is enacted, the Minister is to review the Act to determine whether the policy objectives of the Act remain valid and whether the terms of the Act remain appropriate for securing those objectives. The review is to be undertaken as soon as possible after a period of five years from the date of assent and a report on the outcome of the review is to be tabled in both Houses of Parliament within 12 months after the end of the five-year period. The bill will have an important impact on those who operate businesses near borders. This Government has made a commitment to remove unnecessary red tape in border areas such as the Tweed electorate, represented by the Parliamentary Secretary, who is currently in the Chamber.

Mr Ryan Park: Sixty-five per cent for the Tweed.

Mr Geoff Provost: One hundred per cent for the Tweed.

Mr MARK SPEAKMAN: The bill will be particularly beneficial to small business. Approximately 96 per cent of businesses in New South Wales are small businesses and they employ more than half the workforce. If Labor had its way, those small businesses would be even smaller, but that is another matter. Businesses established around licensed occupations are often very small businesses. For example, in the case of electricians and plumbers, often it is the licensee who undertakes the work and the spouse who looks after the administration of the business. It is important to note that there is no suggestion that these occupations will be deregulated. Rather, the bill will make a huge difference to these small businesses because they will pay only a single licence fee to a licensing authority with jurisdiction over their principal place of residence.

There will be a vast reduction in administration time. For border communities the policy will, for example, enable a faster natural disaster response because it will help licensed tradespeople to get to the location quickly without having to register or take out a duplicate licence issued by the jurisdiction in which the emergency is occurring—and we have seen many disasters with cyclones, floods and fires. The bill removes other costs for licensees. A New South Wales refrigeration and air-conditioning mechanic no longer will have to pay for a New South Wales refrigeration licence. For a three-year renewal that will save \$480 for an individual, \$730 for a partnership and \$860 for a corporation.

Requirements for small business will be simplified. For example, there will be savings for swimming pool builders because the mandatory continuing professional development requirement is being repealed. The Housing Industry Association estimates that the continuing professional development requirement costs the builder between \$100 and \$500 annually. This bill is driven by a commitment to reducing red tape, not only in border or regional communities but also across New South Wales, and especially in border areas such as the Tweed and Queanbeyan, and it should save a significant amount of money.

When the national occupational licensing system proposal was on foot, decision regulation impact statements were commissioned in relation to refrigeration and air-conditioning occupations, and those impact statements suggested there was a benefit of \$16.5 million in net present value for New South Wales by abandoning a duplicative licence in favour of the Commonwealth licence. There are significant costs savings not only for those engaged in these occupations but also for consumers, who in competitive markets will have these costs savings passed through in the form of lower charges. This is all about taking the burden off small businesses in particular and reducing red tape, which is sensible and long overdue. I commend the bill to the House.

Mr MARK COURE (Oatley) [12.48 p.m.]: It is a great honour to speak on behalf of the Government in debate on the Mutual Recognition (Automatic Licensed Occupations Recognition) Bill 2014. The bill provides for the automatic recognition of the licensing of certain occupations in other jurisdictions, such as other States and Territories, including New Zealand. Speaking to my parliamentary colleague the member for Tweed—

Mr Stephen Bromhead: One hundred per cent for the Tweed.

Mr MARK COURE: One hundred per cent for the Tweed, not 65 per cent as the member for Keira said. It will be a huge win for businesses in the Tweed electorate, on the Queensland border, in Albury-Wodonga, in the Australian Capital Territory, in Tamworth and all over the State. At a time when we have the information superhighway people have businesses on websites.

Mr Ryan Park: NBN if you are lucky; Google.

Mr MARK COURE: People have home-based businesses on websites, for example. One could be in Hurstville, for example, and conduct businesses in other States and Territories. It is a huge benefit. The bill is common-sense legislation. Surprisingly, it has taken 16 years or more to get something like this through Parliament. I will not ask the member for Tweed why it has taken so long, because it is common sense. These days the licensing requirements for many businesses can take forever, particularly with professional development points and other licensing requirements for business. One must double handle it. For example, a plumber with a business in Tweed—or, for that matter, a mortgage broker, accountant or a similar profession—must get more than one licence. Of course, that involves more paperwork, red tape, licensing costs and professional development points for a struggling small business. The Government has the right to support small business, to give them that leg up and not pull them down.

Mr Ryan Park: Hand up, not a hand down.

Mr MARK COURE: This is common-sense legislation. It is good to see the member for Keira and all his friends on the other side—

Mr Ryan Park: These are the numbers I've got. Look at them all.

Mr MARK COURE: It is the numbers the member for Keira has to strike for the leadership. This legislation is about supporting small, medium and large businesses. At the end of the day, if we are helping them they are helping the economy by employing more people. It is as simple as that. The Liberal-Nationals Government's commitment to those communities resulted in the inaugural appointment of the Cross-Border Commissioner, Mr Steve Toms, recently. The New South Wales Government wants to ensure that all regional communities—not only regional communities but all communities—are treated fairly and that the complex issues facing towns and regions located close to States and Territories are resolved and communities are given a clear and effective voice.

The difficulties arising from a requirement to hold two licences for the same work are a matter of concern to the Government. The automatic mutual recognition policy is a common-sense policy that will make a huge difference to regulated occupations located on borders. The reality of a border has brought up practical difficulties for people doing business in two jurisdictions. I gave as examples Tweed, Canberra and Albury-Wodonga. Border communities are a single economy and the impact of regulation needs to be acknowledged and tailored to those special conditions and circumstances. The bill is designed with the needs of cross-border communities, of helping small, medium and large enterprises, front of mind.

The policies in this bill resolve many of the practical difficulties that the Cross-Border Commissioner has encountered first-hand in the way States regulate occupations. The removal of a requirement for two

licences for me, the member for Tweed and all Government members—we are a party of small business—makes sense. That means that a barrier for tradespeople is dismantled and it improves their capacity to do business. While the Government is helping tradespeople to do business, they are helping the economy by employing more people. I come from a family of tradespeople. My dad, my brother and my cousin are cabinet-makers.

Mr Ryan Park: You are a coffin maker.

Mr MARK COURE: The member for Keira should leave the comedy to me. The only person in the family who is not a cabinet-maker is me. But that is okay.

Mr Ryan Park: Are you allowed two jobs over your end?

Mr MARK COURE: Yes, that is very true. I give that one to the member for Keira. It means that the barrier for tradespeople is dismantled and it helps them employ people. It is as simple as that. By employing more people, they are paying their fair share of tax, which is then helping the Government to get on with the job of building more hospitals, freeways and roads, and upgrading schools. The enshrining of the principle that one licence is significant regulation for an occupation will reduce costs for tradespeople across New South Wales and in regional communities in particular. As much as I would love to talk for another 30 minutes on this bill, I have only three minutes remaining. The provisions in this bill will particularly benefit small business. As we all know, 96 per cent of New South Wales businesses are small businesses. Many of them are also home-based businesses, for example, and they employ more than 50 per cent of the workforce.

In these enterprises there are fewer than 20 employees and businesses established around licenced occupations are often very small businesses, family based businesses just like our family's cabinet-making firm. In the case of electricians and plumbers, for example, frequently it is the licensee who undertakes the work and the spouse looks after the administration of the business, for example, the books. While there is absolutely no suggestion that these occupations will be deregulated, it will make a big difference to pay only a single licence fee as opposed to licence fees in New South Wales and Queensland and, if one lives in Albury Wodonga, separate licence fees in New South Wales and Victoria and the Australian Capital Territory.

I am amazed that it has taken so long for this common-sense bill to reach us. This is a boost to small business and enables them to employ more and save more, and it cuts red tape. The bill that was introduced in the other place had also proposed to remove other costs for licensees. It would have removed the refrigeration and air-conditioning licence so that tradies would have been able to save for that three-year renewal—a saving of \$480 for an individual, \$730 for a partnership and \$860 for a corporation; a significant saving considering that New South Wales consumers would still be using a Commonwealth licensed refrigeration and air-conditioning mechanic.

Sadly, the amendments made to the bill have removed the provisions that would have repealed this redundant New South Wales licence. For builders and swimming pool builders, the original bill would have repealed unnecessary continuing professional development costs. It is a big win. The New South Wales Government intends to give back those licensed businesses the choice about how they will keep up to date based on their business needs. However, members in the other place decided to maintain this pointless red tape. Overall, the bill is common-sense legislation. It is a big win for small businesses not only in the electorates I mentioned but also throughout New South Wales. With the power of the information super-highway and the internet, it enables people to do business throughout the world. So it is a big win from my point of view.

Mr KEVIN ANDERSON (Tamworth) [12.58 p.m.]: I support the Mutual Recognition (Automatic Licensed Occupations Recognition) Bill 2014. The bill provides for the automatic mutual recognition of certain occupational licences issued in other jurisdictions so that an individual who holds a recognised licence will be deemed to hold the equivalent New South Wales licence. The bill also repeals the requirement for a New South Wales refrigeration and air-conditioning licence and mandatory continuation of professional development for licenced builders, both residential and swimming pool builders. We took this proposal to the people of New South Wales in the 2011 election. It is part of a broad range of common-sense sweeping reforms. In the past 3½ years we have seen a number of reforms across departments, agencies and portfolios. Today I am pleased to support this bill, which will make it easier for people to do business.

People like to run a business because they want to do a job that they love rather than being tied up in bureaucratic red tape. I talk to small businesses in the Tamworth electorate. As a former director of the Tamworth and District Chamber of Commerce, I spoke frequently about reducing red tape in order to make it

easier for businesses to open their doors, turn on their lights, employ others and grow their business, and part of that is about their bottom line and their budgets. Often business owners are the last to be paid. In the formative years of a business, owners will take what is left after paying their staff and their bills. They are on struggle street trying to make a quid.

This bill will assist business owners by allowing cross-border tenure in relation to licences with other jurisdictions such as Queensland and will save them money by removing licence costs. For example, refrigeration and air-conditioning mechanics will no longer pay fees for a New South Wales refrigeration licence. That will save the cost of a three-year renewal licence for an individual, \$450; for a partnership, \$730; and for a corporation, \$860. It will be a significant saving, given that New South Wales consumers will still be using a Commonwealth-licensed refrigeration and air-conditioning mechanic. For small business the requirements will be simplified. This Government aims to make it easier for business owners to operate and to make a living.

Builders and swimming pools builders will make savings because the mandatory continuing professional development requirement will be repealed. The Housing Industry Association has estimated that the continuing professional development requirement costs a builder between \$100 and \$500 annually. If we look at an accumulation of costs, approximately \$1,500 worth of red tape has been removed. In 2011 and subsequently this Government has talked about repealing bureaucratic red tape. It is great see it coming to fruition. I thank the Minister for Fair Trading, who is doing a fantastic job.

Mr Ryan Park: Allegedly.

Ms Tania Mihailuk: He doesn't think so.

Mr KEVIN ANDERSON: I note and appreciate the support of those opposite who recognise that the Minister is doing a great job. Those licensed builders will no longer be obligated to spend time and money on further education which they may not require at the time. The removal of red tape affects not only the financial component but also the time component, and time is money. Less time spent on red tape and licences they no longer need will allow businesses to do what they do best. Those licensed businesses will no longer be obligated to spend time and money on further education which they may not require at the time. It will be their choice as to how and when they do so based on their business needs. Under Australian Consumer Law consumers are entitled to get the services they pay for and businesses are obliged to fulfil those promises. A mandatory education requirement is irrelevant in the context of general and persuasive law. It may not be relevant to a person carrying out their role. I am pleased that this has been recognised because it will ease the cost of compliance.

I also stress that while there is no suggestion that these occupations will be deregulated, the payment of a single licence fee to the licensing authority with jurisdiction over their principal place of residence will be of great benefit to businesses. Time for administration will be vastly reduced which, in itself, assists small businesses. The automatic mutual recognition policy is especially aimed at border communities and regional communities. Many tradespeople will travel across borders to work, from Queensland to the Tweed or from Victoria into New South Wales. They will travel even further if work is available. I know single tradespeople who like working in country locations who will travel from Queensland to Tamworth, which is a great place. I invite all my colleagues to come to Tamworth and experience this great region.

Mr Stuart Ayres: It is a great spot.

Mr KEVIN ANDERSON: I acknowledge the kind interjection by the Minister for Police and Emergency Services, who was recently in Tamworth to announce a Dog Unit in the Oxley Local Area Command. I thank the Minister, who is adding more resources for police in that command and in his capacity as Minister for Sport and Recreation announced in the order of \$75,000 for a number of great sporting organisations. I will return to the leave of the bill. Tradespeople will be able to work in different States because this bill removes costs for licences. This is a common-sense bill. The Minister for Fair Trading has introduced this bill to allow businesses to do what they do best: get out there, have a fair go, make a quid and provide the high-quality services that are needed in our regions. I commend the bill to the House.

Ms MELANIE GIBBONS (Menai) [1.08 p.m.]: I support the Mutual Recognition (Automatic Licensed Occupations Recognition) Bill 2014. The purpose of this bill is to ensure that people who live in communities that are close to two borders within Australia are not disadvantaged in any way by differences in

legislation. For many years local communities close to borders have experienced difficulties due to differences in legislation on opposite sides of the border. The commitment of the Liberal-Nationals Government to those communities resulted in the inaugural appointment of the Cross-Border Commissioner Mr Steve Toms. The commissioner has been working as an advocate for cross-border issues. He has been travelling to affected communities and meeting with businesspeople and residents to ensure that he has a strong understanding of their concerns and that they have been reported.

This is an important bill to many businesspeople, such as electricians and plumbers, where the licensee predominately undertakes the work and their spouse or partner often undertakes the administration and supports them. Currently we are asking these small businesses to have a number of licenses if they want to work across borders. They need a licence in the State in which they predominately reside and either a Commonwealth licence or a further State licence to be able to operate across the border. There is a monetary cost to those licences but also another cost that is hard to account for, that is, the time it takes to complete the paperwork and to make sure that the correct licences are being used. The Liberal-Nationals Government is not suggesting that we get rid of the licensing system but rather that we make changes to it to help those who are currently being disadvantaged by living near a border.

We believe that licensees should only have to obtain a licence in the State in which they predominantly live. Natural disaster responses will be supported by allowing licensed tradespeople to quickly undertake work in the affected location without having to register or take out a duplicate licence in the jurisdiction where the work is needed. This includes responses to tropical cyclones, bushfires and floods, which, unfortunately, we regularly see in Australia. This will make response times much faster. It will remove much of the paperwork, red tape and costs for those heading to the area to help.

The removal of the requirement for two licences in border towns means that the barrier for tradespeople is dismantled; it improves their capacity to do business and to serve their customers. This bill is necessary because of the nature of business in Australia. For example, the Australian Capital Territory resides wholly within New South Wales, making the two economies interdependent. However, anyone who wishes to work on either side of the border currently requires two different licences. Tradespeople who live in towns such as Tweed Heads or Murwillumbah are affected as they need different licences to work on either side of the border. The Gold Coast is Australia's six largest city, and people from Tweed Heads and Murwillumbah will benefit from this bill by having the ease of being able to do business under one licence across either side of the border.

The DEPUTY-SPEAKER (Mr Thomas George): Order! There is too much audible conversation in the Chamber. Members who wish to have private conversations should leave the Chamber so that Hansard can hear the debate.

Ms MELANIE GIBBONS: The same applies for small businesses located in Albury-Wodonga, Wagga Wagga, Wentworth, Mildura and other Murray River communities near the New South Wales-Victorian border. They will all benefit from this legislation. What makes it even harder for these border towns is that in many places there is nothing to show that someone has actually crossed the border. A tradesperson could be working in one house under a New South Wales licence but need another State's licence to undertake the same work in the house across the road. This makes things unnecessarily hard for our tradespeople and this bill aims to rectify this problem. I commend the bill to the House.

Debate adjourned on motion, by leave, by Mr Gareth Ward and set down as an order of the day for a later hour.

PARLIAMENTARY COMMITTEES

Membership

Motion by the Hon. ANTHONY ROBERTS agreed to:

- (1) (a) Christopher David Holstein be appointed to the Committee on the Independent Commission Against Corruption in place of Timothy Francis Owen, resigned;
- (b) Christopher David Holstein be appointed to the Committee on the Ombudsman, the Police Integrity Commission and the Crime Commission in place of Bart Edward Bassett, discharged;
- (c) Glenn Edward Brookes be appointed to the Legislation Review Committee in place of Garry Keith Edwards, discharged;

- (d) Andrew Baijan Rohan be appointed to the Joint Standing Committee on Road Safety in place of Darren James Webber, discharged; and
 - (e) A message be sent informing the Legislative Council.
- (2) Roza Eva Maria Sage be appointed to the Public Accounts Committee in place of Bart Edward Bassett, discharged.
 - (3) Geoffrey Lee be appointed to the Legislative Assembly Committee on Environment and Regulation in place of Christopher Stewart Patterson, discharged.
 - (4) Charles Casuscelli and Bryan Michael Doyle be appointed to the Legislative Assembly Committee on Law and Safety in place of Garry Keith Edwards and Christopher Edward Spence, discharged.
 - (5) Tanya Davies be appointed to the Legislative Assembly Committee on Transport and Infrastructure in place of Timothy Francis Owen, resigned.

Pursuant to sessional order community recognition statements proceeded with.

COMMUNITY RECOGNITION STATEMENTS

BROOKE YARNOLD 2013 TAREE SHOWGIRL

Mr STEPHEN BROMHEAD (Myall Lakes) [1.14 p.m.]: I inform the House that 22-year-old Killawarra resident Brooke Yarnold has recently completed her year in office as the 2013 Taree Showgirl. Brooke's decision to enter the competition stemmed from a strong family connection to the agricultural show and the Manning Valley. Dairying is on both sides of her family and they have a longstanding involvement in the show. During the year Brooke learned about communications, especially the art of public speaking. Prior to the showgirl event Brooke had never spoken in public or held a microphone. She describes her experience as skills she will use for the rest of her life.

SAINTS PETER AND PAUL CHURCH, CECIL PARK

Mr GUY ZANGARI (Fairfield) [1.14 p.m.]: On Saturday 13 September 2014 I had the pleasure of joining the local Assyrian community at the grand opening of the Saints Peter and Paul Church in Cecil Park. The official opening was conducted by His Eminence Mar Meelis Zaia, Metropolitan of Australia, New Zealand and Lebanon. Joining in with the community were Shaoquett Moselmane, MLC, Nick Lalich, MP, Andrew Rohan, MP, the Hon. Chris Bowen, MP, Councillor Ninos Khoshaba, religious leaders and community leaders. The Saints Peter and Paul Church is the first full English-speaking Assyrian church within New South Wales. The Holy Apostolic Catholic Assyrian Church of the East is focused on promoting Assyrian culture and traditions to young Australian Assyrians and non-Australian Assyrians. Saints Peter and Paul Church is a sandstone church that was built by local builders with the help of donations from other parishes in the region. I congratulate Reverend Father John Kushaba on his appointment as the inaugural parish priest. It is a fine choice.

CONSTANCE PEARL CATO 100TH BIRTHDAY

SYLVIA PEARL BARTER 100TH BIRTHDAY

Mr JOHN FLOWERS (Rockdale) [1.15 p.m.]: I congratulate in the Parliament one of my constituents, Ms Constance Pearl Cato of Sans Souci, on the occasion of her 100th birthday. Constance celebrated this special event on 13 July 2014. I wish her happiness and continued good health into the future. It is with great pleasure that I extend my congratulations in the Parliament to Mrs Sylvia Pearl Barter of Sandringham on reaching the milestone of her 100th birthday. Mrs Barter celebrated this special occasion on 21 August 2014. I wish her every happiness and good health into the future.

SPRING INTO CORRIMAL

Mr RYAN PARK (Keira) [1.16 p.m.]: It gives me great pleasure to talk about the Spring into Corrimal event, which was held in the beautiful northern suburbs of the Illawarra in the great electorate of Keira over the weekend and attended by 47,000 people. It was a big street meeting with many volunteers. I was pleased to see so many people from across the region, but particularly those from the electorate of Keira. I send my congratulations to the Corrimal Chamber of Commerce, President Paul Boulwood, and his team, on all their

hard work in putting on this wonderful festival. Congratulations also go to Sean and Rita Rapley, who won the Corrimal Citizen of the Year award. I thank also the sponsors, supporters and volunteers who made the day such a wonderful success. I thank as well all the families, friends and everyone who turned up to make Spring into Corrimal a terrific event.

ROD AND JO MADDEN, BIG RIVER DAIRY

Mr CHRISTOPHER GULAPTIS (Clarence) [1.17 p.m.]: I offer my congratulations to Rod and Jo Madden of Big River Dairy on their achievements since they started bottling their own milk on their dairy property at Southgate nine months ago. Recently their company was named Dairy Australia's Butter, Milk or Cream of Show Champion at the Royal Queensland Food and Wine Show. They were awarded two gold medals for their full cream homogenised milk and pure cream while their low fat and unhomogenised milk were awarded silver medals and their low fat caramel milk was awarded a bronze medal. The Maddens are to be congratulated on the quality of their products and the professionalism of their business and I wish them continued success.

LASALLE CATHOLIC COLLEGE, BANKSTOWN

Ms TANIA MIHAILUK (Bankstown) [1.18 p.m.]: On Tuesday I had the pleasure of attending LaSalle Catholic College year 12 graduation dinner at Bankstown Trotting Club. In attendance was Mr Ken Moroney, AO, former New South Wales Commissioner of Police and former student, Father Dominic from Saint Felix Parish, Principal Michael Egan, Assistant Principal James Clancy, staff, students, parents, caregivers and extended family. The evening was an outstanding success and I thank the school for its hospitality and for the opportunity to present a number of community leadership and all-rounder awards. I take this opportunity to thank the school principal, Mr Michael Egan, for the kind invitation and congratulate the 2014 year 12 class on completing all their formal schooling. I wish them all the best for the final hurdle, the Higher School Certificate examinations. LaSalle Catholic College is an outstanding institution in Bankstown and, as always, I wish the school success for the future.

RADIO STATION 1503 2BS GOLD

Mr ANDREW GEE (Orange) [1.19 p.m.]: I recognise the great work by Central West broadcaster 2BS Gold, based in Bathurst. Radio station 2BS has a fine tradition of success in the annual commercial radio awards. I make particular mention of presenters Ardin Beech, the original Molong marvel, Kate O'Bree, Janeen Hosemans, Kerry Peck and general manager Phil Cole, and let us not forget Benny Hope in the sound booth. I take this opportunity to formally call on 2BS Gold in Bathurst to lift its ban on AC/DC requests. It is un-Australian and a position that we do not want to see in the country. I formally ask this House to take note of my request and call on the radio station to remedy this gross injustice. I particularly refer to presenter Ardin Beech, who has been at the forefront of this ban for a number of years. It must change.

SAINTS PETER AND PAUL CHURCH, CECIL PARK

Mr NICK LALICH (Cabramatta) [1.20 p.m.]: After more than two years of construction, the Saints Peter and Paul Church of the Assyrian Church of the East in Sydney was officially opened and consecrated on 13 September. I was blessed to be a part of the opening of this beautiful new church in Cecil Park which now allows the parish ministries to serve its members with regularity and consistency. Previously the parish was reliant on the use of other facilities within the church. It is due to the dedication, generosity and hard work of parish members and leaders of the church that this holy place was able to be built. I have seen photos of parish members volunteering their weekends to chisel bricks, grout mosaic floor tiles, landscape church grounds, pour the concrete driveway and fundraise for the church. With all this hard work and dedication from parishioners, this church is truly blessed. I recognise his Beatitude Mar Meelis Zaia, AM, and Father John for their leadership of the church and for overseeing the building of this holy place.

GORDON RUGBY FOOTBALL CLUB STATE REPRESENTATIVES

Mr MATT KEAN (Hornsby-Parliamentary Secretary) [1.21 p.m.]: I congratulate the incredible sporting achievements of Jordan Cameron, Tevita Faupula, Billy Pollard and Kaeo Weekes, who were selected to be a part of the Gordon representative team that competed at the Rugby Union State Championship at Newcastle on the long weekend. Gordon was undefeated for all six games, including the grand final against Southern Districts. The score was 48-17. All four boys are passionate about their sport and play alongside each

other not only in the Gordon representative team and club rugby but also for the Asquith Magpies under-13 league team. All four boys have recently been selected for the North Sydney Bears junior rugby league development squad.

They also play alongside each other representing their school, Asquith Boys High School, in rugby. Billy, who attends St Leo's Catholic College, was selected to represent New South Wales last year for the Primary School Sports Association league championships and has just spent a week at Narrabeen on a development camp. These four boys have developed a close friendship, training together almost every night of the week. Numerous grand finals have been won between them and I expect to hear their names a lot more as they mature and choose the path that is right for them, whether it be the code of union or league. I am proud of these boys and wish them all the best for the rest of this season. They can call themselves State champions. I hope they continue to strive for excellence both within their sport and during their young lives.

RETIREMENT OF MAUREEN DAVIS

Mr ROBERT FUROLO (Lakemba) [1.22 p.m.]: It is my privilege to express on behalf of my community our deepest thanks, our warmest congratulations and our best wishes to Maureen Davis, Principal of Wiley Park Girls High School, who retires at the end of this year. Maureen has been a fierce advocate for public education and over her 21-year career teaching in our public schools has had a deep, lasting and profound influence on her students.

For the past six years Maureen has served public education and our community as Principal of Wiley Park Girls High School and has done so with compassion, integrity and dedication. She has fought for and achieved improved opportunities for all students of this school and provided a supportive and nurturing environment. In doing so, she has fostered a school community where every member recognises they have an inherent value as well as a duty to care for others. Our community could not have hoped for a better leader for this school. By working with her teachers, parents and students, Maureen has helped deliver improved educational outcomes and fantastic young citizens. I thank Maureen and wish her all the best for the future.

TRIBUTE TO YAIR MILLER

Ms GABRIELLE UPTON (Vaucluse—Minister for Family and Community Services) [1.23 p.m.]: Today I pay tribute to Mr Yair Miller, who recently stepped down as President of the New South Wales Jewish Board of Deputies after serving the Jewish community in that role for the past four years. Yair has had a remarkable career in Jewish leadership in our State, previously serving as Vice President of the Board of Deputies for 10 years. During his time with the board he served concurrently as an Executive Director of the Jewish Emergency Management Plan, among other roles.

As chair of the New South Wales Parliamentary Friends of Israel, I have had the pleasure of working with Yair over the last few years to further strengthen the bonds between New South Wales members of Parliament and Israel. As the member for Vaucluse, the electorate with the largest Jewish community in New South Wales, I have worked closely with Yair. Yair is a strong, generous and widely respected leader across the New South Wales government and the community, a person whose word can be trusted. I congratulate him on his outstanding service and wish him and his wife, Sandra, all the best for the future. He will no doubt continue to contribute strongly to the New South Wales and Jewish community.

CAROL RUTA AND IAN GRAY, SOUTH COAST PROVIDORES

Mr GARETH WARD (Kiama) [1.24 p.m.]: I congratulate Carole Ruta and Ian Gray, owners of South Coast Providores and food lovers, on impressively taking home gold, silver and bronze awards from the prestigious Sydney Royal Fine Food Show. Carole and Ian managed to have four out of the five conserve products they entered in this competition win a prize. In 2010 the couple walked away from their corporate life to follow their dreams. They established their business in Berry, which has become a popular destination for many. Congratulations and well done to Carole and Ian.

WOOLLOOWARE HIGH SCHOOL YEAR 12 GRADUATION

Mr MARK SPEAKMAN (Cronulla—Parliamentary Secretary) [1.24 p.m.]: This morning I attended the year 12 graduation ceremony at Woollooware High School. Congratulations to Principal Marianne Siokis and deputies Steve Fisher and Wayne Gleeson, their staff and all the students on producing a fine cohort.

I particularly congratulate the following award winners: Citizenship award, Harrison Grounds, Tenille Cox and Jemma Hodge; Leadership, Peter Tsimiklis and Amelia Crawford; Contribution to school, Keith McLean-Anderson, Isabelle Moran and Corinne Sayer-Bourne; Year 12 most outstanding academic students, Mitchell Lucas and Brittany Gregson; Year 12 best all-rounders, Tyler Gorman-Brown and Olivia Lennon; New South Wales Government State representative award, Connor Tracey; Reuben F Scarf award for commitment, Hannah Gorman; Band award, Laura McGrath; Debating/public speaking award, Alexandra Mooyman; Canteen Joshua Smith and Courtney Wood. Congratulations to all the award winners and all the students.

iCAREER PROJECT

Mr GUY ZANGARI (Fairfield) [1.25 p.m.]: I acknowledge the iCareer project in south-west Sydney. iCareer gives participants the chance to achieve success and forge long careers in selected fields. iCareer participants are nurtured and taught skills relating to seeking employment and job interview skills. Congratulations to the participants of iCareer who have recently completed the course and are on their way to new-found success. It is always wonderful to see the transformation of the iCareer participants as they make their transition to a new career and a renewed outlook on life. Congratulations to Paula and Quinnie for their commitment and dedication to the success of youth in south-west Sydney.

RETIREMENT OF DEAN BASHAM

Mr STEPHEN BROMHEAD (Myall Lakes) [1.26 p.m.]: I inform the House that Dean Basham from Forster has retired after playing 230 games for the Forster Tuncurry Hawks Rugby League Club. Dean began his association with the Hawks as a 10-year-old ball boy in 1991 and has played with the Hawks ever since. He won premierships in 2001, 2004 and 2011 and was Man of the Match in the 2004 grand final. Dean is part of a strong family connection with the Hawks, as his grandmother Nell has been the canteen supervisor for the past 20 years and Dean's father Mick has coached various grades at the Hawks since 1992. Dean is starting a new business venture and he will devote more time to establishing the business and spending time with his wife, Amanda, and his young family.

BANKSTOWN MULTICULTURAL YOUTH SERVICE

Ms TANIA MIHAILUK (Bankstown) [1.27 p.m.]: On Friday 12 September I was delighted to join staff, youth workers and volunteers at the Bankstown Multicultural Youth Service for their monthly outreach barbecue at Bankstown City Plaza. On this occasion it was also an opportunity to mark R U OK? Day. The Bankstown Multicultural Youth Service held an afternoon program, which involved encouraging the youth participants at the centre to send five text messages to each of their friends to encourage them to ask their family, friends and colleagues the question, "Are you okay?" I congratulate manager Mary Malak, assistant manager Sarkis Achmar, and youth workers Selim Ucar and Tanela Afu on their outstanding efforts in helping to promote awareness of youth mental health issues and for providing a comprehensive range of services for Bankstown youth to facilitate a greater connection between young people and the broader Bankstown community.

ARNCLIFFE WEST INFANT SCHOOL AND SCHOOLS TREE DAY

Mr JOHN FLOWERS (Rockdale) [1.28 p.m.]: A special part of Planet Ark's National Tree Day is Schools Tree Day, which was officially held on Friday 25 July 2014. I extend my congratulations to the pupils of Arncliffe West Infant School in the electorate of Rockdale and commend the teachers for giving students an opportunity to take their lessons outdoors to connect with nature. On Schools Tree Day students learn how to plant and care for the seedlings they grow. Such activities promote good citizenship and a sense of wellbeing in children. I again congratulate teachers and pupils who participate in these successful tree day events.

ROSS ROBERTS, HARWOOD MARINE

Mr CHRISTOPHER GULAPTIS (Clarence) [1.28 p.m.]: Congratulations to Ross Roberts, Managing Director of Harwood Marine. Ross was recently announced as the winner of the business leader section of the Northern Rivers Business Awards. Ross is a humble man who accredits his win to the wonderful team he has around him, including his fellow manager, Gio Cervella. I wish Ross, Gio and all the staff at Harwood Marine continued success into the future.

RHIANNA FITZPATRICK, THE *LAND* MEDICAL SCHOLARSHIP

Mr ANDREW GEE (Orange) [1.29 p.m.]: I draw the attention of the House to Orange local Rhianna Fitzpatrick who is currently in her second year studying medicine at the University of Newcastle. Rhianna was recently announced as one of only two students to be selected for the 2014 the *Land* medical scholarship. The scholarships are each worth \$7,500 and aim to support medical students from country New South Wales to undertake their studies in the hope they will return to practise medicine in regional New South Wales.

She will receive advice and support throughout the term of her degree from members of the Rural Doctors Association as part of her scholarship. Rhianna has teamed up with Dr Louise Baker from Cowra. She said that she is particularly interested in remote and Third World medicine, having spent time volunteering overseas in her gap year in 2012. She is also a member of the Global Health Club, which raises money for a medical school in Nepal. I congratulate Rhianna on this outstanding achievement. It is refreshing to hear of her desire to eventually return to rural New South Wales to work in such an important field and profession.

ASQUITH PUBLIC SCHOOL AND PANTENE BEAUTIFUL LENGTHS PROGRAM

Mr MATT KEAN (Hornsby-Parliamentary Secretary) [1.30 p.m.]: I congratulate students at Asquith Public School on their selflessness in donating their hair for charity. Hailey-Rose Parsonage, aged 6; Ella Dighton and Carissa Murphy, aged seven; Shayla Gleeson, aged eight; and Brienna Newson, aged ten, cut off their ponytails for the Pantene Beautiful Lengths program, which makes wigs for cancer patients—unfortunately, I could not participate in this one. It is inspiring to see such philanthropic spirit in children this young. Even though Brienna loved her long hair, she said she was "excited to help other people". The future of this nation looks incredibly bright knowing that our youth are so giving and caring. I congratulate Ella, Carissa, Shayla and Brienna on their sacrifice. I also thank their families and the incredibly hardworking Asquith Public School staff who supported the girls in this important endeavour.

NSW HEALTH EXCELLENCE IN NURSING AND MIDWIFERY AWARDS

Mr GARETH WARD (Kiama) [1.31 p.m.]: I congratulate three outstanding local health professionals in the Illawarra Shoalhaven Local Health District who received recognition at the recent second annual NSW Health Excellence in Nursing and Midwifery Awards ceremony held at New South Wales Parliament House. Glenn Hayes, a clinical nurse specialist in the mental health services section of Shellharbour Hospital won the Excellence in Nursing—Registered Nurse category. Tony Tiberio, a clinical nurse consultant in cardiology at Wollongong Hospital was a finalist in the Excellence in Nursing—Registered Nurse category.

Kate Johnson, an assistant in nursing in the medical ward at Shoalhaven Hospital was a finalist in the Excellence in Nursing/Midwifery—Assistant in Nursing/Assistant in Midwifery category. There are few professions more highly valued by the community than nursing and midwifery. People in those professions make an enormous difference to the lives of their patients and their loved ones not only through their clinical skills but also their compassionate and good-natured devotion to duty. Our nurses and midwives deliver care to all, without the expectation of awards and honours. However, these awards were an opportunity for us to say "thank you". Congratulations to Glenn, Tony and Kate on your much deserved recognition.

Community recognition statements concluded.

EXECUTION OF SEARCH WARRANTS ON MEMBERS' OFFICES AND PREMISES

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

Madam SPEAKER

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

- (1) That this House notes the revised draft "Memorandum of Understanding on the execution of search warrants on the premises of Members of the New South Wales Parliament between the Commissioner of the Independent Commission Against Corruption, the President of the Legislative Council and the Speaker of the Legislative Assembly" tabled by the President on Tuesday 16 September 2014.
- (2) That the Privileges Committee inquire into and report on the provisions of the revised draft Memorandum of Understanding.

- (3) That the Committee report by Thursday 6 November 2014.
- (4) That a message be forwarded to the Legislative Assembly informing it of the terms of reference agreed to by the House.

Legislative Council
17 September 2014

DON HARWIN
President

[Acting-Speaker (Ms Melanie Gibbons) left the chair at 1.32 p.m. The House resumed at 2.15 p.m.]

VISITORS

The SPEAKER: I welcome to the gallery participants in the Introduction to the New South Wales Legislative Assembly Public Sector Seminar being run by the Department of the Legislative Assembly. I trust that they are finding the seminar useful and that they enjoy question time.

QUESTION TIME

[Question time commenced at 2.19 p.m.]

MEMBERS OF PARLIAMENT AND POLITICAL DONATIONS

Mr JOHN ROBERTSON: I direct my question to the Premier. Last week he stood down the member for Port Stephens from all his parliamentary positions following allegations raised against him at the Independent Commission Against Corruption regarding illegal donations.

The SPEAKER: Order! The Treasurer will come to order. The Leader of the Opposition will be heard in silence. The Attorney General will come to order. The Leader of the Opposition will repeat his question.

Mr Andrew Constance: I'm scared, Madam Speaker.

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

Mr JOHN ROBERTSON: I direct my question to the Premier. Last week he stood down the member for Port Stephens from all his parliamentary positions following allegations raised against him at the Independent Commission Against Corruption regarding illegal donations. Why did he fail to stand down the members for Londonderry, Newcastle, Swansea, Wyong and The Entrance from their positions on parliamentary committees until this morning after being exposed by the Opposition yesterday?

The SPEAKER: Order! Opposition members will come to order. The Leader of the Opposition was heard in silence and the Premier now has the call.

Mr MIKE BAIRD: If members want a lesson in life they should not get it from members opposite. I love the Leader of the Opposition's hypocrisy on so many levels. Members on the crossbench have stood aside from the parliamentary Liberal Party and they no longer have official positions in Parliament. This question is a demonstration of the Opposition's question time strategy. We are 37 seconds in and members opposite have nothing else to say. That does not surprise me. I remember being in opposition and it requires hard work. Oppositions should present policies and plans for the people of this State.

The SPEAKER: Order! The member for Keira should remember what it feels like to be thrown out of the House. I call the member for Keira to order for the first time.

Mr MIKE BAIRD: Members opposite have had 3½ years, thousands and thousands of days, to present a policy platform. I tried to find one and I found it. After all of those thousands of days they have a three-point plan to take this State forward. If members were to read it closely they would see exactly what it is. The first of the three plans is—

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

Mr Michael Daley: Point of order on relevance: The member for Newcastle, Tim Owen, has been gone from the Parliament for 45 days and until this morning was still on a committee.

The SPEAKER: Order! The member for Maroubra cannot make a statement giving his personal opinion. The member either has a point of order or he does not.

Mr Michael Daley: The question is: why has it taken so long?

The SPEAKER: Order! The Premier has answered the question and remains relevant. There is no point of order.

Mr Michael Daley: He's on the Independent Commission Against Corruption Committee.

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

Mr MIKE BAIRD: I say to the member for Maroubra, who is the shadow Treasurer, that he has allocated money.

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

Mr MIKE BAIRD: If you add up all the days, over 26,000 days those opposite have come up with three policies to take the State forward.

[Interruption]

The SPEAKER: Order! I call the member for Keira to order for the second time. The Premier will resume his seat.

Mr MIKE BAIRD: The Opposition has 21 members and can add up how many days they have been here. They can do their own maths.

The SPEAKER: Order! The Premier will resume his seat. This is an inappropriate start to question time. Obviously Opposition members' strategy is to be very noisy. They will find themselves out of the Chamber if they continue with their disruptive behaviour, especially as there are public sector representatives in the gallery. Members will come to order. The Premier will be heard in silence.

[Interruption]

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

Mr MIKE BAIRD: Those opposite cannot do the maths; they have each had 1,270 days to put together a policy.

Mr Ron Hoenig: Point of order: The Premier is not being remotely relevant under Standing Order 129.

The SPEAKER: Order! That is the member for Heffron's opinion. There is no point of order.

Mr MIKE BAIRD: The reason those opposite are raising points of order is that they are embarrassed by their lack of work and lack of leadership and that they have only three policies. They are going to create a jobs commissioner—that is their number one policy to take the State forward. They are going to reinstate energy vouchers that the Leader of the Opposition cancelled when he was the energy minister. The third policy is they are going to restore the Higher School Certificate advice line. That is the policy platform that those opposite are taking to the people of this State. I have a lesson for the Leader of the Opposition: if that—

Mr John Robertson: I will take no lessons from the Premier on policies.

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

Mr MIKE BAIRD: The Leader of the Opposition should because if those policies are what those opposite are going to take to the people, no wonder the Labor team is embarrassed by their leader.

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

Mr MIKE BAIRD: The Leader of the Opposition has to stand up and explain to the people of New South Wales what Labor is going to do should it happen to be elected to form government. What those opposite have just does not cut it. Every person in New South Wales knows that Labor has no policies, no ideas, no principles, no funding and no way to take this State forward.

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

Mr MIKE BAIRD: The Government is doing the hard work and doing exactly that.

STATE INFRASTRUCTURE

Mrs TANYA DAVIES: My question is addressed to the Premier. How is the Government delivering improved infrastructure?

Mr MIKE BAIRD: I thank the member for her question, her hard work in her community and her interest in delivering great infrastructure not only in her community but across this State. This Government is getting on with the job of rebuilding New South Wales. We were elected to do that and we are doing it. Whether you look at the \$61 billion program over the next four years or at what we have delivered, the Government has a record of delivering for the people of New South Wales. It will not surprise anyone to hear that the Leader of the Opposition, John Robertson, kicked an own goal when he recently said: "We are still waiting for construction to start on big election promises including the WestConnex and North West Rail Link." I know those opposite do not read newspapers or pay attention, but the good news is that we are delivering on both of those. The Minister for Transport is delivering transport solutions throughout the State. I was with the Minister when the boring machines were going into the ground four months ahead of schedule.

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

Mr MIKE BAIRD: Yesterday the Government announced signing a \$3.7 billion contract for new trains to give commuters a fantastic service.

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

Mr MIKE BAIRD: When commuters turn up at a station, every four minutes they can get on a train and get to their destination.

Mr Clayton Barr: What are they going to do today?

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

Mr MIKE BAIRD: That is a good example of this Government getting on with the job. The South West Rail Link is another project where not an inch was delivered under those opposite. What has the transport Minister done in just 3½ years? Construction has been completed; 11.4 kilometres has been constructed. It is 12 months early and \$300 million under budget. That is how this Government is doing infrastructure. Those opposite can take a lesson from this project being delivered ahead of schedule and under budget.

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

Mr MIKE BAIRD: This Government delivers. Westconnex is a project that shows the Minister for Roads and Freight is doing a great job. He looks fantastic in a hard hat and not bad in a fluoro vest. The Government is proud to announce that this week geotechnical drilling is underway. We have waited for Westconnex. How many years did those opposite have to start this project? Sixteen years and they delivered nothing. That is good news for all our members across the south-west. One hundred thousand commuters are waiting for that relief and the good news is that we are delivering it. Also, the education Minister is delivering an amazing number of new schools across this great State—Oran Park in Camden, The Ponds in Riverstone, Lake Cathie in Port Macquarie, Wentworth Point in Strathfield.

There are projects everywhere—Hunter Sports High School, Point Clare Public School, Wilton Public School, Lucas Gardens Special School. Everywhere we go there is a new school being built. The education Minister is delivering for the community and it is great to see. How could I not talk about Jillian the Builder?

Everywhere you go there are hospital projects. Jillian even has her own hard hat because there is so much construction work underway. I cannot read out all the hospital projects because I do not think I have got enough time.

The SPEAKER: Order! Government members including Ministers should not cheer and carry on. The member for Dubbo is not helping.

Mr MIKE BAIRD: The member for Keira is excited about it. There are major hospital upgrades underway under this Minister in places like St George—the member for Oatley knows that well—Blacktown, Mount Drutt, Campbelltown, Sutherland, Westmead, Hornsby, Gosford, Bega, Port Macquarie, Dubbo. Can there be more? Yes, there are: in Byron Bay and Kempsey. Surely there cannot be more? Yes, there are: in Tamworth, Parkes, Forbes, Lismore. There cannot be any more. There are: in Wagga Wagga—how long have we waited for that in Wagga Wagga?

The SPEAKER: Order! Government members will restrain themselves.

Mr MIKE BAIRD: The former Labor Government promised it, promised it and promised it, but only this Minister has delivered. That is what we love to see.

Pursuant to standing order additional information provided.

Mr MIKE BAIRD: There is more. There is progress on the Northern Beaches Hospital—hallelujah. Even the member for Wollongong is excited, because we are delivering in Wollongong as we are across this great State. The member for Wollongong is not so happy in the Chamber but she is very happy about this. The good news goes on across all the portfolios. We are delivering the Pacific Highway upgrade from Hexham to Queensland. We are delivering the Princes Highway upgrade. We are delivering the NorthConnex Motorway. We are delivering the \$1.6 billion light rail project. We have reserved the money for Parramatta light rail—the area is desperate for that to happen. We are delivering on the Bridges for the Bush project—it is about time that we improved those bridges. Around the proposed Western Sydney airport we are delivering more roads.

I am very proud to be part of a government that is delivering for communities across this great State. We have taken responsible decisions, we have got the governance right, we have got the processes right, we have secured the funding and we have been responsible with the finances. That is a tip for the Opposition: That is how you deliver for the community. We will keep on with the job of looking after this great State and delivering at every step of the way because that is what the community expects, and under this Government that is exactly what they are getting.

MEMBER FOR LONDONDERRY

Ms LINDA BURNEY: My question is directed to the Premier. Yesterday the Opposition exposed that the Premier had failed to stand down the member for Londonderry from his \$20,000 per annum position as Chair of the Committee on the Ombudsman, the Police Integrity Commission and the Crime Commission.

The SPEAKER: Order! The Attorney General will come to order. The member will be heard in silence.

Ms LINDA BURNEY: Why has it taken the Premier three weeks to act and remove the member from this integrity committee following allegations of illegal developer donations that were raised at the Independent Commission Against Corruption?

The SPEAKER: Order! The member for Canterbury will resume her seat. She has asked the question. This is not an argument or a debate; this is question time. The Premier should be given the opportunity to answer and be heard in silence.

Mr MIKE BAIRD: From memory, I answered this question in the last question time. It is pretty simple: The members involved no longer hold official positions, and that is on the public record. The member for Canterbury can read it on the public record. Is it any wonder that no-one believes the Leader of the Opposition is electable and nor is the Opposition?

Ms Linda Burney: Point of order: I understand why the Premier—

The SPEAKER: Order! What is the member's point of order? This is not a debate.

Ms Linda Burney: Standing order 129.

The SPEAKER: Order! His answer may not be to the member's liking but the Premier has answered the question. The member for Canterbury will resume her seat.

Mr MIKE BAIRD: I have answered that question. I would have thought the Opposition would speak about policy—maybe a robust exchange of ideas for a policy to take this State forward. But they do not want to do that. However, one policy from the Opposition did come to my attention today. The Opposition has finally come up with some sort of policy and it is a very interesting one. Suddenly the Opposition says that it wants to do something in relation to the Port of Newcastle. Unless I have missed something, on matters of great principle those opposite stood against leasing the Port of Newcastle every step of the way. The Opposition said, "No, no, no, you cannot sell it, you cannot lease it. We are against it". I recall they said, "We are absolutely and utterly against leasing the Port of Newcastle".

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

Mr MIKE BAIRD: That is why I was so surprised today to see—

Mr Michael Daley: Point of order—

The SPEAKER: Order! I remind the member that although the answer may not be to his liking the Premier has answered the question.

Mr Michael Daley: My point of order relates to Standing Order 129. Newcastle is a long way from Londonderry; it has got nothing to do with the question.

The SPEAKER: Order! There is no point of order. The member may not like his answer but the Premier has answered the question. The Premier remains relevant to the question.

Mr MIKE BAIRD: The Opposition is absolutely against the lease but they are out there spending the money: "We are against it but out it goes. We love the money—we are going to go and spend that—but we are against leasing it". I love the principle; it is so strong. The Opposition were against it but suddenly they seem to be for it and now they are spending the money. The amount the Opposition has committed is almost consistent with what we committed, but the Leader of the Opposition said back in April—

Dr Andrew McDonald: Just read it out slowly.

Mr MIKE BAIRD: I will. The shadow Cabinet probably missed this so they should listen. The Leader of the Opposition said in relation to this lease:

The Premier must explain to the people of the Hunter why the full proceeds are not remaining in their hands.

He said that he is going to give them everything and then he said, "By the way, we are only giving you half". One minute they are going to give it all, then they are not; yes they are, no they are not. They are against it, they are for it; who is up, who is down? For heaven's sake, how can anyone—

Mr John Robertson: Point of order: My point of order relates to Standing Order 129, relevance. We asked the Premier a question, not for an impersonation of Jerry Lewis.

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

Mr MIKE BAIRD: How can anyone in this State know what on earth this bloke is on about? He says one thing one day and he says another thing the next day. The principles of the Labor Party are there for everyone to see. I remember down in Wollongong the member for Wollongong was against the lease and now wants to spend the money. The member for Wollongong is not against the lease. Thank goodness we have a government that is responsible and is taking the right decisions. We are very proud of that investment into the Hunter because we identified the money and we are delivering on that promise. No-one can believe a word the Leader of the Opposition says.

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

REGIONAL INFRASTRUCTURE

Mr ANDREW FRASER: My question is addressed to the Deputy Premier. Having heard from the Premier in relation to infrastructure in metropolitan New South Wales, will the Deputy Premier advise how the Government is improving infrastructure for people living in regional New South Wales?

Mr ANDREW STONER: I thank the member for Coffs Harbour for a good question. The Government is delivering regional infrastructure the length and breadth of this great State. Yesterday I told the House about the economic importance of infrastructure. I want to reinforce the importance of infrastructure to the quality of life for people living in regional communities throughout the State.

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

Ms Cherie Burton: Name some projects.

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

Mr ANDREW STONER: For 16 long years regional infrastructure was neglected, roads were crumbling and hospitals in country New South Wales were second rate. Indeed, inland communities actually ran out of secure access to water during what we know as the millennium drought. The Government is investing a record \$13 billion into infrastructure around health, transport and water to improve the lives of people living in regional New South Wales. Earlier I heard the member for Tamworth agree with me because earlier this year he and I opened the Split Rock to Barraba pipeline.

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

Mr ANDREW STONER: That is one example. The entire town of Barraba turned out on that auspicious day when we turned on the water to guarantee reliable access to a high-quality water supply—an issue neglected and ignored by members opposite for 16 years.

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

Mr ANDREW STONER: Talking about water, the Government is investing an additional \$366 million through our regional water security program to help drought-proof our communities. I will touch on some of those communities, other than Barraba in the Tamworth electorate. We are building a new dam at Nimmitabel at Lake Wallace in the Monaro electorate. We have new bores at places like Angledool, Wallabadah, Tumbarumba and the Willow Tree pipeline, which will secure Quirindi's water supply. I apologise if this sounds like a Lucky Starr song, but it is true that we are investing in infrastructure everywhere, man. Members opposite like that one. They finally got the reference to Lucky Starr. She's been to Wollongong, Wollongong, Wollongong, Wollongong.

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

Mr ANDREW STONER: That \$366 million includes the first inland dam in a generation in the Orange electorate in the Central West.

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

Mr ANDREW STONER: We are investing a record \$1.7 billion—we have a great health Minister for the people of New South Wales—in more than 90 new health developments and upgrades to hospitals and health services in regional New South Wales. Importantly, this investment means that more than 95 per cent of residents in regional New South Wales will have access to a cancer centre within 100 kilometres of where they live. This is a historic achievement implemented and delivered by this Liberal-Nationals Government under the stewardship of the Minister for Health. The Premier referred to some of the hospitals: Wagga Wagga, Lismore, Dubbo, Tamworth, Bega, Armidale, Port Macquarie, Kempsey, Parkes and Forbes. I will not mention the district hospitals in my electorate: Wauchope District Hospital, Bellingen River District Hospital and Macksville District Hospital, which will get an investment soon.

On top of that, we have committed to building new hospitals on greenfield sites at Byron Bay and Maitland. Multipurpose services and HealthOne facilities are being delivered in Hillston, Lockhart, Gulgong,

Raymond Terrace, Pottsville, Peak Hill, Jindabyne, Lightning Ridge, Ivanhoe, Yass, Bulahdelah, Manilla and Nambucca. Members opposite did not know we had regional centres in those areas. The Government is delivering a massive investment in roads not only to improve the turnaround time for delivery of goods and stimulate the economy, but also to deliver safe driving conditions for the people of regional New South Wales. After members opposite stripped \$300 million from the Pacific Highway upgrade, and their Federal mates reneged on the 80:20 funding formula, the Government has the upgrade back on track, to be completed by 2020.

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

Mr ANDREW STONER: We have had to inject an extra \$2 billion into the Pacific Highway upgrade, but we are doing so, and in so doing we are employing 1,700 workers. [*Time expired.*]

WORKCOVER NSW AND MR HILTON GRUGEON

Mr MICHAEL DALEY: My question is directed to the Premier. In 2012 documents produced under Standing Order 52 show that Bob Baldwin wrote to several New South Wales Ministers seeking to change criminal laws that would have the effect of benefitting Hilton Grugeon, and that shortly after that a criminal prosecution against Mr Grugeon was suddenly discontinued by the Government. Will the Premier agree to table the letter from Bob Baldwin to the New South Wales Ministers and undertake an inquiry into the sudden discontinuation of those criminal proceedings against Liberal Party donor Hilton Grugeon?

The SPEAKER: Order! The Attorney General will come to order.

Mr MIKE BAIRD: The member for Maroubra has made allegations. Obviously there is an appropriate place for him to make any allegations. I am happy to look at the details of the matter raised by the member. In simple terms, we have complied with the inquiry that is underway every step of the way. That is exactly the appropriate thing to do, and we will continue to do it.

The SPEAKER: Order! I welcome to the gallery Dr Peter Macdonald, a former member for Manly, and his family.

EDUCATION REFORM

Ms ROBYN PARKER: My question is addressed to the Minister for Education. How is the Government delivering education reform for the people of New South Wales?

Mr ADRIAN PICCOLI: I thank the member for Maitland for her question. We have been delivering, particularly in the Hunter and in the Maitland electorate. We have made a huge investment in Hunter River Community School, which was opened only a few weeks ago. Hunter River Community School is one of the great special schools across the State. I think close to \$15 million was spent on refurbishing one of the most important schools in New South Wales, but in the Hunter in particular. We have invested \$15 million in Rutherford Technology High School, which I have visited a couple of times. The Government and the member for Maitland are delivering for New South Wales. When I was in the Hunter about two or three weeks ago I visited Hunter Sports High School and reconfirmed the Government's commitment to rebuilding that school. The Government is spending more than \$15 million on that school.

Despite what has occurred in the Hunter with the Independent Commission Against Corruption and various things, the Government is committed to doing the right thing in the Hunter, in the Maitland electorate and across New South Wales. Today I was in the Oatley electorate with the local member at the opening of the new hall at Georges River College, Peakhurst campus. The new hall has replaced an old Bini dome. The Government's investment of \$5.7 million on a great facility has seen much of that school transformed. We are spending \$35 million—a big investment—on capital works and maintenance across the 15 Connected Community schools, schools that were virtually abandoned by the former Labor Government. The Minister for Natural Resources would know, because most of those schools are in his electorate and the Murray-Darling electorate. The Walgett High School was in a terrible state when I visited Walgett more than a year ago. We have committed significant amounts of money—

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

Mr ADRIAN PICCOLI: I love reminding members opposite that it took a Coalition Government, under our Gonski reforms, to ensure that every Aboriginal student in New South Wales public schools receives

funding for the first time. That is a big tick for the Liberal-Nationals Government, something that would never have happened under a Labor Government. I add to that the \$35 million in capital works across those Connected Communities schools. Reform in education and delivering in education is not just about capital works but also reforms to teaching and learning. Local Schools, Local Decisions is groundbreaking reform, the biggest in 100 years in public education that gives schools control of 70 per cent of their budget. Previously those Communists opposite wanted to keep the control centrally at the Kremlin; this Government trusts principals, parents and teachers to make decisions in the best interest of their school.

Great Teaching, Inspired Learning is making a big difference in the quality of teaching. This Government has introduced a huge number of reforms and we are investing significant amounts of money as a result of this State being the first to sign up to Gonski in support of that blueprint. The Premier talked about election commitments and the need for the Opposition to have some ideas. Prior to the last election the Coalition proposed the Literacy and Numeracy Action Plan with \$260 million to support kids from kindergarten to year 2 most at risk of falling behind in literacy and numeracy. It has an evaluation process built into it and a report should be received on it by the end of the year. The Rural and Remote Education Blueprint for Action was announced about a year ago. The former Labor Government absolutely ignored students in regional New South Wales.

This Government has a raft of reforms costing \$80 million over four years, a key part of which is a virtual selective school giving students in every corner of this State, no matter how remote or where they are, the opportunity to participate in a selective school. In the past such opportunities have only been available to students mostly in metropolitan Sydney. Now every student across New South Wales will have that same opportunity. There have been more than 50 enrolments already in the virtual selective school. They are some great reforms introduced by this Government. One does not need to go far to see capital works in schools, for example, the G S Kidd Memorial School in Gunnedah that will be opened tomorrow, because this Government has been delivering in education.

Pursuant to standing order additional information provided.

The SPEAKER: Order! The Minister will return to the leave of question and not engage in banter with backbenchers.

Mr ADRIAN PICCOLI: We are delivering schools right across New South Wales in almost every electorate. For example, Albury has had two special schools rebuilt; Port Macquarie at Lake Cathie; a school in Strathfield that is named after our great Governor Marie Bashir; and Camden, where a school was bought at Mount Hope, which is a great investment that will save money and capital works, and free up money to be spent in other schools like Wilton Public School in Wollondilly. This Government is delivering right across the State, not just capital works but also reforms that make a difference to the educational outcomes of students, and that is something we are proud of.

MINISTER FOR HEALTH, AND MINISTER FOR MEDICAL RESEARCH

Mr JOHN ROBERTSON: My question is directed to the Minister for Health, and Minister for Medical Research. Given revelations that the member for Port Stephens organised her helicopter joy flight from prohibited donor Buildev—

The SPEAKER: Order! The Leader of the Opposition will be heard in silence. Ministers will contain themselves.

[Interruption]

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

Mr JOHN ROBERTSON: Given revelations that the member for Port Stephens organised her helicopter joy flight from prohibited donor Buildev, will the Minister assure—

The SPEAKER: Order! I remind the Attorney General that he is already on one call to order. If he continues to interject he will be called to order for the second time.

Mr JOHN ROBERTSON: Given revelations that the member for Port Stephens organised her helicopter joy flight from prohibited donor Buildev, will the Minister assure the House that she has not received any other gifts or benefits from prohibited donors?

Mrs JILLIAN SKINNER: This, my colleagues, is fantasyland. I have answered the question about being on a helicopter. I did not know what company it was, I did not solicit it and I do not know what politicians were involved. How many health questions have I had from that side of the House since March?

Government members: None.

Mrs JILLIAN SKINNER: None, absolutely none. That is how much they care about health and about the work I am doing.

The SPEAKER: Order! Government members are not helping. The Minister will be heard in silence. Government members will remain silent.

Mr John Robertson: Point of order: My point of order is Standing Order 129, relevance. The question was about prohibited donors or other benefits the Minister has received, and if she can assure the House she has not received any.

The SPEAKER: Order! The Minister answered that question. There is no point of order.

Mrs JILLIAN SKINNER: I answered that question, but I want a question about health. The Leader of the Opposition has done absolutely nothing but whinge and make up this spurious question instead of focussing on what is really important to the people of New South Wales, and that is providing better health care. All of the hospitals right across the State have been mentioned by the Premier and Deputy Premier.

Mr John Robertson: Point of order—

The SPEAKER: Order! I have already ruled that the Minister answered the question. The Leader of the Opposition may not have liked her answer, but it was answered.

Mr John Robertson: No, she didn't answer.

The SPEAKER: Order! The Minister answered the question. There is no point of order. I call the member for Canterbury to order for the second time.

Mrs JILLIAN SKINNER: It has been a pleasure to accompany my colleagues visiting hospitals right across the State in the country and in the city not just in electorates of members on this side of the House. At Wollongong more than \$100 million has been spent upgrading the emergency department, also at Blacktown and Mount Druitt. The Leader of the Opposition does not have a care in the world about Blacktown and Mount Druitt. One would think that the shadow health Minister would be interested in hospitals at Campbelltown in his neck of the woods. How many questions has the member for Macquarie Fields asked me about health? Absolutely zip. Shame on the Leader of the Opposition for wasting the time of the Parliament on fantasy questions that mean nothing.

The SPEAKER: Order! As a result of continued interjections all members who have been called to order on one or two occasions, including five Government members, are now deemed to be on three calls to order. I could name the Government members, most of whom are on the frontbench.

STATE ECONOMY

Mr STEPHEN BROMHEAD: My question is addressed to the Treasurer. How is the Government delivering a stronger economy?

Mr ANDREW CONSTANCE: I thank the member for Myall Lakes for his very sensible question. In 3½ years this Government has turned the State economy around. If we consider that for the previous decade under Labor governments this was the slowest of any State in relation to jobs growth and economic growth. In relation to business confidence it was the lowest of any mainland State for the five years to March 2011. In relation to retail trade it had the lowest average annual growth of any State under Labor. In relation to housing supply this State had the lowest number of new dwellings starts for the past five years under Labor.

Mr Andrew Stoner: Economy killers.

Mr ANDREW CONSTANCE: That is right, economy killers because they had no idea how to manage a budget or an economy. I have looked at the performance of the shadow Ministers who were Ministers in the former Labor Government and I noticed that when the shadow Treasurer was a Minister his budget blew out by \$727 million. That comes on top of the member for Canterbury, who blew out her budget by \$800 million. Was it any wonder that what we saw under Labor was an economy in turmoil? In 3½ short years we have turned things around by investing in jobs, housing and public infrastructure.

The SPEAKER: Order! I remind the member for Maroubra that he is on three calls to order.

Mr ANDREW CONSTANCE: Is it any wonder that Ross Gittins said recently:

If voters are looking for good managers of the state's finances, this lot is the best we've seen in a long time.

Our unemployment rate stands at 5.7 per cent.

Mr John Robertson: What was it when you came to government?

Mr ANDREW CONSTANCE: I am really glad the Leader of the Opposition interjected there because 24 times since coming to office the New South Wales Liberal Party and The Nationals have delivered an unemployment rate below the national average. In the final four years of the former Labor Government how many times was it below the national average? It was six times.

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

Mr ANDREW CONSTANCE: Obviously we have invested in jobs through our Jobs Action Plan. On housing supply we all remember what Bob Carr said—Sydney is full. Labor waved the white flag and dwellings starts nosedived. We have seen the State economy turn around, which is why in State final demand we are leading the way across the nation with growth at 3.6 per cent. Our asset recycling plan is also delivering enormous infrastructure benefits across the State. The lease of Port Kembla and Port Botany delivered gross proceeds of \$5.07 billion, with proceeds going towards projects like WestConnex, the Pacific Highway, the Princes Highway and Bridges for the Bush. We all know the Leader of the Opposition opposes the leases of the ports.

In essence he opposes vital funds that go into vital projects that we are delivering around the State. In respect of the Newcastle port privatisation, the Leader of the Opposition issued a press release at the time, which said, "Newcastle Port privatisation like blackmail". He went on to say, "That's not a win for the Hunter, it's a gun to the head." Earlier we heard the Premier speak on today's article about the Australian Labor Party's \$750 million port pitch. It is obvious that those opposite have not read the budget, because we made reserve allocations under Restart in this year's budget. He is double-spending money he does not have; he is opposed to the port in the first place and now he is promising half the proceeds to the people of the Hunter.

I loved the clanger from the Leader of the Opposition this morning in relation to the share of the proceeds and the guarantee he is giving of \$750 million. He said he could not promise more than half the port proceeds given, "The Liberals are signing contracts and allocating money to projects all over Sydney". Now he is opposed to projects like WestConnex, NorthConnex, the North West Rail Link, the South West Rail Link, the convention centre and any number of other key hospital projects that are being built because ultimately he wants to spend money that he has been allocated twice.

Pursuant to standing order additional information provided.

The SPEAKER: Order! I remind members that many of them are on three calls to order.

Mr ANDREW CONSTANCE: It is interesting to note in relation to the Hunter Infrastructure Investment Fund that the Leader of the Opposition has taken money earmarked for truncating the line back into the fund, so what he describes as an act of vandalism to give the development uplift to the revitalisation of Newcastle, for the people of Newcastle in Charlestown, calls for a close look at what the Leader of the Opposition is truly on about and what he is truly up to. I know that after 3½ years those opposite will have a very busy weekend because on Monday the Parliamentary Budget Office is open for business. This means that

at some point over the next week the shadow Treasurer will have to start producing some policies. "The dog ate my homework" excuse is no longer going to wash. We know that after 3½ years in opposition we have hardly seen a policy out of them.

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

Mr ANDREW CONSTANCE: We know that while we are busy recycling assets, they are recycling policies. We are going to see the Fairness for Families policy come up. Who knows, we might see a monorail for Newcastle, given the behaviour from the Leader of the Opposition outlined in the paper this morning. The bottom line is that come Monday the clock starts to tick. We know they are starting from a budget deficit of \$4.2 billion because they have opposed every savings measure we have had in office. It is now time for them to come clean for the people of New South Wales.

The SPEAKER: Order! Members will come to order.

THE COUNCIL OF THE CITY OF SYDNEY ELECTIONS

Mr JAMIE PARKER: My question is directed to the Minister for Local Government. Considering that the recent report into voting in the City of Melbourne rejected double voting, how can the Government justify double corporate voting, which effectively halves the vote for more than 10,000 residents in my electorate?

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

Mr PAUL TOOLE: I point out to the member for Balmain that, as he would know, there will be an opportunity later today to debate this bill when it comes into this House. For him to think that we are going to debate it here and now is something he is ill-informed about. I am not going to take advice from the member for Balmain because I had a look at The Greens' policy into local government issues. The Greens NSW local government policy has not been revised since 2010. This clearly shows that they have very little interest in and very little care for the local government sector.

Mr Jamie Parker: Point of order: My point of order is Standing Order 129. The Minister is not going close to answering the question because he knows it is undemocratic and it is a throwback to the nineteenth century.

The SPEAKER: Order! This is not an opportunity for the member for Balmain to debate the matter. The Minister has the call.

Mr PAUL TOOLE: As a former mayor and as someone who has been involved in local government I would have thought he would have had a bit of discussion and involvement in policy creation, but it shows me that after four years, since 2010, The Greens have had no input into local government and still ignore the issue. I will clear up the position on the proposed changes put forward for the City of Sydney legislation. I am hearing that businesses will get a vote. Let me be very clear: Businesses do not get a vote in local government elections. It is individuals who get a vote in local government elections.

The SPEAKER: Order! Opposition members will cease shouting at the Minister. The Minister has the call.

Mr PAUL TOOLE: I have heard the Independent member and the Lord Mayor say that more needs to be done to get local businesses and people on the non-residential roll to have a greater say in elections for the City of Sydney. The statistics show that in 2012 there were 1,709 non-residential voters on the roll out of a possible 80,000. In 2008 there were 396 on the non-residential roll, but the City of Sydney spent \$243,000 to get 1,709 of a possible 80,000 on the non-residential roll out. This was actually decided by a bipartisan committee, a joint standing committee, looking into electoral matters.

The committee looked into electoral matters and a number of issues that have arisen since the 2012 local government elections. The committee received approximately 77 submissions and more than 110 questions were asked at the committee hearing. Labor members, including the member for Liverpool, served on that committee and asked fewer than 10 questions in total. They did not care. I will tell the House how much the member for Liverpool cared: His one and only question was, "Sorry, I'm late. Haven't you guys fixed

up the M5 yet?" That was a great contribution. We have heard from the Opposition in this House and from his parliamentary colleague in the other place. That member wanted to talk about laptops. What has that to do with local government electoral reform?

The SPEAKER: Order! The member for Fairfield will come to order. That comment was inappropriate.

Mr PAUL TOOLE: Looking at the City of Sydney, the business community contribute to 80 per cent of the city's rate revenue and only 2 per cent of them have a say in City of Sydney local government elections.

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

Mr PAUL TOOLE: This is about democracy and transparency, and giving locals a chance and an opportunity to have a voice in their community.

HEALTH SERVICES AND INFRASTRUCTURE

Mr DARYL MAGUIRE: My question is addressed to the Minister for Health and Medical Research. Will the Minister inform the House how the Government is improving health services and hospital infrastructure for the people of New South Wales?

The SPEAKER: Order! I direct the member for Maroubra to remove himself from the Chamber for a period of one hour.

[Pursuant to sessional order the member for Maroubra left the Chamber at 3.11 p.m.]

Mrs JILLIAN SKINNER: I thank the member for Wagga Wagga for his question. It has been a great pleasure to visit Wagga Wagga with the member on a number of occasions over many years. The most recent visit was at the end of August, when we inspected the progress made in rebuilding the Wagga Wagga hospital. The mental health facility has been completed and the new service block, with an amazing emergency department and operating theatres, is well underway. We went to Lockhart the next day to open the multipurpose service there. It is a wonderful facility that is enjoyed by the local community. I have been visiting regional areas regularly with my colleague because there is so much work going on in country New South Wales. There are 90 health projects underway, and many of them are large. Recently the member for Monaro and I visited Cooma.

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

Mrs JILLIAN SKINNER: We announced the HealthOne facility at Jindabyne and opened the dialysis unit at Cooma.

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

Mrs JILLIAN SKINNER: I recently attended the new emergency department along with the public and the member for Oatley. It is an absolutely brilliant facility.

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

Mrs JILLIAN SKINNER: I have visited Tamworth, Parkes, Forbes and the Peak Hill multipurpose service in Lismore, which is under construction.

The SPEAKER: Order! I place the member for Kogarah on three calls to order.

Mrs JILLIAN SKINNER: Sadly, the member for Lismore was not well on the day I visited but we had a look at the ground that has been levelled for the new emergency department.

The SPEAKER: Order! I direct the member for Kogarah to remove herself from the Chamber for a period of one hour.

[Pursuant to sessional order the member for Kogarah left the Chamber at 3.13 p.m.]

The SPEAKER: Order! The member was interjecting so she did not hear me place her on three calls to order. The Minister has the call.

Mrs JILLIAN SKINNER: The current site of the Lismore emergency department is 650 square metres whereas the new one is 2,450 square metres. It will be fit for purpose into the future.

The SPEAKER: Order! I direct the member for Keira to remove himself from the Chamber for a period of one hour. That behaviour is inappropriate.

[Pursuant to sessional order the member for Keira left the Chamber at 3.14 p.m.]

The SPEAKER: Order! Members should be aware that Opposition members make comments that I hear but others do not hear them and they are entirely inappropriate.

Mrs JILLIAN SKINNER: It is entirely inappropriate that Opposition members are not the slightest bit interested in what we are doing to improve health services for people across the State, including in their own electorates: Westmead, Blacktown, Mount Druitt, Wollongong, Campbelltown, St George, Sutherland, Hornsby, Gosford, Bega, Port Macquarie, Dubbo, Byron Bay, Tamworth, Parkes, Forbes, Lismore, Wagga Wagga, the new northern beaches hospital, and the new hospital site chosen at Maitland—watch this space. There is so much going on in the rebuild but it is also about recruiting extra staff. There are now 4,600 extra nurses as a headcount and 3,400 full-time equivalent staff. There are now 48,000 nurses on the payroll in New South Wales, which is more than ever before.

We have employed 1,400 additional doctors and 980 full-time equivalent hospital support staff since June 2011. Some 979 interns have been recruited this year and 205 extra paramedics employed since 2011. That is a total workforce of more than 3,400. It is a workforce of clinicians at the front line delivering health care. They are raising hospital performance, with hundreds of thousands of additional patients being seen in our emergency departments within four hours. When I became the Minister 59 per cent of patients went through emergency departments in four hours

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

Mrs JILLIAN SKINNER: The figure is now 75 per cent. On any measure, whether it is elective surgery or emergency department figures, the improvement has been massive. There has been major reinvestment in hospitals and health services across the State, recruitment of extra staff, the devolution of responsibility to the front line, the engagement of clinicians and increased morale. Is it any wonder that I have stacks of letters and compliments saying how good it is—including one from the shadow health Minister?

Question time concluded at 3.16 p.m.

MEMBER FOR SYDNEY

Personal Explanation

Mr ALEX GREENWICH (Sydney) [3.16 p.m.], by leave: Madam Speaker—

The SPEAKER: Order! The member for Sydney will be heard in silence. That is the respect he deserves.

Mr ALEX GREENWICH: Last night in the Legislative Council two confused and offensive comments were made about me by the Hon. Dr Peter Phelps and Reverend the Hon. Fred Nile, respectively. The first comment was by the Hon. Dr Peter Phelps, who referred to me as the "puppet of the Lord Mayor of Sydney, Clover Moore". He went on to say that I was not a puppet that is pulled by strings but a puppet that has someone's hand stuck up them. I assure the House that I am no-one's puppet. If I wanted to be a puppet I would have joined a political party. As to the comments by the Hon. Dr Peter Phelps, I simply say that I know dog whistling when I hear it. Reverend the Hon. Fred Nile—not wanting to be outdone—said that I was opposed to the Shooters and Fishers Party's bill as I was concerned that if Clover was not in Town Hall she would want the seat of Sydney back. Let me assure the House that Clover misses none of you.

BUSINESS OF THE HOUSE

Suspension of Standing and Sessional Orders: Order of Business

Motion by Mr ANTHONY ROBERTS agreed to:

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

- (1) Government business.
- (2) Private members' statements.
- (3) Matter of public importance.
- (4) The House to adjourn without motion moved at the conclusion of the matter of public importance.

PETITIONS

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

Pymont and Ultimo Bus Services

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

Edgecliff Interchange

Petition requesting the upgrade of Edgecliff Interchange to provide full access for all passengers, received from **Mr Alex Greenwich**.

Sydney Electorate Public High School

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

Harris Street Walkway

Petition requesting the reinstatement of the Harris Street walkway connection to the central business district and the upgrade of lighting on Darling Harbour walkways, received from **Mr Alex Greenwich**.

Same-sex Marriage

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

Inner-city Social Housing

Petition requesting the retention and proper maintenance of inner-city public housing stock, received from **Mr Alex Greenwich**.

Pet Shops

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

Pig-dog Hunting Ban

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

Slaughterhouse Monitoring

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

Container Deposit Levy

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

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

Wollombi Public School

Petition calling on the Government to wait five years to allow student enrolments to increase before deciding on the future of Wollombi Public School, received from **Mr Clayton Barr**.

CONSIDERATION OF MOTIONS TO BE ACCORDED PRIORITY

Public Transport

Mr MATT KEAN (Hornsby-Parliamentary Secretary) [3.20 p.m.]: My motion commends the New South Wales Government for delivering better public transport services, including the completion of the South West Rail Link, which was delivered ahead of schedule and under budget. It calls on the Opposition to support the delivery of the largest public transport project in Australia, the North West Rail Link.

Mr John Barilaro: Labor hates public transport.

Mr MATT KEAN: I note the interjection from the member for Monaro, who said that Labor hates public transport. This motion deserves priority because we believe the people of the north-west are a priority, that the people of the south-west are a priority, and that the people who live in Camden, Wollondilly and Campbelltown are a priority. The Government believes the public transport users of this State are a priority, as are those who want an integrated ticketing system. It will come as no surprise that members opposite do not believe these people are a priority. They did not believe the people of the north-west were a priority when they shelved their proposal to build the North West Rail Link in 2008. They did not believe the people of the south-west were a priority when former Premier Nathan Rees shelved plans to build the South West Rail Link in 2008.

They certainly did not believe commuters deserved an integrated ticketing system when Brian Langton promised it in 1997 and said that he would deliver it before the 2000 Olympics. What did we get? Absolutely nothing. In fact, as Minister for Transport, the Leader of the Opposition promised an integrated ticketing system in 2012. What do we have to show for that promise? Absolutely nothing. What does the Labor Party believe about public transport? Why do members opposite not believe public transport is a priority?

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

Mr MATT KEAN: They do not believe public transport is a priority because they want more congestion. Members should not simply believe me; they should believe the New South Wales Labor Party's policy blueprint. What does it say about the Opposition's priorities? Why do members opposite want more congestion? They want it because it will allow them to introduce a congestion tax. They want another great big new Labor tax. The Opposition's solution is more cars on the road so that it can raise more tax revenue. Its solution is always to hurt those who can least afford it—the people of south-western Sydney and the pensioners of north-western Sydney. That is who those opposite want to penalise with their great big new tax. We know how much the Opposition cares about public transport because the Leader of the Opposition did not mention it once in his speech to the Australian Labor Party conference. [*Time expired.*]

The DEPUTY-SPEAKER (Mr Thomas George): Order! I remind members from both sides of the House that 16 of them are on three calls to order.

Newcastle Revitalisation

Mr CLAYTON BARR (Cessnock) [3.23 p.m.]: My motion should be accorded priority because, unlike the motion of the member for Hornsby, it is about fact rather than fantasy. A significant

announcement was made in the Hunter today that half the net proceeds of the sale of the Port of Newcastle will be invested in the region. During question time today the Premier said that the Opposition might have been against the sale of the port. Indeed, we are. The reality is that we cannot wind back the clock and reverse the damage that has been done. New South Wales will miss out on more than \$1 trillion as a result of the sale of the Port of Newcastle. The people of the Hunter have one opportunity to access some of that funding now in the hope of generating through other services and industry some of the money that will be lost.

It is important to note that the decisions made thus far about the Newcastle central business district have been made on the transfer of a brown paper bag—that is, they were made in return for illegal donations from property developers to the campaign coffers of members who once sat in this place and who purported to represent the needs of the broader population. The thing that members do not understand about the Hunter is that it is a connected machine. We need as much prosperity and industry in Maitland, Cessnock, Singleton and Muswellbrook as we have in Newcastle. If members had driven into the Newcastle central business district between 2003 and 2009—I doubt whether any members opposite did—they would have seen that the city is already being redeveloped. The idea of spending \$340 million as a starting price to rip up a perfectly good piece of infrastructure is ridiculous.

I have issued a challenge to the Government before and I will do so again: Tell this House the final cost of ripping up the railway line and installing the light rail. Will it be \$500 million? No. Will it be \$1 billion? No. Will it be \$1.5 billion? No. It will be closer to \$2 billion. This is the Government's Rozelle metro, but the difference is that it is taking the community backwards not forwards. For all the criticism that the Rozelle metro attracted, it was about investing in a tube- or subway-style system. The light rail in Newcastle will be nothing like that; it is a step backwards. An enormous number of projects across the Hunter should be funded. We need the Adamstown rail gauge, connectivity to the airport, manufacturing contracts, a new Lower Hunter hospital, art galleries, the Glendale interchange, schools and police stations, and a freight rail bypass. We have a \$600 million local government backlog. [*Time expired.*]

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

The DEPUTY-SPEAKER (Mr Thomas George): Order! I call the member for Drummoyne to order for the first time.

The House divided.

Ayes, 57

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

Noes, 17

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

Pairs

Mrs Hancock	Mr Collier
Mr Stoner	Ms Hornery

Question resolved in the affirmative.

PUBLIC TRANSPORT**Motion Accorded Priority**

Mr MATT KEAN (Hornsby-Parliamentary Secretary) [3.36 p.m.]: I move:

That the House:

- (1) Commends the Government for delivering better public transport services, including the completion of the South West Rail Link ahead of schedule and under budget.
- (2) Calls on the Opposition to support delivery of the largest public transport project in Australia, the North West Rail Link.

I thought we had seen it all when the Opposition opposed the Government's attempts to improve public transport in this State. The Opposition said that the North West Rail Link is not a priority and that the South West Rail Link is not a priority. It said that integrated ticketing is not a priority. The Government is here to say otherwise. We care about the people of Sydney's north-west, about residents in Rouse Hill and in Cherrybrook. The Cherrybrook community has missed out on a viable public transport solution for far too long. A viable public transport solution was first promised when I was still in high school, in 1998. I was in year 11 and then transport Minister Brian Langton made a promise to deliver a public transport solution for the people of Sydney's north-west. Was that promise ever delivered by the Labor Party? Never. Why? It is because they do not care about the people of north-west Sydney. They do not deliver transport. In fact, they promised 12 different rail links around New South Wales.

Dr Geoff Lee: How many?

Mr MATT KEAN: Twelve. And how many did they deliver?

Mr John Sidoti: Zero.

Mr MATT KEAN: No, they delivered one at double the budgeted cost.

Dr Geoff Lee: Half the length, double the cost.

Mr MATT KEAN: Half the length at double the cost—the Epping to Chatswood rail line. Labor's record in this area is dismal. It does not want to make public transport a priority. When the Leader of the Opposition had an opportunity to speak at the Australian Labor Party Conference about his vision for the State and how much of a priority transport was, how many times did he mention public transport?

The DEPUTY-SPEAKER (Mr Thomas George): Order! There is too much audible conversation in the Chamber. Members who wish to have private conversations should do so outside the House.

Mr MATT KEAN: How many times did the Leader of the Opposition say public transport was important? Zero is how many times he mentioned public transport in his Australian Labor Party Conference speech. How many times did he mention public transport in his budget reply speech? It is a pretty important

area, but he mentioned it zero times. That is how much the Labor Party cares about public transport. Labor members did not care about public transport when they were in government and they do not care about it in opposition. They did not think the South West Rail Link was a priority, so they dumped it in 2008. It was supposed to be delivered in 2012, but they dumped it so it was never delivered. What has the Government done? We have delivered it a year ahead of schedule and \$300 million under budget. I congratulate the best Minister for Transport this State has ever had, Minister Berejiklian. This is an outstanding result.

Ms Linda Burney: You don't believe that.

Mr MATT KEAN: I do believe it and I will say it to anyone who will listen. The Opposition still does not think the North West Rail Link is a priority. Opposition members did not think it was a priority when they were in government and they shelved it. The Opposition promised it in 1998 and shelved it in 2008. It was meant to be completed in 2010 but the former Labor Government did not complete it.

Mr John Sidoti: Light rail delivery now.

Mr MATT KEAN: What it tried to deliver was the Rozelle metro.

The DEPUTY-SPEAKER (Mr Thomas George): Order! The member for Hornsby will direct his comments through the Chair.

Mr MATT KEAN: I will Mr Deputy-Speaker because I want to tell you about the inner-western metro. Five hundred million dollars was spent on a piece of rail link and not a centimetre of track was laid. That is the Opposition's commitment to public transport in this State. We are saying that the people of the north-west are a priority.

The DEPUTY-SPEAKER (Mr Thomas George): Order! The member for Mount Druitt will have an opportunity to contribute to the debate.

Mr MATT KEAN: We are saying that the people of the south-west are a priority. We are saying that integrated ticketing—making life easier for commuters in this State—is a priority and that is why we have got on with the job of delivering. We know that the Labor Party does not think public transport is a priority; it thinks more congestion is a priority because that will lead to higher taxes. We know that because we have a copy of the NSW Labor Policy Forum document—a forum that was co-chaired by the Leader of the Opposition. This gives a great clue as to why Labor wants to see more congestion and less investment in public transport: It means more tax—the old chestnut that when all else fails Labor goes back to taxing and spending more. [*Time expired.*]

Ms TANIA MIHAILUK (Bankstown) [3.41 p.m.]: I move:

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

"this House:

- (1) Notes the current Government's completion of the former Government's project, the South West Rail Link.
- (2) Calls on the Government to meet its election promise on the North West Rail Link and build it with direct services to the city."

I think the member for Hornsby is confused. The South West Rail Link was a Labor project, a Labor initiative, a Labor commitment, a Labor plan and a Labor win.

The DEPUTY-SPEAKER (Mr Thomas George): Order! The member for Bankstown will direct her comments through the Chair.

Ms TANIA MIHAILUK: There is no doubt that the New South Wales Government should be excited that a Labor project like the South West Rail Link has been completed. It is very excited that it has managed to save a few dollars on the South West Rail Link. It might want to use that money for the \$35 million cost blowout on the North West Rail Link. The tender for engineering services was originally for \$19.7 million and it will now cost \$31 million. The Geotechnic tender was initially for just under \$1 million and it has increased to \$6.5 million. Costs for legal services were originally \$735,000 but they have blown out to \$8.8 million.

Commercial Finance's services were originally \$629,000 but they have increased to \$4.6 million. I would not be too excited about cost savings because I can assure the House that there will be a hell of a blowout with the North West Rail Link—or should it more appropriately be called the north-west shuttle.

Mr Charles Casuscelli: Point of order: The member is clearly misleading the House. There was no commitment by the Government to the overall amount for each project. This Government's commitment was to deliver the project for a certain amount of money.

The DEPUTY-SPEAKER (Mr Thomas George): Order! The member for Strathfield will resume his seat.

Ms TANIA MIHAILUK: The member for Strathfield had better look after his seat if he wants to win it back. Let us be honest: the North West Rail Link is now a shuttle from Rouse Hill to Chatswood Chase. A commitment was made by Barry O'Farrell and by Gladys Berejiklian when she was the Opposition spokesperson and when she initially became Minister for Transport to ensure that a north-west rail line would connect with the central business district. A commitment was also made that it would be a fully integrated double-decker public service. It is no longer a double-decker public service. It is interesting that the member for Hornsby failed to mention that the line is now just a shuttle service because the tunnels are too small and the planning did not take place.

There was an opportunity to connect the North West Rail Link with the Western line and with the South West Rail Link. Why is that no longer happening? Why has that opportunity been thrown away? As soon as Barry O'Farrell and his bottle of wine were thrown out the window so too was the connection to the central business district and the potential for this rail line to connect with the airport at Badgerys Creek. There is no doubt that the Government has short-changed the people of the north-west, which is probably why not many Government members who will speak in this debate are representatives of the north-west. I am sure they are quite disappointed with what they will end up delivering for the people of the north-west.

Sadly I think the Minister would have been better off looking at some of the other wastage she has overseen during her time as Minister, such as \$17 million for a new logo for CityRail and \$7.3 million on new train station staff uniforms. I do not know why they needed new uniforms, given there will not be any train staff now that the Government is sacking everybody or making them redundant across the rail network. A hell of a lot of money has been spent on consulting fees: \$634,000 to GfK Blue Moon market research. The Government spent money on market research testing the new brand. [*Time expired.*]

Mr BRYAN DOYLE (Campbelltown) [3.46 p.m.]: It gives me great pleasure to support the motion moved by my good friend the member for Hornsby. I asked all members to join us in supporting this motion because this week I have seen two great achievements delivered by the New South Wales Government: the commencement of drilling on the \$8.3 billion North West Rail Link and the final handover of the South West Rail Link at Edmondson Park railway station, which not only is a full year ahead of schedule but also is under budget by \$300 million. Labor would not know much about projects being under budget and ahead of schedule.

As the largest infrastructure project in the country, the North West Rail Link and its sister project the South West Rail Link will transform the public transport network across our great city. Scheduled to open in 2019, with the first stage in the rollout of the Sydney Rapid Transit system, the North West Rail Link will set the benchmark for all future public transport infrastructure projects. Let us not forget that these projects were promised, cancelled and then re-promised by the former Labor Government and joined a long list of failed Labor mirages in those 16 long years of the Labor Government. The Labor Government could not even deliver small projects.

The South West Rail Link will revolutionise public transport for the commuters of the Macarthur and right across Sydney. Only last Saturday I had the privilege of attending the final handover of the South West Rail Link with the Premier, the Minister for Transport and my parliamentary colleagues from Holsworthy, Camden and Wollondilly. We stood on the completed station at Edmondson Park on the South West Rail Link, which only 18 months ago had been paddocks with cows. Now the only bovine defecate there is the remnants of Labor's policy and its failed attempts at delivery. The mighty South West Rail Link, now handed over to Sydney Trains, is expected to come on line in early 2015 and will act as the major catalyst for developing new, vibrant communities in the south-west growth precinct—an area long abandoned by those opposite.

The market knows that a bright future is coming for Macarthur and people and businesses are flocking to move to make Macarthur their home. The New South Wales Liberal-Nationals Government is committed to delivering services and infrastructure to communities taken for granted for so long by members opposite. The completion of the South West Rail Link will be a gateway for Sydney's second airport. The beginning of construction of the North West Rail Link brings great hope to the people of the north-west and those represented by the great member for Hornsby. I ask members to join us in supporting this motion. [*Time expired.*]

Mr GUY ZANGARI (Fairfield) [3.49 p.m.]: I want to put a couple of things straight. For the past 3½ years Government members have been carrying on as though things have been built, people are catching trains, and they are travelling to and from work on infrastructure that the Government has built. What is happening at the moment is absolutely nothing. That has not happened. A bit of tunnelling is being done, a few lines have been drawn on maps and many words are being spoken. But I will give members opposite a lesson on the priorities of Labor governments when it comes to infrastructure and transport. Let us start with the sprinter platform at Lidcombe. Members opposite use that platform when they travel to Homebush Bay and Sydney Olympic Park to watch football, the AFL and rugby union. That was delivered by a Labor government.

Liverpool station turnback was delivered by a Labor government. We saw the Granville Y link being constructed. The member for Campbelltown, who has seen things that have not been constructed, needs to go back to the optometrist. The upgrade and redevelopment of the railway sheds at Lidcombe were done under Labor. In regard to transport priorities, I ask the member for Hornsby: Why did the Government take the bus contract from Custom Coaches in Villawood? That company had been in my electorate for 60 years. But it is gone. The Government sent the contract to a company in Queensland that has direct links with the New South Wales branch of the Liberal Party. That loss of skills impacts the local economy of my area. That bus contract has gone; it will never come back. I remind the member for Hornsby about Labor's priorities. The Rouse Hill to Parramatta transitway was constructed by the former Labor Government. The Liverpool to Parramatta transitway—

Mr Clayton Barr: Who built that?

Mr GUY ZANGARI: Labor built that. But who privatised it?

Mr Clayton Barr: Who?

Mr GUY ZANGARI: The Coalition privatised it. The Government left elderly people high and dry on the day the transit systems took over. The Government has a good record. The list goes on and on. Members opposite talk about the South West Rail Link. That was signed off by the Labor Government under former Premier Rees in November 2009. But who takes the credit for it? The Minister for Transport has taken credit for it. Members opposite should not give us the lesson when they do not know the facts. [*Time expired.*]

Mr MATT KEAN (Hornsby—Parliamentary Secretary) [3.52 p.m.], in reply: What an outstanding performance from the member for Fairfield. I am taken back to the Iraq War with Comical Ali standing at the gates extolling the virtues of the invincibility of the Iraqi army. Nothing to see—it is all under control. There is no building going on. The tunnelling machines are working on the North West Rail Link but the member for Fairfield is standing on the sidelines with his hands over his ears and his eyes shut, pretending that nothing is happening, that there is nothing to see. He is talking tough. I tell the member for Fairfield: When one builds a project one has to use boring machines and get work underway. It does not simply happen. At the moment the only boring machine is the member for Fairfield.

Let us put the facts on the table. Digging is taking place and tunnel boring machines are underway. Construction is happening. The South West Rail Link has been completed a year ahead of schedule and \$300 million under budget. The member for Bankstown—I have a lot of respect for her; I am a big fan—gave us a lecture on public finances. She is a member of the party that wrote the playbook on how to blow State finances, whether it be the \$60 billion net debt we inherited, the \$30 billion infrastructure fund or the \$5.7 billion budget deficit. I will not be lectured about fiscal conservatism by the member for Bankstown or by any other Labor members. The reality is that this motion deserved priority because we care about the people of the north-west and the south-west. We care about public transport users in this State. That is why the New South Wales Government is getting on with the job of delivering viable public transport solutions to people across the State.

Do not believe me; believe the evidence on the ground, with the construction of the South West Rail Link complete. We know that the former Labor Government did not care about public transport—that is why it failed to deliver anything—and members opposite do not care about it now. They do not care about it because they plan to get back into government and impose on the taxpayers of this State a big new tax on congestion. When all else fails, what does Labor do? A Labor government taxes us more, so it can waste more on nothing. Members opposite will try to slink into government without being honest with the public. Luckily, we found on the back of a truck the New South Wales Labor policy forum document stating that a Labor government would impose a great big new tax on the citizens of this State. [*Time expired.*]

Question—That the words stand—put.

The House divided.

Ayes, 54

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

Noes, 17

Mr Barr	Dr McDonald	Ms Tebbutt
Ms Burney	Ms Mihailuk	Ms Watson
Mr Furolo	Mr Parker	Mr Zangari
Ms Hay	Mrs Perry	<i>Tellers,</i>
Mr Hoenig	Mr Rees	Mr Amery
Mr Lynch	Mr Robertson	Mr Lalich

Pairs

Mrs Hancock	Mr Collier
Mr Piccoli	Ms Hornery

Question resolved in the affirmative.

Motion agreed to.

Question—That the motion be agreed to—put.

The House divided.

Ayes, 55

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

Noes, 17

Mr Barr	Dr McDonald	Ms Tebbutt
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Ms Hay	Mrs Perry	<i>Tellers,</i>
Mr Hoenig	Mr Rees	Mr Amery
Mr Lynch	Mr Robertson	Mr Lalich

Pairs

Mrs Hancock	Mr Collier
Mr Piccoli	Ms Hornery

Question resolved in the affirmative.

Motion agreed to.

Pursuant to resolution government business proceeded with.

MUTUAL RECOGNITION (AUTOMATIC LICENSED OCCUPATIONS RECOGNITION) BILL 2014**Second Reading**

Debate resumed from an earlier hour.

Mr GARETH WARD (Kiama) [4.15 p.m.]: It is a pleasure to speak on the Mutual Recognition (Automatic Licensed Occupations Recognition) Bill 2014. I commend the Minister for introducing this sensible legislation. The Government is all about reducing red tape and regulation, and making it easier for business to operate. Living in this great Commonwealth of States we must have provisions in place that ensure cross-border cooperation and this is one of the ways that this can be achieved. I commend the Minister and the Government for taking a step that was not introduced by members opposite during their 16 years in office. Labor members do not care about small business, jobs and economic investment, and they did not bother to listen to the business community when they were in government.

That has led to the parties for small business, which of course are the Liberals and The Nationals, taking action. The bill provides for the automatic recognition of the licensing of certain occupations in other

jurisdictions and for other purposes. Differences in regulation, regardless of the basis, are keenly felt by local communities that straddle borders. The Baird Government is committed to these communities, resulting in the inaugural appointment of the Cross-Border Commissioner, Mr Steve Toms. The New South Wales Government wants to ensure that all regional communities are treated fairly and that the complex issues facing towns and regions located close to two States are given a clear and effective voice.

As an advocate for cross-border issues, the commissioner has been travelling to affected communities, meeting with businesspeople and residents to ensure that there is a strong understanding of concerns and that they are reported fairly. The difficulties arising from a requirement to hold two licences for the same work are a matter of concern. Automatic mutual recognition is a common-sense policy that will make a big difference to those living on borders who are engaged in regulated occupations. The reality of a border has brought up practical difficulties for people doing business in two jurisdictions and there are plenty of examples of that. The Parliamentary Secretary and member for Tweed, who is 100 per cent for the Tweed, is at the table. I have listened in great detail to many a speech by the member for Tweed and I can say in all sincerity that I have been enthralled by his contributions. The member for Murray-Darling also has those issues in his electorate and I listened with great intent and great interest. I was captivated—

The DEPUTY-SPEAKER (Mr Thomas George): Order! The member for Kiama will return to the leave of the bill.

Mr GARETH WARD: Just because I was not reflecting on all Nationals members— [*Quorum called for.*]

[*The bells having been rung and a quorum having formed, business resumed.*]

I am sorry that I was so rudely interrupted. It is amazing that the Opposition would seek to call a quorum when the House is debating small business issues affecting cross-border communities. Excellent members like the member for Murray-Darling and the member for Tweed want to hear debate about making it easier for small business by pulling back regulations, yet the Opposition has asked for the state of the House to be drawn to the attention of the Deputy-Speaker. It is purely a diversion to cover up for Labor's 16 years of failure whilst in government. I digress and will return to the leave of the bill.

Border communities are a single economy, and the impact of regulation needs to be acknowledged and tailored to those special conditions and circumstances. This bill is designed with the needs of cross-border communities front of mind. The policies in this bill resolve many of the practical difficulties that the Cross-Border Commissioner has encountered firsthand in the way States regulate occupations. The removal of a requirement for two licences means that a barrier for tradespeople is dismantled and improves their capacity to do business and serve consumers. The enshrining of the principle that one licence is sufficient regulation for an occupation will reduce costs for tradespeople in regional communities in particular.

One can imagine having to have one licence in Albury, one licence in Wodonga, one licence south of the border and once licence north of the border; it simply does not make sense. This bill provides for the automatic recognition of the licensing of certain occupations in other jurisdictions and for other purposes. The provisions in the bill will particularly benefit small business. More than 96 per cent of New South Wales businesses are small businesses and they employ more than 50 per cent of the workforce. In these enterprises, there are fewer than 20 employees. Businesses established around licensed occupations are often very small businesses. They are often mum and dad small businesses operating without many resources and every dollar is one they have had to work hard to make. In the case of electricians and plumbers, for example, frequently it is the licensee who undertakes the work and the spouse looks after the administration of the business.

While there is absolutely no suggestion that these occupations will be deregulated, it will make a big difference to pay only a single licence fee to the licensing authority with jurisdiction over their principal place of residence. Time for administration will be vastly reduced and this in itself assists small business. The automatic mutual recognition policy is especially aimed at border communities and regional communities. The policy will also support a natural disaster response by facilitating licensed tradespeople getting to the location quickly without having to register or take out a duplicative licence issued by the jurisdiction in which the emergency is located. That is a sensible, sound, responsible and reasoned policy. We have seen these disasters in the form of tropical cyclones, floods and bushfires. How ridiculous it is that the people who can provide assistance are held up because of the need for a piece of paper.

The bill that was introduced in the other place had also proposed to remove other costs for licensees. It would have removed refrigeration and air conditioning licences, so that for a three-year renewal traders would have saved \$480 as an individual, \$730 if a partnership and \$860 if a corporation. That is a significant saving considering that New South Wales consumers would still be using a Commonwealth licensed refrigeration and air conditioning mechanic. Sadly, the amendments made to the bill have removed the provisions that would have repealed this redundant New South Wales licence. I cannot understand why that happened in the other place.

For builders and swimming pool builders the original bill would have repealed unnecessary continuing professional development [CPD] costs. The Housing Industry Association has estimated that CPD costs a builder between \$100 and \$500 annually. Only New South Wales has imposed this requirement on its builders and swimming pool builders, amounting to another cost not known to their peers over the borders. Under Australian Consumer Law, consumers are entitled to get the services they pay for and businesses are obliged to fulfil those promises. A mandatory education requirement is irrelevant in the context of the general and pervasive law that exists in this State.

The New South Wales Government intended to give back to those licensed businesses the choice about continued education based on their business needs. However, members in the other place decided to maintain this pointless red tape. Why would members of the upper House wish to maintain that ridiculous duplication? When considering the New South Wales and Queensland border communities we find that Australia's sixth largest city is the Gold Coast. The adjacent areas in New South Wales provide a complementary environment. The Australian Capital Territory is located entirely within the geographic region of New South Wales, meaning that the economies of both are integrated. [*Extension of time agreed to.*]

Along the border with Victoria are several large communities. The small businesses in Albury-Wodonga, Wagga Wagga, Wentworth-Mildura and other Murray River communities will all benefit from this new legislation. For these reasons Queensland and New South Wales are both committed to resolving how licensed occupations can become more mobile. This model of automatic mutual recognition is based on the Queensland model of external licence recognition in their Electricity Safety Act. It is a forerunner for the model New South Wales has adopted. Under this model the licence to carry out a regulated occupation becomes portable. It applies to the individual with the skills and not to an entity such as a corporation.

In this way a line of sight is maintained over who does the work. There can be no hiding who is undertaking the regulated work. The law of New South Wales applies to a licence that is recognised under this policy in the regulation. The person working under the automatically recognised licence can be disciplined in the same way as a New South Wales licensee. Enforcement action can be taken if necessary. If disciplinary or enforcement action is taken, New South Wales must report this to the interstate authority that issued the licence. They can take action should someone breach licence conditions or the conditions contained in any professional qualifications.

Conversely, a power has been provided so that if such action is taken against a New South Wales licensee, the information that is reported about the disciplinary or enforcement action may be entered on the public register. In this way a more fulsome history of a licensee is achieved and recorded by the Government for the purposes of administering licences. Fair Trading intends to make it easy for interested parties to access interstate public registers of licences, which are part of this automatic recognition scheme, by providing links from its website. Information and assistance will be provided by stakeholders, the Cross-Border Commissioner, the Small Business Commissioner and NSW Fair Trading to make sure parties get the maximum benefits and advantages from the policy.

I commend the members from cross-border communities in this House, my friends and colleagues in The Nationals, who I know have been working very hard to see this new legislation come to the House. The members for Tweed, Murray-Darling, Wagga Wagga and Monaro all have the interests of their small business constituents at heart. They do not want mums and dads who are working in their small businesses to spend night and day lumbered with regulation, filling out forms and completing duplicate licences when they should be spending time in their business or with their families.

Mums and dads running small businesses should be spending their time making their business work as effectively as they can. Perversely, despite a wonderful Federation, from time to time instances occur that require governments to intervene. This is an example of why we need State parliaments: to resolve these issues

when they arise. I commend all of those hardworking cross-border members for convincing the Cabinet, Premier and Minister to ensure that this new legislation should be enacted to give small businesses a go. I commend this very important bill to the House.

Mr JOHN WILLIAMS (Murray-Darling) [4.25 p.m.]: I am honoured to contribute to debate on the Mutual Recognition (Automatic Licensed Occupations Recognition) Bill 2014. This legislation will create praise for this Government across the Victorian-New South Wales and the New South Wales-South Australian borders. I can only say hallelujah, we have seen the light. I heard the Opposition spokesman for small business make her contribution to the debate. I was amazed to think that someone could be so out of touch with what it is all about. She had no idea at all. If you live in Bankstown you would not have much idea of what happens on the border.

For many years we have been frustrated by the restrictions placed on tradesmen on the other side of the border and their inability to carry out their trades without having a licence in New South Wales. For so long we have been frustrated by refrigeration mechanics that service most of the remote clubs along the Murray-Darling border such as Murray Downs at Swan Hill. As a matter of principle and cost, many refrigeration mechanics decide they do not want to be licensed in New South Wales. If there is not enough in it for them they will not do it and they will not do it if they have enough work over the border. Clubs have raised this issue with me saying they have to get refrigeration mechanics from Albury at a huge cost. On many occasions it is emergency work that has to be delayed for a few days.

Unless the member for Bankstown actually goes down to the border and listens to people there she will have no idea about the frustrations they face. The city of Mildura has grown at the expense of Wentworth. In combination with the changes to the planning laws in New South Wales, which saw a standard instrument being introduced causing border shires to be hung out to dry and not able to get a standard instrument approved, the other side of the border saw great residential growth. With that residential growth came all the tradesmen that supported the building trades. Those tradesmen decided that it was all too hard to work in New South Wales because they needed a dual licence. They thought it was unreasonable and we thought it was unreasonable, but the Labor Government of the day did not.

When we did some investigations we found that the licence fees collected from small businesses went to unions in New South Wales. I wonder whether the member for Bankstown is more motivated to get the unions more revenue than she is to get this State up and running, which is what this Government is all about. We want to remove red tape and to stop the frustration being experienced by New South Wales residents who cannot access skilled tradesmen from across the river who can fix their problems because they do not have a New South Wales licence. They must find someone on their side of the river who has the skills and the time to provide a service. Very few tradesmen are now operating on the New South Wales side of the river and as a result there is no competition. There is discrimination between tradesmen who elect to operate on one side and those who operate on the other side. As a consequence people cannot get a quote from someone on the other side of the river because tradespeople there are not prepared to get a licence.

The skills and qualifications required to obtain a licence are the same on both sides of the river, so this is a win-win for New South Wales. I acknowledge the former Minister for Sport, Recreation and Racing, the Hon. George Souris. One of the frustrations he will appreciate is the continuing issue of licensing people who work behind bars in Victoria and New South Wales. People in both Victoria and New South Wales working in licensed premises must have completed a responsible service of alcohol course. Many of the young people working in bars are university students and they have limited funds to spend on obtaining licences. I have no idea what it costs to do the course, but I think it is a couple of hundred dollars. Those working in Victoria are required to do a similar course in New South Wales if they want to work in this State. That should be the next issue addressed to resolve our cross-border frustrations.

The introduction of this legislation is a result of The Nationals' efforts to establish the Cross-Border Commissioner. I have attended many meetings with Steve Toms, the former commissioner, along the Murray River and in Broken Hill, which shares a border with South Australia, and we have discussed the frustrations involved in living on a border. Much of what we are seeing today is the result of Steve Toms' work with the Government to resolve these cross-border anomalies. The Nationals' campaign to establish the commissioner is now bearing fruit. We will see some huge benefits and I look forward to talking to my constituents about what this legislation will mean for them.

I know that they will be very pleased with this Government because it has dealt with this issue and introduced legislation that allows free access across the border for small businesses. They will be able to work

on either side of the river and get the job done in a timely manner. Well done, Minister, for introducing this important legislation. It will generate huge benefits and it is a great step forward. During the years that I represented the electorate of Murray-Darling in opposition I was talking to a brick wall. The Labor Government did nothing to address any of these issues. We finally have legislation and I congratulate the Government on its introduction. I totally support this bill.

Mr CHRIS PATTERSON (Camden) [4.35 p.m.]: I support the Mutual Recognition (Automatic Licenced Occupations Recognition) Bill 2014. This bill provides for the automatic recognition of the licensing of certain occupations in other jurisdictions and for other purposes. The bill will particularly benefit small business. As members are aware, more than 96 per cent of New South Wales businesses employ fewer than 20 employees, but they also employ more than 50 per cent of the workforce. I will digress and draw the attention of the House to the Narellan Chamber of Commerce.

Mr Bryan Doyle: What a good chamber.

Mr CHRIS PATTERSON: It is not a good chamber; it is a great chamber. Last Friday the chamber hosted a business breakfast that was attended by the Premier, the proactive Camden Council, the member for the opal of the south-west, the member for Wollondilly, the Minister for Local Government and the Federal member for Macarthur. It was a full house and a great breakfast, and I commend the chamber. That function was an example of what can happen when an extremely positive chamber of commerce works with a positive council. The result is great outcomes for the local area.

The chamber president, Adriana Care, from Coutts Solicitors and Conveyancers, has done a wonderful job. I cannot speak highly enough of her leadership. Being the person she is, she would want me to acknowledge her board. The vice-president, Bryn Robinson, from the Fitzpatrick Group, is an outstanding and tireless worker. The secretary, Maria Sapienza, from Macarthur Castles, does a great job. The treasurer, Geoff Rogers, from Camden Valley Financial Solutions, and Christmas in Narellan coordinator, Daniel Check, from Commonwealth Bank Business Marketing, have done great work. A good mate of mine, marketing and communications coordinator Paul Stevens, from Lifehouse Church—brother of former Cronulla Sharks international Jason Stevens—is a great guy. Steve Wisbey who is in charge of sponsorship, is also our local MC at many charity events in Macarthur. The membership coordinator, Belinda Maclean, from HR Focus, does an outstanding job. The web IT coordinator, Dom Ooi, from Solutions Outsourced, did a good job on my website—without giving a discount; it was all aboveboard.

Events and speaker coordinator Caitlin Pearson, from Macarthur Disability Services, was instrumental in the success of the business breakfast. Credit should be given where it is due. We have an outstanding chamber led by an outstanding president and I commend it for its efforts. Businesses that are based on licensed occupations are often very small. In the case of electricians and plumbers, it is frequently the licensee who undertakes the work and the spouse looks after the administration. While there is no suggestion that these occupations will be deregulated, it will make a big difference to pay only one licence fee to the licensing authority with jurisdiction over the principal place of residence. The administration workload will be reduced dramatically, and that in itself will assist small businesses. The automatic mutual recognition policy is especially aimed at border and regional communities.

The policy will also support a natural disaster response by facilitating licensed tradespeople to get quickly to the location without having to register or take out a duplicative licence issued by the jurisdiction in which the emergency is located. We have seen these disasters in the forms of tropical cyclones, floods and bushfires. The bill that was introduced in the other place had also proposed to remove other costs for licensees. It would have removed the requirement for refrigeration and air conditioning licences, so that traders would have been saved from a three-year renewal cost of \$480 for an individual, \$730 for a partnership or \$860 for a corporation. That is a significant saving considering that New South Wales consumers would still be using a Commonwealth-licensed refrigeration and air conditioning mechanic. Sadly, the amendments made to the bill have removed the provisions that would have repealed this redundant New South Wales licence.

For builders and swimming pool builders, the original bill would have repealed unnecessary continuing professional development costs. The Housing Industry Association has estimated that continuing professional development costs builders between \$100 and \$500 annually. Only New South Wales has imposed this requirement on its builders. Under Australian Consumer Law consumers are entitled to get the services they pay for and businesses are obliged to fulfil their promises. A mandatory education requirement is irrelevant in the context of the general and pervasive law. The policies in this bill also resolve many of the

practical difficulties that the Cross-Border Commissioner has encountered firsthand in the way that States regulate occupations. Differences in regulation, regardless of the basis, are keenly felt by local communities that straddle borders.

The Liberal-Nationals Government's commitment to these communities resulted in the appointment of the inaugural Cross-Border Commissioner, Mr Steve Toms. The New South Wales Government wants to ensure that all regional communities are treated fairly and that towns and regions located close to two States are given a clear and effective voice in addressing the complex issues they face. As an advocate for cross-border issues, the commissioner has been travelling to affected communities and meeting with businesspeople and residents to ensure that there is a strong understanding of concerns and that they are reported. The difficulties arising from a requirement to hold two licences for the same work are a matter of concern. I commend the Minister for introducing this bill. The Government is cognisant of the need to cut red tape for small business and I applaud it for bringing on this bill. I acknowledge that 96 per cent of businesses in New South Wales are small businesses. We need to do everything we can to ensure that they get the support they need and that they are not burdened with additional red tape. I commend the bill to the House.

Mr DOMINIC PERROTTET (Castle Hill—Minister for Finance and Services) [4.42 p.m.], in reply: I recognise the contributions to this debate by the member for Camden, in particular, and by members representing the electorates of Bankstown, Campbelltown, Tweed, Myall Lakes, Wagga Wagga, Cronulla, Tamworth, Strathfield, Riverstone, Gosford, Granville, Coogee, Menai, Drummoyne, Smithfield, Clarence, Parramatta, Oatley, Kiama and Murray-Darling. As members have heard, the Mutual Recognition (Automatic Licensed Occupations Recognition) Bill 2014 will enable the holders of some recognised occupational licences that are based in other States to work in New South Wales without further red tape or fuss. It enhances mutual recognition for cross-border workers by removing paperwork and fees.

New South Wales is leading the country by creating this model for automatic mutual recognition of licensed occupations. It provides more flexibility in our workforce and opportunities to seek reciprocal arrangements with other jurisdictions that benefit New South Wales businesses and workers, all while ensuring that consumers continue to have the protection of New South Wales laws that govern tradespeople. Labour mobility and small business viability are improved through this bill because it is removing various costs faced by tradespeople. This reform will make life easier in regional and border communities.

I now turn to the issues raised by members of this House. First, the member for Bankstown raised specific issues about the amendments made in the other place to remove the words "or another jurisdiction prescribed by the regulations" and replace them with "or New Zealand." I do not see why the member would raise concerns about allowing automatic mutual recognition of certain occupation licences for the benefit of our neighbours across the Tasman. This would only occur if it were reciprocated. Certain New South Wales occupational licence holders will benefit by being able to work in New Zealand for short periods without having to apply for a New Zealand licence. The benefit is reciprocated. As I mentioned in my second reading speech, we already have existing mutual recognition of certain New Zealand licences under the Trans-Tasman Mutual Recognition Act 1996. The bill before the House merely seeks to deepen the existing relationship we have with our cousins across the ditch.

Secondly, the Opposition raised concerns about the Government's proposal to remove mandatory continuing professional development [CPD] requirements for builders. As I mentioned previously, key stakeholders such as the Housing Industry Association [HIA] strongly supported the removal of mandatory CPD requirements as it was seen as an unnecessary burden on the industry. The HIA estimated that the mandatory CPD requirements cost a builder between \$100 and \$500 annually. The Independent Pricing and Regulatory Tribunal's 2014 report "Review of Licensing" estimated that the burden on these very small businesses is about \$8.1 million per annum. The original bill reflected an attempt by the Government to reduce unnecessary red tape for business, yet our efforts were thwarted. Thirdly, the original unamended bill sought to remove the requirement for a New South Wales licence for refrigeration and air conditioning occupations. As I outlined in my second reading speech, currently air conditioning and refrigeration mechanics in New South Wales must hold both a Commonwealth Australian Refrigeration Council licence and a New South Wales refrigeration and air conditioning licence.

The training is identical under both licences. That means the current New South Wales licence duplicates the applicable Commonwealth licence. The member for Bankstown pointed out that the Commonwealth licence does not relate to non-ozone depleting refrigerants and does not cover associated electrical work. In relation to the electrical work, the original unamended bill—as the member for Bankstown

would know if she had read it carefully—sought to cover associated electrical work by creating a new electrical licence catering specifically for connection and disconnection work. In relation to non-ozone depleting refrigerants, there are other requirements under work health and safety laws, public health laws, Australian Standards, manufacturer guidance material and the Australian Consumer Law that would continue to apply. The holding of a New South Wales licence is no substitute or alternative for these requirements.

I thank all members for their contributions to the debate on this bill. The bill is an important red tape reduction measure for tradespeople and their businesses. Border communities are single economies and the impact of regulation needs to be acknowledged and tailored to those special conditions and circumstances. The reality of a border has caused practical difficulties for these tradespeople. This bill is designed with the needs of cross-border communities in the front of our minds. The Government is not deterred by the removal in the other place of additional reforms that were to be a part of this package to cut red tape. They were sensible reforms—practical reforms—but are not essential to progress the automatic mutual recognition framework. 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 Dominic Perrottet agreed to:

That this bill be now read a third time.

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

CONSTITUTION AMENDMENT (PARLIAMENTARY PRESIDING OFFICERS) BILL 2014

Second Reading

Debate resumed from 31 August 2014.

Mr JOHN ROBERTSON (Blacktown—Leader of the Opposition) [4.48 p.m.]: I lead for the Opposition in the debate on the Constitution Amendment (Parliamentary Presiding Officers) Bill 2014. I state from the outset that the New South Wales Opposition will support the legislation, which will provide consistency for the roles of the Presiding Officers to continue their administration duties during the election period. The bill effectively removes a number of inconsistencies surrounding the terms of the parliamentary Presiding Officers during the election period, including the Speaker of the Legislative Assembly, the Deputy-Speaker of the Legislative Assembly, the President of the Legislative Council and the Deputy-President and Chair of Committees in the Legislative Council.

The bill also amends the Parliamentary Remuneration Act 1989 with the result ensuring ongoing remuneration to those officers from the issuing of the writs until the summoning of the new Parliament, and to provide that each of these officeholders will not cease to be a member of Parliament during that period, which is typically two months. The bill amends the Constitution Act 1902 to deliver certainty and constancy to the administration of the Parliament and the employment of parliamentary staff. Professor Anne Twomey's analysis of the Constitution Act 1902, "The Constitution of New South Wales", states:

Presently the Speaker holds office until the new Parliament is summoned, whereas the Deputy Speaker's term ends when the House is dissolved or expires.

Professor Twomey also states that, like the Speaker, the President holds office until the new Parliament is summoned and a new Presiding Officer can be elected. Legislative Council Standing Order 16 also clearly provides that the Deputy-President holds office until the new Parliament is summoned. However, in his second reading speech the Premier stated:

There is currently no power for the President to exercise administrative functions once he or she ceases to be a member of the Legislative Council.

The Premier has therefore no doubt received legal advice to this effect. It is likely that the concern arises from the fact that under current section 22G of the Constitution Act 1902, the President ceases to hold office if he or she ceases to be a member of the Legislative Council. Under section 22B of the Act, the terms of service of Legislative Councillors expire on the day of the termination, either by dissolution or expiry, of the Legislative Assembly next preceding the second general election of members of the Legislative Assembly held after his or her election as a member of the Legislative Council.

In other words, the eight-year term of a member of the Legislative Council ends on the day the Legislative Assembly expires or is dissolved. This bill now specifically provides that both the President and the Deputy-President will hold office and be fully remunerated until the summoning of the new Parliament. It is worth noting in this context that the terms of both the incumbent President, the Hon. Don Harwin, MLC, and the Deputy-President, the Hon. Jenny Gardiner, MLC, will expire in 2015. Under the bill's changes, both these office holders will be guaranteed remuneration until the new Parliament is summoned in 2015. Similarly, it is likely that the Deputy-Speaker will be fully remunerated during the election period.

The DEPUTY-SPEAKER (Mr Thomas George): Do I have to declare an interest?

Mr JOHN ROBERTSON: That is a matter for you, Mr Deputy-Speaker.

Mr Ryan Park: What about the rest of us?

Mr JOHN ROBERTSON: We all do too. The bill also provides that the Deputy-Speaker may act as the Speaker and the Deputy-President may act as the President if either senior office holder is "unavailable". Currently, deputies may so act only if the more senior officer is absent from the State. The bill provides for a new, additional and rather loose definition of "unavailable", being "otherwise unavailable to exercise and perform the powers, authorities, duties and functions" of the Speaker or the President. As I stated at the outset, the Opposition does not oppose the bill, but places on record the likelihood that Presiding Officers, including those who are retiring, will now be entitled to receive remuneration during the two-month election period.

Mr GEOFF PROVEST (Tweed—Parliamentary Secretary) [4.52 p.m.]: I make a brief contribution in debate on the Constitution Amendment (Parliamentary Presiding Officers) Bill 2014. As we have heard from both the Premier and the Leader of the Opposition, the bill will enable the President of the Legislative Council to perform official administrative duties during the period between the dissolution and reassembling of Parliament following a State general election. In that time the Parliament's Presiding Officers continue to exercise administrative functions such as the employment of staff and the administration of the Parliamentary Precincts Act 1997. However, as it stands during the upcoming election period there will be no President of the Legislative Council because the Constitution Act 1902 provides that the office of the President terminates when the holder is a member of the Legislative Council whose term expires before a State general election.

The bill amends the Constitution Act expressly to provide that the President, and the Deputy-President when acting in the role of President when the incumbent is unavailable, remains in office until the Legislative Council assembles for its first meeting after a State general election. The bill also amends the Constitution Act in relation to the Speaker, and the Deputy-Speaker when the Speaker is unavailable—both of them, I might add, do a fabulous job. I am always in awe of the roles they perform. Mr Deputy-Speaker, on several occasions you have filled in for the Speaker and you have done so with grace, vigour and class. I was very pleased to stand behind you on official occasions.

The bill amends the Constitution Act to align the relevant provisions and provide for consistency in arrangements between the Houses. The bill provides that the President and the Speaker will remain in their respective offices only until their respective Houses assemble again to elect a Presiding Officer. The role of the Presiding Officers during the election period will be to exercise administrative duties and employment functions. This is a very common-sense bill that aligns us with our Federal colleagues. It is about the employment of parliamentary staff and the smooth running of the administrative duties of this place. It is great to have such upstanding officers in those positions currently. I commend the bill to the House.

Mr KEVIN CONOLLY (Riverstone) [4.55 p.m.]: I make a brief contribution to debate on the Constitution Amendment (Parliamentary Presiding Officers) Bill 2014. The object of the bill is to amend the Constitution Act 1902 to ensure that both the President of the Legislative Council and the Speaker of the Legislative Assembly, and their deputies acting when they are unavailable, may exercise the functions of

parliamentary Presiding Officers relating to the administration of Parliament and the employment of parliamentary staff during a State general election period when the Legislative Assembly is dissolved and the Legislative Council is suspended.

It is fortunate that this situation was identified and has been addressed in a timely fashion prior to the election early in 2015. Obviously it was not foreseen when the Constitution Act was drafted originally that there might be this hiatus and that a President of the Legislative Council might have legal obligations to discharge when, in fact, nobody was occupying the office. Employment obligations and various administrative duties have been allocated to that role in the years since the Constitution Act came into force and they need to be taken into account in the current circumstances. The bill is a quite detailed and measured response to a specific problem, which it will address appropriately.

As the member for Tweed said, this amending bill will bring us into line with the arrangements that exist in the Federal Parliament, where the Presiding Officers of both the Senate and the House of Representatives are the subject of similar provisions that allow them to remain in office until such time as their successor is elected. I also note that the same is true of mayors in New South Wales. Section 230 of the Local Government Act 1993 states that the office of mayor becomes vacant when the mayor's successor is declared to be elected to that office. It is structured in such a way that the mayor continues in office past election day, even after the rest of the council ceases to exist, until the first meeting of the new council that elects the replacement mayor, for the pragmatic and sensible reason that there are functions allocated to the office that need to continue and which would, in their absence, inconvenience and disadvantage the community that the mayor represents.

The same paradigm exists in State Parliament. There would be practical and deleterious consequences if Presiding Officers' positions were not occupied during that period. This amendment is a common-sense and pragmatic response to that situation. It clearly establishes the justification and basis for continuity in carrying out those officers' duties during the election period until such time as the new Parliament meets and elects new Presiding Officers. I commend the bill to the House.

Mr GUY ZANGARI (Fairfield) [4.59 p.m.]: I make a brief contribution to debate on the Constitution Amendment (Parliamentary Presiding Officers) Bill 2014. The object of the bill is to amend the Constitution Act 1902 to provide for consistency in the roles of the Presiding Officers in continuing their administration duties during the election period. Additionally, the bill will amend the Parliamentary Remuneration Act 1989 to implement the consequential effect of guaranteeing ongoing remuneration to the Speaker, the Deputy-Speaker, the President and the Deputy-President during the State election period. Through the proposed amendments, a number of inconsistencies pertaining to the terms of the parliamentary Presiding Officers during an election period will be removed. Additionally, there are provisions set in place to ensure that the following parliamentary office holders continue to hold office during the election period and until the Parliament reconvenes following the election: the Speaker of the Legislative Assembly, the Deputy-Speaker of the Legislative Assembly, the President of the Legislative Council and the Deputy-President and Chair of Committees in the Legislative Council.

Further amendments are made to the Parliamentary Remuneration Act 1989 to provide that each of the aforementioned office holders will not cease to be a member of Parliament during the election period. Through the proposed amendments, the Deputy-President will be able to act as the President and the Deputy-Speaker may act as the Speaker should either senior office holder be unavailable. A new, looser definition will be added for "unavailable", defining it as "otherwise unavailable to exercise and perform the powers, authorities, duties and functions" of either the President or the Speaker. Presently, in order for any person to serve as a deputy, they may only perform the senior role should the senior office holder be absent from the State. The proposed amendments mean that even though a member of the Legislative Council's eight-year term may end, these provisions will ensure that the President and the Deputy-President will continue to hold office and be fully remunerated until the summoning of a new Parliament.

It is worth noting that these changes will ensure that even though a member of the Legislative Council is retiring from Parliament and is presently serving as either the President or the Deputy-President, they will continue to receive full remuneration throughout the election period and until the next Parliament begins sitting. A number of interesting amendments are proposed, some of which make perfectly good sense. However, it strikes me as a little strange that the Speaker and the Deputy-Speaker will be entitled to full remuneration during an election period when they are no longer required to perform their duties in the House. In conclusion, I do not oppose this bill.

Mr STEPHEN BROMHEAD (Myall Lakes) [5.02 p.m.]: I support the Constitution Amendment (Parliamentary Presiding Officers) Bill 2014. The object of the bill is to amend the Constitution Act 1902 to ensure that both the President of the Legislative Council and the Speaker of the Legislative Assembly, and deputies acting when they are unavailable, may exercise the functions of a parliamentary Presiding Officer relating to the administration of Parliament and the employment of parliamentary staff during a State general election period when the Legislative Assembly is dissolved and the Legislative Council is suspended. The bill also makes consequential amendments to the Parliamentary Remuneration Act 1989 to ensure that parliamentary Presiding Officers and their deputies continue to receive their usual remuneration during the State general election period.

The bill provides for consistency for the roles of the Presiding Officers in continuing their administrative duties during the election period, thereby providing certainty and stability to the administration of the Parliament and the employment of parliamentary staff. The Presiding Officers administer the executive functions of the Parliament, including during the period when Parliament is dissolved ahead of an election and until the Parliament assembles after an election. In accordance with longstanding practice, the Constitution Act permits the Speaker to remain in office until the assembly of a new Parliament following a State general election. However, currently there is no power for the President to exercise administrative functions once he or she ceases to be a member of the Legislative Council. The bill amends the Constitution Act 1902 expressly to provide that the President of the Legislative Council remains in office until the Legislative Council assembles for its first meeting after a State general election.

The bill amends the Constitution Act 1902 in relation to the Speaker to align the provisions relating to both Presiding Officers. Similar amendments are made for their deputies when the Presiding Officers are unavailable. The bill also removes redundant provisions relating to the procedures for electing the Presiding Officers, which existed before such procedures were determined by the standing orders of the particular House of Parliament, and makes some consequential amendments to the Parliamentary Remuneration Act 1989. As I said, the bill provides that the President and the Speaker will remain in their respective offices only until their respective Houses assemble again to elect a Presiding Officer. The role of the Presiding Officers during the election period will be to exercise administrative duties and employment functions. Similar provisions apply for the Presiding Officers in the Federal Parliament.

A person whose term as a member has expired but who remains a Presiding Officer will not be in a position to influence any votes in the Parliament as it will be dissolved or suspended. The bill also updates redundant standing orders provisions concerned with the election of the Speaker and the President, and makes consequential amendments to the Parliamentary Remuneration Act. I turn to the specific provisions in the bill. Schedule 1 items [1] to [4] amend section 22G relating to the office of the President of the Legislative Council and the Deputy-President and Chair of Committees of the Legislative Council. The Assistant-Speaker in the Legislative Assembly is the Chair of Committees in this House. It is an historic and prestigious position currently held by the hardworking member for Coffs Harbour. Recently he hosted the world rally in his electorate. I saw some extreme action shots of the member for Coffs Harbour.

Schedule 1 [1] provides that a President who ceases to be a member of the Legislative Council because his or her term of office ends at the beginning of the State general election period does not cease to be President if he or she continued in office as President by the amendment made by schedule 1 [3]. Schedule 1 [3] continues in office the President and the Deputy-President and Chair of Committees for the period from the suspension of the Legislative Council when the Legislative Assembly is dissolved for a general election until the first meeting of the Legislative Council after the general election. Schedule 1 [4] replaces the existing provision relating to the authority of the Deputy-President and Chair of Committees to act for the President when he or she is out of the State with a provision that authorises the Deputy-President and Chair of Committees to act whenever the President is unavailable, which is defined to include a vacancy in the office of President or if the President is absent from the State or otherwise unavailable to exercise the powers and functions of the President.

Schedule 1 [2] makes a statute law revision amendment to remove provisions relating to the procedure for electing a President that applied before the standing rules and orders were made for that purpose. Schedule 1 items [5] to [7] amend sections 31, 31A and 31B relating to the office of the Speaker of the Legislative Assembly and the Deputy-Speaker of the Legislative Assembly to make amendments similar to those made by schedule 1 items [1] to [4]. This common-sense legislation will rectify a few anomalies. I commend the bill to the House.

Mr JONATHAN O'DEA (Davidson) [5.10 p.m.]: I will make a relatively short contribution in debate on the fairly straightforward Constitution Amendment (Parliamentary Presiding Officers) Bill 2014, which is

also relatively short. The bill, which has already been well canvassed, amends the Constitution Act to expressly provide that the President of the Legislative Council remains in office until the Legislative Council assembles for its first meeting after a State general election. This bill adheres to and promotes a number of important principles. Ultimately, we want to ensure that the principles in these sorts of bills are sound, as they are in this case and as has been acknowledged by the Opposition. Accordingly, I appreciate the fact that the Opposition supports the passage of this legislation.

The principles that are promoted through this legislation include the efficient operation of the Parliament and the important administrative functions performed by the Presiding Officers. Together with the Clerks and officers of the Parliament they perform much valuable work behind the scenes which should continue when the Parliament is not sitting in the lead-up to and immediately after an election. This legislation promotes certainty, stability and the value of continuity. I will refer, first, to continuity and to having a degree of consistency. Earlier, while I was sitting in the Chamber, I looked up some of the facts and figures relating to former Presiding Officers in order to add something new to the debate. The longest serving Speaker in this Chamber was Lawrence Kelly whose name appears on the wall above the current Speaker's chair. I had not heard of Lawrence Kelly before but I am sure there are members in this place who remember him well. Lawrence Kelly served as Presiding Officer in this Chamber from 1976 to 1988—a period of 12 years.

Mr Geoff Provest: A long time.

Mr JONATHAN O'DEA: It was a long time. In the upper House the record holder is Sir John Hay who served from 1873 to 1892—a period of 19 years. Sir John Hay was one of only two Presiding Officers—the other was Sir Terence Murray—to have been a Presiding Officer of both Houses of Parliament. The current Presiding Officers do a fantastic job—I have seen them in operation both in and out of the Chamber administering the executive functions of Parliament—including things such as approving the appointment and termination of staff, including members' staff; management control of parliamentary buildings and precincts; and approval of administrative matters concerning the Department of the Legislative Council, the Department of the Legislative Assembly and the Department of Parliamentary Services.

I have some unique facts or figures about our current Presiding Officers. As members in this Chamber are aware, the Hon. Shelley Hancock is the first female Presiding Officer in this Chamber and the fourth female across both Chambers, there having been three in the Legislative Council. No-one can take away from her the fact that surprisingly—and to an extent shockingly—she is the first female Presiding Officer in this Chamber. I said "shockingly" not in the sense that she is not a quality appointment but in the sense that it has taken this long for a female to be appointed.

Let us share the love around. In the upper House current President Don Harwin surprisingly—and shockingly also—is the youngest President ever to have been appointed to that Chamber, which perhaps reflects that the upper House is comprised of people with more age experience. It should be recognised that while he is the youngest President that might not always be the case. However, our Speaker will always be the first female Speaker. I am sure members are wondering who the youngest Speaker was in this Chamber. It was Edmund Barton whose name appears on the wall behind the chair of the current Speaker. I delight in telling young schoolchildren when they visit this Chamber that he was Speaker of this Parliament before he went on to become—

Mr Geoff Provest: The Prime Minister.

Mr JONATHAN O'DEA: I paused, as I do for the schoolchildren, and note that the Parliamentary Secretary is up to the mark and has done his homework. Indeed, Sir Edmund Barton went on to become the first Prime Minister of this country. I welcome this bill and I welcome the fine traditions of the Presiding Officers in the Legislative Assembly and in the Legislative Council. This legislation is but a small step towards making their offices more stable and certain. They will have more continuity, consistency and efficiency in the operation of this fine Parliament.

Mr GEOFF PROVEST (Tweed—Parliamentary Secretary) [5.16 p.m.], on behalf of Mr Mike Baird, in reply: On behalf of the Premier I thank those members representing the electorates of Blacktown, Fairfield, Riverstone, Myall Lakes and Davidson for their contributions to debate. I also thank the member for Davidson for his history lesson. Through this bill the Government is providing for consistency for the roles of Presiding Officers in continuing their administrative duties during the election period. This bill will deliver certainty to those arrangements during the periods between parliaments, including prior to the election. I thank the Opposition for its support for this common-sense bill and commend it 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 Geoff Provest, 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.

CRIMES (HIGH RISK OFFENDERS) AMENDMENT BILL 2014

Second Reading

Debate resumed from 10 September 2014.

Mr PAUL LYNCH (Liverpool) [5.17 p.m.]: I lead for the Opposition in debate on the Crimes (High Risk Offenders) Amendment Bill. The Opposition does not oppose the bill which has as its object to amend the regime dealing with the supervision of high-risk sex offenders and high-risk violent offenders. This regime was originally established by the Labor Government and established by the Crimes (Serious Sex Offenders) Act. It was expanded last year by this Government in the Crimes (Serious Sex Offenders) Amendment Bill to include high-risk violent offenders. The amendment also logically renamed the Act so that it became the Crimes (High Risk Offenders) Act.

The amendments proposed by this bill include the following: to provide power for the Supreme Court to make ex parte emergency detention orders against offenders who cannot be provided with adequate supervision because of altered circumstances; to clarify whether an order is suspended if an offender is in lawful custody; to add items to the non-exhaustive list of conditions that can be imposed on an extended supervision order; to increase penalties for failing to comply with an order; to establish the High Risk Offenders Assessment Committee; and to require the cooperation of agencies.

There really are two main aspects to this bill. The first is the establishment of a high-risk offenders assessment committee and the second is the introduction of ex parte emergency orders. A new part 4A in the principal Act establishes the High Risk Offenders Assessment Committee. The relevant agencies for this part are Corrective Services, the Department of Family and Community Services, the Justice Health and Forensic Mental Health Network, the Department of Justice, the NSW Police Force and the Ministry of Health. Other agencies can be included by regulation. The High Risk Offenders Assessment Committee will consist of representatives of Corrective Services, the Department of Family and Community Services, Housing NSW, Ageing, Disability and Home Care, the Justice Health and Forensic Mental Health Network, the Department of Justice, the NSW Police Force and the Department of Health, plus others appointed by the Minister. The functions of the committee are set out in proposed section 24AC.

In short, the committee will be responsible for the ongoing review, assessment and management of high-risk offenders. The committee will also make recommendations as to actions to be taken by the State under the legislation. Proposed section 24AE sets out the obligation of the committee to keep the Minister advised of its operations and to provide advice about a specific matter if asked by the Minister. There are also a number of provisions compelling cooperation between agencies and provisions for cooperative protocols. One assumes the inclusion of these provisions is an indication of what is currently a complete lack of cooperation.

The bill's new division 3A in part 3 of the Act sets out the new regime of emergency detention orders. These may be applied for in the Supreme Court and, if successful, a person will be detained. The person must already be the subject of an extended supervision order or an interim supervision order. The basis for making the order is set out in proposed section 18CA and is that the person concerned "because of altered circumstances, cannot be provided with adequate supervision under the extended supervision order or interim supervision order".

Proposed subsection (2) makes it clear that these orders can be granted *ex parte*, that is, the application and the order can be made in the absence of the person concerned. As well as the altered circumstances the Supreme Court must also believe that without adequate supervision the offender poses an imminent risk of committing a serious offence. The risk to be met is if the matters alleged in support of the application were proved it would establish that adequate supervision could not be provided and the offender posed an imminent risk of committing a serious offence. Only one emergency detention order can be made in respect of the same occasion of altered circumstances, so it cannot be repeated but the bar is quite low. It is done *ex parte* with no-one to argue against the State's application and the court must assume the accuracy of the things alleged by the State. The application must be supported by an affidavit from a senior Corrective Services officer.

Proposed section 18CD provides that an emergency detention order can have effect for no longer than is reasonably necessary but is in any event for no longer than 120 hours from when it commenced. An avenue of appeal lies to the Court of Appeal, although granted that orders can last for only 120 hours there is an issue about the practicability of that. Another interesting feature of the regime is that the application is not based upon a breach of the existing supervision order. A breach of course can trigger a whole range of other consequences already and this mechanism is not necessary for that case. That raises the question of what exactly "altered circumstances" might mean. There is no assistance in the bill of the meaning of that term or in the Attorney's second reading speech.

The applications can, of course, only be made in relation to people on an extended supervision order or interim supervision order. To give a sense of the scale of this, I should indicate that following an answer to a supplementary question on notice at an estimates hearing the Attorney General and Minister for Justice indicated that as at 1 September 2014 there were 36 offenders in this State in the community subject to an extended supervision order; 35 were sex offenders and one was a violent offender. I might add that no-one was subject to a continuing detention order. Under the previous Attorney there were 21 applications in 3½ years. Under this Attorney there have been nine applications in four months. As I said when amendments were debated in February last year, the extended supervision order scheme is a significant step away from the traditional rule of law where liberty is prescribed or removed following a conviction and a punishment.

It normally does not include preventative detention or internment and certainly not on *ex parte* applications. If there is a troubling aspect of the scheme, it is the difficulty of being able to accurately predict an offender's future conduct. That is a point I spoke about last year in debate on the amendments. That may well be behind the fact that no-one is subject to a continuing detention order and only one person who is a high-risk violent offender is subject to an extended supervision order. Granted only one high-risk violent offender is subject to an extended supervision order, one wonders about the urgency claimed by the Government for last year's amendments and whether that was strictly accurate. Having said that, I look forward to the statutory review of the Act, which I assume will include these provisions. As I indicated, the Opposition does not oppose the bill.

Mr GEOFF PROVEST (Tweed—Parliamentary Secretary) [5.23 p.m.]: In contributing to debate on the Crimes (High Risk Offenders) Amendment Bill 2014 I shall give some background to the bill. In 2010 the former Attorney General sought advice from the NSW Sentencing Council on the most appropriate way to respond to the risks posed by serious violent offenders. In 2012 the Sentencing Council published a report on high-risk violent offenders. It noted the gap in the New South Wales legislative framework for dealing with violent offenders who may require preventative detention or post-custodial supervision and management because of the high risk they pose to the community.

The Sentencing Council recommended that the continuing detention and extension of supervision for high-risk serious sex offenders be extended also to high-risk violent offenders. In response the Government in 2013 renamed the Crimes (Serious Sex Offenders) Act as the Crimes (High Risk Offenders) Act and extended this provision to serious high-risk violent offenders. The Act will be reviewed in 2017 after the extended provisions have been in operation for three years to determine whether the policy objectives and the terms of the Act remain valid.

Most other jurisdictions in Australia, including Queensland and Victoria, also have regimes in place for preventative detention and ongoing supervision of high-risk sex and violent offenders when necessary for public protection. This is a relevant point and I applaud the Government for bringing this bill forward. The Attorney General is committed to the protection of the wider community; he expresses that commitment every chance he can and through legislation. His team continuously works hard, despite the occasional criticism. I know him to

be of the highest integrity. He is looking after the community through the introduction of legislation designed to protect the innocent and the community of New South Wales while punishing those who inflict pain and suffering on others.

Unfortunately at times too much emphasis is placed on the offender rather than on the victim. However, the tide is turning and people are realising that it is the victims who count and not the offenders. It is regrettable that the State must continually deal with people who, despite their incarceration, remain a threat at the expiration of their sentence. The threat posed by this small cohort of high-risk offenders is not one that can be ignored. This bill is a reflection of the Government's ongoing scrutiny of these issues and its commitment to protecting the community.

Under the Crimes (High Risk Offenders) Act the State may apply to the Supreme Court for a continuation of the detention order or an extension of the supervision order. These orders extend the period during which a high-risk sex offender—and since 2013 a high-risk violent offender—is subject to either incarceration or supervision. A continuing detention order will be granted only when there are no other effective methods for managing an offender's high risk of reoffending under supervision in the community. Before a court makes either order it must be satisfied to a high degree of probability that there is an unacceptable risk that the offender, who is a sex or violent offender, will commit a further serious sex or violent offence. The court considers a large amount of material relevant to the offender in hearing an application for an order, including risk assessment reports prepared by independent psychologists.

The bill introduces provisions that create a statutory obligation on relevant agencies to cooperate and share relevant information and provide support and assistance in relation to high-risk offenders to manage their risk in the community. These provisions draw on elements of models used overseas to deal with high-risk offenders. In particular, the provisions draw on elements of the multiagency public protection arrangements [MAPPA] that operate in the United Kingdom. Under MAPPA justice and law enforcement agencies work with human services agencies to formally assess the risk of and develop multiagency management plans for high-risk offenders.

The crucial element of multiagency public protection arrangements is a statutory obligation on relevant agencies to cooperate and share information when necessary and provide assistance in relation to high-risk offenders. The proposed statutory obligation on agencies to cooperate will not require agencies to direct their resources in any way. It will, however, require agencies to be part of case management planning and have oversight through a high-risk assessment committee. This is an ongoing process. It is another great bill and a small step along the path to protect the wider community from high-risk sex offenders and high-risk violent offenders. Both sides of the House will work towards achieving that goal. I commend the bill to the House.

Mr CHRIS HOLSTEIN (Gosford) [5.30 p.m.]: I support the Crimes (High Risk Offenders) Amendment Bill 2014 which amends the Crimes (High Risk Offenders) Act 2006 in regard to the supervision and detention of high-risk sex offenders and violent offenders and creates further surety of community protection from those serious offenders who resist rehabilitation during their term of imprisonment. The amendments include the establishment of a High Risk Offenders Assessment Committee which will review, assess and manage high-risk offenders.

The committee will include representatives from justice, law enforcement and human services agencies. This will, as a statutory requirement, create greater cooperation between agencies to better facilitate the management of offenders. The bill also provides for the Supreme Court to make, on an ex parte basis if necessary, emergency detention orders allowing the temporary detention of supervised high-risk offenders for up to 120 hours. This will allow for changes in the offender's circumstances when it is not classified as a breach, but nonetheless must be addressed. This change will ensure that the offender can be kept safely in custody while the change in circumstances is dealt with.

Should a breach occur the penalty for failure to comply with a supervision order will rise from 100 penalty units and/or two years imprisonment to 500 penalty units and/or five years imprisonment. The bill will strengthen the supervision of high-risk offenders on extended supervision orders. While a court can include any condition on an extended supervision order this amendment gives greater guidance on those conditions. Conditions can relate to internet usage, employment, finance and, of particular importance, reporting to police. Where the Supreme Court determines an offender presents a high risk of reoffending, it is important for the police to be made aware of his or her presence in the local area. This amendment ensures this occurs. This

Government is committed to ensuring greater community safety. While the number of high-risk offenders is very small, they are nonetheless significant and we must take measures to dutifully and effectively monitor them to safeguard the community.

We would all recall the highly publicised and reported case of Jill Meagher, who was tragically the victim of a violent crime in Brunswick, Victoria, in September 2012. While originally treated as a missing person's case, it was only a matter of days before the story began to unfold, and as police questioned Adrian Ernest Bayley he eventually led them to her body some five days later. Adrian Bayley pleaded guilty to the brutal rape and murder of Ms Meagher. During the court hearings in the Victorian Supreme Court Justice Geoffrey Nettle lifted a suppression order that allowed details of Adrian Bayley's extensive violent history to be revealed. *ABC News* reported on the trial on 11 June 2013 as follows:

The Melbourne man who has pleaded guilty to murdering *ABC* employee Jill Meagher has a long history of violent attacks on women and has admitted faking his way through a sex offenders' program, a court has heard.

Adrian Ernest Bayley was also allowed to continue parole despite being convicted of assault.

Further:

The Victorian Parole Board failed to cancel his parole after a violent assault and a judge's warning that the public needed to be protected from him.

Bayley's history of violent attacks on women spans more than two decades, a court was told.

Jill Meagher's case went viral on social media and was highly publicised. On 30 September 2012, 30,000 people marched down Sydney Road in memory of Ms Meagher. The march was also highly symbolic of violence against women. On 19 June 2013 Adrian Ernest Bayley was sentenced to life imprisonment, with a non-parole period of 35 years. Reportedly he said to police, "They should never have let me out." Why did Jill Meagher's case resonate with the Australian public so strongly? Within five days, the Facebook page "Help us find Jill Meagher" had reached over 100,000 "likes". Ms Meagher's tragic story reached into the very fabric of our society, recognising that every person should be protected from high-risk offenders like Adrian Bayley. We questioned how this could possibly happen in our civilised society, and how someone with such an extensive violent criminal background was free to commit such an horrific crime.

While we did not know Ms Meagher personally we all felt rocked by the tragedy of her story. Adrian Bayley was one of the few, but very significant, high-risk offenders. Ms Meagher's story is a tragic example of why these amendments are so important and why we need always to remain alert and place community safety as our highest concern. Our communities need to know that this Government and its agencies are taking steps to effectively monitor and manage high-risk offenders, and that we can act swiftly should any risks be recognised. I commend the Crimes (High Risk Offenders) Amendment Bill 2014 to the House.

Mr JOHN SIDOTI (Drummoyne) [5.36 p.m.]: This evening I welcome and support this important new legislation, the Crimes (High Risk Offenders) Amendment Bill 2014, which is a further example of this Government's determination and commitment to improve community safety. In this instance the bill targets an improved method of supervision and monitoring of high-risk sex offenders and violent offenders. This new legislation amends the Crimes (High Risk Offenders) Act 2006 with the implementation of a number of initiatives which will strengthen the review and management of high-risk offenders. The bill builds on this Government's approach to community safety and gives agencies the means to respond quickly to any change in circumstances that may pose an immediate threat.

The new laws have been introduced to strengthen the supervision of high-risk offenders on extended supervision orders. Whilst the court can attach any condition to an extended supervision order, the proposed changes give greater guidance to these conditions. One new condition can see police informed of the presence of a high-risk offender in their area. For the first time in this State a High Risk Offenders Assessment Committee will be established. This committee will comprise experts from the law, law enforcement and relative human services agencies. Their role will be to provide an ongoing review and assessment of the behaviour of high-risk offenders. To assist in the facilitation of this, amendments are included that require agencies to cooperate and share relevant information with the committee.

The committee must feel safe once these people are released. We are talking about a group of offenders who resist rehabilitation during their jail sentence. In many cases they reoffend. In 2012 Terrence John Leary was released back into the community having served 22 years in jail for the 1990 murder of a lady in her home

at Kenthurst. Just 10 months after Leary's release he assaulted and stabbed a woman in Hunters Hill. Fortunately she survived. It serves as a warning that violent offenders will often reoffend upon release. This new legislation will apply greater penalties for those offenders who are under supervision. For example, when there is a breach of a supervision order the penalty will increase from two years to five years imprisonment. The emergency detention order will ensure that offenders who are undergoing a change in circumstances can be kept in custody and off the streets. They will remain in custody until such time as their change of circumstances is sorted out or they have found alternative accommodation.

Schedule 1 to the bill supplements the existing list of conditions that may be imposed under the Crimes (High Risk Offenders) Act 2006 on a high-risk offender subject to a supervision order. The conditions set out are not exhaustive but provide guidance to the court as to the types of conditions that may be appropriate in particular circumstances. The additional conditions in this bill relate to internet access and use, and the employment and financial affairs of the offender. A further provision gives the Supreme Court the power to issue an emergency detention on an ex parte basis. This will be enforced when a supervised high-risk offender cannot be monitored and could pose a risk to the community. Far from being overly harsh, these amendments are a reflection of the seriousness of past crimes committed and the sense of risk some of these people pose to the community.

In a report to the Criminology Research Council in 2006 entitled "Preventative Detention for Dangerous Offenders in Australia" it was noted that the principal objective of detention legislation is the protection of the community. The legislation being debated this evening is all about the protection of the wider community. The New South Wales Attorney General, the Hon. Brad Hazzard, has said of this legislation that it is important for police to know where high-risk offenders reside and for offenders to be aware that they are on the police radar. This bill also introduces emergency detention orders. That means that the State can apply for an emergency detention order to the Supreme Court when short-term detention of a supervised high-risk offender is urgently required. This is particularly relevant to cases where the offender has altered circumstances and cannot be adequately supervised by authorities.

Under this bill, the emergency detention order cannot exceed 120 hours from the time it was made. That means that the offender can be released back into the community early if the changed circumstances have been addressed. It is important to note that the bill includes safeguards with regard to the offenders' rights. They include that orders can be sought only by the Attorney General and that applications must be accompanied by an affidavit of the Commissioner of Corrective Services or an assistant commissioner. The term of the detention is to be no longer than reasonably necessary to allow the offender to be provided with adequate supervision.

New part 4A of the bill sets up the statutory framework for the establishment of a High Risk Offenders Assessment Committee to be chaired by the Commissioner of Corrective Services and to include members from relevant government agencies. The relevant agencies include Corrective Services NSW, the Department of Family and Community Services, the Justice and Forensic Mental Health Network, the Department of Attorney General and Justice, the NSW Police Force, and the Ministry of Health. Other government agencies, organisations and relevant experts can be appointed to the committee to assist with the management of risk and supervision in the community of high-risk offenders. The assessment committee will also be required to keep the Minister informed of its operations.

New section 24AC lists the committee's functions. They include to review the risk assessments of sex offenders and violent offenders and to make recommendations to the Commissioner of Corrective Services for the taking of action by the State under this Act in respect of those offenders; to facilitate cooperation between relevant agencies in the exercise of their functions in connection with risk assessment and management of high-risk offenders; to monitor and provide expert oversight of the exercise of the high-risk offender functions of relevant agencies for the purpose of identifying opportunities for improved outcomes in individual cases and opportunities for systemic improvements and removal of interagency barriers to the effective exercise of high-risk offender functions; and to facilitate information sharing between relevant agencies in connection with the exercise of their high-risk offender functions.

Further functions include: to develop best practice standards and guidelines for the exercise by relevant agencies of their high-risk offender functions; to identify gaps in resourcing, service provision and training that may impact on the proper and effective exercise of high-risk offender functions; and to conduct research into the effectiveness of this Act in ensuring the safety and protection of the community and to disseminate the results of this research. The committee will be responsible to ensure that the safety of the community remains the highest priority in monitoring high-risk offenders. This bill reflects the Government's ongoing concern for community

safety and also demonstrates that the State is best placed to ensure that high-risk offenders are appropriately assessed and managed both in custody and in the community. I congratulate the Attorney General on introducing this bill and acknowledge the work of the many agencies that will be involved in its delivery. I commend the bill to the House.

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

CENTENARY OF FIRST WORLD WAR

Debate resumed from 9 September 2014.

Mr GUY ZANGARI (Fairfield) [5.38 p.m.]: Last week I was afforded the honour and privilege of making some comments about the centenary of the First World War, and I will now conclude them. Many Australian nurses served overseas putting their lives on the line, often facing shelling and bombardments while performing their duties and caring for injured soldiers. The First World War took an enormous toll on our nation, costing more than 60,000 brave young Aussies their lives, and 156,000 were wounded, gassed or taken as prisoners. Many of our brave men and women were left with lasting injuries that would put them out of work permanently and prevent them from providing and caring for their families. The effects of this war were amplified and felt hard at home when families and communities across Australia were grieving the loss of so many of our nation's children who lost their lives over this four-year period.

None of us today will forget the hardships and sacrifices that each and every Australian went through to serve and protect our way of life and the nation we call home. It is important that as Australians we take time to remember and wherever possible to commemorate those brave men and women who made the ultimate sacrifice to win for us the freedoms that we enjoy today. Every year as members of this House we attend many different commemorations. I am sure that members would agree with me that over the past few years as we come to the centenary of the landing at Gallipoli more and more young people are participating in commemorations. That is great. It is important that our children, their children and future generations appreciate the sacrifices made by those great men and women. It is an honour to be a member of this House and also to join my colleagues in commemorating the First World War. Lest we forget.

Mr STEPHEN BROMHEAD (Myall Lakes) [5.42 p.m.]: Many stories can be told about the First World War and many people were touched by it, not only those who participated in but also the families they left at home. Tonight I will relate the story of one Australian who served in that war. This person is Neville Reginald Howse, VC, Australia's first Victoria Cross recipient, from the Manning River on the mid-north coast. I might touch on the attempt by Orange to steal Neville Howse, but when he went to the Boer War, before going to the First World War, he was a doctor in the Manning Valley.

The Manning River District Hospital was opened in 1889. Neville Howse was a doctor at the hospital from 1890. Working at the hospital provided the launching pad for this young doctor's distinguished career. Dr Howse left his indelible mark on medical practice, military service and Australian politics. It is often forgotten that the first member of the Australian armed forces to be awarded the Victoria Cross was a prominent pioneering surgeon from the Manning Valley in the last decade of the nineteenth century. On 17 January 1900, at the age of 35, Neville Howse was appointed to the New South Wales Army Medical Corp. He served in the Boer War in South Africa until 1902, winning the Victoria Cross at Vredefort on 24 July 1900 and gaining an unbeatable reputation for the efficiency of his medical corp. The vivid account of his courage when he won the VC is well known.

De Wit, the Boer general, opened with withering fire. At the height of the fight Howse saw a trumpeter fall, wounded in the front line. Fire was extremely heavy, but Howse galloped out to rescue the man. His horse was shot dead, so Howse continued on foot to reach the casualty. He dressed his wounds and then carried him away from the action. Howse was present at all front-line engagements of his column. While in South Africa, during an engagement at Rustenburg and under fire, he performed an emergency operation on a Queensland officer. As the column retreated Howse volunteered to stay behind with his patient and was taken prisoner of war for six weeks as a result. He was promoted to captain and returned to Australia with the Queen's Medal with four clasps and the King's Medal with two clasps. Each clasp is a sign of gallantry in battle.

On his return to New South Wales from the Boer War Howse was greeted by the people of Orange—he had moved his practice to Orange. The New South Wales Government recently paid for a significant memorial

to Dr Howse to be placed at Ellenborough Falls, outside Elands, to commemorate Neville Reginald Howse being the first VC winner and a resident of the Manning Valley at the time. The City of Orange is trying to lay claim to Neville Howse, but we in the Myall Lakes are proud that he first worked in the Manning Valley. When he left the valley he was cheered from the railway station at Taree. Howse returned to South Africa in early 1902 to take charge of the new Commonwealth Army Medical Corps. On his return to New South Wales he continued his practice in Orange, until the outbreak of the Great War in which he was quick to enlist. He did this on 18 August 1914 at the age of 41. He gained the immediate rank of lieutenant colonel.

Between the Boer War and World War I Howse remained a major in the Australian Army Medical Corps Reserve. When war clouds gathered in Europe during 1914 Howse became restless. The day the war was declared he left Orange on a train bound for Sydney to offer his services to Major General Williams, the Director of Army Medical Services. Howse's sincere gesture of rushing to join up was central to his persona as a public figure of consequence and as an imperialist. He was fired with zeal and enthusiasm for his adopted country. On 10 August 1914 the Commandant of the 2nd Military District telephoned Howse to invite him into the active service of Australia once again. Still an honorary major in the Australian Medical Corps Reserve, Howse travelled the very next day to Sydney and immediately on arrival reported for duty.

Howse was with the company that went to New Guinea when he joined the Australian Naval and Military Expeditionary Force to the Pacific Islands, where various parts had been taken over by the German Empire builders, principally German New Guinea. Howse took part in the first military operation undertaken by Australia during the Great War. Recently there have been television series showing Australia's action in New Guinea; Neville Howse was part of that operation. On his initiative, drugs and other medical equipment, including a unique dental arrangement suitable for a tropical campaign, were carefully organised and used. The troops were protected against typhoid and smallpox. The brief military action in New Britain was carried out without a case of serious illness until 15 October 1914. This was a result of Howse's initiative, thoroughness and medical innovations in the military context.

At the end of the New Guinea occupation Howse returned to Sydney where the Surgeon General, Sir W. C. D. Williams, appointed him supernumerary medical officer attached to the military headquarters in the first convoy to assist the director of medical services during the voyage. Howse found plenty to occupy him on the way to Egypt. The convoy carried 30,000 men and 10,000 horses. Howse was on the flagship, *Orvieta*, with the Commander in Chief of the Australian Imperial Force [AIF], Major General Sir William Richards. They travelled across the Indian Ocean. Howse impressed Richards and became a close friend of Colonel Sir Brudenell White, the second in charge. By December Howse was appointed Assistant Director of Medical Services 1st Australian Division. He was originally appointed for the voyage only but on reaching Alexandria his appointment was made permanent. They thought they were headed for Europe but instead they went to Gallipoli. There Neville Howse experienced the same emotions about the wounded and the dead. At the Dardanelles Commission in 1917 he stated:

The arrangements for the wounded were so inadequate they amounted to criminal negligence on the part of the Imperial authorities.

By the time the AIF landed on Gallipoli Howse had proven himself to be indispensable to higher command. In December 1914 he was no longer the supernumerary with the rank of colonel but was appointed assistant director of medical services. He was soon gravely perturbed by the inadequacy and the confusion of the overall Imperial and allied forces' medical plans for the Gallipoli landing. He tried to obtain improvements in arrangements for the evacuation of Australian wounded from the initial landing but his words fell on deaf ears. It was a perilous situation at the landing for the 1st Division that made his plans impossible to implement.

Howse erupted into action. He took personal charge of the evacuation of the wounded crowded together on the sand under increasingly dangerous shellfire. He disregarded orders in a strangely productive manner as 25 April 1915 was a black day on the beach. Howse ignored shells and bullets flying around and took many risks in much the same way he had in his famous rescue of the fallen soldier in the Boer War 15 years before. To the wounded he was gentleness itself. By 3.00 a.m. on 26 April 1915 the beach was cleared of the wounded, but Howse continued personal supervision of the evacuation of the wounded over the next two days.

Earlier the beach had been a chaotic mess of seriously wounded men on stretchers on bare sand, mingled with the wandering confused—the walking wounded moving aimlessly on the crowded beach. During the early days of the landing, Neville Howse was to do much to overcome the mismanagement of the medical preparation for the campaign. His philosophy was that the medical service was no mere humane amenity for soldiers, but absolutely fundamental to fighting efficiency. During the long months in Gallipoli, Neville Howse

strove incessantly for the welfare of the men, often despite higher authorities. On one occasion he severely lectured the visiting Lord Kitchener, British supremo, upon the "medical sins of omission and commission" and thus fearlessly motivated him to do better.

During the first three weeks of the Gallipoli landing, General William Bridges was a conspicuous figure on the front line, but on 15 May he was mortally wounded in the thigh. He was removed to the hospital ship and was constantly cared for by Neville Howse. On the way to Egypt three days later, with heavy loss of blood and gangrene setting in, Bridges died with Howse beside him to the last. In Egypt, Howse was busily setting up medical facilities when the decision was made by Kitchener to finally retreat from the Gallipoli peninsula and to abandon the enterprise. Howse was promptly brought back to initiate a comprehensive evacuation plan for the wounded. The day before the total evacuation plan was to be implemented, headquarters was badly shelled and Howse escaped injury by a whisker. The next day, for once, the expected casualties were overestimated and Howse's plans completely covered the needs of this remarkably successful operation of retreat from the peninsula.

Later Howse set up his own headquarters with the Australian Imperial Force administrative headquarters at Horseferry Road, London. He had achieved an all-powerful position: He controlled all medical services in Egypt, Palestine, France and Belgium. He was highly innovative in introducing surgical teams in the field and he reorganised the field ambulance to increase its efficiency. In January 1971 he was appointed Knight Commander, Order of the Bath, and was promoted to major-general. This new appointment to a powerful position enabled him to maintain the independence of the Australian Army Medical Corps, even against attempts by senior Australian officers to bring it under their direct control. When the bulk of Australian forces were transferred to Europe he insisted that he continue to have direct access to the Australian High Command.

In October 1918 he returned to Australia to advise the Minister for Defence on the medical treatment for maimed and crippled returned soldiers. He returned to London in February the following year to help direct the repatriation program, especially for convalescent servicemen. In 1919 he was again mentioned in despatches and was appointed Knights Commander of the Order of St Michael and St George, and Knight of the Order of St John of Jerusalem. After the war, in 1920, after a brief return to his private practice in Orange, Neville Howse was appointed by the Federal Government as Director General of Medical Services with the rank of a regular major general. The appointment did not allow him, as a public servant, to speak about the broader issue of public health. This motivated him to resign in November 1922.

He successfully stood for the Federal seat of Calare, which included Orange, and he was elected as a Nationalist member of Parliament. From January 1925 until April 1927 he was Federal Minister for Defence and Health. Ill health forced him to give up the portfolio in February 1928, but he continued to administer the ongoing repatriation program. The following year he lost his seat in the Federal elections. By 1930 Neville Howse was far from well. He ultimately passed away with a malignant disease of the pancreas at the age of 66. He was survived by his wife, two sons and three daughters. I spoke about the dedication to Neville Howse in the Manning Valley only a few weeks ago, Neville being the first recipient of the Victoria Cross for Australia and the Manning Valley. His son, who is a commander in the navy, attended the dedication and made a moving speech about his father and his father's love for the Manning Valley.

Another story about the First World War I shall relate is that of my grandfather, Ronald Falconer McIntosh, who was born in 1900. During the First World War he put his age up so that he could enlist. In 1939, after the outbreak of the Second World War, he put his age down and joined the 8th Division, which ultimately was sent to Malaya. He was in Malaya for the fall of Malaya and then Singapore. He was one of a number of people who volunteered to stay to look after the wounded. He was a prisoner of war in Changi and from Changi he was moved to another prisoner-of-war camp, which consisted mostly of the sick and injured members of the 8th Division. He remained a prisoner of war until the end of the war in 1945 when he was released at the age of 45 from the Japanese prison camp. For his service to the wounded he was mentioned in despatches. He remained a member of the Prisoner of War Association and was made a life member of the association.

My grandfather was a great man who worked throughout his life and spent a lot of his time helping others. Ultimately, he passed away at the ripe old age of 96. Many people who had been prisoners of war contacted him over the years and thanked him for assisting them whilst they were prisoners of war. One can only imagine being 39 years of age, enlisting again and becoming a prisoner of war at the age of 42. He did not speak a lot about his time as a prisoner of war. We did hear some stories from him, which I will not relate here, which told us how very tough it was. At the end of the war he and a number of other men were not brought home immediately because they wanted to fatten them up before the family saw them. My grandfather was a big

man—he would not have been quite as tall as I am but he was as thick set as I am. He came home weighing about six stone after being fattened up. He did not march on Anzac Day; he always regarded it as glorifying war in some way.

My father served in New Guinea and Borneo and he felt the same way, but later my father did march on Anzac Day. My grandfather felt that marching was glorifying war rather than commemorating those who served and those who did not return. My grandfather was so scarred by his war service that he could not see that. My mother related to me that on many occasions after he came home she could hear him screaming at night and that he was very affected by the war. For a period of time after the war, my grandfather drank too much and smoked too much, but, luckily for the family, during the 1950s he became a born-again Christian and gave up the grog. Eventually he gave up the fags and lived to a ripe old age.

They are two stories among the thousands of stories about the First World War. This Parliament's commemoration of the First World War is admirable because it is something that we should all remember and its story should be passed on to future generations. I am sure that we will pass on these stories through the 12 months of remembering the centenary of the First World War, during the centenary of the Gallipoli campaign and for generations to come. In conclusion, I commend the Parliament for commemorating the Centenary of the First World War.

Mr CLAYTON BARR (Cessnock) [6.02 p.m.]: I preface my contribution by saying that I travelled abroad recently and had the opportunity to visit some of Australia's sacred and most noted war memorial sites or places of battle. Today I will offer more of a traveller's diary than anything else, so it may not be quite the high standard of eloquence that members have come to expect from me. The first port of call was Villers-Bretonneux, a small town in France just to the east of a larger town called Amiens. Villers-Bretonneux on the Western Front is where Australia is most remembered essentially for saving the town from the advancing German forces.

Villers-Bretonneux is quite a small town 15 kilometres east of Amiens, and it would not differ significantly from so many other sites along the 750 kilometres of the Western Front of the First World War. But during the war Villers-Bretonneux was the place where the advancing German army was repelled in a bid to prevent it from taking the strategic centre of Amiens. At the time Amiens was an important rail and transport route. Controlling Amiens would mean that the victors had access to food and supply chains. In the case of the German advance, it would have allowed German forces to flank the Allied forces while at the same time cutting off their supply chain. So in that context any battle to hold Amiens—be it at Villers-Bretonneux or any other town or village nearby—was an important one to win for either side.

The land surrounding Villers-Bretonneux is filled with undulating hills. Before and since the war the great bulk of the land has been cleared for farming. Villages are rarely far apart or distinct from one another, always within sight and just towards the next hill or valley. Along the Western Front are a series of markers, monuments and memorials to remember the time of the Great War. Although I only visited one, I understand that most of them pay tribute to the Allied forces who defended the existing towns, villages and cities, as well as the countries, the people and of course the landholders themselves. There are fewer tributes to the invading German forces I guess because they were seen as the invaders—the aggressors, the attackers—whereas the Allied forces were seen as the defenders and the saviours.

The Australian memorial at Villers-Bretonneux is large, both physically and by space and land mass, and sits atop one of the rolling hills just two kilometres north of the main town. The land was gifted to Australia for the purpose of building the memorial. For the French, the gift was in recognition of the defence provided by the Australian armed forces. In fact, in the case of Villers-Bretonneux the Australian forces, with other Allied troops, had to win back the town first and then hold or advance their position. The gift of land in the context of memorials being viewed as sacred and eternal was a significant step in preserving an important piece of French-Australian history. Construction of the Australian memorial was funded by the Australian Government. The ongoing maintenance of the land and lawns is also funded by the Australian Government. Originally the memorial had a live-in caretaker, but this has become a redundant concept with improved transport and maintenance equipment. The majority of the daily work is now lawn and garden maintenance.

The structure is made of large sandstone and concrete bricks. The Australian memorial is physically beautiful and large. One of the first things that springs to mind is the commitment of the French to house such a tribute to a distant nation. It is difficult to fathom that a country called Australia on the other side of the world would be honoured in such a way on foreign soil. That statement is in no way meant to undermine the effort and

sacrifice of the Australian soldiers who served in that time and place. Rather, it is a comment made out of respect for the French. I wonder, for example, if the roles were reversed how and what would the Australian people do to honour those who had come to save them?

The Australian war memorial at Villers-Bretonneux is complemented by a museum in the town proper, featuring an array of facts, tributes, period costumes and multimedia content. The town also hosts a range of Australian paraphernalia, including pictures, gardens, signs with kangaroos, koala sign sightings, streets with Australian names, restaurants with an Australian menu and the Australian flag flying in a local park and school. While some of this is no doubt intended as a marketing ploy for the not insignificant tourist trade, the memorial and the museum are testimony to the deep and genuine connection to the Australian people felt by the French who live in Villers-Bretonneux. In fact, there is a growing war tourism circuit. Just as the numbers attending Anzac services across this country are on the rise, so too is the willingness of Australian citizens to tour significant war sites and memorials.

It is not surprising that guides, tour companies, travel packages and such have been created to cater for the industry. For Villers-Bretonneux this provides a significant revenue stream to an otherwise quiet town. I talked to the staff at the museum and they affirmed that numbers have indeed risen significantly in the past five years. They said it was not uncommon to have four full-size tour buses of tourists go through the museum on any given day. Most commonly, they are retired people, as well as many Vietnam veterans or people who had traced their family history and found a grandfather or great-uncle who had served on the Western Front during the First World War. They also mentioned the more recent frequency of school groups coming through—young Australians who are following the history of their country through the battles on the Western Front.

The next visit was a trip to Gallipoli. At the outset, I indicate that some of the information presented during the guided tour of Gallipoli questions the popular history that Australians are taught in our schools and our places. While I have not yet had the opportunity to check the research and the background notes that might confirm or disprove what was put to us during the tour, I will read my notes into *Hansard*. Enshrined in the Anzac history and services, which are held across Australia on Anzac Day each year, mean that Gallipoli is perhaps the most renowned and revered of Australia's war experiences. Certainly there have been other places and times when Australia's role in the theatre of war might be argued to have been more significant, but there is no denying that the national day of remembrance in Australia is 25 April, to coincide with the Australian and New Zealand troops landing on the shores of Gallipoli.

As in the Villers-Bretonneux experience, it is quickly apparent that war tourism in Turkey is a real and significant industry. My experience at Gallipoli involved a guided tour starting from and finishing in the city of Istanbul. It was a long day, with a five-hour bus ride to and from the site. Although most attendees to the Gallipoli peninsula are primarily Australian, New Zealanders or Turkish, according to the tour guide and my own experience on the tour there is a sprinkling of many other nationalities as well. This reflects the various other nationalities who served during the campaign, as well as those who are genuinely interested in history or want to understand the Australian or Turkish psyche. To that end, our tour included people from France, Canada and America.

Understanding the purpose of the Gallipoli campaign for the Anzac forces is well entrenched in Australia's school curricula. So too are the facts about the timing, the size, the scope and the challenges for the Australian and New Zealand troops. In Australia it is difficult to pinpoint a time in a child's schooling when the Anzac stories begin, but there could be little doubt that even as early as kindergarten a teacher helping children to understand the Anzac Day service in the school hall or quadrangle would pass on at least a verbal interpretation of events. The trouble is, as I found out during my tour, the stories we learn as children and that teachers pass on do not always reflect fact. Indeed, the recorded history is both diverse and fallible.

Some of the more obvious Gallipoli myths that were challenged by the facts, as presented on the tour, include the idea that Anzac Cove was the wrong landing point; the British Army used the Australian and New Zealand forces as a distraction; the landing at Gallipoli was an immediate slaughter; the water on the beach that day turned red with blood; the Turks had a large and powerful army waiting at the cove; and that machine guns ripped through the landing troops. The guide providing the commentary for our tour had an extensive knowledge, having worked as a guide for more than 15 years, and certainly knew the background. He referred most frequently to the work of Australian war historian Mr Charles Edwin Woodrow Bean.

Bean had originally been sent to the front line as a war correspondent with the Australian troops during the original Gallipoli campaign. After subsequently touring the Western Front and ultimately returning

to Australia safe and well, Bean was sent back to Turkey in 1922—four years after the end of World War I—to complement his existing account of the time with an historical balance provided by the Turkish government and troops. Because he was able to bring together both versions of events and was present during that time, managing to amass 12 volumes of detail, it is suggested that Bean's work is the most accurate and credible of its kind. Bean challenges all the popular facts listed above in one way or another. Certainly there is some question as to whether the Australians landed at the right spot, which is agreed by Bean, but the instruction was to land somewhere near Fisherman's Hut. Fisherman's Hut was indicative of the Anzac Cove location, but not precisely.

It is agreed that perhaps during the night it was difficult to get a read on the difference between two promontories which marked the north and south of the area. The marker buoy left by the English as a guide may well have been relocated, either by accident or intention. Perhaps the lack of knowledge and lack of water depth may have played their part. Of course, the larger boats of the Australian Navy were unable to enter the cove. But in challenging whether it was the right or wrong landing spot, Bean also states that Anzac Cove was a very lightly defended position because the Turks never expected anybody to land there. Indeed, Bean suggests that as few as 80 Turkish lookouts were posted at Anzac Cove and with very little armoury. It is thought that not every Turkish soldier posted as a lookout at Anzac Cove even had a firearm and that those who did had precious few bullets. There were certainly no machine guns and no large force of troops.

During the early pre-dawn hours there was very little light, but enough to give away the advancing Australians on the water. The Turkish lookouts identified the incoming boats and, in something of a panic, began to fire, with the few guns and bullets they had, into the darkness. Of course, many of the ill-aimed bullets fell helplessly into the water. Upon exhausting their few arms, the bulk of the Turkish lookouts left the scene—remember there were only 80 of them—and headed back inland to raise the alarm and reach out for the support of the 10,000 troops waiting several miles inland. This meant that as the boats reached the shore of Anzac Cove and North Beach the beaches were essentially deserted and few, if any, shots were fired by the enemy. However, there was a barrage of heavy shelling and fire from large machine guns on the Australian Navy boats that were posted several miles out to sea.

Bean suggested that the heavy artillery was coming from behind the Australian soldiers to support their attack, rather than coming from in front to repel them. The heavy barrage in support of their cause was aimed at the last known sighting of various gun-nozzle flashes fired off by the alarmed Turkish lookouts prior to their retreat. No doubt some Australian soldiers were hit by the bullets of the small Turkish force, but it is unlikely that the water had been turned to blood, save for those in immediate proximity to a wounded peer. Bean purports that the landing was quite civilised after the initial 15-minute exchange during darkness. Prior to the boats landing on the beach, Australian troops walked along the beach and up the front rise and moved quickly, unimpeded, to the second and third hills. The more adventurous teams that had moved on to the third gap were working contrary to the instructions of their commanders, who suggested that they should hold at the second gap and wait for reinforcements to arrive.

The reality was that getting troops from the boats some way out to sea onto the shore was a long and slow process. A typical turnaround of the shallower steamers would bring only 500 troops at a time and only every two hours. The senior commanders were more intent on holding at the second gap whereas the adventurous moved on to the third. Those who pushed out to the third hill arrived at about the same time as the Turkish reinforcements, with the alarm having been well and truly sounded by then. The advances of the Australians to the third gap was haphazard and without consistency or strategy. Hence they fell to a large, advancing Turkish force very quickly. But the entrenched and bolstered numbers at the second gap held fast and repelled each and every subsequent push by Turkish forces in the ensuing months. Similarly, the Turks would hold their line at the third gap and resist each and every push by the Allied forces.

Hence the Gallipoli campaign was a territorial stalemate that ebbed and flowed across a distance of less than 100 metres in eight months. This Charles Bean version of the Anzac landing clearly dispels many of the historical facts as taught and passed from generation to generation of Australians. Indeed, the facts as put by Bean refute much of the emotional imagery used during each and every Anzac service across our country. There were some ferocious and bloody assaults during the Gallipoli campaign but the landing day is not one of them. Indeed, as war tourists wander through the various headstones and gravesites there are very few tombstones that mark the date of death as 25 April. Several days or weeks later the Turks brought machine guns to the front, but they were not there on 25 April. Far from being an experiment for the British Army, while the Gallipoli landing was taking place British troops were engaged in a bloody and savage battle at the southern tip of the Gallipoli peninsula which would ultimately lead to 350,000 British deaths.

The Australian and New Zealand forces were by no means a distraction. Just as for the Australians, the advance made by the British in the first 24 hours would ultimately be where the battle front lines were drawn, and there would be very few advances to or retreats from that first line of defence. The final point challenged by Bean—and certainly it was suggested during the tour—is that Australia's silent and successful evacuation of Anzac Cove was done under the shroud of darkness and with clever planning. I take my hat off to the Australian forces for achieving that milestone, but Bean would later note in his journals that the Turkish forces knew what the Australians were doing and it was exactly what the Turks wanted them to do: to leave their shores. The Turks let them go quietly and thought no more about firing on or pursuing those who had once landed on their beaches.

Some of the better stories and myths that have stemmed from this period do appear to have some historical accuracy. There was a truce day to bury the dead and a resulting accidental interaction between the two sides that changed the war front from one of attack to one of defence. A Turkish soldier ventured into no-man's land to pick up and carry a wounded Allied soldier back to Allied trenches before returning to his own Turkish trench. There was indeed a soldier, named Charles Ryan, who had served with the Turkish Army 30 years prior and who proudly wore service medals as an Australian fighting the Turks.

After the truce day soldiers shared food and threw cigarettes between the two opposing trenches and generally tried to avoid shooting at one another. There was also a general amnesty on the targeting of first-aid and medical staff working in no-man's land to retrieve the wounded. All those stories are true. There are accounts of new soldiers from both sides taking pot shots at medical staff only to be quickly admonished by their superiors and senior soldiers and for an apology to be called from one trench to another: "Sorry, he's new. We hadn't explained it to him yet." It is said sometimes that Gallipoli was the gentlemen's war because of those things.

Dozens of buses and hundreds of cars tour the various sites along the Gallipoli peninsula. Of course, the market stalls have trinkets and gifts and all that goes with a tourist destination. Trenches do indeed still exist, although the years have eroded and weathered them. Some trenches have been re-established in a bid to capture the historical facts, but they look somewhat out of place and out of context. I highly recommend that every parliamentarian take the opportunity to visit our most renowned and revered war destinations across the globe. Australians now prosper in a time and a place afforded to us by the great sacrifice of the men and women who have come before us. We should seize the opportunity with both hands and visit these sites so that we can gain a better knowledge of exactly what happened in that time and place. It does not matter what the facts may be, it is all memorable and notable Australian history.

Mr ANDREW GEE (Orange) [6.22 p.m.]: I join other members in this House in remembering the service and sacrifice of the men and women who served this nation in the First World War. First, I make mention of one of Orange's most distinguished citizens—indeed, its most distinguished citizen—Major General Neville Reginald Howse, or Sir Neville Howse.

Mr Clayton Barr: Isn't he from Myall Lakes?

Mr ANDREW GEE: I am glad the member for Myall Lakes referred to Sir Neville and the wonderful service that he gave his country. I thought it appropriate, first, to mention some background about Sir Neville from the early days before he became Australia's first Victoria Cross winner. In so doing, I refer to the Australian War Memorial website, which helpfully points out that Sir Neville was born on 26 October 1863 in Somerset in England. He was educated at Fullard's House School, Taunton, before studying medicine at London Hospital. He migrated to New South Wales, establishing his first practice in Newcastle before moving to Taree. Of course, the member for Myall Lakes spoke very fondly about Sir Neville's connection to Taree, and rightly so. The Australian War Memorial website goes on to state:

After undertaking postgraduate work in England, Howse returned to Australia in 1897 and settled in Orange.

In January 1900 he was commissioned as a lieutenant in the New South Wales Medical Corps and sailed for South Africa. He was serving with a mounted infantry brigade ... where, on 24 July, he rescued a wounded man under heavy fire. For this he was awarded Australia's first Victoria Cross. He was promoted to captain in October the same year.

That very highly regarded website, the Australian Dictionary of Biography, also details the early years of Sir Neville. It states:

Sir Neville was a demonstrator in anatomy at the University of Durham when declining health caused him to migrate to New South Wales. Registered to practise on 11 December 1889 he set up at Newcastle but soon moved to Taree. In 1895 he visited England for postgraduate work in surgery ... and in 1897 then bought a practice in Orange.

If one goes to that other esteemed website, Wikipedia, one will find further information on Sir Neville's early life. It states:

After undertaking postgraduate work in England, Howse returned to Australia in 1899 and settled in Orange.

However, in the interests of balancing the debate—and my great friend the member for Myall Lakes alluded to this—on the Boer War Memorial website, which is dedicated to advocacy for the National War Memorial, it states:

Neville Howse emigrated to Australia in 1889 to become a country doctor at the Manning River Hospital in Taree, New South Wales—

verifying what the member for Myall Lakes said—

but returned to England in 1896 for professional development. He worked in what would now be called Casualty at London Hospital while studying to become a Fellow of the Royal College of Surgeons (FRCS), to which he was admitted in 1897. He returned to Taree again in 1898 but moved to Orange, New South Wales in 1899.

Sir Neville then joined up and went to the Boer War. It would seem that he had a very strong connection with the Manning Valley in Taree but Sir Neville had in fact moved to Orange before he sailed to South Africa. Whatever the historical debates about Sir Neville and who should rightfully claim him, I think as Australians we can all claim the history and legacy of Sir Neville Howse. Certainly, in Orange we are extremely proud of his service and sacrifice. As the Australian War Memorial website points out:

When the First World War began in 1914 he was appointed principal medical officer to the Australian Naval and Military Expeditionary Force to German New Guinea, with the rank of lieutenant colonel ...

In December 1914 Howse was promoted to colonel and appointed assistant director of medical services, 1st Australia Division.

As the member for Myall Lakes pointed out so eloquently, as always:

At Gallipoli he took charge of evacuating wounded men from the beach in the campaign's opening days. "Shells and bullets he completely disregarded", wrote one officer, but "to the wounded he was gentleness itself." ...

In September 1915 he was given command of ANZAC medical services and in November became director of the AIF's medical services.

Based in London once the AIF moved to France, Howse made regular visits to France and retained control of the Australian Army Medical Corps in Egypt and Palestine. He consistently endeavoured to maintain the physical standards of the AIF and late in the war attributed its success in part to the efforts he and his staff made in ensuring the physical and moral fitness of Australian front-line soldiers.

Sir Neville was knighted in 1917 and he made a brief return to private practice before resuming work with the Army. In 1922 he won the Federal seat of Calare. Sir Neville was a soldier, a surgeon and a statesman. He was just one of the many Australians who have served this country in times of conflict. Whether someone is from the Manning Valley, Orange or any other part of Australia, his legacy of service and sacrifice should be remembered and honoured. The member for Myall Lakes has done that today and I hope that I have in some way added to honouring the memory and the veneration of Sir Neville. Sir Neville is one of Orange's most distinguished citizens. A few feet from the Boer War Memorial in Robertson Park in Orange is a tribute to Sir Neville, setting out his service and sacrifice in becoming Australia's first Victoria Cross winner. It is fitting that the memorial is there.

There is one more honour that can be bestowed on Sir Neville. In 2011 Orange Base Hospital officially closed and the new Orange Health Service opened on the new Bloomfield campus, which combined general health services with mental health services. The new hospital is called the Orange Health Service but I think it would be fitting if the hospital were renamed the Sir Neville Howse Hospital in honour of his great service and sacrifice to his country, to medicine and to the Orange community in particular. That is something I intend to pursue into the future. I thought it fitting that I mention that in this speech to the House today, given that we are honouring the service and sacrifice of the many men and women of Australia who gave so much for this country, and in many cases made the ultimate sacrifice.

ACTING-SPEAKER (Mr Christopher Gulaptis): Order! It is appropriate that a number of members have laid claim to a person who performed such heroic deeds. If Sir Neville Howse had visited Grafton I am sure we also would have laid claim to him.

Mr CHRIS PATTERSON (Camden) [6.32 p.m.]: Today I speak about World War I. It was supposed to be the war to end all wars, but sadly that was not the case. I attended the premiere of a DVD that was produced by Camden Community Connections titled *Camden Anzacs "Our Story"*. With the assistance of a joint grant from the Hon. Victor Dominello and Camden Council the production of the DVD was made possible. The Hon. Victor Dominello has been an outstanding friend of the people of Camden and I thank him for his support for my electorate. The DVD provided an opportunity for local young people to engage with those in our community who have served in our Armed Forces during war and peacetime. The DVD is a wonderful way our local community can celebrate the centenary of Anzac.

As with many communities, Camden has been touched by war and during World War I 492 men and women from Camden were on active duty. Ninety-two lives were lost. Local veterans from all theatres of war participated in the production of the DVD. I thank Bert Ryan, Con Diomis, Ken Bell, Laurie Giles, Len Carter, Rob Maguire and Major Stuart Pemberton for their stories and for sharing with us some of the events they experienced whilst serving our country. From World War II to the present, these men painted a picture for us of what serving overseas meant to them, the losses they experienced and the enemy they faced.

Students from local schools interviewed the men and I am sure that experience will stay with those students for many years. I thank Elderslie High School students Andrew Loomes, Ani Hoxha, Deni Hoxha and Hannah Trethewy; Camden High School student Josh Bannister; Elizabeth Macarthur High School students Mary Scott and Samantha Harkness; and Macarthur Anglican School student Angus Key. The young people were given an opportunity to hear stories about our soldiers and to learn from their experiences. Many activities are being planned all around our communities to commemorate the Anzac centenary and this project is to be highly commended.

As everybody in the House is aware, there are no winners in war. The families of those who have experienced the loss of a loved one during war will carry with them forever the pain of that loss. Many soldiers descended on our local area to train at the military camp at Studley Park, Narellan, during World War II and thankfully some of them remained and called Camden home. The idea of this DVD came from Camden Community Connections as it wanted to do its part for the 100th anniversary and produce something that would be used for the next 100 years. Congratulations to Sue Robinson and Mark Jackson from the organisation for gathering the participants necessary to make the project a reality.

Filming, editing and production were done by Ian Pritchard and the narrator was Steve Wisbey, who, I might say, did an outstanding job in his narration of this DVD. Both these men managed to turn this film into a production that is captivating from the beginning. Steve told the story along with the participants, and the archival footage included in the film is simply magnificent. Historians Steve and Christine Robinson and Ray Herbert and oral historian Bob Mitchell must be recognised for their painstaking hard work in gathering all the information. Paul and Vickie Gregson were generous in allowing the use of Studley Park for the filming.

Our local RSL Sub-branch president Iain Richard-Evan is organising many activities for our local area to commemorate the 100th anniversary, including a military tattoo, which will be held at the Camden show in March 2015. I single out for thanks our RSL Sub-branch President Iain Richard-Evan who has done an outstanding amount of work over the years organising the commemorative services, including the Anzac Day dawn service, the morning service and the Remembrance Day service. Iain Richard-Evan does an outstanding job for the sub-branch and our wider community. I thank him for all his efforts.

Camden Historical Society received a grant to produce a book, which was compiled by local historian Janice Johnson. It is titled *Camden's WW1 diggers: 1914 to 1918*. Janice put the word out locally that she wanted any letters people had concerning the First World War. Janice was inundated with letters from soldiers and families of those soldiers serving overseas. Janice put all the letters into this wonderful book with the most interesting stories, many directly from the families and their loved ones. Letters written and notes on the back of photographs give us a very personal insight into what our young boys were experiencing.

It is sad these days that with texting and emailing letters such as the ones Janice gathered will probably never be repeated. By the time a soldier wrote a letter and it was received by the families circumstances had changed dramatically. Even though we have instant messaging at hand today, a written letter has that personal touch. It is amazing that after all these years families still have the letters, which have been handed down through the generations. On a recent Sunday I attended the 303 Squadron, Australian Air Force Cadets, Freedom of Entry to Camden.

Freedom of entry to a city arose during the medieval struggle for power between the barons and the Crown. It was customary for bodies of armed forces to be challenged at the city gates by the city marshal and only allowed to enter with their arms sheathed, colours cased and drums silent to assure their peaceful intention. Camden Mayor Lara Symkowiak hosted a wonderful reception after the march. In 1967 the Prime Minister the Rt. Hon. Harold Holt announced that a commemorative medallion and badge were to be issued to surviving members of the Australian Defence Force who served on the Gallipoli peninsula or in direct support of the operations from close offshore at any time during the period from the first Anzac Day in April 1915 to the date of final evacuation in January 1916.

Recognising the efforts of the Anzacs has continued in many ways and over many years. Commemorating the Anzacs 100 years after the conflict is our way of remembering all those who lost their lives in all theatres of war fighting under our flag to enable us to live in peace in a free and democratic society. There would not be one member of this House who does not appreciate and thank those who have gone before and who fought in all theatres of war to enable us to live and to have the freedom that we so often take for granted. I thank all those who have served our wonderful country and who continue to do so. I thank them for their selfless acts.

While talking about selfless people, I note that the member for Hornsby is in the Chamber. He does an outstanding job for his community, as does the member for Menai, who is also in the Chamber. I have mentioned the president of the Camden RSL Sub-branch, Iain Richard-Evan, who gives so much to our local community and organises many events. He is a wonderful friend and I thank him for his efforts. The senior vice president, Len Carter, does a lot for our local community through volunteering and I thank him for that. Junior vice president Bruce Denison is a great guy who does a lot for the sub-branch and the community, and I thank him.

The membership director, Andy Wright, also does a great job and is always helping out with the dawn service and the 11.00 a.m. service on Anzac Day. I thank him for those efforts. He is also the secretary of the sub-branch. Treasurer Steve Hunt gives his time and does a great job for the community and the sub-branch and I thank him for what he does. I have already mentioned the memorabilia officer, Ray Herbert. Ray is a local historian and I thank him for his wonderful efforts. I share with all members remembering the First World War and all those who have gone before us, who helped to make this the wonderful country that it is today and to give us the freedom we so enjoy.

Ms MELANIE GIBBONS (Menai) [6.42 p.m.]: I thank the member for Lane Cove for bringing this issue to the attention of the House. The centenary of the First World War is particularly special and we should record our thoughts for future generations to read and to remember how we felt 100 years after it started. They will be able to learn from our contributions in 50 or 100 years and remember. On the weekend I visited the Liverpool and District Historical Society to see some re-enactments depicting the Light Horse Brigade and a display of uniforms worn during the First World War. It was interesting to feel the weight of the material used in the uniforms and to think about the conditions in which they were worn. The soldiers had to contend with bad weather, mud, and unsanitary and unhygienic conditions in those heavy woollen uniforms.

I thank the Liverpool and District Historical Society and the Liverpool Regional Museum for holding the open day on Saturday and for enabling people to learn a great deal about that time in our history. The museum mounted an exhibition entitled "Liverpool Remembers", which displayed our local history using many photographs and stories. I urge members to visit the exhibition and to recall the part that locals played in that war, not only what happened overseas. We should remember the recruitment drives, the events at the Holsworthy internment camp and other things that happened on the home front.

Members have mentioned their families' experiences during the First World War and made particular mention of those who returned greatly affected by what they had experienced and those who unfortunately did not return. I had the opportunity to sit in the Speaker's chair and to listen to some contributions during this debate and I found them very interesting and moving. My great grandfather came from Germany on the last boat to leave for Australia before the First World War broke out. He moved to Queensland when it was tough to be a newly arrived German migrant. He was incredibly lucky not to have had to spend time in an internment camp, although he was not well accepted or trusted for many years. Obviously he was trusted enough not to be interned, but he was required to report his whereabouts at the local police station. It must have been an incredibly trying and untrusting time but one that everybody went through together as a community.

Attendances at the local Anzac Day services are increasing because people want to pay their respects to our diggers. Unfortunately, not many of those who served in the First World War are able to march these days,

but it is important that we show them and their families and loved ones that we respect what they did for our country and to ensure our freedom. They gave of themselves to support people they would never meet. Liverpool RSL conducts Anzac Day and Remembrance Day services at Bigge Park that are very well attended by locals, members of the chamber of commerce, local councillors and members of Parliament.

The services are very highly regarded, as is the Woronora RSL service. It is a small service and it is always a couple of degrees colder than the Liverpool service on that April morning. It is usually the first day of the year on which I feel the cold and get out my overcoat. That makes me think of the poor men marching in the cold in their uniforms, but I am sure their pride keeps them warm. Sutherland RSL also has a well-attended service that includes a march over the Sutherland railway bridge. It is always lovely to see people clapping as the marchers cross the bridge and showing them the respect they so richly deserve.

We are trying to establish a war memorial at Menai so that services can be held there. Although Menai is a newer suburb and was not home to people who served in the First World War, the community wants to show its respect. Many people in my electorate have served in more contemporary conflicts and we should also show them our respect. I am working on the memorial project with Andrew Manson, who has been on the chamber of commerce since its inception. Andrew is a local real estate agent and has a lot of love for our community. We need to work with the council to find the land for it and with other RSL clubs to make sure it is the right thing to do.

Recently the State Government gave some funds to the Holsworthy Barracks for the commandoes to build a memorial, a place to remember those who have died in recent operations, particularly the Afghanistan conflict. It is important for commandoes to have a private place to remember and grieve, as they cannot show their faces in public. One of the most moving Anzac Day ceremonies I have attended was at the Holsworthy Barracks. Other Anzac Day ceremonies are focused on World War I and World War II, but the one at Holsworthy was focused on people currently serving. It had a different feel to it and it is important that we think about what is happening currently.

As a student of history I now turn to what happened in my local community in the time of World War I. Other speakers have mentioned the factors that led to the start of the war and the tensions at the time. Nationalism, an arms race, disputes over territories and spheres of influence, greed, fear, distrust and the division of Europe all contributed to the start of World War I as well as the assassination of Archduke Franz Ferdinand, heir to the Austro-Hungarian throne. Germany invaded Belgium and Britain then declared war on Germany. Japan declared war on Germany, seeing a chance to seize German territory in China. On 4 August 1914 Britain declared war on Germany and so started the Great War, which was supposed to be the war to end all wars. I thank the Speaker for introducing the weekly—

Mr Clayton Barr: Tribute.

Ms MELANIE GIBBONS: —tribute in the House. It is important and moving for this House to hear about former members who left what they were doing to serve our country so selflessly. The tribute last week hit home to us all. The bronze memorial to them in our Chamber is a wonderful way to remember their selflessness. The Liverpool area, particularly Holsworthy, has had a long association with the military. During the Great War it was an internment camp. There are photos of it then in the Liverpool Regional Museum showing the close proximity of the camp to the train station. As early as 1811 soldiers' barracks were provided in the township of Liverpool and from 1886, following the Sudan expedition, Artillery Hill, across the Port Hacking River from Audley in the then national park, was used for annual training. In 1906, 1907 and 1910 the Army held manoeuvres in the Holsworthy area.

As part of the new Commonwealth Government's major program of defence construction, two areas were acquired: 833 acres for the establishment of a remount depot and veterinary hospital and a further 16,868 acres at the site now known as Old Holsworthy Camp. The Commonwealth *Government Gazette* formally proclaimed the Holsworthy training area as a military reserve on 7 March 1913. Land acquired for a military barracks, a training area and an artillery range totalled 80,000 acres. At the time the land consisted of both large and small holdings, many of which were still undeveloped. Some of the land was planted with fruit trees and there were market gardens in the area. Within this the site chosen for the barracks had been a large orchard, completely surrounded by thick bush and scrub.

The transfer was made on 25 October 1914. By April 1915 permanent barracks had been constructed there. The Anzac Rifle Range was completed in August 1916. The small holdings, which eventually became

the area known as the German concentration camp, were owned variously by James and Andrew Cowan, William Leane, E. A. McNeil and Giratamo Tome. They varied in size from 41 acres to 43 acres. However, the area occupied by the camp and associated activities was never clearly defined. The camp itself, including the main barracks areas, the Armed Forces barracks, the playing fields, the guard barracks and facilities and the hospital occupied an area which measures about 1.5 kilometres by one kilometre. Wooden barracks were erected, each housing 60 men with a company commander of their own nationality who was responsible for administration.

About a quarter of this total area was enclosed to form five compounds, which existed for the period of the camp. They included the main barracks, south of Artillery Road and playing fields along its south and west sides and a second compound for an unknown purpose, located some 200 metres north of Artillery Road. Compound 3 was a recalcitrants compound, south-east of the complex. Compound 4 was military barracks for prisoners of war, north-east of the complex and north of Artillery Road. The hospital compound was north-east of the complex. Other elements included a stables complex, eastern guard post, guards' camp, bakery, kitchen and cloth store. Accommodation for internees consisted of tents. As a result of the increase in numbers, work began to prepare an area which would later become the permanent camp. The camp also had a sawmill and a sandstone quarry where stone for the jail, the recreation area and the sergeants' mess was extracted.

The principal part of the main compound was constructed on gently sloping land south of the newly constructed Artillery Road, which ran almost due east from Illawarra Road, now the Old Illawarra Road. More than 100 individual barracks were located there, each holding 50 men. As well there were cafes, a post office, stores, a theatre, latrines, laundries, a bakery, a kitchen and mess halls. The guards' barracks and the associated infrastructure were located on the north side of Artillery Road, and eventually nine barrack buildings were constructed by the internees along with the railway station, goods store, a headquarters building, the recreation hall, sergeants' mess, jail, guardhouse and a number of ancillary buildings. A branch railway was built during World War I by internees, to service the Army camp near Liverpool, the artillery range, ordnance and ammunition stores, the remount depot, the veterinary depot and the Holsworthy Internment Camp. Traces of the railway include the terminus in the guards' camp and a bridge across Harries Creek which has been modified and is now known as the Holsworthy Pedestrian Bridge.

During World War I German, Austrian, Hungarian, Croatian, Czech, Bulgarian and Turkish people were interned as well as Australian internees from Australia, South Pacific and Asia. German people were regarded as enemy aliens and were interned. Other groups regarded as being of less threat to security were also watched by Australian guards. The main compound was where German and Australian civilians were interned. However, there were some prisoners of war, including many of the survivors of the German cruiser *Emden*, which was beached at Cocos on 9 November 1914. It was the largest internment camp in Australia in World War I, holding over 6,000 internees.

There were in excess of 210 buildings on site at the height of the camp. One of the survivors of the *Emden*, George Boyne, wrote to his wife that it was "a dreadful place" housing "sailors, merchants, bushrangers, doctors, mine labourers, farmers, beachcombers". There were riots at the camp and extortion gangs preyed on other internees. However, apart from the overcrowding, the living conditions at the concentration camp were not much worse than those of the soldiers in the Australian Imperial Force camps that surrounded it. Escape attempts were common; for example, a number of prisoners escaped through a 120-metre tunnel, and one, who stowed away on a ship bound for Kava, was never caught.

The camp held cabarets and theatre, movie nights, choirs, lectures and sporting competitions. Along the Kaiserwilhelmstrasse there was a bathhouse, cigar stands, bakery, sausage factory, pawn shop, barber and two cafes. The German concentration camp was closed in mid-1919 with the last man leaving on 5 May 1920. It would appear that almost all the buildings associated with the internees were temporary in nature and when hostilities ceased the camp was razed. It is still possible to see where that camp was. I have had the pleasure of visiting the Holsworthy Barracks where it was pointed out to me. It was an interesting experience to see where that history took place.

Between 1914 and 1918 Australia's population was approximately 4.9 million. From that relatively small population base, 416,809 Australians enlisted for service in the First World War. That represents 38.7 per cent of the total male population aged between 18 and 44. The majority of those who volunteered in August were not sent to Europe but to Egypt, in order to protect British interests in the Middle East and the Suez Canal. After 4½ months of training in Egypt, the Australian and New Zealand Army Corps, the Anzacs, sailed for the Gallipoli peninsula.

On 25 April 1915 the Anzacs landed on the peninsula at a cove soon to be known as Anzac Cove. The fighting between the Allies and the Turks was fierce and unforgiving. The Turks were well entrenched on the peninsula and using the new technology of the day, the machine gun, managed to inflict heavy casualties on the Allied forces. During the early part of the campaign, the Allies tried to break through Turkish lines, while the Turkish forces tried to drive the Allied troops off the peninsula. Attempts on both sides ended in failure and the ensuing stalemate continued for the remainder of 1915, with heavy casualties inflicted on both sides. By the end of 1915 it became clear that the Allied forces needed to withdraw from the peninsula. Troops were evacuated on 19 and 20 December 1915 under cover of a comprehensive deception operation. This deception was so effective that the Turks were unable to inflict more than a few casualties on the retreating forces.

Following Gallipoli, Australian forces fought campaigns on the Western Front and in the Middle East. When divisions of the Australian Infantry Force [AIF] arrived in France, the war on the Western Front had long settled into a stalemate, with the opposing armies facing each other from trench systems that extended across Belgium and north-east France, from the English Channel to the Swiss border. I have had the opportunity to visit the sites in Belgium and to see what remains of those trenches at first hand. To see what I had read about in books and seen in movies was incredible.

It was an eerie and surreal experience to think about where those servicemen fell, to see their graves and to understand how many of them remain unknown soldiers. I thought about the families who never knew what had become of their loved ones. It must have been a harrowing time, both for those who served and those who stayed at home. I recommend the Hill 60 tour. I know it is something that you, Mr Acting-Speaker, have done and I know that you, as I did, took away a great feeling of respect for those young fallen soldiers. In 1916 at Fromelles, the Australian infantry was introduced to a different type of combat in the trenches, with mustard gas being used for the first time. [*Extension of time agreed to.*]

In Fromelles the Australian infantry suffered 5,533 casualties in 24 hours. By the end of that year, about 40,000 Australians had been killed or wounded on the Western Front. In 1917 a further 76,836 Australians became casualties in battles, including Bullecourt, Messines, and the four-month campaign around Ypres, known as the Battle for Passchendaele. In March 1918 the German Army launched its final offensive of the war, hoping for a decisive victory before the military and industrial strength of the United States could be mobilised in support of the Allies. The Germans initially met with great success, advancing 64 kilometres past the region of the 1916 Somme battles, before the offensive lost momentum. Between April and November the stalemate of the preceding years began to give way, as the Allies combined infantry, artillery, tanks and aircraft more effectively, as demonstrated in the Australian capture of Hamel spur on 4 July 1918.

As well as land battles, we should remember that Australians also served at sea and in the newly formed flying corps. The Royal Australian Navy made a significant contribution early in the war, when the German raider *Emden* was destroyed near the Cocos Islands in November 1914. As I said earlier, some of the crew were interred at the Holsworthy camp. The First World War was the first armed conflict in which aircraft were used. Approximately 3,000 Australian airmen served in the Middle East and France with the Australian Flying Corps, mainly in observation capacities or providing infantry support. We should remember the wartime role of women. Australian women volunteered for service in auxiliary roles as cooks, nurses, drivers, interpreters, munitions workers and skilled farm workers.

Australian nurses served in Egypt, France, Greece, and India, often in trying conditions or close to the front where they were exposed to shelling and aerial bombardment. The effect of the war was also felt at home. Families and communities grieved following the loss of so many men. Women increasingly assumed the physical and financial burden of caring for families, which often continued throughout the following years. When the war ended, thousands of servicemen returned to Australia and were reintegrated into society. Many returned servicemen faced the additional burden of being disabled with physical or emotional wounds. I place on record my appreciation for those who served. Their sacrifice was not in vain. I also thank our RSL clubs and Legacy groups for all they do to look after our returned service men and women. I thank the returned service men and women and their families for their contribution to our country and to our freedom. Lest we forget.

Mr KEVIN CONOLLY (Riverstone) [7.12 p.m.]: This is a significant subject on which to address the House and I undertake it with trepidation, given the degree of research and preparation one would need to do this well. I am indebted to the Riverstone and District Historical Society, which has recently published a book, *Riverstone and the First World War*. I will refer to that to some extent in my comments this evening. I thank the authors of that work—Shirley Seale, Ron Mason and Rosemary Phillis—for their research and genuine insight into the character of the town about which they are writing. It has obviously been a work of love, a work undertaken by genuine locals who are part of their community and its history.

In 1914 the town of Riverstone was already, in Australian terms, a relatively old town. It was settled in 1810 and quickly became both an agricultural area and, in particular, a meatworks town. The railway line went through in the 1860s and we are celebrating the 150th anniversary of the completion of the railway line to Richmond this year. That is significant because Riverstone was the railhead town for a number of years. Later, as electrification came through, the line went to Riverstone and one had to change onto a rail motor to the Hawkesbury. That railway line is a central feature of the district and essential for the operation of the meatworks in getting meat to market in Sydney from the abattoir at Riverstone.

I have referred to Riverstone's history in order to set the scene. It was a country town that was a centre of its district but, in 1914, still a small town. It was not part of Sydney, being well outside what would have been considered to be established Sydney at the time. Riverstone was part of the Hawkesbury district. Its local newspaper was the *Windsor and Richmond Gazette*. It is called the *Hawkesbury Gazette* these days, so it has not changed a lot over the years. The town of Riverstone received the news of the outbreak of war, like many dispersed communities throughout New South Wales, rather late. War was declared on 3 August 1914 and it appeared as an item in the *Windsor and Richmond Gazette* on the twenty-eighth of that month—more than three weeks later.

I imagine that the *Sydney Morning Herald* had carried the news and that it had spread in other forms but they did not have mobile phones, computers or other electronic gadgetry. Very few people had a phone in their home at all in Riverstone in 1914. It would have been a rarity. The news probably arrived at the telegraph station at the Riverstone railway station and would have spread by word of mouth from that point to the rest of the community. Despite that delayed awareness of the war, by November that year young people in Riverstone were signing up. Clearly, people were patriotic and wanted to help King, country and empire in this battle without perhaps much knowledge of what it was all about or where it was.

I can only imagine what it was like growing up in Riverstone in 1914, with very little access to the outside world of the kind with which we are now familiar so as to know where Sarajevo is and why a happening there should be of any significance. Where is Belgium and why do I care? Yet, loyalty to the King, country and empire meant that when there was trouble for the empire and the King on the other side of the world people in Riverstone, as in all parts of Australia, were only too keen to lend a hand to be loyal servants. I have not been able to establish exactly the population of Riverstone in 1914, but I imagine it would have numbered in hundreds, not thousands—at most maybe a thousand. Yet, of those who lived in the town, between 130 and 170 enlisted. That is an extraordinary number. Of course, it is flexible and does not count just the town of Riverstone, as there are outlying villages and a rural district around it. The recording of who came from where was diverse. I imagine it was a source of pride to have family members' names included on war memorials and in the lists and records of one's town.

Perhaps some of them belonged to Riverstone only tangentially, hence the difference in number of between 130 and 170. Whatever the number, an extraordinary proportion of a small country town population enlisted to serve overseas. If we consider that Sydney has four million people and translate it to today's numbers, we would be talking about hundreds of thousands of recruits on that scale. The people of that town made a significant response to the effort. Of those 130 to 170, 22 are recorded on Riverstone's cenotaph monument as having been killed in the war. Those 22 paid the ultimate sacrifice; others clearly paid a heavy price as a result of their experiences of war, and the difficulties they faced through lack of basic sanitation and health care in the many situations in which soldiers found themselves. They made a remarkable commitment. It is difficult for us to understand the scale of that response.

The impact on the town also must be considered when a significant proportion of the population, particularly the working-age male population of the district, headed overseas. Those remaining behind in the town had to adjust in many different ways to make up for that shortfall. Certainly, the women and older men had to take up the slack in making a living because there was no welfare of the kind with which we are now familiar to support families, put food on the table for young children, and ensure that the elderly were cared for. The future of the town remained intact and services continued. World War I caused significant social change to emerge from that huge transfer of responsibility from men, who normally would have been employed in the workforce as the responsible breadwinners, et cetera, to others who had to take up that role by sheer necessity in their absence. Women particularly took up roles they had not undertaken previously. Throughout the story told by the authors of this wonderful text are personal stories of those from the town, whose names are very familiar to current long-term residents.

Many family names still have connections in the district and are well known to the locals. Testimony to the durability of Riverstone families is that many have remained and are recognised as pioneers of the town all

these years later. The stories—they are far too lengthy and too detailed for me to recount here—chronicle the sufferings, challenges and, in some cases, light-hearted moments of these young sons of Riverstone and district who went to the other side of the world to serve their king. The first few volunteers were in time to serve at Gallipoli in the famous battles that created the name of Anzac. Others who enlisted later throughout the course of the war served either on the Western Front or in the Middle East in the Light Horse Brigade. Being from a country town, a number of those who enlisted were horsemen and served in that capacity in the Middle East. Their stories are very well recorded. I encourage people to take the opportunity to read *Riverstone and the First World War* to get a sense of their forebears in the town and how they served their country with dignity, pride and loyalty in what can only be described as remarkable circumstances.

Like most towns, Riverstone now has a number of memorials created as a result of this immense and tragic experience that transformed the whole town and community. Those memorials, whether in schools recording former students who enlisted overseas, on the cenotaph outside the railway station or in the Riverstone-Schofields RSL hall, mark those familiar names and record for posterity those who gave so much. Of the 22 names on the memorial of those who gave their lives, two carry the name Schofield. The Schofield family lived at Riverstone but the siding from the railway line to Schofields property gave its name to the now locality of Schofields. Clearly, this family has left an indelible mark on the history of the district and two of its number paid the ultimate sacrifice in that tragic war.

I diverge for a moment to mention, as some members have, my family's connection to these events of the Great War—obviously, great in the sense of large and not of anything desirable. My father's two uncles, Clarence Raymond Rudolph Gosper and Joseph Jonathan Gosper, served on the Western Front in the 13th Infantry Battalion. Both paid the ultimate sacrifice on the Western Front for their country. My father bears the names of his two uncles Clarence and Joseph in memory of the enormous loss to the family. My father's name is Clarence Joseph Connolly. On my mother's side, my grandfather, Walter George Reginald Arrowsmith, served in both wars. He, like many, used a fake date of birth and put up his age to serve in World War I. He served in France, survived and came home. In World War II he served once again as a civil engineer building roads and airstrips in the Northern Territory and on the islands of the south Pacific.

More poignantly for my family is that the tradition continues because my son-in-law Aaron James Orr is currently serving his second tour of duty in Afghanistan. As a result of the recent announcements about Australia's commitment to Iraq his colleagues and others are departing our shores. I am sure members will join with me in wishing godspeed, safety and good wishes to all those who are overseas in harm's way while they serve our cause and protect our country and our liberties. I am sure that is the sentiment that the people of Riverstone felt as they farewelled their loved ones in 1914 and that they looked forward longingly to the day when they returned. Sadly, not all of them did.

We know that story was repeated across the country and around the world during those years of war when so many were lost. As the previous speaker said, their loss is not in vain if the world becomes a better place. We gain from people's sacrifice. While there was an immense amount of suffering and tragedy and, sadly, a lot of senseless slaughter during the First World War, the nations of the world learned from that suffering and have gained some benefit. We remember the sacrifices of those who served in World War I and those who have served for Australia in the years since. We pay tribute to them. Lest we forget.

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

CITY OF SYDNEY AMENDMENT (ELECTIONS) BILL 2014

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

ACTING-SPEAKER (Mr Lee Evans): Order! I advise the House that I have received a written authority from the Hon. Robert Borsak, MLC, advising that the Minister for Local Government will have carriage of the bill in the Legislative Assembly.

Second Reading

Mr PAUL TOOLE (Bathurst—Minister for Local Government) [7.32 p.m.]: I move:

That this bill be now read a second time.

I am pleased to support the City of Sydney Amendment (Elections) Bill 2014, but with amendments to improve its operation and to enhance its democratic outcomes. The bill seeks to amend the City of Sydney Act 1988 to give business a voice in local elections that better reflects their significant financial contribution to our global city. This bill gives effect to a recommendation made by the Joint Standing Committee on Electoral Matters arising from its inquiry into the 2012 local government elections following extensive consultation. The committee recommended that the Government introduce for the City of Sydney the same model of non-residential voting used by the City of Melbourne. This includes automatic enrolment of non-residential electors, the same non-residential franchise used in Melbourne and compulsory voting for non-residential electors.

The committee also recommended that the Government consider applying this model to other local government areas with significant economic centres such as Newcastle, Wollongong and Parramatta. The proposals contained in the bill take into account the unique status of the City of Sydney and I am confident that the bill will greatly assist the council to better serve the people of the city. It is a fundamental tenet of our democratic system of Government that there be no taxation without representation. While business makes a significant contribution to council revenue, under the current electoral arrangements it has limited opportunity to pass judgement on the performance of councils, whose decisions impact on them as much as they impact on residents.

In the case of the Sydney city council, business electors, who contribute 78.5 per cent of the council's ratepayer revenue, are effectively disenfranchised under the current arrangements. At the 2012 elections, only 2.13 per cent of the total electors who voted were non-residential electors. The current system of enrolment for businesses is cumbersome with too many rules. Major corporations that have hundreds of staff and contribute thousands in rates get a single vote. Also, the non-residential roll lapses after each election so businesses are required to re-enrol at each election. The business voice in Sydney is getting weaker.

The Government is trying to ensure that Sydney remains a global city and the prosperity of business is crucial to that occurring. At the 2004 council elections there were 2,059 non-residential enrolments. By the 2008 election this number had dropped to 396. Ahead of the 2012 election, the council spent \$243,242 on its campaign to encourage non-residential electors to enrol. The campaign yielded 1,709 enrolments and of these only 1,498 voted. This situation cannot continue. It certainly should not continue when south of the border the business vote in Melbourne accounts for 60 per cent of the total vote compared with 2 per cent in Sydney at a cost of \$27 per enrolment, which is a mere 5 per cent of the cost of each vote in Sydney. Melbourne makes it easy for business to enrol and gives it a stronger voice, which aligns more closely with the contribution it makes to the city.

Owners and occupiers of non-residential property are automatically enrolled. They do not have to enrol again after each election; the council does it for them using a range of information sources. Up to two persons may be enrolled per business, irrespective of whether they are incorporated or not. In 2012 the cost of this enrolment process was approximately \$470,000, which is nearly double the cost of the education campaign conducted by Sydney ahead of its 2012 election. In marked contrast to the 1,709 enrolments that this campaign yielded for Sydney at a cost of \$142 each, this automatic enrolment process yielded an enrolment of 64,650 non-residential electors.

The bill proposes a number of elements to the new model for non-residential voting for Sydney. The following key changes are proposed for the City of Sydney Act. As with Melbourne, the City of Sydney will take over responsibility for preparing and maintaining its non-residential rolls from the Electoral Commission. The reason for this is that the council will be better placed than the Electoral Commission to access the information necessary to prepare non-residential rolls through automatic enrolment. This is also consistent with what occurs at other New South Wales councils. However, the Government recognises that the task of preparing and maintaining non-residential rolls for the City of Sydney under the proposed Melbourne model is logistically more challenging than it is for other councils. For this reason, the Government has proposed amendments to the bill to allow the City of Sydney to engage service providers to assist in the preparation and maintenance of the rolls and the register it is based on.

The City of Sydney will be required to automatically enrol non-residential electors using the same method used in Melbourne. This will mean that non-residential electors will be automatically enrolled without having to formally apply and will then be notified they have been placed on the roll. The same non-residential franchise that applies in Melbourne will apply in Sydney. This will mean that where a corporation is the sole owner, lessee or occupier, two officers of the corporation, rather than one, will be automatically enrolled, unless nominated by the corporation.

Where there are more than two natural persons who are non-residential owners or occupiers of properties, up to two of those persons are to be enrolled. The Government recognises that the strict application of this approach under the bill to defined parcels of land potentially would see only two occupiers being enrolled in, for example, a shopping centre, irrespective of how many businesses occupy the centre. To address this, the Government has proposed amendments to clarify that enrolment eligibility is based on ownership of or an entitlement to lease or occupy rateable land rather than an identifiable parcel of land.

To prevent sham occupancies under this model, through its amendments to the bill the Government proposes to retain but reduce to \$4,000 the existing monetary eligibility requirements for rate-paying lessees and occupiers. This means that rate-paying lessees and occupiers will still need to have been in continuous occupation for three months to be eligible and liable to pay at least \$4,000 per annum in rent and rates in the case of rate-paying lessees and \$4,000 per annum in rent in the case of occupiers. This will act as a disincentive to the creation of sham occupancies while ensuring that businesses are not unduly disenfranchised because they do not meet the monetary eligibility threshold. Also, as is currently the case, non-residential electors will not be enrolled if they get to vote as a resident.

Another departure from the Melbourne model is that to be eligible to be enrolled, a person will also need to be eligible to vote at State and Federal elections. This is designed to avoid the situation that currently exists in Melbourne whereby persons who are non-citizens residing in another country potentially can be enrolled. It is also a fraud-minimisation device that will allow non-residential enrolments to be checked against information held on the electoral roll. Consistent with the Melbourne model, it is proposed to retain compulsory voting for non-residential electors. It is acknowledged that this may be seen by some as a red-tape burden on business. However, such a view would be inconsistent with the long-enshrined tenet of Australian democracy that all eligible citizens have a fundamental duty to participate in the democratic process.

In addition, the Government will be responding shortly to the other recommendations of the joint standing committee, including the recommendations to make it easier to postal vote. As I noted previously, the Joint Standing Committee on Electoral Matters also recommended that the Government consider applying the Melbourne-Sydney model to other council areas with significant economic centres, such as Newcastle, Wollongong and Parramatta. The bill seeks to achieve this by empowering the Governor to extend this model by regulation. However, the Government has no intention of expanding the Sydney model to other council areas ahead of the 2016 local elections. This will allow for any lessons to be learned from Sydney and will give other councils more time to prepare.

The Government therefore sees no urgency in legislating to provide a mechanism that would allow the extension of the Sydney model to other councils. For this reason, the Government supports the Christian Democratic Party amendment to delete this provision from the bill. These proposals are largely based on recommendations made by the committee after an exhaustive inquiry process and extensive consultation. The proposals will address a longstanding democratic anomaly in Sydney, which at the most recent election saw those who contribute 78.5 per cent of the council's ratepayer revenue exercise only 2.13 per cent of the votes. The proposals will also provide a more efficient mechanism than currently exists for ensuring that non-residential electors are enrolled and are thereby able to exercise their democratic rights. I commend the bill to the House.

Mrs BARBARA PERRY (Auburn) [7.43 p.m.]: I speak in debate on the City of Sydney Amendment (Elections) Bill 2014. I say at the outset that although there have been some amendments in the other House, and one in particular that I will refer to later, the Labor Opposition opposes the bill.

Mr John Barilaro: Of course you do.

Mrs BARBARA PERRY: Of course we do. It is undemocratic; it is unworkable; it is an absolute sham; it is a mess.

ACTING-SPEAKER (Mr Lee Evans): Order! Members will address their comments through the Chair. Members who wish to have private conversations should do so outside the Chamber. Members should give some respect to the member for Auburn who has the call.

Mrs BARBARA PERRY: Today is an extraordinary day in New South Wales politics. This is a place that says it upholds democracy, but today we are about to see democracy undone.

Mr John Barilaro: The bogeyman called the businessman.

Mrs BARBARA PERRY: It is not about the bogeyman called businesses. It is not about that at all.

ACTING-SPEAKER (Mr Lee Evans): Order! I remind members to address their comments through the Chair.

Mrs BARBARA PERRY: It is about what we have valued as Australians: one vote for one person. A corporation is one entity. One of the Liberals' own, Petro Georgiou, has said the same thing. Today the principle of one vote one person is about to be undermined by those opposite. When we look for justification for this there is none. The proposal contained in this bill is absolutely unnecessary. The public interest test has not been met by this Government to justify why this bill should be brought forward. Tonight the Minister for Local Government indicated that the bill draws on recommendations made by the Local Government Acts Taskforce and the Joint Standing Committee on Electoral Matters inquiry.

Mr John Barilaro: A great consultation period.

Mrs BARBARA PERRY: Consultation with whom? I was offended today in question time when the Minister for Local Government misled the House. He knows very well that the Labor Opposition on that task force opposed this proposal.

Mr Paul Toole: I know. I have read it.

Mrs BARBARA PERRY: I have read it too. The commentary of those opposite falls into two categories. The first rationale for the proposal in the bill—and I do not know whether this is justified—appears to be that this legislation will enable businesspeople to have two votes. I make the point that businesses are the backbone of our community, whether in the City of Sydney, in Western Sydney or wherever, and we very much value the role that businesses play in our prosperity, our growth and our economy. The Minister says that businesses are entitled to two votes because of taxation issues. The Premier said recently in this House, in response to a question from the member for Kiama:

The reason we have to have this is because businesses who are taxed must have representation.

Nowhere in our democracy, nowhere in our Constitution Federal or State, nowhere in Australian politics generally or in Australian convention that I know of is there a link between taxation and representation. Corporations do not gain the right to vote in Federal elections because they pay company tax. Aged pensioners do not lose their right to vote because they have stopped paying income tax. Clearly, accepting the principle that anyone who pays tax deserves a vote would set a dangerous precedent that undermines Australian democracy. I refer to Antony Green, who is well respected by members opposite, as he is by Labor members. I congratulate the shadow Minister in the other place whose speech I read today. She put succinctly the Opposition's reasons for opposing this bill, and referred to Antony Green. Talking about the reasons given for this bill, Mr Green said:

The logic here is trying to tap into the argument of the American Revolution about no taxation without representation. Yet it is distorting this argument into one that says those who pay more taxes should get more votes. The two votes idea is completely at odds with Australian history and with democracy as understood in most Western countries. It can only be viewed as a stalking horse for the real intent of the legislation, which is an expansion on the non-resident roll and the introduction of some form of compulsion in business enrolment and voting.

As the shadow Minister in the other place said, perhaps most glaring is Mr Green's observation that this may be the first time in New South Wales history that legislation has been proposed entirely on the principle that "they do it in Melbourne". In justifying the bill, the Minister for Local Government said that they do it in Melbourne and that the New South Wales Government has not adopted everything that has been done in Melbourne. But, conveniently, I did not hear the Minister say one word about the report from Petro Georgiou, which highlighted the need to undo what was happening in Melbourne.

Mr Gareth Ward: Based on your model. It was your model.

Mrs BARBARA PERRY: An inconvenient truth. Is that an inconvenient truth for the Minister to address? Let us hear what the Minister has to say about that in his reply.

Mr John Barilaro: There is nothing wrong with uniform legislation across the country.

Mrs BARBARA PERRY: What did you say?

Mr John Barilaro: There is nothing wrong with uniform rules across the country.

ACTING-SPEAKER (Mr Lee Evans): Order! The member for Auburn will not engage with members across the Chamber. She should make her comments through the Chair. The member for Monaro will come to order. The member for Kiama will come to order.

Mrs BARBARA PERRY: I go back to where I started. Mr Georgiou has been reported as saying that "a corporation is a legal individual and it should be treated as an individual and that means one vote". So why are we seeing this legislation? Apart from the taxation issue—that we should have representation because of taxation—the second rationale is that business is entitled to two votes because most households contain two or more voters on one piece of land. What a revelation. Kirsty Needham of the *Sydney Morning Herald* wrote one of the best articles I have read about this matter recently. I think she is reputable and thoughtful. In an article in the *Sydney Morning Herald* of 31 August 2014 headed "Business takeover: locals may vote with their feet" she makes the point about two votes because most households contain two or more voters. She said:

It's a sweeping generalisation and it ignores the reality of inner-city life. Forty per cent of households in the city of Sydney are single person households.

Statistics can be used for whatever purpose, but the Minister cannot ignore these things as well. What is the bill really about?

Mr John Williams: Democracy. Beautiful. You got it in one.

Mrs BARBARA PERRY: Is it? Democracy is being dealt a blow today.

Mr John Barilaro: Democracy is about majority. You just spoke about a 60 per cent majority.

ACTING-SPEAKER (Mr Lee Evans): Order! I call the member for Monaro to order for the first time.

Mrs BARBARA PERRY: Members opposite say that this bill is about democracy. Tonight we heard the Minister's say that 78.5 per cent of rates in the City of Sydney are paid by businesses and there should be no taxation without representation. The Minister should resist that argument for the good of our community. My next argument is that the bill will increase red tape; it will not do anything to diminish red tape. The mechanics of how the bill will be implemented will be difficult. Although members in the other place sought to include some protections, I do not think the bill before us manages to do that. I return to the tax issue. Even if the Government accepted the argument that there should be a link between economic contribution and entitlement to vote in an election, the proposal in this bill is still unfair. The bill grants only one vote to non-residents who have an interest in land within the City of Sydney. It does not grant a vote to the thousands of workers who commute to Sydney and contribute to the city's economy. If that is the Minister's justification, it is no justification at all, because one would then argue the other way.

Mr John Williams: That's drawing a long bow.

Mrs BARBARA PERRY: No, it is not drawing a long bow. Tonight the Government has shown its clear intent. The Government said that it supports the amendment moved in the other House—I do not think the amendment was moved by Reverend the Hon. Fred Nile; I think it was moved by The Greens—to remove what the Minister clearly intended to happen and supported, that is, expansion of the proposal in this bill to other areas. The Minister is on the record as saying that. For him to now say that he is happy with the amendment, he has let the cat out of the bag. The people of New South Wales should be worried about democracy. They should be worried that the Government will expand the proposal in the future. The Minister accepted the amendment in the upper House simply because he wanted to get the bill through the upper House. I rely on evidence from the member for Kiama for that. I am concerned about the member for Kiama, for whom I have a lot of time. Today I read an article in the *Illawarra Mercury* of 13 September 2014. Did you tell a fib?

Mr Gareth Ward: No, I did not. I said there were amendments being considered.

ACTING-SPEAKER (Mr Lee Evans): Order! The member for Kiama will come to order. The member for Auburn will not engage with the member for Kiama across the Chamber.

Mrs BARBARA PERRY: The article appeared only a few days ago, when we all knew what was in the bill. Yet the member for Kiama is quoted as saying on Saturday 13 September that, "This bill is in relation to the City of Sydney. We are not pushing this change in Wollongong." The committee that the member chaired—

Mr Gareth Ward: Look at the amendments. Read the amendments.

Mrs BARBARA PERRY: Do not rewrite history.

ACTING-SPEAKER (Mr Lee Evans): Order! The member for Kiama will come to order.

Mrs BARBARA PERRY: History should not be rewritten in this regard.

[Interruption]

ACTING-SPEAKER (Mr Lee Evans): Order! The member for Kiama will be removed from the Chamber if he continues to interject. If the member for Auburn engages further with the member for Kiama I will sit her down. She should not engage with members across the Chamber. I remind the member for Auburn that she should address her comments through the Chair.

Mrs BARBARA PERRY: History should not be rewritten. The truth should be told and the truth is this: In the committee chaired by the member for Kiama—

Mr Paul Toole: A bipartisan committee.

Mrs BARBARA PERRY: It was not bipartisan. In the committee chaired by the member for Kiama the clear intent was for this proposal to be expanded and rolled out into other communities—potentially 152 councils across New South Wales.

Mr Gareth Ward: No, it wasn't. That's not what it said.

Mrs BARBARA PERRY: Even more worrying was that Wollongong City Council was named.

Mr Gareth Ward: Point of order: I refer to Standing Order 76. We are debating the bill before the House, not the committee report to which the member is referring. The member for Auburn should be brought back to the leave of the bill, as amended, which relates to the City of Sydney and makes no reference to the City of Wollongong, Parramatta or anywhere else.

ACTING-SPEAKER (Mr Lee Evans): Order! I uphold the point of order. The member for Auburn will return to the leave of the bill.

Mrs BARBARA PERRY: In relation to that ruling, the Minister indicated in his second reading speech that the bill was based on the committee's report. I do not think the member for Kiama is right, but it does not really matter. It is misleading for any member of this House, including the member for Kiama, to say that it was not going to be expanded and then to say on 13 September that the Liberal-Nationals Government was not pushing this change in Wollongong. Only today the Minister accepted the amendment because *prima facie* he has taken a lot of heat.

Mr Gareth Ward: It is not our bill, Barbara.

Mrs BARBARA PERRY: The member for Kiama interjected to say it is not their bill. Why not, if that is what he believes?

ACTING-SPEAKER (Mr Lee Evans): Order! I direct the member Kiama to remove himself from the Chamber for a period of five minutes.

[Pursuant to sessional order the member for Kiama left the Chamber at 8.00 p.m.]

Mrs BARBARA PERRY: If this bill is introduced by the Minister in this Chamber he owns it and he will own it for a very long time. He will own it when it has problems and it will have to be amended. The Government has hastily supported a bill that will require a great deal of attention down the track, and there will

be another Petro Georgiou in New South Wales saying that it has to change. This bill is unworkable. This bill will reintroduce what is essentially an automatic enrolment and continuing roll for non-residents. This bill will end the fair practice that was introduced by the former Labor Government whereby the non-residential roll lapsed after each election, and non-residents voluntarily re-enrolled prior to subsequent elections.

Mr John Barilaro: That's working?

Mrs BARBARA PERRY: It does work.

ACTING-SPEAKER (Mr Lee Evans): Order! The member for Monaro should not engage with the member for Auburn. All comments should be directed through the Chair. This is my last warning: I will sit the member for Auburn down if she continues to argue with members across the Chamber.

Mrs BARBARA PERRY: Over the course of any four years between elections residents and businesses move, many businesses change hands, ownership or management personnel. All members know that often one-third, or 30 to 35 per cent, of people in their electorate will move out at any one time over a four-year period, and that also applies to businesses because they rapidly change hands. To say that this is an extension of this roll, or this automatic enrolment system is appropriate, is wrong in circumstances where we will have problems with changes of ownership, leases, et cetera. I do not know how that will be addressed by this bill.

By moving back to a system where non-residents may be enrolled to vote automatically and left on the roll even after they become ineligible to vote raises a significant risk that election results may be challenged. It is a huge risk and one that the Government needs to take into account in its unquestioning support for this bill. I have referred to some of the problems, but certainly not to all of them. Today is a dark day for democracy. Unfortunately, I think the constant theme in local government is about reducing democracy. I refer to section 451 of the Local Government Act, which has the same philosophy and has meant serious consequences, particularly in places like Auburn, which the Minister is well aware of.

The Minister knows that developers on council are voting on planning proposals based on this spurious account that it is part of a bigger area and therefore they can vote. I ask the Minister to look at not only section 451 but also at this similar legislation and really think very hard about it. The Minister is bringing in legislation that will have ongoing and improper consequences in the future, just like section 451 of the Local Government Act that may not have been intended in the first place but quite disturbingly has allowed people on council to vote for their own planning proposals. I know the Minister and the former Minister are very aware of that problem.

I found it very hard to find any literature that supports this proposal. Some of the headlines reveal the intent of where this Government is going. On 16 August the *Sydney Morning Herald* "Operation get Clover: Baird must back off"; 10 September Crikey, "Sydney voting changes not the ICAC distraction Baird was hoping for"; 28 August 2014 the *Daily Telegraph* the words by either Antony Green or Mr Sansom "Voter reform is 'inspired by malice'"; and on 12 September 2014 in the *Illawarra Mercury* an interesting opinion piece by Ben Langford headed "Just toss it in the rubbish bin".

ACTING-SPEAKER (Mr Lee Evans): Order! The member for Monaro will come to order and cease interjecting.

Mrs BARBARA PERRY: Toss it in the rubbish bin because it is very bad legislation that undoes what we as Australians fundamentally believe in: one vote, one person. I am sure the Government will pay for this in the future.

Mr BARRY O'FARRELL (Ku-ring-gai) [8.08 p.m.]: I thank the member for Auburn for restoring my confidence and faith in Fairfax newspapers. In her last few minutes the member for Auburn cited the clippings on which her speech was based. For a few moments I was impressed: It appeared as though Fairfax was concentrating on a substantive issue and not the price of a coffee in inner-city suburban coffee shops. The last substantive point by the member for Auburn that does not relate specifically to this bill but does relate to the operation of local government generally was the interests of property developers on re-zonings and the like, which is an issue that concerns me. It is an issue that concerns me and should concern every citizen and every ratepayer, but the only way it is ever going to be addressed is by ensuring that we have a strong and effective Independent Commission Against Corruption.

One of the reasons this Government gave record funding to the Independent Commission Against Corruption is that we know that no single piece of legislation can stop people doing the wrong thing. The only thing that can do that is an effective committee against corruption and that is what we have in this State. I support this measure and in doing so I congratulate the Parliament's Joint Standing Committee on Electoral Matters because there is no doubt that this bill is based on the initiative of that committee. In particular, I pay tribute to the committee's chair, the hardworking, diligent and sometimes unruly member, the member for Kiama. It was the member for Kiama who proposed that the committee examine how to increase participation of eligible non-resident voters in the City of Sydney council elections.

It is not surprising that the member did so, given his own background, experience and achievements in local government in the Shoalhaven. It is interesting to note that the member for Kiama, who chaired the inquiry into the 2012 local government elections, before his election to this place, was himself a witness giving evidence to the same committee's inquiry into the 2008 council elections. The joint committee's report was released in March of this year and made 15 recommendations to government. Recommendations Nos 14 and 15 go to the heart of this measure before the House this evening. Recommendation No. 14 states:

That the Government amend the Local Government Act to provide for the permanency of the non-residential roll across all NSW Councils so that electors are not required to re-apply for inclusion prior to each election.

Recommendation No. 15 states:

The Committee recommends that the Government introduce the model used by the City of Melbourne for the City of Sydney in all its respects including deeming provisions and the compulsory voting aspect for electors on the non-residential roll.

Furthermore, the Government consider applying this model in City Council areas with significant economic centres such as Newcastle, Wollongong and Parramatta.

I note the Government has amended this issue to ensure this bill solely now applies to the City of Sydney council elections. Chapter 6 of the joint committee's report deals with the matters canvassed in these two recommendations. As explained, non-residential rolls apply across all New South Wales councils. The right of owners and lessees to vote in council elections is not new or radical. This is a right that has operated for decades in recognition of the substantial contribution these people make to the revenue of councils and their right, through a vote, to have a say in how revenue is spent. So if there is a threat to democracy, it is a threat to democracy that has existed for decades in New South Wales because a non-residential roll has been a feature of local government elections in this State for that time.

If there is a threat to democracy, why is that threat not epitomised in the City of Melbourne elections where a Labor government introduced precisely these provisions and there has been no legal challenge to that, nor has it represented a threat to democracy? But there are two key differences between the residential and non-residential rolls used in local government elections. Firstly, non-residential rolls lapse after the election for which they were prepared. Residential local government voting rolls, like those for State and Federal elections, are continuously maintained. The other difference is that non-residential rolls consist only of the names of those eligible voters who have applied for inclusion on the rolls.

For residents and voters in State and Federal elections there is an onus upon voters to enrol and fines for those who do not. Both of these differences, in my view, have contributed to the low non-residential voting turnout reported in the 2012 and earlier Sydney city council elections. The fact that the roll lapses after each election and what Randwick City Council described in its submission to the joint parliamentary committee as the "inefficient and ad hoc" current enrolment process discourages rather than encourages greater participation by non-resident voters in council elections.

Sensibly, in looking at this issue, the joint committee looked to see how other jurisdictions had addressed the issue, in particular Australia's second city, that village south of the Murray called Melbourne. Melbourne city council, which has a higher non-residential voter turnout for its elections, maintains a permanent non-residential electoral roll. In other words, just as there is a permanent roll of residential voters in Melbourne city council elections, there is also a similar permanent roll for eligible business owners and lessees. Sensibly then, the joint committee recommended in recommendation No. 14 that a permanent non-residential roll be introduced here in New South Wales. It also suggested that the NSW Electoral Commission devise a standard enrolment template to be used in all councils.

Recommendation No. 15 proposed that the City of Sydney council, whose voting enrolments are covered by a separate Act, adopt the Melbourne city council model of non-residential voting and enrolment. The

need for and logic of this recommendation can be seen when one considers the current efforts of the City of Sydney and the non-residential roll. For the last council election Sydney's non-residential roll comprised just 1,709 electors, as the Minister said, despite council believing that 80,000 individuals and business entities may have been eligible. That effort cost ratepayers \$243,242. Put another way, the City of Sydney spent \$142 to get each non-residential voter enrolled. It is absolutely absurd.

Yet I have no doubt that the powers that be in the city were delighted by such a low enrolment and such a low turnout. This legislation is needed and the joint committee's recommendations were vital because the Lord Mayor is not interested in allowing non-residential voters to exercise their democratic right in elections for the City of Sydney council. If this were not already clear from the complexity of existing non-residential voter enrolment procedures, it has been evident from the Lord Mayor's near hysteria since the Government announced its support for the joint committee's recommendations. I would encourage her to take the proverbial chill pill.

This legislation seeks to give effect to a longstanding principle that those who run businesses and significantly contribute to local government's revenue should get a say in council affairs by being able to vote. This is not a radical concept; rather it has been a longstanding practice. What this legislation does, however, is give better effect to the implementation of that principle. It ends the rot of non-residential voters having to reapply for a vote before each election and it does so by adopting a model that works well in the City of Melbourne—hardly a hotbed of radicalism. While mentioning Melbourne city council, let me make a point that has been missed by some who become near irrational when it comes to Clover Moore.

Melbourne's voting system, introduced by a former Labor government, has delivered diversity. It does not guarantee victory to any candidate simply because of their political association. Melbourne's system of voting for the city council has never locked out of the lord mayoralty Independent—or non-Labor or non-Liberal—candidates for the job. Melbourne's longest serving Lord Mayor, the jovial and successful John So, was an Independent although, to be fair, as a restaurateur So could at least read a balance sheet—something no-one has ever accused Clover Moore of being able to do. Whether John So or Robert Doyle, all the Melbourne model of voting does is to give people the vote they are entitled to. It is up to the voters to choose their Lord Mayor.

I do not for a minute believe that these sensible and overdue changes will necessarily spell an end to Clover Moore's tenure as Sydney's Lord Mayor. But should Clover contest the next election the changes mean that for the first time in her civic career she will have to give as much weight to the interests of business voters as other voters in the city. It is disappointing that the Lord Mayor, as usual, and others have sought to characterise these amendments as part of a "get Clover" initiative. It seems that it is always a dark day for democracy when someone proposes something that the Lord Mayor does not agree with. As I have said before, it is simply giving effect to a longstanding principle that those who run businesses and significantly contribute to local government's revenue should get a vote in council elections.

I should also note in passing, to dispel some of the misrepresentation being put about, that an elector cannot be on both the residential and non-residential roll and a person can only be on the non-residential roll once even if they own multiple businesses in Sydney. Regrettably, the mischaracterisation of this initiative as some sort of a "get Clover" initiative was kicked off by the bill's mover in the other place. In a speech worthy of his namesake Borat Sagdiyev, he utterly failed to mount any sort of case for the legislation. Despite an alleged business background, if his speech is anything to go by he could not give away presents on Christmas Day.

Mr Michael Daley: Why are you backing him then?

Mr BARRY O'FARRELL: I would prefer this to be a Government bill, not put together by some fluke from the upper House. [*Extension of time agreed to.*]

His desire to jump aboard the anti-Clover bandwagon by currying favour with sections of the media is clear from the second reading speech. But unlike those sections of the media who have outlined their legitimate concerns about Clover's administration of the City of Sydney, the member who introduced the bill is simply trying to detract from his utter failure to deliver any meaningful reform during this Parliament to the people he allegedly represents, the State's fishers and shooters. The Hon. Robert Borsak exhibits all the hunting skill of Dick Cheney. His second reading speech is more a "cheerio" call than a serious exposition of the proposals recommended by the joint committee.

There is no evidence he read the committee's report or the bill he introduced. He failed to acknowledge the initiative came from the recommendations of the Joint Standing Committee on Electoral Matters, a

committee on which he served—or is supposed to have served. I noted in preparing these remarks that the member was absent when the committee conducted a public hearing that included a number of councillors representing all political groupings currently serving on the City of Sydney council. He was apparently present, but did not ask a single question, when Melbourne's Lord Mayor gave evidence to the joint committee on 28 February this year.

It is this lack of effort and homework that has disappointed shooters and fishers across the State and, if reports are true, has seen the party's founding MLC, John Tingle, leave the party. The member was always the most curious, even bizarre, of two Shooters and Fishers MLCs I dealt with in government. I observe that whilst he talks up a good hunt when facing opponents who did not have an armament disadvantage he was never quite as good. I always got the impression he was more comfortable with defenceless prey than those who could fight back. Contrary to the claims of the mover in the other place both the former local government Minister and I supported the joint standing committee's inquiry into these matters and its recommendations.

That is clear from the terms of reference given to the joint committee by my Government which, unlike Labor's inquiry into the previous council elections, specifically asked the committee to examine in detail the issue of non-residential voting for this council. The joint committee did that work and recommended these changes in March. I thank them for their work and for proposing the solution of the Melbourne model that this new legislation seeks to implement. I support this bill because it solves a problem and upholds a democratic right. I do so again thanking for their work those members of the joint standing committee who made the effort to examine the issue and then find this solution.

Mr ALEX GREENWICH (Sydney) [8.21 p.m.]: It will not come as a surprise to members that I strongly oppose this City of Sydney Amendment (Elections) Bill 2014. I share the widespread community outrage at the Government's support of this highly offensive bill and the lack of consultation concerning the proposals that will make fundamental changes to City of Sydney elections. The bill will establish a permanent electoral roll for non-residential voters in City of Sydney elections and give corporations, big business and property owners the right of up to two votes. The bill proposes that responsibility for the roll and elections be transferred from the independent Electoral Commissioner to the city's general manager.

As we heard from the former Premier, when introducing the bill the Hon. Robert Borsak from the Shooters and Fishers Party made no attempt to disguise his aim to change voting rules in order to change the make-up of the council. His speech raves about his dislike of the democratically elected Lord Mayor and the council's work on clean energy and bicycle paths. He thanks Alan Jones and the *Daily Telegraph* for supporting the bill. Indeed, it is almost like we are living in an alternative universe where Alan Jones, the *Daily Telegraph* and gun toting cowboys are forming the agenda and drafting poor legislation.

It is clear that the Government's support of this bill is part of its "get Clover" agenda and it is clear from the former Premier's speech that he is threatened that the anti-Clover agenda has been hijacked from the Liberal Party by the Shooters and Fishers Party. There has been no consultation with the City of Sydney on the development of the bill and no attempt to cooperatively work with the city to address concerns about business voting. The Government believes that this bill will deliver the lord mayor it wants not the lord mayor the community wants. The Premier, local government Minister, Liberal councillor Edward Mandla and the Hon. Robert Borsak repeatedly chant that there should be no taxation without representation in an effort to justify this immoral manipulation of democracy.

It may come as a surprise to members that I am a descendent of John Hart who signed the Declaration of Independence. In America people were fighting against the landed gentry and landowners who had an overly dominant view of the way people lived. There are parallels to this bill—it is giving more votes to property owners. Then it was fox hunters and now it is the shooters and fishers. A key principle of democracy is that all members of the community have equal access to the political process regardless of how much money each earns; one vote, one value. No matter how much tax each person pays all should be equal on polling day. Giving businesses two votes when residents only have one subverts the principle to base representation of wealth. I know that a number of members opposite have said that businesses will not be given two votes, it will be two individuals voting on behalf—

ACTING-SPEAKER (Mr Lee Evans): Order! There is too much audible conversation in the Chamber. Hansard is having difficulty hearing the member for Sydney. It is a disgrace that members are having a chat. If members continue to converse they will be sent from the Chamber. I expect the member to be heard in silence. I place the member for Coffs Harbour on three calls to order.

Mr John Barilaro: Now get back to Clover's speech.

Mr ALEX GREENWICH: You guys are obsessed with Clover, get over it. As I was saying, we are told by those opposite that businesses will not be given two votes; it will be two individuals voting on behalf of a business. The Government justifies this bill by saying that businesses need to have a greater say and business voting must be increased. There is an inconsistency in that statement. The Government claims that businesses should have two votes because the average household consists of two persons, but that is ridiculous. Resident voters do not represent their household; they represent themselves. People who are homeless can also vote in Australia.

Non-residential voters, on the other hand, are enrolled to vote to represent the interests of the businesses that nominated them. Those interests should not be double that of residents. Giving businesses the vote is not only philosophically flawed but also based on false figures. The Hon. Robert Borsak claimed in his speech, which the Minister and Premier have happily repeated in the media, that CBD businesses account for 78 per cent of the City of Sydney's rate revenue. The Lord Mayor points out that business rates contributed to less than 32 per cent of the City of Sydney—

Mr John Barilaro: It is Clover's speech.

Mr ALEX GREENWICH: I am interested in facts. Surely the Government should have consulted the city about this matter before repeating the Shooters and Fishers Party propaganda verbatim? The Coalition-dominated Legislation Review Committee has agreed and asserts that giving corporations, ratepaying lessees, and occupiers of rateable land two votes gives them disproportional influence on election of councillors and mayors in comparison to residents.

The DEPUTY-SPEAKER (Mr Thomas George): Order! There is too much audible conversation in the Chamber.

Mr ALEX GREENWICH: Democracy should not be based on wealth and at a later stage I will move to amend the bill so that if businesses, non-residential ratepayers and property owners are given two votes their vote is reduced to one. The Joint Standing Committee on Electoral Matters inquiry that led to this bill was referred to as a rort by committee member the Hon. Amanda Fazio. She has publicly commented that the committee gave undue weight to the evidence of two first-term Liberal City of Sydney councillors and that recommendations on the inquiry were not bipartisan, as the Government claims. The shadow Minister for Local Government informs me that Labor members on the committee opposed giving businesses two votes. It recommended the Melbourne model which has been labelled the "Melbourne mistake" following a Victorian Liberal Government initiated review. A change to the eligibility franchise and value of non-residential votes should not be introduced without exhibition of a draft bill.

Mr Paul Toole: Are they going to change?

Mr ALEX GREENWICH: They have not responded to it yet. Maybe it would be sensible to await the outcome. A draft bill and discussion paper for public comment is required, especially at a time when the Government is embroiled in Independent Commission Against Corruption inquiries that show members making illegal donations and handouts for businesses. The bill is filled with unintended consequences that would have been picked up if the Government had bothered to consult. Because the bill adopts the Melbourne model, despite its different rating system, businesses that lease their premises, and can currently vote because they pay \$5,000 annual rent, would have lost their right to vote under the original bill.

This is because the bill restricted the number of voters for each parcel of land to two votes to share among owners and tenants. While the Government amended this flaw in the upper House, it shows how poorly thought through its support for the bill has been. It supported and praised the bill publicly before it had even seen or properly assessed it. It took me and others to assess it, and when I informed the media of the flaw and the Minister was questioned, I was called a liar. It became clear that the Minister for Local Government and the Shooters and Fishers Party did not realise that Sydney's rating system is different from Melbourne's.

The Government has initiated two reviews into local government: the Sansom review, which is looking at governance, structural arrangements and boundary changes; and the Local Government Acts Taskforce, which is developing recommendations to modernise local government legislation. The dramatic proposals in this bill are being introduced in complete isolation from these expert-led reviews. If the Government is serious about

urgently boosting the non-residential vote, it could support my bill, which provides a quick, simple and effective way to ensure that business and property owners can be added to the electoral roll. My bill has the support of Local Government NSW and the City of Sydney.

Of great concern is that under this bill the general manager would manage the permanent non-residential rolls, not the independent Electoral Commissioner. That is tantamount to the Department of Premier and Cabinet being responsible for the State electoral rolls and it puts local elections at risk of interference from a politically motivated administration. Management of local government elections was transferred to the Electoral Commissioner in an amendment moved by the Hon. Duncan Gay to the Local Government Legislation Amendment (Elections) Bill 1998. The Liberal Party of Australia (New South Wales Division) states in its submission to the inquiry into the 2012 Local Government Elections that its position is that all future local government elections should be conducted by the New South Wales Electoral Commission. [*Extension of time agreed to.*]

The Government's amendments agreed to in the upper House to allow councils to outsource management of electoral rolls merely tinker at the edges. They fail to fix the fundamental problem that a politically motivated council will still be able to manage the non-residential roll for upcoming elections. I will move an amendment to make the Electoral Commissioner responsible for the non-residential rolls and elections. Under my proposed amendment, as is currently the case, the cost will of course be borne by the City of Sydney. The accuracy of proposed permanent non-residential rolls cannot be guaranteed.

In the second reading speech, the Hon. Robert Borsak stated that businesses are more stable than residents and therefore the non-residential rolls will be more accurate. That is rubbish. Residents can be on the electoral roll only once for one local government area. When a resident moves, he or she updates his or her details once for all elections—Federal, State and local—and there is always a rush to do that before any election. As a result, their out-of-date details are scrapped. However, non-residential voters can appear on multiple local government rolls leaving no incentive to update changes such as closing down a business or selling a property. That allows significant scope for rorting. As I said, in 1995 the Crown Solicitor identified such serious inaccuracies with the permanent non-residential City of Sydney rolls that it concluded it was "unsafe to hold an election". Following that advice, non-residential rolls were destroyed after each election.

I understand the concerns of business that it is excessively onerous to re-enrol at each election. That is why my City of Sydney Amendment (Business Voting and Council Elections) Bill would create permanent registers of non-residential voters while requiring confirmation of details by the Electoral Commissioner prior to each election to create the rolls. The integrity of the electoral roll is paramount to fair and democratic elections and I am horrified that the Government is willing to compromise that. While it would be illegal for candidates and businesses to create shell companies to rig the outcome of an election, Independent Commission Against Corruption exposés prove that the law cannot always prevent corruption or ensure that it is detected before the damage is done. Under this bill it is not even clear that the City of Sydney's external probity auditor would be able to inspect the register. I will move an amendment to make the registers and rolls public so that any allegations of sham or non-existent businesses can be investigated.

This bill makes it compulsory for non-residential voters to be on the electoral roll and to vote. Businesses that fail to provide relevant information for the register will be issued with a \$2,200 fine and businesses that do not vote will be issued with a \$55 fine. This will be a great impost on businesses, some of which do not want to vote. New South Wales Business Chamber senior policy manager Luke Aitken told the Joint Standing Committee on Electoral Matters that "there is too much focus on the compulsory aspect", asserting that to increase business participation it is more important to make the process easier, as it will be under my bill. Voting goes against the constitution of some business and nongovernment organisations; their constitutions can require them to be apolitical, as is the case with the Sydney Gay and Lesbian Mardi Gras constitution. It is not appropriate to impose a vote on such businesses. I will move an amendment giving non-residential voters the option to opt out of voting.

It is ironic that the Government has spent the past few weeks touting that Sydney should adopt this model because Melbourne does it when only last week the Victorian Local Government Electoral Review Committee released a report recommending that Melbourne replace two votes for business with one, transfer management of the non-residential electoral roll to the independent Electoral Commissioner and cease automatic enrolment of non-residential voters. It is negligent for the Government to pursue a model that experts declare in practice is undermining democracy. The Government must respect democracy and heed this warning. In an online blog on 5 September, Antony Green called the bill a "stalking horse" and stated that it is hard to see it as anything but "the State Government trying to get its way on who should be Lord Mayor of Sydney".

The *Sydney Morning Herald* editorial of 16 September stated that the bill "threatens to expose the Baird Government to a campaign against greater developer power at the March election". This entire process has clearly been a political witch hunt by the Shooters and Fishers Party backed by the Government and the Hon. Fred Nile. What a disgrace! The Government must start working with the City of Sydney and all businesses and residents if it genuinely wants to help increase the business vote. My bill provides an opportunity to quickly and simply ensure that all non-residential voters can exercise their existing right to vote. I urge the Government to support it and to vote against this undemocratic bill introduced by the Shooters and Fishers Party. We have been given a heavily amended piece of legislation and we have had only a few hours to review it. I therefore move:

That the motion be amended by leaving out the word "now" and adding the words "on 19 November 2014."

This amendment will provide members with the time to scrutinise the bill fully.

The DEPUTY-SPEAKER (Mr Thomas George): This amendment is not open to debate or amendment.

Question—That the amendment of Mr Alex Greenwich be agreed to—put.

The House divided.

Ayes, 17

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

Noes, 41

Mr Aplin	Ms Gibbons	Mr Roberts
Mr Ayres	Ms Goward	Mr Rowell
Mr Barilaro	Mr Grant	Mr Sidoti
Ms Berejiklian	Mr Gulaptis	Mrs Skinner
Mr Bromhead	Mr Hazzard	Mr Speakman
Mr Conolly	Ms Hodgkinson	Mr Stokes
Mr Constance	Mr Holstein	Mr Toole
Mr Coure	Mr Humphries	Ms Upton
Mr Dominello	Mr Kean	Mr Ward
Mr Doyle	Mr Maguire	Mr R. C. Williams
Mr Evans	Mr O'Dea	Mrs Williams
Mr Flowers	Mr O'Farrell	<i>Tellers,</i>
Mr Fraser	Mr Perrottet	Mr Patterson
Mr Gee	Mr Provest	Mr J. D. Williams

Pairs

Ms Burton	Mr Anderson
Mr Collier	Mr Baird
Ms Hornery	Dr Lee
Ms Mihailuk	Mr Piccoli
Ms Watson	Mr Stoner

Question resolved in the negative.

Amendment of Mr Alex Greenwich negatived.

The DEPUTY-SPEAKER (Mr Thomas George): Order! I remind everyone that tomorrow in the Speaker's Garden the Parliamentary Lions Club will hold a barbecue fundraiser for a very worthy cause. Lunch will be ready from 12 noon until the food runs out. The barbecue follows a garage sale for all those who look for bargains—which is 99 per cent of you.

Mr JOHN WILLIAMS (Murray-Darling) [8.45 p.m.]: It gives me great pleasure to support the Minister for Local Government, the Hon. Paul Toole, the member for Bathurst, who is doing a great job in this portfolio. The basics seem to get lost in the debate on the City of Sydney (Elections) Amendment Bill 2014. This became clear when a councillor from Broken Hill City Council was interviewed by the ABC and said this bill was a great threat because it would give businesses the right to vote in local government elections. The truth is that there is a unique difference between the City of Sydney and every other local government area.

I ran a business in Broken Hill when I resided there and I voted as a ratepayer in Broken Hill. The unique difference is that owners of businesses in the centre of Sydney do not reside in the City of Sydney. The council is happy to take their rates, but not to give them a say. In fact, the council made it so damn hard for business owners to get on the electoral roll that they had no opportunity to vote. Those people, who do not live in the area, are paying rates and the decisions taken by the City of Sydney impact on their businesses. But they have no say in those decisions. We have a bicycle-riding caliphate starting in New South Wales.

The DEPUTY-SPEAKER (Mr Thomas George): Order! There is too much audible conversation in the advisers' area.

Mr JOHN WILLIAMS: The people probably most affected by these local government decisions do not get an opportunity to vote for the council that is making those decisions. That is a disgrace. There is no doubt that the decision to create cycleways in the City of Sydney impacted on many businesses as parking was removed, which resulted in a loss of business. That decision was made entirely by councillors of the City of Sydney who are elected by residential ratepayers. Many of these ratepayers believe they can make Sydney into a bike-riding society and everyone else can go wherever they like.

This bill is an opportunity to recognise business owners; it is not a plot to "get Clover". That was clearly demonstrated in the way that similar provisions were rolled out in the City of Melbourne by a Labor Government. This bill mirrors that legislation. In Melbourne there has been no pushback at all. After the passage of this legislation business owners in the City of Sydney will have a say about who will represent their interests in local government. Right now business owners do not have that. It has been made very hard for them to get their names on the electoral roll and to exercise their democratic right to have a say in who will represent them. The City of Sydney is quite happy to take these owners' money and then make decisions that are not in their best interests.

Mr RON HOENIG (Heffron) [8.49 p.m.]: "Will somebody not rid me of this troublesome Lord Mayor?" tweeted Antony Green on 5 September this year. Why does the Government not have the honesty and integrity to stand up and say that the City of Sydney Amendment (Elections) Bill 2014 is about getting rid of Clover Moore? We tried in 2012 when we amended the Local Government Act and we expected Clover Moore to resign or not to contest the City of Sydney council elections. But she did what the Tories never expected: She resigned her membership of this House. Why does the Government not say that that is what this bill is all about, and everything else is a ruse? This concept of copying the Melbourne system and somehow justifying creating an electoral roll—

Mr Gareth Ward: Point of order: I am looking at the bill and Standing Order 76 springs to mind because I do not see the name "Clover Moore" anywhere in this legislation. The member for Heffron should return to the leave of the bill rather than ranting about what he thinks the bill is about.

The DEPUTY-SPEAKER (Mr Thomas George): Order! I am sure the member for Heffron will direct his remarks to the leave of the bill.

Mr RON HOENIG: The voting system creating two business votes is designed specifically for that purpose, and for no other. I was about to refer to the committee that the member for Kiama chaired, which made recommendations based upon the Melbourne model—and which the member for Ku-ring-gai did not know about when he made his contribution to this debate. The chairman of the Victorian Electoral Matters Committee has recommended to the Victorian Government that it repeal the provision because it has not worked in Melbourne local government. In trying to get rid of Clover Moore, the Tories are like Lady Macbeth: Out,

damned spot. No member of this House, no member of the other place and no Executive Government has been able to get rid of her for 34 years; she has outsmarted them all. She has outsmarted the Tories and she has outsmarted the Labor Party.

I have watched her for 34 years outsmarting Bill Hartup, the former Mayor of South Sydney; I saw her outsmart the former Lord Mayor of Sydney, Doug Sutherland; and I saw her outsmart and embarrass the Tories when she beat the up and coming Michael Yabsley to become the member for Bligh. I observed her as the member for Sydney. She outsmarted Eric Roozendaal when he was general secretary and thought the Labor Party could take control of the Council of the City of Sydney. When he joined South Sydney Council and the Council of the City of Sydney he created the environment for Clover Moore to be elected Lord Mayor of Sydney, thinking that somehow or other the Labor Party could sneak through the middle. Now the Tories are doing what every other government has tried for 80 years—

Mr Andrew Fraser: Point of order: Mr Deputy-Speaker, I draw your attention to Standing Order 76. Clover Moore has been mentioned in debate but the member for Heffron should be drawn back to the leave of the bill, which is the City of Sydney Amendment (Elections) Bill 2014. Clover Moore is not mentioned in the legislation. The member for Heffron should return to the leave of the bill and discuss its clauses, not Clover Moore.

Mr Michael Daley: To the point of order: Clover Moore, the Lord Mayor of Sydney, was mentioned several times during the second reading speech and several times again in debate in the Legislative Council today. When bills of such significance come before this place—particularly a bill that seeks to change a voting system—it has been customary for a century to discuss the Government's motivations in respect of the propositions raised. It is absurd for a Government member to suggest that the Lord Mayor of Sydney is not relevant to a bill that deals with the voting system for the City of Sydney.

Mr Gareth Ward: To the point of order: Referring to our code of conduct, the person to whom the member for Heffron refers does not have the capacity to respond in this place. She is no longer a member of this House and she is not mentioned in the bill. The member should be drawn back to the leave of the bill, which relates to election procedures for the City of Sydney.

The DEPUTY-SPEAKER (Mr Thomas George): Order! Former Speakers Kelly, Ellis and Lamb have ruled that the second reading debate should be relevant to the objects of the bill and to the Minister's speech. The Clerk has given me a copy of the second reading speech, and the Lord Mayor, Clover Moore, was mentioned in that speech in the other place.

Mr RON HOENIG: That is clearly the motivation for this bill. This Government and all the governments before it have not liked this particular Lord Mayor of Sydney. But she has outsmarted them again. I may not like her planning policies; I might support Councillor Linda Scott, a member of the City of Sydney council, who I thought might have been a better Lord Mayor. But in 2012 the people in the city council area, which includes a substantial part of my electorate, elected Clover Moore with an overwhelming majority. Governments of the day have never accepted that for 34 years she has gained the overwhelming support of her constituents. She must be doing something right.

I give the Minister for Local Government this warning: He will end up like every other Minister for Local Government because in 2016 Clover Moore will still be Lord Mayor and all his naked political attempts to remove her, just like those of his predecessors, will have fallen flat. The Government is not motivated by local government reform. It has gone through the process of conducting all these reviews—independent review panels, *Kumbayas* in the country, at a cost of about \$300,000, getting Stephen Blackadder and co. to rewrite the Act; all of it for the purposes of restructuring local government—and it now wants to rush through this House a bill that I will ask the House to consider in detail and to which the member for Sydney has 50-odd amendments. What is the hurry with this bill? There is no local government election for two years. There are five more weeks of sittings of this House. Yet the Government is rushing this bill through, saying that it has nothing to do with it because it is a Shooters and Fishers Party bill.

As Antony Green says in his blog, the Government is motivated by malice towards Clover Moore. The proposed voting system is designed to impact on the democratic processes of the City of Sydney, and it is doomed to failure. There is something that the reactionary forces have never understood about Clover Moore. Every time Alan Jones and Ray Hadley attack her about bike lanes, they push people in the City of Sydney to her. Every time they attack her, she is able to change the dynamics and the waverers are pushed

into her hands. It does not matter where in the City of Sydney one goes—whether it is Rosebery, Alexandria, Waterloo, Redfern or Glebe—she resonates in those areas and turns everything said against her to her advantage. The Government wants to know whether the voting structure in the City of Sydney is representative and it has gone to a local government review panel for that purpose, but the Tories are stuck because there is nothing they can do about the city boundaries that will allow them to win an election. *[Extension of time agreed to.]*

The DEPUTY-SPEAKER (Mr Thomas George): Order! Whilst I ruled earlier about comments relating to Clover Moore, the member's entire contribution should not to be centred on that one issue. The member for Heffron will return to the leave of the bill. I remind the member for Fairfield that he is on three calls to order. Thirteen Opposition members and six Government members are on three calls to order.

Mr RON HOENIG: The report of the independent review panel contains various options, structures and proposed amalgamations or boundary changes for the City of Sydney. Whichever way the boundaries of the City of Sydney move, one goes to either progressive or Labor territory, unless it is Woollahra. There is only one way to change the political balance and that relates to this bill. But it will not work. I caution the Minister that it will not work. Even the wording of the bill creates confusion, and prior to the 2016 local government elections the Minister will have to come back here to amend the new legislation. Before the Government rushes the new legislation through to service its reactionary masters, my caution is this: When Steven Blackadder and others were drafting the amendments to the Local Government Act as part of the review, why did the Government not give him the bill to examine? The Government has Professor Sansom; his committee was paid a couple of million dollars for a review. The Government should have shown him the bill. The Government should use some of the resources—

Mr Paul Toole: Your council made the submission when you were on it.

Mr RON HOENIG: How would the Minister know? The Minister would not know the way to Bathurst. He should utilise all the people on his payroll to look at the legislation. Why does he want to rush it through?

Mr Paul Toole: Maybe you should have looked at it when you were the mayor. Your council made the submission.

Mr RON HOENIG: Good. The Minister should consult Professor Sansom. Perhaps he is speaking a language that the Minister does not understand. That is the way to proceed if a local government voting system is to be substantially changed. The only motive for this bill is trying to get a predetermined result. Like Lady Macbeth, the Government will not be able to get the blood off its hands and Clover Moore will still be there.

Mr ANDREW FRASER (Coffs Harbour—The Assistant-Speaker) [9.01 p.m.]: I support the City of Sydney Amendment (Elections) Bill 2014. I sat on the committee that took evidence about the report from which this bill came. I am disappointed that this is not a Government bill and has been put forward by a member of the Shooters and Fishers Party. I agree with the comment of the honourable member for Ku-ring-gai that Mr Borsak's sponsoring of this new legislation is nothing more than him giving himself a platform in Sydney for a party that purports to represent regional and rural New South Wales. The member for Ku-ring-gai rightly said that the evidence of the council versus the evidence of the Lord Mayor and the general manager of Sydney city council was at odds. Indeed, the Sydney city council is a divided council. Some Sydney city councillors fully support the principles in this legislation.

Mr Alex Greenwich: Liberal councillors.

The DEPUTY-SPEAKER (Mr Thomas George): Order! The member for Balmain will have an opportunity to contribute to the debate. The member for Sydney has made his contribution.

Mr ANDREW FRASER: The Lord Mayor, the general manager and another councillor, who is apparently partisan to the Lord Mayor, did not support the proposition of giving businesses—those who pay 78.5 per cent of the rate revenue to Sydney city council—an opportunity to have their say in the future. I hear

members asking why a Nationals member is speaking. My register of pecuniary interests shows that I own a unit in Potts Point. Older strata title buildings in Potts Point and in other parts of Sydney, Victoria Street, Macleay Street and Wylde Street were built when there were no motor cars and there are no parking spaces within the buildings. Under Sydney city council and Clover Moore's guidance, I pay rather exorbitant rates but I cannot get a parking permit. Despite pleas from residents, the council said no. The council will rip out parking spaces and put in gardens, and it will extend bus stops, which makes them dangerous.

Mr Michael Daley: I thought this wasn't about Clover.

Mr ANDREW FRASER: I am talking about the council.

Mr Michael Daley: But she's in charge of the council.

Mr ANDREW FRASER: The member should go back to Maroubra. We are talking about residential ratepayers who are severely affected by rules and regulations made by Sydney city council. I have spoken to business owners and taxi drivers in this town. Only in the past six months have taxis been able to stop opposite Parliament House. I note today that there is a taxi drop-off point in front of Parliament House on this side of Macquarie Street.

Mr Jamie Parker: It is RMS. That's your Government.

Mr ANDREW FRASER: No, it is not the Roads and Maritime Services [RMS]. Clover Moore gets a great thrill from blaming the RMS for the mess she made with traffic lights and everything else down in Sir John Young Crescent in Woolloomooloo and for putting in bike lanes which are an absolute fiasco. I was talking to people—this is part and parcel of bike lanes—in Castlereagh Street, where a number of businesses need to unload goods into their buildings. However, bike lanes are going in and they cannot unload their goods. I admit that the bike lane at the other end of Bourke Street gets used on a Saturday morning but at other times it does not get used or is used sparsely. We still see bikes on the main roads where there is a bike lane. Members should have a look at the bike lane on College Street any day of the week.

These decisions made by council are directly affecting businesses in this town. Business owners do not have an opportunity to be heard. Before the last local government elections I put my name on the roll, and I voted. When I saw Clover at the Town Hall she tried to give me one of her how-to-vote cards. I took it but I cannot say I voted for her. It is a secret ballot but I am happy to say I did not vote for Clover. When businesses tried to enrol the process was so damn difficult that they simply gave up. I kid you not—I had problems getting my name on the roll so that I could vote and put my opinion forward at the ballot box. Clover has made a mess of Potts Point and other areas in this town. It is Clover and her council; it is not simply Clover on her own. I want those who pay 78.5 per cent of the rates in this city to be given an opportunity to be heard.

Frank Sartor dragged this Sydney city council back into the black; the council had money. Clover Moore has gone in there and blown it with her little mates, pushed by secular units that do not live in the city area. The votes that get her elected are in Paddington, Oxford Street and surrounding areas. Business owners pay huge rates but do not get the opportunity to vote. When I went to register to vote I found it extremely difficult, but I persevered and I enrolled. This legislation will give the business community and property owners—the ratepayers of this town—an opportunity to have their say. If Clover can convince them to vote for her, I do not have a problem with that. Let her do it. This is not about Clover, but members opposite are making it about Clover. If she and her cohorts on Sydney city council can convince voters that they are worthy of being elected and that her vision is where they want to see the city go, so be it.

In this legislation the Government is giving the ratepayers of this city an opportunity to have a say in the future. It is the same as what happens in Melbourne. I reiterate what the honourable member for Ku-ring-gai said: Mr Borsak in another place did not bother to attend the committee hearing when Sydney city councillors appeared. He attended the hearing in Mitchell Library, at which the Lord Mayor of Melbourne gave evidence, but he did not ask one question. Yet he now seems qualified to put this legislation forward. Once again, I express my disappointment that this bill is not a Government bill. It should have been a Government bill. I support the legislation, although it is an Independent bill coming from the upper House, because I believe it will give ratepayers in the Sydney city council area a democratic opportunity to elect a council. I support the bill.

Mr JAMIE PARKER (Balmain) [9.09 p.m.]: On behalf of The Greens I address this travesty of democracy. What a mess. Today we heard member after member using the most pathetic explanations for why

they should be undermining the democratic system in the City of Sydney. The member for Coffs Harbour said that this bill should be introduced because he has problems parking his car and he does not like bike lanes. Why? It is transparent—it is because he wants to change the make-up of the City of Sydney. The former Premier, the member for Ku-ring-gai, also complained about the Lord Mayor of the City of Sydney. It is clear that the Liberal Party feels it is entitled to the mayoral robes of the Town Hall of the City of Sydney but it cannot win them by fair means so it is seeking to do it by foul means.

That is the *modus operandi* not only of the Liberal Party but also of the Labor Party. I was a councillor on Leichhardt Municipal Council when Labor took Glebe out of the Leichhardt municipality and put it in the City of Sydney to gerrymander the system and to support the Labor candidate. What happened? Clover Moore was elected resoundingly along with the Independents. The Minister laid the basis for this legislation on the thoroughly discredited Melbourne model—a model that has been discredited by a panel put forward by the Liberal Government, chaired by a Liberal, and absolutely trashed as part of the review by the Joint Standing Committee on Electoral Matters. The committee found that the system does not work and that it is anachronistic. The New South Wales Government is well behind the times in supporting this legislation when we know that in Melbourne it has been thrown out. We know about the issue of plural voting, as it is often known.

Mr Paul Toole: It has not been thrown out.

Mr JAMIE PARKER: The Minister says, "It has not been thrown out". The report was damning. The scathing report that was released on 9 September is damning and undermines the basis on which this Government has moved this legislation forward. We also know that plural voting has been abolished in just about every other jurisdiction one can imagine. We know that dual voting was abolished in New Zealand and in the United Kingdom, with the exception of the very strange City of London Corporation, as opposed to the Greater London Authority. There has been a resounding campaign over the past 100 years to get rid of plural voting and to make sure that one person, one vote, one value is at the heart of our democracy.

The Greens strongly oppose these laws. We believe it is pretty clear that the supporters of these laws have muddleheaded views. Today we heard the Minister say that this bill is an embodiment of the principle of no taxation without representation, which is absolutely ridiculous. The Minister should read a history book and read the basis of no taxation without representation. It has nothing to do with giving businesses a vote. It is an embodiment of the demand for representation of individuals, and not money. The Minister is using a threshold of money. How much money people can contribute will determine whether they get a vote.

Mr Paul Toole: There is a threshold there now.

Mr JAMIE PARKER: Yes, that is right. The Government is using the principle of no taxation without representation, but it thoroughly misunderstands the history of the point. In fact, this is a direct step back to Victorian England when voting rights were based on wealth. The idea of enfranchising money is a seriously retrograde and anti-democratic step. The proposed system will result in an effective gerrymander for political parties that place corporate interests over communities, and the residents of the City of Sydney will lose out. In my electorate more than 10,000 residents who vote in the City of Sydney elections effectively will have their vote halved. I can understand why residents are not happy with that situation.

It is also important to recognise that the Government admitted that this legislation is about the City of Sydney. That is why this bill has been amended to apply only to the City of Sydney and not other areas, such as Wollongong or Newcastle. That is because the Government found itself in all sorts of trouble with this legislation. The legislation has been very poorly handled. One has only to look at the media attention given to this legislation, which has been shocking for this Government. With all the scandals around the Independent Commission Against Corruption, the last thing this Government would want is for all the television stations tonight to say, "The Government is rigging the system to give businesses more votes and to kick out Clover Moore." We can see the truth of that from looking at the member for Ku-ring-gai.

This is what I believe: I think this is a 30:70 rule. Thirty per cent of Nationals and Liberals probably think there is some basis for giving corporate power more votes. I understand that. It is a different philosophical perspective, but the majority of Nationals and Liberals are bitterly angry towards Clover Moore and they want to get rid of her. That is the problem with this bill. If it is not about that, why is the Government driving through this bill with such incredible speed when the election is years away? Why are we debating this bill at 9.15 p.m.—a bill that has not been left on the table for five days? That seems to be common practice in this Parliament. Why is the Government driving it through now? It is because the

Government wants to get the gerrymander over and done with to minimise any more political fallout. My goodness, the political fallout from this has been absolutely significant. It has been a mess from the beginning that has been badly handled.

The truth is that while this Government has had members attacking the Shooters and Fishers Party, it is the Government that has breathed life into Mr Borsak by supporting this bill. They have breathed life into the Shooters and Fishers Party by giving it this profile. If this was not about a fix for the Shooters and Fishers Party, the Government would have let the bill die and introduced its own legislation, which is what anyone with any tactical or strategic skill would have done. But no: the Government has a quick fix for the Shooters and Fishers Party by bringing this legislation forward. The Government blusters about being critical of the Shooters and Fishers Party but if it is such a bad bill the Government should not support it. The number of amendments in the Legislative Council shows that this legislation has been a mess from the beginning. Numerous amendments have been moved in the upper House in an attempt to fix this bill.

The Government got caught out by the different rating system of the City of Melbourne. It had to backtrack and try to fix the bill through amendments. It is clear that this legislation has been rushed. There has been inadequate consultation and it has backfired on the Government. The Government has had day after day of negative media over this bill and there have been rallies in the street. All the Government has done is inflate the position of Clover Moore and the position of the Shooters and Fishers Party. That is the truth and the Government needs to adopt a better approach towards these matters instead of the approach it has taken, which is to support people that it claims are its enemy. In relation to the two votes issues, the Government says it is only two votes. Why two votes? We have this arbitrary number that the Government has pulled out of the air and claimed that it relates to something to do with households. The problem with the philosophy behind the Government's approach is this: Why not give them six votes, or 12 votes? What is the issue?

Mr Paul Toole: The City of Melbourne.

Mr JAMIE PARKER: Yes, the Minister says the City of Melbourne. The City of Melbourne has been reviewed significantly, deeply and thoroughly and that process has been found wanting. At the heart of the Government's crisis concerning this matter is the attempt to attack the make-up and leadership of the City of Sydney. The legislative arrangement has been left in a mess. I have no doubt there will be gaps in the resulting legislation because amendments that have been forced through will fail to deal with so many of the issues. It is important to remember that the Government will not take the issue of providing votes for business to the Federal Government or to a State government, but rather confects some kind of relationship between local businesses and voting. If it is true, as we have heard the member for Coffs Harbour say, that businesses do not live in the City of Sydney local government area but they make a big contribution, what about businesses that work in the Federal electorate of Sydney? Should they be able to vote in the election?

Why should we not give Rio Tinto a vote? Why not give BHP a vote? Those businesses make big contributions to the coffers, so give them a vote too. As soon as the revenue that people contribute towards the system is used as the basis for determining who gets to vote and who does not, we proceed down a very slippery slope. That is what repels people about this legislation. As children, we were brought up being told about the history of this country. But when we look at the history of this country we find there was a fight for one person, one vote, one value. This Government is now saying it will give businesses two votes.

Mr Paul Toole: No. They do not vote.

Mr JAMIE PARKER: They contribute a bit of money, so we will give them two votes. If the Government is serious about letting businesses vote, which I have problems with, it should adopt the proposal of the member for Sydney. That will address all the issues referred to by the Minister as the reason the Government is bringing this bill forward. But he will not do that because this bill is all about attacking someone the Government does not like. Many of The Nationals members do not understand that this is about the Liberals wanting the crown of the Lord Mayor of the City of Sydney. They cannot get it because they know that Clover Moore stands in their way. That is why this bill should be opposed. It is undemocratic and it is an attempt to rot the system to gerrymander it so they can win an election that this Government could never win fairly and squarely.

Mr GARETH WARD (Kiama) [9.19 p.m.]: It is my great pleasure to speak in debate on the City of Sydney (Elections) Amendment Bill 2014. I chaired the Joint Standing Committee on Electoral Matters that examined this issue. I need to respond, first, to a number of things that have been said tonight. I start with the member for Auburn, who talked about the application of this bill. I make it very clear that this bill applies to the

City of Sydney. There is a separate City of Sydney Act, which is why this bill applies only to the City of Sydney. The committee recommended that this could be considered in other areas but in the case of the City of Wollongong there was a strong recommendation from the councillors that they did not wish to proceed in that regard and in line with our policy to listen to local communities, the Minister did just that and we did not proceed down that path.

The member for Auburn talked about consultation which is what I will speak about. The Lord Mayor of Sydney is on the record in the *Daily Telegraph* suggesting that this was a secret deal between the Shooters and Fishers Party and the Government. We had a parliamentary inquiry that held four public hearings. Indeed, the Lord Mayor attended one of those hearings at the invitation of committee members. The inquiry received 77 submissions, heard from more than 35 witnesses and Parliament debated the matter when the report was tabled. I would have thought that that was hardly an example of secrecy. There was consultation because we received feedback from political parties, business groups and the councillors themselves.

I remember the Lord Mayor giving evidence to the committee, as she was invited to do. For the member for Auburn or the Lord Mayor of Sydney to claim that this was in some way secret clearly is not only misleading but also completely absurd. The member for Auburn said that I had made a comment about some amendments, which is true but what happened to the bill? It was amended. That is exactly the purpose of the parliamentary process. Indeed, the way the member for Balmain spoke one would have thought that no member should be able to introduce a private member's bill. I note that the member for Balmain frequently introduces private member's bills, as he is entitled to do, and I encourage him to do so. However, to suggest that no member is entitled to do that is ridiculous in the extreme.

One of the other ridiculous claims is the suggestion of rorts. This is no rort. I remember what rorts were. Rorts were amending the electoral donations legislation five minutes to midnight before the last election to prevent businesses from contributing but allowing \$20 million in donations from the union movement, which gives to the Labor Party. I remember changes to industrial relations law that meant only people with a ticket could work on worksites. That was another Labor rort. What about the onus of proof that was reversed for industrial relations and WorkCover matters that meant someone was guilty until proven innocent? That was another Labor rort. The member should not dare lecture me about rorts.

Ms Carmel Tebbutt: Point of order: Mr Deputy-Speaker, I understand that wide latitude is allowed when debating bills but the member has strayed far from the leave of the bill, which is the City of Sydney (Elections) Amendment Bill. He is speaking about a matter way outside the leave of the bill and I ask that you bring him to order.

The DEPUTY-SPEAKER (Mr Thomas George): Order! When the member for Kiama commenced his contribution he said that he would make some comments in reply to statements made earlier in the debate.

Mr Michael Daley: Doesn't the Minister reply?

The DEPUTY-SPEAKER (Mr Thomas George): Order! We are not going to change the debate to suit. The member for Heffron was given a fair go so I will allow the member for Kiama to continue to make his contribution. He was responding to comments made earlier in the debate.

Mr GARETH WARD: This will not be the tenure of my speech.

The DEPUTY-SPEAKER (Mr Thomas George): Order! As chair of the committee the member can comment.

Mr GARETH WARD: As chair of the committee but I was responding also to the suggestion of rorts. This is not a rort. I have seen rorts and it has been the parliamentary Labor Party that has spearheaded those rorts. The member for Sydney spoke about the register being public. I make the point that nowhere in any other electoral legislation is the register public. The roll is, as it should be, but not the register. I have enormous respect for the member for Sydney because, unlike those opposite who just want to nitpick and play politics, he brought forward a bill. The parliamentary Labor Party could not be bothered, was too lazy or was too incompetent to do so. I commend the member for Sydney in that respect; I do not necessarily agree with him but I commend him. I turn now to the member for Heffron, Lord Hoenig of Botany Bay. If I were going to ask how to write the playbook of local government rorts I would ring Uncle Ron. Lord Hoenig, when he was mayor of Botany Bay, changed the ward system—

Mr Michael Daley: Point of order: Standing Order 73 prevents the member for Kiama from embarking upon this attack.

The DEPUTY-SPEAKER (Mr Thomas George): Order! Members will be referred to by their correct titles.

Mr GARETH WARD: I refer to the member for Heffron, who of course changed the system when he was mayor so that there were single-member wards. Given the size of the Labor vote in Heffron, that guaranteed not only a Labor majority but also an absolute dominance on that council. So I will not be lectured by someone whom admittedly I respect in relation to local government matters—

Mr Michael Daley: Is Kiama a single-member ward?

Mr GARETH WARD: No, it certainly is not. It is a council undivided with nine councillors.

The DEPUTY-SPEAKER (Mr Thomas George): Order! I ask the member to direct his comments through the Chair.

Mr GARETH WARD: I say to the member for Heffron that I do not believe he has credibility on this issue. I touch now on the contribution of the member for Balmain, who talked about unfairness. Wiping one set of electors after every election but maintaining a consistency about others is not fair to those people who make a contribution. The member for Balmain talked about Melbourne throwing out its system of elections. That is not true. There was a review and the Government has rejected that. He asked why this just relates to the City of Sydney. It is because, as we all know, there is a separate City of Sydney Act that relates specifically to the City of Sydney, which generates one-quarter of the State's gross domestic product and 8 per cent of the nation's gross domestic product. There is simply no other local government authority like it.

I have every belief—it does not matter whether it is a Shooters' bill or a Government bill—that the Parliament should consider bills as they come forward and that is what we have done. The member for Balmain said, "Why not BHP?" I look forward to his amendments suggesting that. I certainly would not support amendments to give BHP a vote because there are different franchises for State, Federal and local government elections. It has been the case for a very long time that at a local government level there has been a tied franchise to those people who make a contribution. Quite frankly, I do not believe members opposite have been particularly honest in this debate. Not once have they said they support the business vote at all, even if it was one vote. They have not said that they support even that retention so it is clear that we have an anti-business agenda from The Greens in particular, but with their partners, the Labor Party, which is against even the business concept. I think that point needs to be made clear.

The bill gives effect to recommendations made by the bipartisan Joint Standing Committee on Electoral Matters that arose from an inquiry into the 2012 local government elections. The inquiry touched on many other topics. In fact, the City of Sydney provisions related to half of chapter 6, which was the last chapter in the report. The report generally was welcomed by everyone, including the President of Local Government NSW, Keith Rhodes. There was considerable consultation during the inquiry and I mentioned the nonsense about there not being any consultation. That is simply fraudulent and untrue. The proposed changes to the City of Sydney Act take into account the unique status of the City of Sydney in its economic contributions to New South Wales. All other councils in New South Wales are governed by the Local Government Act. At the 2012 local government elections, businesses in the Sydney local government area contributed 78.5 per cent of the ratepayer revenue but only 2.13 per cent of the votes.

I need to clarify a mayoral minute that was introduced into the City of Sydney on 25 August in which the Lord Mayor said that the contribution of rates was less than 78 per cent; in fact, she said it was about 32 per cent. That is clearly not true. It may be 32 per cent of the overall revenue when one includes interest, taxes, charges and other things that dilute it to a debating point, but it is certainly not accurate. In fact, Councillor Christine Forster tried to make amendments to that mayoral minute but they were of course declined because it is not convenient for the Lord Mayor to be honest about what percentage of the rate base businesses are. Non-residential ratepayers and lessees have always been entitled to vote. The bureaucratic process just prevented many of them from doing so. One must ask: If members opposite are genuinely in favour of the business vote why would they oppose reforms that make it easier for people to do so? The roll was deleted after every election and this was inequitable and unfair. [*Extension of time agreed to.*]

Under the proposed reforms eligible non-residential ratepayers, regardless of the size of the business, would be limited to two votes on a permanent non-residential register. This ensures greater equity with residential voters. The proposals in the bill limit a person to one enrolment, residential or non-residential, but not both. The Government has ruled out supporting any amendments that would allow a foreign national to vote. Any suggestions otherwise are misleading and inaccurate. The bill includes voting requirements and states that a non-residential voter must be 18 years or older and must also be eligible to vote at a State or Federal election.

The provisions for enrolments for the City of Sydney are found under section 15 of the City of Sydney Act 1988. Further criteria that a person must meet before being eligible to enrol include being an occupier or ratepaying lessee for a continuous period of three months prior to enrolment paying at least \$5,000 in rates per annum. I note that is being changed. City of Sydney is the council with the largest non-residential roll. It included 1,709 electors at the close of the rolls before the last election. This constituted 53.8 per cent of the entire non-residential roll of 3,178 in New South Wales. The reason that the City of Sydney constitutes such a high proportion of the non-residential roll can be attributed to a couple of key factors. First, the economic dominance of the CBD, with a substantial number of businesses, provides a correspondingly large number of ratepayers. Secondly, unlike arrangements for other councils, voting is compulsory for electors on the roll, and failure to vote may attract a fine.

In order to raise awareness of the ability to enrol on the non-residential roll and encourage participation in the elections, the City of Sydney requested that the Electoral Commission develop and undertake an advertising campaign. This campaign included mail outs to over 80,000 individuals and business entities that may be eligible to enrol; contacting 125 property managing agents and requesting that they email their clients with information about the ability to enrol; a dedicated call centre to field inquiries from prospective electors; and advertising in major metropolitan and commuter press. The cost of the campaign totalled \$243,242 and was borne solely by the City of Sydney.

Enrolment numbers had fluctuated considerably over the past few electoral cycles. While there were 2,059 enrolments on the non-residential roll ahead of the 2004 elections, this had decreased substantially for the 2008 elections. Following efforts to boost enrolment numbers, 1,709 people enrolled to vote at the 2012 elections, representing an increase of 331 per cent. Although it is difficult to determine what proportion of total eligible electors this figure constitutes, it is apparent that the proportion remains extremely low of an overall eligible voter base. At the committee's hearing with the Lord Mayor and councillors of the City of Sydney, the issue of lack of enrolment relative to total eligible electors was canvassed in some detail.

These businesses can and should have a significant voice in the democratic process of determining who is elected as lord mayor and councillors in Australia's biggest commercial and only truly global city. Yet the numbers of non-residential voters has plunged over recent electoral cycles to levels at which the sector is virtually invisible. Many business owners and ratepayers even in the so-called big end of town are simply unaware that they have the right to vote. The process of enrolling is time consuming, complex and needs to be repeated after every election. In addition, the voting process is onerous for business owners who live outside the local government area due to the lack of postal options. It should be noted that there was disagreement amongst the councillors as to whether the lack of non-residential enrolment was an issue. In her submission, the Lord Mayor of Sydney, Clover Moore, commented:

The non-residential voting franchise for the City of Sydney is broader than for other councils in New South Wales. The current arrangements provide an appropriate balance with a significant opportunity for people conducting business in the city to be on the roll. Despite this, many eligible voters have chosen not to take up their right.

The issue is given added weight when considering that a total of \$243,242 was spent on an awareness and enrolment campaign that ultimately yielded only 1,709 people. Otherwise put, this represents about \$142 per vote. Given that 211 people on the non-residential roll then failed to vote and only 1,498 people from the non-residential roll voted, the cost per vote cast increases. Questions arise as to whether this spend is value for money and whether or not there is a more appropriate way to conduct elections. We are suggesting the Melbourne model which was introduced by the Bracks Labor Government. I support the suggestion that businesses have a right to a say. I do not believe that it should be provided for in other council areas. I believe the committee has done its work and the Minister has provided helpful amendments. I commend the bill to the House.

Mr MICHAEL DALEY (Maroubra) [9.34 p.m.]: I contribute to debate on the City of Sydney Amendment (Elections) Bill 2014 and do so as someone who is one year shy of 20 years in public life and someone who spent 13 years as a councillor on Randwick City Council. As with most people in this place I take

an enormous interest in the democratic process. Unfortunately, if we look around the world at any time we see that there are people who are fighting for the right to preserve their democratic rights. A vote is a rare and precious thing and the processes that underpin democracy in Australia—one of the most transparent democracies and best run electoral systems in the world—are valuable. We should not and ought not to tinker with those processes without serious consideration and we should give people a long time to consider the ramifications of any instrument that might tinker with those entitlements.

There is no reason why this bill should be going through the Parliament at this time. There is not an election for local government in New South Wales until 2016. It is no answer for members of the Government to say, "But it is not our bill; it is the Hon. Robert Borsak's bill." The Government runs the Parliament, not the Shooters and Fishers Party. The Government and the Shooters and Fishers Party are at one on this bill. The Hon. Robert Borsak may well have been its sponsor in the Legislative Council but the Government is its executor and proponent, particularly in the Legislative Assembly with its majority. What then is the motivation of the Government in being the proponent for this bill? As people have been saying for weeks and today in this place and in the Legislative Council, there is more than a fair bit of "get Clover" in this bill—get the Lord Mayor out.

I note that the former Premier, the member for Ku-ring-gai, made a curious contribution to this debate and engaged in his "get Clover" campaign when he got her out of the Parliament. The second instalment of "get Clover" will be to remove her from the lord mayoralty. That forms part of the motivation for some in the Liberal Party. I think the principal motivation for the Liberal Party in its promulgation of this bill is its great Tory Liberal conservative sense of entitlement. When it comes to local government in New South Wales the jewel in the local government crown is the City of Sydney. There are no mayoral robes that shine as brightly or mayoral chains that gleam quite as attractively as those that belong to the Lord Mayor of the City of Sydney.

The conservatives have always thought that with so many businesses resident in the City of Sydney this place should rightfully be theirs; they are entitled to rule in the City of Sydney but they have been thwarted for a long time by the Lord Mayor of Sydney. Frankly, so has the Labor Party. I am neutral when it comes to Lord Mayor Clover Moore. She is a nice lady. I got on well with her in this place. There are some things that she does with respect to the City of Sydney that I like and others I do not. The Liberals want her out because they think this is her turf. This is a preview of things to come.

"Return planning powers to the people", was the mantra prior to the election but when they came into this place they removed planning powers from the bill and the people and now they are trying to tinker with the voting powers of people in the City of Sydney. No wonder a person such as Antony Green, who members respect, has called it a stalking horse. He is always measured in his comments. He is the most expert psephologist in Australia and is conservative and measured in his comments. When he calls it a stalking horse, that is good enough for me. I say clearly—particularly in response to some of the comments made by the member for Kiama and I speak for all Labor members not only in this place but also in the other place—that the Opposition supports businesses having a vote in local government elections and it always has. Let us not have any of this bunkum. We have, we do and we always will. The most curious aspect of this bill is why an arbitrary two votes is conferred upon businesses.

I remember as a law student studying the concept of incorporation, which is a group of people coming together to form a single, separate, individual, legal corporate entity—it is one entity. Why does business get two votes? As the member for Balmain said, why not three, six or 10? Why is there no connection between the number of votes and the size of the business? One person who owns a hole-in-the-wall sandwich shop—there is a cracker down the road near the courts—gets two votes. However, AMP, which has about 20,000 or more employees in the central business district, will also get only two votes. Giving businesses two votes is arbitrary and nonsense. In some instances businesses will get as many as six votes.

What really sickens me is members coming into this Chamber and saying that this has been done in Melbourne. I said to my good friend Tim Pallas, the shadow Treasurer of Victoria, "Whoever said the Victorians always get it right? Why do we have to cite the Victorians as always getting it right?" They do not and that is why the Victorian Government is reviewing that aspect of its legislation. Under the current model businesses do have a say and they can enrol. I am a strong defender of compulsory voting in Australia. It leads to an informed debate and electorate. However, it is different when it comes to businesses that operate in an area, but whose personnel do not reside there.

I have had experience with this. I remember working as a junior lawyer in a law firm in Elizabeth Street in 1997. There was a knock on the door and I answered. The visitor was doorknocking in the city and

encouraging business owners to enrol to vote. I went to the managing partners and told them that the guy at the counter wanted to encourage the business to enrol to vote in the City of Sydney election. The partners said that they were not interested; that they come to the city to work giving quality legal advice and to make money, and then to go home to the suburbs. They were not interested in voting. The opportunity is there for businesses to enrol if they wish; if they do not they should not be required to do so. The member for Sydney foreshadowed moving an amendment to provide for a permanent business roll. If a business enrolls it should not be required to do so for every election.

As I said, if this were all about the Liberal Party wanting to increase business participation in local government elections in New South Wales the cat was well and truly belled tonight in the Legislative Council. The Government retreated from that proposition today by ensuring that the provisions in the bill are confined to the City of Sydney. If this were truly about increasing business participation, the Government would introduce a bill to replicate these measures across New South Wales, but it bolted from that proposition today. [*Extension of time agreed to.*]

Members have made a couple of curious comments tonight. The member for Ku-ring-gai and the member for Coffs Harbour lamented that this should have been a Government bill. It would appear that there is some imperfection in this bill because it was not introduced by the Government. That is a backhanded swipe at the current Premier by the former Premier, but he had three years in which to introduce legislation and did not. If the Government wanted to control this process, the solution was simple: It could have voted against the bill and in good time introduced its own. It will not do that because haste is involved.

As I said, I am neutral about the Lord Mayor, and I will not repeat my comments about her. However, kicking her out and reinstating the Liberal Party's birth right is a very poor foundation for legislation, and as a political tactic it is likely to fail. I say that because of what I saw on the 6.00 p.m. news tonight, which showed a beaming Lord Mayor at a press conference in the Domain with a small number of people. The tenor of the report was that the Government is out to get her. She loves nothing more than that. This Government and the Hon. Robert Borsak have probably just accomplished what even Clover Moore doubted she could do; that is, once again to pull the electoral rabbit out of the hat and be re-elected. Congratulations on a fine botch up.

Ms CARMEL TEBBUTT (Marrickville) [9.45 p.m.]: I oppose the City of Sydney Amendment (Elections) Bill 2014. As members know, this bill was introduced by the Shooters and Fishers Party and was passed in the Legislative Council with the support of the Coalition. Under the provisions of this bill, enrolment to vote by non-residents in elections for the City of Sydney will be compulsory. Where non-residents fail to enrol to vote, they automatically will be deemed to be enrolled. The bill allows up to six voters to be enrolled for each parcel of land. This is justified by the spurious claim that, despite paying only one set of rates, a household may comprise two or more residents who can vote in the council election and the same should apply to businesses. The bill equates the number of votes to the rates paid.

This bill implements a very bad policy that undermines democracy. It also represents a complete erosion of the principle of one person, one vote. It will give sectional interests a new means by which to influence political decisions and dilute the voice of local residents when people across this State are crying out for more say and greater local democracy. While this legislation applies only to the City of Sydney, we know that it will not stop there. It provides for the provisions to be extended to elections for other local government areas by regulation. It is extraordinary that the Coalition would support this bill when the community's trust in the democratic process is at an all-time low. That is in no small part due to the actions of some Coalition members who are now sitting on the crossbenches.

The Coalition, the community and local government would be far better served if they were to put their energy into taking on the Federal Government's local government budget cuts rather than supporting this bill. The member for Kiama said that he had not heard any members speaking up for the right of non-residents to have a say. Of course non-resident owners in the City of Sydney local government area should be able to vote and to have say about how the City of Sydney is governed, and they already do. Business owners make an important contribution to the city and the council's decisions impact significantly on them. They are entitled to have a say. The issue is whether they are entitled to more of a say than is anyone else. This bill simply goes too far. Why should businesses get two votes when residents get only one?

The member for Sydney has foreshadowed the introduction of a bill that includes some sensible provisions that will improve awareness of registration processes for non-resident owners. I understand that he will pick up some of those issues in amendments during the consideration in detail stage. The bill of the member

for Sydney will make it easier for eligible businesses to get on the roll by creating permanent registers for non-resident owners and occupiers, and rate-paying lessees. According to the member for Sydney businesses already have greater rights to vote in the City of Sydney than elsewhere in the State and his changes will make the process of getting on the roll easier and more efficient.

There is a world of difference between improving the processes for non-resident businesses and the gerrymander that is proposed by the bill of the Shooters and Fishers Party and supported by the Coalition. As other members have said, we know why the Coalition supports this: They think it is an easy way to get control of the City of Sydney council, as they have always wanted to do. They have made no secret of their desire to get Clover Moore, the current Lord Mayor, out of the City of Sydney council. Under this bill the number of votes businesses cast is forecast to grow from 1,709 in 2012 to up to 80,000, which would have a significant impact on the make-up of the council.

Many stakeholders have spoken against this bill. In fact, the person who headed the Government's Independent Local Government Review Panel, Graham Sansom, has described this proposal as a "legal minefield." This bill has been criticised by many. There has been strong opposition from Local Government NSW, which was not consulted and which is deeply concerned about the lack of transparency and the potential for these new voting rules to be rolled out to all New South Wales councils. As the president of Local Government NSW has said:

If the reforms in the Bill are fair and reasonable, then why has Local Government NSW and our member councils not been included in the process, and why all the secrecy and haste in getting the Bill passed?

These are very good questions, which the Government has yet to answer. There has also been much criticism in the media, with the *Sydney Morning Herald* saying in an editorial that representatives of sham companies will be able to vote. What is more, under the bill of the Shooters and Fishers Party every corporation or investment company that owns a unit in a strata building would get votes as well as residents. Some buildings will have hundreds of company votes versus fewer votes for residents. These are major concerns. Recently the Victorian Government released a report into its local government electoral review. This report is also highly critical of specific aspects of the Melbourne model that this bill is based upon. The report rejects the idea of giving businesses two votes.

Unfortunately, the Government has listened to none of these criticisms and continues to support the bill while at the same time refusing to take any responsibility for the many unworkable provisions of the bill that have been outlined by speakers in this debate. The City of Sydney council, in the decisions it makes, has a major impact on the residents who live within its boundaries and on the people who work and the businesses that operate in the city. Of course, in big city municipalities where there are a large number of non-resident ratepayers, as in the City of Sydney, there should be a debate and discussion from time to time about how to get the balance right and how to ensure non-residents have an appropriate say. That debate should be conducted in good faith with democracy at its core. But this bill is not about that. This bill is rather a grab for power that will disenfranchise residents and create onerous responsibilities for businesses. It is unfair, undemocratic and unworkable, and it should be opposed.

Mr NICK LALICH (Cabramatta) [9.52 p.m.]: The aim of the City of Sydney Amendment (Elections) Bill 2014 is to make changes to current provisions for voting by non-residents of the City of Sydney. Non-residents are people who do not reside in the local government area but who have interest in land within the City of Sydney. This interest is often business-related. Currently non-residents can enrol to vote voluntarily at each election. Under this bill, enrolment to vote by non-residents in elections will be compulsory and if they fail to vote they will be fined. Luckily the upper House has amended this bill, otherwise it would have allowed up to six voters to be enrolled for each parcel of land within the Sydney central business district—that is, two votes for owners, two votes for the rate-paying lessees and two votes for occupiers. I note the amendment moved by the upper House sets the limit at two votes per property.

For a number of important reasons—some that go to the heart of the principles of democracy—I will not support this bill. One of the arguments for this bill is that businesses should be able to vote because they pay 78.5 per cent of rates in the City of Sydney and that there should be no taxation without representation. This is totally wrong. In our democracy there has never been a link between taxation and representation. For instance, pensioners do not lose their right to vote once they stop paying income tax and neither do other groups living on fixed or low incomes, such as students and the unemployed. Opposition members believe that accepting the principle that only those people who pay tax deserve a vote endangers our thriving democratic system.

I am also concerned that allowing ratepayer corporations to nominate two people to be enrolled as voters will give these groups much more influence over City of Sydney councillors and the Lord Mayor than the more than 100,000 people who live in the local government area. Again, I think this endangers our democracy by granting more power to one group than another. We have seen how this is playing out in the Independent Commission Against Corruption, where groups with a lot of money and power can get access to and influence over our political leaders and their decisions. We do not want to encourage this sort of corruption by accepting this provision of the bill.

It should be noted that in Melbourne, where this model has been adopted, about 40 per cent of business votes cast during the last council election were made offshore. I am concerned that this bill has a provision that would give the Minister for Local Government the power to roll out this model to any other local government area in New South Wales. I understand that the upper House has succeeded in stopping this and that this provision has been removed by amendment. We would have been concerned if this unchecked power had gone through. If it is left to one person to change arbitrarily who can vote in different councils that would diminish the voice of local residents. It is quite frightening that this provision in the bill was proposed without consulting the peak body for councils in this State, Local Government NSW, which does not support this bill.

I will also oppose this bill because businesses in the City of Sydney have not said they want these changes. This change was proposed by the Shooters and Fishers Party and backed by the Liberal Party. In fact, many may consider these changes to be a burden for them, putting them at risk of being fined if they do not vote. Businesses in the City of Sydney can currently enrol to vote voluntarily at each election. It is telling that despite the Electoral Commission spending more than \$240,000 on encouraging businesses to vote at the 2012 elections via advertisements and letters, just 1,708 non-residents bothered to enrol or just 2 per cent of the more than 80,000 potential non-resident voters. I will also be voting against this bill simply because it is unworkable. Businesses in the City of Sydney move in and out. They change ownership or change management. Moving to a system where non-residents are automatically enrolled to vote and left on the roll even after they have become ineligible to vote will risk election results being challenged.

This bill is truly offensive to our democracy and to the residents of the City of Sydney. Many in this Chamber have spoken of this bill as being the "get rid of Clover Moore" bill, which of course it is and always has been. If the Minister for Local Government does not like the way Clover Moore runs the City of Sydney or the developments she approves the Government can put a cap on the developments the City of Sydney can handle. It can set the cap at whatever level it likes and any development over that amount would have to go to a special panel. A number of councils have set development caps at \$5 million or \$10 million and after that developments are thoroughly looked at by independent bodies.

The Minister can do that for the City of Sydney, but the Minister seems to be intent on getting rid of Clover Moore. There is nothing to stop people from saying that in their view the next Lord Mayor could be just as bad as Clover Moore. In the many years I spent on Fairfield City Council I often did not agree with development decisions made by Clover Moore and Frank Sartor, such as cycleways. Cycleways are a good thing, but not in the middle of a city. The Minister can always legislate against having cycleways on main streets and he has that power now. He does not have to get rid of the Lord Mayor to change planning decisions. There are ways around this without resorting to a bill like this.

It is rubbish for anyone to say that City of Sydney business owners cannot vote at a council election. If business people in my city get on the local government electoral roll they have the right to vote. But many of them do not want to vote; they are not interested. They make money out of their business and they are happy if the garbage is picked up, the roads are clean, their kerbs and guttering are clean and there is parking for cars out the front of their business. They are not interested in everything else that goes on in the city; they are not residents. This bill is truly offensive to our democracy and to the residents of the City of Sydney. I urge everyone in this Chamber to consider seriously the implications these changes will have on our democracy, particularly the provisions that will give disproportionate influence and power to business groups over the residents of Sydney.

Mr PAUL TOOLE (Bathurst—Minister for Local Government) [10.00 p.m.], in reply: I thank the members representing the electorates of Auburn, Ku-ring-gai, Sydney, Murray-Darling, Heffron, Coffs Harbour, Balmain, Kiama, Maroubra, Marrickville and Cabramatta for their contributions to debate on the City of Sydney Amendment (Elections) Bill 2014. The bill aims to improve the voting system and fix changes that were introduced in 1988. For businesses the current system has created barriers to non-residential voters exercising their democratic rights. Non-residential voters have always had a right to have a say in the City of Sydney

elections. Unfortunately, it has been a difficult process to navigate. If someone wishes to be on the non-residential roll he or she would have to apply three months before the next City of Sydney local government election. If people got through all the red tape and bureaucracy involved in doing that they would then have an opportunity to have a say. But straight after the local government election they would be deleted from the roll.

We have walked down the street and spoken to business owners. The Opposition says there has been no consultation. The Opposition should get out there and talk to some of the business owners and ask them about the process. Business owners have indicated to us that it is too hard to get on the non-residential roll. They have applied and they have even got notices after the election about how to enrol. For example, we went to Snapper and Grill, and the owner said that Frank Sartor used to go to his business all the time and he got him onto the roll. That was the only way that the owner was able to get onto the non-residential roll. Now he says that it is too hard. Tonight we heard about media reports and I saw the little gathering in the park today. I also heard from the owner of a tanning salon today, a small business owner, who said that the City of Sydney has ignored businesses in the city for five years.

Her business is being ignored and she said that business owners want to have a say in the way in which this global city is represented. Tonight we have heard lies, mistruths and misconceptions from the Opposition. The member for Auburn said there has been little consultation which is incorrect because the Joint Standing Committee on Electoral Matters looked at the 2012 local government election. There was heaps of consultation. As a result of that process about 77 submissions were made and 35 people were invited to give evidence to a bipartisan committee where numerous questions were asked. Opposition members should be asking why some of their own members who sit on these committees do not even open their mouths. The member for Liverpool has entered the Chamber; he has just made it in time. He is a bit late because they are fixing the M5.

Mr Paul Lynch: Point of order: My point of order relates to Standing Order 137. It is entirely disorderly for this member to carry on in that fashion. He is undoubtedly the most stupid member of the Government and his behaviour is entirely disorderly.

The DEPUTY-SPEAKER (Mr Thomas George): Order! I remind the member for Liverpool that that unparliamentary attitude will not be tolerated.

Mr PAUL TOOLE: The findings of the Joint Standing Committee on Electoral Matters clearly showed that people were being disenfranchised when it came to having a say in the City of Sydney local government elections. The member for Kiama has done an incredible amount of work on this committee. The committee made 15 recommendations and, as I said, the Government will respond to those very shortly. The figures clearly indicate that in 2004 there were 2,059 non-residential voters and in 2008 there were 396. I have heard the Independent member for Sydney and I have heard the Lord Mayor say that more needs to be done to get people on the non-residential roll.

But they should not forget that the council spent \$243,242 to get 1,709 non-residential voters on the roll prior to the last election. If we want to do a comparison we have only to look at the City of Melbourne, which spent \$470,000 and got almost 65,000 non-residential voters on its electoral roll. There is a stark difference between the take-up of the City of Sydney and the City of Melbourne. The Opposition's comments are very misleading. Opposition members say that businesses are getting two votes and that corporations are getting two votes, which is incorrect. Businesses do not get a vote; it is individuals in those businesses and corporations that get a maximum of two votes. It is one person, one vote—one vote, one value. The Opposition should remember that.

The DEPUTY-SPEAKER (Mr Thomas George): Order! The member for Heffron and the member for Kiama have made their contributions to the debate. The Minister is in reply and will be heard in silence. I remind members that 16 of them are on three calls to order.

Mr PAUL TOOLE: We heard tonight from the member for Sydney. I thank him for his contribution and acknowledge that he has also done a lot of hard work in this area. But I point out to him that this is the Parliament of New South Wales; this is the place where we debate bills and where we make amendments. The member for Sydney has said that he wanted an opt-in roll and then he spoke about an option of a permanent or compulsory roll. Now he is talking about having a permanent or compulsory roll, but people can opt in or opt out. It is all right for Opposition members to make amendments, but when amendments are made by the Government in the other House the member for Sydney says that that is not right. I do not understand the hypocrisy of the member for Sydney who had the audacity to come into the Chamber tonight and say that we should not make amendments to a bill that was amended in the other House.

The member for Heffron said that this was about democracy. I cannot say whether or not the Lord Mayor will run at the next election—she may retire for all I know. We do not even know who the candidates will be. It is absolute rubbish to speak about who will represent the City of Sydney. It is the responsibility of the mayor and the councillors to ensure they represent the interests of the entire community. They must represent residents and non-residents in their area. I have said before that if elected representatives are doing a good job they should not be afraid because they will be re-elected by their constituents. The member for Balmain claimed that this model is being thrown out of Melbourne, but that is not so. There has been a report and there is nothing to indicate it is being thrown out. As with any report, there will be a response to it in due course. The City of Melbourne model has worked for several years. The Joint Standing Committee on Electoral Matters invited the Lord Mayor of Melbourne to appear and to participate in the committee's inquiry.

The DEPUTY-SPEAKER (Mr Thomas George): Order! There is too much audible conversation in the Chamber and in the advisers' area. Members who wish to have private conversations should do so outside the Chamber. I am having difficulty hearing the Minister.

Mr PAUL TOOLE: To be clear, I will point out several changes. As with the Melbourne model, the City of Sydney will take over responsibility for preparing and maintaining its non-residential roll. The Government recognises that the task of preparing and maintaining non-residential rolls for the City of Sydney under the proposed Melbourne model is logistically more challenging than it is for other councils. For that reason, the Government has proposed amendments to allow the City of Sydney to engage service providers to assist in the preparation and maintenance of the rolls and the register on which they are based. The City of Sydney will also be required to automatically enrol non-residential electors via the same method used in Melbourne.

This means that, as with residential electors, non-residential electors automatically will be enrolled without having to formally enrol each time. It will also mean that when a corporation is the sole owner, lessee or occupier, not one officer but two officers of the corporation automatically will be enrolled unless nominated by the corporation. When more than two natural persons are non-residential owners or occupiers of properties, only two of these persons are to be enrolled. I heard the member for Maroubra say that the owner of the hole in the wall down the road would get two votes. That is absolutely incorrect. No individual will be given two votes in the City of Sydney elections.

Mr Ron Hoenig: Tell me what section it is.

Mr PAUL TOOLE: The member for Heffron should read the bill. The member for Marrickville spoke about the regulations, and whether this model will be rolled out in other local government areas.

Mr Gareth Ward: Not true.

Mr PAUL TOOLE: That is not true. The Government has agreed to amendments by the Christian Democratic Party—I thank the Christian Democratic Party—to delete that regulation so that the proposed model will not be rolled out in other local government areas. It will apply only to the City of Sydney. That is appropriate because Sydney is a global city and has its own Act, which identifies it as being unique to New South Wales and unique as an area. Members opposite spoke about sham companies and organisations coming in. The Government will retain the threshold provisions but it will reduce the threshold to \$4,000, which is the existing monetary eligibility requirement for ratepaying lessees and occupiers.

The Melbourne model has worked. We will ensure that there is a maximum of two votes for eligibility. Residents who are also business owners are not eligible to vote as a resident and as a non-resident. They will still only be entitled to the one vote, one value rule. I thank the Office of Local Government for its work on this bill over the past few weeks. An extensive amount of oversight, review and other work has been done to ensure that the bill is workable, and that it is easier for non-residents to go through the process to be on the non-residential roll. Once again, I thank members who have spoken in debate on this bill and I commend it to the House.

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

The House divided.

Ayes, 41

Mr Aplin	Mr Gee	Mr Roberts
Mr Ayres	Ms Gibbons	Mr Rowell
Mr Barilaro	Ms Goward	Mr Sidoti
Mr Baumann	Mr Grant	Mrs Skinner
Ms Berejikian	Mr Gulaptis	Mr Speakman
Mr Bromhead	Ms Hodgkinson	Mr Stokes
Mr Conolly	Mr Holstein	Mr Toole
Mr Constance	Mr Humphries	Ms Upton
Mr Coure	Mr Kean	Mr Ward
Mr Dominello	Mr Maguire	Mr R. C. Williams
Mr Doyle	Mr O'Dea	Mrs Williams
Mr Evans	Mr O'Farrell	<i>Tellers,</i>
Mr Flowers	Mr Perrottet	Mr Patterson
Mr Fraser	Mr Provost	Mr J. D. Williams

Noes, 17

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

Pairs

Mr Baird	Ms Burton
Mrs Hancock	Mr Collier
Mr Hazzard	Mr Furolo
Dr Lee	Ms Hornery
Mr Piccoli	Mr Robertson
Mr Stoner	Ms Watson

Question resolved in the affirmative.

Motion agreed to.

Bill read a second time.

Consideration in detail requested by Mr Alex Greenwich.

Consideration in Detail

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

Clauses 1 and 2 agreed to.

Mr ALEX GREENWICH (Sydney) [10.25 p.m.], by leave: I move amendments Nos 1 to 4, 6, 10, 12, 16, 18 to 24, 29, 51, 52, 54 and 55 on sheet C2014-080H in globo:

No. 1 Limit on electors

Page 3, schedule 1 [6], lines 23 and 24. Omit "3 or more natural persons, only 2 of those natural persons may be owners". Insert instead "2 or more natural persons, only one of those natural persons may be an owner".

No. 2 Limit on electors

Page 3, schedule 1 [6], lines 27 and 28. Omit "3 or more natural persons, only 2 of those natural persons may be ratepaying lessees". Insert instead "2 or more natural persons, only one of those natural persons may be a ratepaying lessee".

No. 3 Limit on electors

Page 3, schedule 1 [6], lines 29 and 30. Omit "3 or more natural persons, only 2 of those natural persons may be occupiers". Insert instead "2 or more natural persons, only one of those natural persons may be an occupier".

No. 4 Limit on electors

Page 3, schedule 1 [6], lines 32–35. Omit "2 natural persons from among a number of joint owners, joint ratepaying lessees or joint occupiers may be owners, ratepaying lessees or occupiers for the purposes of this Division, those 2 natural persons are". Insert instead "one natural person from among a number of joint owners, joint ratepaying lessees or joint occupiers may be an owner, ratepaying lessee or occupier for the purposes of this Division, that natural person is".

No. 6 Limit on electors

Page 3, schedule 1 [6], line 40. Omit "2 natural persons". Insert instead "one natural person".

No. 10 Limit on electors

Page 4, schedule 1 [12], line 36. Omit "names of 2 natural persons to be enrolled as electors". Insert instead "name of one natural person to be enrolled as an elector".

No. 12 Limit on electors

Page 5, schedule 1 [12], line 1. Omit "names of 2 natural persons to be enrolled as electors". Insert instead "name of one natural person to be enrolled as an elector".

No. 16 Limit on electors

Pages 5 and 6, schedule 1 [12], line 45 on page 5 to line 11 on page 6. Omit all words on those lines. Insert instead:
of any rateable land in respect of which a person has already been nominated, the nomination is taken to revoke all previous nominations.

No. 18 Limit on Electors

Page 6, schedule 1 [12], lines 16 and 17. Omit "2 natural persons who are". Insert instead "one natural person who is".

No. 19 Limit on electors

Page 6, schedule 1 [12], line 19. Omit "has validly nominated one natural person". Insert instead "has not validly nominated a natural person".

No. 20 Limit on Electors

Page 6, schedule 1 [12], line 21. Omit "second".

No. 21 Limit on Electors

Page 6, schedule 1 [12], lines 27 and 28. Omit "the corporation's sole eligible company secretary is the validly nominated person or".

No. 22 Limit on Electors

Page 6, schedule 1 [12], lines 32–40. Omit all words on those lines.

No. 23 Limit on Electors

Page 6, schedule 1 [12], lines 41 and 42. Omit "subsections (2) and (3), if a person who is taken to have been nominated by the corporation under one of those subsections". Insert instead "subsection (2), if a person who is taken to have been nominated by the corporation under that subsection".

No. 24 Limit on Electors

Page 7, schedule 1 [12], line 1. Omit "subsections (2) and (3)". Insert instead "subsection (2)".

No. 29 Limit on electors

Page 7, schedule 1 [13], lines 36–44. Omit all words on those lines. Insert instead:
respect of which a person has already been nominated, the nomination is taken to revoke all previous nominations.

No. 51 Limit on Electors

Page 11, schedule 1 [14], line 16. Omit "2 natural persons". Insert instead "one natural person".

No. 52 Limit on Electors

Page 11, schedule 1 [14], line 19. Omit "2 natural persons". Insert instead "the natural person".

No. 54 Limit on electors

Page 11, schedule 1 [14], line 19. Omit "are entitled". Insert instead "is entitled".

No. 55 Limit on electors

Page 11, schedule 1 [14], lines 20–23. Omit all words on those lines. Insert instead:

enrolled as the nominee of a corporation under section 16AC will be enrolled unless, at least 28 days before the date prescribed for the closing of the roll of electors for the election, a natural person is nominated by the corporation,

These amendments restore the one vote, one value principle to the bill. A number of people have asked: Where was the mandate that this Government was given to halve residents' votes in local government elections? A number of people are concerned that the first legislation brought into this Chamber by the new Minister for Local Government reduces the voices of residents at the most local level of government. The wider community is offended that this bill will strengthen the influence of big business on local government decisions at a time when public confidence in State politics is at its lowest level ever due to the Independent Commission Against Corruption revelations of developers making illegal donations to Government members, leading to overcrowding on the crossbenches.

Healthy democracies give all members of the community equal access to the political process regardless of how much money one earns. No matter how much tax a person pays, their say on polling day should be equal. Giving businesses two votes increases the influence of those with money, and that is not what democracy is about. This bill is about giving two votes to those residents who do not live in the electorate and one vote to those who do. It is a disgrace to hear the Minister repeat the catchcry of the Shooters and Fishers Party that businesses deserve double the vote because they account for 78 per cent of the City of Sydney's rate revenue. It is not just because it shows his undemocratic belief that those who pay more tax should have a greater say in democracy but because he has failed to check the facts. The Lord Mayor has discredited this figure and confirmed that business rates contributed to less than 32 per cent of the city's total revenue last year.

The other excuse to give businesses two votes is that the average household consists of two persons. Resident voters do not represent their household; they represent themselves—one vote, one value. Non-residential voters on the other hand are enrolled to vote to represent the interests of the business that nominated them. Each business has one value and therefore should get one vote. Disgracefully, the Government is attempting to mislead the community about this part of the bill. In the Minister's response to a question in Parliament today, and in response to the thousands of letters, emails and calls from the community, the Government is pretending that businesses get only one vote each. I quote a letter from the Parliamentary Secretary on this matter, which states:

Under the proposed reforms a person will only be enrolled once, either as a residential or non-residential voter, meaning they will only get one vote.

This is a clear attempt to misinform the community and hide behind the undemocratic policy through semantics. Yes, one person will only be able to vote in the City of Sydney election, but each business will be able to nominate two people to vote in order to represent its one interest. Businesses get two votes under this bill no matter how the Government tries to disguise it. In fact, the attempt to pretend that this is not the case shows how unpopular the policy is and how embarrassing it has been to the Government. The fact is that the Government knows that democracy will not give it the Lord Mayor it wants so it has gerrymandered the system to give those who do not live in the city twice the vote of those who do. Ironically, while the State Government has been touting the so-called successful Melbourne model, the Victorian Government appointed a Local Government Electoral Review Panel, chaired by former Liberal member Petro Georgiou, who recommended that Melbourne restore one vote, one value. Under expert and open scrutiny, the Melbourne model was not lauded as a success.

It was deemed unfair and problematic. But the Government is going full steam ahead regardless. This is nothing but negligence. Local Government NSW and the bipartisan New South Wales Legislation Review Committee have condemned giving corporations, businesses and property owners two votes as unfair and undemocratic. This bill is not about removing the barriers to businesses exercising their right to vote. If that were the case the Government would support my bill, which would achieve that outcome without relegating

residents to second-class citizens. Democracy should not be based on wealth and my amendments would restore the non-residential vote to one person to represent each business, owner or non-residential rate-paying lessee. I commend the amendments.

Mr RON HOENIG (Heffron) [10.30 p.m.]: The amendments proposed by the member for Sydney have merit.

Mr Gareth Ward: Talk to us about Botany and what you did in Botany. You had single-member wards.

Mr RON HOENIG: You would like to get 85 per cent of the vote, wouldn't you?

The DEPUTY-SPEAKER (Mr Thomas George): Order! I remind the member for Heffron and the member for Kiama that they are on three calls to order. I call the member for Oatley to order for the third time.

Mr RON HOENIG: The group of amendments proposed by the member for Sydney seek to end double voting for businesses and effectively alleviate the embarrassment of the original bill. The member for Ku-ring-gai asserted that the bill arose from a committee chaired by the member for Kiama, who stated that the committee based the recommendations on the Melbourne model under the premise that somehow the model worked rather well in Melbourne. There was criticism that the Minister for Local Government and his department did not move on the recommendations but there was a reason for that. The reason simply was that an independent Local Government Electoral Review Panel chaired by former Federal member Petro Georgiou, highly regarded in the nation, recommended that the City of Melbourne end the double votes for business.

I could well understand why the Minister for Local Government did not move on the recommendations of the committee chaired by the member for Kiama. Why a failed system is being considered by this House is beyond me. However, if members are fair dinkum, this is an opportunity to repair some of the damage created by the nonsense in the other House. The bill provides for an extended opportunity for business to vote, even though voting is compulsory. If the aim is to increase the contribution made by the business community in Sydney, the bill can do it without introducing double voting. It becomes an embarrassment to the Government and the Parliament and it does not work in Victoria, upon which the model is based. I suggest that the proposal of the member of Sydney has integrity and is worthy of support.

Mr PAUL TOOLE (Bathurst—Minister for Local Government) [10.33 p.m.]: The amendments moved by the member for Sydney to the second draft of the City of Sydney (Elections) Amendment Bill will not be supported. Firstly, the Government considers that up to two persons should be enrolled for both incorporated and unincorporated businesses to give business voters a voice in the City of Sydney that is more proportionate to their contribution. Secondly, the proposal contained in the bill strikes a reasonable balance between residential and non-residential electors by capping the number of persons who may be enrolled per business at two. By contrast, there is no limit to the number of residential electors who can be enrolled per property.

In addition, the two reasons I have already stated relate to amendments Nos 20 and 21. With respect to amendment No. 3, the provision to which the amendment relates addresses a scenario where a corporation has nominated only one person and assumes that a maximum of two persons may be enrolled. The provision in the amendment is therefore redundant under the scheme proposed by the Greenwich and The Greens amendments in which only one person may be nominated by a corporation.

Mr John Barilaro: What's Clover texted you?

Mr ALEX GREENWICH (Sydney) [10.34 p.m.]: You guys are so obsessed with Clover; I do not understand. Is it some weird complex you have?

The DEPUTY-SPEAKER (Mr Thomas George): Order! Does the member have any further comments?

Mr ALEX GREENWICH: I want to make it clear that this is about restoring equity to an undemocratic system that would be established under the bill. I do support the right of businesses to vote. In fact, I have introduced my own bill to that effect. It is one area in which I differ from The Greens—and I know that may surprise members; I do differ from The Greens in some areas and this is one of them. I believe that at

the local government level businesses should have a vote; they should have a say. There is a very close relationship between the local government level and local businesses and as such the voting process for them should be made easier. It should not be double that. This bill would give two votes to businesses and one vote to residents. My amendments seek to fix that. A concern I have with leaving two votes for businesses is that a potential rift could be created. One could imagine that come the next local government election the black ops team will be reinvigorated and Liberal branches will go out and seek to get their members as deemed voters for a number of corporations.

The DEPUTY-SPEAKER (Mr Thomas George): Order! The member's comments must be restricted to the amendments.

Mr ALEX GREENWICH: My comments were stating that if the bill remained unamended it could be open to manipulation. I commend the amendments to the House.

Question—That amendments Nos 1 to 4, 6, 10, 12, 16, 18 to 24, 29, 51, 52, 54 and 55 of Mr Alex Greenwich [C2014-080H] be agreed to—put.

The House divided.

Ayes, 17

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

Noes, 40

Mr Aplin	Mr Gee	Mr Roberts
Mr Ayres	Ms Gibbons	Mr Sidoti
Mr Barilaro	Ms Goward	Mrs Skinner
Mr Baumann	Mr Grant	Mr Speakman
Ms Berejiklian	Mr Gulaptis	Mr Stokes
Mr Bromhead	Ms Hodgkinson	Mr Toole
Mr Conolly	Mr Holstein	Ms Upton
Mr Constance	Mr Humphries	Mr Ward
Mr Coure	Mr Kean	Mr R. C. Williams
Mr Dominello	Mr Maguire	Mrs Williams
Mr Doyle	Mr O'Dea	<i>Tellers,</i>
Mr Evans	Mr O'Farrell	Mr Patterson
Mr Flowers	Mr Perrottet	Mr J. D. Williams
Mr Fraser	Mr Provest	

Pairs

Ms Burton	Mr Baird
Mr Collier	Mr Hazzard
Mr Furolo	Dr Lee
Ms Hornery	Mr Piccoli
Mr Robertson	Mr Rowell
Ms Watson	Mr Stoner

Question resolved in the negative.

Amendments Nos 1 to 4, 6, 10, 12, 16, 18 to 24, 29, 51, 52, 54 and 55 [C2014-080H] of Mr Alex Greenwich negatived.

Mr ALEX GREENWICH (Sydney) [10.43 p.m.], by leave: I move amendments Nos. 5, 7 to 9, 11, 13 to 15, 17, 25 to 28, 30 to 33, 35 to 39, 41 to 50, 53 and 56 on sheet C2014-080H in globo:

No. 5 Electoral Commissioner role

Page 3, schedule 1 [6], line 38. Omit "general manager". Insert instead "Electoral Commissioner".

No. 7 Electoral Commissioner role

Page 3, schedule 1 [6], line 41. Omit "general manager". Insert instead "Electoral Commissioner".

No. 8 Electoral Commissioner role

Page 3, schedule 1 [6], line 43. Omit "general manager". Insert instead "Electoral Commissioner".

No. 9 Electoral Commissioner role

Page 4, schedule 1 [12], lines 35 and 36. Omit "general manager". Insert instead "Electoral Commissioner".

No. 11 Electoral Commissioner role

Page 5, schedule 1 [12], line 1. Omit "general manager". Insert instead "Electoral Commissioner".

No. 13 Electoral Commissioner role

Page 5, schedule 1 [12], line 35. Omit "general manager". Insert instead "Electoral Commissioner".

No. 14 Electoral Commissioner role

Page 5, schedule 1 [12], line 41. Omit "general manager". Insert instead "Electoral Commissioner".

No. 15 Electoral Commissioner role

Page 5, schedule 1 [12], line 44. Omit "general manager". Insert instead "Electoral Commissioner".

No. 17 Electoral Commissioner role

Page 6, schedule 1 [12], line 14. Omit "general manager". Insert instead "Electoral Commissioner".

No. 25 Electoral Commissioner role

Page 7, schedule 1 [12], line 3. Omit "general manager". Insert instead "Electoral Commissioner".

No. 26 Electoral Commissioner role

Page 7, schedule 1 [13], line 27. Omit "general manager". Insert instead "Electoral Commissioner".

No. 27 Electoral Commissioner role

Page 7, schedule 1 [13], line 32. Omit "general manager". Insert instead "Electoral Commissioner".

No. 28 Electoral Commissioner role

Page 7, schedule 1 [13], line 35. Omit "general manager". Insert instead "Electoral Commissioner".

No. 30 Electoral Commissioner role

Page 8, schedule 1 [14], line 3. Omit "general manager". Insert instead "Electoral Commissioner".

No. 31 Electoral Commissioner role

Page 8, schedule 1 [14], line 7. Omit "general manager". Insert instead "Electoral Commissioner".

No. 32 Electoral Commissioner role

Page 8, schedule 1 [14], line 15. Omit "general manager". Insert instead "Electoral Commissioner".

No. 33 Electoral Commissioner role

Page 8, schedule 1 [14], line 20. Omit "general manager". Insert instead "Electoral Commissioner".

No. 35 Electoral Commissioner role

Pages 8 and 9, schedule 1 [14], line 23 on page 8 to line 32 on page 9. Omit all words on those lines. Insert instead:

18B Electoral Commissioner to confirm non-residential rolls of electors

- (1) The Electoral Commissioner is to confirm the roll of non-resident owners of rateable land and the roll of occupiers and rate paying lessees as soon as practicable after the closing date for the election.
- (2) A roll prepared and confirmed under this Act lapses after the election for which it is prepared and confirmed.
- (3) References in section 301 of the Principal Act to the non-residential roll prepared and confirmed under section 299 for the area and the roll of occupiers and rate paying lessees prepared and confirmed under section 300 for the area are, in the operation of that section in respect of the City of Sydney, to be read as references to, respectively, the roll of non-resident owners of rateable land and the roll of occupiers and rate paying lessees prepared and confirmed under this Act.

No. 36 Electoral Commissioner role

Page 9, schedule 1 [14], line 34. Omit "general manager". Insert instead "Electoral Commissioner".

No. 37 Electoral Commissioner role

Page 9, schedule 1 [14], line 46. Omit "general manager". Insert instead "Electoral Commissioner".

No. 38 Electoral Commissioner role

Page 10, schedule 1 [14], line 3. Omit "general manager". Insert instead "Electoral Commissioner".

No. 39 Electoral Commissioner role

Page 10, schedule 1 [14], line 5. Omit "general manager". Insert instead "Electoral Commissioner".

No. 41 Electoral Commissioner role

Page 10, schedule 1 [14], lines 7 and 8. Omit "general manager, or a member of staff of the city council who is authorised by the general manager". Insert instead "Electoral Commissioner, or a person who is authorised by the Electoral Commissioner".

No. 42 Electoral Commissioner role

Page 10, schedule 1 [14], lines 20–31. Omit all words on those lines.

No. 43 Electoral Commissioner role

Page 10, schedule 1 [14], line 33. Omit "general manager". Insert instead "Electoral Commissioner".

No. 44 Electoral Commissioner role

Page 10, schedule 1 [14], line 36. Omit "general manager". Insert instead "Electoral Commissioner".

No. 45 Electoral Commissioner role

Page 10, schedule 1 [14], line 37. Omit "general manager". Insert instead "Electoral Commissioner".

No. 46 Electoral Commissioner role

Page 10, schedule 1 [14], line 41. Omit "general manager". Insert instead "Electoral Commissioner".

No. 47 Electoral Commissioner role

Page 11, schedule 1 [14], line 3. Omit "general manager". Insert instead "Electoral Commissioner".

No. 48 Electoral Commissioner role

Page 11, schedule 1 [14], line 10. Omit "general manager". Insert instead "Electoral Commissioner".

No. 49 Electoral Commissioner role

Page 11, schedule 1 [14], lines 10 and 11. Omit "general manager". Insert instead "Electoral Commissioner".

No. 50 Electoral Commissioner role

Page 11, schedule 1 [14], line 15. Omit "general manager". Insert instead "Electoral Commissioner".

No. 53 Electoral Commissioner role

Page 11, schedule 1 [14], line 19. Omit "general manager". Insert instead "Electoral Commissioner".

No. 56 Electoral Commissioner role

Page 11. Insert after line 34:

[15] Part 3, Division 5

Insert after Division 4:

25 Administration of elections, polls and constitutional referendums

- (1) Elections, council polls and constitutional referendums in the City of Sydney are to be administered by the Electoral Commissioner.
- (2) The costs of the Electoral Commissioner with respect to the carrying out of any function under this Division are to be met by the city council and are recoverable from the city council as a debt. Any dispute as to the amount of those costs is to be determined by the Chief Executive of the Office of Local Government.
- (3) This section has effect despite section 296 of the Principal Act.

These amendments will ensure that the independent Electoral Commissioner remains responsible for elections and the non-residential electoral roll. Having the council manage the rolls and run elections is tantamount to the Department of Premier and Cabinet being responsible for the State electoral rolls. The general manager could potentially be subject to interference by a politically motivated lord mayor and council. No election would be free from claims of political interference and therefore remain untainted. Australia has an enviable history of elections with a high degree of legitimacy, and this should not be placed in jeopardy.

To support the need for independently run elections we have only to look to the United States where politicians appoint those who run elections and the problems that occurred in the 2000 presidential elections. The Victorian Local Government Electoral Review report recommended that management of the voters roll be transferred from the council to the independent Electoral Commissioner. Why would the Government push a system that experts see as flawed and recommend be abandoned? The New South Wales Division of the Liberal Party's policy is that the Electoral Commissioner runs local elections and City of Sydney elections were transferred to the Electoral Commissioner under amendments moved by this Government when it was in opposition—by Duncan Gay, who is now building Clover's bike paths.

One wonders why the Government now wants to remove independence from city-run elections. The model proposed under the bill is for a permanent non-residential roll even though permanent non-residential rolls were abandoned after the Crown Solicitor identified in 1995 that it led to serious inaccuracies that made it unsafe to hold an election. Businesses are ever changing. Unlike residents, businesses can appear on non-residential rolls for multiple local government areas. It is easy to create sham businesses for the purpose of votes. Residential rolls are more accurate because a change in details replaces previous details for all rolls across the country at all levels of government.

The bill provides nothing to help improve the accuracy of the non-residential roll and the potential for error under a system that gives businesses two votes is real and dangerous. More than ever this system will make it vital that an independent body manages elections, registers and rolls. Government amendments to allow councils to outsource management of electoral rolls will do nothing to prevent a politically motivated council from managing the non-residential roll. There may be interference from mayors and councillors in the future. Independent elections are fundamental to healthy democracies and the independent Electoral Commissioner must remain responsible for the electoral rolls and elections. I commend the amendments to the House.

Mrs BARBARA PERRY (Auburn) [10.46 p.m.]: The Labor Opposition will be supporting these amendments. It has been a consistently held view of the Labor Opposition that best practice and governance in local council elections is that they are at arms-length, which requires that they be conducted and the roll kept by the Electoral Commissioner. To do otherwise is a farce. In 2013 the New South Wales Liberal Party submitted a letter to the Electoral Commission that simply and clearly stated it was the Liberal Party's position that the Electoral Commissioner should keep rolls and conduct elections. That is the way it should be.

One has to ask what the motivation is for a change in direction just one year after the Liberal Party wrote to the Electoral Commissioner. It is of grave concern and highlights the political expediency of this bill. It

is the best evidence of that political expediency and it is a disgrace. No matter how good a general manager is, it is the view of most general managers in this State that their core business is not to keep electoral rolls. They are absolutely right. It is a disgrace that this bill forces on councils and general managers the management of electoral rolls thereby ensuring that the community has no confidence in the process.

Mr JAMIE PARKER (Balmain) [10.48 p.m.]: I know that it is late but I am forced to contribute to debate on this matter because, frankly, I am baffled as to why the Government is taking this position. We know that on 29 April 2013 the Liberal Party wrote to the Joint Standing Committee on Electoral Matters and stated:

As a general comment it is the position of the Liberal Party of Australia, New South Wales Division, that in order to ensure consistency, efficiency and cost effectiveness all future local government elections in all local government areas should be conducted by the New South Wales Electoral Commission and no other entity.

That was the position of the Liberal Party in 2013. It is now saying it will not only let elections be run by private companies but also allow the general manager or a private company to take control of the roll and the registry. That seems crazy to me. We are opening the system to rorts, mistakes and political manipulation. The turnaround has been remarkable. It would cost nothing for the Government to let the NSW Electoral Commission run the roll. If the Government does not want to let the commission run elections, which the Liberal Party said it supports, let it run the registry and the roll. That would give this system that the Government has made a dog's breakfast of—this bizarre mess of a process—some integrity and make it more robust. I call on the Government to think sensibly about its decision to let a general manager or a private company run the electoral roll. I understand this matter was subject to an amendment adopted by the upper House. The truth is the task will be better done by the proper, independent, well-regarded body that is the NSW Electoral Commission.

Mr RON HOENIG (Heffron) [10.50 p.m.]: One of the problems revealed by the review of the Victorian model on which this model is based related to the integrity of the election process, which the Georgiou committee questioned because of the way the model operated in two local government elections in the City of Melbourne. Giving the keeping of the rolls to the Electoral Commissioner is core business. The Government amended the Act at the request of local government to enable councils to run their elections. That occurred mainly because of the Electoral Commissioner's gouging of local government on costs. Perhaps the Minister can indicate why he has chosen to go down this path. If it is a cost issue he could simply require that the Electoral Commissioner do it at the council's cost, although that would be somewhat unfair.

The city council represents a certain part of my electorate. As I have indicated to the House before, the city council has been extraordinarily generous to the New South Wales Government with ratepayers' funds. It has contributed hundreds of millions of dollars towards the light rail process and has taken some heat from its local residents. On a number of occasions it has contributed to the cost for main roads and other works in my electorate to which no other council would contribute. Imposing a financial burden without consultation on a council that has been financially supportive of the New South Wales Government is not appropriate. I ask the Minister to bear in mind what the member for Sydney said about political interference and consider whether the Government should require the Electoral Commissioner to keep the roll. If it is a cost-gouging exercise, the Government could do it in the same way that the Electoral Commissioner conducts other elections; that is, to take the money from the council—or gouge the money from the council, which is what really happens.

Mr PAUL TOOLE (Bathurst—Minister for Local Government) [10.53 p.m.]: The Government will not be supporting any of the amendments put forward by the member for Sydney. The general manager and not the NSW Electoral Commissioner is best placed to prepare and maintain the City of Sydney non-residential rolls. This is because the City of Sydney and not the NSW Electoral Commissioner holds the necessary land and property information required to prepare the non-residential rolls. Secondly, all other councils in New South Wales are responsible for preparing and maintaining their non-residential rolls. Thirdly, Government amendments to the bill allow the council to retain a specialist service provider to assist the general manager to prepare and maintain the non-residential rolls and the non-residential rolls information register they are based on. Finally, as a safeguard the general manager is required to provide the non-residential rolls to the Electoral Commissioner for verification and will be obliged to correct the rolls where advised by the Electoral Commissioner to do so.

The Government does not support amendment No. 56 because it is contrary to the position the Government took to the last State election to return to councils the power to choose to administer their own elections, which is a position now reflected in section 296 of the Local Government Act. Fourteen councils successfully administered their elections in 2012, some at a lower cost than the cost estimated for the Electoral

Commission to administer them. In relation to amendment No. 14 the Electoral Commissioner has advised management by the NSW Electoral Commission because most of the information that attests to the validity of a property-based claim for enrolment is held on council systems. The NSW Electoral Commission has no access to relevant property information.

Mr ALEX GREENWICH (Sydney) [10.55 p.m.]: We have heard much about the Joint Standing Committee on Electoral Matters inquiry into the 2012 local government elections. We are told the committee members read all the submissions in detail before making their recommendation to go with the Melbourne model. I do not know whether Liberal members missed it but it is important to note that the Liberal Party submission to that inquiry stated:

... it is the position of the Liberal Party of Australia (New South Wales Division) that, in order to ensure consistency, efficiency and cost effectiveness, all future local government elections in all Local Government Areas should be conducted by the New South Wales Electoral Commission and no other entity.

If the Electoral Commissioner corresponded with the Minister for Local Government it is important to work out whether that correspondence happened before or after the amendments in the upper House today were made apparent. As I and City of Sydney councillor Angela Vithoulkas identified, it was clear that the Government did not understand the difference between the rating systems of Sydney and Melbourne and did not understand the definition of parcel of land. As a result there would be no doubt in my mind that the Electoral Commissioner would not want to have any part in that messy process. However, the Government has fixed that situation through amendments in the upper House. The process is now one which I would hope the Electoral Commissioner would be best placed to oversee. The independent Electoral Commissioner was appointed to run elections and remove political interference. That is what my amendments seek to achieve. I commend them to the House.

Question—That amendments Nos 5, 7 to 9, 11, 13 to 15, 17, 25 to 28, 30 to 33, 35 to 39, 41 to 50, 53 and 56 of Mr Alex Greenwich [C2014-080H] be agreed to—put.

The House divided.

Ayes, 17

Mr Barr
Ms Burney
Mr Daley
Mr Greenwich
Ms Hay
Mr Hoenig

Mr Lynch
Dr McDonald
Ms Mihailuk
Mr Park
Mr Parker
Mrs Perry

Mr Rees
Ms Tebbutt
Mr Zangari
Tellers,
Mr Amery
Mr Lalich

Noes, 39

Mr Aplin
Mr Ayres
Mr Barilaro
Mr Baumann
Ms Berejiklian
Mr Bromhead
Mr Conolly
Mr Constance
Mr Coure
Mr Dominello
Mr Doyle
Mr Evans
Mr Flowers
Mr Fraser

Mr Gee
Ms Gibbons
Ms Goward
Mr Grant
Mr Gulaptis
Ms Hodgkinson
Mr Holstein
Mr Humphries
Mr Kean
Mr Maguire
Mr O'Dea
Mr Perrottet
Mr Provost
Mr Roberts

Mr Sidoti
Mrs Skinner
Mr Speakman
Mr Stokes
Mr Toole
Ms Upton
Mr Ward
Mr R. C. Williams
Mrs Williams

Tellers,
Mr Patterson
Mr J. D. Williams

Pairs

Ms Burton
Mr Collier
Mr Furolo
Ms Hornery
Mr Robertson
Ms Watson

Mr Baird
Mr Hazzard
Dr Lee
Mr Piccoli
Mr Rowell
Mr Stoner

Question resolved in the negative.

Amendments Nos 5, 7 to 9, 11, 13 to 15, 17, 25 to 28, 30 to 33, 35 to 39, 41 to 50, 53 and 56 [C2014-080H] of Mr Alex Greenwich negatived.

Mr ALEX GREENWICH (Sydney) [11.03 p.m.]: I move amendment No. 34 on sheet C2014-080H:

No. 34 **Optional voting**

Page 8, schedule 1 [14]. Insert after line 22:

- (5) The Electoral Commissioner must not include on a roll prepared under this section an elector who is otherwise entitled to be included on the roll if the elector or, in the case of a nominated elector, the person or persons entitled to nominate the elector notify the Electoral Commissioner in writing, at any time before the closing date for the election, that the elector is not to be included on the roll.

The City of Sydney (Elections) Amendment Bill 2014 will make it compulsory for non-residential voters to be on the electoral roll and to vote. Businesses that fail to provide relevant information for the register will receive a \$2,200 fine and businesses that do not vote will receive a \$55 fine. This will be a great impost on businesses, many of which do not want to vote. NSW Business Chamber senior policy manager Luke Aitken told the Joint Standing Committee on Electoral Matters that it should consider all the submissions before it formed its opinion and that "there is too much focus on the compulsory aspect", asserting that to increase business participation it is more important to make the process easier.

The Government must acknowledge that some businesses have constitutions or policies that require them to remain politically neutral. This legislation would put such organisations in a difficult position if they were forced to register and to nominate someone to vote on their behalf. There would be sections of the media that would want to remain neutral in an election and there would be sections that would not, and the *Daily Telegraph* comes to mind. My amendment will give eligible non-residential voters who do not want to be included on the roll the opportunity to opt out by writing to the Electoral Commissioner.

Because it is an opt-out system, only businesses with well-founded objections to voting would make use of this provision. I encourage Government members to speak to businesses, big and small, and if they do they will understand that a number of corporations are required to remain politically neutral. Again, that level of consultation did not occur. While compulsory voting is part of this bill, there should be a way for businesses that must be politically neutral to avoid being forced to vote or to be fined. I commend the amendment to the House.

Mr RON HOENIG (Heffron) [11.07 p.m.]: The House should consider this amendment carefully. There will be no independent record and council officers would have to go doorknocking to find out who is in what shop. Tenants come and go from premises. The Sydney local government area extends from Sydney Harbour to Rosebery, to Paddington and to Glebe. This legislation requires every conceivable business operator not only to enrol their business but also to select two voters. I can imagine the general manager of the City of Sydney determining which two bikies in a tattoo parlour, which two sex workers in a brothel or which two masseurs in a massage parlour should be nominated.

The DEPUTY-SPEAKER (Mr Thomas George): Order! To what part of the bill is the member referring?

Mr RON HOENIG: I am speaking to the amendment about compulsory voting and the general manager having to select two people from within a business to vote. That could lead to absurd results. A number of the drinkers on the backbenches should listen to this because it is embarrassing.

Mr Andrew Constance: Point of order: My point of order relates to relevance. This is completely outside the leave of the amendment before the House. We are being kept late deliberately and carrying on like that is unparliamentary. The member should be directed to address the amendment.

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

Mr JAMIE PARKER (Balmain) [11.08 p.m.]: Despite the fact that the City of Sydney election is two years away, we are here because the Government is trying to ram through this legislation. It is important that we address each of these matters. The City of Sydney is an important organisation with a turnover of more than \$500 million and it has a significant impact on this city. This amendment provides for businesses and organisations that seek to be neutral to be able to do so. We know that there are large and small businesses that, for example, do not make political donations and whose boards have decided that it is appropriate to provide political donations. They are neutral and politically independent. In this situation, we will have boards debating it.

We will have company secretaries having to examine which parties to vote for. That will introduce even more of a burden on businesses. Many members know that members of boards adopt different political positions. Are we expecting organisations to be fighting about who votes, where, when and how? If a business does not want to be involved because it has adopted a politically neutral position, it should be able to not participate. There are many organisations—the member for Sydney identified several of them—whose constitutions and organisational charters stipulate that they are politically neutral. They do not take a political position. For example, advocacy organisations that lobby and work with the Government have to take a position of political neutrality.

The DEPUTY-SPEAKER (Mr Thomas George): Order!

Mr JAMIE PARKER: I think there have been a few too many glasses of wine over dinner for some members.

The DEPUTY-SPEAKER (Mr Thomas George): Order! The member for Balmain will confine his remarks to the leave of the amendment.

Mr JAMIE PARKER: I will, Mr Deputy-Speaker. It is important for the matters I have mentioned to be considered. It is important for businesses to have the option of asking not to be compulsorily included on the roll because they have adopted a politically neutral position.

Mr PAUL TOOLE (Bathurst—Minister for Local Government) [11.10 p.m.]: The Government will not support the amendment moved by the member for Sydney. If non-residential electors are allowed to opt out of non-residential rolls, that would be inconsistent with the long-enshrined tenet of Australian democracy that is reflected in the institution of compulsory voting—that all eligible citizens have a fundamental duty to participate in the democratic process.

Mr ALEX GREENWICH (Sydney) [11.11 p.m.]: In response to what the Minister said, I think it is important to note that democracy is about people. Voting is compulsory for individuals in Australia, which is something I support, but what we are talking about is forcing corporations, which may wish to remain politically neutral or may be forced by their membership to be independent and politically neutral, to vote. The Government's rejection of the amendment reflects that the Government has not consulted wide and far with the business community, non-government organisations [NGOs] or other organisations that will be affected by this legislation. I hope that this position will be revisited by the Government. I commend the amendment to the House.

Question—That amendment No. 34 of Mr Alex Greenwich [C2014-080H] be agreed to—put.

The House divided.

Ayes, 17

Mr Barr
Ms Burney
Mr Daley
Mr Greenwich
Ms Hay
Mr Hoenig

Mr Lynch
Dr McDonald
Ms Mihailuk
Mr Park
Mr Parker
Mrs Perry

Mr Rees
Ms Tebbutt
Mr Zangari
Tellers,
Mr Amery
Mr Lalich

Noes, 39

Mr Aplin	Mr Gee	Mr Sidoti
Mr Ayres	Ms Gibbons	Mrs Skinner
Mr Barilaro	Ms Goward	Mr Speakman
Mr Baumann	Mr Grant	Mr Stokes
Ms Berejiklian	Mr Gulaptis	Mr Toole
Mr Bromhead	Ms Hodgkinson	Ms Upton
Mr Conolly	Mr Holstein	Mr Ward
Mr Constance	Mr Humphries	Mr R. C. Williams
Mr Coure	Mr Kean	Mrs Williams
Mr Dominello	Mr Maguire	
Mr Doyle	Mr O'Dea	
Mr Evans	Mr Perrottet	<i>Tellers,</i>
Mr Flowers	Mr Provost	Mr Patterson
Mr Fraser	Mr Roberts	Mr J. D. Williams

Pairs

Ms Burton	Mr Baird
Mr Collier	Mr Hazzard
Mr Furolo	Mr Issa
Ms Hornery	Mr Piccoli
Mr Robertson	Mr Rowell
Ms Watson	Mr Stoner

Question resolved in the negative.

Amendment No. 34 of Mr Alex Greenwich [C2014-080H] negatived.

The DEPUTY-SPEAKER (Mr Thomas George): Order! There remains only one amendment, which we can probably rush through if members remain seated. Otherwise, members can leave the Chamber and there will be a three-minute bell.

Mr ALEX GREENWICH (Sydney) [11.18 p.m.]: I move amendment No. 40 on sheet C2014-080H:

No. 40 **Public inspection of Register**

Page 10, schedule 1 [14], line 5. Omit "not".

The integrity of who is on the electoral roll is paramount to a fair and democratic election. As I stated, in 1995 the Crown Solicitor advised that inaccuracies in the non-residential roll created such a serious potential fraud and corruption that a City of Sydney election would be unsafe to hold. In response, permanent electoral rolls were abandoned for non-residential voters. The City of Sydney Amendment (Elections) Bill 2014 would result in a return to permanent rolls, despite the constantly changing nature of businesses. There is a risk that sham businesses will be created for the potential to get on the roll. The stakes are high, with each business being awarded two votes. The motivations behind this bill, as identified by the Hon. Robert Borsak in his introductory speech, also raise a number of alarm bells, which is a view shared by members on all sides of the House.

At the same time the bill makes the general manager responsible for the non-residential electoral roll, a person who is answerable to councillors and the mayor. In such a situation the non-residential business register should be publicly available to enable the investigation of allegations of fraud. It is important that we do whatever we can to ensure we can investigate allegations of fraud. While the bill is all about imposing the Melbourne system on Sydney, in Melbourne the chief executive officer must release a public exhibition of the non-residential roll for 28 days before the final roll is signed off. Interestingly, the Shooters and Fishers Party's bill mimics all other provisions in Melbourne but does not adopt this provision. Instead, it makes the roll confidential.

Under the bill it is not even certain whether the city's external probity auditor would be able to inspect the register. There is no need for this. A public and transparent non-residential register would help control the

roll's integrity. If there is nothing to hide why not keep public the roll and the register? The register holds information on companies, not on individuals. It is vital that this is open to public scrutiny and not hidden. My amendment would make the non-residential register public. I commend my amendment to the House.

Mr PAUL TOOLE (Bathurst—Minister for Local Government) [11.20 p.m.]: The Government does not support this amendment for several reasons. First, the amendment is not necessary. There is an existing right for members of the public to inspect non-residential rolls under section 302 of the Local Government Act 1993. Second, the Government amendment to the bill seeks to facilitate public access to and scrutiny of the rolls by requiring the general manager to prepare the non-residential rolls as soon as practicable after the lapsing of the rolls after the last election. This will improve transparency and accuracy. Third, if passed the amendment will allow anyone to access private and personal information collected by the council to assist the preparation of the rolls, but that would not otherwise be publicly disclosed in the rolls. This includes information about the addresses of silent electors that would not otherwise be publicly accessible.

Mr ALEX GREENWICH (Sydney) [11.21 p.m.]: This amendment is about making sure the register that informs the roll is a public document open to scrutiny. Alarm bells are ringing that this dodgy legislation is set to pass the House and that the register is being kept secret. I commend my amendment to prevent this flaw.

Question—That amendment No. 40 of Mr Alex Greenwich [C2014-080H] be agreed to—put.

The House divided.

Ayes, 17

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

Noes, 39

Mr Aplin	Mr Gee	Mr Sidoti
Mr Ayres	Ms Gibbons	Mrs Skinner
Mr Barilaro	Ms Goward	Mr Speakman
Mr Baumann	Mr Grant	Mr Stokes
Ms Berejikian	Mr Gulaptis	Mr Toole
Mr Bromhead	Ms Hodgkinson	Ms Upton
Mr Conolly	Mr Holstein	Mr Ward
Mr Constance	Mr Humphries	Mr R. C. Williams
Mr Coure	Mr Kean	Mrs Williams
Mr Dominello	Mr Maguire	
Mr Doyle	Mr O'Dea	
Mr Evans	Mr Perrottet	<i>Tellers,</i>
Mr Flowers	Mr Provest	Mr Patterson
Mr Fraser	Mr Roberts	Mr J. D. Williams

Pairs

Ms Burton	Mr Baird
Mr Collier	Mr Hazzard
Mr Furolo	Dr Lee
Ms Hornery	Mr Piccoli
Mr Robertson	Mr Rowell
Ms Watson	Mr Stoner

Question resolved in the negative.

Amendment No 40 of Mr Alex Greenwich [C2014-080H] negatived.

Schedule 1 agreed to.

Consideration in detail concluded.

Third Reading

Mr PAUL TOOLE (Bathurst—Minister for Local Government) [11.27 p.m.]: I move:

That this bill be now read a third time.

Question put.

The House divided.

Ayes, 39

Mr Aplin	Mr Gee	Mr Sidoti
Mr Ayres	Ms Gibbons	Mrs Skinner
Mr Barilaro	Ms Goward	Mr Speakman
Mr Baumann	Mr Grant	Mr Stokes
Ms Berejiklian	Mr Gulaptis	Mr Toole
Mr Bromhead	Ms Hodgkinson	Ms Upton
Mr Conolly	Mr Holstein	Mr Ward
Mr Constance	Mr Humphries	Mr R. C. Williams
Mr Coure	Mr Kean	Mrs Williams
Mr Dominello	Mr Maguire	
Mr Doyle	Mr O'Dea	
Mr Evans	Mr Perrottet	<i>Tellers,</i>
Mr Flowers	Mr Provest	Mr Patterson
Mr Fraser	Mr Roberts	Mr J. D. Williams

Noes, 17

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

Question resolved in the affirmative.

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

BAIL AMENDMENT BILL 2014

MINING AMENDMENT (SMALL-SCALE TITLE COMPENSATION) BILL 2014

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

BUSINESS OF THE HOUSE

Suspension of Standing and Sessional Orders: Matter of Public Importance

Motion by ANTHONY ROBERTS agreed to:

That standing and sessional orders be suspended to permit the matter of public importance submitted by the member for Fairfield today, Australian Citizenship Day, to be considered on Thursday 18 September 2014 immediately following the conclusion of the discussion on the 10,000 signature petition.

Pursuant to resolution private members' statements proceeded with.

PRIVATE MEMBERS' STATEMENTS

LIFE EDUCATION PROGRAM

Mr KEVIN CONOLLY (Riverstone) [11.32 p.m.]: I draw the attention of the House to the privilege I had on Friday 5 September to represent the Premier and the Minister for Mental Health at the thirty-fifth anniversary celebration of the Life Education Program in New South Wales. The anniversary celebration was one of the rare events that was attended in Australia by both the Governor-General, His Excellency General the Hon. Peter Cosgrove, and the New South Wales Governor, Her Excellency Professor the Hon. Dame Marie Bashir, in their respective capacities as Commonwealth and New South Wales patrons of Life Education.

The DEPUTY-SPEAKER (Mr Thomas George): Order! There is too much audible conversation in the Chamber. Members who wish to converse will do so outside the Chamber.

Mr KEVIN CONOLLY: Life Education is such a worthy cause that it was recognised by dignitaries of this calibre and given the rare honour of the presence of both the Governor-General and the New South Wales Governor, who are rarely in attendance at any function together. They were both there on this occasion to celebrate this wonderful event. Life Education was founded in 1979 by the Reverend Ted Noffs. The issue of illicit drugs had reared its ugly head and as a community we were struggling to understand how to deal with the problem. From his base at the Wayside Chapel in Kings Cross in inner Sydney, Ted was in the thick of it. He immediately started providing forms of crisis relief, treatment and rehabilitation services to the victims of drug abuse. In the midst of the chaos, Ted developed a clear understanding of the importance of a preventative strategy and a clear vision of what was required if we were to provide our children with the best opportunity they deserved to avoid the danger of drugs and to live their lives to their full potential.

Ted's vision for Life Education was centred on a simple but powerful concept: That each and every child is unique and it was our responsibility to make sure every child appreciated that; and to provide children with the opportunity to develop the knowledge, skills and strengths they needed to make good decisions in life. As the member for Riverstone, I had the pleasure of both observing Life Education in action at one of my local schools, Schofields Public School, and providing assistance through the Community Building Partnership program to refurbish the mobile van serving the Riverstone electorate. I am pleased that students living in Riverstone are among the 611,000 in 2013 and the more than five million students across Australia over the past 35 years who have benefited from Life Education programs.

The Life Education Gold Harold Humanitarian Award is a respected honour bestowed annually on a group or individual who has made significant contributions to the welfare of children. This humanitarian award applauds the efforts of people who bring hope and inspiration and help to change lives for the better. At the event I attended, it was the honour of Life Education to be able to present this humanitarian award to Her Excellency Professor the Hon. Dame Marie Bashir, AD, CVO. As we all know, Professor Marie Bashir, the Governor of New South Wales, has had a distinguished career in many fields since she graduated in psychiatry and was appointed to establish the Rivendell Child Adolescent and Family Unit to provide comprehensive specialist consultative services for young people with emotional and psychiatric problems. Her key interests have included child and adolescent depression, mental health issues affecting refugee and immigrant children, juvenile justice and Aboriginal health.

Having had a special interest over many years in Indigenous health, Professor Bashir has travelled extensively to remote communities in central Australia, the Kimberley and Arnhemland to gain a closer understanding of issues of culture and history, which impact significantly on health. In 1995, in partnership with the Aboriginal Medical Service, Redfern, Professor Bashir established the Aboriginal Mental Health Unit, which provides regular clinics and counselling in both the Aboriginal Medical Service in Sydney and mainstream centres. Links to Indigenous rural communities have also been developed through the availability of telemedicine technology. Professor Marie Bashir was a wonderful and worthy recipient of this award.

Life Education has done a wonderful job over its 35 years of existence. Healthy Harold is now a much-loved and respected figure across Australia and in many countries around the world. Two generations of Australians have grown up being guided by Life Education. As a movement, it is a shining example of what private energy, passion and vision can do for communities. The vision of Ted Noffs has contributed greatly to the betterment of New South Wales and Australia and no doubt has enhanced the resilience and capacity of young Australians to make positive life choices.

MOON FESTIVAL

Mr NICK LALICH (Cabramatta) [11.37 p.m.]: On Sunday 7 September the centre of Cabramatta was cordoned off for one of the biggest events in my community's calendar, the Moon Festival. Also known as the mid-Autumn Festival, the Moon Festival is celebrated throughout China and Vietnam. It celebrates three concepts: gatherings, such as the coming together of family and friends or in harvesting crops; thanksgiving, to give thanks for the harvest, or for harmonious unions; and prayer, for babies, a marriage, beauty, longevity or a good future.

An important part of the festival is moon worship. Offerings are made to the Moon Goddess of Immortality, Chang'e. The legend of the Moon Goddess goes like this: There was a man named Yi, an excellent archer, who was married to Chang'e. One year there rose 10 suns in the sky, which was a disaster for the people. Yi shot down nine suns and left one to give light. As thanks, Yi was given the elixir of immortality. But Yi did not want to be immortal as he did not want to live forever without Chang'e, his wife.

Yi gave Chang'e the elixir to keep safe. One of Yi's apprentices found out about the elixir and tried to force Chang'e to give him the elixir but Chang'e refused. Instead, Chang'e drank the elixir and flew into the sky. She did not want to be too far away from her husband so she chose to live on the moon. Yi was so sad about losing his wife that he put in his garden fruits and cakes that Chang'e liked as offerings to his wife. This is said to be the origin of the Moon Festival.

I have been fortunate to have attended almost every Moon Festival held in Cabramatta. In fact, I attended the first Moon Festival organised by Fairfield City Council. Back then we had a crowd big enough to fill Freedom Plaza. Now the festival takes over the entire centre of Cabramatta. In the beginning it was mainly the local Asian community who attended the festival, but now the Moon Festival is embraced by everyone. The Moon Festival's rising popularity could be a reflection of how Cabramatta has changed over the years. I have lived and worked in the area for more than 60 years; I was there in the 1980s and 1990s when people were too scared to visit Cabramatta.

I am proud that it was the Labor Party, with Bob Carr as Premier, Reba Meagher as local member and me as mayor, and our hardworking Police Force that cleaned up our streets. Now Cabramatta is a busy, open, safe and friendly place. At any time of the week there are many families enjoying our famous restaurants, shopping for groceries and fabrics or just taking in the atmosphere. One may also see busloads of tourists and schoolchildren on an excursion through Cabramatta. The Moon Festival now attracts people to Cabramatta from all over the State. This year's Moon Festival drew more than 80,000 people. Despite the drizzle and cold there were thousands of families with young children. We were fortunate this year to have the 2013 X Factor winner, Dami Im, perform for the crowds. The petting zoo, rides and the vast array of food were hugely popular with families.

The Moon Festival has a special place in my heart as it celebrates what the Asian community has brought to Cabramatta. I must admit I am not a great fan of the moon cake but I love the lanterns, the lion dancing and what the Moon Festival represents: a time to get together with loved ones and give thanks. I feel very lucky to represent one of the most successful multicultural communities—a shining example of how so many cultures can live side by side in harmony, celebrating each other's festivals and milestones and respecting everyone's traditions. I encourage everyone to come to Cabramatta next year and experience the Moon Festival. I am sure that once people have been to Cabramatta they will come back time and again.

PORT MACQUARIE ELECTORATE ROADS

Mrs LESLIE WILLIAMS (Port Macquarie-Parliamentary Secretary) [11.42 p.m.]: On 14 June 2011, soon after being elected to this Parliament, I spoke in the House about what I believe is top of mind for many people living in the Port Macquarie electorate—roads. Not a week goes by without a constituent raising concerns with me about the state of local roads and the need for upgrades and maintenance. I made it very clear at the time that I was sympathetic to the battle facing local councils with regard to the deterioration of the local road network and the ongoing challenges in maintaining them to meet the needs of all road users. I also understand the impact of weather events on the road surface and that this has real cost implications for both councils encompassed by the Port Macquarie electorate: Greater Taree City Council and Port Macquarie-Hastings Council.

Twelve roads identified by the former council at that time as being in very poor condition required work at an estimated cost of \$15 million to bring them up to standard. They included Hannam Vale Road,

Crowdy Head Road, Lansdowne Road, Waitui Road and Beach Street at Harrington. I meet regularly with the mayor, the general manager, staff and councillors of Greater Taree City Council to discuss road priorities and possible solutions to ongoing maintenance and improvements to the network. As a result of those meetings, I have discussed local road issues with the Minister for Roads and Freight, the Hon. Duncan Gay, and specifically the upgrade of a section of Hannam Vale and Waitui Road, estimated to cost \$2 million. I have also encouraged the council to consider upgrades through the Regional Roads Repair Program, as it has similarly done for Wingham Road in Taree.

Local residents of Waitui Road have identified a section that becomes very muddy and slippery during wet periods and which resulted in a near-miss in mid-August. The section of road between the villages of Hannam Vale and Waitui recently has been graded by council. The residents, while very appreciative of this maintenance work, believe tar sealing at least a section either side of the intersection will address safety concerns. Similarly, at a meeting I attended earlier this month with the Harrington-Crowdy Head Chamber of Commerce, there was discussion about the need for improvements on Crowdy Head Road. However, it was agreed that the replacement of the Wards Creek Bridge in Harrington was a high priority for the community and potentially could accommodate safer pedestrian and cycle access in this vicinity. I am pleased that the Chamber of Commerce, the Greater Taree City Council, the community and I are keen to work together to achieve a positive outcome in the short term and will strategically plan for the staged improvements along the foreshore.

Similarly, sections of the road network in the Port Macquarie-Hastings Council jurisdiction are in urgent need of maintenance and upgrades to accommodate the needs of the growing population. Constituents have identified Sarah's Crescent at Kings Creek, Lake Road, Hastings River Drive and Ocean Drive as roads that are in need of attention. I recently lodged a petition in Parliament, as did the Deputy Premier and Minister for the North Coast, relating to roads in the Port Macquarie-Hastings local government area. In particular, the citizens request an independent review into discrimination by the council in the allocation of services—road repairs and construction—to any roads outside the township of Port Macquarie.

I acknowledge the significant backlog of infrastructure improvements in the local government area. The council has estimated the value of the accumulation to be \$188 million. The Liberals and The Nationals have provided assistance to the council for numerous road projects. In fact, this evening councillors voted to accept \$400,000 from the Government to improve the intersection of Lake Road and Blackbutt Road in Port Macquarie. This Government has also committed \$10 million towards the duplication of Ocean Drive from Green Meadows Drive to Matthew Flinders Drive. For the Camden Haven community the major road infrastructure that is top of mind is the replacement of Stingray Creek Bridge. While this was a commitment by the former Government, following my representation the Hon. Duncan Gay agreed to contribute a further \$2 million.

The Port Macquarie-Hastings Council is able to access the New South Wales Government's Local Infrastructure Renewal Loan Scheme for the remaining and matching \$8 million. The lack of progress on both of these projects has frustrated the local community and I can assure them that both I and the Minister for Roads share their concerns. To ease their disquiet, I can assure the community that it is my priority to work closely with council and the Roads and Maritime Services to ensure both projects commence as soon as possible.

On 5 June, at my invitation, the Minister visited the electorate to inspect a number of roads, including the Wrights Road and Oxley Road intersection. This road had been identified by the council as a concern with regard to its capacity to accommodate the increased traffic resulting from the growing residential areas, Charles Sturt University and the proposed bulky goods development on John Oxley Drive. I was pleased that the Minister announced on the day that he would obtain an allocation of funds to improve the existing roundabout, estimated to cost \$7 million. The upgrade is scheduled to commence in April or May 2015.

The Port Macquarie-Hastings Council has prioritised the upgrade of Houston Mitchell Drive, south of Lake Cathie, and I have had discussions with the Minister to seek advice about how the Government may be able to assist council with the upgrade of this local road. The backlog of infrastructure projects is not unique to the Port Macquarie electorate. A recent report by the NRMA found a funding backlog of \$1.15 billion to bring North Coast council roads up to scratch.

Whilst assistance for local councils from the former Government to address the mounting list of road upgrades was sparse, the Liberals and The Nationals are providing ongoing support through various funding opportunities. For example, in the 2014-15 budget Minister Gay announced additional funding to fix country roads and committed \$37.5 million towards improving our local roads, connecting our towns and unlocking our

economic potential. The New South Wales Government is determined to rebuild regional New South Wales. Despite the challenges facing the New South Wales economy, the Government is investing in vital infrastructure that will benefit local communities such as those in the Port Macquarie electorate.

ACMENA JUVENILE JUSTICE CENTRE CANINE COMPANION PROGRAM

Mr CHRISTOPHER GULAPTIS (Clarence) [11.47 p.m.]: On 1 September I had the opportunity to visit the Acmena Juvenile Justice Centre in Grafton to see firsthand the beneficial impacts that the Canine Companion Program was having on the young residents of the facility. I met with Carolyn Dowling, Centre Manager at Acmena, and Louisa Dear, Acting Director, Policy and Government Relations. I also met with the two young detainees who had taken charge of the current dogs in the program, a Staffordshire terrier cross named Chelsea, and a dingo cross named Penny, as well as with Jason Grimes, a youth worker and canine behaviourist, and his dog Blitz. Blitz is a labrador who is retired from public service where he performed sniffing duties. I know most dogs sniff but Blitz was a public service sniffer.

The Canine Companion Program has been a terrific success and recently celebrated its first birthday, officially being opened at Acmena on 14 August 2013. The opening ceremony was enjoyed by local council representatives, including Mayor Ritchie Williamson. Also present were Acmena staff, detainees and the first two dogs housed in the program, Banjo and Beau. The Canine Companion Program is intended to teach detainees care and nurturing responsibilities necessary for maintaining a dog. Under the guidance of the Orara Unit staff and the programs team at Acmena, detainees have responsibility for the daily cleaning of the dogs' living environments, as well as exercising, feeding, grooming and obedience training of the dogs. The program is supported by the Clarence Valley Council Animal Shelter, which provides ongoing advice to Acmena on the effective operation of the kennel, as well as animal care and dog obedience training.

Acmena is now well situated to support the local animal shelter by providing an alternative kennelling location with the added benefit of regular human interaction, companionship and care for the animals by the young detainees involved in the program. The program teaches the young detainees about unconditional love—something that many of them have never experienced in their home life. Under the New South Wales Companion Animals Act impounded dogs are to be held until they are reclaimed by owners or purchased from a council pound. The program assists dogs to be rehoused more quickly due to the attention, care and training they get from detainees to make them ideal pets with minimum effort required from a potential new owner. Located at the rear of Orara units, the kennels used to house the dogs were constructed with the assistance of staff and detainees. Acmena detainees were involved in several aspects of the kennel construction, including the planning, brick and block laying, and concreting.

The work completed by the detainees contributed to a construction program in which they were participating through the Induna School that is based within the centre, leading to a qualification that, hopefully, will help them to gain employment when they are released from custody. Currently, the program has two dogs with two dedicated detainees, or handlers, training them very hard. In the past week alone there has been considerable improvement in both dogs' responses to human commands, with good interactions between the handlers and dogs. The program helps detainees to develop skills that can assist in their rehabilitation, such as improved communication and teamwork. The program requires maturity and dedication on the participant's part and also enables detainees to learn disciplined behaviours. Detainees improve their self-esteem and develop a sense of responsibility, patience, compassion and cooperation.

Juvenile Justice works hard to address the reasons that young people offend. Statistics tend to show that young offenders will not reoffend if they are involved and connected to community organisations. The Canine Companion Program is set to continue at Acmena Juvenile Justice Centre, with new dogs introduced regularly. The program will have the capacity to double the number of dogs once it is fully integrated into the facility. This is a terrific program for the young detainees and will certainly help them on their road to rehabilitation. I commend the work of Acmena Juvenile Justice Centre in introducing the program.

GOSFORD WATERFRONT DEVELOPMENT

Mr CHRIS HOLSTEIN (Gosford) [11.52 p.m.]: Today marks a key milestone in the city of Gosford as demolition began on the site of the former Gosford Public School. This is a major step in the redevelopment of the Gosford waterfront. The New South Wales Government is committed to rejuvenating the Gosford business district to make its waterfront a focal point for the community. The former Gosford

primary school site has much history, dating back to 1865 when a school shed was established in the grounds of a local church. In 1877 the school was relocated to Georgiana Terrace, a wonderful heritage building for the city of Gosford. It was not until 1954 that the school moved to the Gosford waterfront. Gosford Public School holds a special place in my heart as it was my old primary school in the late 1960s and early 1970s. In fact, the current principal of the new school, John Anderson, was a mate of mine who also attended the old school.

Today that 1954 relocated school is being demolished because we made a commitment to relocate the school to assist in the rejuvenation of the Gosford waterfront. In June this year we had the pleasure of opening the new Gosford Public School. Much contention surrounded the relocation of the new school, with some people upset and adamant that it should never have occurred. But there was a commitment to rejuvenating the waterfront and creating a new, state-of-the-art facility. I was pleased in June, along with Rob Stokes, the Minister for the Central Coast, to open the \$21.9 million state-of-the-art new school with 21 new classrooms, four special program rooms, a new hall, canteen and open living area. The new classrooms, measuring 92 square metres, dwarf the old 47 square metre classrooms—they are double the size. The students have been enjoying their new school site since June.

A few people will be upset that the old school is being demolished as it holds a special place in many hearts. In its last dying breath it has contributed to not only our community but also overseas. I commend the Gosford Rotary and Gosford North Rotary clubs, which worked with the Regional Development Corporation to inspect surplus furniture on the old school site. Working with the Minister, the development corporation and these two fine Rotary clubs, the surplus furniture was removed as it was no longer needed but could be recycled. The Rotary clubs organised to transport the furniture to various hospitals and schools in Papua New Guinea along the Kokoda Trail. Rotary is to be congratulated on assisting those disadvantaged communities by recycling this equipment and sending it overseas.

The Gosford North Rotary Club has a long history with Kokoda and Papua New Guinea. In 1994 three Rotarians travelled to the Oro Province to build an aid outpost in the jungle to serve the local community. This is payback to the Fuzzy Wuzzy Angels for the help they gave the Australian Diggers during the Kokoda conflict. Since then, the Rotary clubs have assisted in building 10 more outposts in the Oro Province. The old Gosford Public School now being demolished has continued to contribute to the local community as well as disadvantaged communities in Papua New Guinea.

This is just another stage for the city of Gosford in revitalising its waterfront. This school was close to many of us as our primary school and the place that many of our colleagues attended. It has evolved as a brand-new facility and helped create jobs as we move into the next stage of revitalising the waterfront by redeveloping the site. Many of the old students, their children and grandchildren will benefit from the jobs creation and economic growth resulting from the revitalisation of this site. As we say goodbye to the old Gosford school, we know there are better things in store for the Gosford community.

MINERS MEMORIAL SERVICE

Mr CLAYTON BARR (Cessnock) [11.57 p.m.]: The miners memorial service was held in my electorate on the weekend to commemorate the 1,800 people who have lost their lives in coalmines across the northern coalfields since coalmining began 200 years ago. Of course, this annual service is always moving and appropriate tributes are paid to the miners and the community of Cessnock and its valley. Unfortunately, this year four new names were added to the wall, which is the largest influx of names since the terrible Gretley disaster in 1996. The first name—because she was the first of the four to die in the past 12 months—is that of Ingrid Forshaw, who was crushed in a four-wheel drive vehicle at the Ravensworth mine. Ingrid has the unfortunate honour of being the first female to have her name inscribed on the wall bearing the names of 1,800 miners killed in pursuit of getting coal out of the ground in this great country. Ingrid was a resident of Cessnock, even though she worked at the Ravensworth mine a little further up the valley.

In April I made a private member's statement about Mr Jamie Mitchell and Mr Phillip Grant, who died in a tragic underground rock fall in the Austar mine at Paxton in the Cessnock electorate. The Cessnock electorate had an emotional couple of weeks because those two men were part of the fabric of our society. Indeed, their mates are my mates who live and work in the Cessnock community. Unfortunately, we also lost Mark Galten. Mark was not known to me. He worked further up the valley at Boggabri and was tragically killed in a crane accident in May. The names of those four miners were added to the existing 1,800 names on the wall.

Without fail, the speeches made during the miners memorial service are always about the ideal of never adding another name to the wall. The youngest person on the wall is an 11-year-old who died more than 70 ago. He was working in the coalmines as a roustabout, emptying skips and cleaning up the mine working areas. The oldest person on the wall is a 73-year-old who unfortunately was still working in the mines at a time when we did not have superannuation and pensions.

They are reminders to us, as a labour movement, of what we have done and what we have contributed to the fabric of our society. Child labour laws and superannuation and pensions are some of those contributions. We are proud of the work we have done in that space. Every person who goes to work should come home from work, which is a result of good work health and safety practices, doing everything we can to avoid what we often call "accidents" and trying to decipher what is a preventable accident and what is not. Several hundred people attended the service this year. That was to be expected because of the four new names added to the wall. Families of three of the four people added to the wall were present on the day. Unfortunately, the family of Mark Galten could not be there.

Bill Shorten gave the keynote address, and in doing so became the sixth leader of the Labor Party—one in a long line of leaders—to address the miners memorial service. Sometimes they are the Prime Minister and sometimes they are the Leader of the Opposition. Bill Shorten flew to Cessnock with his daughter that morning to give the keynote address. That the leader of the Federal party, regardless of which party it is, made the effort to fly from their home in their State to another State to make a keynote address indicates more than anything the importance of mining and the mining community to the people of Cessnock and to the labour movement. It was a sad occasion, with four new names added this year. I hope to attend many more memorial services but I certainly hope that no more names are added to the miners memorial wall in my lifetime.

BANORA POINT

Mr GEOFF PROVEST (Tweed—Parliamentary Secretary) [12.02 a.m.]: As always, I am 100 per cent for the Tweed. Banora Point is one of the largest population areas in the Tweed. Many great community groups and community-minded individuals reside there. The first group that springs to mind is the Banora Point and District Residents Association, with President John Sweeney, Secretary Pat Tate, Treasurer Charles Colgan and vice presidents Cliff Clothier and my good friend Rod Bates, who used to be head of the local police force. He is always active in many community activities. Banora Point and District Residents Association is an active group that ensures the Banora Point community has a voice in local planning matters, on discussion panels, and in working for improved facilities for the area.

East Banora Residents Association is a separate group that focuses on the area east of the Pacific motorway. Dr Terence Vardy is the president, and the recent upgrade of the Pacific motorway and its impacts on the area have been the main focus of his ongoing work. Given the close proximity to the Gold Coast Airport and its flight paths, understandably aircraft noise is another issue in the area. A number of people devote a great deal of time and effort to represent the Banora Point area committees that deal with this issue. The Airport Noise Abatement Consultative Committee members representing New South Wales who come from Banora Point are Barry Jephcote from the East Banora Residents Association and Bill Pinkstone of the Banora Point residents association.

Banora Point is represented on the Community Aviation Consultation Group by George Beattie from the Oxley Cove Community Group and Pat Tate from the Banora Point residents association. They are most active. Usually I get one or two calls a week from the various groups, and I also receive numerous letters. I applaud them for taking such an active interest in their local community. I am also a member of the Community Aviation Consultation Group but due to my parliamentary commitments I am not always able to attend meetings. I am most ably represented by my proxy from Banora Point, Mr Rod Bates, who incidentally also represents me at Tweed Shire Local Traffic Committee meetings when I am unable to attend. I am pleased that my good colleague the member for Lismore often attends those traffic meetings.

Then there is Nancy Parker of the Oxley Cove Community Landcare Group and Bev McNamara of Tweed Unlimited Arts, which is an active arts organisation established in Banora Point for the benefit of the Tweed shire generally. Time prevents me from praising all the hardworking members of the three groups in Banora Point, the State Emergency Service, the fire brigade and numerous sporting groups, services clubs and charitable organisations. Recently I was privileged to visit Tweed Unlimited Arts, where I saw alpacas being shorn. I actually spun wool, knitted and potted. I was fully engaged in potting, weaving, spinning and so on—

I suppose it goes with the great feeling that one gets from doing those types of things. I encourage the member for Lismore to come along; we could be shearing, spinning and potting. We would have a sensational time together.

Mr Clayton Barr: It sounds a bit like *Ghost*.

Mr GEOFF PROVEST: Absolutely. On behalf of the good people of Banora Point, I remind the House that I am 100 per cent for the Tweed.

Private members' statements concluded.

The House adjourned, pursuant to resolution, at 12.06 a.m. on Thursday 18 September 2014 until 10.00 a.m. on the same day.
