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LEGISLATIVE ASSEMBLY

Wednesday 12 November 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.

BUSINESS OF THE HOUSE

Notices of Motions

General Business Notices of Motions (General Notices) given.

STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL (NO 2) 2014

Second Reading

Debate resumed from 5 November 2014.

Mr PAUL LYNCH (Liverpool) [10.06 a.m.]: I lead for the Opposition on the Statute Law (Miscellaneous Provisions) Bill (No. 2) 2014. The Opposition does not oppose this bill. The object of the bill is to make minor amendments to various Acts and regulations, to amend certain other Acts and instruments for the purpose of effecting statute law revision, to repeal various Acts and provisions of an Act and regulation, and to make other provisions of a consequential, ancillary nature.

This type of bill is of a sort that has been moved by numerous governments over numerous years. It is generally accepted as an efficient and effective way of making a whole range of comparatively minor amendments. Self-evidently it has to be easier and more efficient than moving separate amendments for each of the pieces of legislation. Inevitably, there is a range of matters included in the bill. I note there is yet another attempt to try to get the bail laws right. One day the Government might actually achieve that. I have not seen any sign of it so far, I might add.

The item that does intrigue me—and I invite the Minister in reply to perhaps explain why it has been pursued—is the amendment to the Public Interest Disclosures Act, which is item [24] of schedule 1, which provides that regulations can provide that specified public authorities or classes of public authorities are exempted from requirements to provide reports to the Ombudsman and to the Parliament. There may be an entirely innocent and sensible explanation for that, and there probably is, but on the face of it that seems a reasonably significant change and if there is a simple and easy explanation I invite the Attorney in reply to provide that to the House. Other than that, the Opposition does not oppose the bill.

Mr STEPHEN BROMHEAD (Myall Lakes) [10.08 a.m.]: I speak in support of the Statute Law (Miscellaneous Provisions) Bill (No.2) 2014. The objects of the bill are: firstly, to make minor amendments to various Acts and regulations; secondly, to amend certain other Acts and instruments for the purpose of effecting statute law revision; and thirdly, to repeal various Acts and provisions of an Act and regulation. It also makes other consequential changes. In his second reading speech to the Parliament the Hon. Brad Hazzard, Attorney General, and Minister for Justice, stated that the bill continues the statute law revision program which has been in place for the last 30 years.

The Attorney General stated further that statute laws are an effective method for making minor policy changes, repealing redundant legislation and maintaining the quality of the New South Wales statute book. It is something that all governments do. It is only right and proper that governments continually review legislation regulations. Through the practice of implementing the Acts, feedback is often obtained that legislation needs amending to improve the laws so that they apply to modern times. Therefore a common-sense change is being applied to the Bail Amendment Act. It is all very well for the member for Liverpool to complain but this is what governments do, and rightly so.

The provisions amend a number of Acts, including: the Bail Amendment Act 2014, the Combat Sports Act 2013, the Commercial Agents and Private Inquiry Agents Act 2004, the Conveyancers

Licensing Act 2003, the Electricity Supply (Safety and Network Management) Regulation 2014, the Electricity Supply (General) Regulation 2014, the Energy Services Corporation Act 1995, the Fair Trading Act 1987, the First State Superannuation Act 1992, the Health Administration Act 1982, the Holiday Parks (Long-term Casual Occupation) Act 2002, the Law Enforcement and National Security (Assumed Identities) Act 2010, the Motor Accidents Compensation Act 1999, and the Motor Dealers and Repairers Act 2013.

The provisions also amend the Motor Dealers and Repairers Regulation 2014, the Ombudsman Act 1974, the Parents and Citizens Associations Incorporations Act 1976, the Parliamentary Contributory Superannuation Act 1971, the Parole Orders (Transfer) Act 1983, the Public Authorities (Financial Arrangements) Regulation 2013, the Public Finance and Audit Act 1983, the Public Interest Disclosures Act 1994, the Residential (Land Lease) Communities Act 2013, the Residential Tenancies Act 2010, Security Industry Act 1997, the Sporting Venues Authorities Act 2008, the State Authorities Non-contributory Superannuation Act 1987, the Superannuation Act 1916, the Tattoo Parlours Act 2012, the Transport Administration Act 1988, the Warehouseman's Liens Act 1935, and the Warehouseman's Liens Regulation 2014.

I will now refer to some of those amendments in more detail, starting with the Combat Sports Act 2013, No. 96. Item [1] of the proposed amendments enables the Commissioner of Police to revoke a permit to hold a combat sport contest in certain circumstances rather than, as is currently provided for, a police officer of the rank of Assistant Commissioner or above. The amendment will permit the commissioner to delegate the power to revoke a permit to any police officer under section 31 of the Police Act 1990. Items [2] to [5] of the proposed amendments make consequential amendments. Item [8] ensures that police officers can issue penalty notices under the Combat Sports Act 2013 in addition to the members of the Combat Sports Authority, as is currently provided for, and authorised staff of the Office of Sport rather than, as is currently provided for, authorised staff of the Department of Education and Communities. Item [6] of the proposed amendments corrects a reference to the head of a department. Item [7] replaces a reference to the head of the Department of Education and Communities with a reference to the chief executive of the Office of Sport.

The proposed amendment to the Conveyancers Licensing Act 2003, No. 3, enables audits of licensees' records to be carried out by authorised audit companies and members of professional accounting bodies who hold a public practice certificate. Item [2] of the proposed amendments to the Criminal Procedure Act 1986, No. 209, removes an uncertainty raised by Justice Simpson in the case of *JG v R* [2014] NSWCCA 138 as to whether section 130A of that Act applies to rulings on the admissibility of evidence. The proposed amendment to the Bail Amendment Act 2014, No. 52, corrects a cross-reference in a provision that refers to offences involving the use of a military-style weapon. The Firearms Act 1996, which the provision mistakenly refers to, does not contain any such offences. The relevant offences are contained in the Crimes Act 1900, which is currently referred to in the provision, and the Weapons Prohibition Act 1998.

Item [3] of the proposed amendments to the Energy Services Corporations Act 1995, No. 95, resolves the Residual Business Management Corporation and transfers the assets, rights and liabilities to the Crown. The Residual Business Management Corporation was constituted under the Pacific Power (Dissolution) Act 2003 to manage the residual assets, rights and liabilities of the former Pacific Power. That Act is proposed to be repealed by schedule 3. Item [3] of the proposed amendments also enables funds held by the SAS Trustee Corporation for the purposes of the superannuation benefits of former employees of Pacific Power to be transferred from an employer reserve of the Residual Business Management Corporation to an employer reserve of the Crown. Items [1] and [2] of the amendments make consequential amendments. Other proposed amendments to the Act are consequential on the dissolution of the Residual Business Management Corporation.

The proposed amendments to the Holiday Parks (Long-term Casual Occupation) Act 2002, No. 88, express the notice period for giving a notice of termination on an occupation agreement in days, rather than months, for consistency with other periods in the Act. The proposed amendments to the Law Enforcement and National Security (Assumed Identities) Act 2010, No. 73, updates a reference to an officer of the New South Wales Crime Commission who may be appointed to supervise the acquisition or use of an assumed identity by an authorised civilian.

Item [1] of the proposed amendments to the Parole Orders (Transfer) Act 1983, No. 190, replaces the definition of corresponding law in the Act with a definition that provides for a law of another State or Territory that corresponds, or substantially corresponds, to the provisions of the Act to be treated as a corresponding law without the need for a notice to be published by the Minister declaring the law to be corresponding law, as is

currently the case. Item [2] of the proposed amendments confirms the meaning that the term "corresponding law" has had since the enactment of the Act and, where necessary, validates anything to be done, or omitted to be done, by reference to that meaning.

The proposed amendment to the Ombudsman Act 1974, No. 68, ensures that former office holders, including the Ombudsman, experts formerly engaged to assist the Ombudsman and Australian legal practitioners appointed or formerly appointed to assist the Ombudsman cannot give evidence or produce documents in legal proceedings in respect of any information obtained in the course of office or service with the Ombudsman. At present, current office holders and experts currently engaged to assist the Ombudsman cannot give such evidence or produce such documents in legal proceedings. Items [1] and [3] of the proposed amendments to the Public Interest Disclosures Act 1944 enable regulations under the Act to exempt specific public authorities. I commend the bill to the House. [*Time expired.*]

Mr DARYL MAGUIRE (Wagga Wagga—Parliamentary Secretary) [10.18 a.m.], on behalf of Mr Brad Hazzard, in reply: I thank the members for Liverpool and Myall Lakes for their contributions to debate on the Statute Law (Miscellaneous Provisions) Bill 2014. The member for Liverpool voiced concerns about the Public Interest Disclosures Act. The current definition of "public authority" in section 4 of the Act would capture some authorities with only one or no staff. Those authorities' reporting requirements are set out in section 6CA and section 31 of the Act. The committee believes it is anomalous for authorities with no or only one staff member to be subject to the reporting requirements of the Public Interest Disclosures Act. The committee notes that several arrangements for exceptions to reporting obligations exist in section 33 (6) of the Privacy and Personal Information Protection Act 1998 and in section 45EA of the Public Finance and Audit Act 1983. I hope that clarifies the matter for the member. 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 Daryl Maguire, on behalf of Mr Brad Hazzard, agreed to:

That this bill be now read a third time.

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

CRIMINAL PROCEDURE AMENDMENT (DOMESTIC VIOLENCE COMPLAINANTS) BILL 2014

Second Reading

Debate resumed from 21 October 2014.

Mr PAUL LYNCH (Liverpool) [10.21 a.m.]: I lead for the Opposition on the Criminal Procedure Amendment (Domestic Violence Complainants) Bill 2014. The Opposition does not oppose the bill. The object of the bill is to amend the Criminal Procedure Act. The main proposed amendment is to enable the use of police recorded video interviews with complainants in proceedings for domestic violence offences instead of written statements or oral evidence. Some of the rhetoric surrounding the Government's announcement of this proposal inferred that it would remove altogether the need for domestic violence victims to give evidence in court.

Of course, that is wrong, although in many ways it will remove the need to give oral evidence in chief and will replace the need to prepare a written statement in committal proceedings. That is significant, although it does not go as far as inferred in some of the Government's media grabs. The proposals likewise certainly do not go as far as the Labor Opposition's commitment to establish a specialist court and are nowhere near as fundamental a reform as that project. Nonetheless, the Opposition does not oppose the bill.

The offences to which this section applies are those referred to as domestic violence offences within the meaning of the Crimes (Domestic and Personal Violence) Act 2007. The main aspects of the bill applying to

these offences are that recorded statements and interviews made by the police with or of a complainant with the complainant's informed consent and carried out as soon as practicable after the commission of the offence, will be able to be played in court instead of oral evidence. In committal hearings a recording can be served instead of a written statement. The hearsay and opinion rules of evidence are removed as they apply to such complaints.

However, the complainant will still be available for cross-examination and re-examination and a complainant may still give evidence orally. Whether or not they give evidence in chief, that decision will rest with the prosecutor and not with the complainant. If that is an attempt to subvert the position of a complainant who for good or more likely bad reasons wants to recant their testimony, it is unlikely to be wholly effective given that they will be present and subject to cross-examination. However, it is the complainant's decision in the first place to agree to a recording.

A defendant is prohibited from possessing a copy of the video recording. Because the recording may be made almost immediately after the incident concerned, there may be the risk in some cases of defendants using videos in a demeaning way. That, in turn, has led to special provisions that apply to adjournments and to unrepresented defendants in particular viewing videos. Such recorded evidence can be relied upon in concurrent proceedings for an apprehended violence order even if criminal proceedings are dismissed. Of course, some present rules are not altered. The rules about irrelevant or unfairly prejudicial evidence and admissibility remain. Likewise, rules about how recorded evidence is used in trials remain. These rules are most conveniently set out in *R v NZ* [2005] NSWCCA 278. The headnote of that decision in relation to the replaying of a videotape states:

... as a general rule, the preferred procedure to be followed where the evidence in chief of a witness has been given by the playing of a videotape is:

- (a) The videotape evidence of a Crown witness should not become an exhibit and, therefore, should not be sent with the exhibits to the jury on retirement;
- (b) Any transcript given to the jury under s 15A should be recovered from the jury after evidence of the witness has been completed;
- (c) It is for the discretion of the trial judge how a jury request to be reminded of the evidence in chief of the witness should be addressed;
- (d) It would be inappropriate for the judge to question the jury as to the purpose for which they wish to have the tape replayed;
- (e) If the tape is to be replayed or the transcript of the tape provided to the jury, the judge should caution the jury about their approach to that evidence when the tape is being replayed to them or the transcript of the tape returned to them in terms to the effect that "because they are hearing the evidence in chief of the complainant repeated a second time and well after all the other evidence, they should guard against the risk of giving it disproportionate weight simply for that reason and should bear well in mind that other evidence in the case";
- (f) The judge should consider whether the jury should be reminded of any other evidence, for example the cross-examination of the witness at the time that the tape is replayed or sent to the jury room, if that step is considered to be appropriate.

That usefully sets out the existing rules, which will continue to be in effect and which were made clear in the second reading speech. Whilst advocates for the victims of domestic violence have broadly welcomed the changes in this bill, some cautions have been offered. One obvious point is that victims in the heat of the moment might say things which they later regret and which are presented as inconsistencies and lead to victims being challenged. As I said, that comment has been made by some women's advocates. I understand that point, although there is a general view that the most immediate evidence is likely to be the most accurate. I also think that if full details are remembered or stated only in calmer subsequent circumstances, that is something that probably can be explained to and accepted by the court. While I understand the comment, the provisions in the bill make sense.

There are two broad justifications for this legislation. One is to make it easier for victims of domestic evidence to withstand the trauma of court proceedings. The second, which is at least as important as the first, is that it hopes to lead to more victims coming forward and, even more importantly, fewer victims wanting to drop proceedings. The rate of reporting of domestic violence incidents is still dramatically less than the rate of incidents occurring and its dropout rate is still unacceptably high. For these reasons, while the bill is nowhere as fundamental a reform as proposed by the Opposition—a proposal pursued by the Opposition when last in government but kyboshed by this Government—we do not oppose the bill.

Mr GEOFF PROVEST (Tweed—Parliamentary Secretary) [10.27 a.m.]: I will make what I believe will be a significant contribution to debate on the Criminal Procedure Amendment (Domestic Violence

Complainants) Bill 2014. We have debated legislation dealing with police officers wearing video cameras on their body armour and that was a significant step forward. Members know that domestic violence is a scourge in our local communities. Sadly, no community is immune from this terrible curse and dealing with it is a long process. This bill amends the Criminal Procedure Act 1986 to allow domestic violence complainants to give their evidence chiefly as a recorded statement. New South Wales will be the first jurisdiction in Australia to allow domestic violence complainants to give evidence in this manner.

The current New South Wales law provides that a victim in criminal proceedings relating to domestic violence offences must attend court and give oral evidence from memory, and usually in front of the perpetrator, about the incident that led to the court proceedings. This procedure can re-traumatise the victim and lead to complainants being reluctant to come to court or to deviate from the original police statement. A complainant may also be pressured by the perpetrator to back away from the only evidence that will likely convict them given that domestic violence incidents typically take place in private with no witnesses apart from the perpetrator and the victim. I have accompanied police, particularly in the Tweed Heads area, to alleged domestic violence incidents. It is a sobering experience to see the state of victims, and in many cases the perpetrators, at 4.00 a.m. or 5.00 a.m. Anything we can do to enhance the court process and bring justice to our local community should be applauded.

The reforms in this bill are directed at increasing the number of guilty pleas to the charges of domestic violence. Defendants will be shown a video of the victim's statement prior to court and encouraged to acknowledge their guilt, rather than proceeding to defend the charge in court. The reforms will also reduce the trauma occasioned to victims in the criminal justice process and better support their engagement in that process. The proposal will engage the domestic violence complainant from the outset, by seeking his or her informed consent for recording the statement. Investigating police will tell the domestic violence complainant the purpose of the recording; that the statement must be truthful; and that it may be used in evidence in court.

Safeguards will be introduced to protect against improper dissemination of recorded statements, which could lead to the re-victimisation of the domestic violence complainant. The criminal justice system recognises that domestic violence offending occurs in a unique context. Victims in criminal proceedings arising from domestic violence incidents are at particular risk of re-traumatisation by the court process. The events do not involve strangers; they involve family members who may have been engaged in controlling and abusive behaviour for many years. Difficulties frequently faced by domestic violence complainants—

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

DISTINGUISHED VISITORS

The SPEAKER: I welcome to the gallery a number of former members of Parliament who are joining us for the valedictory speech of Mr Richard Amery: Mr George Thompson, former member for Rockdale; Mr Geoff Corrigan, former for Camden; Mr Allan Shearan, former member for Londonderry; Mr Bob Harrison, former member for Kiama; Mr Paul Whelan, former member for Ashfield; and Mr Michael Egan, former member for Cronulla.

Pursuant to resolution valedictory speeches proceeded with.

VALEDICTORY SPEECHES

Mr RICHARD AMERY (Mount Druitt) [10.31 a.m.] (Valedictory Speech): This is my first valedictory speech, and I do not intend to make any more. Someone just asked me how I felt. I replied that this would probably be the first time since my maiden speech that I have had a few butterflies in my stomach. But I will settle that down with a glass of water and an uncharacteristically prepared speech, which I have been working on for about 31 years. Last night I selected one of three or four speeches I had prepared and I ask members to bear with me as I run with this one. The Speaker has mentioned some of the people seated in the gallery. I was very surprised to see Michael Egan and Paul Whelan here today—no doubt they are here to make sure I go. I thank all members present in the Chamber as well as those watching on a thing called a webcast. This speech is also being beamed by the computers downstairs to my daughter's box brownie in the country. I say a big hello to Debbie and Brad and three of my four grandchildren: James, Britney and Bryce. My eldest granddaughter, Ella, is working today but I have promised her a thing called a DVD so it will all be sorted.

To make a valedictory speech that covers 31 years in a time allocation of 20 minutes, which apparently is less time than it took the former member for Chifley to give a branch report, some might say is near

impossible—Roger, I knew I would not miss you at least once today. Someone asked who makes valedictory speeches? Of course not all members get the privilege of making a valedictory statement—for example, those who are defeated at an election, leaders who decide to retire during a recess and, when we did not have fixed terms, members who did not know when the next election would be called. I consider myself to be one of the extremely fortunate members who have been able to make such a speech. The next election is to be held on the fourth Saturday in March 2015. I am leaving this place at a time of my own choosing and I do so as a party member who is delighted to have the candidate of my choice—and also the choice of the local area—hopefully following me, with the good support of the electors of Mount Druitt.

Valedictory speeches are, of course, about thanking and acknowledging people, family, party members and friends who have made it possible for us to last so long in the uncertain world of politics. In the gallery today, which I think is larger than our caucus, but only temporarily, are people who represent different parts of my life, including not only my family, who I mentioned earlier, but also my staff, former members of Parliament and some supporters from my electorate. I thank all of them for being here. I was elected on 22 October 1983 and sworn in on 1 November 1983. I made my maiden speech on 1 December 1983—this is starting to sound like my own condolence motion so I had better make it a little more interesting. But those dates are not when I started my path into this Parliament.

I am pleased that those members, particularly on this side of the House who have already made their valedictory speeches, have mentioned former Prime Minister Gough Whitlam, who passed away recently. I, like hundreds of thousands of Australians, was drawn to politics by the excitement of the Whitlam years. In 1972 I voted for the first time. Indeed, I take this opportunity to put aside those little quips and interjections that I voted for Henry Parkes. My first vote was for Gough Whitlam. That was in 1972 and you had to be 21 years of age—that was before Whitlam lowered the voting age to 18. The three reforming yet turbulent years of the Whitlam Government kept me watching the news and reading the papers—but one would not have learnt much at that time—I did not join the party during his term in office. After his defeat in 1975 my interest still remained.

One day in February 1976, having returned to the Parramatta police station to complete an accident report, I noticed another attack on Whitlam on the front page of one of the Murdoch newspapers. I know this remark will draw some comments, but there was a phone book on the table in the muster room and the story I am about to tell will dispel the theory that a phone book in a police station is a multifunctional tool. I used it to look up numbers. I looked up the Australian Labor Party—for members of The Nationals that starts under "A"—and I told the lass that I wanted to join the party. The phone book was then put back in its place under "L" for lie detector. Nothing really much happened for some weeks.

Then one afternoon, having finished a morning shift, my doorbell rang and a gentleman in a suit introduced himself as the local State member of Parliament. Coming from a ranked and structured organisation like the police force, having a member of Parliament call at one's door is a lot more uncomfortable than a visit by the Telstra man. His name was Tony Johnson. Mr Anthony Valentine Patrick Johnson, a very hardworking and decent local member, convinced me that I could take my ticket in the party and attend an occasional meeting. The level of my involvement in the party would be entirely up to me—that is not a bad line for those branch stackers out there, but not on our side of the House of course. I joined one month before the 1976 election that saw Neville Wran come to office by a majority of one.

In late 1977 Tony convinced me to take on the branch secretary's position at the annual general meeting, which was coming up in early 1978. I have often said that it was one of my favourite jobs. I liked being the branch secretary because at the time the branch secretary, Jim Lynch, was elected to the council in late 1977 and I took over from him in 1978. My love of minute books, cash receipt books and paperwork in general made the decision an easy one for me. I had no ambition to be an elected representative, but I think Tony had other plans because what I did not know at that time was that he had no intention of serving 31 years.

I became his campaign director for the 1981 election. I remember Tony being very impressed with the neatness and accuracy of my paperwork when I submitted the first public funding return, a system that was introduced by the Wran Labor Government. To cut a long story short—and it looks like I am not going to do that—Tony was a champion for me and continued to suggest that I should run for office when he retired. Again, I thought that was flattering but I did not know that he would not run for another term let alone that he would retire mid-term and cause a by-election in 1983. As some in the gallery know, I won a hard-fought preselection against two very credible opponents—Jim Lynch, the Mayor of Blacktown at the time, and Ken Roberts, an alderman on the Blacktown City Council. For that battle I thank the many people, some of whom are unfortunately no longer with us. I mentioned many of them in my maiden speech, which I made from the opposite lectern just a short time ago.

The 1983 by-election resulted in four wins despite swings against the Wran Government, maintaining Wran's record as never having lost an election of any type. The new members with me on that day were Bob Carr, Brian Langton and Andrew Refshauge. I was the State member for Riverstone, and I still pinch myself about how that felt. I am sure the new member for Charlestown and the member for Newcastle, the most recent members of this place, know how I felt on that day. More than that, I was a Labor member of Parliament, and if my grandkids had been around then I am sure they would have said something like, "How sick is that." I would have been offended in 1983, but I know now that it is pretty cool. I apologise to Hansard for these continued attacks on the English language.

So my wife, Marie, and I embarked on a life in politics. Roy, our youngest, was not yet four years old. He is in the gallery today with his girlfriend, Rachael, and he turns 35 today. Our daughter, who is watching me on the family box brownie camera, is on holiday with her family, three of the four grandchildren, somewhere in Victoria. At that time she was not yet seven years old. The 1980s were an exciting time. Unlike the two members who were elected recently, I did not know when there would be an election, but there was one in March 1984 when Neville Wran called a snap election, giving 21 days notice. Despite the loss of some seats, he was returned with a comfortable majority of 17 against Nick Greiner's Coalition.

The seat of Riverstone included Mount Druitt and Rooty Hill. I shared this area with Ron Mulock, the member for St Marys. The issues in this area were the lack of sewerage in Riverstone and Schofields, the need for an electric train from Riverstone to Richmond—yes, there was electricity then—and education in Mount Druitt, where there was a poor retention rate for students going to years 11 and 12, a poor choice of subjects and the need for a senior high school in the area. I spoke in detail about education in my condolence motion for Ron Mulock. The Mount Druitt area has always been shared between a couple of State members and in my time representing this community I worked with Ron Mulock, the late Jim Anderson and Allan Shearan, who is in the gallery today.

Politics in the 1980s set a cracking pace and I will skip through some of the highlights. Apart from Wran holding the line in New South Wales, the man who defeated Whitlam, Malcolm Fraser, was defeated by Bob Hawke, who brought Labor back to office and went on to be Labor's longest-serving Prime Minister. Roger Price became the Federal member for Chifley in 1984—I am pleased to see Roger and Robyn in the gallery today. That started a local partnership and friendship that has lasted for all the time we served in Parliament, from 1984 to just a couple of years ago. During the 1980s we would travel to support Labor candidates in other by-elections. One in Kiama resulted in a swing to Labor at a time when most swings were against us. That was based on the strength and the popularity of our candidate, Bob Harrison, another person whose friendship Marie and I have shared for some 30 years. Bob and Anne are in the galley today—it is good to see Bob here as he rarely travels beyond a five-kilometre radius of his home.

One of the by-elections at the time was won by John Newman, in the seat of Cabramatta. I door-knocked on streets in Canley Heights—streets that I had known as a child. It was interesting to be in that area many years later. As the 1980s drew to a close, Bob Christie, the member for Seven Hills, finally persuaded me in 1989, after a couple of years of pestering, to join the Parliamentary Bowls Club. Bob Christie is not here today as he could not make it, but all those members who have not joined the club are missing something. My memories of that time are assisted not just by my habit of carrying and writing in a notebook—in which some of the names of members here today are recorded, by the way—but by my interest in journal writing. That commenced in February 1984 with the campaign within the caucus for Ron Mulock to become Deputy Premier. I started writing in a modest journal given to me in 1983 by a long-time friend of my father and family, Grace Culshaw, who is in the gallery today. I still have that journal and I have filled many more since, many of which Grace has given me.

Time does not allow me to cover all issues I would like to talk about. Many issues happen in our electorates on our watch, so to speak, or when we are just one of the rowers in the party or in government. The first period in Opposition, from 1988 to 1995, was a great learning experience for me as a member of Parliament. Without ministerial staffers and government departments we had to work alone or with just electorate staff or a few others in the leader's office. During that time I realised that this place offered members much-needed assistance from the Parliamentary Library, including the media monitoring and research people. I want to thank them for all their help, then and now. Government members have executive government and government departments, and I have been a beneficiary of that. But members of Parliament in general and members in opposition really need the resources of this Parliament. I acknowledge the people on the sixth floor and I believe all the people in charge of budgets should support them.

The year 1991, which is when the Greiner Government lost its majority, was a productive period for me. This is probably a good opportunity to remind members, in particular, those looking at me now, that 1991 was an interesting time in the lead-up to the election. The media focused on Labor's poor polls and said that the leader, Bob Carr, was unelectable—as a matter of fact, one said that Labor was heading for a "Carr crash". However, as we know, the Coalition Government of the time was holding office with the support of the crossbenches and it lost its majority. As the consumer affairs spokesman I was given charge of pursuing the introduction of non-solicitor conveyancing. Anything that gets stuck into lawyers is a productive period, and that was a most enjoyable experience for me. I thought the member for Liverpool would react to that. This resulted in battles with the Law Society, which fought tooth and nail to save its monopoly.

At that time Mick Clough, the late former member for Bathurst, came across farmers who were being forced off the farms. They wanted to battle the banks to try to keep their properties. As the consumer affairs spokesman, Bob Carr gave me carriage of the Farm Debt Mediation Bill, which I introduced in opposition. With the support of all crossbench members in both Houses, this bill became law. It is one of the few pieces of legislation that has been introduced from the opposition benches I thank all the members of that time who made sure this legislation came to fruition. The Farm Debt Mediation Act is still on the statute book today.

In 1995, by a majority of one, once again the Labor Party was elected and Bob Carr's record term as Premier began. Bob Carr was someone who the media said was unelectable just a few years before. A lot has been said about that period. In recent times, because of some events at the Independent Commission Against Corruption, much focus has been drawn to the formation of the Cabinet, and in particular the win for the final Cabinet spot by Bob Martin by drawing his name out of a briefcase following a 22-all vote in the faction meeting over a person called Eddie Obeid. I know that Bob, if he does get here today or he is watching the webcast, would remember that period with a great deal of fondness.

What I did not expect after 1995 was that I would get the portfolio of Agriculture. I want to thank, by the way, the member for Ballina, who said in his valedictory speech last night that I was the best Labor Minister for Agriculture. I thought it was a lovely comment, although he did not need that qualification. I do not have the time to talk about it at length but I do want to place on record that the Labor Government and I could not have asked for more loyal and professional advice and work than that which we got from Director-General Dr Kevin Sheridan; his nominated successor, Dr Richard Sheldrake; the Sydney director, Phil Anquetil; and all the staff and extension officers in the field.

It was a top-class organisation run by first-class people. I note that the portfolio of Agriculture no longer exists. It has been gobbled up in another one of those amalgamations and is now part of primary industries. That was also the view of the previous two National Party agriculture Ministers the Hon. Ian Armstrong and the Hon. Ian Causley. In other words, the department was run by true professional public servants, which meant that they could work for governments of all political persuasions. The same applies to George Davey, the head of the Dairy Corporation, which evolved into the Safe Food Authority. He was certainly the guru of the dairy industry, and he remains so today.

My ministerial staff over that period were a great team to work with. I would like to list them all but of course time will not allow it. My private secretary for my first ministerial term was Patricia Hatch, or Pat, who is in the public gallery today. My private secretary for my second term was Yvonne Hajgato, who I will mention later. I would be remiss if I did not mention my best adviser, chief of staff and friend Bob Whan. He was the best connected and the most experienced person on rural issues I have ever met. He can take a lot of the credit for the success of those eight years.

I had the portfolio of Agriculture for the eight years I was in Cabinet. It was a challenging portfolio with many diverse issues. For example, we continued with the decentralisation of staff to regional areas, we reformed Rural Lands Protection Boards, started a management program for Ovine Johnes disease, wrestled with the outbreak of Newcastle disease, and worked on our preparedness for such worries from overseas as mad cow disease and foot-and-mouth disease, which had crippled the United Kingdom. Whilst this was enough to stretch the resources of any organisation, I placed a high priority on animal welfare, appointing Genevieve Slattery to focus on this issue from my office, working with the animal welfare unit of the department. I am proud of their achievements, including things like banning the tethering of pigs in intensive industries, requiring the tethering of dogs on the back of open vehicles and reviewing the Prevention of Cruelty to Animals Act, increasing many penalties.

As if that was not enough, following on from the old Hilmer review, competition policy required the States to review all legislation that was called anti-competitive or that had anti-competitive components to it.

I notice Michael Egan in the gallery here today. He would know all about this. We continued doing these reviews, but I resisted the deregulation of a few industries—namely, dairy, rice and chicken meat. The latter of course had a champion from the Central Coast in Marie Andrews. She is with us here today, and I thank her. I remained close to those industries. My biggest battles were not with my political opponents, although they did kick me a few times, but with the Treasury and the Cabinet Office, who were hell-bent on deregulating everything so that the Government could access the competition payments from Canberra which were part of that agreement.

During my term as Minister, all the industries I just mentioned other than dairy remained regulated. Even with dairy, the position of the Government remained that it would maintain regulation until the Victorians, with over 60 per cent of the national dairy industry, made their position known. When Victoria deregulated and the Federal Government, at the urging of the industry, facilitated a national levy on milk to restructure the industry, the New South Wales dairy farmers association moved to formally request that the New South Wales Government deregulate the industry. I felt for the dairy farmers. Today we produce as much if not more dairy product but fewer farmers are producing it, and that is probably one of the downsides of deregulation. At that time I felt like General Custer at the battle of Little Bighorn. I introduced into this Chamber on 1 June 2000 the bill to deregulate the industry and said:

It is with considerable reluctance that I introduce this bill.

The other two portfolios I had were Land and Water Conservation and Corrective Services. I do not have time to talk about them at length but I want to acknowledge Director-General Bob Smith, who headed the department during the changes to the department, the reforms in water management—which the member for Ballina worked so hard on as well and recognised last night—the reforms to native vegetation clearing, and the provision of water and sewerage services to many country towns.

In late 2001, following a Cabinet reshuffle, I lost the portfolio of Land and Water Conservation, kept the portfolio of Agriculture and gained the portfolio of Corrective Services. It made for an interesting combination. To say that the Corrective Services portfolio kept me interested is somewhat of an understatement. Every time a court released a prisoner because someone did not include some paperwork, every time a prisoner did not return from work release and any time a prison guard fired a warning shot, I as the Minister was deemed to be at fault. That is part of the Westminster system, and it is not a bad thing. But I knew that, in the lead-up to the 2003 election, Corrective Services was a minefield in election campaigns.

At the time of my appointment there was a vacancy for the position of Corrective Services Commissioner. The position of commissioner had not been filled since the retirement of the previous commissioner. The Acting Commissioner, Ron Woodham, had applied for the position. Mr Woodham was not confident of being appointed. He said to me that the process for the appointment was probably over and that someone else, as they say, was "the pea". Former policemen and lawyers in this place will know how this next part of the conversation goes. Without giving away too much, I spoke to some people and some ministerial colleagues, and I told them something. They in turn told me something. I returned to my office and requested that Acting Commissioner Woodham prepare a Cabinet minute in my name recommending him as the new commissioner.

As he left my office, Ron Woodham turned to me and said, "I don't know if you know this but if I am appointed by the Cabinet I will be the first serving corrections officer ever to be appointed commissioner." All others go back to the Royal Marines—and I think the new benchmark is the rum corps—who were the first corrections officers, had been outside appointments. There had been military people, academics and former police officers but not one corrections officer. Ron Woodham's appointment by Cabinet was unanimous. He served me and the Ministers who followed me with efficiency and loyalty. Escape rates fell and the prison system was better for his appointment. I am proud to say that I appointed the only prison officer to the position of commissioner, and I hope that Ron Woodham is not the last one.

I will not say much, not here anyway, about what happened in the period after I left the ministry in 2003. Perhaps I will leave that for a book or something; I do not know. In some respects, although it was not the intention at the time, not being in Cabinet after 2003 was one of the reasons I had another 12 years in the Parliament. Without knowing it then, hindsight shows that the events that followed probably did me a favour. I moved into room 1018 and readjusted to life as a backbencher. I got involved in many of the corridor issues in Macquarie Street and got involved in some major community campaigns.

During my eight years in Cabinet a lot was achieved for the Mount Druitt area. There were extensions to the local TAFE, and I thank the Hon. Carl Scully for the upgrade of the Mount Druitt railway station. The local

palliative care ward was opened by the Hon. Andrew Refshauge. There were a number of other local issues. Chifley Senior College ended its fight, which former Federal member of Parliament Roger Price and I were involved in throughout the 1980s, and opened a brand-new college at Mount Druitt. It was a good bricks and mortar example of the successful ending of a campaign that went for well over 10 years. Some issues and projects required constant lobbying in this place. I cannot mention all those projects but I want to acknowledge the Hon. Carmel Tebbutt, former Minister for Education. A number of campaigns were being run by my local schools. She came to my electorate in the lead-up to the 2007 election and announced a new library for Rooty Hill High School, a new library for Eastern Creek Public School and a new school hall for Colyton Public School.

I thank her because she gave credibility to a lot of good, hardworking locals who fought for those issues. These campaigns took a hit when many issues came up relating to the Building the Education Revolution scheme—a scheme that was much criticised but which has provided so many facilities for the Mount Druitt electorate. Another campaign was run for the courthouse. I thank Bob Debus for securing that project after it was knocked back. He got the money because at the time the Government was allocating a \$61-billion infrastructure budget and the Attorney General's department was getting some of it. The community and I thank Bob Debus for that. Other issues that come to mind relate to local school communities and so on, but I will move on.

A number of members who have given their valedictory speeches have rightly referred to the support of their family, wife, husband or partner, et cetera. I think we all agree that this profession—this Parliament—is no place for lone rangers. It is a team effort with your party and with friends within the party, but more so it is a team effort with those outside this building—and in my case there are quite a few of those people in the gallery today. Those in the gallery know that I have had great support from the branches in my electorates down through the years: Riverstone, Quakers Hill, Doonside and Blacktown in the early years, and always from Rooty Hill, Mount Druitt and Mount Druitt North branches.

I have made only passing mention of ministerial staff, but it is the electorate staff—and there are relatively very few of them—who are the major reason I have been able to work in this position for so long. When I first walked into the office in 1983 I was greeted by Patricia Hatch, who is in the gallery today, who had been the electorate officer to Tony Johnson. Thanks to all the systems she put in place and the mode of operation of the office, I just sat down and started work—like a train driver changing shifts. Pat had laid down all the tracks and the rest was easy.

I mentioned in my contribution to the condolence motion on Neville Wran how we got a second staff member, which in my case resulted in a 16-year-old girl, Leisa Smith—now Leisa Cabban—starting work in 1985. Leisa is in the gallery today. It has been with considerable pride that I have watched her grow from a school leaver to a wife, a mother and, believe it or not, a grandmother and a highly efficient electorate officer. When Leisa left for a time—to have babies and to work in the Federal office, which I will not mention too much—I had a number of employees, including Michelle Emmerson, who I have lost track of but I hope she is doing well.

Upon my appointment as a Minister, Pat came into the ministerial office as a private secretary and Yvonne Hajgato, who is here today, commenced work as her replacement. Yvonne, in turn, went to the ministerial office and Pat's daughter-in-law, Sarah Hatch, Colleen Michael and Leisa returned to the fold. Ann Platovnjak joined the office and then Lorraine Strath. Like so many others I have mentioned, they have been recognised by this Parliament for their long service to the electorate, to the Parliament and to me as a member of Parliament. I finish in the electorate office with Leisa and Sarah sharing one position and Lorraine in the other. Pat and Colleen do relief work and Yvonne still keeps in touch. I never considered myself the boss; they have been a family of very capable and loyal staffers who I am pleased to say are also friends.

In this Parliament former member Phil O'Neill has been a good support to me—Roger Price calls him "the spy catcher"—and I thank him for his close friendship, support and loyalty over so long a time. Of course, the most talked about—or should I say mentioned—member of staff in Macquarie Street has to be Jan Clifford. Just as I walked into the electorate office in 1983 and Pat fitted me into the program, Jan Clifford did likewise when I walked into the Labor Party Whips' room nearly four years ago. Jan has served me and other Labor Whips for 20 years. I do not think anyone knows that job better than Jan. I note that some former Whips are here today: George Thompson and Gerard Martin.

All members who have given valedictory speeches have referred to their wife, husband or partner and their family. I am no different. I have mentioned the children and how young they were when I was elected.

I now acknowledge my wife, Marie—or, as I affectionately like to refer to her, the "Home Secretary". When members retire they always deliver the line about spending more time with family. Though this is treated with scorn by the media, it is nevertheless true. Perhaps retirement is a time to reconnect with the family with whom you have lost a lot of time—to get out and spend more time with them and to help with the challenges of family life. I can honestly say that I have never felt any pressure from the Home Secretary, Marie. I know that issues and pressures occurred. I was there on some occasions but not always, as this job prevents that sort of family connection.

At those times Marie absorbed all the pressure. I never received even the mildest rebuke if I stayed here late or, as in the old days, if I stayed overnight because of late sittings. I never received a demand to be there when one of the kids was sick or had an issue at school—not once; not ever. In fact, it could be argued it was the opposite. I ask the House to indulge me in giving one example. I want members to imagine a cold winter's morning around 6.45 a.m. The rain is horizontal on the front window of the house and it is freezing cold—so cold that I understand the lawyers in Phillip Street had their hands in their own pockets. Outside, the wind is blowing and the traffic is clogged. I come out of the shower and am getting dressed. I thought Marie was asleep and I said to myself out loud, "Why am I going into Parliament today?" Marie will laugh at this because we repeat the story sometimes. Marie replied, "Because you are an elected member of Parliament and that is what members of Parliament do". It was very sobering.

I leave this Parliament along with a number of members who have indicated they are leaving and some who do not know it yet—it depends on the voters next March. I have been very honoured to have been here for so long during the time of Premiers and leaders starting with Neville Wran, followed by Barrie Unsworth, Bob Carr, Morris Iemma, Nathan Rees, Kristina Keneally—the first woman to hold the office of Premier in New South Wales, and I must say she did a sterling job during the election campaign—and John Robertson on the Labor side, and Nick Greiner, John Fahey, Peter Collins, Kerry Chikarovski, John Brogden, Peter Debnam, Barry O'Farrell and Mike Baird on the Liberal side. I have been here during the time of 10 Premiers—six Labor and four Liberal—and one Labor leader. It has been an honour to watch their careers unfold during my time in this place.

I have seen the role of women in Parliament grow. In 1983 there were only two women in this Chamber. Janice Crosio was the first woman to be appointed a Minister. Currently, I think the count is about 19 women members of Parliament. My figures may be wrong but one is the Speaker—I know I have got that right—four are Ministers and another five have been Ministers; two are the deputy leaders of their parties, one being an Aboriginal Australian; a woman is the Clerk of the Legislative Assembly; and a woman has served as Premier and Deputy Premier. They are the high points. The low points—the tragedies—include the loss of good friend Jim Anderson, the member for Londonderry, who died on election morning 2003; the cowardly murder of John Newman, the member for Cabramatta; and the death due to cancer of the 29-year-old member for Parramatta, Andrew Ziolkowski. They were the sad times. Thankfully, the highs outweigh them—and I have mentioned some of them this morning.

To those members who are recontesting the election: I wish you well, or at least some of the Government members—enough of them to form a viable Opposition. Our team includes Edmond Atalla, who has been endorsed to replace me as the member for Mount Druitt. I am sure he will get local support, and I will be working with the team on election day. I hope that John Robertson gets the positive outcome that he has worked so hard for. No Labor leader—none ever—has been given a tougher challenge than to bring the Labor Party back from the landslide defeat of 2011. I am confident that his hard work will be rewarded.

The words "it has been an honour and a privilege" roll off the tongue, but what do they mean? To join the Labor Party—or any party—means the satisfaction of belonging, supporting elected representatives, attending functions, working on election campaigns and perhaps fighting for a cause. But for the very few of us who get the chance to represent their community and their party in a place such as this—the oldest Parliament, the oldest Chamber, in Australia—there are privileges and opportunities that a bloke from Beelar Street, Canley Heights, could never have dreamed of. I have been appointed to a hospital board, I have met the Queen, Prime Ministers and Premiers, and I even got a call from Gough Whitlam a few years ago—I am bragging now. I was elected to Parliament to represent two electorates nine times. I have served on the Labor front bench for 15 years—eight as a Minister.

I have sat down to morning tea with State Governors, and mayoral receptions have been held in my honour at Burnley Town Hall. I have had my views listened to and words recorded by the most skilled people in the building—the parliamentary Hansard team. I have worked on committees with the Clerks at the table and

I have ended my time under my own steam as the Labor Party Whip, treated with generous respect by so many staff and members on all sides of Parliament. And all because I paid a few dollars for a membership ticket to the Australian Labor Party and, for some reason, was supported by the community and members for so long. Thank you, it has been a privilege.

The SPEAKER: I offer sincere congratulations to the member for Mount Druitt. He will be sorely missed in this place. His wit and humour are a rare commodity these days. He is loved and appreciated. All the best to him in the future.

BUSINESS OF THE HOUSE

Suspension of Standing and Sessional Orders: Bills

Motion by Mr ANTHONY ROBERTS agreed to:

That standing and sessional orders be suspended to permit the passage through all stages, at this or any subsequent sitting, of the Crime Commission Legislation Amendment Bill 2014 and the Payroll Tax Rebate Scheme (Jobs Action Plan) Amendment (Fresh Start Support) Bill 2014 (No. 2).

CRIME COMMISSION LEGISLATION AMENDMENT BILL 2014

Second Reading

Debate resumed from 11 November 2014.

Mr PAUL LYNCH (Liverpool) [11.14 a.m.]: I lead for the Opposition in debate on the Crime Commission Legislation Amendment Bill 2014. The bill was introduced by the Minister for Police and Emergency Services. Under the allocation of Acts it is allocated to the Minister for Police, so the shadow Minister with the carriage of this matter is the Hon. Steve Whan in the other place. I indicate that we will not oppose the bill in this place. However, when we have had a chance to research it properly we might have a different view. We first saw the bill at 5.30 yesterday afternoon. It is self-evident that with that sort of time frame there has been no adequate opportunity to review the bill thoroughly or to spend as much time on it as one would normally do with legislation of this significance. There was an attempt to brief Opposition frontbenchers yesterday, and that is all well and good. However, no-one bothered to provide a copy of the bill during the briefing, which frankly meant it was a waste of time. As I said, we got the bill at 5.30 yesterday afternoon.

The objects of the bill are to address issues raised in decisions of the High Court in connection with the compulsory examination of persons about an offence for which they have been charged; to provide for the referral for investigation and oversight by the management committee of the NSW Crime Commission of matters arising from work done in cooperation with a person or authority of the Commonwealth, the State or another State or Territory, including a task force or a member of the task force; to make other amendments relating to the procedures of the commission, including in relation to search warrants, hearings and annual reports; and to provide for savings and transitional matters.

As I understand the basic form in which the Government has put the most significant part of the bill, it is to restore what people had understood to be the generally accepted position about compulsory examinations. As I understand the Government's argument, there is some question about the way those provisions operate as a result of two High Court decisions: *X7 v Australian Crime Commission* [2013] HCA29, and *Do Young (AKA Jason) Lee v The Queen* and *Seong Won Lee v The Queen*, [2014] HCA 20. The earlier case, which was decided in June 2013, related to the Australian Crime Commission Act. I understand there are similar provisions to that in the New South Wales legislation so decisions relating to the Commonwealth legislation will have implications for the State legislation. The other case of Lee relates to the NSW Crime Commission and was on appeal to the Court of Criminal Appeal. That decision was in May 2014.

As the most recent case was in May 2014 it is a little irritating to have legislation rammed through in the last five days of the Parliament, with less than 24-hours notice to read bills and the cases upon which they are based. That being said, we have no option but to accept what the Government has put as to the implications, and for that reason we do not oppose that component of the bill. The other components of the bill seem to have even less justification for being rushed through at a great rate. They should have been brought to the House much earlier so that proper democratic regard might have been had to perusal of bills and documents, and to proper supervision. It is unacceptable for legislation of this sort to be dealt with in this way. Having said that, the Opposition has no option but to not oppose the bill.

Mr CHRIS PATTERSON (Camden) [11.18 a.m.]: The Crime Commission Legislation Amendment Bill will amend the Crime Commission Act 2012 in order to clarify the position and powers of the NSW Crime Commission following recent High Court decisions that have cast some doubt over the use of evidence obtained by compulsory examinations. It provides for the NSW Crime Commission Management Committee to be able to approve the Crime Commission using its hearing powers in connection with criminal matters being investigated as part of a joint task force for agencies from other jurisdictions, most commonly by the Commonwealth. These criminal matters must involve New South Wales in some way and must be of sufficient seriousness to warrant the use of commission powers. They must make other amendments relating to procedures of the commission, including in relation to search warrants, hearings, disclosure of important information and annual reports, and provide for savings and transitional matters consequent on the enactment of the proposed Act.

The bill also makes a consequential amendment to the Crimes Appeal and Review Act 2001. The bill allows the Crime Commission to apply to the court for leave to examine a person charged with an offence on the subject of the offence, limits attendance at an examination, requires procedural fairness to be provided to persons the commission examines, limits when compelled evidence may be disclosed but permits disclosure in appropriate circumstances, and provides that certain matters will not, of themselves, provide grounds to stay or review proceedings unless the court determines that real prejudice is likely to arise or has arisen.

I take this opportunity to commend the excellent work and contribution of the Minister for Police and Emergency Services. This Minister is an extremely good friend of Camden and spends a lot of time there in his capacity representing the portfolios of Sport and Police. He will attend a domestic violence breakfast on 3 December. I also acknowledge his outstanding staff: his wonderful advisers Sahil Prasad and Brad Scutella; his very good chief of staff Chris Hall; his advisers from the Ministry of Police and Emergency Services, Andrew O'Connor and Nathan Vincent; and his outstanding parliamentary liaison officer Anna Reed. The purpose of the bill is to clarify the position and powers of the NSW Crime Commission following recent High Court decisions that have cast some doubt over the use of evidence obtained via compulsory examinations. I commend the bill to the House.

Mr STUART AYRES (Penrith—Minister for Police and Emergency Services, Minister for Sport and Recreation, and Minister Assisting the Premier on Western Sydney) [11.23 a.m.], in reply: I thank the member for Liverpool and the member for Camden for their contributions to the debate. The Crime Commission Legislation Amendment Bill 2014 ensures the ongoing viability of the NSW Crime Commission as one of Australia's most successful crime-fighting bodies. A person should not be able to have a prosecution for a serious crime thrown out of court simply because they were examined by the Crime Commission or because a transcript of a Crime Commission hearing was provided to an investigator or a prosecutor. The bill ensures that there must have been some fundamental defect in the person's trial before the trial can be stayed, a retrial ordered or a review of the conviction takes place.

The bill ensures that other agencies can continue to work with the commission with confidence. Further, the bill ensures that the commission can make full use of its powers when working in a joint task force arrangement, including the use of compulsory hearings. The commission should be able to make use of the powers this Parliament has provided to it, and the bill will ensure that it can. The bill strikes the right balance. It clarifies and consolidates the commission's powers, while also ensuring that appropriate safeguards are in place. The bill makes no changes to the oversight of the Crime Commission, which is incredibly intensive, with the Inspector of the NSW Crime Commission, the Police Integrity Commission and the parliamentary joint committee all having the power to review the commission's actions. 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 Stuart Ayres 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.

PARLIAMENTARY CODE BLACK EMERGENCY EXERCISE

ACTING-SPEAKER (Mr Lee Evans): Order! I wish to advise the House that in 10 minutes time an emergency exercise will take place on the parliamentary premises. This will be a Code Black emergency exercise simulating the unlikely event that an armed intruder has entered the precinct. Upon the interruption at 11.30 a.m., I will suspend the sitting of the House until the ringing of a long bell. Members in the House will be required to remain where they are—that is, "hold in place" within the Chamber. Your full attention and cooperation will be required for a period of approximately 10 minutes.

CRIMINAL PROCEDURE AMENDMENT (DOMESTIC VIOLENCE COMPLAINANTS) BILL 2014**Second Reading****Debate resumed from an earlier hour.**

Mr STUART AYRES (Penrith—Minister for Police and Emergency Services, Minister for Sport and Recreation, and Minister Assisting the Premier on Western Sydney) [11.26 a.m.]: I support the Criminal Procedure Amendment (Domestic Violence Complainants) Bill 2014. The bill delivers a long-overdue reform to assist victims of domestic violence in New South Wales. In brief, the bill will allow for video recorded statements of domestic violence victims to stand as their evidence in court. Currently, victims have to attend court and give oral evidence, relying on their memory often months after the incident. Requiring a victim of domestic violence to recount their evidence at trial can be traumatic and often victims can face pressure from their partners to change their evidence. The reforms in this bill will address that issue.

Contemporaneous video statements taken at the scene of a crime are powerful evidence as they capture aspects of the demeanour and context that a written statement or recounted testimony provided many months later in the courtroom simply cannot express. In addition, they have the added benefit of relieving the pressure on victims not to repeat their statements in court. Under reforms brought in by this Government, perpetrators of violence will now know they cannot pressure their victims to change their evidence when they get to court. Our reforms will help police gather evidence from victims of domestic violence in an admissible form. Once passed, we expect to see an increase in early guilty pleas by offenders, a reduction in the rate of failed prosecutions for domestic violence cases, and savings in police and court time as a consequence of fewer matters proceeding to hearing.

Importantly for NSW Police Force officers, these reforms will finally make the use of domestic violence evidence kits worthwhile. These evidence kits include a digital still camera and a digital video camera and are equipped in all Police Force first-response vehicles. Unfortunately, thanks to the failure of the last Government, they lay redundant and useless in the boot of police cars across the State due to a serious oversight by a tired old government—that is, the former Government did not pass the right legislation to empower our police to use the technology. For the information of the House, the NSW Police Force first responders have had access to domestic violence evidence kits since 2007, after the previous Labor Government committed to their rollout in the lead-up to the 2007 election. This commitment followed a 2006 Ombudsman report that had recommended that police should be equipped to make a photographic record of their investigation of domestic violence incidents, including the taking of video-recorded statements from victims.

While the Labor Government delivered on the cameras, it did not finish the job and failed to provide the necessary legislation to support their use. Hence, while police have had the equipment since 2007, their attempts to have video-recorded material admitted into evidence have been, with a rare exception, let down by deficiencies in the legislation. Indeed, I am advised that despite all first-response vehicles having video cameras they are currently used in less than one in 10 domestic violence incidents. The Assistant Commissioner of Police, domestic violence spokesperson Mark Murdoch, has stated publicly that the situation is ludicrous. I am pleased to note that this necessary legislative reform was prioritised as part of the Government's Domestic Violence Justice Strategy 2013-17. The NSW Police Force has been consulted extensively in the drafting of this bill and has provided extensive feedback to ensure that the amendments will empower victims during court proceedings.

I am advised that the NSW Police Force will continue to use the domestic violence evidence kits that are currently out in the field. However, ultimately under reforms also brought in by the responsive and proactive Baird Government the police will replace the use of evidence kits as body-worn cameras are progressively rolled out. The NSW Police Force is a strong advocate for improving prosecutions of domestic violence

offenders and better supporting its victims. This Government is getting on with the job of delivering necessary reform to support the police on the front line and the victims of domestic violence. I have spoken to plenty of police officers who work in domestic violence fields and I know from their direct feedback the importance of this legislation. It will make a profound difference in our communities. I am proud to be standing here today as part of a Government that has listened to the concerns of victims and the NSW Police Force, and is introducing practical and empowering legislative amendments. I commend the bill to the House.

[Business interrupted.]

PARLIAMENTARY CODE BLACK EMERGENCY EXERCISE

ACTING-SPEAKER (Mr Lee Evans): An emergency "hold in place" simulation exercise has now commenced. I direct the attendants to lock the doors. Members will not be able to enter or exit the Chamber until the exercise has been completed. I will now suspend the sitting for approximately 10 minutes and direct the broadcast to be turned off until the ringing of a long bell.

[Acting-Speaker (Mr Lee Evans) left the chair at 11.30 a.m.]

[The bells having been rung, the House resumed at 11.40 a.m. with Acting-Speaker (Mr Lee Evans) in the chair.]

CRIMINAL PROCEDURE AMENDMENT (DOMESTIC VIOLENCE COMPLAINANTS) BILL 2014

Second Reading

[Business resumed.]

Mr GEOFF PROVEST (Tweed—Parliamentary Secretary) [11.40 a.m.]: I continue my contribution on the Criminal Procedure Amendment (Domestic Violence Complainants) Bill 2014. As I stated earlier, these difficulties are compounded because of the unique nature of domestic violence offending. The offence usually occurs in private and there may be no other witnesses to provide evidence of what has happened. The offence often occurs in the context of a relationship and there may be significant emotional attachment between the two parties involving ongoing ties with friends, family and children. The offence may occur in the context of a pattern of behaviour of control and coercion. There can be a high degree of contact between the domestic violence complainant and the defendant, and between the commission of the alleged offence and the date of the hearing.

In many cases the domestic violence complainant and the defendant reconcile between the commission of the alleged offence and the court date. In other cases the relationship may have ended and the domestic violence complainant is still fearful of the defendant. I would suggest that during the course of their duties virtually every member would have interviewed constituents who have had experience with and been the victims of domestic violence. We rely on our court system and the police to deal with those matters, particularly apprehended violence orders. It is a distressing time for those people. I fully support this bill and I congratulate the Attorney General and his staff on introducing it. I know that a large number of non-government organisations and women's refuges are extraordinarily supportive of it.

As I stated earlier it is most distressing to be present with local police and witness firsthand what happens at 4 o'clock and 5 o'clock in the morning. We should do everything in our power to assist victims of domestic violence, encourage them to come forward and ensure that offenders are prosecuted to the full extent of the law. It is unfortunate that every electorate in the great State of New South Wales is affected by domestic violence, which turns people's lives upside down. Women, in particular, should not have to endure domestic violence. Bec Couch, our local domestic violence officer from the NSW Police Force, will soon hold a significant event in Tweed Heads to raise awareness of domestic violence and encourage support for victims, calling them to come forward and stand firm. She will inform them that they are not alone; that they have the full support of the NSW Police Force, the Department of Justice and the wider community.

It really irks me that we provide so many education programs yet every few days we read in the media about domestic violence in our local areas or the greater Sydney area. These reforms are intended to reduce the re-traumatisation of domestic violence complainants by allowing their evidence in chief to be given by way of a recorded statement. They strike an appropriate balance between empowering domestic violence complainants by

supporting their participation in the criminal justice process and addressing the particular powerful dynamic that typifies domestic violence offending. My local area has experienced a spike in the number of domestic violence cases reported to the police and an increase in the number of apprehended violence orders sought.

Many of the advocate groups suggest it is a positive sign that finally women are standing up and saying, "Enough is enough. I'm not going to cop this anymore." When one sees the pain and suffering endured by these people, not just over the past week or months but in some cases over many years, it is not right. We do many good things for our communities but domestic violence is a scourge on our society and I am pleased to be part of a Government that is standing up and supporting those people by saying, "It is not good enough. We will not allow this anymore and if you do continue, you will feel the full force of the law." With those comments I commend the bill to the House.

Mr STEPHEN BROMHEAD (Myall Lakes) [11.44 a.m.]: I speak in support of the Criminal Procedure Amendment (Domestic Violence Complainants) Bill 2014. I commend the Attorney General, the Hon. Brad Hazzard, for bringing this bill forward and I commend also the former Attorney General and member for Epping, the great Greg Smith. The purpose of the bill is to amend the Criminal Procedure Act 1986 to enable the use of recorded interviews with complainants in proceedings for domestic violence offences, instead of written statements or oral evidence. Police are increasingly equipped with video cameras used to record evidence in support of domestic violence prosecutions.

However, recordings of complainants' statements at or soon after a domestic violence incident are hearsay and cannot generally be admitted as evidence in court. Instead, complainants are required to give oral evidence, usually in front of the perpetrator. These reforms aim to reduce the trauma experienced by complainants in the criminal justice process, increasing both their participation in that process and conviction rates for domestic violence offending. As I said, the bill amends the Criminal Procedure Act 1986 to enable domestic violence complainants to give their evidence in chief by way of prior recorded video or audio statement in criminal proceedings for a domestic violence offence. In discussing the rationale for this change the Attorney General, and Minister for Justice, the Hon. Brad Hazzard, stated:

The power dynamic that typifies domestic violence does not stop at the courtroom door. There is a risk of re-traumatisation of victims. They must attend court and give oral evidence from memory, and usually in front of the perpetrator, about a traumatic incident. They may face pressure from a perpetrator to stop cooperating with the prosecution. This can result in victims being reluctant to come to court or changing their evidence once in the witness box. Some may choose to not report an incident to police. The Bureau of Crime Statistics and Research estimates that only half of domestic assaults are reported to police. New measures for giving evidence using available technology are needed to reduce the trauma faced by victims when in court.

As a former police officer who was called to many a domestic violence incident and also as a lawyer who represented many perpetrators of domestic violence, and on occasions represented victims in domestic violence hearings, I believe it is a real problem for society. Victims complain to the police, who go to the premises and take a statement. The police then look at the evidence, arrest the perpetrator, charge him and then he is bailed to go to court. When the court day arrives, the victim does not arrive. The defence, acting on behalf of the accused, naturally will ask for the matter to be dismissed. That is often the case. There can be a number of reasons why the victim does not come to court. It may be as simple as the victim having moved from the area and no longer being interested. The victim could be scared of the perpetrator and does not want to face him in court, or something else may have happened in the victim's life. It is a real problem.

From the police perspective, who have gone to the trouble of arresting the perpetrator who is often highly emotional and can be extremely aggressive—and alcohol and drugs can be involved—no victim means no case to answer. When the victim does appear she may totally recant the statement made to the police on the night of the incident and give totally different evidence in the witness box. Police have been called to an incident, taken a statement from the victim, looked at the evidence, and arrested the perpetrator, but it all seems to be for nothing. It is not hard: I made the statement at the time but I did not know what I was saying. Or: I made the statement at the time, but I was telling lies because I was angry with him. There are a number of reasons why the victim may say the violence did not occur. If the statement is videoed, it is easy to show the video footage—there is the evidence of the initial statement to police.

Years ago police took statements from offenders and made records of interview—five sheets of foolscap paper, four sheets of carbon paper—by typing them out. When they got to court the perpetrator would say, "I have been verbaled. It did not happen. It's not true. This is absolute rubbish." But when video-recorded interviews were introduced 90 per cent of those allegations suddenly went out the window. These days police can mount a GoPro on their head or chest and video the execution of search warrants. Videos are used to re-step

a crime with an offender, which is all used in evidence, and will be another deterrent for offenders. There is no doubt that using video evidence to help victims is a natural progression. It will help the victim, the family and the court in trying to work out what really happened. I can see nothing improper or unnecessary in this common-sense legislation. Victims and police are calling out for this legislation. I commend the bill to the House.

Mr GREG SMITH (Epping) [11.54 a.m.]: I support the Criminal Procedure Amendment (Domestic Violence Complainants) Bill 2014. I commend the chair of the committee, the Hon. Pru Goward, Minister for Women, and Minister for Planning, who has worked tirelessly for years to get greater protection for victims of domestic violence. This is one of the recent pieces of legislation resulting from the efforts of the Hon. Pru Goward; the Hon. Brad Hazzard, the Attorney General, and Minister for Justice; the Hon. Stuart Ayres, Minister for Police and Emergency Services; his predecessor, Mr Mike Gallacher, and the departments that they represent. This type of legislation is necessary to improve the safety of persons who are the victims of domestic violence, but who can be talked out of going ahead with cases.

Domestic violence includes everything from murder through to common assault, all the sexual offences and matters of that sort. There is a great list of offences. Offenders often intimidate the alleged victims after they have complained or play good guy, in the case of male offenders—and most of them are, but not all—and reconcile. Sometimes that is it, but in many cases the violence continues and sometimes escalates to murder. I have prosecuted murderers who have been involved in domestic violence activity that has become more and more serious. The legislation will help to avoid that escalating violence in those types of cases because the victims, having reconciled or having been talked out of going ahead, decline to give evidence, which means that all the work done by police, prosecutors, Family and Community Services, and others comes to nothing. The legislation makes victims less inclined—there may not be figures to support this—to get too excited if there is another complaint by the same person because they feel they are wasting our time. That is natural. I am not saying it is common, but it is understandable.

The use of electronically recorded evidence has been successful for child witnesses and other vulnerable witnesses for some years. I prosecuted a manslaughter trial involving a 10-year-old who drowned a six-year-old. One of the witnesses who had given an electronic interview was taken into hiding by his father after the committal hearing because of the humiliation. Even though his face was pixilated, the children at his school recognised him by his Spider Man suit and his waddle. His father took him into hiding for the trial, which undoubtedly damaged our case. We were able to use at least some of the electronically recorded material. That saves the witness the trauma of having to give evidence, especially someone who is very traumatised at the time and may not remember things as well months or even years later. Electronic interview records the evidence promptly when it is fresh in the mind resulting in a better case. Of course, there may not be one interview, there may be several. The witness may remember more things or there might be more questions that police want to ask. Indeed, if the witness is prepared to come to court, ultimately the charge is defended and cross-examination is required. There are ways of softening the trauma, such as giving evidence remotely or using screens and other things to shelter that witness from the gaze of the person who has perpetrated the violence.

I know that that type of evidence has been given even by adult witnesses in murder cases, such as the Fung Ngo case. In that case two eyewitnesses—a husband and wife—gave evidence from a remote room. A screen was used and the television screens were not able to be seen by the accused because the witnesses did not want to be recognised by him even though he was on trial. That arrangement was sanctioned by the Court of Criminal Appeal in the High Court and since then legislation has been enacted to formalise it in certain cases. This legislation establishes the right to use electronically recorded evidence as evidence in chief. That will mean that more perpetrators of violence will be convicted. Sadly, sometimes they go from partner to partner, belting as they go. The law must recognise these problems and use modern technology to protect the more vulnerable in our society. I again commend the Ministers involved, and particularly the Attorney General, the Minister for Women and the Minister for Police and Emergency Services, for their good efforts. I commend the bill to the House.

Mr JOHN FLOWERS (Rockdale) [12.01 p.m.]: I commend the Attorney General for introducing the Criminal Procedure Amendment (Domestic Violence Complainants) Bill 2014. Minister Pru Goward has championed these issues for many years. The object of this bill is to amend the Criminal Procedure Act 1986 to enable the use of recorded interviews with complainants in proceedings for domestic violence offences instead of written statements or oral evidence, and to make other consequential and minor amendments. This bill amends the Criminal Procedure Act 1986 to enable domestic violence complainants to give their evidence in

chief by way of a prior recorded video or audio statement in criminal proceedings for a domestic violence offence. The bill also complements ongoing reforms progressed by this Government to empower victims of domestic violence.

Some victims may choose not to report an incident. In fact, the Bureau of Crime Statistics and Research estimates that only 50 per cent of domestic assaults are reported to police. New procedures for giving evidence using available technology are needed to reduce the trauma faced by victims when in court. These reforms introduce a new component to the Criminal Procedure Act 1986 by removing the hearsay rule of evidence as it applies to domestic violence complainants in criminal proceedings. Recorded interviews of complainants taken by police at or shortly after a domestic violence incident will be able to be played in court as all or part of their evidence in chief. In committal proceedings the recording will stand as the complainant's evidence instead of a written statement.

This bill safeguards complainants' privacy relating to intensely personal or the graphic nature of recorded material. These safeguards include a prohibition on a defendant possessing a copy of the recording and on copying or publishing the recording. It will be an offence to copy, publish or give a copy of the recording to any other person. This offence provision makes it clear that no-one can give a copy to or cause a copy of the recording to be made by the accused person. This obligation and prohibition applies equally to a third party who has been given a copy of the recording for the purpose of criminal proceedings, for example, an interpreter or other expert witness. The court will otherwise retain its discretion to manage the conduct of proceedings.

Defendants' rights to procedural fairness in a criminal proceeding are also protected. A complainant will still be required to attend court and to give evidence on oath, and be available for cross-examination and re-examination. Defendants will be provided with notice of the evidence against them prior to any hearing. Recorded evidence will not be available to be admitted into evidence unless the defendant has been given a reasonable opportunity to listen to and to view the recording. The reforms strike an appropriate balance between supporting domestic violence complainants' participation in the criminal justice process while at the same time ensuring that the defendant maintains the right to a fair trial.

Where the complainant requires a translator, the translation can be recorded on the video at the time the statement is taken, or a written translation can accompany the recording. If the accused is absent, a court will be required to consider any recorded statement given to it by the prosecutor before determining the matter in the absence of the accused. Where a court requires the provision of additional evidence in the form a recorded statement, the statement will not be admissible unless certain service and notice requirements have been complied with. Complainants also may not be able to give their statement immediately at the scene of the incident. They may need to attend a hospital as a result of an incident and in some cases police may decide to take a statement at the station away from the defendant and any children.

New part 4A will operate alongside existing special provisions in the legislation that apply to prescribed sexual assault proceedings and vulnerable witnesses. Part 5 will apply to provide additional protections to a domestic violence complainant who is also a sexual assault complainant, such as an entitlement to give evidence from a remote witness facility or in camera. However, where a domestic violence complainant is also a vulnerable person within the meaning of the Act, such as a child or a cognitively impaired person, the vulnerable witness provisions in part 6 of the Act will apply instead of the provisions in this bill.

New section 289G details how a decision will be made as to whether evidence will be given by playing the recording or orally. When complainants indicate a preference to give evidence orally, their wishes must be taken into account but will not determine whether the video is played in court. This decision will rest with the prosecutor. However, the prosecutor must take into account any evidence of intimidation of the complainant by the accused and the objects of the Crimes (Domestic and Personal Violence) Act 2007. As such, the bill recognises that the complainant's wishes may not always be freely given but may be influenced by a controlling defendant. Where a complainant denies statements made in the recording, the usual provisions of the Evidence Act 1995 concerning unfavourable witnesses will continue to apply. New section 289J requires a judge in cases heard before a jury to warn that no adverse inference to the accused should be drawn and that the complainant's statement should not be given any greater or lesser weight because the evidence is given in the form of the recorded statement rather than orally in court.

Developments in technology require an appropriate response to ensure domestic violence complainants are not retraumatised because of a process that is intended to support them in the criminal justice process. New section 289L provides that where a defendant is represented a copy of the videorecording must be served on the

defendant's legal representative. Where a defendant is unrepresented, service of the audio copy only is required. To balance this limitation, the prosecution must reasonably provide the defendant with an opportunity to view the video statement before the court hearing. This may occur at a police station immediately following the charge either during an interview or alone, or on a nominated day after being charged. As a last resort, recordings will be shown to an unrepresented accused on a day on which his or her matter is listed in court.

New South Wales will be the first State in Australia to allow domestic violence victims to give evidence in court by way of pre-recorded video statement. The Government will introduce changes to the Criminal Procedure Act 1986, following the rollout of video and still cameras in domestic violence evidence kits used by the NSW Police Force. Over the past 12 months in my electorate of Rockdale 308 offences of domestic violence have been recorded. However, as earlier reported in Bureau of Statistics figures, up to half of all domestic violence assaults are not reported. The use of video statements will help our front-line police to better protect and support victims of domestic and family violence. The amendments in this bill aim to reduce the trauma experienced by complainants in the criminal justice process, to increase both their participation in that process and conviction rates for domestic violence offending. I commend the bill to the House.

Mr BRYAN DOYLE (Campbelltown) [12.10 p.m.]: It gives me great pleasure to speak in support of the Criminal Procedure Amendment (Domestic Violence Complainants) Bill 2014. As a former member of the police force for 27 years whose career was dedicated to public safety, I have seen firsthand the impact of domestic violence on our community and I think this is a worthy bill. In the oldest Parliament in Australia we debate this bill in a safe environment, but as a front-line police officer one feels tension in the air of domestic violence incidents and one sees battered bodies and hears whimpering children as pets hide under lounges. This is the reality of the situation. One does not need to be a paediatrician to know the effects on young children after being exposed to violence in the home.

As a member of the Domestic Crimes Taskforce of the Minister for Women I am pleased to note that the Minister is in the Chamber to listen to this debate. The Minister is adamant that something has to be done to effect real change and to make a difference for families right across New South Wales. The task force has consulted widely with groups including lawyers, women from culturally and linguistically distinct groups and Aboriginal groups across the State. We are determined to work with communities to make a difference for the better.

This bill amends the Criminal Procedure Act 1986 to allow domestic violence complainants to give their evidence in chief by way of a recorded statement. New South Wales will be the first jurisdiction in Australia to allow domestic violence complainants to give evidence in this way. Under the present law in New South Wales a victim in criminal proceedings relating to a domestic violence offence must attend court and give oral evidence, from memory and usually in front of the perpetrator, about the traumatic incident that has led to court proceedings.

This process can re-traumatise victims. It can lead to the complainant being reluctant to come to court or to deviate from his or her original statement. A complainant may also be pressured by the perpetrator or the community to recant. Given that domestic violence incidents normally take place in private and with no witnesses apart from the perpetrator and the victim, these can be difficult prosecutions. We had the Domestic Violence Intervention Court Model [DVICM] trial in Campbelltown where we trialled the initial use of video-recording at the scene. This bill addresses a big issue the project had difficulty with—that is, getting admissibility of evidence.

Under current law any prior recording of the witness statement is hearsay evidence, which generally cannot be admitted as evidence in court. Although police have increased access to technology to enable video-recorded statements to be taken at the scene of a domestic violence incident, such statements cannot at present substitute for the witness's evidence in court. These reforms will overcome this obstacle. They will enable domestic violence complainants to rely on the recorded statement taken by police as their evidence in chief in domestic violence proceedings.

The reforms will also allow the recorded statement that has been adduced in proceedings for a domestic violence offence to be adduced in proceedings for an apprehended violence order under the Crimes (Domestic and Personal Violence) Act 2007, which gives victims of domestic violence the protection of an intervention order. This will ensure that if the application for the apprehended violence order arises from this same set of circumstances or offending, even when the criminal offence is not proved, the complainant can still rely on the recorded statement for those civil proceedings.

This new and modern way of giving evidence responds to the unique context of domestic violence offending. The reforms are directed at increasing the number of guilty pleas to charges of domestic violence. I note the process will involve defendants being shown the video of the victim's statement prior to court and being encouraged to acknowledge their guilt rather than proceed to defend the charge in court. The reforms will reduce the trauma faced by victims in the criminal justice process and better support their engagement in that process. The task force heard issues raised by women of different cultural backgrounds, including about being able to tell their story in a language that is not their mother tongue or the one with which they are most familiar. New section 79A (3) covers this concern:

If the representation contained in a recorded statement, or part of it, is in a language other than English:

- (a) The recorded statement must contain an English translation of the representation or part, or
- (b) A separate written English translation of the representation or part must accompany the recorded statement.

This means the victim's statement can be recorded in the language in which the victim is most comfortable. Vulnerable women who do not have a strong command of English will be able to tell their story in their language without being obliged to do their best to tell their story in a language in which they are not sufficiently conversant. This is an important part of this bill. The bill addresses a longstanding rule of evidence in relation to hearsay and opinion. I will not give a legal definition of the rules, but this bill allows for the recording of a victim's evidence to be given directly as evidence in chief in court. That goes a long way towards assisting victims of domestic violence and reflects the determination of the Minister for Women to improve the conditions for women and children across this State who are subject to domestic violence.

The Government is fortunate to have a person of the Minister's calibre serving this Parliament. She could be making more money doing other things requiring fewer hours of work, but the Minister, who has many responsibilities in government, is making sure these issues are addressed to make this great State a safer place for victims of domestic violence. With the help of the Minister, the Government will do all it can to ensure it removes the scourge of domestic violence from our communities and that children can grow up in safety. For these reasons, I am proud to support this bill and I commend it to the House.

Mr JOHN WILLIAMS (Murray-Darling) [12.19 p.m.]: The Criminal Procedure Amendment (Domestic Violence Complaints) Bill 2014 will be a blessing for families in western New South Wales. Police officers who attend incidents of domestic violence in western New South Wales have a domestic violence kit available to them to enable them to record the events and take statements as a true depiction of the situation they walk into. Unfortunately, in most cases the victim has pressure put on them not to attend a subsequent court hearing and, as a consequence, no proceedings are taken against the aggressor. In western New South Wales educators have to deal with young children who are suffering trauma after being exposed to violence within their household. It is hard for educators to find a way to deal with the fallout from domestic violence as it is continuous and ongoing.

This legislation means that the perpetrators of domestic violence will no longer have a way out; they have to go to court and have the matter dealt with. We can only hope that by being charged and convicted and having to face whatever consequences the court decides, perpetrators of domestic violence start the transition to changing their behaviour, because currently they are continuing to reoffend knowing full well that the victim will not be attending court and they will be let off the hook once again. As a result of this legislation that will no longer be the case. I commend the Attorney General for making this brave and much-needed move. It is a huge step forward in trying to reduce the level of domestic violence that is occurring in western New South Wales.

Mr CHRIS PATTERSON (Camden) [12.21 p.m.]: I contribute to debate on the Criminal Procedure Amendment (Domestic Violence Complaints) Bill 2014, which amends the Criminal Procedure Act 1986 to allow domestic violence complainants to give their evidence in chief by way of a video-recorded statement in proceedings for a domestic violence offence. This bill will make New South Wales the first jurisdiction in Australia to allow domestic violence complainants to give evidence in this way. I share every member's sentiment in this House—Liberal, Labor, Independent and Greens—that we all have a responsibility to stamp out domestic violence. As members of this House, we need to do everything we possibly can to ensure that we offer support to victims, toughen the laws for perpetrators and get out the message to perpetrators that domestic violence is not acceptable behaviour. It was not acceptable decades ago, it is not acceptable now and it will never be tolerated in our communities.

Currently in New South Wales a victim in criminal proceedings relating to a domestic violence offence must attend court and give oral evidence, from memory and usually in front of the perpetrator, about the

incident that has led to the court proceedings. This process can re-traumatise victims and lead to complainants being reluctant to come to court, or in their evidence they may deviate from the original police statement. Complainants may also be pressured by perpetrators to back away from the only evidence that is likely to convict them, given that domestic violence incidents typically take place in private and with no other witnesses present apart from the perpetrator and the victim.

Any prior recording of a witness's statement is considered hearsay evidence, which cannot generally be admitted as evidence in court. Although police have increased access to technology to enable video-recorded statements to be taken at the scene of a domestic violence incident, currently such statements cannot substitute for the witness's evidence in court. These reforms seek to overcome that obstacle. They will enable domestic violence complainants to rely on the recorded statement taken by police as their evidence in chief in domestic violence proceedings.

These reforms will also allow the recorded statement that has been adduced in proceedings for a domestic violence offence to be adduced in proceedings for an apprehended violence order under the Crimes (Domestic and Personal Violence) Act 2007, which arises from the same incident. This ensures that where the application for the apprehended violence order arises from the same set of circumstances or offending, and even where the criminal offence is not proved, the complainant can still rely on the recorded statement for those civil proceedings. This modernistic way of giving evidence effectively responds to the unique context of domestic violence offending.

The reforms are directed at increasing the number of guilty pleas to charges of domestic violence where defendants who are shown the video of the victim's statement prior to court will be encouraged to acknowledge their guilt rather than proceed to defend the charge in court; and the reforms will reduce the trauma faced by victims in the criminal justice process and better support their engagement in that process. To capture their demeanour, the complainant's statement will be recorded as soon as practicable following the domestic violence incident. It may be that a domestic violence complainant has left the scene and is spoken to by police at a relative's house. In other circumstances, it may be necessary to take the statement after the domestic violence complainant has been treated in hospital. The intention is to record the statement as quickly as possible, but some flexibility is necessary, given the varied and volatile situations involved. The victim's wellbeing is paramount in this whole process.

The proposed bill engages domestic violence complainants from the outset by seeking their informed consent for the recording of the statement. Investigating police will tell domestic violence complainants the purpose of the recording, that the statement must be the truth and that it may be used as evidence in court. Safeguards will also be included to protect against the improper dissemination of the recorded statement, which could lead to the re-victimisation of the domestic violence complainant. These reforms are intended to reduce the re-traumatisation of domestic violence complainants by allowing their evidence in chief to be given by way of a recorded statement. The reforms provide a considered balance between empowering domestic violence complainants by supporting the participation in the criminal justice process and addressing the power dynamic that typifies domestic violence offending.

I take this opportunity to mention the upcoming White Ribbon Day on 25 November. White Ribbon Australia observes the International Day of the Elimination of Violence against Women, also known as White Ribbon Day. White Ribbon Day signals the start of the 16 Days of Activism to Stop Violence against Women. The campaign works through primary prevention initiatives involving awareness raising and education, and programs with youth, schools and workplaces and across the broader community. As I said, domestic violence is intolerable. We have taken a stand against it and we will continue to do so to ensure that within this House we do everything we can to help victims and try to eliminate domestic violence.

The Hon. Stuart Ayres, Minister for Police, the Hon. Victor Dominello, Minister for Citizenship and Communities, the Hon. Jai Rowell, Minister for Mental Health and I will attend a White Ribbon Day breakfast held in my electorate of Camden on 3 December. The White Ribbon Day breakfast in Camden will draw attention to the personal impact of domestic violence on victims. This important event helps to raise awareness within the community and would not be possible without the outstanding organising committee.

The committee comprises Tanya Whitehouse, Convenor; Lyndall Blackmore, Police DV Liaison officer; Sharon Pateman, Police DV Liaison Officer; Therese Easter, Brand New Day; Andrea Lee, the Department of Housing; Julie Roberts, the Department of Housing; Nicole Humphries, Community Links, Wollondilly; Brenda Lennon, the Benevolent Society; Katrina Dordevic, the Women in the Local Marcarthur

Area [WILMA] women's health centre; Debbie Graham, Partners in Recovery; and Denise Pritchard, Camden Council representative. I thank them for the outstanding work that they do. The breakfast is being put on in conjunction with Camden and Wollondilly councils, which are extremely supportive. I commend both mayors, Col Mitchell and Lara Symkowiak, for getting behind this event. Everybody in the community, this House, local government and local communities must do everything they can to eliminate domestic violence. I commend the bill to the House.

Mr BRAD HAZZARD (Wakehurst—Attorney General, and Minister for Justice) [12.30 p.m.], in reply: I thank the members representing the electorates of Liverpool, Tweed, Myall Lakes, Epping, Rockdale, Campbelltown, Murray-Darling and Camden for their contributions to the debate. The bill amends the Criminal Procedure Act 1986 to enable domestic violence complainants to give their evidence in chief by way of a prior recorded video or audio statement in criminal proceedings for a domestic violence offence. This implements a key reform identified by the New South Wales Government's Domestic Violence Justice Strategy 2013-2017, aimed at improving the criminal justice system response to domestic and family violence. The bill demonstrates the high priority that this Government places on holding perpetrators accountable for their offending and on empowering victims of domestic violence in the criminal justice process. I commend the bill to the House.

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

Motion agreed to.

Bill read a second time.

Third Reading

Motion by Mr Brad Hazzard agreed to:

That this bill be now read a third time.

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

PAYROLL TAX REBATE SCHEME (JOBS ACTION PLAN) AMENDMENT (FRESH START SUPPORT) BILL 2014 (NO. 2)

Second Reading

Debate resumed from 11 November 2014.

Mr MICHAEL DALEY (Maroubra) [12.32 p.m.]: I lead for the Opposition in debate on the Payroll Tax Rebate Scheme (Jobs Action Plan) Amendment (Fresh Start Support) Bill (No. 2) 2014 and state at the outset that, like its predecessor bills, as flawed and misconceived as they were in many respects, the Opposition will not oppose this bill.

Mr Andrew Gee: Ah!

Mr MICHAEL DALEY: The member for Orange is starting with his smart alec interjections. He of all people should keep quiet in regard to this bill as he has not covered himself in glory on this issue. On 6 March 2014 and again 20 days later I spoke in this place on the original Payroll Tax Rebate Scheme (Jobs Action Plan) Amendment (Fresh Start Support) Bill 2014, which took a long time—three weeks; a dozen sitting days—to get here after it was introduced. At the time it did not seem to be a priority for the Government, particularly when one has regard to *Hansard* and one sees the meagre significance of some of the bills that were interposed between the introduction and second reading of the original bill.

At the time I pointed out that the scheme was misconceived. Indeed, the NSW Business Chamber said so and asked for it to be reapplied to other ends. The scheme was supposed to have 100,000 applications in its first two years. It was amended, then extended, then amended again and extended again. Now it has been amended yet again, and after three years we have nowhere near 100,000 applications. The point of the scheme was to provide an additional \$1,000 payroll tax rebate to employers who hire a worker made redundant after 1 January 2014. The former worker was to have been working at a "designated employer". At that time the definition of a "designated employer" was not clear.

After the bill was introduced the Hon. Mick Veitch in the other place raised some good points. Apart from the fact that it had taken from March to May for the bill to make its way from this place to the other place, the Hon. Mick Veitch said that the scheme did not cover the workers from the Electrolux factory in Orange with regard to its closure. On 15 May 2014 an article in the *Central Western Daily* stated:

The Opposition spokesperson for Trade and Investment, Mick Veitch, has gone in to bat for redundant Electrolux workers on the floor of the New South Wales Parliament. He is fighting to amend the Payroll Tax Rebate to include redundant workers. In March the member for Orange, Andrew Gee, described an amendment to the legislation which would give employers \$6,000 who put on redundant Electrolux workers as "easy", yet he did not do it. Mr Veitch did instead.

At the time the State Government had just announced an increase to payroll tax rebates from \$5,000 to \$6,000 for employers who take on workers made redundant from firms of at least 50 staff in regional areas and 100 in city areas.

However, it would only apply to workers made redundant after January 1 2014 and before July 1 2015, meaning Electrolux workers made redundant when the plant winds down from the end of 2015 would miss out.

Mr Gee said in March that the legislation stated that the date could be extended through supporting regulations which had not been drafted yet. So "it's just a stroke of a pen". Previously Deputy Premier Andrew Stoner's office and Mr Gee said the Government would consider extending the deadline depending on the initial take-up of the scheme—

The initial take-up of the scheme was not good. The article continued:

Two weeks ago Mr Gee said he had broached the issue with the Minister's office—

in May—

and it had been the subject of vigorous and frank discussions in the NSW Parliament.

On Wednesday the Government was forced to consider the amendment to the bill to change the date after it was raised by Mr Veitch.

"It's a very simple amendment. This is above politics", he said. "We were concerned that the cut-off date excluded the Electrolux workers and we wanted to make sure it didn't."

The Government adjourned the debate to consider the amendment and at the time of print it had not come back before Parliament. Mr Gee said the amendment proposed by Mr Veitch had been received and was being considered.

So the Government said that at the time of print it had not come back before Parliament. Indeed, it had not come back before Parliament at the time of the publication of another article in the *Central Western Daily* on 22 August 2014 headed "Labor pushes for debate on rebate to help Electrolux workers". The article stated:

Labor's spokesperson for trade and investment Mick Veitch has questioned why the state government has not progressed debate on payroll tax rebate changes to help Electrolux workers.

Mr Veitch addressed the Legislative Council last week, three months after he proposed an extension to a \$6000 rebate paid to employers who took on workers made redundant from regional firms letting go of at least 50 staff.

Without the amendment, the legislation would only apply to workers made redundant ...

It further reported that Mr Veitch said he was frustrated:

"I think we caught them short because they hadn't thought of the amendment and it's difficult to accept the opposition's amendment but it was put forward in good faith," he said.

"I don't know why Andrew Gee isn't making more noise—surely he can push for it to be heard."

Mr Gee, the member for Orange, said the amendment was still being investigated and would not be drawn on whether he thought it would work.

"The whole issue of the Electrolux closure is high on the agenda and that includes payroll tax," he said.

I do not think so because on 31 October there was another article in the *Central Western Daily* headed "Electrolux workers left watching the clock: redundancy packages in limbo". The article stated:

More than six months on from proposed amendments to the Payroll Tax Rebate Scheme Bill which could benefit Electrolux workers facing redundancy, workers are still waiting for the amendments to come before parliament.

Yesterday Labor's Mick Veitch, opposition spokesman for trade and investment, and Adam Searle, opposition spokesman for industrial relations, visited Orange ...

They had to go to the Orange electorate to push the issue again because it had been left languishing for six months. The article continues that they:

... visited Orange to push the case for the government to adopt amendments to the bill, saying the delays were unacceptable.

The proposed amendments would extend the dates of eligibility of the payroll tax for employers, benefiting Electrolux workers facing job losses when the plant closes at the end of 2015 ...

In March this year, Member for Orange Andrew Gee intimated the changes could be drafted with "just a stroke of the pen".

"but time is not on our side and that 'stroke of a pen' has not happened," Mr Veitch said.

"With the latest job cuts announced this week at the coal mine in Lithgow it brings to 10,000 the job cuts in this region in the last 12 months.

We need those amendments to go through to extend the dates for eligibility for employer benefits so the Electrolux workers don't miss out," Mr Searle said.

Earlier this year the state government announced an increase in payroll tax rebates from \$5,000 to \$6,000 for employers taking on redundant workers, however the cut-off dates excluded Orange's Electrolux workers.

We are not considering an amendment moved by Mr Veitch because money bills cannot be initiated in the Legislative Council. Mr Veitch pushed the Government and the member for Orange to look after his own people. On behalf of the people of Orange I say in this Chamber, "Thank you, Mick Veitch, for doing what the member for Orange should have done in the first place."

Mr ANDREW GEE (Orange) [12.41 p.m.]: The quarry has been cornered and we have just had the abject surrender. I am pleased that the Opposition will support the every important Payroll Tax Rebate Scheme (Jobs Action Plan) Amendment (Fresh Start Support) Bill 2014 (No. 2), although in the end it had no choice and, quite frankly, it would not have made a difference anyway. This is a very important day for the city of Orange and this legislation is very important to the Orange electorate. It is a day when this Parliament recognises and responds further to the serious situation facing Orange as a result of the impending closure of Electrolux. Just over one year ago the closure of the Electrolux factory was announced. By any measure, it was a reprehensible decision. Some 550 people are employed at the Electrolux factory and what leaves a bitter taste in the mouths of Orange residents is that it is a profitable operation—but apparently not profitable enough for the Electrolux board in Sweden.

Electrolux has been a very important part of the social and economic fabric of Orange for decades. Locally, it provides \$33 million in wages to our electorate and just over \$74 million in value-added economic impact. On those figures alone one can see how important the factory is to Orange and how bitterly disappointed we are that it will be closing. However, the decision has been made. The Government tried to support the ongoing operations of Electrolux with multi-million dollar payroll tax breaks, but apparently it was not enough. Since the closure announcement, the Government has been most proactive in dealing with the fallout. It introduced the Central West Jobs Action Plan, the centrepiece of which—as the member for Northern Tablelands knows—is the Regional Industries Investment Fund. At the moment Trade and Investment is taking applications to that fund. They are being assessed and we are starting to see the fruits of that work. The fund supports larger businesses but also smaller businesses such as Zylem, which makes kitchens in Orange. There has been an important announcement about new machinery and an electrical upgrade for Zylem, which is run by the Hoskins family, which will enable it to employ more people.

We held a jobs expo that workers from Electrolux, and indeed anyone from the Central West, could attend to find out about future employment opportunities. We held labour market information sessions for Electrolux workers and, importantly, we have been conducting a comprehensive retraining program that has involved training Electrolux workers both in the factory, where classes are held, and off site. State Training Services and the TAFE Western Institute are just two organisations that have been instrumental in putting the training program together. In the past three months 421 one-on-one interviews have been conducted, and as a consequence 36 employees will be retiring and 406 have requested training of some form. By the middle of September 274 workers were enrolled in courses or training, which leaves 132 still to be enrolled. It is hoped that those remaining workers will be enrolled by the end of the year.

The Government has been heavily involved not only in trying to save Electrolux but also in dealing with the fallout from its closure. The people in the Orange electorate wholeheartedly support the Payroll Tax Rebate Scheme, and we were very pleased when it was introduced. But as I pointed out when it was announced in this Chamber, the problem is that the extended rebate scheme—which gives payroll tax paying employers an

extra \$1,000 rebate, increasing it to \$6,000—cut out in the middle of 2015 and the Electrolux wind down does not come into full force until the end of 2015. I have called publicly and privately for the scheme to be extended. That is the one comment in his speech that the member for Maroubra got right—the only one.

Indeed, in March this year I pointed out that the legislation states the date can be extended through supporting regulations, but they had not been drafted. They were not drafted then but they are now—and I have a copy that is hot off the press. The regulation expressly extends the scheme closure date to 30 June 2017 in respect of Electrolux employees at the factory in Orange. So for the first time the Payroll Tax Rebate Scheme (Jobs Action Plan) Amendment (Fresh Start Support) Bill 2014 (No. 2) extends the duration of the scheme to 2019, and the regulation extends coverage of the scheme specifically to Electrolux workers. So the life of the bill is extended for two years because, as we know, there is a two year run-off period. If a business qualifies for a rebate in 2017 it will still get it annually in 2018 and 2019. This is very important legislation that is wholeheartedly supported by everyone in my electorate.

I am very grateful that this House is turning its attention specifically to the serious situation in Orange. We have seen so many times during this final parliamentary session a churlish display from Opposition members. They were cornered like rats in relation to this issue. I was surprised that the member for Liverpool did not lead for the Opposition in this debate because in Labor's view Liverpool is western New South Wales. We hope that the member for Liverpool will contribute to the debate because we think he is the cat's meow. We are disappointed that he has not been able to get his paws on this piece of legislation. In any event, we are pleased Labor is supporting the bill. That brings me to members of the Legislative Council who have been attempting to use this issue for their own selfish political purposes for far too long. First, I refer to the Hon. Mick Veitch.

Mr Kevin Humphries: A serial offender.

Mr ANDREW GEE: A serial offender if ever there was one.

Mr Bryan Doyle: Kellogg's, they call him.

Mr ANDREW GEE: They call him Kellogg's, as the member for Campbelltown points out. Let me dwell on the subject of Mr Veitch for just a moment. I like Mr Veitch; I really do. I liked Mick the shearer, and indeed I have blown the froth off a couple with Mick once or twice. But Mick has recently undergone a transformation that has disturbed me greatly. I trace it back to the time when his preselection was very uncertain and he had to conform to the machine. He became a machine man. There were tell-tale signs of this: the Jason Donovan spiky hair disappeared—

Mr Kevin Humphries: He's been into Botox.

Mr ANDREW GEE: Botox, says the member for Barwon. The lamb-chop sideburns went and the hint of a mullet—the party in the back—disappeared too. Mick became a man who just towed the party line. So when they sent him on a suicide mission to defend the Labor payroll tax rebate scheme he readily accepted because he now owes his existence to the machine. We have seen Mick the shearer transformed into Mick the machine man, and I think it is very disappointing. As the member for Maroubra pointed out, it is true that a posse of machine men have come to the Orange electorate in recent times. [*Extension of time agreed to.*]

I refer to the three amigos. Whenever they come across the border we always give them a big, warm Orange welcome. The occasion was reported in the *Central Western Daily*. Members in this place will be familiar with the Hon. Adam Searle—Searley by name, surly by nature. Members can see his photograph in the article; he is looking very surly, as the member for Northern Tablelands will attest. We have Mick the machine man, with his new haircut, on the other side of him and a Labor apparatchik in the middle. When they were flouncing down Summer Street spruiking their flawed plan I was at the Electrolux factory addressing the workers.

The only thing missing from this photo in the *Central Western Daily* is the carpetbags of those members who had come to the electorate to spin this important issue for political purposes. But it was not just their carpetbags they were missing; it was also the snake oil, because that is what their plan was. The Mick Veitch-Labor machine plan was to extend payroll tax rebates to everyone in New South Wales until the middle of 2017 regardless of who they were or where they were. Treasury costed the proposal and found that it would potentially blow a \$200-million hole in the budget—highly irresponsible.

ACTING-SPEAKER (Mr Mark Coure): Order! Members will come to order.

Mr ANDREW GEE: That is the way Labor ran things in government: It was blowout after blowout. Those opposite did not do their homework or their costings and Treasury discovered a blowout of up to \$200 million. We took Labor's plan and had it costed. I sat down with the hardworking Treasurer and, after bouncing a few ideas around and doing the costings, we came up with a plan to help Electrolux workers that did not chuck a \$200-million grenade at the budget. Others in the Labor posse were also involved. There was the Hon. Steve Whan—known to members here as "second-chance Steve", soon to be "third-chance Steve". I shared a lift with him recently and looked into his eyes, searching for policy. However, I was disappointed. I did not see any policy—I saw the glimmer of a convention centre in Wollongong—but I did see fear.

Ms Cherie Burton: Point of order: My point of order is relevance. I ask that the member for Orange be drawn back to the leave of the bill. If the member did not spend so much time insulting people he might manage to conclude his speech without seeking an extension of time.

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

Mr ANDREW GEE: I saw fear of the Barilaro express that is barrelling down the line; it will collect the Hon. Steve Whan and send him on his way. To those amigos who flounced down Summer Street, I point to the final paragraph in the *Central Western Daily* article, which states:

During yesterday's visit Mr Veitch and Mr Searle met with Central West Community Alliance representatives.

That is nice. Perhaps they had a nice bottle of chardonnay at a cafe or in a phone box where Country Labor meets, but they were not in the factory talking to the workers. I say to surly Searle, Mr Veitch and Mr Whan—it has been a while since I have had to bring this out—here is the ceremonial egg flipper to wipe the egg off your faces.

Mr Clayton Barr: Point of order: Props are not permitted to be used in the House.

ACTING-SPEAKER (Mr Mark Coure): Order! I draw the attention of the member for Orange to the standing orders of the House.

Mr ANDREW GEE: I bring out the egg flipper to wipe the egg off their faces. We have not seen it since "second-chance Steve" crossed the border to whip up a scare campaign about Department of Primary Industries jobs. I thank the many friends of Orange who have had a hand in tailoring this bill: the Treasurer, who saved Lifeskills in Mudgee; Chris Muir and Danielle Brown from the Treasurer's office; the Premier; and the Deputy Premier, with whom I spoke about this today. They understood the gravity of the situation. They smiled when I said I thought this was the solution we need. They said, "Yes, we know it is." I thank the Hon. Duncan Gay, the Leader of the upper House; John Macgowan, who is a friend of Orange; and the Hon. Matthew Mason-Cox. I thank all those people who have had a hand in this legislation. It is not a magic bullet but it is an important step in getting Orange through what will be a very difficult time. I will present Mr Veitch with the ceremonial egg flipper at the earliest opportunity. [*Time expired.*]

Mr CLAYTON BARR (Cessnock) [12.56 p.m.]: I contribute to debate on the Payroll Tax Rebate Scheme (Jobs Action Plan) Amendment (Fresh Start Support) Bill 2014 (No. 2). Like the member for Maroubra, I live in the real world, not the world of fantasy where the member for Orange clearly resides. I recognise the work of the Hon. Mick Veitch, the member in the other place, who has essentially brought this bill to the table today. There can be no doubt that the people of Orange and the people of western New South Wales have Mick Veitch to thank far more than their elected representatives, who allegedly represent their interests in this place. The reality is that this bill would not be in this Chamber had it not been for the efforts of and the pressure applied by the Hon. Mick Veitch and other Labor members who brought this matter to a head.

I would have thought the member for Orange would have been able to recall and to act on his earlier comments when the Electrolux factory announced that it was to close. I think he described it as the hardest or saddest day in his time as a member of Parliament. Indeed, I said shortly after that I supported him in those comments because I was in the unfortunate situation of seeing in the electorate of Cessnock the closure of a large factory that employed more than 500 people. I refer to the Hydro aluminium smelter. The Government was certainly not forthcoming in offering opportunities to workers at the Hydro smelter—or indeed to workers at the Electrolux factory until the Hon. Mick Veitch became involved.

The Government could and should have acted. Indeed, it allegedly promised it would take action and save those jobs and factories but ultimately that came to nothing. It has become clear over the past 3½ years that Government members will say anything to get elected and be perceived as popular but will do nothing in this Chamber to make the changes required. More to the point, I frequently say in this Chamber that I feel embarrassed for those opposite. They come into this place and use cute lines and phrases and suggest they are doing something for New South Wales.

Mr Gareth Ward: Point of order—

ACTING-SPEAKER (Mr Mark Coure): Order! The member for Cessnock will resume his seat. The member for Kiama takes a point of order. What is the standing order?

Mr Barry Collier: You can't handle the truth.

Mr Gareth Ward: No, it is you who can't handle the truth. I refer to Standing Order 76: relevance. This is not relevant to the debate. Unless the member for Cessnock has anything of substance to say he should be directed to resume his seat because he is wasting the time of the Parliament.

ACTING-SPEAKER (Mr Mark Coure): Order! The member for Cessnock will confine his remarks to the leave of the bill.

Mr CLAYTON BARR: I acknowledge interjection number 3,728 by the member for Kiama.

ACTING-SPEAKER (Mr Mark Coure): Order! Members will come to order.

Mr CLAYTON BARR: It is clear that the member for Kiama does not like me speaking the truth in this Chamber. That is unfortunate because this Chamber could certainly do with some honesty. The Payroll Tax Rebate Scheme, which will now support the Electrolux workers in the Central West, is a last-ditch attempt on the part of the Government and reflects the fumbling of the inattentive member for Orange, who needed to do significantly more. The member for Bathurst also sat quietly by while hundreds and hundreds of jobs were ripped out of his region.

Mr Gareth Ward: Point of order: I refer to Standing Order 73. Attacks on members must be done by way of substantive motion, not via this drivel—this verbal diarrhoea—from the member for Cessnock.

Ms Cherie Burton: To the point of order: We just listened to the member for Orange drone on and on and insult other members. I suggest the member for Kiama get a thicker skin if he is to have a future in this place.

ACTING-SPEAKER (Mr Mark Coure): Order! There is no point of order. If members continue to interject they will be placed on calls to order. I call the member for Kiama to order for the first time.

Mr CLAYTON BARR: I draw the attention of the House to some of the words of the Hon. Mick Veitch during the Labor push for debate on rebates to assist Electrolux workers. Mr Veitch said something quite significant that we in this Chamber must understand about job losses in regional New South Wales. Job losses in major cities can be absorbed far more easily; the regions feel the closure of significant industries completely differently. I draw attention to the following comment by the Hon. Mick Veitch. In talking about people needing to leave the area to find other work, he said:

If all families do that it will have an impact on schools and create a domino effect ...we will lose teachers, police officers and nurses.

I come back to the Payroll Tax Rebate Scheme and the fact that it is so unfortunate that we have had to wait so long for this bill to be introduced to fix the errors of the past. The member for Orange would be well served to be a little more gracious in his comments in the local media when—or if—he returns to Orange. He should recognise the work of the Hon. Mick Veitch and thank him for what he has managed to do in terms of leveraging legislation into this place. The people of Orange are not fools and they will not be fooled. They understand who has been doing the heavy lifting. They understand who has been doing the work. When it comes to this bill they understand who is the heavyweight and who is the lightweight.

The member for Orange would be well advised to return to his electorate and recognise publicly the work of the Hon. Mick Veitch and thank him. While he may seek to use some famous Coalition weasel words to gain some sort of glory for himself, he would be well advised not to coat it too thick because people will see through it. The member for Orange probably has a reasonable reputation in his electorate. He has bravely taken exception to some of the policies introduced by the Government and the team that he allegedly represents. He has found himself at odds with his own team—and I think on some occasions has been exiled from the tent and the team and been left standing alone in the wings.

ACTING-SPEAKER (Mr Mark Coure): Order! The member for Cessnock will confine his remarks to the leave of the bill.

Mr Kevin Anderson: Point of order: My point of order is relevance. I ask that you draw the member for Cessnock back to the leave of the bill. The member for Orange has the full support of The Nationals and the Coalition in this matter.

ACTING-SPEAKER (Mr Mark Coure): Order! I direct the member for Cessnock to return to the leave of the bill.

Mr CLAYTON BARR: In allegedly returning to the bill, I point out—

ACTING-SPEAKER (Mr Mark Coure): Order! The member for Cessnock will return to the leave of the bill.

Mr CLAYTON BARR: I speak specifically to the contribution of the member for Orange in debate on this bill. When the member returns to his community he would be well placed not to seek to take credit—as he did in this Chamber a few moments ago—for what the bill will achieve for his community. He should be a little humble and honest with his community and recognise the work of the Hon. Mick Veitch.

Mr ANDREW CONSTANCE (Bega—Treasurer, and Minister for Industrial Relations) [1.05 p.m.], in reply: I listened to those opposite speak about the role of the Hon. Mick Veitch in bringing forward the Payroll Tax Rebate Scheme (Jobs Action Plan) Amendment (Fresh Start Support) Bill 2014 (No. 2). So I checked with my office. I hate to break it to Labor members, but I did not receive a phone call or request for a meeting from the Hon. Mick Veitch. I do not know whether he was more interested in appearing in local newspapers than in picking up the telephone. My door is open; I am happy to hear from Opposition members at any time. I simply make that point.

Let us be clear: This debate is about the good people of Orange and the hundreds of workers who are affected by the Electrolux closure. It is not about taking pot shots at the member for Orange. The member worked his way effectively through the processes of government to ensure that this bill came before the House today. In terms of any amendments the Labor Party wishes to move in the upper House, it must ensure that they do not have a directly detrimental effect on the budget. That is why we have proceeded in this manner. I particularly acknowledge the member for Orange, Mr Andrew Gee, for his work and his advocacy on this issue. Providing these benefits and amending the previous bill means that our procedural requirements must be followed, which ultimately has resulted in the reintroduction of a money bill in the lower House. That is what is happening today.

The bill extends the closure date for a further two years, to 30 June 2017, in respect of the employment of any worker made redundant between the period 1 January 2014 to 30 June 2017 who was formerly employed in the Electrolux factory in Orange. This recognises the significant impact that the closure will have on the community of Orange. I come from a regional community and I know full well the enormous impact that these types of closures can have at a local level and on a local economy. Most importantly, no-one in this Chamber should underestimate the impact the closure will have on the social health of that community—the employees and their families.

The bill builds on the Government's election commitment under the Jobs Action Plan to create jobs in New South Wales and to rebuild the State. I am happy to engage in argy-bargy in this Chamber with the member for Maroubra but I could not help but think—having listened to the member being interviewed on Channel 7 the other night about the Jobs Action Plan—that the Labor Party intends to walk away from this policy. Those opposite do not support the Jobs Action Plan in its entirety. Yes, they have acknowledged through their support of this bill its importance to the workers of Orange, but overall Labor has indicated that it will scrap the Jobs Action Plan and redirect resources elsewhere.

I do not know what agenda the Labor Party is pursuing. The Jobs Action Plan has generated more than 80,000 applications for new positions. In 3½ years New South Wales has gone from having the slowest jobs growth in the country to the fastest and from being the worst performing State to the best according to CommSec. Given that performance, I am somewhat perplexed by the public positions taken by members of the Labor Party. When the member for Maroubra was interviewed by Lee Jeloscek on Channel 7, he made it clear that the Labor Party would walk away from the payroll tax relief provided to business and, through it, to enterprise. Members opposite interpret that as the Government providing subsidies to business. They should think about the social and economic benefits that this legislation will deliver for individual employees who otherwise would not have a job. The Labor Party has taken the wrong tack, but of course that is no surprise to anyone.

The Payroll Tax Rebate Scheme (Jobs Action Plan) Amendment (Fresh Start Support) Bill (No. 2) 2014 amends the Payroll Tax Rebate Scheme (Jobs Action Plan) Act 2011. This legislation builds on the current scheme. The Fresh Start Support Scheme will provide an additional \$1,000 in payroll tax rebate to employers on a designated list when they hire a worker made redundant after 1 January 2014. As is the case under the current scheme, the job must be new and it must result in an increase in the employer's full-time equivalent workforce. The \$1,000 in additional payroll tax rebate under the Fresh Start Support Scheme will be paid on the first anniversary of the employment of the employee.

This additional \$1,000 means that the Jobs Action Plan rebate increases to a possible maximum of \$6,000 for employees formerly employed by designated employers. This means that eligible employers will receive a \$3,000 payroll tax rebate on the first anniversary of employment of the relevant employee, being \$2,000 under the existing Jobs Action Plan, an additional \$1,000 under the Fresh Start Support Scheme and \$3,000 on the second anniversary of the employment. The regulations outlining the guidelines for defining a designated employer and redundancy will be tabled shortly.

This legislation is designed to support the people of Orange, and particularly those employees who will be affected by the Electrolux decision. Of course, it comes when this Government is also continuing to ensure that New South Wales has the best State economy in this country. I take issue with the member for Cessnock, who has left the Chamber after making a pitiful contribution to this debate. He should know better. He knows what is happening in the mining sector and that it is a serious concern. The people of his electorate are suffering as a result of falling commodity prices and the flow-on effect that is having on the mining sector.

I have yet to hear from the member how he plans to address John Robertson's and the Labor Party's policy of shutting down the coal industry in this State. It is all very well to come into this place and to throw brickbats at people, but this is a very important and fundamental issue that will play out in the Hunter region over the next four months. John Robertson announced at a forum in Cessnock that the Labor Party wants to shut down the coal industry, and the member for Cessnock has been trying to duck for cover and to distance himself ever since. The Leader of the Opposition seems to suffer from enormous confusion about the philosophies that are supposed to underpin the socialist-democratic Labor Party. I do not know where the Labor Party will go with this.

Mr Gareth Ward: I don't think they do, either.

ACTING-SPEAKER (Mr Mark Coure): Order! I remind the member for Kiama he is already on a call to order.

Mr ANDREW CONSTANCE: The antics of the member for Cessnock today when, according to John Robertson, his own party wants to shut down the coal industry in New South Wales will not play out well in the Hunter. Members must acknowledge that life under Labor was bleak. We had the lowest economic indicators in Australia, be it in respect of retail trade, business confidence, consumer confidence, housing approvals or employment numbers. The Baird Government has refocused the State on ensuring that we live within our means and that we redirect resources across the community to stimulate housing and jobs growth and public infrastructure. I urge the upper House to consider this legislation carefully. I acknowledge that the Labor Party intends to support the passage of this bill. I particularly thank the member for Orange for his work. It would be scary if the Labor Party were back in charge of the New South Wales economy.

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 Andrew Constance agreed to:

That this bill be now read a third time.

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

Pursuant to sessional order community recognition statements proceeded with.

COMMUNITY RECOGNITION STATEMENTS

MASCOT RSL SUB-BRANCH REMEMBRANCE DAY SERVICE

Mr RON HOENIG (Heffron) [1.17 p.m.]: On Sunday I had the honour of attending a very moving Remembrance Day ceremony at the Eastlakes Sports Club. It was a privilege to stand alongside the Mascot RSL Sub-branch veterans to remember the brave members of our armed forces who sacrificed their lives for the freedom Australians enjoy today and will enjoy tomorrow. I also had the honour on behalf of Mascot RSL to present Jim O'Riordan with a framed photo of the Lancaster bomber that he flew over Europe in the Second World War. Jim flew 72 missions as a gunner and told me of the numerous occasions when his old comrades sadly never returned from their missions. Jim considered himself one of the lucky ones. Jim's humble and courageous spirit is testament to the Anzac legend and his story serves as an exceptional example of the heroism demonstrated by the Australian men and women of the armed forces and the many who gave their lives in the name of freedom. The Lancaster picture will now hang on the wall of Jim's nursing home room. I thank Mascot RSL Sub-branch for its invitation to attend the moving service. Lest we forget.

MACARTHUR SAINTS JUNIOR RUGBY LEAGUE FOOTBALL CLUB

Mr BRYAN DOYLE (Campbelltown) [1.18 p.m.]: It was with great pleasure that I attended the Macarthur Saints Junior Rugby League Football Club presentation day held last Sunday 9 November at the CUBE Campbelltown Catholic Club. It was great to see so many young men receive their awards and trophies after a fantastic season. I draw attention in particular to the under 16 team, which was nominated for the prestigious NRL One Community Award. Rugby league is about turning boys into men and it is clubs like the Macarthur Saints Junior Rugby League Football Club that turn them into the very best men they can be. I commend the club to the House.

JANNALI NEIGHBOURHOOD AID

Mr BARRY COLLIER (Miranda) [1.18 p.m.]: I ask the House to join me in acknowledging the truly remarkable work of Jannali Neighbourhood Aid [JNA]. For 49 years this not-for-profit community and volunteer-based organisation has been assisting those needing support to live safely and independently in their own homes. On 30 October I attended JNA's annual general meeting, noting that last year alone its workers and volunteers contacted more than 12,000 individuals and provided nearly 10,000 hours of service to the community. JNA is a community organisation with a big caring heart and a truly loving soul, which I am honoured to have in my electorate of Miranda.

I know all members will join me in thanking JNA's board under chair Barbara Moore and long-serving manager Dianne Townsend, its part-time staff and its 60 magnificent volunteers for their outstanding contribution to the welfare and wellbeing of our community. I am delighted to inform the House that Jannali Neighbourhood Aid has won the Community Services Category of the 2014 *St George and Sutherland Shire Leader* Local Business Awards announced last week.

LENNON FISHER, SURF LIFE SAVING AUSTRALIA AWARD

Mr STEPHEN BROMHEAD (Myall Lakes) [1.19 p.m.]: I congratulate local hero Lennon Fisher, who added another award to his mantelpiece this year after he was nationally recognised for saving a fisherman's life. Lennon picked up Surf Life Saving Australia's Meritorious Award for his outstanding bravery when he used a jetski to rescue one of four fishermen at Seal Rocks in May. The Pacific Palms Surf Life Saving

member launched a jetski in rough and treacherous seas to get to the man who had been fishing off a rock platform when a rogue wave swept him and others into the water. Three of the men were rescued while one of the men tragically was never found. The president of the club, Kel McCredie, said about Lennon: "He's such a humble guy." It was a great pleasure for me to meet him at the Lower North Coast Surf Life Saving event.

SUTHERLAND SHIRE BUSINESS AWARDS

Mr MARK SPEAKMAN (Cronulla—Parliamentary Secretary) [1.20 p.m.]: I congratulate Yogurberry in Cronulla on winning the Outstanding New Business Award at the 2014 Sutherland Shire Business Awards last week. Opening in 2013, the business has built a significant customer base locally. Many of my constituents enjoy going to the beach and coming back through the mall to enjoy a frozen yogurt. I can speak from experience about the excellent products. Accountants FMA Partners won the Outstanding Professional Services Award. FMA Partners help businesses and individuals, especially in the areas of taxation and superannuation. FMA Partners have been operating for 34 years and were finalists in the same category last year. I congratulate directors Russell Stanton, Natalie Hewson, Andrew Ma, Nicholas Hewson and the rest of the team

Payne Pacific Real Estate Agents won the Outstanding Real Estate Award and took out the same award in 2010. The Payne family has been a fixture in the real estate industry in the Sutherland shire since the 1970s, with Sid and Judy Payne being joined at the company by Christian and Nerrida Payne. I congratulate Sid, Judy, Christian, Nerrida and the rest of the team on winning this award. The Duck Republic won the Outstanding Fine Dining Restaurant Award. The Duck Republic is a fine example of the ever-growing food culture in Cronulla. Diners come from all over Sydney, and it has helped put brand Cronulla back on the map. I congratulate owner Geoff Bramman and the team at The Duck Republic on their award.

TORI DYSON, RED CROSS NATIONAL YOUTH AMBASSADOR OF THE YEAR

Mr RYAN PARK (Keira) [1.21 p.m.]: I congratulate Tori Dyson, a student at Keira High School who has recently been announced as the Red Cross National Youth Ambassador of the Year. Tori has been an extremely active ambassador at her school and within the local community. One achievement that certainly deserves recognition is her success at achieving 100 bookings across the school community for blood donations. She steadfastly advocated her peers to join up, donate and save a life. Tori did not stop at encouraging pupils at her own school; she mentored students at other local schools, including Woonona High, to take up the challenge and donate blood.

As someone who is a regular blood donor, I feel it is important that everyone who can does donate blood. Tori has shown a great deal of initiative for someone so young. Her passion and determination have been clear and apparent. I know her teachers, principal and school community are very proud of her and again I congratulate Tori on this achievement.

ARNCLIFFE PRIMARY SCHOOL GARDEN PROJECT

NORMA BOSWELL NINETIETH BIRTHDAY

Mr JOHN FLOWERS (Rockdale) [1.22 p.m.]: I recognise in the Parliament that, as part of the "Living Laneways" spring market project in Rockdale, pupils from Arncliffe Primary School have put their love of gardening to good use by producing vertical gardens from timber and plastic pipe and planting gardens on market day. The Living Laneway project has given much encouragement to young students to take an interest in beautifying their local area and their efforts are to be commended. I take this opportunity in the Parliament to extend congratulations to Mrs Norma Boswell of Kyeemagh on her ninetieth birthday. Mrs Boswell celebrated this special occasion on 28 July 2014, and I wish her happiness and continued good health.

BANKSTOWN LAPIDARY CLUB

Ms TANIA MIHAILUK (Bankstown) [1.23 p.m.]: In October I had the pleasure of attending the Bankstown Lapidary Club's fiftieth birthday lunch at the Bankstown Arts Centre. The event was a symbolic one to celebrate 50 years of growth and development, and it gives me great pleasure to see the Bankstown Lapidary Club continue to go from strength to strength in Bankstown. For 50 years the Bankstown Lapidary Club has coordinated a range of exhibitions, workshops and events showcasing the club members' gems, rocks, minerals and silverwork. I thank the president, Beverley Hodder, the executive committee and the hardworking volunteers at Bankstown Lapidary Club for their hospitality on the day. I wish them continued success in the future.

PENRITH VALLEY PRIMARY SCHOOLS PUBLIC SPEAKING COMPETITION

Mrs TANYA DAVIES (Mulgoa) [1.23 p.m.]: On Monday 10 November I attended my fourth Penrith Valley Primary Schools Public Speaking Competition finals held at Glenmore Park Public School. As one of the proud sponsors of this event for the past four years I was thrilled to be able to witness the creativity and imaginative approach these talented students took in preparing their speeches. I was so proud to witness my local school, Surveyors Creek Public School in Glenmore Park, win a hat-trick on the day. Three of the four category winners were from Surveyors Creek Public School. They were: in year 4, Torrance McLean, who gave a two-minute talk on the definition of "a little while"; year 5 student Kelsie Stoltenberg, who gave a 2½ minute talk on her trials with her older brothers and her love for them deep, deep, deep down in her heart; and year 6 student Vincent D'Ermilio, who gave a three-minute talk on habits.

I congratulate Kathy Browne, the principal, and Mrs Catherine McCann-Smith on their assistance to the students throughout this process. I highlight the sponsors, the Hon. Stuart Ayres, who co-sponsored the event, together with Penrith City Council. I thank the organising committee of Emily Warne of Regentville Public School, Catherine McCann-Smith of Surveyors Creek Public School and Kristine Beeby of Werrington County Public School.

POWERHOUSE YOUTH THEATRE

Mr GUY ZANGARI (Fairfield) [1.24 p.m.]: On Friday 7 November I was privileged to watch the Power House Youth Theatre perform Team Australia's *Stories from Fairfield*. The works were performed by young artists from the Fairfield region. Team Australia showcased seven perspectives from the artists regarding their lives and experiences as young Australians in the area. Congratulations to the Powerhouse Youth Theatre and everyone involved in delivering yet another outstanding performance that makes our area proud.

CANOBOLAS RURAL TECHNOLOGY HIGH SCHOOL HIGH PERFORMANCE ATHLETES

Mr ANDREW GEE (Orange) [1.25 p.m.]: I congratulate the 18 students from Canobolas Rural Technology High School who have been selected to participate in the schools High Performance Athletes program to start next year. The program will enable students to receive training and coaching and access to nutritionists, physiotherapists and sports psychologists. The school has partnered with service providers such as Charles Sturt University, Phys X, the Western Region Academy of Sport and Orange City Council to provide the highly dedicated future sports stars with opportunities regional students could only dream of.

The successful students chosen for the program include Georgia Kiel, Harry Betts, Matthew Gray, Mac Reith-Snare, Ben Zegzula, Erin Naden, Harry Pearce, James Gogala, Alyssa Reid, Emily Merchant, Jack Connors, Samantha Coppock, Emily Melnik, Will Christopherson and Callan Naden. I also congratulate the physical education head teacher, Mark Skein, and principal Chad Bliss. Canobolas Rural Technology High School does excellent work and it is hoped the program will draw elite athletes to the school and raise the profile of sport at the school and in the region.

CANTERBURY CITY COUNCILLOR KARL SALEH

Mr ROBERT FUROLO (Lakemba) [1.26 p.m.], by leave: I express my admiration and gratitude to one of my community's greatest advocates, Councillor Karl Khodr Saleh. Karl has been a tireless activist in the Canterbury community, striving to strengthen the bonds of harmony and respect in one of Australia's most ethnically and religiously diverse communities. As the founder of the Riverwood Australian Arabic Association and the Canterbury Harmony Group and as a councillor on Canterbury City Council, Karl has shown a selfless dedication and humbleness that has won him high regard across the community. Karl is a man of principle and integrity who works tirelessly to promote respect, unity and peace. Together with his wife, Nadia, who is equally devoted to helping those in need, the Saleh family are helping to strengthen our community. I thank Karl Saleh and congratulate him on his work on behalf of the people of my community.

TRIBUTE TO RON WILKINS

SHIRLEY BREASLEY AND THE HOLBROOK SHOW

Mr GREG APLIN (Albury) [1.27 p.m.], by leave: Vale, Ron Wilkins. Ron Wilkins was a well-known identity of Howlong and a most passionate promoter of the town, its residents and its facilities. As a resident he

worked for the community in many areas. He created the Howlong History Group, established the Howlong Flower Show, was an active member of the Lions Club, helped with the local newsletter and was a councillor on the previous Hume Shire Council. Ron contributed to the scouting movement for 54 years, was active in the local Anglican church and established a pioneer park at the entrance to the town. Ron died on Thursday 6 November aged 85. Our thoughts and prayers are with Ron's wife, Judy, and family.

Mrs Shirley Breasley has been the hardworking Holbrook Show secretary for 40 years. The Holbrook show is promoted primarily as a horse and dog show and this year it proved as popular as ever, with an amazing 410 dogs entered at the show. I congratulate Shirley on her wonderful achievement and thank her for her dedication.

CROWN STREET PUBLIC SCHOOL 165TH ANNIVERSARY

Mr ALEX GREENWICH (Sydney) [1.28 p.m.], by leave: On behalf of the Sydney electorate I congratulate Crown Street Public School on its 165th birthday. Today, together with the Federal member for Sydney, Tanya Plibersek, I joined in the celebrations, which included the opening of the school's new playground and library. Crown Street Public School has contributed to the fabric of the inner city for 165 years and the students, parents, teachers and staff reflect the diversity and values of the local area. I especially acknowledge the school's principal, Craig Nielsen, and parents and citizens president Ang Becroft for the great work they do for the school and local community.

KERRI ROBINSON, THIRTY YEARS DISTINGUISHED SERVICE

Mr GARETH WARD (Kiama) [1.29 p.m.], by leave: I congratulate Kerri Robinson of Kiama on her 30 years of distinguished service as a taxi driver. Kerri either won or was placed in the top three in the Country Taxi Driver of the Year Awards when they were run for five or six years. Kerri was nominated by the passengers whom she constantly provided with careful, reliable driving and she won great respect for her courteous, caring and kind manner with her passengers. I am reliably informed that Kerri has for many years been the first taxi to start at 4.30 a.m. or 5.00 a.m. every morning and is completely reliable and trusted within her team and her profession. After 30 years of service, Kerri Robinson has become an icon in Kiama who is well known and respected by many in our local community. I congratulate Kerri on her milestone and years of distinguished service to our community by providing assistance to those who need it and transport to those who require it. It is an outstanding achievement.

TYSON STAMP, BERT EVANS SCHOLARSHIP

LINDL WEBSTER, DIVERSIONAL THERAPY AWARD FOR EXCELLENCE

Mr GREG PIPER (Lake Macquarie) [1.30 p.m.], by leave: Today I recognise the achievement of Tyson Stamp, a citizen of Lake Macquarie, who has been awarded the Bert Evans Scholarship. The scholarship, which was named in honour of the patron of the NSW Training Awards and NSW Apprenticeship Ambassador, will support Tyson with a \$5,000 grant per year for up to three years in order to complete his trade training. The scholarship recognises apprentices who have a disability, are Aboriginal or Torres Strait Islander or are women in non-traditional trades. They must demonstrate a positive attitude in the workplace and an aptitude for vocational education and have endured hardship in their personal circumstances. I congratulate Tyson on his achievement.

I congratulate also Ms Lindl Webster, of Avondale Lifestyle Community at Cooranbong, who recently received the Diversional Therapy Award for Excellence. Ms Webster developed an intergenerational initiative for year 7 technology students at Avondale. A small group of students visited residents of a lifestyle community and were challenged to design and create an item to improve a resident's life. Using woodwork, metalwork, needlework and computer skills, they created items ranging from a chess set made from scratch to a cookbook on an iPad. Ms Webster's idea has not only helped the students to develop their creativity but it has also provided a means of narrative therapy for the residents. I commend Lindl for her achievements and hope she continues to develop this program in the future.

JAROD BAXTER, REPRESENTATIVE CRICKETER

Mr MATT KEAN (Hornsby-Parliamentary Secretary) [1.31 p.m.], by leave: Today I commend Jarod Baxter who last Sunday played in the under 12 Cawsey Shield representative team against the ACT Cricket

Association. I commend Jarod for one of the most extraordinary achievements for a young cricketer I have ever heard of. Jarod opened the bowling and bowled eight overs, taking four wickets for zero runs. That is right, eight maiden overs or 48 consecutive balls—probably across two bowling spells—without one run scored or even a no ball or wide. Aside from his four wickets, this was an incredible achievement, and one that I have never heard of for an 11-year-old. Happily, Jarod's team went on to win the match by three wickets, chasing down the ACT's total of 93 by hitting 94 with seven out. Aside from representing the Hornsby Ku-ring-gai and Hills District Cricket Association under 12 Cawsey Shield representative team, Jarod plays for the Hornsby district club under 13—up one age group for him—and is the leading wicket taker in that age group. I commend Jarod for his outstanding work. The member for Davidson, no doubt, could take some tips from him.

FRESH TRACKS FOUNDATION

Mr JONATHAN O'DEA (Davidson) [1.32 p.m.], by leave: In May this year I spoke about the opening of the Fresh Tracks Foundation North Shore Community Hub at the Honda Australia Roadcraft Training [HART] centre at St Ives. Fresh Tracks Foundation is a registered charity that works closely with the Royal Rehabilitation Centre Sydney and helps young people with acquired brain injury. Through support of their physical hopes and goals, patients are able to reclaim purpose and ambition. On Monday 17 November, together with Federal and local government representatives and a number of special guests, I will be pleased to attend a presentation of some recumbent bikes at HART. The Primary Club of Australia has donated funds to purchase four recumbent bikes, valued at \$16,800, and Community Care Northern Beaches has purchased one bike. I congratulate the organisation on its ongoing success. I thank those who have donated or contributed to the purchases.

GLADESVILLE BRIDGE FIFTIETH ANNIVERSARY

Mr JOHN SIDOTI (Drummoyne—Parliamentary Secretary) [1.33 p.m.], by leave: I congratulate Roads and Maritime Services on its stunning recognition in celebration of the fiftieth anniversary of the Gladesville Bridge. When the bridge was built it was the longest span concrete arch bridge in the world at 305 metres. At that time it was a bold and ambitious project. Today it remains an engineering feat and a testament to the skill and commitment of all involved. I congratulate Minister Duncan Gay, who addressed the audience at the wonderful celebration of the fiftieth anniversary of the Gladesville Bridge.

ANN JONES AND GRANDPARENTS DAY

Ms MELANIE GIBBONS (Menai) [1.34 p.m.], by leave: When this Government was elected in 2011 one of the first things the then Minister for Ageing did was to introduce Grandparents Day. I was thrilled that this year Ann Jones of Wattle Grove was nominated by Wattle Grove Public School for all she does as a grandparent for her three grandchildren: Breanna, Rachelle and Darren. Ann has been raising the children on her own since losing her daughter to an illness nine years ago. She does wonderful work at the Wattle Grove Public School canteen—I think she might even act as a grandmother to lots of children there as well. I acknowledge all that Ann Jones and other grandparents do to make our communities better places in which to live.

NORMA WILCOX NINETIETH BIRTHDAY

WILLIAM AND URSULA OEDING-ERDEL SIXTIETH WEDDING ANNIVERSARY

Mr JOHN FLOWERS (Rockdale) [1.35 p.m.], by leave: I take this opportunity to recognise and extend heartfelt congratulations to Mrs Norma Wilcox of Sans Souci on the occasion of her ninetieth birthday. Mrs Wilcox celebrated the event on 20 September 2014. I wish her good health and much happiness in the future. I also extend my warm congratulations to Mr and Mrs William and Ursula Oeding-Erdel of Sans Souci on the occasion of their diamond wedding anniversary. William and Ursula celebrated their anniversary on 27 October 2014, the same day as William's birthday. I wish them good health and much happiness in the future.

LAURA ARCHIBALD, UNIVERSITY OF WESTERN SYDNEY DEAN'S MEDAL

Mrs TANYA DAVIES (Mulgoa) [1.36 p.m.], by leave: I congratulate Glenmore Park resident Laura Archibald on achieving the Dean's Medal for Academic Excellence on her completion of a Bachelor of Business and Commerce (Advanced Business Leadership) Marketing degree with distinction at the University of Western Sydney. Upon her graduation at Penrith Christian School in 2010 Laura received the dux award and an academic scholarship to the University of Western Sydney. Majoring in international business and marketing,

Laura was selected to attend the University Scholars Leadership Symposium in Thailand in 2011 as a university representative. The committee at the symposium selected Laura as the chairperson for the closing ceremony, where she managed the question and answer forum involving representatives from universities from all over the world.

Laura's other involvement with the University of Western Sydney includes her work at Student Central, the first point of inquiry for new and existing students. She was also selected in the 2013 advertising campaign for the university on the enormous billboards along the M4 and M5 freeways, which run through Western Sydney. Laura has also featured on the cover of the Bachelor of Business and Commerce course outline booklet. On top of her studies and work commitments, Laura is a member of the Student Engagement Committee at the University of Western Sydney. She was elected as the secretary of the student group, which aims to improve the Advanced Business Leadership program. I congratulate Laura on being awarded the Dean's medal and her other outstanding achievements.

ST MARY'S CATHOLIC PRIMARY SCHOOL, CONCORD

Mr JOHN SIDOTI (Drummoyne—Parliamentary Secretary) [1.37 p.m.], by leave: Today I congratulate the organising fete committee of the St Mary's Catholic Primary School, Concord. The objective of the fete, which was held on 18 October, was to improve the leisure area at the school. I congratulate Principal Anna Marsella on her hard work in organising functions and fundraisers for the school, as well as her great leadership in steering the school in a wonderful direction.

ARTHUR MACLEOD, ROTARY NSW VOLUNTEER OF THE YEAR 2014

Mr GARETH WARD (Kiama) [1.38 p.m.], by leave: Today I congratulate Mr Arthur MacLeod from Lake Illawarra Local Area Command on recently being named the Rotary NSW Volunteer of the Year at the Rotary Clubs of NSW 2014 NSW Police Officer of the Year Awards, held in Sydney on Friday 7 November 2014. Mr MacLeod is the epitome of what the NSW Police Force stands for. We should be extremely proud that we have people of his calibre serving our local community. The most recent NSW Bureau of Crime Statistics and Research figures speak for themselves, with crime against all major offence categories either having fallen or remaining stable. It is certainly a great reflection of the hard work of local police in the Lake Illawarra Local Area Command to prevent and investigate crime.

I extend my sincere congratulations and appreciation to Mr Arthur MacLeod on his extremely deserving recognition. I thank him for his excellent work that he continues to do in the Lake Illawarra Local Area Command to help make our community a safer place. I thank Superintendent Wayne Starling, the Commander of the Lake Illawarra Local Area Command, who has done an exceptional job in leading the police force locally.

Community recognition statements concluded.

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

VISITORS

The SPEAKER: I welcome former member for Kiama Bob Harrison and his wife, Ann, guests of the member for Mount Druitt. I welcome to the Speaker's Gallery today Mr Ken Grant, father of the Deputy Premier, a guest of the Deputy Premier and member for Dubbo.

I extend a welcome to the gallery today to 31 students from the Australian Christian College, Bede Polding College, Glenwood High School, Riverstone High School, St Mark's College and Wyndham College, who are all taking part in the 2014 Senior Youth Leadership Encounter. I also welcome to the gallery today 17 students and their teachers from Dulwich High School of Visual Arts and Design, guests of the member for Marrickville.

I welcome to the Speaker's Gallery Susan Aumann, a member of the Maryland House of Delegates District 42, Karl Aumann, Chair of the Maryland Workers Compensation Commission, and Mary Ahearn, Chief Executive of the Maryland Workers Compensation Commission, guests of the Hon. Greg Pearce, MLC.

BUSINESS OF THE HOUSE

Notices of Motions

Government Business Notices of Motions (for Bills) given.

QUESTION TIME

[Question time commenced at 2.22 p.m.]

WORKERS COMPENSATION SCHEME

Mr JOHN ROBERTSON: Madam Speaker—

The SPEAKER: Order! I call the member for Murray-Darling to order for the first time. I call the member for Clarence to order for the first time.

Mr JOHN ROBERTSON: My question is directed to the Treasurer. I refer to the Treasurer's statement in this year's Budget Speech—

The SPEAKER: Order! The Minister for Education will come to order. The member for Marrickville will come to order.

Mr JOHN ROBERTSON: I refer to the Treasurer's statement in this year's Budget Speech:

You test the heart of a government when it comes to the treatment of the most vulnerable and those in need of support.

Will the Treasurer restore compensation payments to victims such as Katrina Keshishian, which the Government cut retrospectively?

Mr ANDREW CONSTANCE: I thank the Leader of the Opposition for his question. I can assure members that there is no politics in this.

Ms Linda Burney: Speak up—we can't hear you.

The SPEAKER: Order! If the member for Canterbury were quiet she would hear the Minister. The Attorney General will come to order. This is a fairly sensitive question. I ask members to come to order so that the Treasurer can be heard in silence. I call the Attorney General to order for the first time.

Mr Brad Hazzard: Politicising a substantive issue.

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

Mr ANDREW CONSTANCE: This matter is serious. Ultimately, no-one wants to see ugly politics being played out around it. To be honest, I have to question why the Leader of the Opposition has asked this question today.

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

Mr ANDREW CONSTANCE: No doubt the scheme as it originally operated was financially unsustainable. Ultimately, as victims were waiting on average more than 31 months to get support, the scheme posed a significant challenge. The Government at the time took some serious decisions to try to engender greater support in terms of counselling and assistance, particularly for medical expenses, relocation costs and loss of earnings up-front. It is never easy to make changes to these schemes. If they are unsustainable and are unable to give victims support up-front, some hard decisions have to be made.

I am conscious of that. We have seen it across a number of schemes, everything from workers compensation through to compulsory third party insurance. I have seen firsthand how badly that scheme operates. We must be able to invest more up-front to better support individuals. The new scheme offers a recognition payment, but the emphasis of the scheme has been on trying to get better counselling and medical support up-front. That has been our focus. As the issue has been raised at this time, no doubt the Attorney General has been meeting with those people and the victims concerned.

WESTERN SYDNEY INFRASTRUCTURE

Mr ANDREW ROHAN: My question is addressed to the Premier. How is the Government delivering better services and infrastructure for the people of Western Sydney?

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

Mr MIKE BAIRD: I thank the member for Smithfield for his question. He is proud of his electorate and knows strongly that the Government is delivering for Western Sydney.

Ms Noreen Hay: No, you're not.

Mr MIKE BAIRD: That is exactly what we are doing, and the member for Wollongong knows it. I acknowledge Patrick in the gallery. He is doing work experience in the Manly office. It is great to have him here. Wave to the crowd, no worries. Good work.

Ms Tania Mihailuk: You won't learn much.

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

Mr MIKE BAIRD: That was from PO box 1158. Members opposite should know that is a great name. Unbelievable.

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

Mr MIKE BAIRD: We are delivering for the people of Western Sydney. Recently it was great to join the Minister for Health at Blacktown Hospital, where we are delivering for the Blacktown community. No doubt the Leader of the Opposition will put on his brochure that he secured the hospital. The truth is that he had 16 years and did nothing. Who is delivering it? This Government is delivering it.

The SPEAKER: Order! The member for Macquarie Fields will come to order. Opposition members will come to order. The member for Canterbury will come to order.

Mr MIKE BAIRD: The truth is that there are challenges across Western Sydney. Indeed, over the next 20 years the population is expected to increase by another one million people, and there is a requirement for significant new houses. We could look at that, as did the former Government, and hide under a rock and be timid; or we can grab hold of the challenge and be bold and say, "Let's get on with it. Let us deliver for Western Sydney."

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

Mr MIKE BAIRD: Let us grab that challenge and turn it into a fantastic opportunity for Western Sydney and this great city overall.

Ms Noreen Hay: Build some houses.

Mr MIKE BAIRD: That is exactly what we have done. Since the election members opposite do not like to know about it, but an additional 44,000 jobs have been put into Western Sydney.

Ms Noreen Hay: Where are they?

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

Mr MIKE BAIRD: It was fantastic recently to meet with All Round Supplies in Prestons, a fantastic company whose business has almost doubled in the past 12 months on the back of the infrastructure work that is being delivered across Western Sydney. Last January I met with some of the biggest infrastructure players in the world who said that over the next five to 10 years the biggest opportunity for infrastructure is in Western Sydney. This is a huge opportunity being delivered by this Government, just like it is delivering in Newcastle. What infrastructure is being delivered by this Government? I cannot go through all of it because I only have a few minutes. We are delivering the North West Rail Link, which the former Government spoke about. Three boring machines into the ground—

Mr John Robertson: Name them.

Mr MIKE BAIRD: Elizabeth is one.

Mr John Robertson: Name the boring machines.

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

Mr MIKE BAIRD: You don't even think it is going on.

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

Mr MIKE BAIRD: This is a bloke who does not even know what is happening in his electorate. Boring machines are going into the ground in his electorate and he says nothing is happening. He must not even live in his own electorate.

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

Mr MIKE BAIRD: We are also delivering the great WestConnex project for which we have waited so long. We went up and down the M4 and M5 wondering if the former Government would or could do something about it. The answer was no but the good news is we are delivering the greatest infrastructure and the biggest road project undertaken in the history of this State. Yesterday the Minister for Roads and Freight announced the fantastic Eagle Vale Drive upgrade in Campbelltown, the Cumberland Highway intersection upgrade in Fairfield, the Wetherill Street upgrade, in addition to the Northern Road and Erskine Park Road intersections in Penrith city. I note that the first stages of the \$280 million Camden Valley Way upgrade are well and truly underway, delivered by a great member of this House. It continues no matter where we look. In addition to the North West Rail Link, the South West Rail Link, long promised by the former Government, is actually being constructed and delivered by the Minister for Transport, which is great news.

Pursuant to standing order additional information provided.

Mr MIKE BAIRD: Everywhere we go in this State this Government is delivering infrastructure. An amount of \$3.5 billion will be provided for roads around the new Badgerys Creek airport, in partnership with the Federal Government. This Government is rebuilding hospitals at Westmead, Campbelltown, Blacktown and Mount Druitt. We are delivering new schools at Oran Park, Bass Hill and Spring Farm. There will be upgrades to Cabramatta High School, Nepean Performing Arts High School, Wilton Public School, Nepean College Kingswood TAFE and Granville TAFE. We are very proud of our record because the people of Western Sydney deserve a government that believes in them and that delivers the infrastructure they have waited decades for. The good news is it is being delivered. We continue to deliver infrastructure to the people of Western Sydney, whilst those opposite ignored them and took them for granted, but we do it because we believe in them. It is this Government that delivers for the people of Western Sydney.

WORKERS COMPENSATION SCHEME

Ms LINDA BURNEY: My question is directed to the Premier. How can the Premier justify making retrospective cuts to compensation payments for victims like Katrina Keshishian while blocking retrospective laws to ensure corrupt politicians face justice?

[Interruption]

Mr MIKE BAIRD: As the Attorney General said, this afternoon both he and I met not only with someone who has been impacted but also with a representative of a number of people and groups that have been impacted. We are listening. When this scheme was first introduced we did not want it to remain the same as under the former Government, as it was unsustainable with people waiting years and years for funds. We wanted funds as quickly as possible to get to those who needed it the most. That is how the scheme was designed. Additional counselling is provided because that is what victims' groups said they needed. We are open to discuss with them how we can best reflect that scheme to meet their needs. As the Treasurer said, this is not a political issue; it is about how we can most support those in desperate circumstances or who have been through desperate circumstances. That is what this Government will deliver. We are open to listening to concerns. The Attorney General has carriage of this matter.

Ms Linda Burney: Point of order: I appreciate—

The SPEAKER: Order! What is the member's point of order? Surely it is not relevance.

Ms Linda Burney: It is Standing Order 129. It goes to the heart of the hypocrisy of the Premier's approach when it comes to retrospectivity.

The SPEAKER: Order! The Premier has completed his answer and he was relevant. The member for Canterbury will resume her seat.

REGIONAL WATER SUPPLY

Mr JOHN WILLIAMS: My question is addressed to the superb Deputy Premier and Leader of The Nationals. How is the Government providing greater water security for regional communities?

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

Mr TROY GRANT: Last week the member for Murray-Darling gave an outstanding valedictory speech in this Chamber. He outlined our years and years of successful delivery right across some of our most remote regional communities in this State.

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

Mr TROY GRANT: In the past three years this Government has been doing what those opposite failed to do for 16 years—that is, delivering dams, bores and pipelines that deliver water to give sustainability to communities across some of our most isolated and remote areas. This gives greater water security for regional communities as they face daily the impacts and devastation of drought. Those opposite decided to build a \$2 billion desalination plant that did nothing. They cancelled plans for water security and dam investments in regional New South Wales. Regional New South Wales is currently in the grip of drought, and that is not unusual for our State or our country. As Dorothea Mackellar said articulately in her poem, it is a nation that faces this crisis from time to time.

When our communities face such a challenge we need to ensure that they have access to the best possible water security that will sustain people, animals and enterprises. This Government is committed to making sure that our communities are as best prepared for drought as they possibly can be. Fundamental to this is making sure that we invest in the water infrastructure on which they rely. This Government has announced the State's first inland dam for almost 30 years. It has been called for forever, is long overdue but was not delivered by the former Government. State Water is undergoing the necessary due diligence and examinations for the proposed dam on the Belubula River in the State's Central West, in the electorate of the member for Orange, which offers the chance to maximise the use of our water resources for the region and to increase agricultural productivity.

In the Far West, an area that is represented by the Minister for Education and by the member for Murray-Darling, and across the Riverina, this Government's involvement in the Murray-Darling Basin Agreement was key to getting a better deal for local communities regarding water infrastructure. I commend the Minister for Primary Industries for her excellent work when she was the water Minister. This Government always maintained that infrastructure projects should be prioritised over the Federal Labor Government's water buybacks and its stripping of water from communities. As a result, we have secured a greater investment by the Federal Government into the basin plan, with a \$350 million package of new projects recently announced.

As a result, this new funding package will deliver more efficient and effective use of water across some of our driest and parched areas of the State. The New South Wales Government's ultimate assurance is that we are committed to delivering the water resources and infrastructure that are so desperately needed under our Water Security for the Regions Program. Under this program \$366 million has been reserved to help those communities most in need and farmers to prepare for future drought conditions. Today I am delighted to inform the House that 29 projects have been shortlisted under the latest round of the program, with \$83 million in funding available.

Some of the shortlisted projects include new pipelines in the Broken Hill, Cabonne, Orange, Tweed and Upper Hunter local government areas. In addition to this, bore projects have been shortlisted in Brewarrina, Conargo, Cowra, Gilgandra and the Warrumbungle shires. Water supply upgrades have been secured in

Bombala, Carrathool and the Upper Lachlan shires. Those shortlisted applicants now have four weeks to prepare detailed applications to secure a share of this funding. In the 2001-10 millennium drought, which is etched into the memories of everyone in New South Wales, the drought provided conditions that do not discriminate. Drought does not end up in isolated areas. Drought hits everyone and it hits hard. I know members opposite are not interested in regional New South Wales. While communities in the Far West are struggling, communities in the east, along the coast, are getting above average rain.

Pursuant to standing order additional information provided.

Mr TROY GRANT: For communities living up and down the eastern seaboard, higher than expected rainfall has been occurring. It is understandable that while rain is falling in those places they forget that it is not falling elsewhere and how perilous conditions west of the Blue Mountains have become. I am proud to be part of a Government that is delivering greater water security for regional communities. Contrast what this Government is doing with what Labor failed to do over 16 years; the picture is very clear.

The SPEAKER: I welcome to the public gallery Mr Russell Grove, former emeritus Clerk of the Legislative Assembly.

THE HONOURABLE MARIE FICARRA, MLC

Mr JOHN ROBERTSON: My question is directed to the Premier. Does the Premier believe that Marie Ficarra's conflicting evidence to the Independent Commission Against Corruption [ICAC] can be blamed on her miniature schnauzer or does he believe she misled ICAC and should be barred from running for pre-selection?

The SPEAKER: Order! That is the type of question I was warning members about yesterday. The Premier has the call.

Mr MIKE BAIRD: What I believe is that I am not going to listen to a word that the Leader of the Opposition says. Whatever the heck was in that question—I do not know what it was. It was a noose of some sort.

The SPEAKER: Order! The Premier does not need any help from Government members. Members will cease arguing across the Chamber.

Mr MIKE BAIRD: There is an investigation underway. Let the investigation be completed. Is it any wonder that the leadership of the Labor Party is being questioned by colleagues of the Leader of the Opposition when he asks those sorts of questions? Indeed, last night I happened to be in the House and I heard a speech.

The SPEAKER: Order! The member for Maroubra and the Leader of the Opposition will cease interjecting.

Mr MIKE BAIRD: The speech was given by the member for Toongabbie and I have to say: That's how you make a speech!

Mr Robert Furolo: Point of order: It was a great speech by the member for Toongabbie; however, my point of order is under Standing Order 129. The Premier is not being relevant to the question about Marie Ficarra and the schnauzer.

The SPEAKER: Order! I warned members yesterday about the nature of questions and their responses. The Premier has the call. Members will come to order.

Mr MIKE BAIRD: What was fascinating is that they all turned up.

Mr John Sidoti: Except Noreen.

Mr MIKE BAIRD: Was Noreen not there? She's working on her pre-selection. They were all listening deeply; they were all very much listening.

The SPEAKER: Order! There is too much audible conversation coming from Opposition members.

Mr John Robertson: Point of order: My point of order is under Standing Order 129.

The SPEAKER: Order! I will not take a point of order on relevance.

Mr John Robertson: Madam Speaker, with all due respect, you are required to allow me to make my point of order.

The SPEAKER: Order! I am sorry, I did warn members. I am not required to do anything the Leader of the Opposition tells me to do.

Mr John Robertson: Under Standing Order 129 I am entitled to make my point of order and then you can rule on it. It is relevance under Standing Order 129.

The SPEAKER: Order! There is no point of order. The Leader of the Opposition will resume his seat. The Premier has the call. I warned members yesterday about these types of questions.

Mr John Robertson: You cannot rule on the point of order before I have advanced the argument.

The SPEAKER: Order! The standing orders state that questions should seek factual information, not opinions. I should have ruled the question out of order, but I did not.

Mr John Robertson: But you did not and the Premier is now required to be relevant to the question.

The SPEAKER: Order! The Leader of the Opposition will resume his seat. The Premier has the call.

Mr MIKE BAIRD: He does not like this. Every one of those members was sitting there saying, "Hang on. We've let this bloke go and we are stuck with him." They were saying, "Oh my goodness, how did it all go so wrong? Why is he going?" He is going because he stood up to Eddie Obeid. Then all of a sudden everyone is looking at it—

Ms Noreen Hay: Point of order—

The SPEAKER: Order! I would like to hear the member's point of order uninterrupted by Government members, who should show the member some respect. I call the member for Hornsby to order for the first time.

Ms Noreen Hay: My point of order is relevance under Standing Order 129. Not only is the Premier not being relevant; Barry O'Farrell is not in this Chamber thanks to him and how did that happen?

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

Mr MIKE BAIRD: One knows how sensitive they are on this topic. They got rid of the guy who stood up to Eddie Obeid, gave a bit of a Labor narrative and actually inspired a bit of the truth.

Dr Andrew McDonald: Point of order: My point of order is under Standing Order 73. The Premier is now moving into improper motive and personal reflections.

The SPEAKER: Order! I did not hear any of that. The Premier has been praising the member for Toongabbie, with which I agree. The member will resume his seat.

PUBLIC TRANSPORT

Mr TONY ISSA: My question is addressed to the Minister for Transport. How is the Government delivering important transport services for the people of New South Wales?

The SPEAKER: Order! The member for Canterbury will cease interjecting.

Ms GLADYS BEREJIKLIAN: I thank the member for Granville for his question. Anybody who has been to Granville knows just how hard the member works and I pay tribute to him. I also know his interest in all matters relating to public transport. I am very grateful to him to be able to update the House today on

improvements we are delivering for not just constituents in Granville and Western Sydney but all of New South Wales. There is an unfortunate anniversary to be marked this month created by those opposite. It is exactly 17 years this month since Labor first announced that it would roll out electronic ticketing in time for the Sydney Olympics. We found an interesting quote from the Minister for Transport at that time in the *Australian* of 18 November 1997, which said:

... Transport Minister Brian Langton said he "expected Olympic tourists to use their particular brand of smart card to buy their airline tickets to fly to Australia, ride into Sydney on the new airport train, buy snacks and meals and use all forms of transport to get to and enter Olympic venues ...

One smart card ticket that can be used on all transport modes on any day, with decent interchange, is obviously the best solution for Sydney's commuters and the best way to get to Olympic Games events.

That was 17 years ago. To be precise, it was more than 6,000 days ago. It is interesting to know that if you are now 60 and eligible to get the gold senior or pensioner Opal card you would have been just 43 when former Minister Langton made that comment. I know it is another anniversary Labor would rather forget but, to refresh members' memories, that commitment was given by a transport Minister who was succeeded by five or six transport Ministers from the ranks of those opposite. In the same year that Brian Langton made that statement the Octopus electronic ticket was launched in Hong Kong. All Labor managed to do was to announce it. It had 13 years four months and 10 days in office to deliver something, yet it failed to do that.

We know just how far we have come with the Opal system in the past 3½ years. When those opposite left office the Government was left with \$100 million wasted, and a court case. But did they have one particular train station with an Opal ticketing system or any type of electronic ticketing system? No. Was there a single bus with an electronic ticketing system? No. Was there a single ferry wharf? No. Were customers able to take any free trips? No. It was an absolute disgrace. Not only did they fail to deliver electronic ticketing but also they slashed services. In 3½ years we have done what they could not do for a long time.

I am pleased to update the House on the Opal card: We have issued more than 1.2 million Opal cards. In just 10 days—and I thank our seniors and pensioners for being so enthusiastic about the Opal system—we have issued more than 41,000 Gold Opal cards. We treat our seniors and pensioners with respect on the transport network, not like those opposite. Remember their transport policy? What did they want to do to pensioners in the peak period? They wanted to kick them off services. Their document said that during peak hour that was one way of dealing with overcrowding. We on this side of the House treat our pensioners and seniors with respect, and I thank them for being so enthusiastic about the Opal system. I am pleased also to update the House and inform members that more than 17 million free trips have been taken on the Opal system so far. Our customers are enthusiastically taking—

Mr Greg Piper: I have one.

Ms GLADYS BEREJIKLIAN: The member for Lake Macquarie says he has one—an impartial voice in this place. I appreciate it.

Pursuant to standing order additional information provided.

Ms GLADYS BEREJIKLIAN: I am pleased to say that our customers have benefited from 17 million free trips. Customers are enjoying cheaper fares and better convenience.

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

Ms GLADYS BEREJIKLIAN: Not only are our customers enjoying the benefits of the Opal system but also they are benefiting from more than 10,500 extra weekly transport services since we came to government. That is in stark contrast to those opposite, who saw the way to solve problems in public transport as slashing services. That is what they did. Since coming to government in March 2011 we have provided more than 9,000 extra bus services, more than 1,100 extra train services and more than 220 extra ferry services each and every week in this great State. Of the 10,500 extra weekly services more than 6,700 of those are in Western Sydney, the south-west and the north-west. We know the only bus route number those opposite care about is the M40, which will be used to save the member for Shellharbour to parachute in the former member for Newcastle. But what about the member for Auburn? We say to those opposite: If it is good enough for those other members it is good enough for her.

Mr John Robertson: Point of order: My point of order is relevance. I thought the Minister for Transport would know it is the M41, not the M40.

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

Ms GLADYS BEREJIKLIAN: While they focus on themselves we are focusing on the people of New South Wales.

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

ELECTRICITY PRIVATISATION

Mr MICHAEL DALEY: My question is directed to the Treasurer. The Premier has claimed the State will earn an extra \$5 billion from interest on the proceeds of the electricity privatisation. How long will it take to earn this \$5 billion and what is the assumed annual rate of return over this period?

The SPEAKER: Order! It is always amusing when Opposition members ask a question but are not prepared to listen to the answer.

Mr ANDREW CONSTANCE: You would have thought after yesterday that the shadow Treasurer would not be asking a question—

The SPEAKER: Order! I call the member for Maroubra to order for the second time. The member is not listening to the answer to a question he asked.

Mr ANDREW CONSTANCE: Yesterday he did not understand retention value and today he does not understand interest. I am beginning to think that the old shadow Treasurer does not really understand what the Government's plan is for building infrastructure across New South Wales. He, of course, does not understand the processes around the necessary planning work and the time frame to bring infrastructure online. I have to have some sympathy for the good old shadow Treasurer because ultimately what he is dealing with from the leader of the Labor Party is fairly hard. Here we have someone who is a former Electrical Trades Union [ETU] boss pulling the strings of the shadow Treasurer in relation to this transaction.

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

Mr ANDREW CONSTANCE: Why does the former ETU boss and John Robertson want to stop this transaction? Because he wants to maintain the union rorts—

Mr Michael Daley: Point of order—

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

Mr Michael Daley: I refer to Standing Orders 73 and 129.

The SPEAKER: Order! It is very difficult to hear the Treasurer's answer when Opposition members are interjecting. The Treasurer has the call and will be heard in silence. The member for Maroubra can judge whether or not it is relevant.

Mr ANDREW CONSTANCE: I am now getting the picture that those opposite are about protecting union rorts as opposed to building work; the second harbour crossing; funding—

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

Mr ANDREW CONSTANCE: The Leader of the Opposition is about union rorts. Let us run through some of those union rorts. Let us talk about the worker who drove an Essential Energy car to Darwin.

Mr Michael Daley: Point of order: If the Treasurer does not want to answer the question or does not know the answer he should sit down.

The SPEAKER: Order! The member for Maroubra is not listening; he is interjecting throughout the Minister's answer.

Mr Michael Daley: It is not about my conduct.

The SPEAKER: Order! Yes it is.

Mr Michael Daley: It is not, actually. My point of order is under Standing Order 73. That does not go to the conduct of somebody sitting on this bench; it goes to the person answering the question, unless I am mistaken.

The SPEAKER: Order! The conduct of the member for Maroubra is offensive to me. The member for Maroubra will resume his seat.

Mr Michael Daley: I am entitled to stand here and take a point of order.

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

Mr Michael Daley: I have not expressed it to you.

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

Mr Michael Daley: I refer to Standing Order 73. You are talking about ETU and union rorts. That is clearly a personal reflection on the Leader of the Opposition to whom it is expressly directed.

The SPEAKER: Order! I am sure that it is not necessarily a personal comment about the Leader of the Opposition.

Mr Michael Daley: So it was not a reflection?

The SPEAKER: Order! If the member has taken it that way, I apologise. The member will resume his seat. I call the member for Maroubra to order for the third time.

Mr ANDREW CONSTANCE: Will the shadow Treasurer back what this Government will build as a result of this transaction?

The SPEAKER: Order! I warn members that if they continue to interject they will be removed from the Chamber.

Mr ANDREW CONSTANCE: Will members opposite support \$20 billion being used to decongest Sydney or to rebuild New South Wales? The shadow Treasurer obviously does not understand that interest can be earned on the proceeds of the transaction.

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

Mr ANDREW CONSTANCE: Members opposite are more interested in protecting union power within the ETU than allowing the Government to rebuild the State.

Mr John Robertson: Point of order: If only your intellect was as big as your ego.

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

POLICE AND EMERGENCY SERVICES

Dr GEOFF LEE: I address my question to the Minister for Police and Emergency Services. How is the Government investing in our police and emergency services to keep our community safe?

Mr STUART AYRES: I thank the member for Parramatta for his question. He is doing an outstanding job in Parramatta, which is an important part of this State. He has delivered some great results for his rapidly growing region, such as the light rail.

Dr Geoff Lee: What about the Wanderers?

Mr STUART AYRES: There are wonderful things happening with the Wanderers. The member also understands that a strong economy ensures that we can provide for the people who help us in times of need. Many members are wearing orange scarves, ties and jackets in recognition of the wonderful work of our State Emergency Service on Wear Orange Day.

The SPEAKER: Order! There is too much audible conversation in the Chamber. Those with a short attention span can leave.

Mr STUART AYRES: Record amounts of money are being invested in these areas. More than \$3.4 billion has been spent on supporting our police officers across the State. The Government is investing \$1.4 billion to support our emergency services. We now have 16,396 police officers. That is a record number and it means that we are well and truly on track to reach the budgeted figure of 16,665. The Government has also invested \$153 million to provide extra police officers on our streets every day. That is more police officers than has ever been provided in the State's history.

The Government is also ensuring that police officers have the capital resources they need to do their jobs. That is why it has invested more than \$177 million in capital works and in improving technology so that police officers do not need to go back to the police station to file reports; they can do that out on the road. We are also refurbishing police stations. We have invested heavily in automatic numberplate recognition so that we can catch criminals on the street and employ our resources more effectively. We have also established a specific traffic and highway patrol command with additional vehicles across the State.

Members would have heard about the fantastic work that the Police Transport Command is doing. Those using our public transport system now see police officers rather than civilians protecting them at train stations. The Government has invested heavily to address fraud and cybercrime, which is increasing across the community. We must ensure that our police officers can operate in the modern environment. The Government has also supported police officers on the front line with new ballistic vests and more than 13,000 thigh holsters to ensure that they have a functioning and safe workplace. We have also invested more than \$3.5 million in new mobile police command vehicles so that our command centres are flexible and can be employed across the State at any time. The Government is supporting fantastic operations such as Operation Talon and Strike Force Raptor, which continue to make our streets safer by taking firearms and organised criminals out of our community.

Crime statistics continue to demonstrate that these investments are making a profound difference and ensuring that our communities are safer. The Government's tough new consorting laws mean that organised criminals cannot work together. We also have a global first with Eyewatch. I am sure that everyone understands the importance of effective communication between the community and the police. Eyewatch has made a huge difference in the engagement and intelligence of the NSW Police Force. It is driven by smart technology and close community engagement, and it has resulted in many crimes being solved. It has also been recognised that we can use police officers to invest in our youth. The Government has invested more than \$20 million to support PCYCs across the State and it is having a massive impact. The Auburn, Camden, Warringah, Port Macquarie, Eurobodalla, Bega Valley and Lake Macquarie councils have been given funding to support new clubs.

Our emergency services have also seen significant investment, including \$17 million to replace essential Fire and Rescue NSW firefighting equipment, and \$46 million to support regional fire service infrastructure to ensure that when our community is desperately in need and when the volunteers in yellow or orange overalls turn up they have the equipment that they require. These are some of the most respected people in our community. They volunteer their time, and work day in and day out to ensure that we are assisted in our darkest times of need. This Government is continuing to support them by providing the infrastructure and technology that they need. A good example of that is the \$31.8 million that has been allocated to the Rural Fire Service to enable it to work on conveying community safety messages. We must get information out to the community as quickly as possible.

Pursuant to standing order additional information provided.

Mr STUART AYRES: An extra \$28 million has been invested in significant disaster readiness packages. The Government will continue to build the resilience that already exists in our community. It would be remiss of me not to acknowledge the resilience of the Blue Mountains community as it recovers from devastating bushfires. We know that the State will continue to experience strong weather patterns that bring fire, winds, dry

conditions and floods. The Government is helping Fire and Rescue NSW and Rural Fire Service units. It has recently allocated \$1.24 million to regional New South Wales to provide additional state-of-the-art fire trucks at Orange, Dubbo, Queanbeyan and Jerilderie. The Government has also invested in other locations around the State. Pyrmont fire station in inner Sydney is also being refurbished. New fire stations are being provided and existing stations are being refurbished, including in Western Sydney at Dunheved, South Windsor and Yennora.

These are investments that the Government has made in our police and emergency services to ensure that they have the infrastructure, technology and support they need when we need their help. Every day across this State volunteers leave their families to help us and they often put themselves at risk because they are dedicated to the community. The least we can do for them is to ensure that they have all the resources they need. That is exactly what this Government has delivered for the past four years, and it is exactly what it will continue to deliver when the people of New South Wales endorse its commitment to the police and emergency services of New South Wales at the election in March.

CALLAN PARK SITE

Mr JAMIE PARKER: I direct my question to the Minister for Planning. Given that yesterday marked three years since the Government was presented with the Callan Park Master Plan by Leichhardt Municipal Council and the community, when will the Government finally act and respond to the plan and secure the future of Callan Park?

Ms PRU GOWARD: I thank the member for that question and for his practical understanding of the complexities of the issue. I think everyone would agree that the future of the park has remained uncertain for far too long. As the member said, there is now a draft master plan, which included some good initiatives. Unfortunately, the estimated cost to the Government for implementing that plan is in excess of \$240 million. As everyone in this place would understand, the Government needs to consider the issue of cost very carefully, and we are working on getting the planning and future management of the park absolutely right. What is needed is a long-term and sustainable solution for Callan Park, one that respects its heritage significance and value for the local community and the region. It would be remiss of me not to reveal past failures in relation to the park, in particular, Labor's failures of which there are many.

Ms Linda Burney: Come on, tell us!

Ms PRU GOWARD: Those opposite need to know that when Labor was in government for 16 years it could not work out what to do with Callan Park, except for the one plan—to sell off 20 per cent of the park to developers of multistorey residential housing. That was the contribution of those opposite.

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

Ms PRU GOWARD: However much Labor members might want to rewrite history, they cannot escape that record, which is similar to the record of the reincarnated Labor candidate for Balmain who said she had been issuing leaflets complaining about pollution from cruise ships at the White Bay cruise terminal. Somehow she had forgotten that she was sitting at the Cabinet table signing off on that terminal with Joe Tripodi, Tony Kelly and Kristina Keneally. The member for Balmain might care to note that. Residents of the inner west have endured years of Labor uncertainty over Callan Park. For too long the support of these residents for Labor was taken for granted, although Labor failed to develop a clear strategy and vision for the park. The Baird Government, by contrast, recognises the significant historical and heritage value of Callan Park. We understand the park has played a key role for residents of the inner west for many years. It is amongst the largest open spaces in the inner city. It is for this reason that the Government needs to establish a plan for the park.

That is why the Government's new interagency committee for the Sydney Harbour Foreshore is considering the status and future uses of key sites like Callan Park. In our view the future plan for Callan Park must pay tribute to the historical and cultural value of the park, include recreational open space and space for other leisure activities, preserve heritage buildings and their character, establish future financing and funding arrangements for the park at no cost to government and secure the future of the park for generations to come. I assure the local member that in developing a plan for the park we will deliver where Labor could not. We will make sure there is a plan for Callan Park's future that is sustainable and that offers a bright future. I will be happy to take this matter further with the member for Balmain, as I understand his key and consistent interest in this matter.

The SPEAKER: Order! I thank the member for Balmain for asking a question, then sitting quietly and listening to the answer. That is very rare.

SERVICE NSW

Mr CHRIS HOLSTEIN: My question is addressed to the Minister for Finance and Services. How is the Government transforming service delivery in this State?

Mr DOMINIC PERROTTET: I am proud to be part of a Government that has transformed service delivery in this State. Service NSW is not an evolution; it is a revolution, and we needed a revolution based on the customer service mess that we inherited from those opposite.

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

Mr DOMINIC PERROTTET: When we came to power we inherited a complex, convoluted and confusing customer service network, including more than 100 call centres, 800 different websites, 450 shopfronts and 8,000 phone numbers. This customer service network was clearly focused not on service but on complexity. I am proud to say that, like with so many other issues, this is a Government of ideas, action and delivery. In a short period we have completely turned around the perception and the reality of customer service in government. At present customers can access more than 850 transactions through Service NSW. It operates under a simple concept: people go to one place for everything, whether that is renewing a driver licence, registering the birth of a baby or applying for a seniors card. Customers are being served quickly and getting on with their day, because we recognise that citizens have much more valuable things to do than waiting in queues and filling in forms.

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

Mr DOMINIC PERROTTET: Our one-stop shop has served more than 1.9 million customers at an average waiting time of less than six minutes and a satisfaction rating of 98 per cent. Even the member for Liverpool has been seen smiling as he has left this centre, skipping down the street.

Mr Paul Lynch: Point of order—

The SPEAKER: Order! Members will come to order. I would like to hear the point of order.

Mr Paul Lynch: Standing Order 73: I do not skip and I have never been to the centre he is talking about, primarily because it is owned by the Gazal Group, and I still wonder how much he got slung.

The SPEAKER: Order! There is no point of order. I call the member for Keira to order for the first time.

Mr DOMINIC PERROTTET: Our contact centres have taken 1.7 million calls. On the digital space we have served three million customers, with 33 per cent being repeat visitors. Just two weeks ago we launched a new Service NSW app, which has already been downloaded thousands of times. This story is not simply about numbers. Every day I am emailed stories about citizens across the State who have had great experiences at Service NSW. Tim says, "I just popped in to Service NSW at Chatswood. Incredible service; gone are the days of lining up for hours."

The SPEAKER: Order! I remind the Leader of the Opposition that he is on three calls to order.

Mr DOMINIC PERROTTET: Another said, "Wow, my faith in the New South Wales Government has been restored." Across the State customer service has been improved by Service NSW centres. I note that Service NSW has received numerous awards, including the Australian e-Government Award and the Australian Service Excellence Award. It scored international acclaim by winning the Connected Government Award in Malaysia just last month.

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

Mr DOMINIC PERROTTET: It is more than the technology and more than the extended hours; staff members have been integral to the success of Service NSW. They are doing a fantastic job. Last Friday I met with many of them at the Service NSW Chief Executive Officer Awards. I congratulate in particular the

manager of the Dubbo Service NSW centre, Paul Sutton, who won the Customer Service Commissioner Award. Previously he ran a pub in Dubbo and now he runs Service NSW in Dubbo. We are not rolling in that service yet, but he is doing a great job in Dubbo.

The SPEAKER: Order! The member for Fairfield is being silly.

Mr DOMINIC PERROTTET: Like all Service NSW centres, Dubbo is doing a great job for rural and regional areas in New South Wales.

Pursuant to standing order additional information provided.

Mr DOMINIC PERROTTET: Yesterday I announced, with the member for Northern Tablelands, Adam Marshall, a new one-stop shop in Armidale that will employ 13 staff, including seven new positions. I note that recently the Premier visited the Lismore Service NSW centre with the great member for Lismore and announced the location for a new service centre at Grafton. Construction will begin next year in Grafton and there will be a new centre in Albury, which will commence at the same time. This is not to mention the many service centres that are celebrating their one-year anniversary—Newcastle, Dubbo, Orange, Wagga Wagga, Tweed Heads, Port Macquarie and Tamworth. We have 20 service centres open today and by the end of June next year we will have 36 one-stop shops operating across New South Wales, from Bathurst to Bankstown, from Broken Hill to Burwood, from Coffs Harbour to Campbelltown. We are offering the best customer service to small businesses and citizens across the State.

Question time concluded at 3.19 p.m.

UNPROCLAIMED LEGISLATION

The SPEAKER: Pursuant to Standing Order 117, I table a list detailing all legislation unproclaimed 90 calendar days after assent as at 12 November 2014.

JOINT STANDING COMMITTEE ON ELECTORAL MATTERS

Report

Mr Gareth Ward, as Chair, tabled the report entitled "Preparations for the 2015 NSW State Election", Report No. 5/55, dated November 2014.

Ordered to be printed on motion by Mr Gareth Ward.

PETITIONS

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

Elizabeth Bay Marina

Petition calling for an open and transparent public tender process for development of the Elizabeth Bay Marina, received from **Mr Alex Greenwich**.

Same-sex Marriage

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

Public Housing Sale

Petition opposing the sale of public housing in Millers Point, Dawes Point and The Rocks, received from **Mr Alex Greenwich**.

Pet Shops

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

Slaughterhouse Monitoring

Petition requesting mandatory closed-circuit television for all New South Wales slaughterhouses, 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**.

Benedict Industries Pty Ltd

Petition requesting the cancellation of Crown licence RI 454972 issued to Benedict Industries Pty Ltd, received from **Ms Melanie Gibbons**.

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:

Repeat Offender Sentencing

Petition calling for harsher sentences for repeat offenders, particularly those who commit crimes while under the influence of alcohol or drugs, received from **Mr Thomas George**.

BUSINESS OF THE HOUSE**Reordering of General Business****Motion by Mr ALEX GREENWICH agreed to:**

That General Business Order of the Day (for Bills) No. 6 [Relationships Register Amendment (Recognition of Same-sex and Gender-diverse Relationships) Bill 2014] have precedence on Thursday 13 November 2014.

PARLIAMENTARY ZONE**Motion by Mr ANTHONY ROBERTS agreed to:**

That:

- (1) Under section 17 (2) of the Parliamentary Precincts Act 1997, this House declares the area of Hospital Road between the pedestrian crossings adjacent to the State Library and Sydney Hospital and hatched in the "Plan of the Parliamentary Zone within Lot 1824 in DP 841390" dated 19 October 2014, Surveyor's Reference 117202001-00, be treated as part of the parliamentary zone for the purposes of the Act.
- (2) A message be sent informing the Legislative Council and requesting the Legislative Council pass a similar resolution.

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

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) At 6.40 p.m. valedictory speeches.

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

CONSIDERATION OF MOTIONS TO BE ACCORDED PRIORITY

Western Sydney Infrastructure

Mrs TANYA DAVIES (Mulgoa) [3.25 p.m.]: My motion, which should be accorded priority, is in the following terms:

That this House:

- (1) Notes the Government is delivering services and infrastructure for Western Sydney.
- (2) Acknowledges the Government has a clear plan to invest \$20 billion to Rebuilding NSW.
- (3) Calls on the Opposition to not take Western Sydney for granted.

While Opposition members sit dazed and confused about what has happened to New South Wales in less than four years Government members are proudly announcing that they have made New South Wales number one again. Just under four years ago this Government inherited a basket case of a State with ballooning debt, infrastructure and housing backlog, an undersupply of jobs for Western Sydney and growing hospital waiting lists. New South Wales was on the bottom rung. In just under four years the New South Wales Liberals and Nationals are in control of this State's budget and are bringing down debts further—faster than those opposite could ever dream of doing.

This Government is delivering the infrastructure, the housing and the jobs for Western Sydney that those opposite failed to do. The Labor Party took Western Sydney for granted. Before the last election I doorknocked in my electorate of Mulgoa—I still do—and met people who said to me in frustration, "Why does Labor take us for granted and keep expecting us to vote them in?" I say, "No more". The people of Western Sydney have witnessed that the Liberal-Nationals Government is delivering for them in New South Wales.

Mr Guy Zangari: Name one hospital that you have built.

Mrs TANYA DAVIES: We built the Erskine Park Link Road. Labor promised it three times and failed to deliver it under Carr, Rees and Keneally. That is one project. We are delivering not only the WestConnex and North West Rail Link but also the South West Rail Link. We announced and built the decked car park at Nepean Hospital and delivered additional police in our local area commands. We have delivered 688 new police officers and 456 additional teachers. It is quite clear that only the Liberals and Nationals take Western Sydney seriously, and we are delivering. We have a \$20 billion plan not only to continue our work but also to accelerate it for the future.

Coal Seam Gas

Mr JOHN ROBERTSON (Blacktown—Leader of the Opposition) [3.28 p.m.]: This motion deserves to be accorded priority because gas and coal seam gas are significant issues that confront this State. This motion deserves to be debated because there is great contention right across this State about the effects of coal seam gas and the impacts of increased gas prices on businesses and communities. It is interesting that this Government conveniently implemented a moratorium to get it over a political hurdle in March next year. To enable it to get beyond March next year the Government introduced a moratorium until October 2015. But what will happen after October 2015? It is pretty clear what will happen.

Members opposite, if re-elected, would let rip across New South Wales with coal seam gas. One need only listen to the Premier's comments when last week he said, "Do we want coal seam gas? Absolutely." This issue will have a significant impact on a number of different communities. Let us take the northern rivers region as one example. I note the lovely contribution of the member for Ballina in his valedictory speech and draw

attention to his belief that the northern rivers region should remain coal seam gas free. Only Labor can deliver a coal seam gas free northern rivers region. I wonder how many members opposite feel the same way about their local communities. It is worth talking about a gas reservations policy. The nation needs a policy that reserves gas for local consumers, be they households or businesses.

At the moment businesses are struggling to secure gas contracts for longer than 12 months. That is placing at risk the future of major manufacturers in this State who employ thousands of people and who cannot plan beyond 12 months because they cannot get a contract for longer than 12 months for their gas supplies. Under this Government, household gas bills have increased from \$600 to \$900 a year. Gas prices are escalating because our gas market is exposed to the global market where prices are extraordinarily high. All the experts are saying that if we do not have a gas reservations policy and we allow this to continue we are likely to see gas prices increase two or three times more in the next few years. This motion deserves to be accorded priority because this issue impacts on businesses and households across the State.

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

The House divided.

Ayes, 57

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

Noes, 22

Mr Barr	Ms Harrison	Mr Robertson
Ms Burney	Mr Hoenig	Ms Tebbutt
Ms Burton	Mr Lynch	Ms Watson
Mr Collier	Dr McDonald	Mr Zangari
Mr Crakanthorp	Ms Mihailuk	
Mr Daley	Mr Park	<i>Tellers,</i>
Mr Furolo	Mr Parker	Mr Amery
Mr Greenwich	Mr Piper	Ms Hay

Pairs

Mr O'Farrell	Ms Hornery
Mr Perrottet	Mr Lalich
Mr Roberts	Mrs Perry
Mr Rowell	Mr Rees

Question resolved in the affirmative.

WESTERN SYDNEY INFRASTRUCTURE**Motion Accorded Priority**

Mrs TANYA DAVIES (Mulgoa) [3.41 p.m.]: I move:

That this House:

- (1) Notes the Government is delivering services and infrastructure for Western Sydney.
- (2) Acknowledges the Government has a clear plan to invest \$20 billion to Rebuilding NSW.
- (3) Calls on the Opposition to not take Western Sydney for granted.

It is indeed an honour and a privilege to represent Western Sydney and the people of Mulgoa in this place. As a long-time resident, I lived with the lack of interest and care shown by those opposite when they were in government. So I am pleased and excited to be living in a region that is, for once, getting the focus and attention from the New South Wales Government that it rightly deserves. The investment in infrastructure, housing, jobs delivery, education, hospitals and public transport is exciting. It is an absolute pleasure to witness it and to be part of its delivery.

Those Labor members who remain in the Chamber to speak to this motion are dazed and confused because they led this State into the doldrums. They ignored Western Sydney, which is the powerhouse of the New South Wales economy. It is the third biggest economy in Australia yet it was ignored by Labor. But it will not be ignored by the Liberals and The Nationals, who are determined to focus on Western Sydney. For example, through the implementation of Service NSW we are making interacting with government fun and easier for our residents. Not only have we seen 25 Service NSW one-stop shops established, but also we have seen five opened in Western Sydney alone.

We have 775 more nurses in our Western Sydney hospitals than when we came to government just under four years go. We have 688 additional police officers posted to 20 local area commands. We have an additional 456 teachers in Western Sydney schools. For the youngest and smallest members of our community—our kindergarten and year 1 students—our Literacy and Numeracy Action Plan has seen 97 per cent of our year 1 children on track to meet or exceed the end-of-year standards in numbers; in 2012 the figure was only 65 per cent. In relation to infrastructure, we have announced and funded Australia's biggest urban road project, WestConnex, which will bring relief to Western Sydney motorists. It is long awaited. The former Government promised it but did not deliver and, worst of all, sold off the corridor where it would have been built.

The good news continues. We have not only begun but also finished the South West Rail Link, and we brought it in way under budget. We have commenced the North West Rail Link—an \$8.3 billion project comprising eight stations with 4,000 parking spaces—which those opposite failed to deliver. This motion is crucial for New South Wales because it identifies not only that the Government is delivering for the people of Western Sydney but also our plan for the future. That plan is not only articulated in Rebuilding NSW but also funded—something those opposite failed to deliver. They have been in opposition for just under four years but they cannot get their heads around the notion that when a plan is announced its funding must be announced also. They still have not learnt the basics; it is government 101.

In contrast, the expert Ministers in this Government have a clear \$20-billion plan to rebuild New South Wales that will see improvements across this great State, but particularly in Western Sydney. Sydney Rapid Transit will see a 60 per cent increase in train movements across the metropolitan region. We have the Sydney Roads Renewal program, the Schools and Hospitals Building Fund worth \$2 billion, and the Sports and Cultural Fund, which is worth at least \$500 million—let alone all that we have programmed for the regions in New South Wales. This Liberal-Nationals Government has a clear plan to build and deliver for the people of Western Sydney and for New South Wales. [*Time expired.*]

Mr GUY ZANGARI (Fairfield) [3.46 p.m.]: I do not support the motion moved by the member for Mulgoa, particularly paragraph (3), which calls on the Opposition not to take Western Sydney for granted. Quite disgracefully, in the past the member for Mulgoa has said, "Radioactive waste is a win for the community". She did not mention infrastructure that has been built and delivered. It shows that the member for Mulgoa does not understand Western Sydney.

Mrs Tanya Davies: Point of order: The member for Fairfield is misleading the House. I never said that; he should state his source.

The DEPUTY-SPEAKER (Mr Thomas George): Order! There is no point of order.

Mr GUY ZANGARI: The local media. Has the Government forgotten the Carr Government's intervention in Cabramatta? The member for Mulgoa seems to have forgotten how the Carr Government put Cabramatta and Fairfield back on the map and encouraged the great domestic tourism that is occurring in our region. This Government took away the Cabramatta Street Team—it cost only \$800,000 per year—that helped at-risk children. This Government has certainly taken Western Sydney for granted. I will not be lectured to by those opposite about infrastructure in Western Sydney. I remind them of the former Labor Government's proud record of building hospitals at Mount Druitt, Fairfield, Westmead, Blacktown and Auburn. The former Labor Government built the Y link at Granville, the Liverpool Turnback, the Parramatta Transport Hub, the T-way from Liverpool to Parramatta and the T-way from Parramatta to the northern suburbs of Rouse Hill, which this Government privatised. Government members should not lecture the Opposition about investment and rebuilding New South Wales when they do not have their facts straight.

As for taking Western Sydney for granted, why did the Government shut down Custom Coaches at Villawood, a 50-year-old company, and send the manufacturing contract to a company in Queensland? Hundreds of jobs were lost in Villawood. People who live in Guildford, Smithfield and Villawood have lost their jobs as a result of this Government taking Western Sydney for granted. It does not get more hypocritical than that. The former Labor Government built the "lungs of Western Sydney". Lizard Log, Plough and Harrow Park and the Western Sydney Parklands were all delivered by the former Labor Government. Out in Penrith—the member for Penrith will know this—the regatta and the rowing course were delivered by Labor, as was the sprinter stadium at Lidcombe.

Mr Stuart Ayres: I love the passion of the member for Fairfield, particularly when he mentions things such as the regatta, but if we are talking about who delivered what, we should at least acknowledge that John Fahey clearly won the Olympic Games for Sydney. We put the bid in.

The DEPUTY-SPEAKER (Mr Thomas George): Order! The Minister will resume his seat. There is no point of order.

Mr GUY ZANGARI: Then there is the transport hub at Mount Druitt. Government members are so glass jawed it is not funny. Labor built Western Sydney. The Government has done nothing in four years. I will be interested to see what happens over the next four years because this State will be behind the eight ball under a Coalition Government. [*Time expired.*]

Mr BRYAN DOYLE (Campbelltown) [3.51 p.m.]: It gives me great pleasure to support the motion moved by my good friend the member for Mulgoa. This Government is a success story for the people of Campbelltown and the greater Macarthur. It has been my privilege to represent the people of Campbelltown as we deliver much-needed infrastructure, long promised by those opposite but never delivered. In the past 3½ years this Government has transformed Campbelltown—that opal of the south-west and the very best part of the Macarthur—through a number of projects, including the wonderful stage one of the \$134 million Campbelltown Hospital upgrade, which is not only on time but under budget thanks to the great work of our health Minister, Jillian the Builder.

The DEPUTY-SPEAKER (Mr Thomas George): Order! I remind the member for Campbelltown to refer to other members by their correct titles.

Mr BRYAN DOYLE: When completed, there will be more spaces for ambulatory care, 90 more in-patient beds, a large emergency department and an increased number of car parking spaces. Planning for stage two of the upgrade to Campbelltown Hospital is now well underway and will continue. The Government has also committed \$9 million towards an \$18-million joint project between NSW Health and the University of Western Sydney Campbelltown Clinical School to provide a new medical training facility for Campbelltown students to study closer to home as we promote increasing the number of doctors in Campbelltown.

We have had wonderful support from the Minister for Roads and Freight, Duncan Gay. Campbelltown has seen unprecedented road construction, with a \$114-million upgrade to widen Narellan Road to six lanes, providing easy access for people to travel to Campbelltown and Camden in that great region, the Macarthur.

Recently \$17.5 million was allocated to upgrade Eagle Vale Drive, Eagle Vale, to meet the demands of our growing community. This is part of the \$200-million package for Western Sydney local roads funded jointly by the Australian and New South Wales governments. This Government has overseen the widening and upgrade of Camden Valley Way, which is worth \$280 million. It was opened recently by my good friend the member for Camden and the Minister for Roads and Freight.

The projects continue to grow. In fact, the M5 widening is 90 per cent completed. It will be six lanes all the way from Camden Valley Way to King Georges Road. We should not forget the wonderful things that are happening with Sydney trains and the long-promised Ingleburn station upgrade. The member for Fairfield did not speak about that, and he knows why. Labor said that would never be delivered yet it is being built under this Government. The Government is delivering for the people of Western Sydney, the people of the Macarthur and the people of Campbelltown. People have said that during the 16 years of Labor Government nothing happened in Campbelltown. Now all they see is construction work, with dust and dirt flying as roads and hospitals are being built. There is hope for the people of greater Western Sydney. *[Time expired.]*

Ms TANIA MIHAILUK (Bankstown) [3.54 p.m.]: I am delighted to contribute to debate on the motion and to refute the nonsense that the member for Mulgoa said today. No doubt the radioactive waste must be affecting the member for Mulgoa, judging by the glow we see coming from her today.

Mrs Tanya Davies: Point of order: As I have said before, if Opposition members have an allegation that was printed in the newspapers, then table it. Your Government signed the contract with SITA. You sold out Western Sydney.

The DEPUTY-SPEAKER (Mr Thomas George): Order! There is no point of order. The member for Strathfield will come to order. The member for Bankstown has the call.

Ms TANIA MIHAILUK: Let me tell you, member for Mulgoa, you are the one who sold out Western Sydney and you might want to leave the Minister for Western Sydney alone.

The DEPUTY-SPEAKER (Mr Thomas George): Order! I call the member for Bankstown to order for the first time. She will direct her comments through the Chair.

Ms TANIA MIHAILUK: I remind the member for Mulgoa that she and the member for Smithfield rolled over on accepting radioactive waste in Kemps Creek. That is reality. I also state for the record that if you want to make sure that your Government delivers better for Western Sydney you might want to support the Minister for Western Sydney instead of working with your husband and Jackie Kelly to try to remove him from his seat, because that is exactly what you are doing, member for Mulgoa.

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

Ms TANIA MIHAILUK: I have 40 seconds speaking time remaining, Mr Deputy-Speaker.

The DEPUTY-SPEAKER (Mr Thomas George): Order! I will not tolerate a tirade across the Chamber when I asked the member to desist.

Ms TANIA MIHAILUK: I am just asking that the member for Mulgoa support the Minister for Western Sydney.

The DEPUTY-SPEAKER (Mr Thomas George): Order! I directed the member for Bankstown to resume her seat because she continued to argue across the Chamber and did not direct her remarks through the Chair after I ruled that she should do so. The member may continue if she directs her comments through the Chair.

Ms TANIA MIHAILUK: I ask the member for Mulgoa to support the member for Penrith.

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

Mrs TANYA DAVIES (Mulgoa) [3.57 p.m.], in reply: This motion should have been debated seriously in this House, rather than fanciful, humorous—

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

Mrs TANYA DAVIES: It is astonishing that members opposite have turned this debate into a fanciful, humorous, joking game. The New South Wales Liberal-Nationals Government is rebuilding New South Wales and focusing on Western Sydney. I am a proud local member. Pursuant to the protocols of this House I have to thank members representing the electorates of Fairfield, Campbelltown and Bankstown for their contributions to the debate—although I really do not want to thank the member for Fairfield or the member for Bankstown for their pathetic efforts. The Government is investing 44 per cent more in funding for Western Sydney roads than Labor ever did. Those opposite can choose to ignore them, but the facts speak for themselves. We are delivering solutions to ease congestion.

We have created more than 130,000 new jobs since we came to government less than four years ago. We are building WestConnex. Stage one of the \$11.5 billion project will start in early 2015. Our Pinch Point Program totalling \$246 million is delivering by easing congestion across our great State. Roper Road, Colyton, has benefited from this program. In support of my colleague the member for Penrith, the Minister for Police and Emergency Services, the Leonay intersection at the M4 has also been a beneficiary. Under Labor, congestion was allowed to build to the point where it is now costing New South Wales \$4 billion a year. Those opposite should be able to add that up because it is four fingers on one hand. They should be able to do it but we will wait and see whether they can.

We on this side of the House were proud to deliver the Erskine Park Link Road. More than that, the Liberal-Nationals Government has a \$20-billion plan to rebuild New South Wales. That will transform this State for generations to come. We on this side of the House have a plan for the future, a vision for the future. We have plans to rebuild our roads, rail and hospitals, our cultural centres and sports fields. Those opposite can sit there naval gazing and dazed and confused, but we on this side of the House have a clear plan that is funded to deliver for the people of New South Wales. [*Time expired.*]

Question—That the motion be agreed to—put.

The House divided.

Ayes, 53

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

Noes, 22

Mr Barr	Ms Harrison	Mr Robertson
Ms Burney	Mr Hoenig	Ms Tebbutt
Ms Burton	Mr Lynch	Ms Watson
Mr Collier	Dr McDonald	Mr Zangari
Mr Crakanthorp	Ms Mihailuk	
Mr Daley	Mr Park	<i>Tellers,</i>
Mr Furolo	Mr Parker	Mr Amery
Mr Greenwich	Mr Piper	Ms Hay

Pairs

Mr O'Farrell	Ms Hornery
Mr Perrottet	Mr Lalich
Mr Roberts	Mrs Perry
Mr Stokes	Mr Rees

Question resolved in the affirmative.

Motion agreed to

Pursuant to resolution government business proceeded with.

COURTS AND CRIMES LEGISLATION AMENDMENT BILL 2014

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

Second Reading

Mr BRAD HAZZARD (Wakehurst—Attorney General, and Minister for Justice) [4.11 p.m.]: I move:

That this bill be now read a second time.

The Government is pleased to introduce the Courts and Crimes Legislation Amendment Bill 2014. The bill is part of the Government's regular legislative review and monitoring program, and makes miscellaneous amendments to legislation affecting the operation of the courts and tribunals of New South Wales and other legislation administered by the Attorney General and Minister for Justice. I will now outline each of the amendments in turn.

Schedule 1 deals with amendments concerning the Civil and Administrative Tribunal. Schedule 1.1 amends the Children and Young Persons (Care and Protection) Act 1998 to restrict the proceedings in which a risk of harm report can be admitted into evidence before the NSW Civil and Administrative Tribunal [NCAT]. Before NCAT commenced, section 29 of the Children and Young Persons (Care and Protection) Act provided that risk of harm reports could be admitted into evidence only in the Guardianship and Victims Compensation Tribunals. Section 29 was unintentionally widened when the Civil and Administrative Legislation (Repeal and Amendment) Act 2013 commenced. As a result, risk of harm reports can now be admitted in all NCAT proceedings. While in practice NCAT would allow these reports into evidence only where they are relevant, it is important that risk of harm reports remain as confidential as possible. This amendment therefore re-establishes the previous position.

Schedules 1.2, 1.3 and 1.4 contain four amendments to the Civil and Administrative Tribunal Act 2013—the NCAT Act—and regulations. These amendments were proposed by the president of NCAT and are minor or technical in nature. The first amendment will allow NCAT to grant leave for a person to be represented by an Australian legal practitioner without specifying the practitioner by name. Currently, the NCAT Act permits leave to be granted to an identified representative only. This can be inefficient where, for example, a person is represented by Legal Aid and a different solicitor appears on each occasion. The second amendment will permit NCAT to revoke orders it makes to appoint a person as guardian ad litem for a party to represent a party, or that a person be separately represented. There may be situations where it is appropriate to revoke these kinds of orders; for example, if the person is not acting in the person's best interests.

The third amendment replaces references to the "Health Practitioner Division List" with "Health Practitioner List". This clarifies that there is no Health Practitioner Division of NCAT. It does not make any substantive change to how the list operates. The fourth amendment to the NCAT Act will allow senior professional members of the Guardianship Division to sit on internal guardianship appeals. The NCAT Act currently does not permit these members to hear appeals. This was a drafting oversight. Senior professional members have specialist expertise in guardianship matters and should be permitted to hear internal appeals. Schedule 1.5 contains a minor amendment to section 12 of the Water Act 1912 to correct a drafting oversight. The amendment updates the Water Act to reflect the fact that NCAT is now responsible for making decisions for the purposes of the section.

Schedule 2 deals with amendments concerning guardianship. Schedules 2.1 and 2.2 contain minor and technical amendments to the Guardianship Act 1987 and Guardianship Regulation 2010 that were proposed by

the President of the Guardianship Tribunal prior to the tribunal's integration into NCAT. The first amendment will ensure that enduring guardians are included as a party to guardianship applications and reviews of guardianship orders. Currently, enduring guardians must make an application for joinder to become a party, despite having sufficient interest to be included as a party, because their authority to make decisions is suspended by the operation of a guardianship order. This amendment will eliminate the need for these procedural hearings and will improve NCAT's efficiency.

The second amendment to the Guardianship Act ensures that a person with a power of attorney will be included as a party to applications to review a financial management order or review of an appointment of a manager. Presently, attorneys are included in applications for a financial management order, but not in applications for a review. An attorney's authority is suspended during the operation of a financial management order and may recommence if the order is revoked. The Government considers they have sufficient interest to be included as a statutory party in relation to reviews.

The third amendment will replace the term "alternative enduring guardian" with the term "substitute enduring guardian". The Guardianship Act allows an instrument of appointment of an enduring guardian to appoint another person to be an alternative enduring guardian who can exercise functions if the original guardian dies, resigns or has an incapacity. The word "alternative" may be misleading to the public because it may imply that either the alternative enduring guardian or the original enduring guardian can exercise functions at any time. This is clarified by replacing the word "alternative" with "substitute".

The fourth amendment will allow NCAT to proceed as if an application for a guardianship and/or financial management order has been made when reviewing the appointment of an enduring guardian without the need to first revoke the appointment. Section 6K of the Guardianship Act provides that on reviewing the appointment of an enduring guardian, NCAT may either revoke the appointment or confirm the appointment with or without varying the functions of the enduring guardian. Where NCAT has decided to revoke the appointment of an enduring guardian, it may proceed as if an application for a guardianship and/or financial management order has been made. The amendment will improve section 6K of the Guardianship Act by providing greater flexibility for NCAT to make decisions in the best interests of the appointor, especially where a guardianship or financial management order might be needed only for a short period.

The fifth amendment allows NCAT to renew and vary a guardianship order when reviewing the order. This amendment addresses situations where a person may request NCAT to review a guardianship order close to the end of the term of the order, and another review would otherwise be required within a short period. The sixth amendment to the Guardianship Act will allow people to apply for a financial management order for themselves, and provide that a person subject to a financial management order can apply for the review of an appointment of a financial manager. The seventh amendment replaces a reference to the now repealed section 68 of the Guardianship Act with a reference to the section that has replaced it—section 61 of the Civil and Administrative Tribunal Act.

The eighth amendment will allow for NCAT to review both a financial management order and appointment of a manager at the same time. Presently, a financial management order and the appointment of the manager are considered to be two separate orders. This causes confusion upon reviews. This amendment will also clarify that the power to vary an order includes the power to insert or remove an exclusion pursuant to section 25E. This will ensure that a tribunal constituted by fewer than three members can insert or remove exclusions upon the review of an order.

The ninth and final amendment to the Guardianship Act will allow NCAT to review the appointment of a manager within a specified time. For instance, NCAT may appoint the NSW Trustee and Guardian as a manager to resolve a particular legal and financial issue, with a review within 12 months if it is considered that a suitable private person could take over once that issue has been resolved. Overall, the amendments to the Guardianship Act will provide NCAT with flexibility to manage guardianship orders by streamlining the tribunal process and result in improved efficiency.

I turn to schedule 3, amendments concerning acting judicial officers. Schedules 3.1 to 3.8 contain amendments to various court and tribunal Acts. Schedules 3.1, 3.2, 3.3, 3.4 and 3.7 amend the Children's Court Act 1987, District Court Act 1973, Drug Court Act 1998, Dust Diseases Tribunal Act 1989 and Local Court Act 2007 to enable the Attorney General to appoint a judicial officer who can act as head of jurisdiction for a particular absence or for any absence that occurs from time to time. All court and tribunal Acts contain provisions that govern who is to act as head of the court during an absence in office. In some cases, either the

Governor or the Attorney must provide a judge with a commission to act. In other cases, default provisions allow the next most senior judge to act if no commission is provided. However, this is not always the case. This can cause difficulties, especially where the head of the court needs to take leave unexpectedly.

These amendments will provide the Local Court, District Court, Dust Diseases Tribunal, Drug Court and Children's Court with consistent provisions regarding acting arrangements. The heads of these courts support the amendments. Not all court and tribunal Acts are being amended. The Coroner's Court, Workers Compensation Commission and NCAT already have an equivalent provision. The Chief Justice of the Supreme Court, Chief Judge of the Land and Environment Court and President of the Industrial Relations Commission advised that the amendments are not required in their particular courts. Schedule 3.2 to the bill contains an amendment to the District Court Act 1973 that will allow retired judges of the Family Court of Australia to act as judges of the District Court after they reach the age of 72.

Currently, section 18 (4A) of the District Court Act permits retired Federal Court judges to act as District Court judges after they turn 72, as well as retired judges of other State and Territory supreme and county courts. However, there is no equivalent provision for retired Family Court judges. A number of former Family Court judges hold commissions as acting judges of the District Court. These judges will currently have to leave their positions when they turn 72. This amendment will enable those judges to continue acting after the age of 72, until they reach the age of 77. The Chief Judge of the District Court supports the amendment. Schedules 3.2, 3.5, 3.6, 3.7 and 3.8 amend the Local Court Act 2007, District Court Act 1973, Supreme Court Act 1970, Industrial Court Act 1996 and Land and Environment Court Act 1979 to enable acting judges and magistrates to be appointed for a period of up to five years.

Currently, acting judges and magistrates can be appointed for only 12 month terms. These appointments can be renewed each year until the statutory age limit is reached. In the Local Court, District Court, Industrial Court, and Land and Environment Court the age limit is 75. In the Supreme Court, the age limit is 77 where a judge retires at 72. This amendment will enable acting magistrates and judges to be appointed for up to five years. The provision still allows acting judges to be given shorter terms. In order to authorise five-year appointments, the statutory age limit for all acting judges will also be lifted to 77 years. Lifting the acting judge age limit to 77 years will enable highly talented and experienced judges to keep working when they are able and willing to do so.

Amendments relating to the Crimes (Administration of Sentences) Act 1999 schedule 4.1 amends the Crimes (Administration of Sentences) Act 1999 to enable information exchange between the Commissioner of Corrective Services and the Commissioner of Fines Administration. This is limited to information that assists in the exercise of both commissioners' statutory functions. The amendment will permit Corrective Services NSW to disclose certain details about inmates to help the Commissioner of Fines Administration identify which inmates in custody have outstanding fines. The Commissioner of Fines Administration can then take steps to help those inmates, such as delaying fine enforcement action while they are in custody and offering them appropriate payment options.

The amendments will also enable Corrective Services NSW to help eligible inmates make arrangements to work off the value of the fine by undertaking certain programs, treatment and counselling in custody through a work and development order under section 99B of the Fines Act 1996. This is especially important as we know that where people have outstanding debt on leaving prison, their chances of reoffending are increased. To achieve this, the amendments are intended to override the Privacy and Personal Information Protection Act 1998, which would otherwise prevent Corrective Services NSW from disclosing personal information about inmates for these purposes, without their consent. By permitting the sharing of limited information about inmates, this amendment will enable relevant agencies and inmates to identify whether there are outstanding fines and to take steps to resolve them. This amendment is modelled on a similar provision already in the Children (Detention Centres) Act 1987.

I turn to amendments relating to the Jury Act 1977. Schedule 4.2 to the bill contains amendments to the Jury Act 1977 that will enable Roads and Maritime Services to provide customer identification numbers to the Sheriff's Office for the purpose of determining whether a person should be excluded from jury service. Currently, Roads and Maritime Services is authorised to provide the Sheriff's Office with driver licence numbers, but these are not always the same as customer identification numbers. This amendment will enhance the ability of the Sheriff's Office to identify people who are ineligible for jury service because of their criminal history.

I turn to amendments relating to the Land and Environment Court Act 1979. Schedule 4.3 to the bill contains several minor amendments to the Land and Environment Court Act 1979. The first amendment will add class 4 proceedings to the classes of proceedings in the Land Environment Court where a commissioner may assist judges. Class 4 proceedings relate to civil enforcement and judicial review of decisions under planning and environmental laws. The proposed amendment will permit commissioners to assist and advise the judge adjudicating on a matter. Commissioners can already do this in classes 1, 2 and 3 of the courts and this amendment will ensure that commissioners can provide their specialist, non-legal expertise to the benefit of the court in appropriate class 4 matters. The remaining amendments to the Land and Environment Court Act in schedule 4.3 remove several references to repealed legislation in provisions establishing the court's appeal jurisdiction. The references are now obsolete as no relevant appeals could now be brought.

I turn to amendments relating to the New South Wales Trustee and Guardian Act 2009. Schedule 4.4 to the bill contains a minor amendment to the New South Wales Trustee and Guardian Act 2009 to allow the Mental Health Review Tribunal [MHRT] to revoke a financial management order relating to a person who is, or was and has now ceased to be, a forensic patient, if satisfied the person has capacity to manage their own affairs or it is in their best interests. In addition, the amendment will ensure that a financial management order for a person who is, or was and has now ceased to be, a civil mental health patient can be revoked by NCAT, if satisfied that the person has capacity to manage their own affairs or it is in their best interests.

The amendment was suggested by the MHRT. In part, by including a reference to forensic patients, it corrects an oversight that occurred when the forensic patient provisions were separated from civil patient provisions in 2007. It also enables the MHRT to revoke an order when a person remains in a mental health facility but has not yet been discharged. Managing one's own affairs can be an important step in a patient's rehabilitation. This proposal parallels the powers set out in section 25P of the Guardianship Act 1987.

I turn to amendments relating to the Oaths Act 1900. Schedule 4.5 to the bill contains three minor amendments to the Oaths Act 1900 and clarifies that New South Wales Justices of the Peace [JPs] may witness statutory declarations and affidavits for use in tribunals and arbitrations in Australian jurisdictions other than New South Wales. Currently, the Oaths Act refers to witnessing non-New South Wales statutory declarations and affidavits for use in court proceedings outside of New South Wales. The Crown Solicitor's Office has advised that the word "court" in the Oaths Act should not necessarily be interpreted as including a tribunal.

The first amendment to the Oaths Act clarifies that New South Wales JPs may witness statutory declarations and affidavits intended for use in a tribunal in an Australian jurisdiction outside New South Wales. The second amendment amends the Act so that documents may be witnessed by New South Wales JPs for the purpose of any arbitration whether it is held in New South Wales or interstate. This clarifying amendment is required to avoid any doubt. Section 26 of the Oaths Act currently authorises JPs to witness statutory declarations interstate only where they are required for court proceedings.

The third and final amendment to the Oaths Act will authorise New South Wales JPs to witness in New South Wales all types of statutory declarations required for use interstate, to ensure that JPs are authorised to witness statutory declarations required for public administration purposes as well as court proceedings. These amendments are necessary to ensure that JPs in New South Wales can witness affidavits and statutory declarations required for use in Australian jurisdictions outside New South Wales. The amendments will also apply retrospectively to any oaths, affidavits or statutory declarations made or witnessed before the commencement of the amendments made by this bill.

I will now turn to the amendment to the Trees (Disputes Between Neighbours) Act 2006. Schedule 4.6 to the bill contains amendments to part 2A of the Trees (Disputes Between Neighbours) Act 2006 to include land zoned "rural residential", or its current zoning equivalent. Currently, home owners located in rural residential zoned properties have no recourse under the Trees (Disputes Between Neighbours) Act to minimise the impact of high hedges located on neighbouring properties. The only legal option available to rural residential home owners is to sue their neighbour under the tort of nuisance, which can involve large financial and time costs.

This amendment will enable rural residential home owners to make an application to the Land and Environment Court to resolve disputes with neighbours relating to planted hedges that are over the height of 2.5 metres that are causing severe obstruction of sunlight to a window or obstruction of views. This amendment implements the sole legislative recommendation of the 2013 statutory review of the Trees (Disputes Between Neighbours) Act. It provides rural residential zoned home owners with the same legal remedies afforded to

home owners in residential areas, delivering rural residential home owners with a cost-effective means of resolving disputes regarding high hedges. Overall, the amendments in this bill will improve the administration of justice in this State. They will assist the courts and other agencies within the Department of Justice to perform their work more efficiently. I commend the bill to the House.

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

REAL PROPERTY FURTHER AMENDMENT (ELECTRONIC CONVEYANCING) BILL 2014

Bill introduced on motion by Mr Dominic Perrottet, read a first time and printed.

Second Reading

Mr DOMINIC PERROTTET (Castle Hill—Minister for Finance and Services) [4.33 p.m.]: I move:

That this bill be now read a second time.

The Real Property Further Amendment (Electronic Conveyancing) Bill 2014 facilitates the implementation of electronic conveyancing in New South Wales by aligning paper and electronic conveyancing processes. The reforms in the bill will facilitate a smooth transition between the two mediums, paper and electronic, deliver efficiency savings, and avoid additional complexity and costs to the conveyancing industry. National electronic conveyancing commenced in New South Wales on 8 October 2013 on a limited basis with mortgage-only transactions being lodged by a few banks. A major expansion of electronic conveyancing began on 10 November with the introduction of transfers, caveats and withdrawals of caveats to the electronic system. Adding this functionality to the system opens electronic conveyancing to solicitors and licensed conveyancers, and to additional financial institutions. Importantly, it also introduces real-time electronic settlement functionality through the Reserve Bank—a world first for conveyancing systems.

National electronic conveyancing introduces a number of new practices that are different from those that currently apply in paper conveyancing. The cost and complexity of conveyancing would increase as a result of the necessity to operate with two different processes, especially with the possibility of a solicitor or conveyancer needing to backtrack and take different steps if a transaction has to change from electronic to paper or from paper to electronic. This need to change will likely be common in the first few years until electronic conveyancing is widely adopted. This is because all four parties in a typical conveyancing transaction—the discharging mortgagee, the vendor, the purchaser and the incoming mortgagee—all need to be on the electronic system or a transaction cannot proceed electronically.

The key reforms in this bill allow the adoption of a single conveyancing process, regardless of whether a transaction is electronic or paper or changes mid-transaction, by introducing to paper conveyancing new practices such as verification of identity, client authorisations and standardised certifications to align with the new requirements for electronic conveyancing. These reforms, together with the introduction of priority notices, also provide an enhanced risk mitigation framework for conveyancing generally that will benefit everyone in conveyancing. It will also facilitate the phasing out of paper certificates of title, which will become an anachronism as electronic conveyancing is adopted over the coming years.

The bill introduces a new section 12E, which allows the Registrar General to make conveyancing rules that will parallel the participation rules for electronic conveyancing that apply nationally under the Electronic Conveyancing National Law and apply those practices in paper conveyancing. The conveyancing rules will deal with matters such as the requirements for identification of clients, the use of client authorisations and standardisation of the certifications that are required on documents lodged for registration with the Registrar General. Currently in New South Wales we have formal requirements for verification of identity that apply in electronic conveyancing, formal requirements for a mortgagee to identify the borrower before registering a mortgage and formal requirements for a witness to a document to identify the party whose signature is being witnessed if they have not known that person for more than 12 months.

In addition to those formal requirements, solicitors and licensed conveyancers have an informal requirement to know their client as part of professional due diligence. Under the reforms to be introduced by this bill, a single verification of identity framework will be introduced to apply to conveyancing generally. It is intended that the same requirements will apply in conveyancing nationally. As a result, practitioners will know

what requirements apply regardless of the type or location of the conveyancing transaction. This standardisation of verification of identity frameworks will assist practitioners, who will have only one process to comply with. It will also make conveyancing more secure for all participants as everyone involved in a transaction will know what is expected of them and of the other parties in the transaction.

The verification of identity requirement is for solicitors and conveyancers to take reasonable steps to verify the identity of their client. The reasonable steps regime allows practitioners the flexibility to adapt to different circumstances. What constitutes reasonable steps may vary according to the circumstances and may require the exercise of some professional judgement by practitioners. However, if a practitioner wants to have more certainty about compliance with the requirement, there is a verification of identity standard, developed and agreed with stakeholders nationally, and anyone following that national standard is deemed to have taken reasonable steps for the purposes of complying with verification of identity requirements.

The second of the electronic conveyancing practices to be introduced to paper conveyancing is the use of the client authorisation. A client authorisation is a document signed by the client to authorise their solicitor or conveyancer to sign conveyancing documents on their behalf. It was introduced in electronic conveyancing to allow a solicitor or conveyancer to digitally sign an electronic document on the client's behalf because it is not economical or practical for every party to a conveyancing transaction to be required to obtain digital signing credentials to sign electronic documents. In some respects a client authorisation is similar to a power of attorney, but it is specifically distinguished from a power of attorney so that, unlike a power of attorney, it is not required to be registered prior to dealing with the land.

Accordingly, obtaining a client authorisation is an essential step in the lead-up to effecting an electronic conveyancing transaction. However, particularly in the early days of electronic conveyancing, parties are unlikely to know whether all parties are participants in the electronic system so as to allow the transaction to be completed electronically. The introduction of client authorisations in the paper as well as in the electronic environment will allow a smooth transition between the two lodgement mediums.

If a transaction has been prepared with the intention that it proceed electronically and it is subsequently discovered that it cannot, the solicitor or conveyancer will be able to rely on the existing client authorisation to proceed in the paper environment without needing to have the client come in and sign a new set of documents. It is important to note that the client authorisation does not replace any retainer or other agreement between the solicitor or conveyancer and their client. Importantly, the bill also provides that a client authorisation made under the Electronic Conveyancing National Law is effective under this legislation.

New sections 107 and 108 are introduced into the Real Property Act that parallel existing provisions in the Electronic Conveyancing National Law, providing for the nature and effect of client authorisations as they apply on paper. The next component of the reforms contained in the bill relate to the standardisation of the certifications that are required on dealings lodged for registration under the Real Property Act, whether the dealing is lodged electronically or on paper. Currently, in paper documents certifications are required by the parties as to the correctness of the transaction and by witnesses as to the identity of the person whose signature they have witnessed. Expanded certifications are required in electronic conveyancing relating to the conduct of verification of identity and the holding of a client authorisation and any other evidence required to support the transaction. These are in addition to the normal certification as to correctness.

With the introduction of verification of identity and client authorisations into paper conveyancing, the certifications will be standardised based on the national model using the certifications that are set out in the participation rules for electronic conveyancing. The final significant reform in the bill is the introduction to New South Wales of priority notices. A priority notice is a notification lodged with the Registrar General of the intended registration of specified dealings in respect of the land. The priority notice reserves the priority of the dealings set out in the notice and to that end will temporarily prevent the registration of other dealings with the subject land in order to preserve the priority of the dealings listed in the notice. Priority notices will protect the priority of the subject dealings for a period of 60 days, with a once only option of extending priority for a further 30 days should there be unexpected delays in lodging the protected dealings.

The objectives for introducing priority notices include providing greater certainty to the transaction for which priority is reserved, alerting interested parties who search the register to the fact that an intended dealing or transaction is pending, and assisting in fraud prevention as details of a pending transaction will appear on a search of the register and thus increase the likelihood of a fraud being detected. While priority notices are a useful tool for conveyancing practitioners, they are also being introduced as an added safeguard that will assist

in protecting parties' interests when moving towards an electronic environment and the removal of paper certificates of title. A priority notice provides the confidence that incoming parties at a settlement need to assure them that they are protected prior to registration of the transaction. This confidence is currently provided by taking possession of the certificate of title at a physical settlement.

While the lodgement of a priority notice will be optional, it is expected that parties buying a property will seek to protect their interests to the full extent possible by lodging a priority notice. Therefore the use of priority notices will become an integral consideration in prudent conveyancing practice. The bill also includes some minor amendments including providing for the appointment and functions of Deputy Registrars General and, for the sake of continuity, to allow a Deputy Registrar General to act in the place of the Registrar General when he or she is absent from duty. I am pleased to support this bill and its facilitation of the national system of electronic conveyancing, and I commend it to the House.

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

VALUATION OF LAND AMENDMENT BILL 2014

Second Reading

Debate resumed from 4 November 2014.

Mr MICHAEL DALEY (Maroubra) [4.43 p.m.]: I lead for the Opposition in debate on the Valuation of Land Amendment Bill 2014. My comments will be brief because the Opposition supports the bill. The main purpose of the bill is to reverse the consequential effects of the decision of the Land and Environment Court in *Fivex Pty Ltd v Valuer-General*, [2014] NSW LEC 27. The bill makes it clear that in determining the land value of land the assumptions that are required to be made about the continuance of the land's present use and the improvements that may be continued or made to allow the present use to continue must be in every case and not only in a case where the present use represents a higher order of use than other uses to which the land may be put. The bill will confirm the longstanding practices and functions of the Valuer-General, and it will put beyond doubt that the Valuer-General can make valuations based on improvements presently on the land.

A key feature of valuations made under the Valuation of Land Act 1916 is that they do not include the value of buildings or other improvements erected on the land. The land is valued on what is called the unimproved capital value, and it is valued as if it were vacant according to its highest and best use, and that is fair. However, under section 6A (2) a number of valuation principles apply when this principle would not lead to a fair outcome, for example, when there is a heritage building on a site, leading to a lower valuation as the land will be prevented from being used for its highest and best use. Accordingly, that could affect council rates and land taxes that may be payable on the property.

In such cases the Valuer-General has, by practice over a long time, undertaken two valuations, one on the assumption that the land is notionally vacant and the highest and best use is restricted to the development allowable under planning controls. Those planning controls can change and that is the crux of this matter. The other valuation is also based on the assumption that the land is notionally vacant but the current way the land is being used can continue. In that case the higher of the two valuations is used. This has been the standardised method of valuing such land in New South Wales for more than 50 years. In the *Fivex* case the court determined that even though a site had an office building on it that exceeded the floor space allowed by the current zoning, the Valuer-General could not take account of the value of the additional size and scale of the building because the zone use of the land had not changed.

The court effectively held that section 6A (2) could only apply when a use was prohibited by the zoning. Although the commercial building exceeded the floor space allowable by the current zoning, the Valuer-General could not use the two valuation approach to take account of the additional value as it was a permissible use and the zoning had not changed. The shadow Minister for Finance, the Hon. Peter Primrose, has indicated to me that no representations have been received relating to this legislation. Accordingly, the Opposition will support the bill.

Mr KEVIN CONOLLY (Riverstone) [4.47 p.m.]: I support the Valuation of Land Amendment Bill 2014 and welcome the comments of the member for Maroubra that the Opposition will be supporting the bill. It is a sensible bill that effectively restores a longstanding status quo, a longstanding understanding of how

valuations should be conducted when a property site is being used for a purpose that is no longer permitted under amended planning regulations. As the bill is restoring a long-held status quo, it is appropriate for the House to move to clarify and reaffirm what everybody understood to be the situation for a long time and to clarify and reaffirm the basis on which people had been making investment and property decisions for a long time.

The bill amends the Valuation of Land Act 1916 to clarify the method used by the Valuer-General to value land that is being used in a manner and to an extent that would not be allowed under current planning controls. As we heard from the member for Maroubra, the clarification is needed because of a recent decision in the Land and Environment Court in the Fivex case. Valuations made under the Valuation of Land Act are used as the basis for assessing rates and land tax. I add that it is also relevant to just terms compensation provisions when the Government acquires land for a public purpose. Land is valued as if it is vacant according to its highest and best use. "Highest and best use" is mostly determined by what would be allowed on the land under the current planning controls.

Over time development standards change; as a result the current use which complied when the land was first developed may not be approved on a particular piece of land today. For instance, an existing commercial building may be built in an area that is rezoned subsequently as residential, or a 10-storey building may have been built on land before a change in building controls that limit the height of buildings to five storeys. Section 6A (2) enables the valuation to take account of its existing use and improvements that have been built on the land.

The Fivex decision gave a narrower interpretation of the section than that taken by the Valuer-General. Basically the court found that section 6A (2) could be applied only when the zoned use of the land has changed and not where the building controls have changed to restrict the size and scale of development. Unless the section is amended the Fivex decision will lead to an undervaluing of land that is being productively used for a higher purpose than allowable under current planning controls. An undervaluing of the land in this way would reduce the amount of money raised by the State through land tax and have a distorting effect on councils' ability to levy rates. Failure to amend the section would have other consequences relating to contaminated land and there may be a disincentive not to remediate contaminated land. Alternatively landholders could pollute to such an extent that land is contaminated and the value of the land is adversely affected and as a result the land tax and rates are reduced.

Application of the Fivex decision would add complexity to the valuation process leading to additional cost to government and confusion for the community in dealing with the valuation regime. When planning controls change, for example, the maximum allowable height for new buildings is reduced, it would be unfair to value a parcel of land with an existing 10-storey building at the same rate as an adjoining piece of land on which only a five-storey building can be erected. The valuation of a heritage property takes into account the actual improvements present on the land. This is intended to give heritage landowners a discount in their rates and taxes. Unless section 6A (2) is amended the value attributed to some heritage lands may be higher than an adjoining site with much larger improvements—clearly an unintended outcome. I support the Valuation of Land Amendment Bill 2014 which is a practical and sensible step to ensure that a long-held understanding of the way valuations are conducted is maintained.

Mr JONATHAN O'DEA (Davidson) [4.52 p.m.]: My contribution to debate on the Valuation of Land Amendment Bill 2014 will be brief because far too often members repeat what has already been said. The two members who just spoke in debate on this bill summarised its effect and indicated why it should be passed. All members are in agreement, which is a happy state to be in. Following the Fivex case this important bill will provide for a fair valuation of properties when the current use of the land, having regard to improvements, is a higher use than that which would have been allowed for vacant land. The intent of this legislation is different from the more narrow interpretation of section 6A (2) in the Fivex decision. I used to be a general manager of an insurance company that provided professional indemnity for a large number of valuers. In the valuation process it is important to have certainty. One never has certainty in all methodologies but if this legislation is not passed it would introduce another level of uncertainty that would not be in the public interest. The State would receive less taxation revenue but the commercial world would not operate with the same level of certainty because of it.

I emphasise the importance of that certainty in a commercial context. The decision of the court in the Fivex case would have thrown into question the valuations that have already been made by the Valuer-General. This legislation will confirm that past valuations were made appropriately. That decision, however, will not impact on the valuation determined by the Land and Environment Court in the Fivex case or indeed any other

valuation that is currently before the court. That respects the principle of retrospectivity—we should not prejudice those who currently have legal claims before the courts—and it also respects the importance of certainty in the valuation process. I commend the bill to the House.

Mr BRYAN DOYLE (Campbelltown) [4.55 p.m.]: It is with pleasure that I support the Valuation of Land Amendment Bill 2014 and I note the learned contribution of the wonderful member for Davidson. This legislation is designed to address a legal decision that has given a narrower interpretation to section 6A (2) than is normally applied by the Valuer-General. In the *Fivex* case the court found that section 6A (2) can be applied only when the zoned use of the land has changed and not when building controls have changed to restrict the size and scale of development. Unless that section is amended the *Fivex* decision will lead to an undervaluing of land that is being productively used for a higher purpose than is allowable under current planning controls. An undervaluing of land in this way will reduce the amount of money that is raised by the State through land tax.

A failure to amend this section will have other consequences. For example, this section is also used when industry has contaminated land but the site continues to be used for an existing industrial purpose. Unless the section is amended some contaminated land will be valued for nominal amounts, reducing the incentive for landholders not to pollute. Application of the *Fivex* decision would add complexity to the valuation process, leading to additional cost to government and confusion for the community. When planning controls change and the maximum allowable height for new buildings is reduced it would be unfair to value a parcel of land with an existing 10-storey building the same as adjoining land on which only a five-storey building can be erected. For those and other reasons I support the bill.

Mr MARK SPEAKMAN (Cronulla—Parliamentary Secretary) [4.58 p.m.]: I support the Valuation of Land Amendment Bill 2014. In New South Wales land values are used as a basis for determining local council rates and land tax. The Valuer-General has responsibility to make valuations for this purpose and to ensure their integrity, which is set out in a procedure detailed by the Valuation of Land Act 1916. To date a valuation process has been established by the Valuer-General and principles have been developed that have been applied over many years.

This bill will amend the Valuation of Land Act 1916 to clarify that the method used by the Valuer-General to value land that is being used in a manner and to extent that would not be allowed under current planning controls. Clarification is needed because of a recent decision of the Land and Environment Court in *Fivex Pty Ltd v Valuer General* (2014) [NSWLEC 27]. Valuations that are made under the Valuation of Land Act 1916 are used for the basis of assessing rates and land tax. Land is valued as if it were vacant, according to its highest and best value. "Highest and best value" is mostly determined by what would be allowed on land under current planning controls. Over time development standards change and, as a result, the current use that applied when the land was first developed might not be approved today.

For example, an existing commercial building may be built in an area that is rezoned as residential or a 10-storey building may have been built on land before a change in building controls that limit the height of buildings to five storeys. Section 6A (2) of the Act enables the valuation to take account of this existing use and the improvements that have been built on the land. In the *Fivex* case, to which I referred, the Land and Environment Court gave a narrower interpretation of section 6A (2) than that previously taken by the Valuer-General. In essence, the Land and Environment Court found that section 6A (2) could be applied only when the zoned use of land had changed and not when building controls had changed to restrict the size and scale of development.

That proposition is best illustrated by the case itself. In that case the property in question was in the area zoned general business under the Woollahra Local Environmental Plan. There was an allowable floor space ratio of 3:1, permitting a building three times the size of the site to be built on the land, but on the site was a four-storey retail and commercial office building with a floor space ratio in excess of 3:1. The Valuer-General applied section 6A (2) to value the land, taking into account the extra floor space that had been enjoyed there. However, the Land and Environment Court held that because the current use was permitted use under the local environmental plan, that is, retail—commercial, section 6A (2) was not engaged. It held that the land had to be valued without regard to the additional size and scale that had been allowed to be developed on the site.

The Government considers that was not the intention of the legislation; rather section 6A (2) had been introduced to ensure that a land value was not determined on the basis that it had no potential to be used for the very purpose for which it was being used. Therefore, unless the section is amended, the *Fivex* case will lead to an undervaluing of land that is being productively used for a higher purpose than allowable under current

planning controls—a matter dear to our hearts as we want to raise money for schools, hospitals, police, trains, et cetera. To undervalue the land in this way would reduce the amount of money raised by the State through land tax.

There would also be other consequences if the section is not amended: first, in relation to contaminated land. Section 6A (2) is also used where industry has contaminated land but the site continues to be used for an existing industrial purpose. Unless the section is amended in the way contemplated by the bill, some contaminated land would be valued for nominal amounts, reducing the incentive for landholders not to pollute. Secondly, in relation to valuation complexity, to apply the Fivex decision would add complexity to the valuation process, leading to additional cost to government and confusion for the community. Thirdly, a failure to amend section 6A (2) would have a consequence as to fairness. Where planning controls change and where, for example, the maximum allowable height for new buildings is reduced, it would be unfettered to value a parcel of land with an existing 10-storey building the same as adjoining land on which only a five-storey building can be erected.

The valuation of the heritage property takes into account the actual improvements present on the land. This is intended to give heritage landowners a discount in their rates and taxes. Unless section 6A (2) is amended the value attributed to some heritage lands may be higher than an adjoining site with much larger improvements. The decision of the court throws into question valuations already made by the Valuer-General. Because of this the bill will be taken to have always applied as the amendment effectively restores the law to what it was understood to have been before the Fivex decision. This will confirm the valuations that are currently on the Register of Land Values. However, transitional provisions will preserve the decision made in the Fivex proceedings and ensure that the amendment will not affect any proceedings commenced before the introduction of this bill. The amendments proposed by the bill confirm, rather than change, the practices and functions of the Valuer-General as understood prior to the Fivex case. Sections 6A (2) and 7B (2) will put beyond doubt that the Valuer-General can make valuations based on improvements presently on the land. I commend the bill to the House.

Mr DOMINIC PERROTTET (Castle Hill—Minister for Finance and Services) [5.04 p.m.], in reply: I thank the members representing the electorates of Maroubra, Riverstone, Davidson, Campbelltown and Cronulla for their contributions to debate on the bill. The Valuation of Land Amendment Bill 2014 is needed to clarify an important valuation principle. It will restore the status quo and provide certainty for landowners and the land valuation system. Section 6A (2) provides a way of valuing land where the land is used for a purpose that would be valued more highly than any other use that would now be permitted. The section ensures that fair and comparable valuations can be used as the basis for assessing council rates and land tax.

The decision of *Fivex Pty Ltd v Valuer-General* has narrowed the application of section 6A (2). The court has determined that the section only becomes relevant where the allowable use of the land has changed. This would mean that a valuer could not have regard to the nature, size and scale of improvements on the land where the land is used for a purpose permitted under the current zoning. There is no logical reason to restrict the application of the section in this way. The Valuation of Land Amendment Bill amends section 6A (2) to make it clear that the way land is presently being used can always be taken into account by the valuer in considering the highest and best use of the land. The bill also clarifies that the valuer can consider the nature and extent of the present improvements on the land. As the bill merely reconfirms the Valuer-General's existing procedure the amendment will be taken to have always applied. This will confirm the reliability of valuations already made by the Valuer-General and clarify the methodologies to be used for valuations that are being prepared for 2014. 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 transmitted to the Legislative Council with a message seeking its concurrence in the bill.

FISHERIES MANAGEMENT AMENDMENT BILL 2014**Second Reading****Debate resumed from 4 November 2014.**

Mr PAUL LYNCH (Liverpool) [5.06 p.m.]: I lead for the Opposition in debate on the Fisheries Management Amendment Bill 2014. The shadow Minister with the carriage of the bill is the Hon. Steve Whan in the other place. The Opposition will oppose the bill. The object of the bill is to amend the Fisheries Management 1994 in a number of ways. They include:

- (a) to allow possession limits for fish to be imposed by order of the Minister ...
- (b) to permit boat limits to be imposed ...
- (c) to prohibit shark finning and related practices at sea,
- (d) to allow approvals for taking and possession of fish for research and other purposes to be given by order of the Minister ...
- (e) to permit determinations of total allowable fishing effort to be made (in addition to determinations of total allowable catch) and to make further provision for the allocation of total allowable catch and fishing effort,
- (f) to permit the redefinition of a share management fishery, and other changes ...
- (g) to make further provision for the registration of dealings in shares in share management fisheries, including by providing for an online trading system,
- (h) to make further miscellaneous changes to share management fisheries,
- (i) to free-up the licensing scheme for fishing boats so that a fishing boat licence is only required for commercial fishing boat activities that are declared by the regulations to be activities for which a fishing boat licence is required,
- (j) to enable the regulations to require certain commercial fishers to make real time reports about their fishing activities,
- (k) to free-up the licensing scheme for charter fishing boats so that a charter fishing licence does not attach to a particular boat ...
- (l) to make provision for the transfer of charter fishing licences and associated entitlements,
- (m) to establish a scientific observer program,
- (n) to enable the Minister to make orders that prohibit the entry into the State of anything that is or could be a declared disease, could be infected with a declared disease or could assist the spread of infection of a declared disease,
- (o) to enable the Minister to make orders requiring live abalone holders to implement specified measures to minimise the risk of transmission of a declared disease,
- (p) to make further provision for the protection of aquatic habitats,
- (q) to abolish the Management Advisory Committees for various fisheries and to instead permit the Secretary to establish advisory groups under the Act, and to permit advisory councils and groups established under the Act to be abolished by regulation,
- (r) to permit persons to appoint agents to use online facilities on their behalf under the Act and to permit service of notices electronically.

There are some other miscellaneous amendments. As indicated, the Opposition will oppose the bill. The bill makes a number of changes to fisheries management compliance in New South Wales. These are comparatively complex issues but the Government is attempting to pass this bill when it has not been available for public comment or, indeed, for any decent period. The Opposition has been offered no consultation on this bill. The Government expects us to rubberstamp a rather complex bill that purports to make several changes to fishery management in this State.

This has been the general approach of the Government and the Minister in this last term of Government—a careless approach to consultation with industry and an expectation that Parliament will not perform its scrutiny function. You cannot drop this sort of bill in Parliament and expect the Opposition to support its passage in less than a week. To make the bill acceptable it will require a number of extensive amendments. There are some welcome amendments in the bill to which the Opposition is attracted, particularly

the proposal for an online service for submitting catch reports as an option for professional fishers and the ban on shark finning. Unfortunately, much as we would like to support those initiatives, they are outweighed by the negatives in the bill.

There are two broad areas of concern. The Minister is dramatically centralising power, changing a large number of decisions currently made by regulation to require only approval by the Minister or the secretary. There are proposals to introduce new limits for recreational fishers. The Minister identified in her speech in this place that the amendments proposed in the bill will not circumvent ongoing consultation with the commercial fishing industry regarding the continued redevelopment of share management arrangements up and down the coast of New South Wales. Rather, she claimed that the bill will provide the machinery for the industry to work through the consultation process to allow for the reform proposal to be settled between the Government and stakeholders. However, the bill does the exact opposite.

A number of proposals in the bill will dramatically affect the management arrangements of the fishing industry in the State and affect the livelihoods of some 1,000 commercial fishers in New South Wales. Schedule 1 [31], which I think is new section 58 (3), provides that the Minister is not required to conduct public consultation in relation to an amendment to a share management plan or a supporting plan. While we understand that the Professional Fishermen's Association agrees with this proposal, it will circumvent any future consultation that the department would need to have with fishers operating particular fisheries. The industry is already extremely upset with the Government's forceful approach to consultation. That is why in May some 600 fishers across New South Wales unanimously rejected the Government's overall proposal for the industry, which resulted in the Minister postponing the reform package.

The majority of fishers who work in the commercial fishing industry are what are called "mum and dad businesses". They spend most of their time at sea trying to make ends meet. While the Labor opposition understands the need to manage our fisheries appropriately for future generations, we cannot ride roughshod over this industry in relation to changes in fishers' livelihoods. The bill also removes the maximum shareholder requirements for fishers in particular fisheries. This means that an individual fisher could have a monopoly over the fishery by having the majority of shares. For example, if the commercial share management is redefined by the Minister—which might involve the amalgamation of two or more share classes or replacing existing share classes—one shareholder would have the majority decision through the internal poll conducted amongst shareholders. If something is to their benefit they will have the majority say. If something is to their detriment they will have the ability to oppose it. The Opposition does not agree with that proposition.

The bill also makes changes for non-commercial fishers to trade and purchase shares within a fishery. The Opposition does not support this proposal. The amendment bill also implements new, increased regulation of implementing boat limits and reinforcing existing bag limits for fish catches on boats. The new boat limit is just more red tape for recreational fishers and potentially a backdoor way of reducing bag limits. How can you police people fishing if two people are on a boat, both have fishing licences and they catch 20 fish between themselves? How can the authority assume they have breached the maximum number of fish when one person gives their fish to the other?

This is a Government that promised a parliamentary secretary for recreational fishing but did not deliver. It is a Government that diverted funds from recreational fishing licence fees to fund its Crown roads privatisation agenda. It is not a positive record. The bill does make changes in the process of how fishers log their catches with the FishOnline system and it also develops new offences for illegal shark finning on boats. These and some other elements of the bill are quite positive. If the Government had provided this bill earlier and allowed time for consultation the Opposition would have been pleased to support those elements. However, given the short notice provided by the Government, the Labor Opposition will oppose the bill.

Mr GARETH WARD (Kiama) [5.12 p.m.]: I am not going to be lectured to by Opposition members when it comes to fisheries because they were only ever interested in baiting the hook of The Greens when it came to any deal that was required. When it came to fisheries, those opposite would throw out the dragnet to The Greens in the Upper House. They would bait the hook and reel in the deal, because it was politics that drove their policy on fishing, not good environmental science. Now they come into this place and tell us that, although there are some good things in the bill, they are going to throw out the whole lot. Is that not typical of a reckless and irresponsible Opposition that cares not for ensuring that our fishers have the access to the waterways they need? Those opposite care not for consultation. They did not take advantage of the opportunities provided by the Minister; they simply come into the Chamber and rubbish the good work of this hardworking Minister, whom I was very pleased to host in my electorate and who spoke to fishers at Shoalhaven Heads as we looked out at that beautiful vista.

Ms Katrina Hodgkinson: I will be there on Friday.

Mr GARETH WARD: The Minister will be there again on Friday to make another announcement—which of course we will keep quiet about because we know Opposition members do not like good news and I do not want them taking points of order in relation to that issue. The Government supports fishing and the fishing industry.

Ms Carmel Tebbutt: It is not what the scientists say.

Mr GARETH WARD: I acknowledge the interjection from my friend the member for Marrickville, whose electorate is renowned for all its great fisheries. Do not tell me about fisheries. I come from the Shoalhaven, which is renowned for its outstanding recreational fishing—

Mr John Sidoti: She may have a fish pond.

Mr GARETH WARD: She may have a fish pond in her electorate.

Ms Carmel Tebbutt: What's wrong with the Cooks River?

Mr GARETH WARD: It is not the Shoalhaven River. We have the mighty Shoalhaven and areas such as Tallowa Dam in my electorate that are renowned as great fish havens with great fish stocks, and we are proud of the work of this Minister and the Government in relation to this bill.

Mr Richard Amery: I believe in saving the ice caps but I don't have a husky team.

Mr GARETH WARD: I hear that some of the member's speeches in this place have melted those icecaps. I support the Fisheries Management Amendment Bill 2014. It will result in a range of positive outcomes for the commercial, recreational and Aboriginal fishing stakeholders. I know how important recreational fishing is in Mr Assistant-Speaker's electorate not only to businesses but also to tourism. It has an enormous impact. I know that good country members in this place like Mr Assistant-Speaker, the member for Tweed and the member for Orange know the importance of recreational fishing, in particular. I pay tribute to those businesses that benefit in that regard.

Beginning with the benefits for commercial fishing and stakeholders, FishOnline, the new administration system, will provide commercial fishing and charter fishing operators with online access to undertake a range of business-related transactions and reporting requirements. These include renewing licences, checking quota balances, transferring entitlements and trading quotas, authorising or revoking nominated fishers, updating contact details, and submitting catch and effort reports. That is the sort of approach that fishers are calling for: streamlining the bureaucracy and those things that are necessary parts of the process. Existing transaction processes also remain in place. Commercial fishing boat licensing requirements will be relaxed, removing the need for all boats to be licensed. A fishing boat licence will be required only for certain declared fishing boat activities. For those operators not requiring a licence, the administrative burdens associated with licence renewals and boat replacement transactions will be removed.

New provisions simplify procedures for issuing further share classes to existing shareholders, as well as enabling a share management fishery to be redefined—provided there is majority support from affected shareholders. Redefining a fishery may involve the amalgamation of existing share classes or replacing existing share classes with new share classes. New consultative arrangements will see management advisory committees replaced with expertise-based advisory groups that can be created on an as-needs basis, making processes more efficient and effective in addressing issues. Changes to special endorsement provisions extend the duration for which these endorsements can be issued. Special endorsements may be used for developmental fishing activities that may need a longer time than was previously available, allowing thorough assessments to be undertaken.

There will also be a range of measures designed to improve recreational fishing. Significantly, the flexibility to impose per boat bag limits will be introduced. Existing individual bag limits can have limited effectiveness where boats are deliberately loaded to capacity with non-fishing passengers who unlawfully claim part of the catch as their own. The ability to apply boat limits where necessary will address this issue without needing to reduce individual bag limits for all fishers. New ministerial order provisions will facilitate the quicker implementation of new or amended bag or possession limits. This will be particularly useful where there

is an urgent resource management need to introduce or change a bag limit. New licensing arrangements for charter fishing operators will enable operators to adjust their business operations more easily to better meet the needs of their recreational fishing clients.

Another important feature of this bill is the establishment of a new Aboriginal Fishing Trust Fund. This fund will be a transparent accounting mechanism for the receipt and expenditure of any moneys for enhancing, maintaining or protecting Aboriginal cultural fishing. This is very important, particularly to communities such as mine that are blessed with a beautiful Aboriginal population who are keen to continue their tradition, which is akin to the great Australian tradition of enjoying our waterways and enjoying fishing. New section 37 will streamline processes dealing with issuing approvals directly to groups such as Aboriginal communities, thereby facilitating the taking of fish or marine vegetation for cultural events. The Minister will have the power to reissue surrendered or forfeited commercial fishing shares. The future reissue of any such shares could, for example, be used to facilitate further Aboriginal participation in the commercial fishing industry.

Some provisions in the bill will affect all stakeholders and will have a positive impact on fisheries management across the board. Stronger biosecurity provisions will help in managing the risks of new declared diseases entering New South Wales and potentially damaging fishery resources and the industries that depend on them. I have spoken before about this Minister's efforts with regard to biosecurity. She is highly regarded for them and for her determination to protect farms and fisheries from biosecurity risks. She should be commended. Amendments to aquatic habitat protection provisions will improve the protection of mangroves and other marine vegetation. A new offence provision has been created for those who fail to comply with remediation orders made in respect of illegal dredging or reclamation works.

I believe the House will support this bill. Once again, we see the Opposition in a Greens trance. Dr Kaye has gone down to level 10 and issued The Greens' demands to the Labor Party, which will dance to The Greens' tune. Fishers across this State should be in no doubt that the Labor Opposition and The Greens are in a policy partnership on any issue concerning fisheries. They will not leave any preference deal undone or forget any commitment that needs to be made to satisfy the vacuous policy requirements of the politically motivated individuals in the upper House known as The Greens. They are happy to sacrifice the right of people living on the coast to enjoy our waterways. They were more than happy to ensure that criminal penalties applied to people who enjoy our waterways. They were also more than happy to force their political mantra on coastal communities time and again, without a care for science-based approaches.

This Government believes in taking a scientific approach. Decisions should be based on evidence and consultation, not political deal-making with the Opposition's Greens masters in the upper House. The Greens have landed one helluva catch. The bag limit is the Leader of the Opposition. The Greens know that they have him on the hook and they have reeled him in. Of course, there will be preference deals at the next election. This Government will not be lectured to by The Greens. The only Greens captives are members opposite. Fishers around this State should never forget the sort of governance they had for 16 years under the Labor Party. The Labor Government was happy to sacrifice fishers' rights to The Greens for a preference deal. Government members will never make the grubby, evil, pathetic, disgusting sacrifice that members opposite were prepared to make. We will get behind a good Minister who is implementing good policies and looking after the fishers of this great State.

Mr CLAYTON BARR (Cessnock) [5.22 p.m.]: I make a brief contribution to debate on the Fisheries Management Amendment Bill 2014. I rarely hear from my constituents about the many pieces of legislation that pass through this Chamber. However, over the past 48 hours I have heard from a number of fishermen. I do not mean to be sexist, but I have heard only from men at this stage. I am talking about people who are not normally engaged in the political process but who are extremely concerned about this legislation. There is a strange anomaly in the boat ownership data in my electorate. Cessnock, which is landlocked, has one of the highest boat ownership rates per capita in the State. The people whom I have the great privilege and honour to represent in this Chamber love their weekends away fishing on the coast.

My constituents are concerned about boat and bag limits being adjusted. Lake Macquarie is a favourite fishing haunt of people from Cessnock. Lake Macquarie is undoubtedly the most beautiful saltwater lake on the east coast of Australia. Fortunately, the revenue raised from fishing licences has enabled both the Labor Government and this Government to buy out Lake Macquarie commercial fishing licences. As a result, the condition of local breeding grounds is significantly different from what it was a decade ago. In fact, one of the gentlemen who approached me asked me to lobby the Minister to increase the minimum catch size of some species of fish, including bream.

Ms Katrina Hodgkinson: You are not talking about this legislation.

Mr CLAYTON BARR: I am providing context and background. That was the first time I have heard anyone say they want the minimum catch size increased. Reference was made to people having non-fishers on their boats to increase their maximum allowable catch. By its nature, fishing is variable. People often come home from fishing without enough for a feed. Of course, they also have purple patches and reel in the fish hand over fist. My constituents have said that decreasing bag limits or imposing a boat limit will change their fishing experience. They believe that if they must ride out the bad times when they catch nothing they should be able to enjoy the good times when they land a good catch. This bill has some good provisions. Those dealing with FishOnline and commercial fishers make perfect sense. I point out that I do not represent any commercial fishers. I have no doubt that members on both sides of Parliament want better fisheries management. We are almost at the end of this Parliament and this bill has been introduced late in the proceedings. Given that and the concerns that have been raised, the Opposition will not support the bill in its current form.

Ms KATRINA HODGKINSON (Burrinjuck—Minister for Primary Industries) [5.27 p.m.], in reply: I thank the members representing the electorates of Liverpool, Kiama and Cessnock for their contributions to debate on the Fisheries Management Amendment Bill 2014. The bill provides for a raft of amendments to both the commercial and recreational fishing sectors aimed at improving the management of the State's fisheries resources. It will enhance the capacity for industry to be more directly in charge of its business through online connectivity, improved flexibility in arrangements related to the management of commercial fisheries and commercial fisheries licensing provisions, and aligned industry operations with contemporary business practice to enhance compliance and enforcement provisions. The bill provides flexibility for the final structure of the commercial fishing reforms that are now being discussed by commercial fishers and the Structural Adjustment Review Committee. The Government has worked with commercial fishing stakeholders to discuss the policy settings that may eventually be implemented through the new legislative framework.

I turn now to the key provisions. This bill will provide fishing industry participants with improved access to their business, licence and fishing activity information through amendments that will allow for full operational functionality of FishOnline and a new administration system accessible to fishers through a computer or internet-enabled mobile device. It is interesting that members opposite oppose the introduction of streamlined administration and a new online system given that it is 2014 and not 1994, when that technology was not available. We have a progressive, go-ahead commercial fishing industry operating in New South Wales waters that wants streamlined administration. Fishers want to undertake administrative tasks online. Of course, some are from the old school and want to continue to undertake paper-based transactions. That is also fine.

This bill will replace highly prescriptive provisions in the Act surrounding share management fisheries with provisions that will allow more flexible arrangements to be implemented through regulations and share management plans. The bill also aligns the charter fishing industry with more modern business arrangements through the provision of transferable licences separate from the fishing vessel and transferable charter boat seats with different classes of seats authorising different charter fishing activities, which can also be traded between industry participants. This has been called for, and in the modern world it is surely something that should be supported by members on both sides of this House. The bill makes various miscellaneous amendments aimed at improving the effectiveness and efficiency of the management arrangements for the State's fisheries resources, including the introduction of boat limits to promote better resource management in relation to recreational fishing activities.

Importantly, the bill will improve the management of Aboriginal fishing by establishing a specific trust fund to provide a suitable and transparent accounting mechanism for incoming funds and expenditure associated with Aboriginal fishing. The contributions to this debate by those opposite did not reflect what the community feels is necessary to progress the Fisheries Management Act 1994 and bring it into the modern age. Twenty years have passed since that Act came into effect. We live in a modern society and want to make sure that commercial fishers have access to streamlined administration systems and can undertake online transactions. Those opposite are opposed to bringing this Act into the modern age and I cannot imagine why. The bill will help to ensure the sustainability of fishing resources, provide for the ongoing viability of the fishing industry, increase opportunities for high-quality fishing, and promote and protect Aboriginal cultural practices. I commend the bill to the House.

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

The House divided.

Ayes, 49

Mr Anderson	Mr George	Mr Piccoli
Mr Aplin	Ms Goward	Mr Piper
Mr Ayres	Mr Greenwich	Mr Rohan
Mr Barilaro	Mr Hartcher	Mr Rowell
Ms Berejikian	Mr Hazzard	Mr Sidoti
Mr Bromhead	Ms Hodgkinson	Mr Smith
Mr Brookes	Mr Holstein	Mr Souris
Mr Casuscelli	Mr Humphries	Mr Speakman
Mr Conolly	Mr Issa	Mr Spence
Mr Constance	Mr Kean	Mr Toole
Mr Coure	Dr Lee	Ms Upton
Mrs Davies	Mr Maguire	Mr Ward
Mr Dominello	Mr Marshall	Mrs Williams
Mr Doyle	Mr Notley-Smith	
Mr Evans	Mr O'Dea	<i>Tellers,</i>
Mr Flowers	Mr Page	Mr Patterson
Mr Gee	Ms Parker	Mr J. D. Williams

Noes, 18

Mr Barr	Mr Hoenig	Ms Watson
Ms Burney	Mr Lynch	Mr Zangari
Ms Burton	Dr McDonald	
Mr Collier	Ms Mihailuk	
Mr Crakanthorp	Mr Parker	<i>Tellers,</i>
Mr Furolo	Mr Robertson	Mr Amery
Ms Harrison	Ms Tebbutt	Ms Hay

Pairs

Mr Baird	Mr Daley
Mr Grant	Ms Hornery
Mr O'Farrell	Mr Lalich
Mr Perrottet	Mr Park
Mr Roberts	Mrs Perry
Mrs Skinner	Mr Rees

Question resolved in the affirmative.

Motion agreed to.

Bill read a second time.

Third Reading

Motion by Ms Katrina Hodgkinson 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 bills.

PESTICIDES AMENDMENT BILL 2014**Second Reading**

Debate resumed from 22 October 2014.

Mr RON HOENIG (Heffron) [5.40 p.m.]: I lead for the Opposition on the Pesticides Amendment Bill 2014. The shadow Minister with carriage of this bill is the Hon. Luke Foley in the other place. The Opposition

does not oppose the bill. Pesticides are classified as dangerous goods because they are flammable, combustible or toxic. It is therefore important that, given the threat they pose to individuals, animals and the environment, they are properly handled and their use is overseen. The jurisdiction of the Environment Protection Authority [EPA], which regulates and investigates general pollution and waste matters in New South Wales, extends to pesticides.

ACTING-SPEAKER (Ms Melanie Gibbons): Order! Members who wish to have private conversations should do so outside the Chamber.

Mr RON HOENIG: It is good to deliver a speech about pests.

Mr Gareth Ward: Declare your interest.

Mr RON HOENIG: The member for Kiama had better be careful because he may be the one who is exterminated.

Mr John Williams: They haven't found anything to kill him yet.

Mr RON HOENIG: If a bloke from Broken Hill cannot find it, nobody can. Currently, urban pest management technicians and fumigators are licensed by WorkCover NSW—fortunately, otherwise the member for Drummoyne may well have been exterminated—who hold certificates of competency, whilst aerial pesticide applicators are licensed by the EPA. This bill aims to transfer those who are licensed by WorkCover to the EPA and change their certificates of competency to licences to streamline the regulation of pesticide use in New South Wales, using the more easily understood term "licence".

The EPA will be responsible for granting licences, licence conditions, the duration of licences and the suspension and revocation of licences. The bill will require the EPA to have a register of licences and to make that register available to the public. As with any bill that gives the EPA more responsibility, I put on the record my expectation that the EPA will be properly resourced and that the staff will be trained to manage the extra tasks it is given. In his second reading speech the Minister said:

This bill is the first part of a series of reforms planned by this Government to update and strengthen the ability of the Environment Protection Authority [EPA] to oversee chemical use and prevent adverse impacts on human health and the environment.

My concern with the Minister's statement, as I have said on several occasions in this House, is that, according to my research, the EPA has never prosecuted anyone for a tier 1 or serious offence on indictment. Serious environmental offences are not being prosecuted to the full extent of the law—the case of Dib Hannah is a case in point that I have referred to repeatedly. I worry that we do not see justice done with these crimes against the environment. Pesticides are heavy-duty chemicals which, if used incorrectly, can have disastrous effects on the environment. If the EPA is responsible for the investigation of the improper use of pesticides and the revocation or suspension of licences, I would hope that it utilises its powers properly, independently and fiercely.

There is no doubt that the EPA has always had the power to regulate, control and prosecute polluters. It was a fine piece of legislation when a former Conservative Minister, the Hon. Tim Moore, introduced it, but over many years there has been a failure on the part of the executive government to ensure that the EPA acts decisively. That failure to act decisively has brought the EPA into disrepute, and some of that failure is the subject of an inquiry being conducted in the other place. Public confidence in the EPA is essential because public health is at stake, but public confidence has to be earned.

Further, the bill makes it clear that offences that involve damage to property from pesticides are extended to include a situation where pesticide use prevents or is likely to prevent agricultural land from being used. The bill also gives companion animals protection by making it an offence to use pesticides in a manner that harms an animal. This is an important step in recognising the rights and vulnerabilities of companion animals when it comes to pesticides. Placing the onus on individuals to ensure that their actions do not harm animals is vital. Additionally, the bill improves the oversight of managing and monitoring pesticide residues on produce and requires that findings of any analysis on suspected pesticide residue be reported to the EPA.

Subsequently, the EPA is enabled to enforce the matters as they are presented. An aspect of the bill that should, in theory, assist the EPA with this enforcement is that there can be laboratory analysis of the affected

produce. One hopes that this evidence is irrefutable and that actions can proceed to amend the issue. In an attempt to reconcile our laws with those of our other States and Territories, the bill allows for the recognition of licences across borders. This will be particularly useful for those licence holders who work close to the border of another State or Territory and who service those communities.

Mr Geoff Provest: Hear, hear!

Mr RON HOENIG: The member for Tweed did not know that. A number of administrative components of this bill include updates to definitions to comply with the national assessment and registration scheme for pesticides. In his second reading speech the Minister stated:

... that the Minister for the Environment will be able at his or her discretion to convene one or more committees to advise on matters relating to the Act.

It is important that these committees contain professionals with real knowledge. I know that the current Minister for the Environment has the ability and capacity to choose those professionals, which is not always the case with Ministers. I hope that in the future Ministers choose their committee members wisely. In conclusion, as I indicated at the outset, the Opposition supports the bill. However, I reiterate my concerns about the EPA having additional enforcement powers unless it is properly resourced and it develops some intestinal fortitude to enforce them.

Mr GEOFF PROVEST (Tweed—Parliamentary Secretary) [5.47 p.m.]: I am pleased to speak in support of the Pesticides Amendment Bill 2014. The New South Wales community has a range of views on pesticides, but few could argue how much we rely on their use to support productive agriculture and to protect public health from disease-spreading pests. This bill will allow the licensing of urban pest management technicians and fumigators to be transferred from WorkCover NSW to the NSW Environment Protection Authority [EPA]. Detailed provisions underpinning the transfer will be specified in parallel regulation amendments.

It was a Liberals-Nationals Government that first established the EPA and it was this Government that re-established the EPA in 2012 as a powerful, stand-alone regulator after years of being run down by the former Labor Government. Members of this House will be aware that this Government has implemented a series of legislative and regulatory reforms to the EPA's core legislation. This has improved protection for the community from the impacts of environmental offences and most recently has provided for some of the toughest penalties in the country. This stronger, better resourced EPA is responsible for administering the New South Wales Pesticides Act, which applies to all pesticide users in New South Wales.

The EPA already licences aerial applicators of pesticides under the Act. The regulation already stipulates requirements for pest controllers to keep records of their pesticide use and to provide notification of pest treatments in certain situations. Consolidating licences for pest controllers with the EPA is clearly a common-sense move and will simplify compliance for this industry sector, which is made up substantially of small businesses. Small businesses are the life blood of the New South Wales economy. They employ about 50 per cent of the workforce in New South Wales and make up 96 per cent of all businesses in the State.

Last month—this is of particular to me and my area of the Tweed—the Government introduced the Mutual Recognition (Automatic Licences Occupation Recognition) Bill 2014, which aims to cut red tape surrounding building and related trades. That bill will provide for automatic recognition of interstate licences in certain regulated occupations, cutting of red tape, and making life easier for tradespeople working across the State and Territory borders and the communities they serve. Some 30 per cent of the people in my electorate work in Queensland and about the same number from Queensland work in the Tweed. Small business people seek work on either side of the border and they go where the jobs are. In the past it has proved to be a big hurdle for people to gain recognition; in some cases tradespeople had to have two licences just to survive.

There are different licensing regimes in both States. Achieving a similar outcome for licenced pesticide users is one objective of the national harmonisation agreement on controls of pesticide use that cover these occupations. I am pleased to note that the Pesticides Amendment Bill 2014 will ultimately allow for regulations to establish cross-border automatic recognition for licences once terms have been agreed by all jurisdictions. The bill is a small but important step. As I said, we rely on pest controllers, both in the residential home and on commercial premises, to keep us safe from invasive pests and to enhance food safety and so on. The Minister for the Environment has introduced an important bill. The Minister and his staff should be congratulated on their

hard work. Once again I am pleased to note that coming out of the Minister's office is a common-sense approach but with one priority—protecting the environment and the wider community of New South Wales. I commend the bill to the House.

Mr STEPHEN BROMHEAD (Myall Lakes) [5.52 p.m.]: I support the Pesticides Amendment Bill 2014. I commend the Minister for the Environment for bringing the bill forward. I know that members opposite, particularly the greatest pest in this House for the last umpteen years, the member for Mount Druitt, have concerns about the bill.

Ms Anna Watson: That's not very nice.

Mr STEPHEN BROMHEAD: He is a pest, but in the nicest possible way. The member for Mount Druitt, who is in the Chamber, gave a great valedictory speech. The objects of the bill are to amend the Pesticides Act 1999, first, to provide for a new licencing regime for pesticide work; secondly, to rename certificates of competency under the Act as restricted pesticide authorisations; thirdly, to align the provisions of the Act with recent changes made to the Agricultural and veterinary chemicals code; fourthly, to enact provisions to improve the administration and enforcement of the Act; and, lastly, to make amendments to the Land and Environment Act 1979 and the Work Health and Safety Regulation 2011.

The bill is the first part of a series of reforms planned by the Government to update and strengthen the ability of the Environment Protection Authority [EPA] to oversee chemical use and prevent adverse impacts on human health and the environment. The Government indicated its intention that should it be re-elected, the next step in the chemicals reform program would be to introduce legislation to modernise the Environmentally Hazardous Chemicals Act 1985 to achieve more streamlined and effective controls of transport of hazardous waste. A key purpose of the bill is to allow the licencing of urban pest management technicians and fumigators to be transferred from WorkCover NSW to the NSW Environment Protection Authority. This will implement agreed national harmonisation reforms relating to both controls on pesticides, and work health and safety once complementary changes to the regulations commence.

Consolidating licencing of pesticide users with the EPA is also a common-sense reform, given that the EPA already licences aerial pesticide applicators and regulates the pesticide use of these occupations through its administration of the New South Wales Pesticides Act. I note that the opportunity is being taken with this bill to make a number of other enhancements and updates to the New South Wales Pesticides Act. Many of these are of a housekeeping nature. However, I will speak on several amendments that will improve protections for property owners and occupiers from another person's wilful or negligent pesticide misuse. The first of these changes will improve existing protection for agricultural landholders. In addition to protecting human health and the environment with regard to ecologically sustainable development, protection of property and trade from pesticides misuse are key objects of the Pesticides Act.

The Act has existing provisions that rightly make it an offence to damage another person's property through pesticides misuse, such as overspray across property boundaries killing crops where that misuse is proven to be wilful, negligent or as a result of lack of due diligence. Operational experience in administering the Act has evidenced the need to clarify what is meant by damage to agricultural premises. The bill makes it clear that this includes pesticide misuse that results in pesticides being deposited on another person's property and in doing so prevents its current productive use. For example, agricultural spray drift of the herbicides 24D falling on pastures may preclude safe grazing of livestock for up to 10 days, but currently this may not be construed as damage.

This straightforward change will provide important guidance to enforcement officers and to magistrates in the Local Court where more serious pesticide misuse offences are most commonly pursued. More importantly, the amendment will provide improved protection of the livelihood of those men and women who work the land and who are the backbone of rural and regional New South Wales. The second of these amendments extends existing offence provisions regarding on-premises harm to companion animals. The Pesticides Act makes it an offence to cause harm to non-target plants or animals, but an exception applies where the harm occurs on a person's own farm or place of residence. This recognises that in most cases it is not appropriate to take action for the landowner's pesticide use on his or her own land.

Operational experience in administering the Pesticides Act has shown that the exception provision can prevent enforcement action when another person deliberately or negligently poisons the occupier's own companion animal on that person's own place of residence or farm. The amendment in the bill will address this

anomaly, better protecting valuable working dogs and household pets from these unfortunate incidents. The amendment will only apply to a property owner's or occupier's own companion animals or those on the property with their consent, and the poisoning must be deliberate or negligent. These amendments will come into effect on 1 July 2015 to give sufficient time for the changes to be properly communicated and for people to become familiar with the changes.

It is also highly noteworthy that these amendments to the Pesticides Act build on the legislative and regulatory reforms that the Government has made to the EPA's other key legislation, most recently with the introduction of the Protection of the Environment Legislation Amendment Bill 2014. That bill improves protection to the community from the impacts of environmental offences and provides for some of the toughest penalties in the country. The Protection of the Environment Operations Act 1997 can be employed for instances of serious pollution of land or water by pesticides.

This is yet another forward step by the Government in its program to achieve a stronger, better-resourced EPA. This began with the reestablishment of the EPA as a stand-alone agency in 2012, achieved a major milestone with the Protection of the Environment Legislation Amendment Bill 2014, and is continued with this bill. This bill will deliver changes to the Pesticides Act that will no doubt be welcomed by all agricultural land holders and by anyone who owns a companion animal. I have no doubt it will enhance the ability of the EPA to protect the New South Wales community from pesticides misuse and those who sit on the Opposition benches. I commend the bill to the House.

Mr JAMIE PARKER (Balmain) [6.00 p.m.]: The Greens generally support the Pesticides Amendment Bill 2014, which makes some positive changes and we recognise the effort that has gone into its development. I raise a few questions in regard to the bill. Obviously we know it is about transferring power to the Environment Protection Authority [EPA] by making it the sole source of pesticide licences rather than WorkCover NSW. It gives the EPA the power to accept and enforce undertakings as an alternative to court proceedings. The definition of "damage" to include where pesticide use prevents part of a premises being used for agricultural operations, and makes it an offence to harm a companion animal with pesticide usage, are positive steps. It also abolishes the Pesticide Implementation Committee, which I understand is already defunct, and attempts to align the New South Wales licensing system and legislation with that of other States. A year or so again I was involved in a parliamentary committee inquiry to create regional economic zones that examined cross-border harmonisation and cross-border issues.

I think this bill should be welcomed. The inquiry took members to the north and south of New South Wales to see if there was an opportunity to look at zones. The solution is about harmonisation, the Council of Australian Governments [COAG] and State governments working together to align their particular licensing systems. This bill will be welcomed, and I acknowledge the position from some of my friends in The Nationals. We know that the bill outlines transfers, and I refer to the amount of power that is being transferred to the EPA, and the challenges that will be provided to the EPA. Recently I have had a lot of dealings with the EPA in relation to the White Bay cruise ship terminal, which was not supported by the Tourism and Transport Forum, the peak group for the tourism transport industry; Carnival and P & O cruises; local councils; the local community; or the industry. Who supported it? Tony Kelly—

Mr Geoff Provest: Verity Firth.

Mr JAMIE PARKER: And Verity Firth.

Mr John Williams: Don't ever let her back in here.

Mr JAMIE PARKER: We are doing our best to make sure that the people of Balmain make the right decision in the election. I do not want to attack anyone in particular, but I want to demonstrate the huge problem that the Balmain community are dealing with as the result of a flawed decision. It was all about Joe Tripodi trying to help out Lend Lease over Barangaroo, which is why the cruise ship terminal was moved. It had nothing to do with supporting the cruise ship industry, an important industry in New South Wales. I have had a lot of dealings with the EPA, in particular, about two issues: the noise breaches from the cruise ship terminal, obviously not the purview of the EPA; and air quality, which is front and centre of the EPA.

It is a matter of capacity, funding and resources for the EPA because, as members might know, the community has been examining the issue. We know the diesel that we put in our vehicles must have only 0.001 per cent of sulphur content, but a cruise ship can have 3,500 times that amount of sulphur in its bunker

fuel because our regulations are so poor. Cruise ships sit within 100 metres of a residential area. Their diesel generators produce enough electricity to power 50,000 homes. Unfortunately the dirtiest and most polluting vessels from North America and Europe are sent to Australia because the sulphur content in North America and Europe is 0.1 per cent. We know that because the air standard quality in places like California and Europe are so much higher, the dirty vessels come to New South Wales.

The EPA has the biggest challenge, and it is already dealing with a whole range of issues. I commend the environment Minister and the leadership of the EPA for saying that Marpol is not enough and that the reduction in international standards, which we know are being reduced in Australia but also globally, to be implemented by 2020 or 2022, depending on which way you look at, is too far away. This State Government is concerned about the health of its residents and is seeking to have world standard air quality levels in Australia. This bill speaks to this issue and I ask the Minister how we can support the EPA. Obviously the upper House inquiry into the EPA and its performance is important, but The Greens concern is that we are giving a lot of regulatory responsibility to the EPA, taking it from WorkCover. Obviously we need to support, resource and give real capacity to the EPA. Does the Minister feel that this is something that the EPA can take on effectively?

The member for Myall Lakes said it is one thing to have rules, but implementation is another thing and that is true. That is where the EPA needs support and needs to be able to effectively implement this framework and the harmonisation reforms. We know that they are devilishly difficult. We have seen in COAG the great difficulty in terms of national harmonisation. The Minister has outlined that the aims of the amendment are to improve protection for landholders from pesticide misuse, transfer licensing systems to the EPA and implement national harmonisation reforms. They are all positive aims. It is also part of the wider regulatory framework to ensure the proper usage, storage and disposal of chemicals in New South Wales.

The next step will be to modernise the Environmentally Hazardous Chemicals Act 1985. That Act and its improvement are very important. I understand that the Minister and the department are not able to do that unless the Government is re-elected, but it is important not only for the environment but also for people who are using pesticides. We know that pesticides are an important part of agriculture. Obviously we seek to minimise their use wherever possible. Improving and modernising the Environmentally Hazardous Chemicals Act will benefit everybody, including the users and consumers of products that are grown on our land.

The bill has a great deal of merit, but I ask the Minister to address what steps the Government will take to ensure that the EPA can really take this on with gusto; to make sure the decisions that we make in this place are implemented on the ground and done so in a way that gives people confidence that the EPA can do its job, gives support and encouragement, and builds capacity within the EPA. The EPA can be a fantastic organisation. We know that it has struggled in the past and we know it has its challenges, but I hope under this Minister the EPA grows not only to be the sole source of pesticide licensing but also that in all areas of its administration it becomes world class.

Mr JOHN WILLIAMS (Murray-Darling) [6.08 p.m.]: I speak to the Pesticides Amendment Bill 2014. I enjoy following the member for Balmain, whom I support. We saw action by the for Labor member for Balmain and I have no doubt that she will deny the fact that she had anything to do with moving shipping to White Bay. She will clean her hands of that decision. People should know the truth and, unfortunately, the member for Balmain has not got the resources of the larger parties to get the truth out there and let it be known in Balmain that Verity Firth has created that problem.

This debate reminds me of the episode of the television show *Fawlty Towers* when Manuel returned home to the hotel saying, "Mr Fawlty, Mr Fawlty, the hamster, Mr Fawlty". He was told, "Manuel, that's not a hamster, that's a rat." When the major spotted the rat he said, "Fawlty, you've got rats in here", causing real havoc in the hotel, which was not a good hotel to start with. It obviously caused concern to the guests, even though Manuel thought it was a hamster. We will always need pesticides, especially when there are people like Manuel, who thought he was bringing in a hamster when it was in fact a rat.

Ms Anna Watson: It was only a show.

Mr JOHN WILLIAMS: It was a good show. I have another *Fawlty Towers* fan in the House. I think I have watched every episode about 10 times. The Government has shown common sense in appointing the Environment Protection Authority [EPA] as the appropriate authority to manage licensed irrigators, pest controllers and aerial sprayers in New South Wales all under the one organisation. Some time ago a constituent raised with me a problem where a neighbour had used pesticide to destroy a row of liquidambar along the

fence. It is interesting to note that the neighbour had a history of pesticide use and had had a lung transplant through overexposure to pesticides. Indeed, he was a serial user of pesticides and showed little regard for the welfare of anyone else let alone his own. Little could be done even though we knew who was responsible. WorkCover's concern was that it was not industrial use, but I am sure the EPA would have taken a different view of this pesticide misuse.

The cotton industry now uses less pesticide. In fact, throughout a full season only six applications may be used. Genetically modified cotton now allows farmers to use lower levels of pesticides than in the past. This saves money and helps the environment because in the past the overuse of pesticide has been a huge problem. In the traditional cotton growing areas of the southern states of South America devastation has been caused through the overuse of pesticides. The ground has been contaminated to such a degree that it is almost impossible for the soil to be regenerated so the overuse of pesticides is indeed a serious problem. People may have different attitudes towards the use of pesticides and the overuse of pesticides by one neighbour can effectively contaminate adjoining properties, resulting in a loss of crops.

Many farmers are getting smart with the management, use, storage and disposal of pesticides and people in the farming industry are focusing on the correct use of pesticides in an effort to reduce opportunities for contamination. With an organisation such as the EPA as the control authority, this will provide greater certainty about the improved use and management of pesticides, particularly in the farming area, which is where many of the pesticides are used. Previously when people's houses were sprayed for white ants they would have to tie up their dogs otherwise they would be digging holes in the backyard to bury their dogs. The risks involved in some pesticides have now been identified and fumigators must follow compliance laws and use better pesticides to ensure that they are safe. These may not be as effective because in the past nothing lived after the area had been sprayed. Today pesticides are fairly selective and aimed primarily at white ants. The types of materials and volume used in the mix are now controlled and once again the EPA is the best authority to manage that.

Obviously the licensing side and acknowledgment of who is licensed to use the material must be managed. The EPA is the licensing authority with the opportunity to communicate with licence holders about the types of pesticides being used, their application and the need to respond to change. As with any product, some pesticides need to be removed and others introduced. The material previously used for fruit fly has been removed from the list and different pesticides are now being used. Not many farmers have confidence in the new pesticides so it will be difficult to manage in the future. [*Extension of time agreed to.*]

Not all pesticides are biodegradable and the pesticide previously used for fruit fly was identified as leaving a residue that poses a risk over time. That pesticide has now been removed from the list and is no longer available for use in Australia. It is the role of the EPA to identify how pesticides are used and to establish their long-term residual effects on the ground and in water. Many areas experience problems with vines and trees and following rain someone's overuse of pesticides affects neighbouring properties. It is then the role of the EPA to challenge the use of the pesticide, accepting that it can ultimately cause major damage to the environment. New South Wales has a large number of licence holders who need to be managed because they carry out many different applications using pesticides.

We need an organisation that is skilled in environmental management. This will form part of the EPA's role in environmental protection and fit in with our mandate to manage the environment. If this role is misused it could pose a threat to the environment. With the introduction of this Act we will have an organisation that takes over responsibility for the management of pesticides in New South Wales in conjunction with all other States. Following an agreement entered into by the Council of Australian Governments the management of pesticides will now be in good hands. I support the Pesticides Amendment Bill.

Mr RICHARD AMERY (Mount Druitt) [6.20 p.m.]: As the shadow Minister has already indicated, the Opposition will be supporting the Pesticides Amendment Bill 2014 which has as its overview:

- (a) to amend the Pesticides Act 1999:
 - (i) to provide for a new licensing regime for pesticide work, and
 - (ii) to rename certificates of competency under the Act as restricted pesticide authorisations, and
 - (iii) to align the provisions of the Act with recent changes made to the Agvet Code ...

This came about as a result of an agreement entered into by the Council of Australian Governments [COAG] relating to pesticides, herbicides and many other issues to achieve uniform rules and regulations in our agricultural industries. With cross-border trading consistent rules and regulations are needed. The bill will implement the Agvet Code which has been in place for a number of years. The bill will also improve the administration and enforcement of the Act and importantly makes amendments to statute law, enacts savings and makes consequential amendments to the Land and Environment Court Act and Work Health and Safety Regulation 2011.

This bill is not contentious. The first issue of concern is the role of the Environment Protection Authority [EPA] which has taken over the administration of pesticides from WorkCover which is neither here nor there. It recognised that aerial spraying of pesticides by contractors in rural areas can be dangerous for operators. Having a new administrative authority take over the administration of pesticides from WorkCover is not a contentious issue and there is no weakening of any regulations that protect employees in this industry—issues that were thrashed out by COAG. When we are talking about pesticides—and I know that this is a political issue—governments of all political persuasions advance extreme arguments. However, much progress has been made in the use and management of pesticides.

Members from northern New South Wales such as the member for Lismore would be aware of the cattle tick program. There was much industry disquiet when the Labor Government moved away from compulsorily dipping all cattle that moved between the States. Because of the types of chemicals that were used that impacted on beef trade. Consumers focused on the pesticides that were used in various agricultural industries and on practices such as compulsory dipping which impacted on animals and on areas in which cattle dip sites were built. There was much concern from industry. Governments have a responsibility to protect our industries by moving away from compulsory dipping and implementing search, detect and destroy operations.

The Deputy-Speaker, who has been involved in the cattle industry and who has hands-on experience, could probably talk at length on this subject. We have come a long way. A number of employers in the beef industry were resistant to change but upon reflection recognised that the old system that commenced in the late 1920s was not sustainable if Australia was to remain a proper trading partner. Another issue of concern relating to aerial spraying is the impact of various sprays—not only pesticides and herbicides—on the organic farming industry. If neighbouring farms used pesticides that were not consistent with organic farming and cross-contamination resulted through poor management, administration, and trading that could have an impact on the industry. Some practices might be suitable for one part of a farming community but not for another. Schedule 1.1 will amend the principal Act:

- (b) to make it an offence for a person to carry out prescribed pesticide work (or employ a person to carry out prescribed pesticide work) unless the person carrying out the work holds the kind of licence prescribed by the regulations for that work ...

That might sound fairly matter of fact. However, people who are using pesticides—whether it is aerial spraying, which is a potentially dangerous occupation, or using farm equipment on the ground—have to obtain a licence. In order to obtain a licence they have to be knowledgeable and trained in the use of chemicals. Employers have to be responsible and they have to be aware of all the issues—the overuse of chemicals, the use of wrong chemicals and cross-contamination of neighbouring farms. In the past week or so the Labor caucus discussed this matter and the recommendation from the shadow Minister was that the Labor Party would not be opposing the bill.

[Business interrupted.]

BUSINESS OF THE HOUSE

Suspension of Standing and Sessional Orders: Order of Business

Mr ANTHONY ROBERTS (Lane Cove—Minister for Resources and Energy, and Special Minister of State) [6.20 p.m.]: I move:

That on Thursday 13 November 2014 standing and sessional orders be suspended to provide:

- (1) For the following routine of business prior to 1.00 p.m.:
 - (a) At 10.00 a.m., government business;
 - (b) Giving of general business notices of motions (general notices);

- (c) General business notices of motions for bills, for up to 30 minutes;
 - (d) General business orders of the day for bills, for up to 60 minutes;
 - (e) At 11.30 a.m., general business is interrupted for inaugural speeches; and
 - (f) Consideration of general business notices of motions (not being for bills).
- (2) That divisions may be called and conducted prior to 10.30 a.m.

Mr RICHARD AMERY (Mount Druitt) [6.21 p.m.]: The Leader of the House is asking Opposition members to support changes to the order of business for tomorrow. On the face of it I do not perceive there to be any problems but certain processes have to be followed. I would have thought that the Leader of the House would have discussed this matter with Opposition members. With that qualification, I will not call for a division or oppose the motion. However, the Leader of the House generally has discussions about these motions with my office. That has not been the case on this occasion.

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

Motion agreed to.

ABORIGINAL AMENDMENT LAND RIGHTS BILL 2014

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

PESTICIDES AMENDMENT BILL 2014

Second Reading

[Business resumed.]

Mr MARK SPEAKMAN (Cronulla—Parliamentary Secretary) [6.30 p.m.], on behalf of Mr Rob Stokes, in reply: I thank those members who contributed to debate on the Pesticides Amendment Bill 2014. The member for Wollongong referred to the efficacy of the Environment Protection Authority. I remind the member and the House that it was the former member for South Coast, Jack Beale, Australia's first environment Minister and a member of the Liberal Askin Government, who established New South Wales' first environmental watchdog, the State Pollution Control Commission. As many members would remember, the Greiner-Murray Government established the Environment Protection Authority. However, over 16 years of successive but not successful Labor governments, the authority was subsumed and degraded. It went from being a watchdog to a lapdog of the elected Government. It lost its independence and was given new responsibilities but no new resources.

This Government has reformed, properly resourced and supported the Environment Protection Authority. It has re-established it as a tough and independent environmental watchdog with a full suite of compliance and enforcement tools. I pay tribute to the outgoing member for Maitland and former Minister for the Environment, the Hon. Robyn Parker, for the tremendous work she did in leading the efforts to re-establish the authority as a tough and independent watchdog. In May this year, the Government announced the introduction of a tenfold increase in penalties for companies and individuals that breach environment protection licences. The changes will provide the Environment Protection Authority with the toughest regulatory powers in Australia that can be used against industries that pose the greatest risk to communities. This Government has substantially beefed up the powers and functions of the authority to protect our precious environment.

The member for Balmain focused on the resources of the Environment Protection Authority. The Government has provided the authority with a \$25 million boost in funding over the past two years alone. Amendments to the Protection of the Environment Administration Act introduced by this Government enable the authority to introduce cost-recovery measures across its operations. In this House on 10 September 2014, when speaking on the Protection of the Environment Legislation Amendment Bill 2014, the Minister for the Environment noted that bill's place in the Government's successful delivery of a program of reforms designed to bring environmental law into the twenty-first century and to reinvigorate the Environment Protection Authority as a strong, independent regulator with the full range of tools at its disposal.

To date there have been many standout milestones in the program. They include, first, the re-establishment of the Environment Protection Authority as an independent regulator; secondly, stronger laws

to better manage environmental incidents such as the release of a hazardous chemical by Orica in Newcastle and ensuring that pollution incidents involving material harm are notified immediately; thirdly, passing the Protection of the Environment Operations Amendment (Illegal Waste Disposal) Bill 2013, which cracked down on illegal waste dumpers and broke the business model of illegal waste activities; and, fourthly, introducing the Protection of the Environment Legislation Amendment Bill 2014, which strengthened a broad suite of environmental penalties and gave the Environment Protection Authority the powers it needs to protect our environment more effectively.

The Pesticides Amendment Bill is another step in this Government's steady, incremental approach to reforms. That approach has now turned to the specialised legislation that the Environment Protection Authority uses to manage and to prevent adverse impacts from chemical use on human health and the environment. A re-elected Liberal-Nationals Government will continue this important work. The bill makes a number of common-sense changes to the Pesticides Act 1999. It consolidates licensing of pesticide use at a single point with the Environment Protection Authority, allows implementation of agreed national harmonisation reforms, and usefully improves protections for landholders from pesticide misuse by others.

The bill also makes a number of necessary amendments to update and to improve administrative provisions in the Act. The bill amends the Pesticide Act 1999 to provide for a new licensing regime for pesticide work; to rename certificates of competency under the Pesticides Act as restricted pesticide authorisations; to align provisions of the Act with recent changes made to the Agvet Code; to enact provisions to improve the administration and enforcement of the Pesticides Act; to make amendments in the nature of statute law revision; and to enable savings and transitional provisions consequent upon the enactment of the legislation. It will also make consequential amendments to the Land and Environment Court Act 1979 and the Work Health and Safety Regulation 2011.

This legislation is another step in the Government's steady and incremental approach to reforms. If the Liberals-Nationals Government is re-elected it will continue this effective work. I again thank the members who have spoken on this bill for their contribution. As I said, this bill makes a number of common-sense changes to the Act. It will consolidate licensing at a single point, allow implementation of agreed national harmonisation reforms, and provide useful improved protections for landholders from pesticide misuse by others. It also makes some necessary amendments to update and improve administrative provisions in the Act. I am delighted to 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 Mark Speakman, on behalf of Mr Rob Stokes, agreed to:

That this bill be now read a third time.

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

Pursuant to resolution valedictory speeches proceeded with.

VALEDICTORY SPEECHES

Dr ANDREW McDONALD (Macquarie Fields) [6.40 p.m.] (Valedictory Speech): I thank everyone present in the House, including the Leader of the Opposition, John Robertson. The best description I have heard of politics is by Eliza Harvey from the ABC. She described it as a "high-cost, high-reward" profession. Every politician and their family pay a cost for their time in politics. I am leaving politics because my time has come and, as others who are leaving politics have said, I want to spend more time with my family. It is as simple as that. I would like to begin by thanking the Labor Party for its support and encouragement in providing me with an opportunity to be a member of Parliament—a rare privilege and one that I have enjoyed and appreciated every day I have been here. Even though I was preselected under unusual circumstances, the support of the branch members since that day has been both extraordinary and humbling, and gratefully received.

I became a candidate as a political unknown at short notice. Despite that, I was made most welcome, supported, defended and befriended by some of the most impressive people I have ever met. For example, Wal Glynn of Ingleburn donated \$100,000 of prize money to an organisation that works for social justice. To count him, and those like him, as a friend has been the best of my time in politics. There are people such as John McLaughlin, a true and steadfast friend from day one; Aaron Rule, who is in the advisers area; Parvez Khan; Masood Chowdhury; Reg Drennan; Mark Pearce; Amad Mtashar; Ben Gilholme and many others too numerous to name who have been wonderfully supportive branch members. They have helped on campaigns, handed out on election day and, most importantly, been there with a smile as they did so.

I reserve special mention for Anne Stanley and Anoulack Chanthivong, who I am hoping will enter a Parliament in future. As to my colleagues in this place, it has been a wild ride. John Robertson has been an inspiration, a true friend and wonderful support. I wish him and all the team the best for 2015 and beyond. Just to be able to say that I have worked with, and enjoyed the company of, people like Linda Burney, Carmel Tebbutt and Nathan Rees, among many others, has been an incredible privilege. Richard Amery has provided enormous solace to our side of politics since the 2011 election. His generosity of spirit was there for all to see in today's masterful valedictory speech delivered by a master. He is truly a great loss and a difficult act to follow. Paul Lynch has provided wise counsel, great companionship, an incredible knowledge of history and an irreverent sense of humour that has been one of the great joys of my time in politics.

As a new member of Parliament, old hands such as Geoff Corrigan, Thomas George, Graham West, John Aquilina, Wayne Merton and Russell Turner were vital. They taught me that Parliament is an institution to be respected, and politics is an honourable job unfortunately peopled by not always honourable human beings. One of the most common questions I get asked is what I have learnt from politics. It is the same lesson I learned from my time as a doctor at Campbelltown Hospital. In politics—to use a biblical phrase—you are your brother's keeper. The electorate is right to harshly judge parties that show wilful blindness to the character defects of their members of Parliament. Wilful blindness is defined as: If there is knowledge that you could have had or should have had but chose not to have you are still liable.

The electorate gave us the result we deserved in 2011 because we in the Australian Labor Party did not take appropriate responsibility for the behaviour of every member of our party in Parliament. The fact that those opposite have suffered, or are soon to suffer, a similar fate is not surprising—it is government, not ideology, that attracts to Parliament people who should probably not be members in the first place. The solution is clear: greater transparency in public life and real-time reporting of ministerial diaries. Every member of Parliament, not just Ministers and their shadows, should have to publicly declare their taxable income, and provide a meaningful list of their wealth on the pecuniary interest register. In any other job, secondary employment is permitted only if it does not affect the primary employment. Members of Parliament should not be any different. Their employer, the people of New South Wales, have a right to know what their member of Parliament is doing if they have paid secondary employment. Allowing members of Parliament who wish to do as I have done and continue in their previous job on a pro bono basis would also be helpful. This was not my idea; it was Peter Debnam's.

Working at the coalface gave me the opportunity to speak to mothers of children with health problems. These people use New South Wales government services every day. They told me what worked and what did not work. This knowledge was vital, but it also gave me time away from the daily conflict that is often the life of a member of Parliament. It also gave my office staff a much-valued day of respite, when they knew I would not be around. The election in 2015 will be a watershed for both sides of politics because, as we all know, the New South Wales electorate is disengaged. The most encouraging thing I have seen during the early campaign weeks is the incredibly high standard of the Labor candidates, such as Jodie Harrison and Tim Crakanthorp. I am proud to serve with such people—even for such a brief period. They prove the truism of Clement Attlee that you should choose members of Parliament based on character rather than on expertise because you can teach expertise.

I can only walk down the streets of Macquarie Fields with my reputation so far intact because of the support of my office staff, Natalina Coluccio, Marion Goymour, Sandra Sullivan and Rheuben Freeland, who are in the gallery tonight. Their loyalty, hard work and incredible diligence are inspiring. More importantly, however, they protected the wider world from some of my more outlandish schemes. I do not know how many times Natalina said to me, "I told you so"—but it was a lot. In Campbelltown we have two wonderfully fair and professional local papers, the *Campbelltown-Macarthur Advertiser* and the *Macarthur Chronicle*, with their editors Jeff McGill and Mandy Perrin. These, not the mainstream media, are the papers the locals trust—with good reason. In my time in Parliament they have been inspirational in their fairness, high standards and community spirit.

The people who have made the Parliament most fun for me are the staff. I would arrive every sitting day before 6.00 a.m. and be met by my friends, such as Irma Carrion, who cleans the offices every morning at 6.00 a.m. with a smile and a kind word. James Duffy, who cleans out the wastepaper in the morning, is a former Irish Guard who joined at the age of 18, served during The Troubles and has attended Remembrance Day at Horse Guards Parade in London with generals and royals. He is a lovely man with a fascinating life story for those who have the ears to hear it. On sitting days the Chamber staff, Danny Heldal, Peter Tusiak, Stephen Smith, Lynne Vitale, April Lowndes and Ian Delahunty, were always there with a wry smile and friendly air. They, not the passing parade of members of Parliament, are the glue that the people of New South Wales depend on. I would also like to thank Gary Chan in the bar and Keith Miller in the post office. They are great people whose company I have enjoyed. Special mention goes to Maria Marcinkus, Charlotte Page and Anong Vichapol from the dining room. At the end of a long day about to move into night, no-one has been happier to see them than me.

It is traditional in a valedictory speech for members of Parliament to list their achievements. I do not intend to spend much time on those because, in the end, as Churchill said, "As long as the job is done, it does not matter much who gets the credit". He was voted out at some stage. Seeing the green fields that still exist at Hurlstone Agricultural High School, next to the soon-to-be-opened South West Rail Link—the contract for which was signed by Nathan Rees—the changes to schools such as Lurnea Public School, the new Campbelltown Hospital, with its wonderful selection of University of Western Sydney medical students—it is the future of care for us all in Western Sydney—and the new Liverpool Hospital, built by us during my time in politics, gives me a thrill every day.

But my most rewarding achievements have been in getting individual constituents the services they have a right to receive. The fact that Barry Crossley and others like him are still able to live in the houses in Macquarie Fields they have so lovingly cared for over many years gives me more joy than any public accolade. The credit for most of these victories goes to my office staff. Sometimes a visit to a member of Parliament's office or a telephone call to speak to Natalina, Marion, Sandra or Rheuben can change one's life for the better. After politics I will be returning to the health system, although it is still unclear into what role. The one thing that politics has taught me about the New South Wales public health system is just how lucky we are in this State to have it and how much it needs to be defended.

The one change in health care that I support more than any other is the introduction of nurse-to-patient ratios. This will allow the modern, university-educated nurses to maximise their skills—something they cannot do with the current unsustainable workloads in areas such as children's wards and emergency departments. For things to stay as they are, the health system needs to change, and empowering the nurses—the glue that holds the health system together—to drive those changes is necessary, and is the most cost-effective, feasible and safe long-term way ahead for the health system.

I am pleased to see that my former colleague Lisa Krimmer from the emergency department at Campbelltown Hospital is here tonight to hear this. The future of health care is no different from that of any other industry: It will need to be task specific rather than role specific. Lawyers have had to give up conveyancing; it is time for the health system to change its work practices because the increasing complexity of health care will mean that all health workers need to embrace, or at least accept, changes in their roles. Any health profession that over-vigorously defends the status quo in its work practices rather than embracing necessary changes will further entrench inequality in health care.

We currently run an expensively built, high-quality, modern hospital system at optimal efficiency for 35 hours a week. The other hospital system that runs for 133 hours a week has minimal senior staff on site, minimal capacity for basic investigations such as ultrasound, many outdated work practices, and it has most of the emergency presentations. This is unusual in healthcare systems around the world. It is up to the politicians, not the bureaucrats, to drive the necessary changes. Ten per cent of hospital admissions are preventable if appropriate care is given in the three weeks prior to admission. The silence of this Government on the general practitioner [GP] co-payment, and the denial of the damage their own staff have told them this co-payment will do to patients and to the New South Wales health system is cowardice. All politicians who stand up for what is right, rather than what is politically expedient, get and deserve the respect of the people of New South Wales.

As shadow health Minister I made a conscious decision not to use personal tragedies in the public hospitals as a way of destroying public trust in the health system. Using the public health system as a punching bag is immoral; it contributes to increased health costs and it destroys morale and the professional lives of health workers. Others have done it and others will do it in the future. It is still wrong—no matter what side of the

political fence one sits. However, this relatively quiet time in the media cycle has the potential to be used by the current Government to get away with unacceptable changes to the system—for example, the refusal of the current Minister for Health even to deal with the nurses on the ratios issue and the institution of a privatised public hospital on the northern beaches. The latter is an experiment doomed to fail over time.

The Minister who signed the contract for the northern beaches experiment will not be the Minister who will reap the whirlwind of consequences. This will occur some years after the hospital is built, when the services will not be able to be fitted into the budget, as happened in Port Macquarie. Most of us will be gone but, like all in the House, I will forever miss the Minister for Health's forthright views on my competence. In Port Macquarie a fully privatised hospital within the New South Wales health system was an experiment that did not work. The public, rightly, has little faith in this Northern Beaches Hospital deal—a deal that was done in secret with no real revelation as to the real cost to the taxpayer.

If NSW Health—a world-famous organisation with 100,000 passionate employees that has delivered well over 100 years of the highest-quality health care and that has the trust of the community—had been allowed to tender for the Northern Beaches Hospital, it would have won hands down. It would have been cheaper, it would have been more accepted and it would have had the long-term flexibility that could only come from a network system for the future of health care. In conclusion, I thank my family. My mother, Beatrice, has lived for the past eight years with her heart in her mouth, waiting for my face to appear at the centre of a political disaster on the evening news.

Mr Daryl Maguire: So have we.

Dr ANDREW McDONALD: I acknowledge the interjection. My sons, Douglas and Edward, who are in the gallery, have had an absent father for much of the past eight years. That is time we will not get back. But the one who has borne most of the burden of my time in politics is my wife, Jenny. She has done so with bravery, tact and unending support, as she ate dinner alone every second night for eight years. I can only say that I owe her well over 1,600 home-cooked meals—I counted—any trips to anywhere she likes at any time, and my undying love. I thank the House.

The DEPUTY-SPEAKER (Mr Thomas George): I am sure that every member of the House joins me in thanking Dr McDonald for his contribution to the New South Wales Parliament as a Parliamentary Secretary in the former Labor Government and now as a shadow Minister and member for Macquarie Fields. He commented about how we cared about him. We cared for him because he was the only doctor who would get on his bike to ride home at nine o'clock at night so we were pleased to see him again the next morning—we wanted to see him back here every day. The member for Myall Lakes will always be thankful that we had a doctor in the House and we will always remember Dr McDonald. We wish him and Jenny all the very best in his retirement.

Ms CHERIE BURTON (Kogarah) [6.58 p.m.] (Valedictory Speech): Tonight I give my final speech to the New South Wales Parliament. It is hard to believe that it has been almost 16 years since I stood in this Chamber—on the other side, of course—to deliver my inaugural speech. I was 30 years old then and tomorrow I will turn 46. I was first elected in March 1999 and gave my inaugural speech on Wednesday 12 May that year. Over the years, as a government we made many election commitments and I am proud to say that every election commitment we made has been delivered. In fact, the electorate of Kogarah has received more than \$2 billion in new infrastructure.

This includes a new state-of-the-art police station, designed by police for police. Prior to that, officers worked out of an old house in quite appalling conditions. I remember after the first election I was talking to some detectives and they said, "We've been in that house for so long. If you get us a new police station we'll run down Montgomery Street naked." Ha, ha! The station was officially opened in 2002 by then Premier the Hon. Bob Carr to much fanfare, and to this day—suspiciously—I have not been able to locate those detectives. But I know who they are.

We delivered a 350-space free commuter car park because parking—or lack thereof—is a real issue in Kogarah. We built new buildings in all the schools, including Connells Point Public School, Blakehurst High School, St George Girls High School, Carlton South Public School and Carlton Public School. I add that the Building the Education Revolution program, although it suffered a lot of criticism, was extremely successful in building new school halls and libraries throughout my electorate. It also meant that the State Government could spend much-needed funds on the maintenance backlog, which meant that schools got a double bonus. We had a complete \$6 million rebuild of Blakehurst Primary School and an \$18-million rebuild of Hurstville Boys High School.

There were station upgrades and lift access for Beverly Hills, Carlton, Allawah, Rockdale and Kingsgrove, totalling about \$30 million. We built the \$750-million M5 East toll free. It needs additional lanes but the difference on local roads between now and then is astounding. All the locals who are in the gallery will know that when I was doorknocking on Stoney Creek Road during the 1999 campaign trucks would be bumper to bumper from the Grand Parade all the way down Stoney Creek Road to Kingsgrove. It was traffic gridlock. Since the M5 East opened there has been a vast improvement to the local area, although traffic congestion is still an ongoing issue.

The medical research unit, the psychiatric care unit and the Psychiatric Emergency Care Centre that keeps people suffering from a mental illness out of the emergency room and in a place that is secure and safe were built at St George Hospital. There were also many community campaigns along the way, such as the \$3 million pedestrian overbridge at Blakehurst that I lobbied for with the support of Blakehurst High School and Blakehurst Public School. Now the students do not have to navigate their way across the very busy and at times dangerous for pedestrians Princes Highway. There were the campaigns for footpaths and roundabouts, against overdevelopment, for additional classrooms at Hurstville Public School and for the new emergency department at St George Hospital.

Over Labor's time in office we upgraded or rebuilt nearly every major hospital in New South Wales. It is now St George's turn. I thank John Robertson for his commitment of \$300 million to that rebuild. There have been hundreds of community campaigns that I have been honoured to champion or just simply support. One of the things I love most about my electorate is the willingness of my constituents to stand up and fight as a community for additional resources or to have their say about the issues that affect them. They are never shy about signing a petition and are always keen to show up to community or protest meetings. It has made my job so much easier and more enjoyable knowing I have had the weight of their support behind me.

I always enjoyed the support and cooperation of leaders in the local area. I remember when car hoons were a real issue for us and the local area commander at the time, Superintendent Paul Carey, approached me to say he had a solution but the Government needed to bring in legislation to give police the power to confiscate cars. The police put together a fantastic proposal and, after lobbying the then police Minister, Michael Costa, the car hoon legislation was born. I thank Eamon Fitzpatrick, who is here tonight, for his unwavering support during that time. The confiscation of cars was a bold move in those days. And while it was wildly successful, I remember a few parents coming to the office furious that their own cars had been impounded.

Another great example of community campaigning was the upgrade of Kogarah Oval. Kogarah Oval is our major sporting facility. In 1999 when I was first elected my beloved Dragons played at the Sydney Football Stadium, now Allianz Stadium. A group was formed called R2K—Return to Kogarah—and the campaign began to bring the Dragons back to Kogarah. The National Rugby League said that Kogarah Oval would need about \$800,000 in upgrades to bring the ground up to NRL standards. I went and saw the then Treasurer, my friend the Hon. Michael Egan, and asked him for the money. He said no. So I brought in the Dragons chief executive officer, Peter Doust, with a formal proposal. Michael said that he would think about it. So I sat outside his office for the next week; by the end of the week he walked out and said "Okay, you can have your \$800,000 if you promise to go away." I said yes, and the Dragons came back to Kogarah.

Over the years we have been able to secure \$26 million in grants and now Kogarah Oval is a showpiece in our area. Not only is it the Dragons home ground; it is used extensively by community groups, schools and other sporting groups, such as soccer and the Bundy Cup. That year I received a Christmas card from Michael saying, "Dear Cherie, Merry Christmas. PS. And please don't ask me for any more money!" I pay tribute to Peter Doust, the then General Manager of Kogarah City Council, Mr Gary Sawyer, the R2K group, and my great friend Michelle Fowler. We all worked together to ensure that the historic Kogarah Jubilee Oval became the excellent sporting facility it is today. I could go on and on.

What I have always enjoyed most about my job is being in my electorate with my constituents, from pursuing individual constituent issues to mobile offices, shopping centres, doorknocking and handing out my newsletters on railway stations. I have loved being with the locals. I thank you for putting your faith in me and electing me to this place to represent you on four consecutive occasions, and for giving me the opportunity to pursue and implement the policy I was so passionate about as a Minister. In my inaugural speech I said:

Today I commit myself to working tirelessly for the people who elected me to ensure that what needs to happen does happen.

Kogarah has always been my priority and Kogarah has always been good to me. Thank you. In 2005 when the then Premier, the Hon. Bob Carr, retired I was promoted to the Cabinet. The new Premier, the Hon. Morris

Iemma, gave me the portfolio of Mental Health and Housing. I felt very honoured because at the time a lot of reform was being undertaken in both areas. As Morris' parliamentary secretary I had already done quite a lot of work in the area of mental health. During my time as Minister for Mental Health the Labor Government injected an additional \$1 billion into the portfolio, and I am proud of what the Iemma Government achieved during my time as the Minister.

Premier Iemma has been a strong advocate for mental health issues in Australia, which is reflected by his service on the board of beyondblue following his time in Parliament, as well as his leading role in negotiating the Council of Australian Governments mental health funding agreement in 2006, which increased funding by \$4.5 billion. The increased funding led to more beds, increased services, additional staff and a complete change in the way that mental health services were delivered. After extensive consultation with the community and mental health professionals, we amended the Mental Health Act 1990 to emphasise balancing the rights of patients to confidentiality and the carer's need for vital information. We increased training for paramedics in psychiatric care, allowing ambulances rather than police cars to be used for patient transportation.

Strict controls were placed on treatments such as electroconvulsive therapy to ensure that it is used as a treatment of last resort, and we banned outdated treatments such as psychosurgery. We also established the court diversion program, which is estimated to keep more than 2,000 people suffering from a mental illness out of jail at any given time. This program seeks to ensure that people with mental illnesses as the root cause of any criminal behaviour receive the treatment they need, rather than being incarcerated. We massively increased funding for the Housing and Support Accommodation Initiative [HASI], which is designed to help people with severe mental illnesses maintain stable housing while receiving appropriate psychological services.

It is based on the premise that secure housing makes it easier for patients to access care and improve outcomes. The success of this program is clear. In 2012 it was found that the hospital admissions for HASI users were down 24 per cent and the average length of admission was down by 68 per cent. This is an effective program that required the collaboration of several departments and non-government organisations to best deliver the services that New South Wales needs. Overseeing Mental Health and Housing allowed me to implement this program. A new Forensic Hospital was built at Long Bay jail and the Mental Health budget was quarantined to ensure that all Mental Health dollars stayed in Mental Health.

I thank Ms Deb Piccone, who was the director general at the time, and Dr Richard Matthews for their own passion and dedication to this portfolio. Their innovation, their depth of knowledge and at times great courage led to much improvement in this area. It was such an honour to work with them. I also thank Paul Fanning, Cos De Santos, Robyn Kruk, Chris Crawford and the department, nurses, clinicians, consumers and carers. During this time of great reform everyone I spoke to was open and honest, and had a genuine will to make the system better and for that I sincerely thank them.

As housing Minister it was truly an honour to oversee the most comprehensive reforms in how the Government delivered social housing. The three areas of which I am most proud are respect and responsibility, community regeneration, and the redevelopment of the Gordon Estate in Dubbo, now known as Rosewood Grove. Respect and responsibility, and a zero tolerance approach to antisocial behaviour in our housing estates are things that I am very passionate about. Growing up and, in fact, being the first tenant in the Minto housing estate in 1975 taught me a lot about what the Government needed to do on the estates to break the terrible cycle of disadvantage. Respect and responsibility was the first step. To grow up on a housing estate, where the minority of tenants were responsible for the violence and antisocial behaviour that made estates notorious, not only was grossly unfair but also was destroying the lives of good people.

I have always supported the notion of a hand up, not a hand-out. Hand-outs only disempower people and keep them locked in social disadvantage generation after generation. Why? Because they feel there is no way out—I know because I was one of them. In fact, I have a story to tell. When a Minister or Premier makes an announcement they have a whole crowd of people behind them who could be from their electorate when they are making a positive announcement. But when there are questions from the press, which are always a little negative, those people slowly slide out of the camera range. I have been guilty of that as a backbencher. I remember when I made a housing announcement with backbenchers standing behind me, Simon Santo from the ABC asked "So, Cherie, does this new respect and responsibility policy mean you will throw people out on the streets?" I felt all of the members of Parliament moving away from behind me.

As a Minister I realised that people had to be made responsible and accountable for their actions. Tenant damage, antisocial behaviour or breaching any housing policy was for me grounds for termination. This

may seem harsh, but I grew up in a place where the minority of people could do whatever they wanted with no consequences and it made life hell for the majority of decent, law-abiding tenants. The reputation in some estates was so bad that it was common knowledge that we would struggle to find decent employment. This led to communities throwing up their hands and giving up on themselves and their community. I saw the Housing portfolio as an opportunity to start to turn that around. Respect and responsibility was the first step. I believed that everyone in the estate had to show up and play a positive role in their community. If they chose antisocial behaviour they were out. I resolved that there was no place in those estates for people who could not respect their home or their community. It was amazing to watch the behaviour of people change.

The second step was community regeneration. I also knew that the level of disadvantage was such that the Government needed to come in with support for communities. An amount of \$60 million dollars was injected into the Community Regeneration Fund. In the housing estates we set up community centres run by the tenants. In those community centres the tenants were trained on computers. TAFE came in and organised childcare training. Tenants provided child care free of charge for other tenants while they trained for better opportunities in employment. There were truancy programs that were very successful. In fact, I was told that the children would come into the community centre and a tenant would sit with the child all day doing work while they were suspended from school. The children then said they would much prefer to be at school, thanks, and their levels of truancy decreased rapidly. They also had best garden competitions.

When we visited housing estates like Cranbrook and Inverell what struck me most was how the tenants had taken control of their community. They were getting job training, they were supporting each other and they were "keeping the naughty ones in line", as one housing tenant in Cranbrook told me. It is my fundamental belief, and it is demonstrated by these success stories, that the role of government is to empower people to take positive control of their lives and their communities—no community more so than the Gordon Estate in Dubbo, which is now known as Rosewood Grove.

When I first became housing Minister, Dubbo had one of the highest crime rates in the area. Even though the Government was spending more than \$50 million a year on programs to fix the problems with the Gordon Estate it still made a weekly appearance on *Today Tonight* or *A Current Affair*. Seeing images of three- and four-year-olds wielding golf clubs down the street at 3.00 a.m. and reports of children breaking into homes to steal food to eat downright appalled me. In January 2006 two police officers were lured into the estate, where an angry mob locked down the estate and the officers were trapped. A riot erupted, houses were burned and the violence went on for most of the night. That is when I realised that something drastic had to be done.

I called a meeting with the department and we strategised together to end this cycle of violence and antisocial behaviour. We split the estate into three precincts. Precinct one remained as is. Precinct two, which was mainly abandoned homes, was completely bulldozed and sold as individual lots. I made it a policy that only owner-occupiers could buy the lots to avoid slum landlords coming into the area, and precinct three was also sold off. However, I decided that the current tenants would have first option of buying their own home. The department conducted finance training seminars for the tenants to teach them about applying for a loan, repayments and budgeting.

The turnaround in that estate was phenomenal. The former Gordon Estate now has one of the lowest crime rates in its history and the people have great pride in their community. Tenants got to buy their own homes—at the time they were sold for approximately \$40,000, and now they are being sold for more than \$100,000. I remember seeing a local television story of a mother with her young daughter. The mother said she could not believe she was actually going to buy her own home and that the repayments were cheaper than the rent that she was paying. She had a sense of pride. The girl, who was about four-years-old, was asked what was the best thing for her. She said that she was going to have her own room for the very first time. I held that very dear because I was proud that tenants could now own their own home. Tenants who needed it voluntarily enrolled in drug and alcohol programs, the kids started attending school and the Department of Housing won a national award for innovation.

I sincerely thank my Director General at the time, Mike Allen, who has retired recently, Paul Vevers, Donna Hincliffe and all of the staff at the Dubbo office. It was a very tough road and we underwent a lot of criticism, particularly because we moved all the warring families, all five of them, back to their hometowns. In fact, I remember at the time that some of the tenants who knew the game was up and that I was serious in no longer tolerating that behaviour in taxpayer-funded homes and communities, likened me to Robert Mugabe although I see no resemblance either in looks or politics. However, now Dubbo is held up as a model for all housing estates. It was tough and I know many staff faced a lot of anger, abuse and threats but they weathered the storm and I am proud of them.

In fact, I place on record my deep respect for all Housing staff. It is a difficult job, to say the least. I know the great job they do every day and it was an honour to work with them. I also put on record the great work and support I received from the Dubbo Local Area Command with Superintendent Stuart Smith and Superintendent Mick Willing, who was the crime manager at the time. They supported me and the Department of Housing from the very first announcement in December 2006. They never blinked, and went over and above anything I ever expected. To them I owe immense gratitude.

I thank Father Chris Riley. We did a lot of work together during my time as Minister for Housing, particularly at the Macquarie Fields housing estate. His tireless work and commitment to disadvantaged youth is nothing short of amazing. He said to me when I had my first son, Joel, "The trick to boys is run 'em and feed 'em." Anyone who has seen my boys around the Parliament knows they are either running or eating. Over my time in politics I have pursued areas that are extremely important to me personally. With my long-time friends Martha Jabour, Mary Cusamano, Audette Malouf and Michelle Fowler we did a lot of work together within the Homicide Victims Support Group, formulating legislation for victims' rights and compensation. Bob Carr was a real trailblazer in this area and I pay tribute to him for all his work in ensuring the protection of victims' rights.

I am also very passionate about the treatment of animals. I have campaigned on issues such as caged hens, sow stalls, pig dogging, animal testing, factory farming and banning live exports. All of these practices are cruel and unnecessary. As a community we need to stand up to these practices not only for the sake of animals but also for our own health. Any member who has watched *Food Inc.* or *Earthlings* to see exactly how food gets to the plate will understand why I feel so passionately about this issue. Even after politics I will continue to be involved and vocal about these causes. I thank Lyn White at Animals Australia, Brian Sherman at Voiceless and Lynda Stoner at Animal Liberation for all their support over the years and their unwavering commitment to stamp out animal cruelty.

I joined the Australian Labor Party [ALP] in April 1990. I was a bar attendant and I was the union delegate for the Liquor Trades Union. My love and admiration for Paul Keating, and my upbringing sent me down to the New South Wales branch to sign up to the ALP. I remember sitting up at head office for hours a day sorting raffle tickets for the Hon. Johnno Johnson. In 1995 I became National President of Young Labor and got a job working at the Labor Council, and later as an organiser for the National Union of Workers. I worked as an advisor to Bob Carr in 1998 before entering Parliament in 1999. My fundamental beliefs in an education for all, universal health care and the provision of housing for those most in need are what made me pursue a career in politics.

Those who know me well know that I have come from a difficult home life and I had a difficult childhood. The ALP is more to me than an organisation that supports my beliefs; it has become my family. I extend to it my deepest appreciation and gratitude for the opportunities that it has afforded me. As a young girl growing up in the housing estate in Minto I never imagined that one day I would be not only a member of Parliament, but also the Minister for Housing! The ALP gave me that opportunity and it will never be forgotten. It is time for me to move on to new challenges and to spend more time with my small boys: Joel, who is eight, and Ronnie, who is six. I feel I have achieved all I set out to do in Kogarah and this Parliament.

While it is a sad time because I will miss my electorate, it is also an exciting time. I have the honour and privilege of leaving at a time of my choosing, a privilege that is not afforded to everyone who comes into this place. I have also had the opportunity, along with my local branch members, to choose my successor. Chris Minns was preselected as the ALP candidate for Kogarah about 12 months ago. During that time he has been at the forefront of local campaigns such as St George Hospital and the cuts to train services to Kogarah. He is a local who grew up in the area. I can think of no finer, more decent and caring person to take over the reins. I will be working with him and supporting him throughout the campaign, and I wish him every success.

There are so many people I have to thank. First, I say thank you to everyone in the gallery here tonight. I have worked with you at some stage of my career and it has been an honour and a privilege. I thank Robert and Michelle McClelland for their guidance and support over the years. I thank the former member for Kogarah, Brian Langton, who has always helped me on campaigns and given much welcome advice. Thank you also to Jamie Clements, Kaila Murnian and Dave Latham from ALP head office for all your support and encouragement. Thank you to Steve Kamper, the ALP candidate for Rockdale and a long-time personal friend, and O'Bray Smith, the ALP candidate for Oatley. I wish you both every success in the upcoming State election.

I thank Michelle Rowland, MP, member for Greenway, who has been my friend since Young Labor, and Mandy Gibbons, a long-time friend, who has worked with me on a number of occasions. I thank also my

team—team Kogarah as they are affectionately known—Daryl Burge Lopez, David Dawson, Ione Goggins, Colleen Symington, John Marcus, Samantha and Brandon Han, Anna Liu, Les Crompton, Kevin Mooney, Carl Hodge, Veronica Ellmers, Steve McMahon, Louay Moustafa, Chris and Kris McEwan, Councillors Nick Katris, Bill Saravinovski, Vince Badalati, Brent Thomas, Kathryn Landsberry, Michael Platt, Liz Barlow and Joe Awada, Merv and Betty Evers, June and Eddy Roy, Anne Farrah Hill, Shelly Ross, Howard and Norma Courtney and Sam Ayache.

I also thank my ministerial staff who worked with me: Sara Conway, Korena Flanagan, Loretta Marcus, Darren Rodregus and Fiona Townsend. In the time I was a Minister we did a lot of reform and my ministerial staff were brilliant. I could not have asked for a more committed and dedicated team to work with. To my electorate staff—Cheryl Han, Kristan Spargo, Andrew Silk, Cassie Carswell and Jessica Wei—your hard work and loyalty to me and the electorate is second to none. I give a special thanks to Cheryl Han, who is a part of my family. You have taken great care of me. You have been a wonderful confidant. I cannot thank you enough and I will sorely miss you.

My mentors the Hon. Bob Carr, the Hon. Morris Iemma, Neville Wran, Barrie Unsworth and the late Gough Whitlam were all a source of great inspiration and support. I thank Gough for all of his reforms, particularly in education, and for giving up his time to campaign and help me with my very first election. He is a true Labor hero. I thank all of my parliamentary colleagues on both sides of the House. It has been an honour to work with all of you. There have been some feisty debates over the years. I hope that I gave as good as I got; in fact, I probably gave a lot more. I thank all the parliamentary staff too. Finally, I thank John and his team. I wish you every success in the upcoming election. I see how hard you work and I know that you will reap the benefits of that in the upcoming election. To my dearest friend Noreen: I am going to miss you terribly. You have been a great source of support and encouragement to me, both professionally and personally. You are an outstanding member of Parliament and your community could ask for no better representative. It has been a great ride, one that I remember with deep gratitude and respect. Thank you.

The DEPUTY-SPEAKER (Mr Thomas George): Cherie, I am sure I speak on behalf of the class of '99 and each and every member of this Parliament when I congratulate you and thank you for your contribution to the Parliament, not only as the member for Kogarah but also as Minister and shadow Minister. Your contribution to this Parliament will be missed. We wish you, Joel and Ronnie all the very best in your future.

Pursuant to resolution private members' statements proceeded with.

PRIVATE MEMBERS' STATEMENTS

LANE COVE ELECTORATE EVENTS

Mr ANTHONY ROBERTS (Lane Cove—Minister for Resources and Energy, and Special Minister of State) [7.28 p.m.]: As members know, I am immensely proud of the diversity of my electorate of Lane Cove and the many organisations that dedicate their time to making Lane Cove the hive of activity that it is. Lane Cove is certainly an incredible community to be a part of and has indeed become home to many thriving small businesses. On Sunday 12 October Lane Cove hosted its annual Village Spring Fair. This day is one of the largest on the Lane Cove Council calendar, and provides small businesses and local organisations with a chance to showcase themselves and their hard work to the community.

Joining the multitude of other families enjoying this fun day out, I was able to take my two sons, John and Sam, as well as my wife, Alicia, to the Lane Cove Village Spring Fair. John and Sam witnessed firsthand the wonderful work of local organisations that I am proud to represent as their State member of Parliament. The day featured free entertainment from various local bands and orchestras, a variety of rides as well as craft, fashion and art stalls. My children, along with countless others, could not get to the rides quickly or often enough. The Rotarians cooked up a treat with a much-needed sausage sizzle, which had a roaring trade on what was a pleasant spring time afternoon.

I specifically acknowledge the great work done by the Lane Cove Rotary, a fantastic volunteer organisation that is consistently working hard for our community. Volunteers like members of the Lane Cove Rotary Club are the unsung heroes of our neighbourhoods and dedicate countless hours to events like the Lane Cove Village Spring Fair, ensuring its success year after year. Although I say "year after year", each year's spring village fair serves to offer new attractions and initiatives that maintain interest throughout the community.

The council's Sustainability Lane ran in conjunction with this year's Lane Cove Village Spring Fair, and featured various stalls and groups throughout the community. These groups include such initiatives as Bike North, the Greenwich Community Association Environmental Sustainability Sub-Committee, and the Lane Cove Bushland and Conservation Society. I am incredibly blessed as the member for Lane Cove to have so many active community groups that care so passionately for our environment. Lane Cove's natural heritage gives all residents something to be proud of and to protect, which is a big responsibility. These local groups work tirelessly on preservation matters.

An event of this kind does not come about easily. In fact, I would say it is the result of months of long hours of planning and organisation. I applaud Lane Cove Council and Rotary for their efforts over the past few months in ensuring such an enjoyable day was had by all. Events such as the Lane Cove Village Spring Fair only serve to amplify the fact that Lane Cove is a model electorate for community involvement and civic service. I commend the Lane Cove Village Spring Fair to the House and encourage all members to attend in the future. Once again I highlight the great service that Lane Cove Rotary provides for our local community. I encourage those in our local communities to get involved and participate in the local Rotary organisations.

JEREMY AND SUSANNE CHALLACOMBE

Mr CHRISTOPHER GULAPTIS (Clarence) [7.33 p.m.]: Last Friday the Clarence Valley community, and the family and friends of Jeremy and Sue Challacombe gathered together at the Christchurch Cathedral in Grafton to pay their respects to the family and to honour this couple who made such an incredible contribution to the Clarence Valley community. The motor vehicle accident that took the lives of Jeremy and Sue shocked the Clarence Valley community. It is very true to say that the suddenness of their passing and the void felt in the community has left the Clarence Valley stunned, and this was clearly expressed at their funeral. Penny Austen, the couple's only daughter, delivered the eulogy.

We learnt that Jeremy was born in Cornwall in England on 22 March 1947. The family emigrated to Australia when Jeremy was a very young boy. They bought a dairy farm in Raleigh near Bellingen and they moved to South Grafton where they set up a piggery. Jeremy was sent to boarding school in Tamworth where he was offered a full scholarship to study veterinary science at the University of Sydney. He never got to the University of Sydney because he was conscripted during the Vietnam War. Whilst he was assigned a post in Malaya the war was ending and he did not leave home soil. After the war he studied agriculture at Hawkesbury Agricultural College and then undertook a bachelor degree in Natural Resource Management at the University of New England [UNE] in Armidale.

During his time at UNE he ran into Susanne Robyn Gee, who was born on 17 November 1951 in Canberra. She studied at Canberra Girls Grammar and excelled at school: She was house captain and was on many sporting teams. She excelled in her final year and gained the marks to study medicine. However, her parents deemed this an unsuitable career for a young lady and instead she undertook a Diploma of Nursing at Royal North Shore Hospital and became a registered nurse. She then went on to gain a Diploma of Nursing Education as well as a degree in science at UNE. Jeremy and Sue met at UNE and they were married in Canberra in 1972. Shortly after that they moved to Melbourne, where Jeremy took a job working for the Department of Conservation. Bart was born in Victoria and Penelope followed two years later. Jeremy then took a post back in Armidale. Sue worked as a nurse educator and then Murray came along.

Jeremy was always the adventurer and earlier, having taken a pregnant Sue and two young children on a month work assignment to Sri-Lanka, he eagerly took a position as a cattle expert with Australian Volunteers Abroad in Vanuatu. They went over for a two-year stint but stayed for more than 10 years. It was not that they had planned to do so, but they became intertwined in the community and involved in many so different aspects of the country. That was the way of the Challacombes—always involved in their community. They have worked and lived in various countries, spending a number of years in the Falkland Islands, and in short stints throughout the Pacific. When they finally settled down it was back in Grafton where they have been involved in the community ever since. To quote Penny on her father:

He was a wonderful oxymoron of a man, never able to be typecast. He was forward thinking, yet very set in his ways. He was a conservative, a greeny, and devoted Nationals yet an environmentalist. He had a real sense of what was right, and he fought for fairness. He had the ability to talk with kings and common man alike.

Jeremy entrenched himself in the Clarence Valley community. He was President of the Grafton Chamber of Commerce, chairman of the saleyard committee, and on the board of Total Catchment Management and the Susan and Elizabeth Island trust. He was Chairman of the Clarence Valley Anglican School for a number of

years, as well as being the President of the Grafton Show Society, and in 2012 he was elected as a Clarence Valley councillor. He was a farmer at heart and all the while he ran his farm in South Grafton producing strawberries and pecans, and running cattle and alpacas. Let me mention strawberries again, because anyone who tasted Sue and Jeremy's strawberries and ice cream would never forget that heavenly taste. Jeremy was heavily involved in politics and was a member of The Nationals for about 20 years. He was elected vice chairman of the New South Wales Nationals as well as being on its central council. He was also appointed Vanuatu's representative at the European Union trade talks held in Brussels for a number of years.

Sue was patient, resilient, resourceful and highly intelligent. She was very kind and generous with her knowledge and time, and she was interested in people. She stood up for what she believed in and would never sit on the sideline and watch an injustice take place. She supported Jeremy in everything he did. She was a nurse, a nurse educator and a teacher. She taught mathematics and agriculture at the Clarence Valley Anglican School for more than 10 years. She also ran her own tutoring business after hours. She taught at the correspondence school in Vanuatu. Over the years she also had a number of small businesses. She made jams from the farm produce and was passionate about her small alpaca herd. Jeremy and Sue were a duo in everything they did, including in their passing from this life. Our sincere condolences go out to Bart and Stacy, Penny and Wayne, and Murray and Casey, and grandchildren Poppy, Percival and Harper.

DAPTO TAFE

Ms ANNA WATSON (Shellharbour) [7.38 p.m.]: I speak about two issues briefly this evening. Over the past couple of years I have raised the future of Dapto TAFE. The issue has new importance because last week the Minister for Education provided new figures for enrolment numbers at Dapto TAFE. To be blunt, Dapto TAFE enrolment numbers are in freefall. The campus lost nearly 100 additional students last year. Every year that this Government has been in office has seen the enrolment numbers at the Dapto TAFE campus fall. When Labor left office nearly 700 students were enrolled at the campus. Today, according to the Minister's own figures, those enrolments stand at only 274, down nearly 100 on enrolments in 2013, which had just 348 enrolments.

At the same time, staff numbers have fallen every year and now stand at just 89. When Labor left office, staff numbers were at 111. The Minister has confirmed, despite previous obfuscation, that the Illawarra Institute Finance Unit has also been relocated from the Dapto TAFE to the West Wollongong TAFE campus. This follows the loss of the Dapto TAFE campus library, Human Resources Unit and Information and Technology Unit. This Government and the Illawarra Institute of TAFE are systematically gutting the Dapto TAFE campus and have been doing so every year this Government has been in office. Now the Minister confirms that the Government will no longer be providing enrolment data for any individual college in the State under its Smart and Skilled program. We will now not know—not only at Dapto TAFE but at any campus across the State—what the enrolment numbers will be year to year because the Government will keep those vital statistics secret.

It is simply beyond logic that the Dapto and West Dapto areas of my electorate would have a population explosion over the next decade. However, this Government is prepared to gut the services available at the closest TAFE campus in the area. We need to invest in the Dapto TAFE campus, not gut its capacity. Under the State Coalition Government the lifespan of Dapto TAFE is limited. Labor, with the commitment of my parliamentary colleague the shadow Minister for Education and Training and shadow Minister for the Illawarra, will invest in Dapto TAFE and the education opportunities offered to young and working people in the Dapto and West Dapto areas.

The second issue I will raise involves mental health services at Shellharbour Hospital. I made a commitment to the House when I last raised this matter to keep members briefed on developments, and I will do so this evening. Last week the local Illawarra media was leaked the results of an internal NSW Health investigation following the alleged murder of a patient at the Eloura West mental health unit in late July. I wrote to the Minister on 3 November expressing my concerns about some aspects of the leaked report. I acknowledge that the Minister's office provided me with a brief overview of the contents of the report during a telephone call in early November, and I thank the Minister's staff for that. I have asked for a hard copy of the report and I hope the Minister will be able to supply it very soon.

The report has identified deficiencies in the care of patients and fear on the part of staff, particularly with regard to aggressive patients. This would appear to indicate that staff levels at Eloura West should be increased. The report also concluded that there is no model of care at the unit and that the services are limited.

I am particularly concerned that the report indicates there is a persistent confusion between the Illawarra Shoalhaven Local Health District and Eloura West staff about the status of the mental health facility. Is it an observation unit as asserted by the administrators, or is it a high-dependency unit as asserted by the staff? That is very unclear to me. The Minister for Mental Health must direct the Illawarra Shoalhaven Local Health District to clarify the status of the Eloura West mental health unit as a matter of priority. The safety of patients and staff is of paramount importance. I repeat my call for three of the nine beds to be recommissioned following their closure in July. I hope that the Minister will be in a position to announce that that will happen as soon as possible and that he will respond comprehensively to my letter to him dated 3 November with regard to important mental health services at Shellharbour Hospital.

ORANGE ELECTROLUX PLANT

Mr ANDREW GEE (Orange) [7.43 p.m.]: I will provide the House with an update on the situation concerning Electrolux in the electorate of Orange. Today is an important day because the Payroll Tax Rebate Scheme (Jobs Action Plan) Amendment (Fresh Start Support) Bill 2014, which provides payroll tax rebates of \$6,000 for firms employing Electrolux workers, has been extended until the middle of 2017 expressly for those workers. It is significant that this legislation has been extended specifically to cover the situation in Orange. In that regard, a regulation has been drafted that mentions Electrolux and Orange.

This measure is part of the Government's response to the closure of the factory, which was announced just over a year ago. Since then a great deal has been done to prepare Orange for what is a very difficult time. An Electrolux working group was formed comprising members of the firm, including the plant manager Mark O'Kane, who has been a tower of strength throughout this process, and officers of NSW Trade and Investment, State Training Services and the Commonwealth Department of Employment. We held a very well-attended jobs expo at the Orange Ex-Services Club that gave Electrolux workers and other members of the community an opportunity to check out the jobs on offer. We have also held labour market information sessions, the last of which was held just over a week ago at the factory. The purpose of the sessions was to give workers some idea of where the jobs are, what are the growth industries, their best prospects and some ideas about training and what they should be seeking. The training is going very well.

A comprehensive training program is being backed by the New South Wales Government through State Training Services and TAFE Western. Electrolux and the Commonwealth Department of Employment are also involved. In the past three months, 420 one-on-one interviews have been conducted. Forty-six employees will be retiring and 406 have requested training of some form. As at the middle of September, 274 workers were enrolled in courses or training, which leaves 132 still to be enrolled. We are aiming to get all of them into some form of training by the end of the year. The effort has been comprehensive and swift.

The recent labour market information sessions were the second round that we have conducted at the factory. It was great to be able to speak to workers at two of the sessions and to let them know that the community supports them. I thank all the members of the Electrolux working group, including officers from NSW Trade and Investment, who attended on behalf of the New South Wales Government, and the Electrolux staff. I also thank those responsible for the Payroll Tax Rebate Scheme (Jobs Action Plan) Amendment (Fresh Start Support) Bill 2014, which was passed by this House today and included a specific mention of the situation at Orange. I particularly thank the Premier, the Deputy Premier and the Leader of the Government in the other place, the Hon. Duncan Gay. Duncan Gay and his staff have been great supporters. I also thank the Treasurer and his staff. They have been extremely helpful in driving this issue. The Hon. Matthew Mason-Cox has also been a great supporter.

When the legislation was finalised I went to see the Hon. Robert Brown from the Shooters and Fishers Party and explained what we are seeking to do and how the legislation would help Orange. I wanted to know whether he would support it. The upshot was that we shook hands and he said that he would. Of course, that meant we had the critical mass required to pass the bill. Many groups, including Orange City Council, have been working on the challenging Electrolux situation for a long time. Some workers have already departed, but the wind down commenced in earnest in September and will be completed by the middle of 2016. I am confident we can get through it with the strategies that have been put in place.

Mr DARYL MAGUIRE (Wagga Wagga—Parliamentary Secretary) [7.47 p.m.]: I thank the member for Orange for updating the House on the progress that has been made by the Orange community in facing a great challenge. I remember when the member first raised the issue I said that the Orange community was resilient and that it would work its way through it. I am pleased that the Payroll Tax Rebate Scheme

(Jobs Action Plan) Amendment (Fresh Start Support) Bill 2014 has been passed because it will further support the community. I congratulate the member on his leadership and the role that he is playing in conjunction with all the organisations he mentioned that are working tirelessly to resolve this situation. The community can be very proud of its achievements. I repeat that the Orange community will get through this by working cooperatively.

CHRISTMAS IN NARELLAN

Mr CHRIS PATTERSON (Camden) [7.48 p.m.]: I draw the attention of the House to an event held last Saturday in my electorate—Christmas in Narellan. Since its inaugural event in 2012, Christmas in Narellan has grown from strength to strength. An initiative of the Narellan Chamber of Commerce, the Rotary Club of Narellan and Narellan Town Centre, the community of Narellan and the surrounding districts continue to support the event. Narellan Chamber of Commerce President Adriana Care has an unwavering passion for the area and the chamber sees this event as something to bring businesses and residents together to celebrate the festive season. Since becoming the chamber president, Adriana Care has made the Narellan Chamber of Commerce one of the most highly regarded in the Macarthur district—in fact, in the State.

The chamber recently hosted a business breakfast with the Premier, and it has been one of the most successful events held this year. As a businesswoman and owner-operator of Coutts Solicitors, Adriana's vision for Narellan is refreshing. Narellan town centre is in the process of expanding and the town centre will be one of the largest shopping centres in the Camden local government area. With this, the challenge for the Narellan Chamber of Commerce is to bring the new businesses on board and collectively grow the business sector in Narellan.

I am sure Adriana will take on the challenge with vigour and continue to see Narellan grow and develop. Narellan has been earmarked to eventually have a railway station—interestingly enough the second one. The first was to accommodate the Camden tram, affectionately known as "Pansy". The glory of steam, Pansy, was operated by the New South Wales Railways from 1882 to its closure in 1963. The locomotive worked a mixed service that took freight and passengers.

The branch line was 13 kilometres and had eight stations: Maryfields, Kenny Hill, Curran's Hill, Narellan, Graham's Hill, Kirkham, Elderslie and the last one at Camden. Most of the stations were no more than a short, rudimentary wooden platform with a shelter shed and were unmanned, a bit different to the modern stations and the Opal card being rolled out by our wonderful Minister for Transport, the Hon. Gladys Berejiklian. I know a new station at Narellan is many years away, but in this instance is a little bit back to the future.

Christmas in Narellan would not be possible without the hardworking committee. I am sure it is already working on next year's event. I thank committee chairman, Daniel Check, and his "elves", vice chairman Syd Hyett, Adriana Care, Bryn Robinson, Brad Page, Kathryn Hauville, Paul Mingay, Trish Hyett, Elaine Arriguetti, Paul Stevens, Jenny O'Brien, Caitlin Pearson, Sandra Bartlett, Adam Sapienza, Maria Sapienza, Steve Wisbey, Tony Honnery and Joanne Wheeler. They are all to be congratulated on their wonderful efforts. The success of the evening was testament to their hard work. With more than 1,000 people at this year's event it was truly an amazing night.

I also thank the sponsors of this event, as without them it would simply not happen. They are Narellan Town Centre, Narellan Chamber of Commerce, Rotary Club of Narellan, Commonwealth Bank, AGL Energy, Macarthur Castles, McGrath, Coutts Solicitors, Narellan Motor Inn, Solutions Outsourced, MRE McLaren Real Estate, Camden Council, *Camden Advertiser*, Fitzpatrick Group, C91.3FM, Combined Real Estate, Camden Hire, Macarthur Media Group, The Drum Room, New South Wales Harness Racing, New South Wales Business Chamber, Macarthur Signs, the Lions Club of Narellan, Lifehouse Church, Personalised Marquees, Clintons Toyota, Redman Partners, TRN Group, Adams and Rofe Removals and Storage, Ausure Insurance Brokers, Camden Valley Financial Solutions, Grace Records Management, MS Menswear, Hogs Breath Cafe, Tru Blu Beverages, Antico and the Mount Annan Hotel. This truly is a community event and the community comes together to celebrate Christmas in Narellan.

The sponsors have shown through their support of Christmas in Narellan that they have every confidence in the growth of Narellan. The Narellan Chamber of Commerce executives are to be congratulated on such a successful event. The executive of Adriana Care, Bryn Robinson, Maria Sapienza, Geoff Rogers, Steve Wisbey, Caitlin Pearson, Paul Stevens, Belinda McLean and Dominic Ooi do an outstanding job. Stephen

Cartwright, Chief Executive of the NSW Business Chamber, has been to my electorate and commented on what an outstanding chamber Narellan is. I cannot speak highly enough of the wonderful work these people do to support local businesses, charities, schools and community groups. They are a real credit to our area.

BANKSTOWN REVITALISATION

Ms TANIA MIHAILUK (Bankstown) [7.53 p.m.]: I am both the member for Bankstown and a resident and ratepayer of Bankstown and I am very proud of the city of Bankstown and its community, history and potential. More than 10 years ago Bankstown City Council embarked on a very ambitious plan to continue to grow the city for the future. The council began to roll out town centre improvement programs and we are seeing the success of those programs as many town centres have been upgraded and enhanced. The council also set out on an ambitious plan to reduce debt, and I am proud to say Bankstown City Council is on a sound financial footing and is on track to be debt free by 2018. The council also embarked on improving its many sporting and community facilities. There is no doubt that the council is the envy of many councils as it can boast some of the best sporting and community facilities, many of them world class. The current council is proud of these achievements, as are former councils proud of their role to ensure Bankstown continues to go from strength to strength.

For 39 consecutive years Bankstown council has not had to increase rates above the benchmark set by the Independent Pricing and Regulatory Tribunal [IPART] and the New South Wales Government. Bankstown ratepayers' money has been invested into public, sporting and recreational facilities that have enabled our residents to build a true sense of community. Bankstown City Council has had the capacity to invest in and deliver significant upgrades to community infrastructure, such as the recently opened Bankstown Library and Knowledge Centre that council can boast is the envy of many councils in the south-western Sydney region.

The Chester Hill Library has been redeveloped, and there are similar plans for the Panania Library. Libraries are one of the most important community assets in Bankstown. In total, our residents have access to five modern and state-of-the-art libraries that empower them to expand their knowledge through education. The Bankstown Art Centre is a thriving hub of cultural development and now the home of a flourishing art scene in Bankstown. For instance, the monthly Bankstown Poetry Slam draws hundreds of young and creative minds from within our community who are now proud to express their emotions and life experiences in a creative manner.

Bankstown residents are also able to pursue recreational opportunities and maintain a healthy lifestyle at one of council's more than 300 parks, reserves and sporting fields, or more than 1,000 hectares of natural environment and open spaces maintained by council. Residents have access to the Georges River National Park and Lake Gillawarna, and council recently upgraded the Max Parker Leisure Centre at Revesby. Council has continued to open up town centres, and in recent times the centres of Birrong, Panania, Yagoona, Chester Hill, Revesby and others have been upgraded to ensure that local businesses continue to flourish. Bankstown is a city with a very diverse community that is proud to call Bankstown home. This has been accomplished due to the services and infrastructure in which Bankstown council has been able to invest for the benefit of our community.

We are very fortunate to have many different sporting associations, including the Bankstown District Amateur Football Association, the Bankstown District Cricket Association and Bankstown Netball Association, to name a few. These associations care for a number of sporting fields in the Bankstown local government area. Bankstown council has been able to provide our residents with some of the best community sporting infrastructure found throughout New South Wales. The Bankstown Memorial Oval has been rightly proclaimed the "best suburban cricket ground in the world". Jensen Park regularly hosts Football NSW grand finals as well as Bankstown's representative teams and pre-season A-League friendly matches. Our sporting teams, clubs and associations are no doubt very proud of the sporting facilities in Bankstown. Bankstown also has strong community organisations and neighbourhood centres that are proud to call the city home. We have an endless number of volunteers in Bankstown who support the community of Bankstown. I intend to speak further on this issue next week.

EDUCATION FUNDING

Mr STUART AYRES (Penrith—Minister for Police and Emergency Services, Minister for Sport and Recreation, and Minister Assisting the Premier on Western Sydney) [7.58 p.m.]: The New South Wales Government continues to invest in education right across the State, particularly in my electorate. One of the

outstanding arrangements under the Baird Government is the resource allocation model [RAM] of funding. More than \$100 million has been allocated to public schools through the RAM and the Penrith electorate has been a huge recipient of that, benefiting from millions of dollars being allocated to the electorate.

This is consistent with the more than \$3.3 billion that the Baird Government is investing in schools across Western Sydney. We have also committed half a billion dollars since the 2011 election to school maintenance and capital works across Western Sydney, including Penrith. In my electorate currently we are building a \$27 million state-of-the-art Health and Support Services building at TAFE NSW at Western Sydney Institute's Nepean College and it is expected to be completed by October 2015. The new facility will accommodate more than 1,800 healthcare training spaces in the region's critical skills shortage areas of aged care, nursing, dental, optical and allied health.

We have also opened a performing arts facility at Nepean Creative and Performing Arts High School, which we campaigned on back in 2011. It is now built, delivered, open and doing an outstanding job. This finally gives students across Western Sydney an opportunity to access creative and performing arts education in their own area. Another school on which we have worked incredibly hard since being elected is Kingswood High School. That school has received funding of \$71,000 for the development of an on-site café training centre as part of the New South Wales Community Building Partnership program. It is doing an outstanding job in training students on the school premises, particularly through its partnership with Nepean Community College, which also utilises the facility. The café training centre has allowed students to operate and work in a cafe environment and to learn more about aspects of the hospitality industry.

Kingswood High School provides a number of practical courses and it should be congratulated on its leadership in ensuring that students have the best possible opportunity to invest in their own skills. These initiatives give students a real advantage when they seek to enter the jobs market or undertake further education after leaving school. The school has also received \$777,000 for capital works and maintenance projects, including \$624,000 for much-needed roof repairs, \$16,000 to upgrade the canteen and \$116,000 for modifications to cater for disabled students.

Kingswood High School has worked hard on raising its profile for a much-needed school hall. The school has a gymnasium and hall space but it is starting to outgrow them. Kingswood is a vibrant and diversified part of my electorate. Recently I wrote to the Minister for Education requesting that a new hall be placed on the priority list for funding. The Minister indicated that the project will be put up for assessment against other competing projects across New South Wales government schools. I acknowledge the Minister's continued responsiveness to education issues right across Western Sydney.

This demonstrates a particularly important point of differentiation between this Government and those opposite. This is a school that desperately needs a school hall, that clearly deserves one and that has a growing school population that would utilise it. What we have seen from the other side of politics is literally billions of dollars spent on school halls right across the country but Kingswood High School, which asked for a school hall, was ignored. We can never forget that. I will continue to advocate on behalf of the school and work with the parents and citizens association of the school and the school leadership to identify the needs of Kingswood High School. We will continue to build on the record allocation under the Resource Allocation Model [RAM]. We will continue to support projects such as the café training centre and we will continue to work hard for the students to ensure they get the school hall that they deserve.

Mr JOHN SIDOTI (Drummoyne—Parliamentary Secretary) [8.03 p.m.]: I reiterate the need for such a wonderful educational facility in the electorate of Penrith. Under the Labor Government's Building the Education Revolution program, we had a similar issue in my electorate. Facilities were being built that were not purpose-built for the needs of the community. It is disappointing to think of what we could have done with that extra funding in areas of need such as those just outlined by the member for Penrith.

WEAR ORANGE WEDNESDAY

Mrs LESLIE WILLIAMS (Port Macquarie—Parliamentary Secretary) [8.03 p.m.]: This evening I pay tribute to the wonderful work of the State Emergency Services [SES] in the Port Macquarie electorate and, indeed, throughout New South Wales. For the record, this evening I am not alone: it is no accident that today thousands of people across New South Wales are wearing orange. Wear Orange Wednesday is a simple call to wear orange, which is the official colour of the SES uniform. People, schools, businesses, buildings and landmarks have "gone orange" on Wear Orange Wednesday, or WOW Day, to show support for the nation's 40,000 SES volunteers.

I will take a moment to speak about the wonderful work of the SES volunteers in the Port Macquarie electorate. The Port Macquarie electorate is serviced by New South Wales SES units at Wauchope, Port Macquarie, Camden Haven and Lord Howe Island. Currently, approximately 100 active volunteers across these four units are serving their community in times of storms, floods and tsunamis. In addition to their primary responsibilities, New South Wales SES volunteers in the Port Macquarie electorate regularly provide support to other emergency services in operations such as land searches, rescue operations and the provision of logistical support for other agencies in large-scale operations.

The Port Macquarie and Camden Haven units are also accredited by the State Rescue Board to provide general land rescue, road crash rescue and vertical rescue services to the communities within their area of responsibility. The Port Macquarie SES unit has competed in and won State and national competitions in road crash rescue operations and is the current national New South Wales SES champion. Over the past year local New South Wales SES volunteers dedicated around 10,000 hours to the community in training and response activities. During that time our local SES volunteers have attended 290 storm damage events in the local government area. They were also deployed to provide support across the mid North Coast to both Tea Gardens and Bulahdelah—large storm events where more than 200 houses were damaged. They provided support to Lord Howe Island in land search and rescue services. These units have also provided invaluable support to other agencies including the recent search for a missing boy, William Tyrell in Kendall.

At the 2014 New South Wales State Emergency Service mid North Coast region awards presentation, 10 members from these units received 10-year long service awards, two members received 15-year long service awards, two members received 25-year long service awards, and local controller Mr Ray Richards, Mr Lloyd Chandler and one member, Mr Wayne Carson, received 40-year long service awards. Forty years dedication to helping others is certainly worthy of recognition and it is a pleasure for me to showcase the work of SES volunteers on this year's Wear Orange Wednesday.

The New South Wales SES continues to benefit from the relationship with its principal partner, NRMA Insurance, which, for the fourth consecutive year, is supporting the WOW Day campaign. In previous years WOW Day has been a highly visible campaign with landmarks such as the Sydney Opera House, the Big Banana and the Big Merino turning orange to mark the day. This year, apart from wearing orange, people across Australia are also supporting the campaign on social media by changing their Facebook profile picture to support WOW Day. As we have seen this week, another storm season has started, so it is comforting to know that the men and women of the SES are there on standby ready to help us when needed. For that reassurance, on behalf of the people of the Port Macquarie electorate, I say thank you to the New South Wales SES.

Private members' statements concluded.

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

Discharge of Order of the Day

Acting-Speaker (Mr Christopher Gulaptis) reported 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 discharged the order of the day for the second reading of the Payroll Tax Rebate Scheme (Jobs Action Plan) Amendment (Fresh Start Support) Bill 2014.

Legislative Council
12 November 2014

NATASHA MACLAREN-JONES
Deputy President

Pursuant to resolution matter of public importance proceeded with.

WEAR ORANGE WEDNESDAY

Matter of Public Importance

Mr RON HOENIG (Heffron) [8.08 p.m.]: I am pleased to speak on this matter of public importance, which is Wear Orange Wednesday in support of our State Emergency Services [SES] volunteers. As the shadow

Minister for Emergency Services it is a great pleasure to be able to show my appreciation for our SES volunteers. Wear Orange Wednesday, or WOW Day, provides the community with the opportunity to give our thanks to the SES volunteers who come to our rescue in times of natural disasters and emergencies. Across Australia, 40,000 SES volunteers give of their time for training exercises and to be on call during emergencies. Of that number, 10,000 are from New South Wales.

The volunteers are often involved in their communities and at times have to sacrifice work in order to respond to an emergency. The volunteers undergo a number of extensive training courses over the period of a year before they are qualified. I understand that many people do not realise the level of training and commitment that is required to become an SES volunteer.

However, this is important as it contributes to the SES being the highly trusted organisation it is. A diverse range of tasks combine to make the SES a dynamic organisation, and its positions are based upon one's capability. So virtually anyone of adult age can become a SES volunteer. That does not mean that every SES volunteer must climb roofs during storms or cut down trees with chainsaws. Volunteers can, and do, contribute by helping with catering, making snack packs for workers on the road, helping in the operations room and the communications centres, and coordinating workers during times of disaster.

It is extraordinary how an organisation run by volunteers who have their own personal commitments and pressures can band together so quickly during times of emergency and be an effective service that comes to the rescue of thousands of people over a short period. As the shadow Minister for Emergency Services, I recently visited Randwick State Emergency Service headquarters to learn more about its organisation and to meet with the controller, the deputy controller and volunteers. Randwick SES has 80 volunteers who have all completed at least one of the 40 to 50 training courses that the SES offers. It was great to see firsthand how the volunteers mobilise and coordinate. It is a great team, which I know is replicated throughout the SES units across New South Wales.

WOW Day provides an occasion to pay tribute to the significant contribution made by our SES volunteers and encourages people to seek out opportunities to become involved in the SES. During times of emergency the appearance of individuals wearing the distinctive orange overalls provides the community with great relief. That is why WOW Day is such a great initiative to show our support for the SES. Only last month Sydney suffered an overnight thrashing from storms and heavy rain. Many people bore the brunt of it, with damage to homes, cars swept away, people trapped in cars, falling trees and rising waters. During this time the SES volunteers responded to calls for help and did what they could to restore some semblance of normality to people's lives.

The next day as we all went to work those volunteers were still responding to calls for assistance, such is their commitment. SES volunteers are highly valued and regarded citizens in our community. No doubt each and every one of them—no matter in what capacity they volunteer—cares deeply for their community. Indeed, it is their passion for our country that makes them so exceptional. When other States are facing natural disasters our SES volunteers answer the call and travel to wherever they need to go to do whatever jobs they are asked to do. Their jobs are not easy. But it is important that days like today occur so that we can express our appreciation to the SES volunteers. I take this opportunity to pay tribute to local councils in New South Wales that do so much to provide support and premises. Without local councils there would be no State Emergency Service. On behalf of the Labor Opposition, I thank and pay tribute to our SES volunteers for their invaluable service to our communities.

Mr STEPHEN BROMHEAD (Myall Lakes) [8.13 p.m.]: I am pleased to make a contribution to this matter of public importance. Wear Orange Wednesday, or WOW Day, is a national day of recognition of the 40,000 SES volunteers across Australia, with people encouraged to show their appreciation in a highly visible way by wearing orange—the official colour of the SES uniform. Today I was pleased to see many members in the Chamber wearing orange, whether it be a tie, scarf, dress or blouse. It is something that we as members of Parliament can do. We are not in our electorates, where many of us would like to be, with our community showing our support for the SES. But in our way in Parliament we showed our support by wearing orange.

WOW Day is a great opportunity to show our support for our hardworking SES volunteers. These volunteers work around the clock in incredibly difficult conditions, ensuring the welfare of communities across the State when disaster hits. The New South Wales SES has about 10,000 men and women who volunteer. They come from all walks of life and range in age from 16 to 80 years. Last year New South Wales SES volunteers dedicated a massive 260 hours to respond to flood and storm tasks, as well as assisting other

emergency services with rescues and searches. The dedication of these people to their work is outstanding, and this is our chance to show our appreciation for their selfless work. WOW Day is a day when we can all get behind our volunteers.

As I said, the NSW State Emergency Service is an emergency and rescue service dedicated to assisting the community. It is made up almost entirely of volunteers, with 229 units located throughout New South Wales. In New South Wales there are approximately 10,000 members who can be identified by their distinctive orange overalls. That is why it is Wear Orange Wednesday. While their major responsibilities are flood and storm operations, the SES also provides the majority of general rescue efforts in rural areas of the State. That is why we who live in regional areas appreciate this so much. They help with things such as road accident rescue, vertical rescue, bush rescue, evidence searches and other forms of specialist rescue that may be required due to local threats.

Volunteers in a number of isolated communities have been trained as community first responders by the Ambulance Service of NSW. The service's trained rescuers also support the full-time emergency services during major disasters. I thank some of the units in my electorate, where the North Coast regional control centre is located. I thank the commander, Stephen Hart; Booral unit, Stephen Harris; Forster-Pacific Palms, Kevin Sinclair; Nabitac, Doug Freeman; Taree, Tim Richards; and Wingham, Gary Greene. There are more than 100 volunteers in my electorate who are on call at any time to help the community when in need. They have been called on over the past few years. We have had major floods in Taree and the Manning Valley, as well as in the Great Lakes. The SES has been called out to assist with a number of storms.

On Anzac Day last year at Bulahdelah there was a massive storm in the early hours of the morning—almost a mini cyclone went through there. Roofs were blown off houses, which were damaged. The hail was so great that it blocked many gutters and downpipes so the water ran back into the eaves and into houses. The SES volunteers were out there, putting up tarpaulins, cutting trees out of roofs and the like. We have also had a number of section 44 fires during which the SES helped the Rural Fire Service. Only recently SES units went to Kendall where a child had been lost. That child has still not been located, but the SES units from my area went up there to assist in the search. This is a great day for both sides of the House. I acknowledge the member for Heffron, who has brought this matter of public importance before the House. As representatives of the people of New South Wales and as leaders in our communities, we appreciate the great work of the SES.

Ms TANIA MIHAILUK (Bankstown) [8.18 p.m.]: I thank the member for Heffron for bringing forward this matter of public importance. It is an honour for me as not only the State member for Bankstown but also the shadow Minister for Volunteering and Youth to make a contribution to this debate. Wear Orange Wednesday, or WOW Day, is a day of recognition and appreciation of the dedicated work of our State Emergency Service [SES] volunteers. As the member for Myall Lakes and the member for Heffron said, we are blessed in this State to have more than 10,000 SES volunteers. Many men and women are proud to dedicate their time and efforts to assisting others.

I pay tribute to David Niven and his team at Bankstown SES, one of the largest SES units in the State. I have visited the facility many times and I am proud of the number of volunteers there. I am particularly proud when I attend festivals and events through the City of Bankstown and spend some time with the volunteers. They not only assist people involved in major natural disasters across our State but also attend schools, fetes and fairs to educate the community about the work of the SES. They ensure that the SES is visible and they tell the community how it can assist families in times of need.

Our State is blessed because our volunteers not only give up their time for short periods but also make their service a lifelong passion—a career in many respects. I note that many volunteers continue their dedication to the SES cause and are in many respects like a wonderful family. On SES award nights it is wonderful to see the efforts of particular volunteers acknowledged, and it is important that this House also does that tonight. I praise each and every SES volunteer. We are very proud of how they protect our State and we thank them for their incredible efforts, particularly in times of need.

Mr RON HOENIG (Heffron) [8.21 p.m.] in reply: I thank the member for Myall Lakes and the member for Bankstown for their contributions to the discussion of this matter of public importance. It is a delight to have members from both sides of the Chamber not only pay tribute to the State Emergency Service [SES] volunteers generally in New South Wales or Australia but also visit SES units in their electorates and understand their activities. It is important that members of this House, as representatives of the community, unite to express our appreciation for people who volunteer their services to others not only during times of disaster but also by continuing their response training.

On my recent visit to Randwick State Emergency Service I was amazed, firstly, at the facilities provided by Randwick City Council and the way it works with the local SES, and, secondly, by the organisation and the training volunteers embark upon. Any person in the community can volunteer and spend time with an SES unit, where a role will be found for them. I have presented many civic and parliamentary awards but one I remember particularly was given to a middle-aged woman who has a long involvement in SES activities. Of course, the SES does not train her to climb roofs or anything of that nature, but people like her get involved in the operational and organisational centres.

I repeat my appreciation of local government in New South Wales, which provides the facilities. I know the SES now gives far more support to individual units than it used to, but local government is not appreciated for all it does for the SES not just in metropolitan Sydney but throughout the State. We often under-estimate local government; it is often used as a convenient whipping boy. But local government makes sure that the SES is able to operate for the benefit of the community and the dedicated SES volunteers.

Discussion concluded.

PAYROLL TAX REBATE SCHEME (JOBS ACTION PLAN) AMENDMENT (FRESH START SUPPORT) BILL 2014 (No. 2)

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

SURVEILLANCE DEVICES AMENDMENT (POLICE BODY-WORN VIDEO) BILL 2014

Message received from the Legislative Council returning the bill with an amendment.

Consideration of the Legislative Council's amendment set down as an order of the day for a future day.

**The House adjourned, pursuant to resolution, at 8.26 p.m. until
Thursday 13 November 2014 at 10.00 a.m.**
