

ALBURY ELECTORATE ACHIEVEMENTS .....	30718
AUSTRALIAN OPEN MIXED PAIRS BOWLS CHAMPIONS .....	30663
BALMAIN BALL .....	30719
BANKSTOWN BUSINESS AWARDS .....	30717
BAULKHAM HILLS INNER WHEEL CLUB .....	30720
BOMADERRY ROTARY CLUB .....	30720
BRYCE OSTINI PHOTOGRAPHY EXHIBITION .....	30721
BUSINESS OF THE HOUSE .....	30639, 30672, 30684, 30692, 30707, 30713
CAMPBELLTOWN ACADEMIC CHALLENGE .....	30731
CASULA DEVELOPMENT PROPOSAL .....	30722
CITY OF SYDNEY AMENDMENT (BUSINESS VOTING AND COUNCIL ELECTIONS) BILL 2014	30639
COMMUNITY RECOGNITION STATEMENTS .....	30717
DAVE KOCH, CLONTARF ACADEMY .....	30719
DAVIDSON ELECTORATE SPORTS ACHIEVEMENTS .....	30720
DEATH OF GABRIELLE LAUSCHET .....	30727
DISABILITY INCLUSION BILL 2014 .....	30639, 30693, 30701
DOLPHIN MARINE MAGIC .....	30723
ELECTRICITY PRICES .....	30681
FAIRFIELD FOOD SERVICES .....	30721
FAIRFIELD PUBLIC SCHOOL 125TH ANNIVERSARY .....	30718
FOOD REGULATION SYSTEM .....	30653
GRACE BENNINGTON 100TH BIRTHDAY .....	30718
HEALTH SERVICES AMENDMENT (GUARANTEEING FREE PUBLIC HOSPITAL SERVICES) BILL 2014 .....	30644
HENLEY MARINE PARADE BAY RUN .....	30730
HOLSWORTHY HIGH SCHOOL CHRISTMAS IN JULY .....	30720
HOMESCHOOLING .....	30698
HUNTER HOSPITALS FUNDING .....	30657
HYDE PARK ANZAC MEMORIAL .....	30724
INNOVATION INITIATIVE .....	30683
ITALIAN REPUBLIC DAY FESTIVAL .....	30717
JOINT STANDING COMMITTEE ON THE OFFICE OF THE VALUER GENERAL .....	30672
KIAMA ELECTORATE COMMUNITY ACHIEVEMENTS .....	30732
LEGISLATION REVIEW COMMITTEE .....	30670
LEGISLATIVE COUNCIL SELECT COMMITTEE ON THE SALE OF THE CURRAWONG PROPERTY AT PITTWATER .....	30686
LIBERAL PARTY AND POLITICAL DONATIONS .....	30677
LIVERPOOL ELECTORATE CLUB GRANTS .....	30725
MAKE A DIFFERENCE RALLY .....	30728
MEALS ON WHEELS .....	30721
MEMBER FOR SWANSEA .....	30672
MOTOR VEHICLE FRONTAL PROTECTION SYSTEM .....	30726
MOUNT DRUITT POLICE CITIZENS YOUTH CLUB CITIZENS CAFE .....	30718
MUTUAL RECOGNITION (AUTOMATIC LICENSED OCCUPATIONS RECOGNITION) BILL 2014	30639
NEWCASTLE LORD MAYOR JEFF MCCLOY .....	30679
NEWCASTLE REVITALISATION .....	30682
PETITIONS .....	30685
POLITICAL DONATIONS .....	30674
PRINTING OF PAPERS .....	30684
PRIVATE MEMBERS' STATEMENTS .....	30721
PUBLIC ACCOUNTS COMMITTEE .....	30666
PUBLIC TRANSPORT INFRASTRUCTURE .....	30677
QUESTION TIME .....	30672
REGIONAL INFRASTRUCTURE .....	30676
RETIREMENT OF KEITH MILLER, PARLIAMENT HOUSE POSTAL MANAGER .....	30671
ROAD TRANSPORT AMENDMENT (MANDATORY ALCOHOL INTERLOCK PROGRAM) BILL 2014 .....	30639
ROBOT FRED AUTHOR NICHOLAS SPEAKMAN .....	30721
SELECT COMMITTEE ON THE MOTOR VEHICLE REPAIR INDUSTRY .....	30667
SERBIAN FOLKLORIC FESTIVAL .....	30718

SISTER PHILOMENE TIERNAN, RSCJ .....	30719
SOUTH SYDNEY COMMUNITY AID CHRISTMAS IN JULY .....	30719
SPORTSPERSON ANITA HANDONO .....	30717
ST SHENOUDA COPTIC ORTHODOX MONASTERY (NSW) PROPERTY TRUST BILL 2014 .....	30715
STANDING COMMITTEE ON PARLIAMENTARY PRIVILEGE AND ETHICS .....	30669
STATE INDOOR CRICKETER CARLY LEESON .....	30717
STATE INFRASTRUCTURE.....	30673
TAFE CHANGES MORATORIUM (SECURE FUTURE FOR PUBLIC PROVISION OF VOCATIONAL EDUCATION AND TRAINING) BILL 2014 .....	30639
TECH SAVVY SENIORS .....	30728
TECHNICAL AND FURTHER EDUCATION COMMISSION AMENDMENT (FEES) BILL 2014.....	30641
THE SHIRE: A JOURNEY THROUGH TIME BOOK LAUNCH.....	30717
TRIBUTE TO PETER OLSEN .....	30718
TRIBUTE TO RODGER DOWSETT.....	30729
UNIVERSITIES LEGISLATION AMENDMENT (REGULATORY REFORMS) BILL 2014 .....	30639
VISITORS .....	30671
WESTCONNEX MOTORWAY .....	30657

# LEGISLATIVE ASSEMBLY

Thursday 14 August, 2014

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

**The Speaker** read the Prayer and acknowledgement of country.

## **TAFE CHANGES MORATORIUM (SECURE FUTURE FOR PUBLIC PROVISION OF VOCATIONAL EDUCATION AND TRAINING) BILL 2014**

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

**The Speaker** advised the House that she had received a written authority from Dr John Kaye, MLC, advising that the member for Balmain would have carriage of the bill in the House.

**Second reading set down as an order of the day for a future day.**

## **ROAD TRANSPORT AMENDMENT (MANDATORY ALCOHOL INTERLOCK PROGRAM) BILL 2014**

## **UNIVERSITIES LEGISLATION AMENDMENT (REGULATORY REFORMS) BILL 2014**

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

## **DISABILITY INCLUSION BILL 2014**

## **MUTUAL RECOGNITION (AUTOMATIC LICENSED OCCUPATIONS RECOGNITION) BILL 2014**

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

**Second readings set down as orders of the day for a later hour.**

## **BUSINESS OF THE HOUSE**

### **Notices of Motions**

**General Business Notices of Motions (General Notices) given.**

## **CITY OF SYDNEY AMENDMENT (BUSINESS VOTING AND COUNCIL ELECTIONS) BILL 2014**

**Bill introduced on motion by Mr Alex Greenwich, read a first time and printed.**

### **Second Reading**

**Mr ALEX GREENWICH** (Sydney) [10.08 a.m.]: I move:

That this bill be now read a second time.

The City of Sydney Amendment (Business Voting and Council Elections) Bill 2014 will ensure that business operators in the city of Sydney can vote in local government elections. Businesses make an important contribution to the city of Sydney, which is why they are already eligible to vote in local elections, but improvements in awareness and registration processes are needed to increase participation rates. Businesses should be able to exercise their rights to vote effortlessly in local government elections. The City of Sydney Amendment (Business Voting and Council Elections) Bill 2014 will make it easier for eligible businesses to get on the electoral roll by creating permanent registers for non-resident owners and occupiers and rate-paying lessees—that is, businesses that are entitled to vote in City of Sydney elections.

The initial registers will be based on the electoral rolls from the 2012 local government elections. Under the bill, eligible businesses and non-residential owners can join the registers at any time. I expect the Electoral Commissioner to run ongoing education programs to inform businesses of their rights and how to get on the roll. I also expect that business groups and the City of Sydney will play a key role in encouraging businesses to get on the roll. The bill requires the commissioner to contact all businesses and non-residential ratepayers on the registers prior to an election to confirm that their details are correct, and businesses will be able to do this electronically. The updated registers will form the basis for creating the non-resident owners and occupier rate-paying lessees electoral roll. The simple confirmation process will ensure that the rolls for every election are accurate and up to date.

While it will be up to the Electoral Commissioner to determine what information it obtains for the registers, the bill limits this to information needed to establish eligibility which non-residential owners and businesses could reasonably be expected to know or obtain, such as an Australian business number. This is a response to concerns that the commission currently requests a rate assessment number, even though it does not provide conclusive evidence of the entitlement to vote and can be difficult to obtain. This was a particular concern raised by Councillor Angela Vithoulkas of the City of Sydney, as well as Patricia Forsythe from the Sydney Business Chamber.

All non-residential owners and businesses on the electoral roll will be automatically sent a postal vote. However, they will have the option to opt out and instead vote in person. This approach recognises that it will be more convenient for some business operators working in the city to attend a polling booth. Voting in person on polling day is the traditional way that most people participate in elections. The bill does not make it compulsory for non-residential owners and businesses to be included on the registers or to vote. This is in line with comments made to the Joint Committee on Electoral Matters by Luke Aitken, senior policy manager with the New South Wales Business Chamber, who stated:

I think that there is too much focus on the compulsory aspect. I think if you make the process easier you will build up the participation without having to force people into it.

Making the process easier to increase business participation in local government elections is what my bill does. The current situation is excessively bureaucratic because non-residential electoral rolls are abolished after each local government election, requiring businesses and owners to re-enrol each term. The destruction of non-residential rolls was introduced in response to the Crown Solicitor's 1995 advice, which found that the inaccuracies in the roll created such a serious potential for fraud and corruption that it would be "unsafe to hold an election for the city of Sydney". Businesses are constantly changing yet there is no process to take those that have moved or ceased operations off the roll; hence a new roll is created before each election.

Having permanent registers allows non-residential owners and businesses to apply to be on the electoral rolls once and only once, removing the burden of having to enrol for each election. The process of confirmation by the Electoral Commissioner will ensure the integrity and accuracy of the roll and reduce the opportunity for fraud. The City of Sydney Amendment (Business Voting and Council Elections) Bill 2014 makes the independent Electoral Commissioner responsible for the registers and the rolls, and the city will be responsible for the costs, in line with existing election practices. This is essential to keep City of Sydney elections at arms-length from any politically motivated council interference.

While I have every confidence in the current City of Sydney administration, a future administration could be politically motivated or be subject to politically motivated council interference. Allowing the council to manage the registers and rolls would be tantamount to the Department of Premier and Cabinet being responsible for the State electoral rolls. No election would be free from claims of political interference and therefore remain untainted. Australia has an enviable history of elections with a high degree of legitimacy, and this should not be placed in jeopardy. We have only to look to the United States, where politicians appoint those who run elections, and the problems that occurred in the 2000 presidential elections to support the need for independently run elections.

I briefed Patricia Forsythe of the Sydney Chamber of Commerce and Glen Byrnes of the New South Wales Property Council on my bill, and both agreed that the proposed approach achieves the desired outcome to help grow the business vote. They supported retaining the existing limit of one vote per non-residential voter. I have talked to local businesses in my electorate and to my constituents, and have worked with the City of Sydney. They all support making it easier for businesses to exercise their rights to vote. There is, however, serious concern that Sydney could adopt the Melbourne model. Melbourne has a different rating system, which does not allow direct adoption of non-residential voting. Melbourne prepares a new roll for every City of

Melbourne election, with the roll based on a much broader method of charging rates. The council, not the independent Electoral Commissioner, manages the non-residential roll and non-citizens are given the vote. Melbourne allows up to two votes to each business occupying land, which would drown out the voice and vote of residents and genuine small business voters.

This does not strengthen democracy. Businesses already have greater rights to vote in the City of Sydney than anywhere else in the State. They need only operate for three months before they can enrol to vote, as opposed to three years in other local government areas. What they need is an easy way to get on the roll and stay on a permanent register. My bill provides a simple, quick and inexpensive way to increase business participation in local democracy. The Government should support this bill and listen to the widespread concerns that have been raised by the Local Government Association, the City of Sydney, businesses and residents about the Shooters and Fishers Party's proposed bill. Community confidence in our Parliament and the Government is a current concern. Restoring confidence in the Parliament should be a key concern of everyone in this place. I call on the Premier to restore faith in politics in New South Wales. That cannot be achieved by halving the vote of residents and allowing vested interests to tamper with democracy in the City of Sydney. I commend the bill to the House.

**Debate adjourned on motion by Mr Gareth Ward and set down as an order of the day for a future day.**

#### **TECHNICAL AND FURTHER EDUCATION COMMISSION AMENDMENT (FEES) BILL 2014**

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

#### **Second Reading**

**Mr JOHN ROBERTSON** (Blacktown—Leader of the Opposition) [10.15 a.m.]: I move:

That this bill be now read a second time.

On behalf of the Labor Opposition, I introduce the Technical and Further Education Commission Amendment (Fees) Bill 2014. The purpose of this bill is very clear: It is a bill designed to protect our precious TAFE system and ensure that the tens of thousands of people who rely on TAFE continue to have a bright future. As the people of New South Wales are discovering to their horror, the price of having wall-to-wall Liberal governments in Sydney and Canberra is an education system being gradually ripped apart. The Abbott Government has broken its promise to deliver the Gonski reforms, pulling \$10 billion out of New South Wales schools over the next decade. The Federal Minister for Education, Christopher Pyne, is now stumbling about the country in a bid to deregulate university fees—a move that would lead to the prospect of degrees costing \$100,000. But the truly scary news is that the Abbott Government has found a fellow traveller right here in New South Wales.

The Baird Government is unleashing disastrous cuts to TAFE. In just three years it has cut \$800 million from the system. It is sacking 1,100 teachers and staff; slashing courses from the curriculum; and doubling, trebling or, in some cases, even quadrupling the cost of a degree. The bill that I introduce today is a determined attempt to stop that destructive agenda in its tracks. Let there be no doubt: While the Baird Government is distracted by the Independent Commission Against Corruption [ICAC] and focused on its own internal problems, here in New South Wales we are in the midst of a youth unemployment crisis. Last week many people were concerned to see the statewide unemployment rate rise to 5.9 per cent—the highest rate since the global financial crisis.

But it is the youth unemployment rate across New South Wales that is truly shocking. The rate of people aged between 15 years and 24 years who are out of a job is 17 per cent in Parramatta; 16 per cent in Blacktown; and 15 per cent in south-western Sydney. Further out of Sydney, we see unemployment rates of 16 per cent in the Southern Highlands and Shoalhaven; 13 per cent in Newcastle and Lake Macquarie; and 11 per cent in the Richmond-Tweed area; as well as double-digit youth unemployment rates in New England, the Far West, the Central Coast and the Mid North Coast.

Today, I have a question for Premier Mike Baird: What kind of government decides to cut funding to TAFE in the middle of a youth unemployment crisis? At both a Federal and a State level, the Liberal Party is making a mess of its policies in education. Do not be fooled by the Orwellian title of its policy document "Smart and Skilled". The Baird Government is introducing changes that will leave our people neither smart nor skilled.

The Liberals fail to see that our neighbours in the Asian region are investing more than ever before in education. They fail to see that in the middle of a youth unemployment crisis, education is the one area you just do not cut. The Opposition's bill is designed to achieve several goals. First, it caps fee increases for government-subsidised TAFE courses at no more than the consumer price index. It will ensure that TAFE fees can be reduced but cannot be increased above the cap. In addition, current arrangements for fee waivers, exemptions and concessions will also continue to apply.

I say to the Parliament: There is a critical principle at stake here. For decades, our TAFE system has existed to give every person in New South Wales a chance. The students it services often have complex needs. They might include: young people who did not complete school; mature-age workers who have been made redundant; people with disabilities; mothers returning to the workforce after a long hiatus; and, of course, Indigenous Australians. At its best, TAFE is a gateway to an exciting new world of knowledge and access to the wisdom of qualified teachers and counsellors, and it is designed to help every person onto a pathway that fits their aspirations in life. In Labor's view, a properly resourced TAFE system is the essential bedrock of a humane, civilised and compassionate New South Wales.

By contrast, the Liberals have one vision for TAFE in New South Wales: to bludgeon it, downsize it and eventually privatise it and run it as a business. Already, as I have noted, \$800 million in funding has been slashed and 1,100 hundred teachers and support staff have been sacked, including 375 jobs in this year's budget. Key parts of the curriculum have been gutted, including carpentry and metal fabrication courses at South West Sydney TAFE and plumbing courses at Western Sydney TAFE. Welding and boilermaking courses have been cut in the Hunter and on the Central Coast, and the Higher School Certificate syllabus has been eliminated in the Hunter and the Riverina. It is also an ominous sign that the recent Baird budget projects 23,000 fewer students will be enrolled in TAFE next year.

Under the Liberals, from 1 January 2015, New South Wales will move to a market-based vocational training system—the same approach that has shattered a once great system in Victoria. The Government is forcing TAFE to compete with private providers while it is providing private colleges with additional State support. What do TAFE students across New South Wales have to look forward to? First, there will be the continued erosion of the syllabus and the elimination of capital-intensive courses that are costly to run. Secondly, we will see a massive reduction in the support provided to disadvantaged students—the groups of people who require more individualised attention and are more expensive to service. From next year the Government will offer TAFE colleges only a flat 15 per cent loading for each disabled student they enrol. That is a fraction of what is needed to fund Auslan interpreters and note-takers or to fund specialised programs such as ZoomText or Job Access With Speech [JAWS] for the vision impaired.

No wonder the Government's own budget papers predict that the number of students with disabilities will plummet by 4,300 compared with two years ago. My question is: What do the Liberals expect people with disabilities to do? On the one hand, Tony Abbott is scaling back eligibility for the disability pension and, on the other hand, Mike Baird is making it harder for people with disabilities to access TAFE. The Liberals are cruelly turning their backs on the TAFE charter and the very people that the system was designed for. The third aspect of the Government's business model as of January 2015 is a ruthless campaign to price students out of training. To learn at TAFE or at one of the new private providers, students will face unconscionable fees of up to \$4,000 for basic certificates. Forty per cent of students will pay between \$500 and \$1,500 extra for courses. Apprentices will pay \$2,000 for a course—up from the current \$500 a year. A two-year Diploma of Electrical Engineering currently costs \$3,038, but under Mike Baird's new system the same course will cost \$8,190. A Certificate III non-apprentice bricklayer course currently costs \$838. As of 1 January 2015 it will cost \$3,550.

Making matters worse, government loans for TAFE fees are only available for the highest-level diploma or advanced diploma courses, not for entry-level training. This means that students will be forced to pay large sums upfront or amass large debts that will take years to pay off. Of course, all this is happening as the Abbott Government plans to abolish Newstart for six months, to deregulate university course fees and to force students into repayments with a rapidly compounding interest rate. These policies from the Federal and State Liberals are a declaration of all-out war on young people, and Labor will not stand for it. They are not only cruel policies, they are dishonest policies—a travesty built on betrayals and broken promises. Who could forget Tony Abbott's solemn words before the election, broken immediately after the election: No cuts to education and a Gonski unity ticket with Labor? Who could forget the New South Wales Liberals and Nationals piously signing the TAFE pledge before the last election? When he was in opposition the now education Minister said:

Cuts to TAFE [are] short-sighted and would cost New South Wales in the long-term ...

I refer also to the Leader of The Nationals, who once had some decency. He acknowledged to this Parliament that many TAFE students did indeed struggle to pay existing course fees and were living below the poverty line. The Leader of The Nationals added that students were dropping out because they could not afford the fees, accommodation and travel. He said:

I hope members from all sides of politics will consider this matter on the basis of their consciences. Do they support low-income families and students who want the opportunities provided by a skilled career?

If so, their consciences will tell them that they need to support something that will keep TAFE fees at a reasonable level.

Where have the consciences of Government members gone? Personally, I cannot think of a worse betrayal than that of The Nationals, who have rubberstamped fee increases for their constituents. They are sending regional TAFE to the slaughterhouse, guilty in the knowledge that their cuts are causing courses to close and eventually campuses to close. The difference in regional areas, of course, is that if the local TAFE shuts its door it can be hundreds of kilometres to the next college.

To give one example of how the Government's TAFE cuts are brutally reducing learning opportunities, only three weeks ago I met with students who are apprentice shipwrights at Meadowbank TAFE. Thanks to the Government's cuts, Meadowbank TAFE is the last remaining college in New South Wales that provides the shipwrights course. Many of the students I spoke to have been forced to travel from the North Coast to complete their training because the course is not available closer to home. At Meadowbank it has even reached the point where teachers are billeting out students because the costs for young apprentices are too high for them to complete their apprenticeship.

The Opposition has very different priorities and values from the Government. Labor believes in standing up for the disenfranchised in our community, wherever they may be. We should not want a society where young people find it harder than their parents' generation to access university and TAFE, or they lack government assistance to find a job. Leaving a whole generation of young people disenfranchised is a sure-fire way to invite higher crime and incarceration rates, and an increased incidence of suicide and mental illness. These issues are several times cheaper to address now than several years, or decades, down the track. That is why the Labor Opposition has committed to making priority investments in education and training. Labor has committed to a landmark review of education and training in New South Wales after year 10—a review that will be every bit as iconic as the McGaw review of the Higher School Certificate or the Gonski review of school funding—aimed at developing a better system.

We want to ensure that every high school student either completes year 12 or is offered a realistic training pathway to a job. Labor has also committed to fund an additional 800 scholarships for talented students to train as teachers in secondary maths and science. We will establish a New South Wales Jobs Commissioner—an expert body to provide oversight of the training market and ensure that the skills profile of every region in our State is matched to emerging job opportunities. Labor will also mandate that 15 per cent of the work in major government construction projects be allocated for apprentices, trainees, Indigenous Australians and the long-term unemployed. Labor understands that the first job of any Premier is to ensure that the people of New South Wales have jobs. Piece by piece, we are announcing a coherent program of policies designed to ensure that people have the opportunities they deserve.

I passionately believe the Abbott-Baird fixation with cutting back on skills and education is a false economy. The whole premise of the Liberal Party's approach to employment and training is wrong. The jobs of the twenty-first century will not follow low wages and conditions; they will go to people who display knowledge and creativity—the ones capable of delivering the productivity enhancements and the medical breakthroughs. That is why, in the twenty-first century, the best economic policy that a government can have is an education policy.

The Baird Government is determined to rip the heart out of the TAFE system in New South Wales. Somebody needs to stand up to it. Somebody needs to stand up against the policies that will lock students out of TAFE and leave countless more struggling through their degree, floundering without hope and in many cases below the poverty line. I deeply believe it will be the responsibility of the next Labor Government in New South Wales to gold plate our education system into a world leader while ensuring that it remains universally accessible. It is vital that this Parliament make a start by moving to cap TAFE fees. It is a matter of urgency that the Parliament support Labor's bill.

**Debate adjourned on motion by Mr Gareth Ward and set down as an order of the day for a future day.**

**Pursuant to sessional order General Business Order of the Day (for Bills) proceeded with.**

**HEALTH SERVICES AMENDMENT (GUARANTEEING FREE PUBLIC HOSPITAL SERVICES)  
BILL 2014**

**Second Reading**

**Debate resumed from 29 May 2014.**

**Ms ANNA WATSON** (Shellharbour) [10.30 a.m.]: I make a contribution to debate on the Health Services Amendment (Guaranteeing Free Public Hospital Services) Bill 2014. I do so not only for the electorate of Shellharbour but for all constituents across New South Wales. Health should be available and delivered to all Australians no matter what walk of life they come from. I believe that all Australians have the right to be treated in the same way when it comes to health care. As members know, currently a patient can see a bulk-billing doctor at no cost. The Abbott Government has proposed one of its usual nasty Tory acts of vandalism: putting an end to free visits. The Tories want to charge a \$7 co-payment that flows on to pathology, x-rays and out-of-hospital services. This draconian act would make it impossible for the most vulnerable people in our society to seek urgent and non-urgent health care. What a disgusting act.

This is being done by an extreme right-wing nutter who promised he would leave Medicare alone. Then we heard the Premier say, "We'll be ruling that out." Two days later the Premier did a complete backflip. This amending bill seeks to enshrine our universal healthcare system, on which all Australians place a high price. All Australians know the true value of our Medicare system. Labor built Medicare and only Labor will fight to keep it. The bill amends section 75 of the Health Services Act 1997 to prevent a patient in a public hospital from being charged for any health services that are currently free of charge. The bill states that even if any law or agreement between the Commonwealth and New South Wales is amended to provide for the charging of a co-payment, New South Wales hospitals are not entitled or authorised to charge a fee. It cannot be forgotten that the Liberal-Nationals Government has already ripped \$3 billion from our health system. Indeed, our emergency departments are starved of funding and staff.

The GP co-payment will impact heavily on the people of the Illawarra, which already has high levels of bulk-billing. The bulk-billing rate for the Illawarra fell under the Howard Government, when the current Prime Minister was the Minister for Health. It is estimated that the co-payment proposal will cost Illawarra families up to \$13.4 million in the first year alone. This represents a hit of nearly \$14 million on the family budget in the Illawarra in the first year. That is less money for families in the region to spend on small businesses in only one year. The Federal Government is giving the State and Territory governments the option of charging a co-payment to access GP equivalent visits to hospital emergency departments. As I said, the Premier initially ruled out introducing any changes to patients attending hospital emergency departments, but then considerably softened his stance two days later. This is what he said over a 48-hour period. On 14 May 2014 he said:

We will be ruling that out.

When the Premier was standing with the Prime Minister at a press conference on 16 May 2014 he said:

We'll be considering and obviously watching events as they unfold ... We're in a position where we will monitor the impact on Emergency Departments and others – it is part of the broader discussion we want to have on health.

We are not sure what that means. What is the broader conversation? That is difficult to work out. The Federal Government knows that imposing a \$7 co-payment on essential visits to see a GP will discourage many people, particularly families with children and those with chronic illnesses, from going to see their local GP. These families will end up in emergency departments across the country. Currently the emergency department at Shellharbour Hospital in my electorate has 21 treatment spaces and sees an average of 26,000 presentations every year. The hospital's services plan indicates that the population in the southern Illawarra will grow by more than 12 per cent by 2027, and the over-75 age group will grow by more than 60 per cent. The introduction of a co-payment by the Federal Government will increase pressure on existing emergency department services at Shellharbour Hospital.

The Federal Government has been trying desperately to spin a line that Australians should make a contribution to the Medicare system. The fact is that we already do so. It is called the Medicare levy. We are already paying; it is already costing Australians. There is nothing free about the Australian Medicare system. Currently we all pay for it. Medicare ensures that the richest and the poorest have access to healthcare professionals and services across the board at any time. I have yet to meet one person who loves to spend their

time waiting to see a doctor or ending up in a hospital. We go to these places because we are sick or to prevent illnesses from becoming more serious. The Liberals have always hated universal health care since it was introduced by the Whitlam Labor Government.

**Mr Mark Coure:** That's not true.

**Ms ANNA WATSON:** It is true and I will tell the member for Oatley why it is true. The Liberals have always tried to kill off Medicare. They have done their best to kill off Medicare at every turn. The Liberals prefer a two-tier system of health care in Australia. We will not stand for it, and neither will the people who vote for us in this place. Medicare is a wonder of the world.

**ACTING-SPEAKER (Ms Melanie Gibbons):** Order! The member for Oatley will come to order.

**Ms ANNA WATSON:** Over the years various American presidential administrators have sent teams of policymakers to study our healthcare system. That is how good our system is—and members opposite want to kill it off. The bill seeks to ensure that our hospital system remains available to anyone who needs its services and care. Labor will protect our healthcare system full stop.

**Mr CLAYTON BARR** (Cessnock) [10.37 a.m.]: I speak on the Health Services Amendment (Guaranteeing Free Public Hospital Services) Bill 2014. Frankly, I find it staggering that members opposite are not supporting Labor on this bill. I would have thought they needed a good news story.

**Mr Gareth Ward:** How is Eddie Obeid going?

**Mr CLAYTON BARR:** The brown paper bag has been exchanged for decisions about development in Newcastle.

**Mr Gareth Ward:** Point of order: The only brown paper bag I have ever seen is the one my lunch comes in. The member for Cessnock should not be casting aspersions like that. I ask him to withdraw.

**ACTING-SPEAKER (Ms Melanie Gibbons):** Order! Is the member for Kiama offended?

**Mr Gareth Ward:** I am personally offended. The member for Cessnock should not be making such reflections on members of this House. I ask him to withdraw.

**ACTING-SPEAKER (Ms Melanie Gibbons):** Order! Will the member for Cessnock withdraw the comment?

**Mr CLAYTON BARR:** Absolutely not. I did not cast any direct aspersion on the member for Kiama; I cast a broad aspersion on the Liberal Party. Members opposite need a good news story, and I would have thought that preventing the co-payment would be a good news story for them. Frankly, the co-payment is about ensuring that the poor miss out on more and the rich continue to get better quality services and better access than everyone. This is class warfare at its best. The co-payment was introduced by Mr Hockey and Mr Abbott in Canberra and supported in New South Wales by the Premier and the Minister for Health.

It is ridiculous that a co-payment of \$7 will be charged—which has already led to a reduction in the number of people attending doctors—\$5 of which will go to medical research and \$2 will be a processing fee. The forward projections by some analysts on the \$20 billion for research to be raised from the \$5 fee is that it will take somewhere in vicinity of 40 years to collect. It is written into the Federal budget for the next four to six years. The Federal Government must be expecting a massive increase in the number of people who attend their doctor to raise such a massive amount through that co-payment. Certainly that \$20 billion is a lot further away than the Federal Treasurer would have us believe.

The suggestion is that the \$2 processing fee is a reward for general practitioners for capturing, processing and sending the money to the Federal Government, which will then send it off to research, cut a ribbon—it will all be tickety-boo and a family favourite—instead of investing in research itself. This legislation talks more broadly about health services in general. I listened to an exchange on ABC Radio as I was driving to Sydney the other night in which it was said that this co-payment could extend to other health services, for example, radiographers, physiotherapists, dieticians and psychologists. They painted a picture of making a \$7 co-payment to a general practitioner who might send the patient for some blood tests. The patient

pays another \$7 co-payment and returns to the doctor and pays another \$7 co-payment. If the doctor cannot make a diagnosis the patient is sent off to a dietician to whom they pay another \$7 co-payment and return again to the doctor—and the story goes on and on. It is not just a one-off payment; it is a payment on all health services.

The Health Services Amendment (Guaranteeing Free Public Hospital Services) Bill 2014 talks more broadly about public patients not being charged for any health service provided by public hospitals. Frankly, taxpayers have already paid once for the services and for the hospital and to make sure that doctors and health specialists are available so why do they have to pay twice for those same services? It should not be necessary to remind the enlightened members of this Chamber about the advantages of early intervention. Members know that early intervention in education, crime prevention, health, exercise and physiology or diet is the secret to getting the best and cheapest possible outcome for future needs. Members on one side of this Chamber want to make sure that no fee is charged in emergency services departments to ensure that people can have early access to health treatment but members on the other side of the Chamber are standing in the way of that.

The Premier did an amazing backflip in his early days in what I describe as a showdown at the poker table. It was matter of who blinked or bluffed first. Unfortunately, the Premier, the member for Manly, whom I like, sat at the poker table with Mr Hockey and backed down. I do not know Mr Hockey as well as I know the Premier, but I certainly thought the Premier would have had him covered in the poker stakes. He did not; he was stared down at the table, he blinked and he backed down. The Premier said he would make sure that the people of New South Wales were protected but one or two days later he backed away from that as quickly as he possibly could.

Quite frankly, this is all about cost-shifting. Most of the politics of this State at the moment is about cost-shifting. For example, the Government will make it so expensive for people to go to TAFE that they will have to go on the dole. But Mr Abbott says that people cannot go on the dole and will have to go to TAFE. The problem is that to access TAFE people have to have a welfare number but to get a welfare number they have to be at TAFE. I do not know what the Government will do as that is cost-shifting in the extreme. If people cannot go to TAFE and they cannot access welfare payments they will resort to a life of crime.

**Mr Mark Coure:** Point of order: Standing Order 76, relevance. The member for Cessnock has gone a long way from the bill. He is a long way from Cessnock. The bill is about health but the member is talking about TAFE and other things.

**Mr CLAYTON BARR:** Cost-shifting.

**Mr Mark Coure:** Now he is talking about cost-shifting. I ask that the member for Cessnock return to the leave of the bill.

**ACTING-SPEAKER (Ms Melanie Gibbons):** Order! I am sure the member for Cessnock will return to the leave of the bill.

**Mr CLAYTON BARR:** I will conclude my remarks by talking about hospitals but I am journeying there. People who cannot access TAFE and cannot get the dole will turn to a life of crime.

**Mr Mark Coure:** Point of order: Standing order 76. I ask that the member for Cessnock return to the leave of the bill. The member is now talking about cost cutting, education and TAFE.

**Ms Sonia Hornery:** It's a broad discussion, comrade.

**Mr Mark Coure:** This is not a broad discussion; it is about health.

**ACTING-SPEAKER (Ms Melanie Gibbons):** Order! We are dealing with the Health Services Amendment (Guaranteeing Free Public Hospital Services) Bill 2014. I am sure the member for Cessnock will return to leave to the bill.

**Mr CLAYTON BARR:** I will give the example in reverse order for the benefit of the member for Oatley who does not have the capacity to follow a story. Health services provided in our emergency departments are in many ways often for those who have made some bad life decisions. Sometimes they are decisions about access to finance, money or better advice, and sometimes they relate to the lifestyle they are leading, which

could be a life of crime because they could not get training. If they could not get training they could not get the dole, and they could not get the dole because of decisions of these Liberal governments. That is the link with the cost-shifting.

Cost-shifting in health services now stems from the Federal Government, which pays for general practitioners but does not want to pay for them now so it is charging patients so that they will go to emergency departments at hospitals, which are paid for by the State. That is the cost shift from the Federal Government to the State Government. This State needs the political will to stand up to the Federal Government and defend its ground. However, at the poker game the Premier blinked and backed down as quickly as he possibly could. This bill is really about giving this State the spine to defend health services that need to be afforded to the people of New South Wales. We need a spine now more than we ever have.

The Government needs a good news story more than it ever has and one would think it would support the Opposition's bill. But when it comes to the vote members of the Government will not support this legislation but will defend Mr Hockey and Mr Abbott—God knows why—even though they are guaranteed to be one-termers. I would have thought members of the Government would at least aspire to a second term, but they will not. I support the bill.

**Ms SONIA HORNER** (Wallsend) [10.47 a.m.]: This common-sense Health Services Amendment (Guaranteeing Free Public Hospital Services) Bill 2014 deserves support by all members of this House who have people from working class backgrounds in their electorates. My colleague the member for Cessnock eloquently outlined the reasons why we need to support this bill. The first question is: who will be most affected by the co-payment of \$7 put forward by Mr Abbott? In my electorate and all 93 electorates in this State it will mostly hit low-income earners, people with children and the elderly. That is why this bill deserves the support of all members of this House. General practitioners [GPs] in the Wallsend electorate have told me that people will not go to the doctors; indeed they are not going to them now. Just recently I was able to get an appointment very quickly, which surprised the heck out of me.

The doctor said to me, "That is because people are scared that when they go to the doctor they will be slugged with a bill straightaway even though it hasn't been implemented yet." The doctor said she was very worried about the elderly, families with children and low-income earners in Wallsend because instead of going to the doctor when they are sick, they will end up going to the emergency department of John Hunter Hospital or the Calvary Mater Hospital. Indeed, that is the subject of my motion that the House will be debating later. It fundamentally states that the hospitals are stretched to the limit and more resources are needed, hence the need for building the new Lower Hunter hospital in a location close to the electorate of the member for Cessnock and the member for Maitland. This will ease pressure on John Hunter Hospital where due to lack of funding, lack of staff and lack of resources the emergency department is overstretched and will continue to be overstretched.

The proposed co-payment is an amount that many people cannot afford. I had a recent discussion with a friend with whom I grew up but who has been a long-term resident of the United States. She is fearful of the situation because she knows the cost of medical services in the United States. She is in the fortunate position where her husband has medical cover but many people in middle-income earning jobs in the United States do not have access to health cover. A teacher in the United States would not have that opportunity. That means they fail to go to the doctor when they are sick and end up in an emergency department instead. They do not go to the dentist when they should and end up dying because they have lost so many teeth, or they are in so much pain that they end up as a burden on the hospital system.

My friend has said that the experience in the United States is that poor people do not go to hospital or the doctor because they cannot afford the fee. That is the reality. I hope Government members listen carefully because it is relevant and it happens. We do not want to replicate the United States experience in Australia where people on low incomes, the elderly, the infirm and people with children cannot afford to go to hospital or to the GP. My local GPs are similar to the GPs of members opposite. They care about the people in their communities. They have said that they have no alternative but to charge a fee, even for people on the lowest income, if the \$7 co-payment is introduced by the Abbott Government. That is because the amount of paperwork will be prohibitive and it will end up costing doctors more money.

Doctors in the Wallsend electorate work extremely hard and extremely long hours and they do not earn a high income. They cannot afford to stretch out the hand of friendship and offer welfare to those on low incomes who cannot afford the fee because they simply will not have the money to do that. There is no incentive for our GPs to make alternative arrangements if the \$7 co-payment is introduced. Therefore, many people in the

Wallsend electorate will end up at John Hunter Hospital and the Calvary Mater Hospital, wandering around, being a burden on the hospital system and causing unnecessary gridlock because they cannot afford to go to the doctor.

I say to the House that we should consider the implications of a \$7 co-payment on people on low incomes. Many of the elderly and infirm and those like me, approaching the 50-plus age group, have experienced being at the doctor more often recently than in the past 30 years. That is because as one gets older one needs to see the doctor more often. If I was on a low income and had to pay \$7 every time I saw the doctor and then had to pay for sundry tests that are now free, I just would not have those tests and would get sicker.

I hope the Government sees sense and supports the bill. As the member for Cessnock said, this bill is about early prevention. If we can stop people getting sicker than they already are, it will be a lower cost for the community and for the Government in the long run. Members opposite are fiscally responsible and try to save money in the long run. Opposition members are urging Government members to support the bill because we are trying to save them money. If the bill is passed it will not cost this Government any money. It is about Government members putting pressure on their counterparts in the Federal Government and saying, "Hang on a minute. Is this \$7 co-payment fair? How is it going to affect low-income earners, the elderly, the infirm and people with a number of children?"

We would like the State Minister for Health to say to her Federal counterpart that this is a grossly unfair way to deal with health; that we want a means for early intervention to prevent further illness. We want the Minister for Health to talk to her Federal counterpart to say that this co-payment sought to be introduced by Prime Minister Abbott is grossly unfair and unfortunate; that the New South Wales Government does not support it and State Labor does not support it; and that we are in harmony here in New South Wales in not supporting a GP co-payment. In the end we will all be better off financially and fiscally. I urge Government members to support the bill. It is common sense. I know the community wants it, all the GPs I know want it and all the doctors in emergency departments want it. They certainly do not want a \$7 co-payment or to be charging people to go to emergency departments. I urge Government members to support the bill.

**Mr GUY ZANGARI** (Fairfield) [10.57 a.m.]: The Health Services Amendment (Guaranteeing Free Public Hospital Services) Bill 2014 aims to ensure that New South Wales public hospitals will not begin charging patients the Medicare co-payment while keeping free access to hospital emergency rooms. For many years Australians have been fortunate enough to have had a universal healthcare system that looked after the young, the old and the in between, without placing onerous financial burdens on them, especially on those who could not afford it.

Medicare was established on the core principle that every Australian, not just a select few, should have equal access to health care throughout this great country. Patients can presently receive medical attention from a bulk-billing doctor at no cost as the doctor will instead bulk-bill Medicare directly for any medical or allied health services that are provided to his or her patients. However, the age of free health care for all Australians is coming to an end with the Abbott Government abolishing free visits to see a doctor while forcing those who are in need of medical assistance to pay a \$7 contribution towards the cost of the consultation. That is \$7 that the Abbott Government deems to be just a minor contribution. Mr Hockey has stated:

One of the things that quite astounds me is some people are screaming about \$7 co-payment. One packet of cigarettes costs \$22. That gives you three visits to the doctor. You can spend just over \$3 on a middy of beer, so that's two middies of beer to go to the doctor.

Those comments tell you that this Government is completely out of touch with the people of this country. I have met with residents in my electorate of Fairfield who have voiced their concerns about the \$7 Medicare co-contribution. As it is they are going without cigarettes or alcoholic beverages and at times they are forced to go without food, electricity and hot water because they cannot afford already onerous medical costs. What this Government is proposing is an absolute shame. The implementation of a \$7 co-contribution will increase the pressure on public hospitals because a large number of residents throughout this State will show up at emergency rooms to receive treatment in an attempt to bypass the \$7 co-contribution fee.

They simply cannot afford the payments the Abbott Government wants to slug them with. Those opposite may shake their heads in disbelief that the \$7 co-payment is a lot of money for some people, but I have news for them: It is. For our struggling pensioners, the unemployed, carers, those with disabilities and the youth of the State who are studying and already up to their neck in debt in an attempt to receive a greater education, it is a lot of money. There are so many more who are going to be hurt by this co-payment, but those opposite simply do not care or understand.

The Abbott Government has stated it will allow states and territories to charge patients for general practitioner-equivalent treatments for visits to emergency departments. Luckily Premier Baird had ruled out introducing any charges for patients attending hospital emergency departments. That is, until two days later when he decided the money was too good to pass up and he changed his mind. At the moment bulk-billing doctors are cashless surgeries. Once doctors start collecting money it is not hard to figure out what will happen. All of this for just \$2 to be collected by the local doctor.

There are many people in my electorate of Fairfield who are doing it hard and who have voiced their concerns to me. They have voiced concerns about the state of the emergency department at Fairfield Hospital, which, over the past three years, has received little, if any, help from the New South Wales Government. The \$7 co-contribution that the Abbott Government is proposing will break some people financially in my electorate. It is ironic that members opposite attend functions at Rooty Hill, put up their hands and fist pump in the air saying, "Let's have a fair go for the west." I see nothing about the \$7 co-payment that is fair. A fair go for the west seems unlikely because those opposite are not standing up for their constituents—particularly those in western and south-western Sydney. I support this bill.

**Mr RYAN PARK** (Keira) [11.03 a.m.]: The Health Services Amendment (Guaranteeing Free Public Hospital Services) Bill 2014 is a great bill to support. Let us go through the basics. The idea of universal health care is novel for the Government. The idea that \$7 is a lot of money is a novel idea. In the past 24 hours the mob opposite has discovered that driving a car is a novel idea if you are a low-income earner, as is having more than one car. It does not surprise me that a conservative Government would be supportive of a \$7 co-payment. What else could I expect from a Federal Treasurer in cahoots with our friend and colleague the member for Manly and his friend and surfing buddy the Prime Minister? What else would we expect bar support for a \$7 co-payment?

In the community that I represent \$7 is a lot of money. It is a lot of money to people living in public housing estates in the electorate of Keira and the broader Illawarra region. It is a lot of money when you have a lot of children. When you have a number of children the tragedy is that they tend to get sick and Murphy's law is that they all tend to get sick at the one time. Murphy's law also is that they tend to get sick on a Sunday evening, which means that your ability to access publicly funded or bulk billing arrangements is difficult. Where you end up, as I am sure many members as mums and dads have experienced, is in your local emergency department. It is not a place that you want to go to, but it is a place where you have to go at times. It should not be about how much money you have, it should be about receiving care and moving on.

It gives me great pleasure to support a bill that ensures that New South Wales public hospitals will be prevented from charging patients a Medicare co-payment—should it get through the Federal Parliament. This bill will ensure free access to public hospital emergency departments. Medicare was established on the principle that regardless of your post code or bank balance, all of us should have access to high-quality public health care. It is a reasonable idea. Many members on this side of the House would have joined the great Labor Party because of our belief in universal health care. It is interesting for those on the other side to say, "\$7, what does it mean?" I suppose it means two cups of coffee.

When I was a chief of staff, if I had a dollar for every time someone in Treasury said, "It only means two cups of coffee or one cup of coffee," I would be a wealthy person—not as wealthy as some of those on the other side of the Chamber. The problem is that my good friends in Treasury, whom I occasionally disagree with passionately, have not added up the coffee. We have started to get to 30, 40 or 50 coffees. We are now not talking about \$3.50 but several hundred dollars. The Medicare co-payment is \$7. What does the fuel levy add on to it? Not only are we going to pay the Medicare levy and the additional petrol levy to get to the hospital, but if we have children and they want an education the Government will make it impossible for them to access TAFE. If those children then happen to be so foolish as to want to educate themselves and go on to university, the Government will make sure that it is nearly impossible to pay off a degree. Sometimes you need to draw a line.

It is not a cup of coffee, it is not two cups of coffee, it is the continual erosion of something that all of us should value greatly. That is, when our children and loved ones are sick, we should be able to put their health and safety first without thinking, "Can I afford this?" That is reasonable. We all know the tales of woe about health budgets; we are all aware of it. It is not something we are not aware of. We know there are issues. It is not something that has just come up. But we have to remember that a charge at your local general practitioner will not offset those things. All it means is that somewhere down the track someone else has to pay anyway. How does the New South Wales health Minister feel about huge queues at emergency departments? How will the

New South Wales health Minister cope with that? Who is going to pay for that? It is interesting because on 14 May this year the current Premier—I say "current Premier" because we are on to our second—said in *Hansard* in relation to introducing any charges for patients attending hospital emergency departments:

We will be ruling that out.

We are getting familiar with this. Two days later, 16 May—that is two days after 14 May—what happened? We get a different position. It is a bit like the Independent Commission Against Corruption: first we are supporting them; now we are not; now we are letting them go; now we do not want to prejudice something; now we are getting rid of it. On 16 May what did the Premier say? I should let the House know, this time he was with Tony Abbott—important. Remember what he said on the 14 May, "We will be ruling that out." He said:

We will be considering and obviously watching events as they unfold. We're in a position where we will monitor the impact on emergency departments and others, part of the broader discussion we want to have on health.

That is reasonable. Let us remember what we did in Sydney after the budget: We organised an emergency mini Council of Australian Governments meeting. We all remember that; it was very well-orchestrated. I have seen a few of these things in my time too; they tend to be done on a Sunday to attract maximum media activity. Everyone is hauled into Sydney, a huge amount of media is there, and we say we are going to take this up to Tony. We are going to head down to Canberra and make sure we get a fair deal. It has been a couple of months since that event and I have not seen a lot of change on that front. No doubt co-payment has been discussed heavily in the waves at Manly. No doubt it has been a topic of vigorous discussion between the two leaders. The problem is the co-payment still exists. The co-payment is still going forward.

Who else disagrees with the co-payment? That is right: It is a former Federal Treasurer by the name of Costello. People are familiar with this gentleman. Costello does not agree with the co-payment. He does not think it is very smart. Who thinks this is smart? The Australian community does not think it is smart. The Australian Medical Association certainly does not think it is smart; certainly not the most supportive group of Labor in general. They are generally not-card carrying members of the Labor Party, except our good friend Doc. Who else does not think it is too smart? The former Federal Treasurer, the person those opposite think walks on water, Mr Costello. It is very simple today. I look forward to the Government's support for this bill. It is an easy bill to support. Initially I would have thought the Premier would support it, but he then backtracked. Let us show some mettle today: Support this bill; make sure the people of New South Wales have access to good quality public health care.

**Mr RON HOENIG** (Heffron) [11.13 a.m.]: I support the Health Services Amendment (Guaranteeing Free Public Hospital Services) Bill 2014. I support the sentiments behind the bill expressed by the Leader of the Opposition who seeks to enshrine as fundamental free access to hospital emergency rooms in New South Wales and proclaim the Labor Party's position, which is that it that is not negotiable. The bill seeks to amend section 57 of the Health Services Act 1997 to prevent a patient in a public hospital from being charged anything for health services that is currently free. The bill also makes provision that should there be any law or agreement by the Commonwealth that is amended to provide for the charging of a co-payment, the New South Wales hospital is not entitled or authorised to change any fee. The Labor Party's reason for introducing this bill is simple: The Liberal Party in New South Wales cannot be trusted to keep access to public hospitals free. If it could be trusted, it would support this bill.

I am the first to recognise the ever-increasing costs of health care in this State and in this country. Various projections have indicated that within a decade or two the cost of the health system will consume most of the State's budget. That is because the increasing costs relate to the increase in technology, being able to prolong human life, being able to properly treat people with illnesses—which, on occasion, results in people living longer. It is, of course, our aim to ensure the sanctity of human life is protected and preserved for as long as a person lives. Unfortunately, I concede we cannot have a teaching hospital on every corner in every country town. Nevertheless, the solution to sustainable health care in this State, or in this country for that matter, does not come from and should never come from or ever emanate from Treasury boffins and economists who put an actuarial cost on human health.

That is something that I fundamentally find contemptible and in fact, it makes me mad even to think about it because I know that an actuarial costing is being utilised for human health and I know that these economic boffins are making decisions about who should be treated. Should we treat an 80-year-old person's hip replacement because that person might not live very long or should we treat a premature baby, which might cost four times the amount of somebody's hip replacement? I find those sorts of actuarial costings that occur without

public knowledge to be quite sickening because everybody in society, whether they are a premature baby or whether they are an 80-year-old person who requires a hip replacement, is entitled to the same health services as everybody else in our society.

The worst part about these actuarial costings is they happen behind closed doors and I suspect they are dishonest about it because no health Minister in any State and no health Minister in the Commonwealth is ever going to admit it. The reason they are not going to admit it is that it is not acceptable to the public; the public will not wear it. The public wants to believe that this is an egalitarian health system where everybody is entitled to the support of the health system. The concept of having a co-payment for Medicare under the pronouncement of this banner of making Medicare sustainable is an economic decision. It is not a health decision that is made in the interests of health care and it is not made in the long-term interests of the nation. Applying a co-payment on a hospital is certainly not in the long-term interests of the State.

Every person will tell you that preventative health care is actually the key to reducing costs. I will give an example. Many years ago a specialist medical practitioner told me that 99 per cent of bowel cancer could be eradicated from this nation. If the Government were to fund regular colonoscopies in this State, the incidence of bowel cancer would decline. The specialist said this funding would have enormous cost implications for the State, but who calculates the cost of treating people with bowel cancer? Preventative health care is the key to bringing the cost of health under control. This cannot be achieved by imposing an additional cost on health care as this would deter people from seeking it. In other words, the State should encourage people to seek preventative health care to ensure they do not become a greater burden on the healthcare system when they become ill.

Whilst those who are well to do cannot see anything wrong with a co-payment of \$7 for seeing a doctor or receiving treatment at a hospital, many of my constituents do not have a spare \$7 for this purpose. Also, those taking two children to a doctor or hospital would have to pay more than \$7, more likely nearly \$14. Meals on Wheels, which delivers food to those who cannot feed themselves, has reported to me that some of their customers are not meeting their required nutritional levels and, in fact, are reducing their meal orders because they cannot afford the small amount of money those meals cost. Any additional financial burden on people who are already struggling would deter them from seeking health care. This is unfair.

Universal, free health care goes to the very fabric and soul of the Labor Party. The Labor Party took this to the Australian people in 1972, with the establishment of Medibank following the election of the Whitlam Government. Under Whitlam the Labor Party sought to introduce universal health care, but this was vehemently opposed by the Conservatives. The introduction of universal health care went to a double dissolution election in 1974 and joint sittings of the Federal Parliament to ensure Medibank was established. On the defeat of the Whitlam Government this changed. One of the first things the Conservatives did under Malcolm Fraser was to get rid of Medibank and thus get rid of universal health care. I remind members of something I saw when I was a 19-year-old petty sessions clerk at Newtown courthouse. Poor people were being sued for thousands of dollars incurred for medical treatment at public hospitals. These people could not pay, but writs of execution and garnishee orders were served. I saw the impact of Tory policy on these people. [*Extension of time agreed to.*]

Medibank was dismantled by the Fraser Government and universal health care was restored in 1983, following the election of the Hawke Government. Universal health care, with free treatment at public hospitals and bulk billing by medical practitioners, is now so entrenched in this country that not even Prime Minister John Howard could suggest its removal. A co-payment for medical treatment is a huge burden on the section of society that cannot afford it. Paying to attend public hospitals is also a huge burden on those we are bound to protect. If the Government wants a sustainable healthcare system it should look at preventative health and proper efficiencies, not Treasury cuts across the board and instituting co-payments. This is an opportunity for the New South Wales Government to support a bill that would entrench in the State the free hospital system that currently exists. I commend the bill to the House.

**Ms TANIA MIHAILUK** (Bankstown) [11.25 a.m.]: As the shadow Minister for Healthy Lifestyles I make a contribution in support of the Health Services Amendment (Guaranteeing Free Public Hospital Services) Bill 2014. Members on this side of the Chamber know the importance of a free and accessible public health system. History will remember that it was Labor Prime Minister and legend Gough Whitlam who established Medibank, setting up the bulk-billing system to ensure that every day Australians could see a general practitioner at no cost. History will also remember that it was Liberal Prime Minister Tony Abbott who dismantled Medicare, with the planned introduction of the \$7 general practitioner [GP] co-contribution tax.

History will also remember that the New South Wales Premier Mike Baird failed to stand up to Tony Abbott and has indicated his belief in privatisation, I believe, particularly of hospitals. Disturbingly, the Abbott Government has also proposed to allow State and Territory governments to charge patients for general practitioner equivalent visits to emergency departments. This will be the end of free health care as we know it. The New South Wales Opposition has one very clear and fundamental principle that will be enshrined in this bill—namely, that free access to public hospital emergency rooms in New South Wales is not negotiable. History will not be kind to the Government that removes this principle. This bill will amend the Health Services Act to insert new section 75A, which states that:

Despite this or any other Act or law or any agreement between the Commonwealth and the State of New South Wales, no fee is to be charged for any health service provided to a patient by a public hospital that was, under any such agreement, required to be provided free of charge as at 29 May 2014.

Upon assent to this legislation, no patient in a public hospital will be charged for any health services that are currently free of charge. I congratulate the Leader of the Opposition, John Robertson, on having the strength of character and foresight to stand up to Tony Abbott and introduce this bill, something that Premier Baird is too gutless to do. Premier Baird obviously does not wish to hurt his best friend's feelings.

**Ms Gabrielle Upton:** Point of order: My point of order refers to Standing Order 73. A personal reflection has been made by the statement of the member opposite. Such reflection can only be moved by substantive motion.

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

**Ms TANIA MIHAILUK:** I note for the record that Premier Baird stated in this place on 14 May 2014, when referring to the \$7 GP tax, that "We will be ruling that out". Yet a mere two days later, at a press conference with his buddy Tony Abbott, Premier Baird softened his stance by saying, "We will be considering and obviously watching events as they unfold". That says a lot about Premier Baird, does it not? In fact, for a lot of his actions the Premier seems to wait until events unfold, as he has with the Independent Commission Against Corruption.

Shame on this Government if it even considers slugging vulnerable families and pensioners with a \$7 GP tax that they will not be able to afford. Shame on this Government for considering imposing this fee at a time when families are already struggling with the cost of living, which is only going to increase following the privatisation of electricity and water, and potentially hospitals down the track. If members opposite are genuine about ruling out the Federal Liberal Government's tax I urge every single one of them to listen to their outraged constituents and to show bipartisan support for free access to hospital emergency rooms by voting for this bill.

The \$7 GP tax will have a devastating impact across the public health system in New South Wales. Low-income families and pensioners who have no choice but to make multiple trips to a general practitioner every week will be hit in their back pockets. Families with sick or disabled children, who are already doing it tough, will see their expenses skyrocket. Many of these people will attempt to evade the \$7 GP tax by going to their local free public hospital. This will cause even greater delays in our emergency rooms, which are already struggling to cope following the Liberal Government's \$3 billion cuts to hospitals—abhorrent hospital cuts that continue to put patient care at risk and place pressure on hardworking doctors, nurses and health professionals.

Regular visits to a general practitioner play an important role in ensuring that Australians maintain a healthy lifestyle. This is especially the case following the acute increase in the prevalence of preventable diseases such as diabetes and heart disease. We know that early detection through medical evaluations, testing or screening by a local general practitioner plays a critical role in preserving and maintaining heart health. Doctors provide invaluable prevention and treatment advice to patients, especially on how to manage various lifestyle factors that lead to heart disease, such as smoking, hypertension, diet, obesity, exercise, cholesterol and diabetes. Early detection and treatment are imperative when it comes to preventing lifestyle-related diseases, which is why it is all the more important that all people in New South Wales continue to have free access to hospital emergency rooms.

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

## FOOD REGULATION SYSTEM

### Debate resumed from 7 August 2014.

**Dr ANDREW McDONALD** (Macquarie Fields) [11.30 a.m.]: I continue from last week when I was speaking about the total direct and indirect costs of overweight and obesity in 2009 being \$37 billion—twice the State Health budget. Health prevention can be achieved cost-effectively with front-of-package nutrition labelling. The World Health Organization considers that the standardisation of front-of-package nutrition labelling is one of the most cost-effective ways of preventing childhood obesity. The Australian Institute of Health and Welfare emphasises the importance of establishing healthy eating habits in early childhood to prevent the burden of chronic diseases associated with obesity in later life. A food star rating system, which makes it clear to everyone what are good choices and what are bad choices, is vital to the future of health care in New South Wales.

That is why in June 2013 the Legislative and Governance Forum on Food Regulation—a group of State and Federal health representatives, including from New South Wales—endorsed a front-of-package labelling system applying to all manufactured, packaged and processed foods. The key element of this scheme was the star rating system. Industry was to have two years to adopt the scheme voluntarily before making it compulsory, if need be. A cost-benefit analysis of the proposed scheme was released in May 2014 and its findings were clear: If no action is taken by the end of this decade, overweight and obesity will cost Australia \$106 billion per annum. By contrast, the scheme, which will cost \$12 million a year to administer—\$8.1 million by manufacturers, \$3 million by governments and \$1.2 by non-government organisations—would break even if it reduced obesity growth by 0.04 per cent.

PricewaterhouseCoopers found there is clear evidence that front-of-package labelling is an effective tool in assisting consumers make healthier food choices, and that the potential risk of not fully realising the benefits of this scheme can be managed and mitigated through efforts by industry, government and non-government organisations to educate, promote and drive change. Everyone—Ministers, health professionals and the public—knows that this is an effective scheme which is why there is such pressure for the scheme to be implemented. The scheme works brilliantly for cars and would work brilliantly for food.

That is why the New South Wales health Minister and other State Ministers supported the scheme: It is good public health policy. However, as soon as the scheme was agreed to it was killed by the Federal Assistant Minister for Health, Fiona Nash, because she had a fatal conflict of interest, as did her chief of staff, Alastair Furnival, who rang the Department of Health and forced it to take down the website that was to be part of the health star rating system. This was a tragedy for public health. As Michael Moore from the Australian Public Health Association said:

We put in a huge amount of time and effort, and did it in good faith, and dealt with this particular section of industry in good faith. Now we see a turning away from that and the use of that standard political tactic when you don't want something to happen, of delay.

That is why it is disappointing that there has been agreement to restore the website with a five-year trial period rather than a two-year trial period. This is a win for the manufactured food industry because it delays further the necessity for adequate food labelling. The aim of the manufactured food industry is to create confusion. This was a simple scheme that had the support of everyone in the industry and the wider community, and it was killed by a Minister who had a fatal conflict of interest and clearly no interest in public health. I urge all members to support this motion because it is good for the health of the people of New South Wales.

**Mr MATT KEAN** (Hornsby-Parliamentary Secretary) [11.35 a.m.]: This motion should be seen as the cheap political stunt it is. The member for Macquarie Fields should be ashamed of himself. He knows full well that what he is calling for is a stunt. It is very cheeky of the member for Macquarie Fields because he knows that the health star rating system continues to be progressed and it will not be delayed. Everyone agrees that we should be rightly concerned about the rate of obesity in New South Wales, and indeed in the Commonwealth. Currently in New South Wales, 52.6 per cent of adults and 22.8 per cent of children have been determined to be obese. That will have enormous impacts on our health system, on the delivery of health services and on the health and wellbeing of many Australians.

I commend the member for Macquarie Fields for pointing this out and for standing against it. But he is being tricky by saying that the Government opposes measures to reduce the rate of obesity, which is absolutely not the case. No-one on this side of the House opposes those measures. In fact, the New South Wales Government supports the nutritional star rating. But the member for Macquarie Fields did not mention that in

his speech. He did not mention that the Minister for Health was one of the strongest advocates for and champions of the health star rating system. This motion is a cheap political stunt by the member for Macquarie Fields, who is attempting to score cheap political points against the Federal Government, which is also committed to implementing the health star rating system.

At its latest meeting on 27 June 2014 the Legislative and Governance Forum on Food Regulation, which is made up of Commonwealth, State and Territory, and New Zealand food Ministers, agreed that the health star rating system should be implemented voluntarily over the next five years and that there will be a review of the progress of implementation after two years. I would like to debunk a number of claims made by the member for Macquarie Fields about why the website for the health star rating system was taken down. He failed to mention that there were concerns about the system. We have some examples of why consumers in New South Wales and across the Commonwealth needed further information. For example, low-fat yoghurt scored five stars and full-cream yoghurt scored two stars. That could be confusing for parents with children less than two years old, because those children should have full-cream products, as stated in the National Health and Medical Research Council guidelines.

**Mr Gareth Ward:** It wrecked my diet.

**Mr MATT KEAN:** It has wrecked Gareth's diet, I know that. Orange juice was rated five stars but there is currently nothing in the health star rating system explaining quantities. We do not want to mislead consumers to think that drinking a litre of orange juice a day is healthy. This is the problem when we have a one-size-fits-all approach: a blunt instrument. When Labor members are lost what do they do? They go to their favourite old chestnut—more regulation.

**Mr Gareth Ward:** That's right; more red tape.

**Mr MATT KEAN:** More regulation, more red tape and more restrictions on people's lives. Those opposite want the Government to tell people what to do. The member for Macquarie Fields wants to put more restrictions on people's lives. Members opposite say they have abandoned the socialist objective. But here we have it, plain and simple. They are standing up for more socialism, regulation and interference in people's lives. We do not oppose the health star rating system. Indeed, we support it. But I will not let the socialist member for Macquarie Fields spruik his lies for his own political benefit. Again, the website was taken down because the community needed more information. It had not been developed adequately; a number of kinks in the system needed to be ironed out. A cost-benefit analysis, which was a requirement under the Council of Australian Governments agreement, had not been done.

Surprisingly, the previous Government had not done a cost-benefit analysis of a huge piece of legislation! That is extraordinary. I am sure that people reading *Hansard* will be shocked to learn that Labor had not done due diligence before rolling out a policy that would put more red tape in people's lives. But did the member for Macquarie Fields mention that minor detail? No. He simply forgot; he airbrushed that out of his argument. There was no explanatory communication or education information. That is still being developed. To put up the website without an explanatory and education program—helping people to understand what the rating system referred to, the differences in it et cetera—would have confused consumers. I know that Labor members like to confuse consumers. They like telling porky pies when it comes to measures that restrict people's freedoms, regulate their lives and raise taxes.

Members on this side of the House believe in openness, accountability and transparency. When it comes to rolling out policies such as the health star rating system, we think the community deserves to know the impact that it will have on people's lives. I have a great deal of respect for the member for Macquarie Fields; I like him very much. He is not a bad cricketer to boot. However, I will not let him mislead the community about why the website was taken down. The Government believes in the health star rating system. The Minister for Health is a great champion of the idea to help improve education so that people can make good choices. We know that it is a fairly simple formula. The message could not be clearer: Eat less fat, sugar, salt and processed foods, eat more vegetables and fruit, and do more exercise. If the health star rating system helps us do that, bring it on.

**Mrs TANYA DAVIES** (Mulgoa) [11.42 a.m.]: I am pleased to join my colleague the member for Hornsby in shedding more light on the motion moved by the member for Macquarie Fields. I join the member for Macquarie Fields in expressing concern about the growing number of overweight individuals in our community and the level of obesity that is affecting our society. It is estimated that 52.6 per cent of adults and

22.8 per cent of children in New South Wales are either overweight or obese. The evidence shows clearly that being overweight or obese increases the risks of developing a chronic disease, including diabetes and heart disease. It also dramatically impacts on a person's ability to engage with their daily requirements and activities. It affects their ability to get involved in community actions and groups. It can affect their self-esteem and confidence, and it can have a direct impact on their ability to build healthy, strong relationships and make positive and growing career choices.

There is growing evidence that obesity and being overweight communicates certain messages to the wider community, and we need to help these people. It has been estimated that the economic impact of obesity in New South Wales alone is about \$19 billion. The New South Wales Government is committed to reducing the impact of lifestyle-related chronic diseases, and the Government outlined its commitment in the New South Wales Healthy Eating and Active Living strategy. It is a five-year strategy providing a whole-of-government framework. Page 49 of the strategy presents the testimony of a young man, Parminder Singh, who took personal responsibility and telephoned the Get Healthy phone number. He then began his journey of losing 17.5 kilograms, with the desire to set a positive example for his two-year-old son. That example highlights another point critical to the debate about being overweight or obese—that is, personal and parental responsibility.

As a community, we need to take up the challenge of being personally accountable for our actions. Many schools across our great State are Crunch&Sip schools and some are healthy eating only schools, which strongly encourage young people to bring only healthy food choices to school. Despite that promotion in schools, it is common for kids to arrive at school with unhealthy snacks in their lunch boxes. That can occur only if parents buy unhealthy snacks for them. Together with the New South Wales Government's strategy and our commitment to addressing obesity and overweight challenges in our community, individuals must make the right choice daily for themselves and their families—leading by example by eating healthily, exercising and drinking plenty of water.

**Dr ANDREW McDONALD** (Macquarie Fields) [11.46 a.m.], in reply: I thank the member for Mulgoa and the member for Hornsby for their contributions to the debate. I am disappointed that the Government has chosen to oppose this motion and will be voting that way. The fact that only two Government members spoke in the debate says it all. It is clear from the way they spoke that this motion would win a conscience vote because it is good public policy. While there is a philosophical discussion about personal responsibility—

**Mr Matt Kean:** We're supporting it.

**Dr ANDREW McDONALD:** The Government is opposing it.

**Mr Matt Kean:** We are supporting health star ratings.

**Dr ANDREW McDONALD:** If the Government is supporting health star ratings it would support the motion. The evidence is clear: Health star ratings are effective. Obviously the member for Hornsby did not read my speech because I pointed out that the health Minister was a champion of this initiative. The Government should have stuck to its guns and insisted that the health star rating system was introduced sooner rather than later. Members opposite can talk about personal responsibility all they like, but without adequate, clear information people have difficulty making the choices necessary to protect their health and that of their children. Evidence shows that many programs introduced by governments of all persuasions—for example, health coaching programs—are much less cost effective than front-of-package labelling. A clear example is the most recent health report on a large study in Scandinavia, which found precisely that. If the Government were interested in cost-effectiveness it would introduce ways of protecting public health such as front-of-package labelling.

PricewaterhouseCoopers found that a 0.04 per cent reduction in the rate of obesity would cover all program costs, which makes this program a most cost-effective health intervention that will have the greatest effect on the New South Wales public health system into the future. This is clearly a beneficial program. The Minister should have spoken to this motion and explained what she has done and why she has given in to the manufactured food industry by allowing a five-year delay. The food industry wants further and greater delays. It wants to delay the introduction of a system that it knows will reduce the consumption of unhealthy foods. It opposes the system because it is bad for business.

I refer now to the conflict of interest on the part of Alastair Furnival, who is morally bankrupt. He earns money from the food industry and is deliberately using his position of power in a ministerial office to torpedo something that is good for public health. The program has now been delayed for five years, and effectively the food industry has got great value for money by paying his family to effect that delay. We are now five years further away from the introduction of a simple and effective way to improve the health of the people of New

South Wales. It is clear that this Government says one thing but does another in relation to health. The Government said that it supports a health star rating yet refuses to stand up for the rapid introduction of this program, which has the support of the community.

**Mr Matt Kean:** Point of order: I refer to Standing Order 76. The contribution of the member for Macquarie Fields must be relevant to the motion.

**The ASSISTANT-SPEAKER (Mr Andrew Fraser):** Order! I did not hear the comments of the member for Macquarie Fields. The member's time has expired.

**Mr Gareth Ward:** Wake up!

**The ASSISTANT-SPEAKER (Mr Andrew Fraser):** Order! I remind the Liberal Party Deputy Whip that he is in the Chamber and he should not make comments that reflect on the Chair.

**Question—That the motion be agreed to—put.**

**The House divided.**

**Ayes, 20**

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

**Noes, 52**

Mr Anderson	Mr Evans	Mr Page
Mr Aplin	Mr Flowers	Ms Parker
Mr Ayres	Mr Gee	Mr Perrottet
Mr Baird	Mr George	Mr Provest
Mr Barilaro	Ms Gibbons	Mr Rowell
Mr Bassett	Mr Grant	Mrs Sage
Mr Baumann	Mr Gulaptis	Mrs Skinner
Ms Berejikian	Mr Hartcher	Mr Souris
Mr Bromhead	Ms Hodgkinson	Mr Spence
Mr Casuscelli	Mr Holstein	Mr Stokes
Mr Conolly	Mr Issa	Mr Stoner
Mr Constance	Mr Kean	Mr Toole
Mr Coure	Dr Lee	Mr Ward
Mrs Davies	Mr Maguire	Mrs Williams
Mr Dominello	Mr Marshall	
Mr Doyle	Mr Notley-Smith	<i>Tellers,</i>
Mr Edwards	Mr O'Dea	Mr Patterson
Mr Elliott	Mr O'Farrell	Mr J. D. Williams

**Pairs**

Mr Collier	Ms Goward
Ms Hay	Mr Hazzard
Mr Rees	Mr Piccoli
Ms Tebbutt	Ms Roberts

**Question resolved in the negative.**

**Motion negatived.**

## WESTCONNEX MOTORWAY

### Personal Explanation

**Mr RICHARD AMERY**, by leave: I wish to make a personal explanation. Yesterday in question time the Deputy Premier, referring to me, said:

On radio yesterday the member for Mount Druitt was honest when he described working with the Leader of the Opposition as "challenging".

First, I was not on the radio the day before yesterday. The last time I was on radio it was on a His Master's Voice [HMV] Little Nipper; it was about 1964. Secondly, I think what the Deputy Premier was referring to was a printed statement I made over the weekend that I will read into *Hansard* to correct the record. I said:

I am glad I contested the last election (2011) as it was the worst electoral period for the Labor Party and it has been both challenging and satisfying to work with Labor Leader, John Robertson, as he brought the Parliamentary Party back from its lowest point.

**The ASSISTANT-SPEAKER (Mr Andrew Fraser):** Order! I thank the member for Mount Druitt for his admissions.

## HUNTER HOSPITALS FUNDING

**Ms SONIA HORNER** (Wallsend) [12.06 p.m.]: I move:

That this House:

- (1) Notes that in the three months to September 2013 the emergency department of John Hunter Hospital and Maitland Hospital failed to meet the national performance target of seeing 71 per cent of patients within four hours.
- (2) Notes that both emergency departments are struggling to cope with increased demand on their services.
- (3) Calls on the Minister for Health to urgently increase funding and staff at these hospitals so that their emergency departments meet the national target.

The past three years have seen the Hunter haemorrhaging medical services as this Government takes the pruning shears to health funding. The Minister likes to say that the Government has invested record amounts in health. We are not seeing this investment in the Hunter. Instead, we are seeing cut after cut after cut. We are seeing up to 50 counsellors lose their jobs and vital counselling services axed. Of this inexplicable decision a constituent who wrote to me said:

The cost to the community in the long run will be overwhelming.

The John Hunter Eye Clinic was defunded in 2012 and although the Government has taken several steps to correct this grave error of its own making, we are yet to see the clinic open even though it was promised that would occur in August. Reverend Keith Joseph, an Anglican priest with a doctorate in medical ethics, after suffering a retinal detachment and having to be rushed to Sydney in order to save his sight, told the *Newcastle Herald*:

John Hunter Hospital is supposed to be a centre for excellence for all of Northern NSW.

Clearly the care being offered to Hunter residents ... is substandard.

John Hunter Hospital's emergency department sees an average of 200 patients every day, which adds up to 70,000 patients a year. Almost one-third of these are children. Recently the *Newcastle Herald* reported that during the January to March period 64 per cent of patients left the emergency department within four hours. I acknowledge that this was a significant improvement on the same period in 2012 when only 48 per cent of patients were seen within four hours. Regardless of any improvement, this falls well below the State's target of 81 per cent. Indeed, the improvement has not been replicated across the Hunter. Maitland Hospital reported 68 per cent of patients getting out in four hours or less in the period January to March, down from 69 per cent the year before. Jenny Aitchison, a Maitland business owner, stated:

Maitland Hospital has the second largest number of attendances for any emergency department in the Hunter. Despite the best efforts of our local doctors and nurses, we have 1 in 20 people waiting over 12 hours before they leave emergency. This is over three times the National Emergency Target. It's unacceptable.

I stress again that it is not the fault of hardworking nurses, doctors and staff; they are doing the best they can with limited resources. A comment on the *Newcastle Herald* website states, "They do double the work with half the front-line staff." Another comment states, "A great achievement for a team that is under-resourced, understaffed and overworked." A *Newcastle Herald* report last year revealed that the John Hunter Hospital emergency department treated 3,641 more patients during the 2012-13 financial year than in the 2011-12 financial year—an average of 10 more per day than the comparably sized Liverpool Hospital. That is despite having 20 fewer full-time nurses and almost 40 per cent fewer full-time equivalent advanced trainee doctors.

This highlights this Government's disregard for health care in the Hunter. The Government is reticent about providing any information concerning where or when the Lower Hunter hospital will be built in Maitland. There is no word on when the construction will start or what services will be provided. We do not even know if the hospital will be publicly funded and operated or reserved for private patients. The Premier recently visited Maitland for a whistlestop visit but no more information was forthcoming. He did stand in front of the sign, of course. In the face of the massive cuts the Federal budget will levy against the healthcare system the crisis in Hunter health care is set to get even worse.

Hunter-New England Health can expect to lose more than \$200 million in Federal funding over the next five years. Health Services Union ambulance sub-branch president Peter Rumball said, "The staff in emergency departments are already worked to the bone." How much worse can it get? The Abbott Government has removed funding incentives for hospitals to reach emergency department and elective surgery targets. The proposed GP co-payment could also see a spike in patients seeking emergency department care, as was raised in earlier debate. The President of the Australian Medical Association, Associate Professor Brian Owler, stated:

In terms of the co-payment and the effect on emergency departments, we all have fears that patients, instead of seeing their GPs, but also accessing pathology and diagnostic imaging services will default to our public hospital system.

The Premier's commitment to fighting the Federal Government's unfair cuts must be questioned. Following the Federal Government's announcement he decried it day after day as a "kick in the guts", but just days later he backflipped. I call on the Minister for Health to do everything within her power to insulate the State's health system from the Federal Government's savage cuts and make sure the Hunter's hard-won gains are not lost. I call on her, this Government and local Liberal members—those that still exist—to increase staff funding and funding for Hunter hospitals and see that the residents of Newcastle and the Hunter receive adequate healthcare services.

**Ms ROBYN PARKER** (Maitland) [12.13 p.m.]: It is like *Groundhog Day*. It is another Thursday in the House and we have another negative motion from the member for Wallsend bagging the Hunter. Today it is the hardworking doctors, nurses and allied health workers. The member is constantly negative about the great work they are doing in hospitals across the Hunter region. We in the New South Wales Government are proud of them and particularly proud of the record funding that the Government has provided and the record number of extra nurses at John Hunter Hospital. As the member for Maitland I am proud of the \$20 million we have put into providing a new hospital site and beginning the planning for a new regional hospital—a teaching hospital, a public hospital.

In my electorate another \$2 million has gone into refurbishing the mental health unit. The member for Wallsend is never one to let the facts get in the way of a good story. Let me correct the record. John Hunter Hospital is one of the busiest hospitals in the State. It provides emergency care, critical care, acute care and surgical services for people across the Hunter-New England region. The emergency department sees something like 70,000 presentations every year. That gives members an indication of how busy it is. The staff work extremely hard to ensure that patients are treated within a four-hour benchmark.

The results are encouraging. In the three months to December 2013, 64.5 per cent of patients left John Hunter Hospital's emergency department within four hours. That is up from 51.6 per cent for the same period in 2012. It is an improvement. In the three months to December 2013 there was a 51 per cent decrease in the number of patients leaving without completing treatment when compared to the same period in 2012. A total of 37,500 patients were either discharged or admitted within four hours in 2013. There is continual improvement.

John Hunter Hospital is continuing to deliver improved results, with 63.3 per cent of patients admitted or discharged within four hours for the next six months to June 2014. That is an improvement of 16.3 per cent on the same time for 2013 when the hospital was at 47 per cent. Members will not hear that from the member for Wallsend. What they will hear is negative talking down of this hospital and those great outcomes. The

figures do not lie. Across the district the result has been the same. We see improvement in target times of 3.2 per cent on the same time last year, and up to a 77.8 per cent improvement in on-time care. The results reflect what the Government is doing across New South Wales.

The Government has employed an additional 4,600 nurses since the election in March 2011. Emergency department performance is a whole-of-hospital priority. It continues to improve and all staff members are concentrating on that. When a new hospital is built in the Maitland electorate the pressure on John Hunter Hospital will be relieved. People from Port Stephens will access the new Maitland public teaching hospital and that will be a great thing. That planning takes some time. Unlike the last Government we will not plan a hospital where the trolleys cannot go through the door. This Government will take the time to get it right. We expect that in the second half of this year we will have the plans. We are not building a bus shelter, we are building a broad-ranging, large teaching facility sized somewhere between the Mater and John Hunter.

The member for Wallsend referred to the ophthalmology outpatient clinic. The member is aware that outpatient clinics will be opened. When the Premier visited the Hunter region the director, Michael DiRienzo, reassured people that local ophthalmologists had agreed that eight eye conditions will be treated in the John Hunter ophthalmology outpatient clinic. The first patients will be treated towards the end of this month. The Hunter-New England Local Health District is working with local ophthalmologists to determine their availability to begin seeing outpatients. The district will be communicating with local GPs to see what other services will be provided. I can assure members and the broader community—in particular the member for Wallsend—that the clinic is on track to open at the end of this month.

Apart from all the hard work that is being done, new models of care are constantly being developed within the Lower Hunter region. We have seen in a number of hospitals flexible arrangements for using hospitals for rehabilitation. Nursing rosters have been redesigned. Members will recall the terrible situation with nursing rosters that this Government had to fix. Nurses are really excited about the way in which their rosters are being designed to allow an even distribution of skilled staff and ensure there are consistent numbers of staff across every shift. Currently there are more than 95 full-time equivalent nurses for the John Hunter Emergency Department main area and an additional 11 full-time equivalent in the emergency short stay unit.

We saw in the last budget an increase in funding for the John Hunter Hospital neonatal intensive care unit. There are some fantastic things happening with the children's centre at John Hunter Hospital. Hunter local medical care is running some fantastic programs and the after-hours GP service is a huge success story. It is a different story. John Hunter Hospital and Maitland Hospital are two of 42 sites, I might add, across New South Wales that are part of the New South Wales Government's whole-of-hospital program, which looks at ways in which to connect and streamline the processes and communication throughout the hospital, to get people moving through the system effectively and efficiently. It is about a whole team. I think it is a great story from this Government and a great story at John Hunter Hospital.

**Dr ANDREW McDONALD** (Macquarie Fields) [12.20 p.m.]: In contrast to the now Government which used every opportunity when in opposition to criticise and talk down the New South Wales health system, I have deliberately said that we run one of the world's better health systems and John Hunter Hospital and the other Hunter hospitals are good hospitals, and they have excellent universities and extremely high standards of teaching and of clinical care. These hospitals were built by the previous Labor Government; but it does not matter how you build them, what matters is that they are properly staffed. I note that the member for Maitland has said that for \$20 million the people of the Lower Hunter have got a site. But we have no plan, we have no timeline, we have no transparency as to how the bill is going to be funded and we do not know the date of opening of that hospital. If the member for Maitland knows it, it would be nice if she shared it with the people of the Hunter, because for \$20 million the Government should have a lot more than just a site. I have been involved in numerous hospital rebuilds; it does not take three years just to get a \$20 million site.

Those who attend the Hunter emergency departments need only be aware of this: it does not have to be like this, you should not have to wait that long. With \$3 billion worth of health cuts you have been duded by your local members. The long waiting lists are unnecessary because the young staff studying at John Hunter Hospital would love just one thing, and that is to have a future at John Hunter Hospital. To do that all they need is a job. I teach these people; I know how good they are. Their generation of young health workers is one of the best we have ever seen. All they want is a job at John Hunter Hospital. They want to work there, they are committed to working there, but they will not be given jobs at John Hunter Hospital, at Calvary or at the new Lower Hunter hospital because of the cuts.

It is a tragedy because the national emergency access target introduced by the Labor Government is a very important patient safety measure. It is not just about convenience. It is about patient safety because the science is quite clear—an overcrowded emergency department is less safe, not just for clinical care, but also because of the risk of violence, as we are seeing in the Hunter. The extra nurses are there solely as a result of the rollout of the award that was signed by the previous Labor Government. Since then this Government has refused even to discuss the calls for staff ratios in emergency departments. If the Government is serious about continuing to improve the emergency access targets, it must realise that nursing staff numbers are vital because it is standard procedure to assess a patient wherever they are, and it cannot be done without staff.

This current quarter is one of the busiest we have ever seen. Our figures will not be released until December; but it is not just about the emergency department, it is also about blocks in theatre access. For example, the Nurses Association is very worried about the number of staff in the operating suite. Because there are not enough staff to meet the standards agreed to in 2008, people wait longer than is necessary to clear theatre. That causes blocks in the emergency department, which means that people cannot get out of the emergency department for their surgery. I urge the Minister to investigate the staffing of the operating suite at John Hunter Hospital. The staff are very worried about it and it is eminently capable of being fixed and would substantially improve not only the operating suite but also the functioning of the emergency department.

**Mr GARETH WARD (Kiama) [12.24 p.m.]:** I am delighted to support my friend and colleague the member for Maitland, who is a vivacious, hardworking local member who gets things done for her community. She has been a tremendous advocate for the people of Maitland in this Parliament and continues to be so, on all issues, but particularly in the area of health care. I will respond to what has been said in the debate before I make some substantive arguments in relation to John Hunter Hospital. The member for Wallsend has moved a motion talking down the doctors, nurses and staff who are doing the best with the resources they have. No matter who is in government, health services will always be a genuine challenge faced by all sides of the Parliament. It comes back to the management of resources.

Rather than having a head office in North Sydney, which is what those opposite were happy to abide by, we said we wanted to devolve decision-making to a local level, so that local doctors, local nurses and clinicians make decisions about what is most important and how to use the resources they have. That is exactly what this Government has done and will continue to do—listen to doctors, nurses and clinicians, including those at John Hunter Hospital. All I ever see from the Opposition is press conferences. They go to a local hospital, as they do at John Hunter Hospital and in Shoalhaven, and stand out the front of a hospital and talk to the media but never to the doctors or the nurses because they are not concerned about them. They talk to the union but not the people on the front line.

**Ms Sonia Horner:** Point of order: My point of order relates to Standing Order 129, relevance. I do not go to do press conferences, because I never get invited to John Hunter Hospital.

**The ASSISTANT-SPEAKER (Mr Andrew Fraser):** Order! There is no point of order. I remind the member for Wallsend that no-one interrupted her speech with a spurious point of order.

**Mr GARETH WARD:** Of course, the member for Wallsend does not have the manners that other people do and clearly the member for Wallsend does not go to hospitals. She has admitted that she does not go to John Hunter Hospital. Perhaps the member for Wallsend should go to John Hunter Hospital and talk to people about services. She has just admitted in this Parliament she does not go, so perhaps she should go because then she would not talk them down, she would know about the good work that is being done and that the member for Maitland is doing. The member for Wallsend does not even bother talking to the doctors and nurses.

**Ms Sonia Horner:** Point of order: You are misleading this House.

**The ASSISTANT-SPEAKER (Mr Andrew Fraser):** Order! There is no point of order. The member for Wallsend will resume her seat.

**Mr GARETH WARD:** Members opposite just continually interrupt because they know that the member for Maitland has secured \$20 million to get on with a plan. Where is the commitment from those opposite? They come into this House—and I am sick of this—with no plans, no position and no policy. The last budget has been handed down. It is now time for members opposite to indicate what they would do if they were elected. They are opposing things such as asset recycling that will put money back into new assets and deliver new infrastructure.

**Ms Anna Watson:** You mean privatisation; call it for what it is, privatisation.

**Mr GARETH WARD:** Of course, the member for the United Services Union, the salient voice of socialism—

**Ms Anna Watson:** And I am proud to be the member of the United Services Union, no problem whatsoever.

**Mr GARETH WARD:** —the member for Shellharbour, right on the money, comes in and says "privatisation". That was Labor's plan. Our plan is to have a long-term lease. You continue to lie to the people of New South Wales about what we would do.

**Ms Sonia Hornery:** Point of order—

**The ASSISTANT-SPEAKER (Mr Andrew Fraser):** Order! I trust this point of order is within the standing orders.

**Ms Sonia Hornery:** Yes it is. My point of order relates to Standing Order 129, relevance. The member for Shellharbour has no relevance to this.

**The ASSISTANT-SPEAKER (Mr Andrew Fraser):** Order! The member for Wallsend will resume her seat. The member for Shellharbour continues to interject and whilst she does so she will be subject to response from the member with the call.

**Mr GARETH WARD:** I say to members of the Opposition that they need to come forward with a plan as to what they would do, because the member for Maitland has a plan to deliver for this hospital and the hospitals in our area. Members opposite need to put up or shut up, because at this stage they have no policies and no plans. The stark contrast is clear. At the next election there will be candidates on the ballot paper for Maitland. Only one of them has a plan to deliver better health services for the Hunter and that is Robyn Parker, the member for Maitland.

**Ms ANNA WATSON (Shellharbour)** [12.28 p.m.]: Are you her campaign director? I will adhere to the motion moved by the member for Wallsend because it is a very good motion and I am not going to be put off track by the member for Kiama. Later I will be bringing to the House questions on notice in relation to Shellharbour Hospital. I support the motion by the member for Wallsend. It is no secret that since this Government was elected in 2011 John Hunter Hospital, along with many other public hospitals, has seen a decrease in funding and a decrease in staff, which has resulted in emergency departments not meeting national targets. As I have said, emergency department staff are overworked and, in my view, underpaid because we have a government that will not do the right thing by the people of New South Wales. We have a government that cuts funding and cuts staffing numbers. We are seeing the result in John Hunter Hospital's emergency department, which is cash-starved. The hospital is chronically under-resourced. This is nothing short of a disgrace.

**Mr Gareth Ward:** Point of order: My point of order is relevance. When will the member for Shellharbour confirm that her Government closed maternity services at Shellharbour Hospital and when will those services be reopened? Those opposite shut down services; we are opening them.

**The ASSISTANT-SPEAKER (Mr Andrew Fraser):** Order! There is no point of order.

**Ms ANNA WATSON:** Nurses at John Hunter Hospital fear mistakes are being made because they are pushed way beyond reasonable limits. Patient ratios are an ongoing issue for the nurses and their union.

**Mr Gareth Ward:** Point of order: Will the member for Shellharbour table the union document she is reading from? The union has written her speech.

**The ASSISTANT-SPEAKER (Mr Andrew Fraser):** Order! There is no point of order.

**Ms ANNA WATSON:** My speech is hand-written.

**The ASSISTANT-SPEAKER (Mr Andrew Fraser):** Order! Before the member for Shellharbour continues, I remind members that, although these motions attract robust debate, Standing Order 52 clearly states that members are entitled to be heard in silence. We will not have shouting matches between the member with the call and those opposite. I ask members to act with some decorum.

**Ms ANNA WATSON:** The nurses and their union say they require a one-to-three ratio in the emergency department and a one-to-four ratio on the floor. This should be the case for both metropolitan hospitals, where it is the case, and regional and country hospitals. Why are nurses and patients treated differently in different locations? This issue has not yet been addressed. The *Newcastle Herald* reported that freedom of information searches under the Government Information (Public Access) Act to determine staffing levels were done following a series of stories detailing patients being left to languish for hours in overcrowded emergency departments and several failures in care. According to the *Newcastle Herald*:

Distressed staff, who are forbidden to speak to the media, described the emergency department as "dangerous" and said they were run off their feet and patients and staff were suffering.

They warned that with current staffing levels, wait times for patients would continue to increase.

In the remaining time, I will touch on the experience in the John Hunter Hospital of Joan and Barry Alcock of Waratah. They recognised the hard work of the doctors and nurses at the hospital, although they had to wait seven hours for treatment despite presenting at the hospital's emergency department with a life-threatening condition. They were sent home and later readmitted. [*Time expired*]

**Ms SONIA HORNER** (Wallsend) [12.32 p.m.], in reply: I thank members representing the electorates of Maitland, Macquarie Fields, Keira and Shellharbour for their contributions to the debate. I challenge the member for Maitland—although she is not here now it was good to see her in the House speaking on an issue of local concern—to take courage and stand up for her constituents by calling on the leadership of this Government to improve funding and resources for the Hunter New England Health hospitals. The member for Maitland spoke about the eye clinic, an issue I raised in debate.

Despite the public assurances of the Minister for Health that it would be open by now, it is not. Despite the clinic being in the Wallsend electorate, my electorate, and the fact that I have raised community concerns about the John Hunter Hospital bureaucracy sneakily closing the eye clinic more than two years ago, I know that when and if the clinic re-opens the bureaucracy will not have the courtesy to inform me of this prior to any reopening, because I have not been shown any courtesy for the last three years. I sincerely hope the clinic does reopen.

The member for Macquarie Fields reiterated what I had said in praise of the quality of staff at the John Hunter Hospital. In fact, there is a waiting list of people who would love to work at the hospital. Unfortunately, as the member for Macquarie Fields said, with the \$3 billion cut to the Health budget, those people will not find a job at the hospital. The member for Macquarie Fields questioned the time line for building the Lower Hunter hospital. We look forward to this hospital being built and ask the member for Maitland to confirm whether it will be a public hospital or a private hospital. She has not yet had the courage to answer that question; she has shirked that responsibility.

I say to the member for Kiama that I do not believe the community, if they read the *Hansard*, would be happy that the member showed his worst manners throughout this debate. This made everyone feel uncomfortable and did not contribute to the debate. Shame on the member for Kiama for his bad manners throughout the debate. I am disappointed that the member would deliberately and wilfully mislead the House. I would be happy to go to the John Hunter Hospital, but unfortunately members of the Opposition do not get invited.

**Mr Andrew Constance:** For 16 years we had to put up with not getting into our local hospitals. The member opposite should not feign indignation.

**Ms SONIA HORNER:** I will finish after that rude interjection by the Treasurer, who should know better but apparently he does not. I call on the Minister for Health to fund urgently hospitals and the emergency department at the John Hunter Hospital, the Maitland Hospital and other hospitals under Hunter New England Health. I call on the member for Maitland to have the courage to stand up for her electorate and to support me in this motion.

**Question—That the motion be agreed to—put.**

**The House divided.**

**Ayes, 20**

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

**Noes, 50**

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

**Pairs**

Mr Collier	Mr Baird
Ms Hay	Mr Dominello
Mr Rees	Mr Humphries
Ms Tebbutt	Mr Stoner

**Question resolved in the negative.**

**Motion negatived.**

**AUSTRALIAN OPEN MIXED PAIRS BOWLS CHAMPIONS**

**Mrs LESLIE WILLIAMS** (Port Macquarie-Parliamentary Secretary) [12.46 p.m.]: I move:

That this House congratulates Greg Brims of Port City Bowling Club and Jenny Roberts of Lake Cathie Bowling and Recreation Club, who teamed up to win the Australian Open mixed pairs bowls championship in Melbourne.

These two people have teamed up on a number of occasions in bowls championships. Jenny Roberts plays for Lake Cathie Bowling and Recreation Club—I live in Lake Cathie—and Greg Brims, while he is a resident of Lake Cathie, plays for Port City Bowling Club. Winning the Australian Open mixed pairs bowls championship was the highlight of their partnership. The championship took place in Melbourne and they were both happy just to have the opportunity to represent New South Wales. After the win Greg Brims said it was certainly the highlight of his bowling career.

While bowls is a pastime that is enjoyed by many people, particularly in regional areas—and none more so than in the Port Macquarie electorate where we have a demographic that is on the older side—bowling clubs play a very important role in local communities. In my electorate of Port Macquarie there are many bowling clubs, including Westport Bowling Club, Port Macquarie City Bowling Club, Lake Cathie Bowling Club—which is known as the home of the big bowl—North Haven Recreation and Bowling Club, Kew Country

Club, which hosts the bowling club, and Harrington Bowling Club, which has just been renamed Club Harrington. I was pleased to attend the launch of Club Harrington only a few weeks ago. It was quite an exciting occasion and there was a huge turnout from the local community.

It is important to understand that local bowling clubs contribute an enormous amount to the local community. As well as providing exercise for many people they use the sport to raise funds for much-needed charities—local, State and national. Bowling clubs also host many other community organisations. In regional areas bowling clubs make up the social fabric of our communities. I congratulate all of the bowling clubs in my electorate and across the State on doing a wonderful job. As many people know, Port Macquarie hosts many major events including the Ironman, in which we have been successful for a number of years—both the full Ironman and the Ironman 70.3. Port Macquarie also hosts the NSW Touch Association State Cup and the Junior State Cup every year, which brings thousands of competitors to our local area. In recent years we have hosted the Australian Surf Festival, and most recently we hosted a round of the NSW Motocross Championships.

We often host significant bowling events in the electorate. Indeed, the Women's Bowls NSW Bowling Club Insurance Brokers Carnival, which is a big event on the women's bowling calendar, will be staged in Port Macquarie in 2015 and 2016. This significant bowling event has been hosted in the Shoalhaven on the South Coast for the past two years. I hear that they did a fantastic job in hosting that event, and well done to all of them down there. As the local member for Port Macquarie I am pleased that this event will be held in the Port Macquarie electorate in 2015 and 2016. We are expecting more than 1,000 competitors at the event, which has a huge spin-off for the local economy and for our local sporting calendar. I note that the event will be celebrating its eighty-sixth year in 2015. As I said, there will be more than 1,000 competitors, and about 500 spectators and supporters are expected to come along with the players for this week-long tournament. We hope that Port Macquarie puts on some fine weather for them.

The President of Women's Bowls NSW, Robyn Proctor, said that the carnival had enjoyed great success when it had been held in Port Macquarie previously, and was expected to continue to thrive and grow in 2015 and 2016 when Port Macquarie hosts it again. Once again I congratulate Greg Brims and Jenny Roberts on their outstanding effort in winning the mixed pairs at the Australia Open. It is an incredible feat. When Greg Brims spoke to the media he said it was undoubtedly one of the highlights of his career. This bowling team has an impressive record. As I said, the heartiest congratulations go to them on their outstanding effort.

**Mr RICHARD AMERY** (Mount Druitt) [12.52 p.m.]: The Opposition will be happy to support the motion moved by the member for Port Macquarie, which congratulates two local bowlers, Greg Brims of the Port City Bowling Club and Jenny Roberts of the Lake Cathie Bowling Club, who teamed up to win the Australian Open Mixed Pairs Championship held in Melbourne. I congratulate the member for Port Macquarie on highlighting that a couple of her local clubs have made significant contributions to the game of bowls, as well as recognising the value of the game. She recognised also the good work of bowling clubs in the Port Macquarie electorate and throughout the country, not only providing appropriate recreation for participants—stiff competition in pennants games, club championships and the like—but also representing Australia at the Commonwealth Games, national games and so on.

Australia's bowling team is highly regarded throughout the world. I do not have the figures with me, but I recall a statement made some time last year by an official from Bowls NSW, who made the point that, although many people think that the game of bowls is played mainly by retired or elderly people, at that time the average age of members of the Australian national bowling teams for men and women was lower than the equivalent Australian cricket team. That shows that the game has become much more broadly based in the community. Our national and State teams show young men and women achieving great results not only on the Australian and State stages but also internationally. We did quite well at the recent Commonwealth Games.

The member for Port Macquarie spoke about the bowling clubs in her electorate, which are probably the largest clubs in the country. Without referring to statistics, I recall back in the 1990s playing a game of bowls at Port Macquarie Bowling Club and being overwhelmed by the number of people. If I were not the visiting shadow Minister at that time I am sure I would not have got a game; I learned that people have to book days in advance just to get on a team. I made the observation to the club president that the Port Macquarie club must be the biggest bowling club in Australia. He said, "No way in the world. The one around the corner is." That shows the number of large clubs in the Port Macquarie electorate.

The benefits of the game of bowls are not restricted to recreation. The Blacktown area has lost a couple of clubs: Riverstone Bowling Club closed recently, as did Blacktown Diggers Bowling Club, which was tied to

the Blacktown RSL, but Blacktown city, Toongabbie and the Blacktown Workers Club still provide good greens and club facilities for members participating in the game of bowls. The member for Port Macquarie said that although these games attract many people to clubs for recreational purposes, many clubs hold special days to raise money for things such as bushfire appeals, flood appeals and other disasters, as well as issues that may affect the local community. I have visited many bowling clubs and I have seen members pass the bucket, or the club contribute 50 per cent of its takings to worthwhile causes, helping people affected by natural disasters in particular.

It would be remiss of me if I did not mention that I am the President of the NSW Parliamentary Bowling Club and have been for a number of years. The former member for Seven Hills, Bob Christie, the former Minister Richard Face and the former member for Bankstown, Doug Shedden, encouraged me to take up the game of bowls in 1989. The first bowls carnival in which I participated was in Surfers Paradise. New South Wales did not win on that occasion, but it was a good opportunity for me, as a relatively young and new member of this place, to learn and benefit from the interstate carnival. The interstate bowls carnivals involved not only bowling but also mayoral receptions, party meetings and briefings from government departments. We not only participated in the bowls competition but also toured any worthwhile tourist attractions or government projects within the State where the carnival was held.

All members, particularly those who were first elected in 2011, should look at the game of bowls in their electorates. Most bowling clubs would welcome the attendance of the local member and if they cannot play bowls, they could ask the club coach or president to teach them how. The club would be honoured and keen to have the local member involved, and I encourage members to do so. Once a member becomes proficient at bowls—and they are not one of the champions to whom the member for Port Macquarie referred—they can join the Parliamentary Bowls Club. Each year we play games with Bowls NSW, the Royal club, as it is referred to, people in the insurance industry who play at Forestville, and Ettalong.

In years gone by we played games against the police, the fire brigades and the like. It is a good opportunity for members of Parliament, both Labor and Coalition from all the States, to mix in a non-partisan and non-political way. It is good to be involved on such occasions. I will not continue further, other than to conclude basically as I started. I commend the member for Port Macquarie for highlighting not only local bowling clubs but also individuals who did well at the Australian Open Mixed Pair Championships held in Melbourne. I am sure those players are proud that their local member has raised this matter in the House, and that their clubs have been recognised. In conclusion, I encourage members to look at the game of bowls locally and with the parliamentary team for their future activities.

**ACTING-SPEAKER (Mr Gulaptis):** Order! I am sure the member for Mount Druitt will take the opportunity to enjoy a game of bowls after March next year. We wish him all the best in that endeavour.

**Mr ADAM MARSHALL** (Northern Tablelands) [12.59 p.m.]: I congratulate you, Mr Acting-Speaker, on your new role. I commend the member for Port Macquarie for bringing this motion forward, and I join her in offering my congratulations to Greg Brims of the Port City Bowling Club and Jenny Roberts of the Lake Cathie Bowling and Recreation Club on their terrific achievement of winning the Australian Open Mixed Pairs Bowls Championships in Melbourne. It is a fantastic achievement and the pinnacle of their bowling careers. I wish them all the very best for the future. The member for Mount Druitt took the words out of my mouth when he referred to the average age of bowlers at the elite level. He is correct in that bowls is largely regarded as a sport for people in twilight years of their lives—the more mature people in our community. However, at the elite level bowls is certainly a young person's sport. The average age of the Australian men's bowling team is younger than the average age of the Australian men's cricket team. Bowls is certainly a sport for young people at an elite level.

To highlight that point, I mention a young bowler from the Glen Innes Bowling Club in my electorate, where I have had the pleasure of enjoying a roll-up with some members. Nick Ellem returned from this year's State junior championships having placed fifth in the New South Wales junior fours. He teamed up with bowlers Breanna Graham, Jack Whitton and Justin Bullen from Armidale, and the team secured confident wins in their first few matches, culminating in an excellent performance against the State's top young bowlers. The State placing follows a swag load of achievements for Nick. He currently holds the title for the junior district and zone single champion as well as zone fours champions, which he secured earlier this year.

Later this month Nick will be travelling to Figtree to represent zone three at the intra-zone in the seven a side championships. He will be competing for a second year at Figtree. I know Nick will do us proud,

competing in the singles as well as in the teams events. He secured a bronze medal last year in teams. I wish Nick all the very best in achieving State selection again this year. He is just one example of many champion junior bowlers. Indeed, bowls is a sport that is certainly on the move. Again, I congratulate Greg Brims of the Port City Bowling Club and Jenny Roberts of Lake Cathie Bowling and Recreation Club on their terrific achievements. Well done.

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

**Pursuant to sessional order Orders of the Day (Committee Reports) proceeded with.**

## **PUBLIC ACCOUNTS COMMITTEE**

### **Report: Planning NSW Infrastructure for the Twenty-second Century**

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

**Mr JONATHAN O'DEA** (Davidson) [1.00 p.m.]: I am pleased to speak to the report of the Public Accounts Committee entitled "Planning NSW Infrastructure for the Twenty-second Century." The forum held on Friday 9 May 2014, which is the subject of this report, was a welcome opportunity for members of Parliament and others to explore the vital issue of long-term infrastructure planning and delivery. As a parliamentary body, the Public Accounts Committee seeks to scrutinise the business of government in a non-partisan way and to identify improvements that benefit the whole New South Wales community, wherever people live, now and in to the future. Everyone agrees that improved infrastructure is a priority, just as everyone understands that the resources available to deliver infrastructure are much in demand. That is why the focus of this forum—to look beyond the political cycle into the next century—was so important in that it allowed us to consider how we can plan to meet the needs of future generations.

In some ways, the elements of good, long-term infrastructure planning and delivery—including community confidence, independent advice, transparent decision-making and value for money—might be seen as truisms, and a twenty-second century planning horizon can seem a long way off. Yet so much of the history of infrastructure planning in this State and elsewhere is marked by short-termism, community disappointment, opacity and lost opportunities. The Public Accounts Committee forum indicated that we have lessons to learn and no time to waste. The report of the Public Accounts Committee recommends that the New South Wales Government review the issues and themes outlined in the report and advise the committee on the long-term infrastructure planning and delivery capabilities of New South Wales, with specific reference to:

- a) the current status of long-term infrastructure planning in New South Wales
- b) New South Wales' preparedness to plan, fund and deliver infrastructure in a timeframe beyond 20 years and up to 100 years
- c) Actions to achieve bipartisan support and community buy-in for New South Wales' infrastructure plans, including demonstrated commitment to ensuring the availability of independent advice, public consultation and transparent decision-making
- d) Regulatory reform of the planning system and metropolitan governance, and the adoption of Integrated Infrastructure Planning and Management
- e) Intergovernmental relationship and clarifying the roles of the three levels of government
- f) Financing reforms, developing innovative funding arrangements, and attracting long term investors in infrastructure
- g) Development of service standards and consumer benchmarks for asset performance
- h) Independent performance management and reporting

We look forward to the Government's response to those recommendations. I thank everyone who participated in the forum, including the speakers and presenters, my fellow committee members, members of Parliament and others who attended, and the parliamentary staff who provided organisation support, particularly Mr David Hale. I especially thank the SMART Infrastructure Facility, and its Chief Executive Officer Garry Bowditch, for working with the committee to ensure that we had expert speakers and panellists with a sound evidentiary footing for the forum and its outcomes. As an aside, I note that the SMART Infrastructure Facility hosted another useful forum yesterday, part of which I attended, entitled, "Infrastructure Business and Policy Dialogue 2014".

Finally, I thank and acknowledge the presentation at the forum by the Premier and Minister for Infrastructure, the Hon. Mike Baird, who was able to join us so soon after assuming the premiership. The Premier's subsequent announcement of the long-term lease of 49 per cent of the poles and wires will unlock \$20 billion for vital new infrastructure across New South Wales, providing substantial benefits for the community. While this policy is subject to the Baird Government's being re-elected, I note that this direction essentially was endorsed in the recent final report on public infrastructure from the Australian Productivity Commission. I commend the Public Accounts Committee report to the House and to members as good bedtime reading.

**Mr JOHN WILLIAMS** (Murray-Darling) [1.06 p.m.]: As a member of the Public Accounts Committee I attended the infrastructure forum, which was a great opportunity for members of Parliament to get a real insight into infrastructure planning, finances and some of the pitfalls of developing infrastructure projects around the world. It was disappointing that there was not a greater representation by members of this House. I think many benefits can be drawn from the forum. The expertise on the contributing panel was a clear indication that the process we follow has a great deal of support. Presenters developed debate about building the Sydney Harbour Bridge. Approval to commence construction of the bridge was granted 100 years after the project was first debated in this House—so nothing has really changed in planning. However, I would like to think we work a little quicker these days.

It is interesting to note that some of our projects are not generally supported by an expert panel. There was some discussion regarding light rail in George Street and the possible lack of integration. So no doubt some of the work that is being done on infrastructure programs in this State—what we regard as flagship projects—is still open to criticism. It is unfortunate that with any project, such as building a bridge, a group of people will always protest about its location or construction. It is interesting to note that when the project is completed the protesters disappear—in fact, some want to be recognised as being part of the process.

The financing of infrastructure projects was certainly part of the panel's discussion. It is clear that Australia is probably not prepared to borrow at the same levels as other nations that recognise it is better to borrow money to get the infrastructure built and provide benefits to their communities. Those nations believe that borrowing at a higher level is worthwhile as it mostly results in greater growth and economic benefit. That is obviously not the view taken by this Government, and probably by most governments in Australia. Borrowing may expose us to changes to our credit rating. Indeed, the level of borrowings in England is substantially greater than in Australia. In saying that, I believe the forum provided for great discussion and debate and was a huge benefit to members.

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

**Report noted.**

## **SELECT COMMITTEE ON THE MOTOR VEHICLE REPAIR INDUSTRY**

### **Report: Motor Vehicle Repair Industry**

**Debate resumed from 7 August 2014.**

**Mr BRYAN DOYLE** (Campbelltown) [1.12 p.m.]: Everyone in this Chamber will be familiar with the sound of squealing rubber, the smash of metal and the tinkle of glass on the road. That is why the Select Committee on the Motor Vehicle Repair Industry reviewed the relationship between the motor vehicle repair industry and the motor vehicle insurance industry. I was very pleased to support the committee chairman, John Barilaro, the member for Monaro, together with fellow members Tania Mihailuk, the member for Bankstown; Greg Piper, the member for Lake Macquarie; and my good mate Ray Williams—the big man—the member for Hawkesbury.

This inquiry was welcomed by many in my local smash repair industry and I thank them for trusting in me to bring forward their concerns about the industry that they hold in such high regard. The motor vehicle repair industry, comprising vehicle manufacturers, insurers, repairers and the spare parts industry, is a very important part of the New South Wales economy. The committee was greatly assisted in its deliberations by the willingness of all those in the industry to contribute their expertise and wisdom. In particular, I deeply appreciate the kind offer to personally inspect a variety of repair shops, including Mount Druitt Auto Body, Perfect Auto Body, S.M.A.R.T Centre at Botany, J and L Munro Auto Body Repairs Mortdale, and Q-Plus at Riverwood.

I deeply appreciate the time given to the committee by customers, repairers, Fair Trading officers and insurance companies who shared their experiences and insights into the car repair industry, both in submissions and in direct evidence. It is always an honour to be invited into the workplaces of other professionals to conduct an external review of the work practices in place, and sometimes just to ask: "Why and what is funny time, funny money?" The motor vehicle repair industry is undergoing great change, driven by competitive market pressures, vertical integration, historical work practices, an increase in the safety features and complexity of new vehicles, a code of conduct that does not satisfactorily resolve disputes and a reduction in the number of collisions.

The greatest focus of the committee was to ensure that damaged vehicles are repaired properly and returned to the road in a roadworthy condition. That is something that concerns every member of this House. The recommendations of the committee are designed to achieve that focus by increasing the accountability of insurance motor vehicle loss assessors, improving the quality of repair work and improving the effectiveness of the Motor Vehicle Insurance and Repair Industry Code of Conduct. I thank my fellow members of the committee and I thank the committee staff, who were of such great assistance. I commend the report to the House.

**The ASSISTANT-SPEAKER (Mr Andrew Fraser):** Order! Before I call the member for Lake Macquarie, I remind members that they must seek the call. There were three members on their feet.

**Mr GREG PIPER** (Lake Macquarie) [1.15 p.m.]: I thank the chairman of the Select Committee on the Motor Vehicle Repair Industry, John Barilaro, the member for Monaro; the Deputy Chair, Brian Doyle; Tania Mihailuk, the member for Bankstown; and of course the inimitable Ray Williams, the member for Hawkesbury, with his passion and industry knowledge. I thank also those who made submissions to the inquiry or who appeared before it to help us understand the areas of concern and the complex nature of the industry. The motor vehicle repair industry has been going through a period of rapid change. The vehicles it repairs are equipped with hi-tech safety systems and materials requiring, for many repairs, highly specialised equipment and commensurate skills within the workforce.

The good news is that vehicles are safer now than ever before and, even with a growing number of vehicles on our roads, there has been a clear reduction in the number of serious accidents by virtue of the imbedded technology. That said, there is significant disquiet from some repairers who are concerned about practices within the industry that are either the intended or unintended collateral result of insurance industry practices overall. The practices of the two major insurers, NRMA and Suncorp and their respective brands, differ but they allegedly have an unreasonable impact on the ability of some repairers to gain work and reduce competition by using their market influence and through practices such as preferred repairer schemes, steering to associated repairers, "onesies" and so on.

The insurers of course dispute the claims and argue not only that the industry is evolving naturally but also that the practices they use benefit the customer. No doubt examples are available to illustrate both sides of the argument, but as a committee we saw enough examples and heard enough concerns to arrive at the conclusion that more vehicles are returned to the road with unacceptable faults than should be the case. Apart from the influence of the major insurers generally, practices within the industry need to change. The reluctance of the industry to move away from emblematically obscure practices such as quoting in "funny time, funny money," providing obscure advice on policies relating to customer choice of repairer and associated steering to preferred repairers says a lot about the business environment enjoyed particularly by the larger insurers and many of their repairers who are beneficiaries of the schemes.

The concerns raised by many about the growth of Suncorp cannot be dismissed lightly as that company uses its market influence to move into every nook and cranny of the industry. The vertical integration model is clearly successful for the company, and one hopes that this flows back as a direct benefit to the customer by way of cheaper premiums or better service, or both. We saw no evidence of that happening directly but we have seen how this insurer, in particular, is playing a significant role in owning major repair shops directly and even taking a significant stake in the spare parts supply chain. I have spoken to many people involved in the industry and to many reputable repairers who work on both sides of the equation. I can report that they endorse many, if not all, of the recommendations.

The repairers want: access to a small business commissioner to allow them to resolve minor issues; manufacturers to be required to make repair procedures available; for motor vehicle assessors to be licensed and certified under the Vehicle Safety Compliance and Certification Scheme [VSCCS] and administered by

Roads and Maritime Services [RMS]; to have fines applied to assessors who breach licensing conditions and regulations; assessors to review and approve the proposed method of repair; and the Fair Trading Act be amended to require insurers to provide up-front disclosure regarding choice of repair and parts for repair—there are many good recommendations in this report. If the industry had complied with the recommendations of previous inquiries we would not have had to go through this again. Hopefully, this time it will act.

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

**Report noted.**

#### **STANDING COMMITTEE ON PARLIAMENTARY PRIVILEGE AND ETHICS**

##### **Report: Inquiry into Matters Arising from the ICAC Report Entitled "Reducing the Opportunities and Incentives for Corruption in the State's Management of Coal Resources"**

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

**Mr JOHN SIDOTI** (Drummoyne) [1.20 p.m.]: I am pleased to speak to report No. 2/55 of the Standing Committee on Parliamentary Privilege and Ethics, entitled "Inquiry into Matters Arising from the ICAC Report Entitled 'Reducing the Opportunities and Incentives for Corruption in the State's Management of Coal Resources'", dated July 2014. Members will recall that the Independent Commission Against Corruption's [ICAC] report was tabled in the Parliament on 30 October 2013. The ICAC found that the former Minister for Mineral Resources, Ian Macdonald, and former member of the Legislative Council, Eddie Obeid, had acted corruptly in the granting of a coal exploration licence at Mount Penny in the Bylong Valley. The ICAC made 26 recommendations in its report, three of which concerned the conduct of members and were referred to the Parliament.

The ICAC's recommendation No. 22 concerned amending the Code of Conduct for Members to deal comprehensively with improper influence by members. The ICAC's recommendation No. 24 concerned expanding the requirements for members' disclosures to include the interests of their partners and dependent children. The ICAC's recommendation No. 25 concerned the establishment of a parliamentary investigator position. Both our committee and the Legislative Council Privileges Committee received referrals and we agreed to conduct our inquiries jointly, but with a view to tabling separate reports. The committees have completed their inquiries and tabled their reports. We concurred on some matters and differed on others. Our committee made seven recommendations. On the question of amending the Code of Conduct for Members to deal with improper influence, both committees made identical recommendations. We have recommended that a new clause 8 be inserted in the code of conduct.

On the question of expanding members' interest disclosure requirements, the two committees recommended an expansion but differed on the mechanism. Our committee reviewed the disclosure regime of the Australian Senate and included a draft resolution in its report based on the Senate model, which the Parliament could consider in achieving the expanded disclosure requirements recommended by the ICAC. The committee's recommendation called for the disclosure of the interests of members' partners and dependent children to be made privately to a parliamentary officer to be appointed as ethics commissioner, and for the commissioner to prepare guidance material for members and the public as a priority.

The third question we considered was the ICAC's recommendation regarding the appointment of a parliamentary investigator. The ICAC discussed the United Kingdom model of an investigator with broad powers to investigate complaints and impose sanctions. On the other hand, the model employed by the Canadian national and provincial governments adopts a more compliance-based approach, with a focus on promoting ethical behaviour and preventing conflicts of interest. The Conflict of Interest Commissioner of British Columbia, for example, has the task of advising members on their obligations and how to fulfil them, meeting with members to review their disclosures, investigating alleged contraventions by members and reporting to the House.

The committee examined both the United Kingdom and Canadian models and felt that the Canadian model could be best adapted to New South Wales by expanding the remit of the existing Parliamentary Ethics Adviser to encompass the duties of an ethics commissioner. These expanded duties would include a mandatory meeting with each member to oversight their pecuniary interest return, receiving and reviewing complaints

about members confidentially, and reporting findings to the House, with recommended sanctions if required. We felt that this model complemented the role of the ICAC, which would continue to have jurisdiction to investigate serious and substantial matters of corruption.

I note that the Legislative Council Privileges Committee recommended a model more along the lines of the United Kingdom's parliamentary investigator. Two of the most important aspects of the role of the proposed ethics commissioner would be advising members and reporting to Parliament. For instance, I have noted the arrangements by which the Quebec Ethics Commissioner investigates and reports. He or she provides written advisory opinions to members, which remain confidential unless the members choose to release it. The commissioner publishes guidelines that give members broad policy direction. He or she receives requests from members to inquire into the affairs of other members or may undertake an inquiry, with notice, on his or her own initiative and in private.

The commissioner reports the findings of any inquiries with reasons for any conclusions and recommendations for sanctions or otherwise to the House, where the member has a right of reply. The House then votes on the report without debate or amendment, with any sanction applying only on adoption of the report by a two-thirds majority of members. The committee recommended that the drafting of rules by which our proposed ethics commissioner would operate should be a priority for the new appointee to formulate and submit to the committee, but I am sure members agree that the Canadian examples I have described have much to recommend them. The committee made three other recommendations that would provide for reviews of the members' entitlements regime and the Constitution (Disclosures by Members) Regulation 1983, with the aim of making the current arrangements timelier, less cumbersome and more transparent. We recommend that any proposed changes to legislation and guidelines come back to the committee for review and a report to the House.

This was a complex and testing inquiry, and I thank the committee members for their objectivity and diligence. I also thank the Hon. Trevor Khan, chair of the Legislative Council Privileges Committee, for his cooperation and support during our parallel inquiries. I thank the secretariat staff for everything they have done; they were fantastic. I look forward to the Government's response to our report and to working with all members to ensure that we continue to meet the community's expectations of good conduct and good governance.

**Mr RICHARD AMERY** (Mount Druitt) [1.27 p.m.]: I acknowledge the contribution of the chairman of the Standing Committee on Parliamentary Privilege and Ethics and the report before the House today. I note his comments regarding recommendations and the cooperation between his committee and the Independent Commission Against Corruption [ICAC] oversight committee of the Parliament, of which I am a member. He made some comments that all of us would agree with. We must work together and start looking at those matters raised as a result of the work done by the ICAC over many years. It has brought into question the processes in place in this Parliament not only to detect any forms of corruption but also to make sure that pecuniary interests are declared and action is taken when any discrepancies or outrageous cases of corruption are detected.

I reiterate the offer of the Leader of the Opposition to work cooperatively with the Government on these matters. If the work of this committee and the ICAC committee does prompt changes, I remind the House that the Leader of the Opposition released Labor's new standards document last year that considers the issue of members declaring their interests. It refers to the expansion of the role of the pecuniary interests register and considers the issue of declaring the assets of family members. All those matters have been brought to the attention of the public through investigation by the ICAC. The chairman named some of the people involved. I note the report before the House and repeat the Opposition's offer to work with the Government to make sure that these matters are resolved. We ask the Government to consider the matters raised by the Leader of the Opposition in this House and in the new standards document produced by the Labor Party some time ago.

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

**Report noted.**

#### **LEGISLATION REVIEW COMMITTEE**

**Report: Legislation Review Digest No. 58/55**

**Report: Legislation Review Digest No. 59/55**

**Motion by Mr Stephen Bromhead agreed to:**

That in accordance with Standing Order 306 (7) the reports of the Legislation Review Committee being Orders of the Day (Committee Reports) Nos 4 and 5 be considered together.

**Question—That the House take note of the reports—proposed.**

**Mr STEPHEN BROMHEAD** (Myall Lakes) [1.29 p.m.]: I update the House on the comments made by the Legislation Review Committee in its recent digests tabled on 5 August and 12 August. These are the fifty-eighth and fifty-ninth digests prepared by the Legislation Review Committee of the Fifty-fifth Parliament. There were seven bills introduced in the sitting week commencing 17 June and a further two in the week commencing 5 August. The committee made comments on six of them, to which I will briefly turn. The Electoral and Lobbying Legislation Amendment (Electoral Commission) Bill 2014 proposes, among other things, to establish a lobbyists watch list to enforce compliance with the Lobbyists' Code of Conduct.

The committee noted the bill explicitly prevents the right to take proceedings for defamation against the Crown for inclusion on the watch list, which appears to extend to inclusions that are false or inaccurate. Similarly, the committee noted the lack of enumerated appeal rights to have inclusions on the lobbyists watch list reviewed by an external review body such as the NSW Civil and Administrative Tribunal. Given the potential consequences for an individual's professional reputation by inclusion on the watch list, the committee referred these matters to Parliament for further consideration. The committee also noted that the Electoral Commission may refuse to register an applicant on the lobbyists' register if it deems that the individual is not a fit and proper person.

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

*[The Assistant-Speaker (Mr Andrew Fraser) left the chair at 1.30 p.m. The House resumed at 2.15 p.m.]*

**VISITORS**

**The SPEAKER:** I welcome all our guests in the gallery this afternoon to question time. Firstly, I welcome Councillor Geoff Kettle, mayor of Goulburn Mulwaree Council, guest of the Minister for Planning, Minister for Women and member for Goulburn. I also welcome to the gallery Professor Barney Glover, vice chancellor of the University of Western Sydney, guest of the Parliamentary Secretary for Youth, Homelessness and the Centenary of ANZAC and the member for Baulkham Hills.

I welcome to the gallery Alan Lockerage and Gail Sinfield. Alan's work of the old Helensburgh railway station won the "Eyes on Heathcote" photographic competition. Congratulations. They are guests of the member for Heathcote. I also welcome to the gallery today members from the Illawarra breast cancer survivors group, guests of the member for Kiama and member for Shellharbour. I also acknowledge members of the Blackheath Probus Club, guests of the member for Blue Mountains, and I welcome to the gallery students from Moorefield Girls' High School, guests of the member for Rockdale.

**RETIREMENT OF KEITH MILLER, PARLIAMENT HOUSE POSTAL MANAGER**

**The SPEAKER:** I bring to the attention of members, if they are not already aware, tomorrow will mark the last day of service in the Parliament House Post Office for Mr Keith Miller. Most of you would know Keith Miller extremely well. The level of applause being given is reflective of how popular and well-liked you are, Keith. Keith commenced as the manager of the post office on 1 July 2005 and embraced the parliamentary environment with ease. He certainly has enjoyed—and I am sure he will not mind me saying this—being in Parliament, serving everybody with that smile, always ready to have a chat and a bit of gossip with me. We had a bit of gossip, didn't we, Keith?

You have the talent for remembering the names of not only the members but all the staff and you are renowned for that. I am sure that you are sad to be leaving this environment; we have spoken about that this week. Keith, you have built many friendships in this Parliament throughout your nine years of service. I do wish you, on behalf of all members this afternoon, all the very best for your future and I hope we see you again. I hope that you will call in and have a cup of tea or lunch or morning tea with us. All the best for your future. You obviously are and have been very much appreciated. Good luck. Well done to you, Keith Miller.

**JOINT STANDING COMMITTEE ON THE OFFICE OF THE VALUER GENERAL****Membership**

**The SPEAKER:** I report the following message from the Legislative Council:

Madam SPEAKER

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

That Mr Searle be discharged from the Joint Standing Committee on the Office of the Valuer General and Mr Wong be appointed as a member of the committee.

Legislative Council  
14 August 2014

DON HARWIN  
President

**BUSINESS OF THE HOUSE****Notices of Motions**

**Private Members' Business Notices of Motions (for Bills) given.**

**QUESTION TIME**

*[Question time commenced at 2.20 p.m.]*

**MEMBER FOR SWANSEA**

**Mr JOHN ROBERTSON:** My question is directed to the Premier.

**Mr Brad Hazzard:** Apologise.

**Mr JOHN ROBERTSON:** You are kidding, right?

**The SPEAKER:** Order! The Leader of the Opposition has not even started to ask his question. It might be something about regional New South Wales, you never know.

**Mr JOHN ROBERTSON:** I think the Hunter is part of regional New South Wales.

**Mr Brad Hazzard:** You are not sure. I have a Google map here for you.

**Mr JOHN ROBERTSON:** I was there yesterday morning, Brad, bright and early.

**Mr Andrew Constance:** Your chief of staff knows where it is.

**Mr JOHN ROBERTSON:** I know you know how to get there by plane, but I am not sure about driving or where your house is. Today Jeff McCloy gave evidence at the Independent Commission Against Corruption [ICAC] that he gave money to a third Liberal member of Parliament, the member for Swansea. Has the Premier spoken to the member for Swansea and does he retain the Premier's confidence?

**Mr MIKE BAIRD:** I thank the Leader of the Opposition for his question. It is clear he does not read statements that are put out. Yes, the member for Swansea recently put out a statement that said:

I do look forward to an early opportunity to clear my name. In the meantime, I have decided to stand aside from the parliamentary Liberal Party. I have informed the Premier of my decision and he has accepted it.

I accept the member's resignation from the parliamentary Liberal Party. He deserves due process at the Independent Commission Against Corruption and will have a chance to respond at ICAC. I will not make any further comments on this.

## STATE INFRASTRUCTURE

**Ms MELANIE GIBBONS:** My question is addressed to the Premier. How is the Government giving people an opportunity to have their say on the future of New South Wales?

**Mr MIKE BAIRD:** I thank the member for her interest in rebuilding New South Wales. This Government is rebuilding New South Wales, but before I answer this question I would like to pay tribute to Keith Miller. He is undoubtedly the postal service's equivalent to another Keith Miller, the great Test cricketer. We thank Mr Miller for his service to this great State. Mr Miller always showed a friendly demeanour and his smile brought a smile to everyone. We wish him well and thank him for his service.

Returning to rebuilding New South Wales, it is very clear there is a stark contrast between this Government getting on with the job and those opposite. We have a very clear plan to unlock not \$1 billion, not \$5 billion, not \$10 billion, not \$15 billion, but \$20 billion to put into infrastructure that this State desperately needs. This great plan is underway and the good thing is that we know exactly where the Opposition stand on this: they do not want to invest in infrastructure in this great State.

The plan includes \$2 billion for schools and hospitals and at least \$1 billion for regional roads. You would think we could not do more for regional roads, but yes, we can. In the plan there is also additional investment in Sydney's roads. There is \$1 billion for a regional water fund. We are determined to make a difference in times of drought by providing water security in some of the most drought-affected regions. There is also \$500 million for a sporting and cultural fund and investment in the Sydney Rapid Transit line to be led by the greatest Minister for Transport this State has ever had.

**Ms Gladys Berejiklian:** Third greatest.

**Mr MIKE BAIRD:** It is close at the top, but just by a nose. Those opposite do not know the good thing about Sydney Rapid Transit—that is, the member for Bankstown is in favour of it, when she is not doing numbers against the member for Auburn. The Sydney Rapid Transit line, as detailed in our plan, would unlock the city's rail line. What would that do? That would provide an additional 60 per cent capacity in peak hour. That would mean an extra 100,000 commuters could use the rail system at peak hour. That would be great for busting congestion in this great city. We know that those opposite will continue to put out scare campaigns against our plan, but there is no truth or substance to these campaigns. Today we put out a discussion paper on our rebuilding plan. It includes many facts, which those opposite try to distort. On prices it is very clear. When the private sector went into electricity services in Victoria and South Australia there was downward pressure on electricity prices. Network costs in Victoria and South Australia fell in real terms when the private sector entered the market.

**Ms Tania Mihailuk:** That's not true.

**Mr MIKE BAIRD:** The member for Bankstown is now listening. Has the member for Bankstown read the Ernst & Young report? No, she has not. The member would get a lot out of this discussion paper, because before people make comments they need to understand the facts. The facts are in the Ernst & Young report for everyone to see. I also note that the Chairman of the Australian Competition and Consumer Commission Rod Sims said last week that he has no doubt that if the private sector had entered the poles and wires business in the form of a lease, over the last five years prices would have been lower.

**Mr John Robertson:** He's doing a great job.

**Mr MIKE BAIRD:** I know those opposite hold Mr Sims in high regard and that is what he said. There is little variation in the reliability of services when the private sector enters a market. Jobs are protected and there is a downward pressure on prices.

**Pursuant to standing order additional information provided.**

**Mr MIKE BAIRD:** This plan is in the long-term interest of the State. It is an opportunity that only comes about once in a generation. We have said that we will seek a mandate from the people of New South Wales to do it. It is very clear that we have an opportunity to put \$20 billion into infrastructure that this city and this State deserves and needs. Those opposite spoke about it; the big difference is that we have a plan and it is completely funded. If you have an infrastructure priority it has to be funded. That is what we have done.

**Mr John Robertson:** You do not have a plan.

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

**Mr MIKE BAIRD:** This is a historic moment because the Leader of the Opposition is going to an election saying, "I do not want to spend \$20 billion on infrastructure." That is exactly what he said. That is his great plan.

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

**Mr MIKE BAIRD:** The Leader of the Opposition's vision for New South Wales is a blank page, whereas we have a great vision to make a great State even greater. We are proud of the discussion paper.

**The SPEAKER:** Order! The member for Canterbury will cease shouting.

**Mr MIKE BAIRD:** I ask everyone to have a say because everyone across this State deserves the opportunity to make this great State even greater, and that is what we will deliver.

### POLITICAL DONATIONS

**Mr MICHAEL DALEY:** My question is directed to the Premier. Given evidence at ICAC that three Hunter Liberal members of Parliament received cash from prohibited donors, can the Premier guarantee that no other Liberal members of Parliament, including himself, received illegal donations at the last election?

**Mr MIKE BAIRD:** We have absolute confidence in the work that we are doing. We are doing a great job for the State.

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

**Mr MIKE BAIRD:** What I hear from the shadow Treasurer requires me to ask him a question: Has he convinced the Leader of the Opposition to take action on his own team? Has the Deputy Leader of the Opposition done that?

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

**Mr MIKE BAIRD:** Has the member for Keira done that?

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

**Mr MIKE BAIRD:** There is a stark difference.

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

**Mr MIKE BAIRD:** This side of the House has taken action. I will go through it once more for the dummies.

**The SPEAKER:** Order! Opposition members will cease interjecting.

**Mr MIKE BAIRD:** We have taken action in our house: we have appointed Michael Symons, a former director of ICAC, to oversee the governance of the party. At the same time, we have taken action on the need to change the system of donations in this State. We are doing the work and we are doing it properly. Kerry Schott is leading the review along with Andrew Tink and John Watkins. For the party we have John Fahey to oversee our funding and fundraising. It is a very different approach from the one we see from those opposite.

**Mr Michael Daley:** Point of order: It was a very simple question: Did any of the Liberal Party members in this place get dodgy cash at the last election, including the Premier?

**The SPEAKER:** Order! I understood the question; the member for Maroubra does not have to repeat it. The Premier remains relevant to the question he was asked.

**Mr MIKE BAIRD:** A question for the member for Maroubra: Why is he so cranky? He should relax and try to be happy. We have answered this and we have very clearly said that we are taking action on this side. We make no apologies for taking action.

**Mr John Robertson:** Point of order: My point of order relates to Standing Order 129, relevance.

**Mr Andrew Stoner:** You shouldn't be taking a point of order.

**Mr John Robertson:** You shouldn't speak, mate; you're just the Oxley moron.

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

**Mr John Robertson:** This question does not ask the Premier about action he has taken—which is none—it asks him about whether he can confirm no-one on that side has taken illegal donations. His answer has gone nowhere near the question.

**The SPEAKER:** Order! The Premier has answered the question. It may not be the answer that the Leader of the Opposition wanted, but he answered the question.

**Mr MIKE BAIRD:** The Leader of the Opposition can bluff and bluster all he likes but we on this side will get on with the job of keeping this State moving.

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

**Mr MIKE BAIRD:** That is exactly what the people of this State want to see.

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

**Mr MIKE BAIRD:** The Leader of the Opposition and all his party think they are going to roll over to this side and take government. They have another thing coming. Every single member of this House is going to take up the fight because the State deserves better than them.

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

**Mr MIKE BAIRD:** The Leader of the Opposition can bluff and bluster and pretend he is on the road to Damascus—the great white knight who suddenly forgot that he spent his whole parliamentary career going back and forth to Eddie Obeid's office.

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

**Mr MIKE BAIRD:** The people of New South Wales deserve a lot better than the Leader of the Opposition. We are happy to shine the light on any wrongdoing.

**The SPEAKER:** Order! I call the Leader of the Opposition to order for the third time. The member for Fairfield will come to order and cease interjecting.

**Mr MIKE BAIRD:** We are shining the light on this issue and we will take action because it should not be tolerated and it will not be tolerated. We remember very clearly what it was like for 16 years under Labor. No-one—no State, no country—deserves to go through that again.

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

**Mr MIKE BAIRD:** We are going to take every action possible to put forward positive plans for this State.

**Mr Michael Daley:** Point of order: My point of order relates to Standing Order 129, relevance. I asked the Premier a very specific question.

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

**Mr MIKE BAIRD:** We remember what it was like under Labor—the slowest jobs growth, the slowest economic growth, the slowest housing starts, the lowest retail, the lowest confidence in the nation. This State deserves better. Across all those indicators this Government has returned the State to leading the nation again. The North West Rail Link was promised under Labor but not delivered and now the boring machines are going into the ground. We have record amounts in health and we are signing up to the National Disability Insurance Scheme.

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

**Mr MIKE BAIRD:** We are doing what the State expects us to do: we are making a difference in services and infrastructure.

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

**Mr MIKE BAIRD:** We will fight Labor every step of the way because the State deserves it.

### REGIONAL INFRASTRUCTURE

**Mr ANDREW FRASER:** My question is addressed to the Deputy Premier. How is the Government rebuilding regional New South Wales?

**Mr ANDREW STONER:** What a cracking question from the member for Coffs Harbour. How is the Government rebuilding regional New South Wales? Let me count the ways. Currently, just over three years since we came to office, \$13 billion worth of infrastructure is being delivered for the good people of regional New South Wales.

**The SPEAKER:** Order! The member for Toongabbie will cease shouting.

**Mr ANDREW STONER:** There are over \$1 billion worth of upgrades to regional hospitals, thanks to Jillian the builder—hospitals in Lismore, Port Macquarie, Tamworth, Dubbo, Parkes, Forbes, Wagga Wagga, Bega and Kempsey, just to name a few.

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

**Mr ANDREW STONER:** Our regional water security program this year is delivering \$366 million for enhanced water security projects for regional New South Wales—pipelines, bores, dams and weirs. The first major inland dam in a generation will be built in the Central West. We have a brand new regional tourism infrastructure program delivering \$110 million to help our terrific regional tourism industry and boost visitor numbers and expenditure in beautiful regional New South Wales.

Probably the biggest item is in the area of regional roads. The western freight routes program is sealing the Cobb Highway and the Silver City Highway, which were left unsealed by those opposite for 16 long years. We have huge investment going towards the Princes Highway, the Great Western Highway, the Newell Highway and the Kings Highway, and our Fixing Country Roads program is delivering money for local roads to improve freight productivity, which in turn enhances our economy. This is part of a record \$5.5 billion Roads budget this year for New South Wales, \$4 billion of which was directed towards regional New South Wales.

Possibly the best example of how we are rebuilding regional New South Wales is something which the member for Coffs Harbour is absolutely passionate about—fixing the Pacific Highway. Since 1989 when the terrible tragedy that killed 35 people occurred at Clybucca, north of Kempsey, and since the subsequent coronial report in 1992, this has remained one of Australia's most dangerous highways. For 16 long years the former Labor Government dragged the chain on implementing the coroner's recommendation to have the Pacific Highway upgraded to a divided dual carriageway.

I can tell the House and the good people of New South Wales that this Government is getting on with the job, pouring record amounts into fixing the Pacific Highway, in cooperation with the Federal Government. The upgrade from Hexham to the Queensland border is now 60 per cent complete, with 64 kilometres currently under construction and another 196 kilometres being prepared for construction. So by 2020 we will finally have

a safe, world-class highway system that effectively connects Brisbane, Sydney and Melbourne via the Hume Highway. Recently, together with the Minister for Planning and the Minister for Roads and Freight, I announced planning approval for the duplication of the last section of that highway upgrade between Woolgoolga and Ballina. This new alignment will take trucks out of town centres and villages such as south Grafton, Ulmarra, Woodburn, Broadwater and Wardell and put them safely onto a divided dual carriageway.

We are delivering that under an innovative project management model that was last used in the London Olympics. This model will speed the process, speed construction and ultimately save taxpayers hundreds of millions of dollars. Importantly, it will allow us to get cracking on the Woolgoolga to Ballina section to finish the job by 2020. I should not mention members opposite but I cannot help it because during 16 years they had a good chance to finish the job. They promised to have it completed by 2016, which is the year after next.

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

**Mr ANDREW STONER:** When we came to office only 50 per cent of the job was done.

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

**Mr ANDREW STONER:** I compare that to one of Labor's actions: in the 2008 budget Labor cut \$300 million in funding.

**Pursuant to standing order additional information provided.**

**Mr ANDREW STONER:** As I mentioned, the member for Coffs Harbour is passionate about the Pacific Highway so he wants to hear more. And there is more. If members think that the record funding for regional infrastructure that this Government has achieved so far is anything, wait for the next term of the Liberal-Nationals Government.

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

**Mr ANDREW STONER:** Equipped with a conservative estimate of \$20 billion as a result of our electricity network leasing transaction, we will get on with the job of delivering even more—better schools, safer roads and better police stations, courthouses and water schemes to rejuvenate and transform regional New South Wales.

#### **LIBERAL PARTY AND POLITICAL DONATIONS**

**Ms LINDA BURNEY:** My question is directed to the Premier. Several Liberal members used a loophole to hide the source of funding for their campaigns at the 2011 election. Will the Premier commit to publicly release the audit of donations to the Liberal Party, together with details of who funded the 2011 election campaign for each Liberal MP, including his own campaign, sooner rather than later?

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

**Mr MIKE BAIRD:** The matters raised are already on the record. The member for Canterbury might have missed it but an inquiry is being undertaken. Let the inquiry finish its work.

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

**Mr MIKE BAIRD:** We will be taking all appropriate actions required. We will have a comprehensive response at the conclusion of the inquiry.

#### **PUBLIC TRANSPORT INFRASTRUCTURE**

**Mr DAVID ELLIOTT:** My question is addressed to the Minister for Transport. How will the Government build new infrastructure to transform Sydney's public transport system forever?

**Ms GLADYS BEREJIKLIAN:** I thank the member for Baulkham Hills for his question. I know that he and his community are excited about the North West Rail Link. I am pleased to talk about a new project that

will change our great city forever. When Government members say that we are building something we actually do so, unlike members opposite. And we have Labor's long list of transport projects that they announced but never delivered. It is interesting that members opposite, after spending 16 years in government and three years in opposition, still do not have a single transport policy. In contrast, not only are the North West Rail Link and the South West Rail Link well and truly underway; we have also announced a further extension to Sydney's rapid transit network. As we know, if we have the support of the community at the next election we will be building the Sydney rapid transit line, which includes a second harbour rail crossing and extending the North West Rail Link through the CBD and beyond to Bankstown.

The benefits of this project will be felt far and wide. As the Premier so eloquently outlined, the rapid transit network will help to deliver extra trains to hundreds of thousands of commuters. Whether commuters are relying on our network in Western Sydney, on the Central Coast or in south Sydney, customers will feel the benefits. While we are adding 9,000 extra services and building our project, what do members opposite want to do to ease congestion? They want to keep pensioners and seniors off the rail network. That was the response of members opposite. Some of the people in the gallery today may be interested to learn, because they were not here yesterday, that while the Government is providing thousands of extra weekly services and building new rail lines, the response of members opposite to easing congestion would be to disallow pensioners and seniors from travelling in peak hour.

**The SPEAKER:** Order! The member for Macquarie Fields will come to order.

**Ms GLADYS BEREJIKLIAN:** Recently I was pleased to join the Premier in Bankstown—

**The SPEAKER:** Order! The member for Mount Druitt will come to order.

**Ms GLADYS BEREJIKLIAN:** We stood on the platform where the proposed Sydney rapid transit will extend. I know the member for Bankstown—

**Mr John Robertson:** She wasn't there.

**Ms GLADYS BEREJIKLIAN:** I know she was not there.

**The SPEAKER:** Order! The member for Canterbury will come to order. I am having difficulty hearing the Minister.

**Ms GLADYS BEREJIKLIAN:** It is true that the member for Bankstown was not there, but we know she is deeply excited by what we are delivering versus what her Government failed to do. As members are aware, the first stage of the rapid transit network is the North West Rail Link. Although the North West Rail Link is only a hop, skip and jump from the Blacktown electorate, the Leader of the Opposition does not think it is happening. I have some exhibits, which is totally within the standing orders. Look at what we are doing on Norwest station as at July. I say to the Leader of the Opposition: Travel the hop, skip and jump from your electorate office and see what is happening. Look at Castle Hill station as at July.

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

**Ms GLADYS BEREJIKLIAN:** We are excited about the work in Bella Vista; shortly, in October, the first tunnel boring machine will start at Bella Vista.

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

**Ms GLADYS BEREJIKLIAN:** While the response of members opposite to sorting out transport issues is to attack the most vulnerable in the community, we are planning for the future.

**The SPEAKER:** Order! The member for Macquarie Fields will come to order.

**Ms GLADYS BEREJIKLIAN:** If we have the support of the community we will ensure that we have three brand-new stations on the Sydney rapid transit network in the CBD. That means a service every two minutes on the new line through the city—a turn-up-and-go system.

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

**Ms GLADYS BEREJIKLIAN:** Train passengers in Sydney's west will benefit from unblocking the network as a result of three new stations.

**The SPEAKER:** Order! The member for Mount Druitt will come to order.

**Ms GLADYS BEREJIKLIAN:** Capacity on the existing network will increase by 60 per cent. So no matter where passengers catch a train on the network, they will notice a difference.

**Pursuant to standing order additional information provided.**

**Ms GLADYS BEREJIKLIAN:** We will have extra capacity, which is key to our future. Also, travel times to many parts of greater Sydney, as well as for regional customers such as those in Gosford or the Blue Mountains, will improve. One need only look at this Government's record. When we say we will build something we do it—the South West Rail Line, tick; Inner West Light Rail extension, tick; North West Rail Line, tick; CBD and South East Light Rail, tick; and we are looking at light rail in Parramatta and in Newcastle. In contrast, we should not forget the record of the former Government. We all remember the CBD Rozelle Metro—

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

**Ms GLADYS BEREJIKLIAN:** Let us not forget the long list of projects that Labor promised. Remember the Bondi Beach rail link? Remember the high speed rail link to Newcastle? They announced that in 1998. Let us talk about the Hurstville to Strathfield rail line, the high speed rail link from Sutherland to Wollongong—they forgot that one—the Parramatta rail line, the north west heavy rail link, which they never got around to doing, and the list goes on. The reality is—and we are very proud of it on this side of the House—that we say we are building something and we do it. Compare our record to the absolute mess the former Government left us in public transport.

#### **NEWCASTLE LORD MAYOR JEFF MCCLOY**

**Mr JOHN ROBERTSON:** My question is directed to the Premier. Today Newcastle Lord Mayor Jeff McCloy gave evidence that he gave cash to Andrew Cornwall, Tim Owen, and the member for Swansea. Why is the Premier still refusing to take action and suspend Jeff McCloy as Lord Mayor of Newcastle?

**The SPEAKER:** Order! The member for Murray-Darling will come to order. He did not ask the question. The Premier has the call. Members will come to order.

**Mr MIKE BAIRD:** As the Leader of the Opposition knows there are very tight parameters around this matter. The Minister for Local Government is watching very closely and we will take—

*[Interruption]*

**Mr MIKE BAIRD:** You asked a question, do you want an answer?

**The SPEAKER:** Order! Opposition members ask a question, but they do not want to listen to the answer.

**Mr MIKE BAIRD:** We are watching very closely. The Minister has asked him to reconsider his position. Ultimately we will watch, and the Minister will take action as required. I make this point and I think it is important that everyone understands: We have taken action on this side—

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

**Mr MIKE BAIRD:** On that side members of the shadow Cabinet have gone to the Leader of the Opposition and asked him to take action and he has taken none. I tell you what, I am looking forward to the election because—

**Ms Linda Burney:** Point of order: I refer to Standing Order 129. What else does he have to do to get him to do something?

**The SPEAKER:** Order! The member for Canterbury will resume her seat. There is no point of order. I call the member for Canterbury to order for the third time.

**Mr MIKE BAIRD:** I do not have a quote from the Deputy Leader of the Opposition about the Leader of the Opposition but I think the people of New South Wales need to know what former leaders and luminaries of the Labor Party think of the Leader of the Opposition. I think they are interested.

**Dr Andrew McDonald:** Point of order: I refer to Standing Order 129. The question was about Jeff McCloy and whether the Premier will suspend him. It had nothing to do with—

**The SPEAKER:** Order! The Premier answered that question, but the member for Macquarie Fields was not listening; he does not listen to answers.

**Dr Andrew McDonald:** I do sometimes.

**The SPEAKER:** Order! The member for Macquarie Fields will resume his seat. He does not listen.

**Dr Andrew McDonald:** Sometimes.

**The SPEAKER:** Order! The member for Macquarie Fields does not listen.

**Mr MIKE BAIRD:** I think it is important that the people of New South Wales know what members of the party of the man who wants to be the next Premier of this State say about him—no less than Paul Keating. What did Paul Keating think of the Leader of the Opposition?

**Mr Michael Daley:** Point of order: You have got no right to be so cocky, my friend. You are having a shocking day and you are not improving your own lot. Standing Order 73 precludes the Premier from making these comments unless he wants to move a motion. If the Premier wants to debate propriety, let us do it right now. Man up, and do it right now.

**The SPEAKER:** Order! The member for Maroubra will resume his seat. There is no point of order.

**Mr MIKE BAIRD:** There is nothing like a bit of emotion from the member for Maroubra.

**The SPEAKER:** Order! Testosterone is a wonderful thing.

**Mr MIKE BAIRD:** We all know Paul Keating and he said of the Leader of the Opposition, "I am ashamed to share membership of the same party with him." That is all he said—just a general observation. On top of that it was not only him. We all remember Morris Iemma, a good man who was rolled by those opposite.

**Dr Andrew McDonald:** Point of order: It is quite clearly Standing Order 73.

**Mr John Robertson:** Seventy-three.

**Dr Andrew McDonald:** Standing Order 73, improper motives, personal reflections—

**The SPEAKER:** Order! The Leader of the Opposition prompted the member for Macquarie Fields, who does not know the difference between Standing Order 73 and Standing Order 76. The member for Macquarie Fields will resume his seat. He should not bother taking another point of order this afternoon. If he does, I will not listen to it.

**Mr MIKE BAIRD:** It is clear that the record of the Leader of the Opposition, who is trying to be a white knight on this issue, stands condemned. There is no leadership and he has been condemned by his own shadow Cabinet and by other former leaders of the party.

**Mr John Robertson:** Point of order: It is clear that the Premier condones the actions of Jeff McCloy by his mere refusal to stand him down.

**The SPEAKER:** Order! There is no point of order. I remind the Leader of the Opposition that he is already on three calls to order. This is my final warning. Members will come to order.

**Mr MIKE BAIRD:** This Government is taking action which is in stark contrast to the Leader of the Opposition and his track record. We will continue to work for the people of New South Wales. We will get on with driving the economy, building infrastructure and improving services because that is what the people of New South Wales deserve and expect.

### **ELECTRICITY PRICES**

**Mr ANDREW ROHAN:** My question is addressed to the Minister for Resources and Energy. How is the Government driving down energy prices for customers in New South Wales?

**Mr ANTHONY ROBERTS:** I thank the member for Smithfield for his interest in putting downward pressure on energy prices for his constituents. The Baird-Stoner Government is delivering downward pressure on energy prices for the people of New South Wales. The Liberal-Nationals network reform has seen power bills brought under control for the first time this century. Across the State household electricity charges are falling due to the actions taken by this Government to ensure the network businesses are run effectively and efficiently. Labor refused to back these reforms and claimed it could not be done. Let us refer to this as Labor's failure No. 1—New South Wales Labor: no real plans, no real policies and no real leadership.

In addition, the Government's deregulation of the retail electricity market delivered a decrease to those customers who have yet to switch to a competitive market contract. Our reforms have also opened up the market to greater competition and customer choice, ensuring more offers and better deals are available for households and businesses. The track record of New South Wales Labor is one of skyrocketing prices in a market of price regulation and still New South Wales Labor opposes these important reforms to deregulate the market. This is Labor failure No. 2—New South Wales Labor: no real plans, no real policies and no real leadership.

Importantly, customers will now see a further price decrease thanks to the long-anticipated repeal of Labor's carbon tax. Despite the best efforts of those opposite to defend Labor's carbon tax, millions of energy consumers in New South Wales will be better off now that the carbon tax component has been removed from bills. This means potential savings for the average electricity customer of between 6 and 8 per cent. And importantly, this means potential savings for the average gas customer of between 4 and 6 per cent. New South Wales Labor did nothing but stand in the way of these savings and only defended Labor's carbon tax. Labor failure No. 3—New South Wales Labor: no real plans, no real policies and no real leadership.

This Government has delivered for families and businesses in New South Wales. We have undone the disgraceful legacy of those opposite and we have set this State on the right path. Our reforms are driving down prices, but we are not stopping there. Our clear plan to rebuild New South Wales will mean even greater savings on electricity bills for New South Wales customers. The 49 per cent long-term lease of the State's electricity network assets, as announced by our Premier, will at long last bring New South Wales into line with other States.

A recent study by Ernst and Young found that between 1996 and 2013 network prices in Victoria, with its privately owned and efficiently run networks, dropped 18 per cent. In contrast in New South Wales where poles and wires are government owned network prices skyrocketed by a massive 122 per cent. The evidence is clear that privately owned networks are more efficiently run and customers benefit as a result. But let us not just listen to Ernst and Young on this; let us listen to Rod Sims, Chairman of the Australian Competition and Consumer Commission, who said on 7 August 2014:

With sound regulation the private sector will operate these businesses more efficiently, as they will have better incentives for, and impose fewer constraints on, performance.

An example is the proposed partial long-term lease of the New South Wales electricity network assets. In my view such a sale can benefit NSW electricity consumers as network costs and therefore prices can be lower than otherwise.

There is Labor failure number four. NSW Labor again has no real plans, no real policies and no real leadership for New South Wales. There are so many Labor failures that we could be here forever. However, I must say that I am a fair man. All members of this House know that I am a fair man and I take the opportunity this afternoon to put on record some considerable progress made by NSW Labor in recent weeks. It is only fair that I should announce this to the House because it has been very quiet over here.

**Pursuant to standing order additional information provided.**

**Mr ANTHONY ROBERTS:** In its most modern, innovative and exciting move yet on 26 July NSW Labor dispensed with the socialist objective. After 93 years they have quietly taken it out the back and euthanased it. For almost a century the socialist objective was the cornerstone of NSW Labor and I quote from the Labor Rules:

The Australian Labor Party is a democratic socialist party and has the objective of the democratic socialisation of industry, production, distribution and exchange ...

The socialist objective was its foundation, its guiding principle, its inspiration, its lodestone. The socialist objective was actually written on the back of every single membership card. Now, look what has been thrown out? The flag; it has gone.

**Mr Michael Daley:** Point of order: Madam Speaker—

**The SPEAKER:** Order! The member for Maroubra is about to raise a valid point of order, which is rare.

**Mr Michael Daley:** The Minister knows that the use of props is disorderly and he should refrain from doing so.

**The SPEAKER:** Order! The point of order is upheld. The member for Maroubra will resume his seat. Opposition members will come to order.

**Mr ANTHONY ROBERTS:** And a committee has been set up to delve deep into the murky depths of Labor, desperately searching for some substance and meaning, a committee no doubt run by Eddie and the boys. We do have released to us Labor's new flag for the State of New South Wales and there it is—lifters on this side, leaners on that side. [*Time expired.*]

**Mr Greg Piper:** Point of order: I ask that the crossbench be afforded the opportunity to raise their matters before the Minister for Resources and Energy?

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

### NEWCASTLE REVITALISATION

**Mr GREG PIPER:** My question is directed to the Premier. In the wake of the Independent Commission Against Corruption revelations and the subsequent resignation of two local members, will the Premier instigate a probity audit of key decisions relating to the redevelopment of Newcastle to restore community confidence in the process?

**Mr MIKE BAIRD:** I thank the member for his question. He is a sensible member who is looking after his community well and asks sensible questions all the time. We are very confident in the decisions we made about the renewal of Newcastle. It has been a long process.

**The SPEAKER:** Order! The member for Macquarie Fields will come to order. Members will cease interjecting.

**Mr MIKE BAIRD:** This has gone on for close to 30 years. The community has waited for action from government and this Government has delivered the decision that the community has supported broadly and strongly; a decision that was long overdue but finally delivered. I note this is in stark contrast to the Leader of the Opposition, who was heard to comment to Linda Mottram this week on the position of the Labor Party in the lead-up to the last election. Indeed, he was asked "Why didn't you have a position?" He said, "Well, yes, we should have had a position on the rail line in the lead-up to the election." The only thing he did not tell Linda was that he was actually the Minister for Transport in the lead-up to that election. He could have taken a decision but he decided not to. He wanted to slide through the election without taking a position on that important point.

It is clear what leadership one will get from the Leader of the Opposition on this point and what one will get from the Government. We understand the concerns raised by the member and we are happy to work with him on those concerns, but we are very confident with the decisions we have made, which are broadly strongly supported across the community. It will be a very different city. This will be a wonderful opportunity

that will provide a huge uplift for the people in that city and what that great city can look like with the connection of the beaches to the harbour. It will be wonderful. It is not just the Government making these comments. Former Premier Kristina Keneally is on the record as saying:

We see merit in a light rail solution.

Michael Costa, a former Treasurer, who lives in the Hunter, said:

[It is] a solution to the problem that has vexed Newcastle for [many] years.

The *Newcastle Herald* stated:

Since Newcastle switched political allegiance ... the city has been waiting for the Coalition to produce the promised results. Those results are starting to come now, thick and fast.

We are making decisions in the interests of the city, in the interests of the region, and we will continue to do that. We are happy to discuss the member's concerns with him. We are happy to work with him constructively, as we have on many other issues. We stand by the decisions we have made because that city deserves to be a great city and that is what this investment is all about.

### INNOVATION INITIATIVE

**Mr CHRIS HOLSTEIN:** My question is addressed to the Premier. How is the Government consulting with the community to deliver innovative approaches to services and other related matters?

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

**Mr MIKE BAIRD:** I thank the member for his question and his incredible work on the Central Coast. He is doing an amazing job in Gosford; he is an amazing member doing an amazing job.

**The SPEAKER:** Order! Opposition members will come to order. The member for Toongabbie will come to order. There is too much audible conversation coming from Opposition members.

**Mr MIKE BAIRD:** I am very happy to announce today a new, innovative approach to delivering services by using crowdsourcing. It is an innovative approach across the world, and we want to bring this innovation initiative to New South Wales. Currently government services are delivered by public sector employees through competitive tendering and unsolicited proposals. This innovation initiative will provide a fourth channel through which we can uncover some of the most exciting ideas and technology by turning to the wider community for their input. The Government will do this using a competitive selection process to identify innovative solutions and deliver services from business, the community and non-government organisations. The four key focus areas will be congestion, social housing assets, open data and open ideas. We have seen this work around the world in places such as San Francisco.

When the data is opened up people come together and design apps. We have seen it happen with Transport for NSW where apps for available parking spaces, including directions and access, have been designed. In Toronto Canada there was input provided to a whole range of peak hour arteries. The community came back and provided opportunities, in terms of sequencing of lights, that improved travel times by up to 33 per cent. This Government is open to maximising all possible ideas to keep this State moving. That is what the initiative will provide. As I was reflecting on this issue I realised there would be all types of apps that could be designed to drive this State forward. There might be particular apps that are helpful for the Opposition.

When you start to put your mind to it you become quite amazed as to what you can do with the Opposition. I thought of the member for Keira. The member for Keira could have a Michael Bolton app that plays Michael Bolton 24 hours a day. He loves it. You could have a carpet calculator app that would work out carpet thickness across particular buildings and when it was wearing thin you could replace it. The Leader of the Opposition would then have a clear path: We need to fix this carpet. We could also have a weekend at Eddie's app. You find out when the chalet is free. Robbo is there a lot so you have to get in right alongside him, but he would love it. You could certainly have the car wash app. Where on earth can you get a good car wash in Sydney?

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

**Mr MIKE BAIRD:** The member for Cabramatta knows a good spot. The good news is that you could have the solar bonus app with the Leader of the Opposition's little face that comes up and says, "Hope you like that one."

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

**Mr MIKE BAIRD:** The good news is that this Government will continue to do the job for the people of New South Wales. This Government is proud of the services it has delivered, whether it is the National Disability Insurance Scheme or signing up to the Gonski education reforms, whatever it is this Government is doing a great job for the people of New South Wales. This Government is delivering record infrastructure such as the North West Rail Link. That was promised by the former Labor Government and then cancelled, but is now being delivered. At the same time it is focusing on improving the economy of this State. There are more jobs, more economic growth, more retail sales and confidence than ever there was under those opposite. That is what we will do. This Government will not be distracted from delivering for the people of New South Wales because that is what they have elected us for and we will continue to do it. If those opposite think that they can roll into Government they have another thing coming. Prepare for the fight of your life because we are up for it.

**Question time concluded at 3.13 p.m.**

### **PRINTING OF PAPERS**

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

That the following papers be printed:

Report by the New South Wales State Coroner into Deaths in Custody/Police Operations for 2013

Report pursuant to section 242A of the Law Enforcement (Powers and Responsibilities) Act 2002 by the NSW Police Force on Covert Search Warrants for the year ended 30 June 2013

Report pursuant to section 242A of the Law Enforcement (Powers and Responsibilities) Act 2002 by the NSW Police Force on Criminal Organisation Search Warrants for the year ended 30 June 2013

Report pursuant to section 242A of the Law Enforcement (Powers and Responsibilities) Act 2002 by the Police Integrity Commission on Covert Search Warrants for the year ended 30 June 2013

Report of the Independent Pricing and Regulatory Tribunal entitled "NSW Energy Savings Scheme—Compliance and Operation in 2013, Annual Report to the Minister, Energy Savings Scheme", dated July 2014

### **BUSINESS OF THE HOUSE**

#### **Suspension of Standing and Sessional Orders: Order of Business**

**Mr ANTHONY ROBERTS** (Lane Cove—Minister for Resources and Energy, and Special Minister of State) [3.13 p.m.]: I move:

That standing and sessional orders be suspended at this sitting to provide for the following routine of business after the conclusion of the discussion on the 10,000 signature petition:

- (1) Government business.
- (2) Community recognition statements.
- (3) Private members' statements.
- (4) The House to adjourn without motion moved at the conclusion of private members' statements.

I thank the members for their assistance this week in ensuring that the large amount of Government legislation moved through the House efficiently.

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

**Motion agreed to.**

## PETITIONS

**The Speaker announced that the following petitions signed by more than 10,000 persons were lodged for presentation:**

### **St George Public Hospital**

Petition requesting increased funding for St George Public Hospital, received from **Mr Anthony Roberts**.

### **Hunter Rail Rolling Stock**

Petition calling on the Government to ensure that the \$2.8 billion Hunter rolling stock tender process delivers safe, high-quality trains that are designed, built and maintained by New South Wales manufacturers, received from **Mr John Robertson**.

**Discussions on petitions set down as orders of the day for a future day.**

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

### **Edgecliff Interchange**

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

### **Inner-city Social Housing**

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

### **Low-cost Housing and Homelessness**

Petition requesting increased funding for low-cost housing and homelessness services, received from **Mr Alex Greenwich**.

### **Pet Shops**

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

### **Pig-dog Hunting Ban**

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

### **Slaughterhouse Monitoring**

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

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

### **Hunter Economic Zone**

Petition calling for a review of planning constraints within the Hunter Economic Zone, received from **Mr Clayton Barr**.

**LEGISLATIVE COUNCIL SELECT COMMITTEE ON THE SALE OF THE CURRAWONG  
PROPERTY AT PITTWATER**

**Report: Sale of the Currawong Property at Pittwater**

**Mr RAY WILLIAMS** (Hawkesbury—Parliamentary Secretary) [3.17 p.m.], on behalf of Mr Anthony Roberts: I move:

That this House take note of the report of the Legislative Council Select Committee on the Sale of the Currawong Property at Pittwater, dated June 2014.

I speak on the report of the Legislative Council Select Committee on the sale of the Currawong property at Pittwater entitled "Sale of the Currawong Property at Pittwater". I cannot say it gives me great pleasure to speak on this report. I usually enjoy the opportunity to debate a wide range of topics in this House on behalf of my electorate and the people of New South Wales, but today I have no pleasure in doing so. I believe this is an important topic that cuts to the very centre of honesty, integrity and democracy in this Parliament. I will start with a quote:

It does not get more serious than bribery when it comes to the conduct of public officials.

I will come back to that quote in a moment, but I will speak first of what is commonly known as the Currawong deal. In 2007 Unions NSW offered to sell Currawong to Eco Villages for the sum of \$15 million—half of what was offered by the slain businessman, the murdered Michael McGurk. The eventual sale price paid to Unions NSW by Eco Villages was only \$11 million. The Land and Property Management Authority alleged corrupt conduct concerning matters arising from the Currawong property purchase. The Independent Commission Against Corruption [ICAC] Operation Napier investigated allegations that Land and Property Management Authority Chief Executive Officer, Warwick Watkins, committed the New South Wales Government to the purchase of property at Currawong Pittwater knowing that he did not have the requisite authority to do so, and that the Hon. Anthony Kelly, the then Minister for Lands, sought to authorise the purchase, although he knew he was not authorised to do so.

The commission also examined an allegation that Mr Kelly backdated to 28 February 2011 a letter to Mr Watkins knowing that it would be used by Mr Watkins to falsely represent that he had the written authority of Mr Kelly as at that date to purchase the Currawong property. It is also alleged that Mr Watkins, and the Land and Property Management Authority Chief Financial Officer, Robert Costello, knowing that the letter dated 28 February 2011 was backdated, used the subsequent letter to represent falsely that Mr Watkins had the written authority of Mr Kelly as at that date to purchase the property. In its report on the investigation made public on 12 December 2011, the commission made corrupt findings against Mr Watkins, Mr Kelly and Mr Costello. The commission stated it was of the opinion that the advice of the Director of Public Prosecutions should be sought with respect to the prosecution of Mr Watkins, Mr Kelly and Mr Costello for various criminal offences. I come back to the quote I made at the beginning of this debate:

It does not get more serious than bribery when it comes to conduct of public officials.

I think we can all agree with that. I think it is a perfectly accurate statement, but whose quote is it? I can inform members that the person who said those words was none other than the Leader of the Opposition, who said in a media release in June 2011, "It does not get more serious than bribery when it comes to the conduct of public officials." Speaking in this place on a motion accorded priority on 15 October 2013 the member for Pittwater and now Minister for the Environment put a number of questions to the Leader of the Opposition following his own admission of a \$3 million bribe during the negotiations over the sale of Currawong. The Minister asked why this multimillion dollar bribe was never declared to authorities, whether the people of New South Wales can have confidence in the honesty and integrity of the Leader of the Opposition; and whether as an alternative premier he is fit to hold that post.

Why was an offer for more than twice the amount that was ultimately accepted refused by the Leader of the Opposition when he was the head of Unions NSW? Why was the \$30 million knocked back, which was originally offered by a subsequent developer, and only \$11 million eventually received for union members? What was his relationship, being the Leader of the Opposition, with directors of Eco Villages throughout the sale process? What role did his position as co-director of Get on Board with the directors of Eco Villages have on the outcome of the final sale process? What role did the Obeid family play in his negotiations with the murdered Michael McGurk?

Who else was privy to his discussions with Michael McGurk and the Obeid family surrounding Currawong and was the offer of the \$3 million bribe itself ever disclosed to the directors of Eco Villages? The Leader of the Opposition had the opportunity to answer these questions as the next speaker in this place, but chose not to do so. He instead made a number of false statements in relation to Family and Community Services, and Transport portfolios, but that is fairly typical of the Leader of the Opposition in this place. Interestingly, the member for Macquarie Fields said in opposing the motion of the member for Pittwater, who was asking these highly pertinent questions of the Leader of the Opposition:

Today members of Parliament have a choice to accord priority to a motion that is all about politics.

This proves beyond a shadow of a doubt that the Labor Party has absolutely learnt nothing. Thankfully, others in this House and in the other place were interested enough in obtaining some answers to important questions from the Select Committee on the Sale of the Currawong Property at Pittwater and that committee was therefore established. The findings included the following: Mr Robertson displayed—Mr Robertson being the Leader of the Opposition—an error of judgement in failing to report to Unions NSW and the New South Wales police that the murdered Mr McGurk had made an inappropriate offer of \$3 million to him in relation to the sale of Currawong.

The committee found it was inappropriate that Mr Robertson met with Mr McGurk on his own. The Leader of the Opposition did not report the \$3 million bribe to the New South Wales police even after the person offering it was shot dead and an investigation into his murder was being conducted. The Leader of the Opposition did not report the bribe to the Independent Commission Against Corruption, which almost certainly disqualifies the Leader of the Opposition from forever commenting on the Independent Commission Against Corruption matters. An AAP report by Ehssan Veiszadeh on June 26, 2014 stated:

Labor says the inquiry (the select committee inquiry) was no more than a political ploy.

The Independent Commission Against Corruption conducted Operation Calpurnia, an investigation into the murdered Michael McGurk and others concerning allegations of corrupt conduct. The Independent Commission Against Corruption investigated these allegations of corrupt conduct principally arising from an audio recording made by the murdered Michael McGurk of a conversation in which a representation was made that a corrupt payment could be made to a senior public official with respect to a proposed development; and various statements alleged to have been made by Michael McGurk to various people relating to corrupt conduct by New South Wales public officials and others, including, but not limited to, conduct in relation to the possible re-zoning of property at Badgerys Creek. Although the allegations investigated were found to be without substance and no findings of corrupt conduct were made, there was a public inquiry into the conduct of the murdered Michael McGurk and claims that corrupt payments could influence developments.

The question is: Did the Leader of the Opposition not think it relevant to inform the Independent Commission Against Corruption of the \$3 million bribe offered to him by Michael McGurk? It is interesting the Leader of the Opposition has asked several questions in relation to members of this place and their relationships in regard to the current investigations in the Independent Commission Against Corruption. Current Independent Commission Against Corruption investigations involve current and in some cases former colleagues who have predominantly sourced and received funds illegally for the purpose of political campaigns. For the record, I support the role of the Independent Commission Against Corruption and the subsequent findings of illegal behaviour by elected representatives, which can never be condoned.

This is in stark contrast to the investigations concerning personal enrichment by senior Labor figures who held the highest offices in this State; people who through their power and influence grossly corrupted and perverted the proper processes of government and senior government departments not for political campaigns, but for their own greed, their own personal gain. This personal gain has deprived the people of New South Wales of hundreds of millions of dollars; whether that be by way of manipulating a department to gain mining licences or the next investigation by the Independent Commission Against Corruption, which will seek to examine the role of Eric Roozendaal, a former Minister and the former corrupt Labor Minister Joe Tripodi, who sought to obtain benefit on behalf of Buldev for a Newcastle coal loader, or whether it was to gain tenancy licences in Circular Quay on behalf of Eddie Obeid's family.

It is worth noting these people were Ministers of the Crown. These were not party volunteers or paid officials, they were not even backbenchers or parliamentary secretaries; these were senior Ministers of the Crown in New South Wales. The person holding one of the highest offices in the land and sitting right next to them in the very same caucus meetings was none other than the current Leader of the Opposition, John

Robertson, a Minister himself at the time. A person, who by his own admission through the quote that I referred to earlier, has lost all credibility. But today we learn that the Leader of the Opposition, John Robertson, stands by his Chief of Staff, Ian McNamara, his closest confidante, despite the looming coal loader scandal.

**Mr Michael Daley:** Point of order: The subject matter that the member for Hawkesbury is about to traverse is not contained anywhere within the Currawong report that we are taking note of. I ask him to be drawn back to the leave of the motion.

**ACTING-SPEAKER (Ms Melanie Gibbons):** Order! The member for Hawkesbury has been relevant to the debate. The member for Hawkesbury has the call.

**Mr RAY WILLIAMS:** I am merely discussing the credibility of the very person who was at question in the select committee, John Robertson, the Leader of the Opposition, because as has been pointed out, his credibility is now significantly in question. I go right back to the original statement that I made in relation to what the Leader of the Opposition stated about bribery, which cuts to the very core of honesty, integrity and democracy in this House. I state once again for the record what the Leader of the Opposition said: "It does not get more serious than bribery when it comes to the conduct of public officials." I support that view; it is a perfectly accurate assessment.

I make a personal statement for the record: In light of current investigations, there is no place for illegal actions by any member of this House. As a matter of fact, there is no place for illegal activity by anybody in this country and there is certainly no place for illegal activity by anybody in this place; such is the responsibility we have vested in us by the people who elected us to represent them. The people of Blacktown elected John Robertson as their member of Parliament. John Robertson's credibility is shot to bits by virtue of his statement: "It does not get more serious than bribery when it comes to the conduct of public officials." By his own admission, Mr Robertson was offered a bribe of \$3 million by a developer who was subsequently murdered. The people of New South Wales should be given answers because the cost of the investigation into that parcel of land cuts to the core of the honesty and integrity of this House and of the Leader of the Opposition.

I would be more than happy for the Leader of the Opposition to make a personal explanation in this Chamber as to why he chose not to inform anyone about the \$3 million bribe. He said nothing for years and years, until he gave the story to a journalist. It gives me no pleasure to debate this issue, but we are endeavouring to uphold the very highest standards in the New South Wales Parliament. Illegal activity by any person will never be tolerated by any elected representative. Serious questions should be put to the Leader of the Opposition. As an alternative Premier, he needs to provide answers to this House and to the people of New South Wales as to why he did not declare the \$3 million bribe. I would be more than happy for him to make a personal explanation in this House.

**Mr DAVID ELLIOTT** (Baulkham Hills—Parliamentary Secretary) [3.32 p.m.]: It is one of the saddest days in this Parliament when a former Minister of the Crown has to justify his role in a bribe which led to a murder. It is appalling that neither the Leader of the Opposition nor his deputy has seen fit to be in the Chamber and be part of this debate. Unfortunately, I have witnessed on numerous occasions the seedier side of the union movement. I am not surprised to see in this report details about the conduct of the union movement in the sale of the Currawong property. Why does the Labor Party not do the right thing when it comes to a fast buck? Whenever the unions are involved something untoward—

**Mr Nick Lalich:** Ha, ha!

**Mr DAVID ELLIOTT:** I would be very quiet if I were the member for Cabramatta; we could talk about free car washes and meals, and the member's role on Fairfield City Council that is still under investigation. The member for Cabramatta might learn from this report, as it will improve the credibility and conduct of members of the Labor Party. I reckon that when former Prime Minister Paul Keating dragged the opposition leader's name through the mud he had this report in his hands. Whenever members on this side of the Chamber refer the Opposition to the opinions of past and present Labor leaders about the current Leader of the Opposition, those opposite go very quiet. They do not attack Paul Keating over his remarks about the character of the Labor leader because they know Paul Keating is right. This report proves he is right.

Why can members of the union movement not get their grubby hands off real estate? They are elected to look after the interests and the welfare of the working class. Why did they see fit to get involved in a grubby real estate deal such as this? Why did they reduce the name of the organisation to the lowest common

denominator? What led to the murder of a man trying to do business in the murky world of Labor politics? I am astounded that nobody in the Labor Party has moved a motion of no confidence in the Leader of the Opposition because of his conduct as detailed in this report. Why can the Labor Party not get its head around the need for ethics and good conduct in public administration? Why does the Labor Party not understand probity in dealing with public policy and the assets of members of the union movement?

I have had the misfortune to be exposed to the murkier side of the union movement, which sees its sole role as supporting, nominating and endorsing members to run for election to this place. In my previous role I was the chief executive of the Civil Contractors Federation. In that role I saw the conduct of the union movement as a respondent in the Industrial Relations Commission, which makes me believe every word in this report. I know what members of the union movement are capable of and what it is like to be in a room when they try to bribe public officials. I have seen the role played by members of the union movement in doing dirty deals. I have been on construction sites when union officials said, "It's Friday, so let's have the afternoon off" and then dropped a small piece of asbestos to screw over the employer and send a construction team home so they could go to the pub. I have been on construction sites where the union movement had everyone sent home the week before Christmas because there was no salt and pepper on the table. I have been in the Industrial Relations Commission when grubby deals have been imposed on employers of this State simply because the union official needed support to get re-elected.

There is silence from those opposite because they know everything I am saying is dead right. They will not defend the union movement and nor will they defend the Leader of the Opposition for his role in this grubby deal for Currawong. A murder was committed following a deal between the union movement and the Government. That is appalling. It is the type of disgraceful act we expected from the Labor Party of old. We should be rolling out names like Rex Jackson, Richard Face and Joe Tripodi. The union movement and the Labor Party promised when they got kicked out of office in 2011 in New South Wales and in 2013 federally that they would be new organisations as they had learned their lesson. They even made the cosmetic change of removing their dedication to socialism from their agenda and party proformas.

But they have not learned anything at all. They sit on the other side of the Chamber knowing full well that everything the member for Hawkesbury and I have said is right. They are embarrassed because their party has been scarred and dragged through the mud because of the acts of John Robertson, the union movement and people like Mr McGurk. I refer to an article by Andrew Clennell in the *Daily Telegraph*. He highlights the fact that Mr Robertson's leadership group, including the member for Maroubra, has asked Mr Robertson to remove his chief of staff from office because of concerns surrounding him.

**Mr Michael Daley:** Point of order: Apart from that statement being untrue, it is irrelevant to the debate.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! What is the member's point of order?

**Mr Michael Daley:** I refer to Standing Order 76.

**Mr DAVID ELLIOTT:** To the point of order: The information is in the public domain. This is a take-note debate about the report of a parliamentary inquiry. The Labor Party and the Leader of the Opposition have an obligation and a responsibility to justify why Ian McNamara is still on the public purse.

**Mr Michael Daley:** To the point of order: The motion calls on the House to "take note of the report of the Legislative Council Select Committee on the Sale of the Currawong Property." If the member for Baulkham Hills can find that gentleman's name anywhere in that report I will defer to him. But he cannot because his comments are irrelevant. I ask you to draw him back to the leave of the motion.

**Mr DAVID ELLIOTT:** Further to the point of order: I am happy—

**Mr Michael Daley:** The Deputy-Speaker has not ruled yet. You are supposed to sit down when another member is on their feet.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! The member for Maroubra will resume his seat. I remind him that he is on three calls to order.

**Mrs Barbara Perry:** Point of order—

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! The Parliamentary Secretary is speaking further to the point of order. I will hear from him first.

**Mr DAVID ELLIOTT:** I am happy to return to the leave of the motion. I just wanted to hear the member for Maroubra defend Mr McNamara's attack on this Chamber.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! Does the member for Auburn wish to take a point of order?

**Mrs Barbara Perry:** I am simply seeking clarification. When a member on this side of the House takes a point of order should the Government member with the call resume his seat?

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! Yes. The rule also applied when the member for Auburn stood up. I uphold the point of order.

**Mr DAVID ELLIOTT:** I return to the findings of the report. According to the report, John Robertson displayed an error of judgement in failing to report to Unions NSW and the New South Wales police that Mr McGurk had made an inappropriate offer to him in relation to the sale of Currawong. An error of judgement is something that occurs when you accelerate through an amber light; an error of judgement is something that occurs when you submit your tax return and forget to include the interest from an account. This is not the type of error of judgement that someone who seeks to be the alternative Premier should have on the public record. Unfortunately, the Leader of the Opposition has forfeited his right to stand in this place and give members a lecture on ethics because he has shown an outrageous error of judgement that led to the murder of a man. This is not something that we should sweep under the carpet.

**Mr Michael Daley:** Point of order: Standing Order 73 states that reflections upon a member of this place can be done only by way of substantive motion. Unless I have misheard him, the member for Baulkham Hills just said that the Leader of the Opposition was somehow connected with the murder of Michael McGurk. That is an absolute disgrace and the member for Baulkham Hills should withdraw that comment.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! I stand to be corrected, but I did not hear it that way.

**Mr DAVID ELLIOTT:** I certainly did not say that. I think the member for Maroubra protests too much. The Leader of the Opposition maintains there was no obligation to report the offer of the bribe. However, that ignores section 316 of the Crimes Act, which states that where a person commits a serious offence, such as offering a "corrupt commission or reward" and a person who can assist fails to bring the information to appropriate authorities, the person is liable to imprisonment for two years. There clearly was an obligation under the Crimes Act to report the offer of a bribe. Labor gave the excuse that the bribe was not serious. If the bribe was not serious why did Mr Robertson feel the need to terminate the meeting? The Leader of the Opposition said that he would report it to the authorities if he had his time again. If that is the case, he should come to this Chamber and explain. Now that his moral compass is adjusted properly perhaps the Leader of the Opposition understands the significance of a \$3 million bribe.

The committee's second finding is that "it was inappropriate that Mr Robertson met with Mr McGurk on his own in March 2006." The Leader of the Opposition has the audacity to stand up in this place as recently as today and question the leadership of the Government and members of the Coalition on matters involving amounts much, much less than the \$3 million bribe involved in the Currawong sale—which he did not feel the need to report, even though it was a bribe hundreds of times larger than the ones he refers to that are currently before the Independent Commission Against Corruption [ICAC]. He felt the need to cover up the bribe; he did not think it was appropriate to bring the matter to public attention. The Labor Party will argue that this matter was not explored properly and therefore the finding is unfair. Was it not unfair for the Leader of the Opposition to smear Government members today over matters—

**Mr Barry Collier:** Just like you're doing now.

**Mr DAVID ELLIOTT:** The Minister for the Fire Brigade interjects. I look forward to witnessing his last 12 days in Parliament.

**Mr Barry Collier:** You're going to knock them again, are you? You grub.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! I will not accept any further comments from the member for Miranda.

**Mr Ray Williams:** For the rest of this Parliament?

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! The member for Hawkesbury will remain silent.

**Mr DAVID ELLIOTT:** It is obviously inappropriate to meet an individual alone when a tender is subject to consideration and that individual is involved.

**Mr MICHAEL DALEY** (Maroubra) [3.48 p.m.]: I move:

That the member for Baulkham Hills be not further heard.

**The House divided.**

**Ayes, 18**

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

**Noes, 54**

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

**Pair**

Ms Tebbutt

Mr Baird

**Question resolved in the negative.**

**Motion that the member for Baulkham Hills be not further heard negatived.**

**BUSINESS OF THE HOUSE****Suspension of Standing Orders: Extension of Time**

**Mr ANTHONY ROBERTS** (Lane Cove—Minister for Resources and Energy, and Special Minister of State) [3.56 p.m.]: I move:

That standing and sessional orders be suspended to permit the member for Baulkham Hills to continue his speech for a further period of two minutes.

**Question put.**

**The House divided.**

**Ayes, 57**

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

**Noes, 18**

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

**Pair**

Mr Baird

Ms Tebbutt

**Question resolved in the affirmative.**

**Motion agreed to.**

**Mr DAVID ELLIOTT** (Baulkham Hills—Parliamentary Secretary) [4.04 p.m.]: As was highlighted by the member for Hawkesbury, it is important for members of this House to consider that it is both a criminal and a common law offence for a member of Parliament, or indeed any person, not to disclose, declare or report a bribe from a public official or anybody. This report relates to the very credibility of the Leader of the Opposition. It highlights once and for all to the people of New South Wales that it was inappropriate for the Leader of the Labor Party to meet with Mr McGurk. The Leader of the Opposition has shown a lack of

understanding of the significance of a \$3 million attempted bribe, of probity and the basic tenet of right versus wrong and that has brought into question the capability and fit state of mind of the Leader of the Opposition and whether he has the right to put himself forward as an alternative Premier.

I am horrified that over the course of debate on this report not one member of the Opposition has defended the Leader of the Opposition. I am horrified that members of a party in this State have not sought to rebut my comments and those of the member for Hawkesbury. Their silence is deafening. I do not understand how they can remain in a party room under the leadership of a man whom they refuse to defend in these circumstances. I commend the report to the House.

**Debate adjourned on motion by Mr Gareth Ward and set down as an order of the day for a future day.**

## **DISABILITY INCLUSION BILL 2014**

### **Second Reading**

**Ms GABRIELLE UPTON** (Vaucluse—Minister for Family and Community Services) [4.07 p.m.]:  
I move:

That this bill be now read a second time.

The Government is very proud to introduce the Disability Inclusion Bill 2014. This bill will have a meaningful impact on the lives of people with disability, their families, and carers. This is a time of great change. People with disability are now shaping disability services, rather than being the passive recipients of services from governments and other providers. The bill replaces the Disability Services Act 1993 which, for the past 21 years, has provided the main legal foundation in New South Wales for regulating supports, services and funding to people with disability.

Although progressive when introduced, the Disability Services Act, which is predicated upon the funding of specialist services for people with disability, does not sit comfortably with the present-day approach to disability. Recent times have seen a shift towards person-centred disability services, client-directed supports and individualised budgets. In these arrangements the person with disability is firmly at the centre of decision-making, and is able to exercise choice and control over the nature of their supports, and how they are delivered. This shift in approach is denoted by the National Disability Insurance Scheme, which represents a historic milestone for people with disability, their families and carers, not only in New South Wales, but throughout Australia. The National Disability Insurance Scheme is a significant breakthrough for disability support. It will deliver a national system that is focused on the individual needs and choices of people with disability.

It is, without a doubt, an historic step forward. I was proud when New South Wales became the first State to sign up to the scheme through a heads of agreement with the Commonwealth in December 2012. I commend New South Wales for showing no hesitation in committing to a revolutionary approach to disability care. New South Wales welcomed this long overdue approach that will provide people with disability with something that most Australians take for granted, that is, choice and control in everyday life. The date by which full National Disability Insurance Scheme [NDIS] implementation is to be achieved is 1 July 2018. At this point, the responsibility for funding and the provision of disability services will transfer to the National Disability Insurance Agency.

The bill recognises the need for far-reaching reform that enhances the everyday lives of people with disability. It does this within the context of the National Disability Insurance Scheme. The bill proposes a rights-based inclusion framework that moves us away from historically highly regulated services. This framework will enable New South Wales to make a smooth transition to the national scheme on 1 July 2018. Some members may question why the bill is being introduced at this stage given the National Disability Insurance Scheme is still undergoing fine-tuning, with some reviews and negotiations yet to take place. These include the review of the National Disability Insurance Scheme launch in May 2016, the review of the National Disability Insurance Scheme Act and Rules in July 2016 and negotiations concerning the national approach to safeguards.

Although the National Disability Insurance Scheme Act, government agreements and the National Disability Insurance Scheme Rules provide a comprehensive framework and clear focus, it is important that the

bill acknowledges the potential for changes or reforms that are yet to be negotiated for the national scheme. This acknowledgement has been built into the bill itself, with the inclusion of transitional provisions that will end when the national scheme is fully implemented. In addition to this, the bill contains a requirement that it be reviewed within four years. This will provide an essential check on whether the bill's objectives are being achieved and whether any adjustments need to be made to take account of reforms introduced by the National Disability Insurance Scheme.

Further, I note that the reforms contained in the bill aim to support and improve on current practice within the government and non-government service sector, and so the cost of implementation will be relatively low. Also of importance is the need for the bill to be consistent with the National Disability Insurance Scheme. I point out that the bill offers consistency with the national scheme in its intent to provide people with choice and control over their supports, for example, a focus on individualised funding that allows for greater flexibility, and facilitates choice and control in support provision. The bill will support people to build their skills and capacity in this area prior to their transition to the NDIS.

As members can see, this bill has been designed to provide both consistency and flexibility. It is what New South Wales needs to make a smooth transition to the National Disability Insurance Scheme. I stress that it is crucial for the bill to be introduced at this stage and not held off until the final detail of the National Disability Insurance Scheme is known. This is because one of the bill's functions is to assist in ensuring that the NDIS is implemented on schedule, and that the Government, service providers, people with disability, their families and carers are fully prepared for transition. As such, to introduce the bill at a later stage would be counterproductive.

The development of the bill has been informed by the feedback received from an extensive statewide consultation process, which has involved thousands of people across New South Wales. The consultation process began in 2011 with the Living My Way consultations that ran until 2012 and gave over 4,000 individuals the opportunity to share their views on the introduction of self-directed support and individualised budgets. Subsequently, in early 2013, approximately 600 people with disability, their families and carers, service providers and peak representative organisations from across New South Wales attended face-to-face consultations to discuss the review of the Disability Services Act 1993. In addition, 64 written submissions were received. These views were taken into account in developing the new law.

In December 2013 the exposure draft of the Disability Inclusion Bill was released for public comment. Over 90 written submissions on the draft bill were received from people with disability, their families and carers, service providers and other organisations. The feedback received from this broad consultation process indicated a strong need for change and has received careful consideration in the drafting of the bill. On behalf of this Government, I want to genuinely thank those who took the time to share their opinions, thoughts, hopes, suggestions, stories and concerns. We are grateful for this feedback, which has been invaluable in getting the bill right.

The feedback showed that people want the new disability law to promote human rights, to support people with disability to exercise choice and control, to clarify the role of the New South Wales Government now and following introduction of the National Disability Insurance Scheme, to provide safeguards to protect the rights of people with disability and to help make our communities more inclusive. It gives me great pleasure to advise that the bill reflects this feedback and I can truthfully say that this Government has listened to the legitimate concerns and expectations of individuals and organisations across New South Wales. We have delivered a bill that is responsive, and will support individuals and service providers to move from the New South Wales disability system to the national scheme.

As I mentioned previously, the bill clarifies the responsibilities of the New South Wales Government during transition to the NDIS and beyond. The bill achieves this through its legacy provisions. The bill also contains transitional provisions, which I will discuss in due course. The legacy provisions will continue to operate after the National Disability Insurance Scheme is fully operational in New South Wales. In short, these provisions include the bill's objects and human rights principles, and commit the New South Wales Government to making communities more inclusive for people with disability. The legacy provisions offer direction and clarity about where we are headed in this time of great change and will guide New South Wales in the transition to the National Disability Insurance Scheme and beyond.

Let me make it clear: the National Disability Insurance Scheme does not, nor should it, alleviate the New South Wales Government from all responsibility towards people with disability. There are some things that will remain an ongoing responsibility of the New South Wales Government and these are contained in the

legacy provisions. The legacy provisions make the bill an instrument of social change. They affirm that people with disability have the same human rights as other people and promote the inclusion of people with disability in the community. I believe that this part of the bill represents the vision for the future for people with disability in New South Wales. The legacy provisions articulate the fact that the New South Wales Government must continue to strive for and ensure the wellbeing of people with disability, their families and carers living in the State.

As I just mentioned, human rights flow through the legacy provisions, including in the bill's updated definition of disability that is based on the social model of disability. This definition aligns with the United Nations Convention on the Rights of Persons with Disabilities. The social model of disability is based on the premise that disability is not inherent in the person, but arises from the interaction of a person's impairments with barriers put up by society to full and equal participation. Barriers may include attitudes towards people with disability or may exist in the built environment. I believe that it is not for people with disability to change to accommodate society but it is up to society to change in order to accommodate people with disability. People with disability have a right to be included as citizens on an equal basis with others. Therefore, I fully embrace the bill's updated definition of disability that recognises this.

I now turn to the bill's objects and principles that strengthen and update the purpose of the legislation, which ultimately is to give effect to the human rights and fundamental freedoms of people with disability. The bill's objects set out the key themes of the legislation, emphasising social and economic inclusion, choice and control over funding and supports, protection of rights through safeguards, and recognition of human rights. It also acknowledges that an important goal of the bill is to assist with the transition to the National Disability Insurance Scheme. The bill has two kinds of principles, the first being general principles, which acknowledge the human rights of all people with disability and have been developed with regard to the United Nations convention.

The second set of principles recognises the needs of particular groups, such as Aboriginal and Torres Strait Islander people with disability, people with disability from culturally and linguistically diverse backgrounds, women with disability and children with disability. The bill recognises that these groups of people often suffer intersectional disadvantage and sets out considerations for delivery of supports and services to those important groups. The bill's incorporation of the United Nations convention in its definition of "disability" in the objects and principles reflects the New South Wales Government's strong commitment to recognising the human rights of people with disability, in accordance with the highest international standards.

The other theme that flows strongly through the legacy provision is inclusion. All too often people with disability are excluded from meaningful participation in community life due to barriers put up by society. As I have said, they include the inaccessibility of the built environment or the inaccessibility of information. I believe that such exclusion is a detriment not only to people with disability but also to our whole community. This is because when people with disability are able to contribute to and be involved in community life, we end up with a more inclusive and diverse community. This type of more inclusive and more diverse community enriches life for everybody. The bill's legacy provisions promote inclusion by establishing a strong outcomes-focused approach to whole-of-government strategies that aim to make communities more accessible and inclusive for people with disability.

Part 2 of the bill is dedicated to disability planning. It introduces a requirement for the New South Wales Government to have a four-year State disability inclusion plan that guides whole-of-government approaches to inclusion and provides strategic direction for disability action plans. The National Disability Strategy requires all States to have an implementation plan which captures the State's priorities and actions across government to promote inclusion for people with disability. It is anticipated that this plan will become the State disability inclusion plan while it is in place. However, upon expiration of the National Disability Strategy implementation plan, it is critical that the New South Wales Government continue to develop broad strategic approaches that promote community inclusion and improvements in the lives of people with disability in New South Wales. This will ensure it.

Furthermore, the bill strengthens the disability action planning process by extending the requirement for not only New South Wales government departments to have disability inclusion plans but also local councils. This extension is supported by Local Government NSW and the majority of council submissions received on the draft Disability Inclusion Bill for local councils. Sensibly, the bill requires that the State disability inclusion plan and all disability inclusion action plans are developed in consultation with people with disability that not only will help people but also will ensure that those plans are meaningful, relevant, practical

and effective. Part 3 of the bill confirms a continuation of the Disability Council NSW. The bill extends the council's role to providing advice on the State disability inclusion plan and disability inclusion action plans. This is a significant reform as it encourages consultation with Disability Council members, who can provide invaluable feedback through their lived experience and expertise in disability issues.

The Government is keen to ensure that the extension of the disability inclusion action plan regime to local government does not have an unnecessary impost on local councils. Accordingly, we are developing guidelines and supporting tools to assist local councils to prepare plans. Notably, most local councils already have plans or have community strategies that incorporate ways to address the needs of people with disability. As such, the majority of local councils will be able to easily accommodate this requirement. I support this statement with the findings of a 2013 report entitled "Disability planning across local government in New South Wales", commissioned by Local Government NSW together with the Department of Family and Community Services, which is my department, and the Department of Ageing, Disability and Home Care. Encouragingly, the report found that approximately three-quarters of local councils in New South Wales consult with people with disability and have community plans that include strategies to address the needs of people with disability. The report also found that approximately one-third of local councils have a plan.

Lastly, I point out that the bill allows for the disability action planning process to be aligned with the strategic planning process of local councils to minimise any administrative burden. I will walk members through the detailed transitional provisions of the bill that will prepare people with disability, their family, their carers, service providers and the Government for the full transition to the National Disability Insurance Scheme [NDIS]. The transitional provisions explain how the New South Wales disability service system will work up until the responsibility for funding and the provision of disability services has been fully transferred to the Commonwealth Disability Insurance Agency. The first transitional provisions I wish to speak about are those contained in part 5 of the bill.

Part 5 deals with the provision of supports and services, including those provided directly by the New South Wales Government, and financial assistance for individuals and eligible entities. Part 5 of the bill will operate until the NDIS starts to fund all disability supports and services in New South Wales. This confirms that delivering and funding services and supports will remain a priority of this Government for the next four years. Individuals who can receive funding supports and services under part 5 are those who fall under the bill's target group. The target group definition is the same as the Act's current definition, except for three main changes. First, in addition to the people previously covered by the target group, the target group now includes people with cognitive and neurological impairments; and, secondly, it includes children aged six years and under with developmental delay.

The bill also states that a reduction in a person's social and self-management skills is an important matter to consider when making a decision about whether a person has difficulties in managing his or her life activities. The changes bring the target group definition further into line with the NDIS eligibility requirements. As members are aware, individualised funding is a key feature of NDIS and, in keeping with the NDIS, the bill focuses on individualised funding arrangements, thereby supporting people with disability to exercise greater choice and control over their support arrangements.

The bill allows for individualised funding to be administered in a number of different ways to suit individual circumstances. Depending on what option best suits the desires and circumstances of the individual, funding can be provided directly to persons themselves, to a person nominated by the individual, to a plan manager to manage funding in consultation with the individual or to an organisation that is providing services to the individual. The bill maximises the flexibility of these arrangements by permitting funding to be provided in one of these ways or in a combination of these ways.

The bill also allows for the continuation of block funding to eligible service providers until we have totally moved to the NDIS. For the information of those who are unfamiliar with block funding, it is where the service provider is allocated a set amount of money that is not in the name of individual service users. Importantly, the funding provisions are drafted to minimise risk and provide protection. In this instance, the bill allows for conditions to be placed on individual funding arrangements, if necessary, to minimise that risk. The bill also places conditions on funding to eligible organisations, which acts as a quality control mechanism, safeguarding against poor service and abuse. Conditions include proving compliance with disability services standards under part 4 of the bill, undertaking probity checks on certain workers, volunteers and board members, and specifying how funding will be used.

The bill recognises that individuals may not always be happy with the decisions made about their funding. Accordingly, the bill provides that there are some decisions about which a person can ask the department to review. After the review, if the individual is still unhappy, he or she may appeal the decision to the Civil and Administrative Tribunal of New South Wales. Reviewable decisions include decisions about how individualised funding is managed, the decisions to impose conditions on individualised funding, the decisions to provide financial assistance on behalf of an individual instead of directly to an individual and the decisions to suspend funding. The bill also provides that a decision to terminate funding is reviewable as long as it is not related to the implementation of the NDIS. This will prevent New South Wales from duplicating a funding system by allowing funding to be terminated with reasonable notice.

With increased choice comes increased risk. Accordingly the bill includes three key safeguards to reduce risk while respecting the individual's right to choose. The need for legal safeguards is supported by the review into prevention of abuse and safeguard mechanisms in Ageing, Disability and Home Care, which was undertaken in January 2013. This review recommended a comprehensive safeguard framework that includes appropriate regulatory protections, and practice-based and community-based independent mechanisms. The need for legal safeguards also was highlighted in the feedback from consultations on the review of the Disability Services Act 1993.

As I have previously mentioned, the Commonwealth Government is developing a national approach to safeguards in consultation with the States to protect the rights of National Disability Insurance Scheme participants. As such the bill's new safeguards build on current practice and existing systems within the government and non-government service sector. This approach to safeguards aims to avoid the potential for duplication of national safeguards and any unnecessary expenditure for service providers. Putting safeguards into the law will send a clear message about the importance of these requirements and provide better protection for people with disability.

Part 4 of the bill contains the first safeguard, which relates to standards for disability services provided or funded by the Government. The bill also allows for the Minister to create special accommodation and service standards via regulation for supported accommodation and centre-based respite. This recognises the relative vulnerability of people living in these arrangements, and promotes the development of high quality, contemporary models of supported accommodation until transition to the national scheme. Part 5 of the bill contains the second safeguard, which mandates that government and funded disability service providers undertake a criminal record check on prospective employees and volunteers who apply to work directly with people with disability.

The bill also takes into account the fact that the offences may have been committed in a person's youth and that the person may have had a clean criminal record for many years since and may now be a suitable person for employment in the industry. The bill therefore states that where a person has been convicted of a prescribed offence, excluding prescribed sexual offences, in the past, but their criminal record shows no further convictions in the 10-year period following the date of the person's release from imprisonment; employers have the discretion to consider them for employment.

Legislating employment screening in this way will provide greater protection for people with disability from harm by minimising the risk that they come into contact with a person who may threaten their safety. The third safeguard introduces compulsory reporting to the New South Wales Ombudsman of incidents of serious sexual or physical abuse, neglect or ill-treatment, and fraud in government provided or funded accommodation services and centre-based respite. This enables the Ombudsman to oversee serious complaints, identify systemic issues and provide recommendations for practice improvement where appropriate.

I repeat that the new safeguards build on current practice and existing systems within the government and non-government sector. As such the cost of implementation will be relatively low. It is a time of tremendous change for people with disability, their families and carers. The National Disability Insurance Scheme signifies the need for far-reaching reform to a more person-centred service system and inclusive rights-based approach. The bill delivers this and more.

The bill represents the New South Wales Government's vision for a more inclusive society, outlines the Government's responsibilities during transition to the National Disability Insurance Scheme and beyond, creates social change, strengthens the rights of people with disability, increases choice and control, and adopts a broader remit than simply enabling disability service provision. My colleague the Minister for Ageing and Minister for Disability Services, the Hon. John Ajaka, in the upper House and I in the lower House as Minister for Family

and Community Services are extremely proud of this bill. I thank the people of New South Wales who have contributed their views with generous time and effort. It has been so important in developing this new legislation. This bill represents the Government's commitment to people with disability and I commend it strongly to the House.

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

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

## **HOMESCHOOLING**

### **Discussion on Petition Signed by 10,000 or More Persons**

**Mr CHRIS HOLSTEIN** (Gosford) [4.30 p.m.]: On behalf of the Minister for Education I will respond to this petition. Homeschooling, or home education, is delivered in a child's home by a parent or guardian. Homeschooling is recognised in the Education Act 1990 as a legitimate way of providing for the educational needs of a child in New South Wales. All New South Wales students are required to be taught the New South Wales curriculum, including students registered for homeschooling.

The New South Wales curriculum is developed by the Board of Studies, Teaching and Educational Standards [BOSTES], which up until this year has been known as the Board of Studies. The BOSTES develops the curriculum in consultation with teachers across the State to ensure it is comprehensive and incorporates appropriate learning for students at the various stages of their development. During curriculum consultation submissions are also invited from interest groups and the broader community through the BOSTES website.

The curriculum is calibrated to be applicable to students across the whole spectrum of achievement. The curriculum provides a clear and highly articulated framework for learning. It also provides for a school community, or in the case of homeschooling a family, the flexibility to reflect its own core values and approach to teaching. Parents who choose to homeschool do so for a wide variety of reasons. As part of its regulation of homeschooling, the BOSTES does not require applicants to specify why they wish to homeschool. However, the most frequently cited reasons are philosophical choice, special learning needs and religious reasons.

For many parents, the choice to homeschool is made after careful consideration, particularly considering issues of the time, commitment and energy required to achieve successful homeschooling. Parents inquiring about homeschooling are encouraged to consider the needs, interests and abilities of their child; their own capacity to document an educational program and record their child's achievement; the time required to deliver the educational program; their ability to access educational resources and facilities to support homeschooling; and how they can provide a suitable educational environment within the home.

Parents who provide homeschooling are not required to have formal teaching training or teaching experience. However, homeschooling parents need to be able to plan, deliver and keep records relating to the educational needs and progress of their child. The BOSTES, under the Education Act, is tasked with the responsibility of ensuring that children who are registered for homeschooling are receiving an educational program comparable to that of their peers in the traditional school network. This is achieved through a registration process, delivered through the BOSTES, as set down in the BOSTES Home Schooling Information Package.

The information in this package is updated, as required, to reflect changes in legislation or curriculum, or to ensure that the educational requirements of students continue to be met. The process of registering for homeschooling is not designed to be burdensome or to dissuade parents from homeschooling. Similar to the registration requirements legislated for all schools, the registration process exists to support the delivery of educational goals and to ensure that the student is learning in a suitable environment. The authority for administering homeschooling registration is held by the Minister for Education and has been delegated to the BOSTES.

These requirements for the educational program include: that it complies with the New South Wales curriculum; that it is taught in accordance with the New South Wales syllabuses developed by BOSTES; that it identifies intended learning outcomes based on BOSTES syllabuses and relevant content; and that it caters

for the identified learning needs of the student. The structure of the registration process exists to ensure equity of access for homeschooled children to a suitable education program and a suitable learning environment.

The process commences with an application made by a parent. This written application is made to the BOSTES and assessed to ensure that the necessary information, such as the name and age of the child and the home address, are provided. The application also represents an undertaking from applying parents that they are prepared for the application to be assessed and to provide information to demonstrate how they have addressed the requirements for homeschooling. Homeschooling assessments are undertaken by authorised persons.

The BOSTES has appointed authorised persons within its permanent workforce for this regulatory role, but of course the work of assessing homeschooling applications across the State requires a much larger workforce. Through a recruitment process suitable applicants are appointed on a contractual basis in metropolitan and regional locations. The selection criteria for this important role include formal teaching qualifications, recent experience in supporting the implementation of the BOSTES curriculum, and an understanding and appreciation of homeschooling as a viable educational alternative.

Assessments by authorised persons take place during a home visit. During the visit, the authorised person will consider documentation prepared by the applicants to show how they intend to meet the requirements of registration. It is also an opportunity for the authorised person to consider any particular needs of the prospective homeschooling student as identified by the applicant. At the conclusion of this visit, the authorised person will discuss with the applicant the recommendation intended to be made to the BOSTES, and why— [*Time expired.*]

**Mr RYAN PARK** (Keira) [4.35 p.m.]: I respond on behalf of the Opposition. I thank each and every one in the public gallery for making the effort to come to Parliament—friends, family members, people from homeschooling, people who know people in homeschooling, the whole lot. I had the great joy recently of meeting a number of representatives from the homeschool community; and, boy oh boy, you are passionate about your children's education. I say thank you on behalf of the New South Wales Opposition for the effort you put into your children each and every day. It is something that I know not all of us could do. I am convinced that a certain member for Keira could not do it. But, as a former teacher, I know the most important thing about teaching is to be passionate and committed to the students in your care, and I am sure that each and every one of you—given the relationship you have with your children, given your important role and your decision to undertake homeschooling—certainly has that passion and commitment. Thank you for coming here today in such large numbers to listen to this discussion and talk about this very important issue.

Meeting people from homeschooling was an opportunity for me to learn a little bit more about this unique education experience. Homeschooling is not for everyone. The homeschooling people say it is not for everyone. Homeschooling probably cannot be done by everyone. Homeschooling is often chosen, as the member for Gosford said, for a wide variety of legitimate reasons. I was a little bit concerned about one particular matter. It appeared that for a long time, certainly up until about 2011, this issue had been running fairly smoothly; it had been dealt with sensibly and, just as importantly, sensitively. Whilst people in this place may have different views about homeschooling—we have different views about a whole range of things—there are ways in which governments should handle difficult, challenging and different issues. Up until about 2011 governments of all persuasions seemed to be handling the issue sensibly and sensitively.

That has not been so in recent times. It has been brought to my attention that this issue has not been handled sensibly: It has become cumbersome, the registration process has been somewhat difficult, and there have been some challenging issues concerning authorised persons. On behalf of the representatives who came to see me, I put a number of questions on the Parliament's *Questions and Answers* paper. I remain concerned because I do not think that homeschooling representatives are getting an adequate hearing from the Government or adequate consultation, and I am concerned the department is not listening to them.

It is time that the men and women who decide to undertake homeschooling—for whatever reason that is—are recognised as having just as much right as anybody else to get a fair hearing from and be listened to by the New South Wales Government and, just as importantly, that they have an opportunity to work through issues in a fair and transparent way. The New South Wales Parliament, the oldest Parliament in this country, provides an opportunity for all of us to bring issues such as this to the floor of this place. The Government now has the opportunity—given the large number of people who have signed this petition, well in excess of 10,000—to go back to the drawing board, meet with representatives, family members and dare I say children, and have a discussion about how we can improve the homeschooling system.

I do not think that we should simply throw out the system. I think we need to respond as responsible governments do: Sit down and have dialogue and come to a conclusion about how to operate this system—not simply stonewall through bureaucracy, but work carefully through an issue that has been brought to the attention of the Government by large numbers of people. There is no more important issue than the education of our young people. There is no more important issue than the welfare and the quality of the education of young people. All of us in this place, whether on the floor of the Chamber or in the gallery, agree with that. It is up to the Government to make sure that the men and women in the gallery get a fair hearing, and that this issue is properly dealt with once and for all.

**Mr GARETH WARD** (Kiama) [4.40 p.m.]: I also join the member for Gosford and the member for Keira in commending the petitioners who have come to Parliament today to hear this debate for all of their work in ensuring that this debate could take place in this House today. As members are aware, this petition procedure was introduced so that these types of issues could get a hearing in the New South Wales Parliament. Collecting the required number of signatories, as these petitioners did, ensures a debate is triggered. I acknowledge the presence in the gallery of my friend Paul Green, MLC. I know that he is particularly passionate about homeschooling, as I am sure are all members of the House. I know the particular interest of the member for Gosford and his passion from within the Government.

There are currently more than one million full-time students in New South Wales schools. Less than a half of one per cent—3,238—of those students are registered for homeschooling in New South Wales. Those students come from 1,878 individual families. Every New South Wales school student, whether learning in a school or through homeschooling, has a right to access a program of education that is sound, supportive and delivered appropriately. That assurance is provided in law by requiring educational programs to be delivered in accordance with the New South Wales curriculum, and through registration requirements that assess and endorse learning programs and the learning environment.

The assessment of homeschooling is conducted through the Board of Studies, Teaching and Educational Standards NSW, using a process that is clearly articulated in the Home Schooling Information Package. Currently, approximately two-thirds of homeschooled students are registered for a period of between 13 and 24 months. Just 0.3 per cent are registered for a period of between one and three months. This suggests a degree of certainty that registration is being granted to those families who have demonstrated in both theory and in practice their capacity to comply with the registration requirements. The numbers of registered homeschooled students have been increasing. In 2009-10 there were 2,443 children from 1,419 families registered for homeschooling. This has risen by 795 students, from an additional 459 families, as at 31 December 2013.

A total of 163 students from 80 families have been issued with a certificate of exemption from the requirement to be registered. Exemption may be granted if a parent objects to registration on conscientiously held religious grounds and if the child would be registered if an application for registration had been made. I note that many people register for homeschooling because of their religious views, and I certainly support that, as I strongly support the maintenance of section 32 of the Education Act in relation to an hour of religious education in schools. The same homeschooling registration requirements and processes apply for those families seeking a certificate of exemption from registration. Homeschooled students are distributed fairly evenly across the age range of 6 to 13 years. Time does not allow me to go into more detail, but I strongly support the cause of families in my electorate. I will always hear them out. I will always support them. And I call on the Government to do exactly the same.

**Mr CHRIS HOLSTEIN** (Gosford) [4.43 p.m.], by leave: I conclude the Minister's comments. Under the Education Act, the maximum period of registration for homeschooling is two years. Initial registration will often be granted for short periods—three, six or 12 months—to ensure the homeschooling parent is able to demonstrate their compliance with homeschooling registration not just in documentation but in practice. These processes and requirements are set out in a document published by the Board of Studies, Teaching and Educational Standards NSW [BOSTES] called Registration for Home Schooling in New South Wales—Information Package. In 2013 the information package was updated to reflect a fundamental change in the New South Wales educational landscape. From 2014, new syllabuses were introduced in New South Wales for kindergarten to year 10 in English, mathematics, science and history.

These syllabuses—which represent around 80 per cent of all the learning a student will undertake in their school years—were revised to include content from the Australian curriculum. This change affects every student in New South Wales, including students undertaking homeschooling, and it was essential for these changes to be reflected in the information package. At the same time, the information package was updated to

provide more explicit information and greater clarification about the requirements and processes for homeschooling registration. No additional record-keeping requirements were introduced as a result of updating of the information package. Nor was there any inference that unannounced home visits would be introduced. Further, there is no change to prevent a parent from teaching common themes to children at varying learning stages or integrating learning across a range of subject areas.

Whilst homeschooling means schooling in the child's home, this does not preclude group learning situations, excursions and the recognition of activities such as sport or cultural events as part of an educational program for homeschoolers in the same way that schools provide activities outside of the school setting from time to time. The updated information package is consistent with the New South Wales legislation for ensuring that all children receive an education of the highest quality. Homeschooling is an accepted alternative to school enrolment. Once a child is registered, the parent becomes responsible for the educational program, and learning progress and achievement of the child.

As a community, we want the standards that apply to the education of all students to be robust and consistent. Those standards, and the processes that prescribe and assure them, may sometimes require clarification or discussion, and the BOSTES offers homeschooling families opportunities to make contact. Signatories to this petition, regardless of whether they are homeschooling parents or interested members of the community, are to be commended for their interest. That is what the Minister has put forward. I have had homeschooled students visit my office and I have never felt so interrogated: They ask the hardest questions. I commend those who signed the petition and I commend them for bringing the matter forward. Where we stand on homeschooling is now on the record.

**Discussion concluded.**

**Pursuant to resolution Government Business proceeded with.**

## **DISABILITY INCLUSION BILL 2014**

### **Second Reading**

**Debate resumed from an earlier hour.**

**Mrs BARBARA PERRY** (Auburn) [4.51 p.m.]: The Disability Inclusion Bill was introduced in the other place by the Minister for Disability Services, the Hon. John Ajaka, on 28 May and debate on the bill concluded yesterday. I have concerns about this bill being introduced in this Chamber late on the last sitting day before a three-week break. Members on both sides of the Chamber would like to speak in the debate on this bill. I hope the timing of its introduction does not reflect the priority the Government and the Minister are giving this legislation, as this bill potentially has great significance. Nowhere in the bill is specific reference made to a Minister for Disability Services. Instead the generic term "Minister" is used throughout the bill. Further, the bill is unclear on the role of any Minister and the State Government. Will there be a Minister for Disability Services in the future? This perfectly illustrates my concerns with the legislation in its current form.

While there is much to support in this legislation, there are some worrying gaps that should be addressed. I make that point after much consideration and thought. The bill makes some improvements, but the problem is we live in momentous times for disability services and people with disability. With respect to the Minister, I do not believe this bill adequately deals with the challenges in sourcing services that have become obvious in the Hunter trial area for the National Disability Insurance Scheme [NDIS]. The legislation also does not address the outsourcing needs outlined in the Community Services report, which included strong oversight and safeguards such as advocacy, emphasis on quality, clear roles and responsibility for the New South Wales Government. Also, there is not enough emphasis placed on individual funding. Much of what the bill does could be reduced to "tick a box" compliance.

While there is nothing wrong with this bill, when the size of the policy area covered by this legislation and its timing are taken into account I believe this bill has not done the job. That is why the Labor Party will move a number of amendments to the bill. We will also present an amendment that if the motion does not pass, the amendments will be put. These amendments were moved in the other Chamber and I foreshadow that they also will be moved in this Chamber. The Labor Party believes this legislation should be referred to a committee because we believe the bill is substantially a missed opportunity. We do not want this legislation to be relegated to a "tick a box" exercise with no accountability. It does not bring in the mechanisms for the changes needed in New South Wales.

The Labor Party believes this bill should be referred to a Legislative Assembly committee because there are significant gaps apparent as a result of the transfer of funding for disability services to the Commonwealth and these gaps are not addressed by the bill. The first reason for referring the bill is the loss of disability community expertise and consultation, and it not recognising the role of or providing for continued funding of independent advocacy organisations. The New South Wales peak disability organisations and representative organisations for people with disability play a pivotal role in providing expert advice on the needs of people with disability. As the bill implies, consultation early in the policy cycle and consideration of the views of people with lived experience of disability is an efficient method of ensuring that law and policy reform meet the needs of people with disability and contribute to the realisation of their rights.

Without continued funding these organisations will cease to exist and the opportunity to consult with people with disability through them will be lost. That would mean the obligation to consult with people with disability, as required in this bill, would be difficult to meet. Also, funding for these organisations will expire in July 2015. The second reason is the gradual loss of coordination mechanisms to implement disability policy by the Government and non-government sector as a result of the gradual loss of Ageing, Disability and Home Care, and potential loss of the office of the Minister for Disability Services. The Opposition is committed to the NDIS. We supported, with amendments, the enabling bill.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! There is too much audible conversation in the Chamber.

**Mrs BARBARA PERRY:** The third reason is the potential loss of services for people with disability who will not be eligible for the NDIS but may still require specialist or non-specialist disability support. The NDIS classifies these people as Tier 2, but the National Disability Insurance Scheme (New South Wales Enabling) Act does not provide for funding of these services as they are deemed to be mainstream supports, such as housing, education, transport and health. The responsibility of the State Government to deliver mainstream services that meet the needs of people with disability remains. The bill does not address how the Government will ensure that these supports are provided to people with disability.

The evidence is clear. Not so long ago the NDIS Federal joint committee produced an important report into the implementation of the NDIS. Chapter 4 of that report refers to the quite extraordinary fact that in the first nine months of the trial the National Disability Insurance Agency [NDIA] in the Hunter assessed 461 persons—or 17 per cent—of applicants as ineligible. The average percentage of ineligible requests across the four trial sites was 10 per cent. Therefore, New South Wales has much higher ineligibility numbers in the Hunter trial site. The Hunter trial site received 2,720 access requests, of which 2,042 were eligible and, of course, 461 were ineligible, as I pointed out. Of the participants accessing mainstream services 68 per cent did not receive services or a plan.

That is the reason this issue should be referred to a committee: To examine what will happen to those ineligible under the NDIS. What will happen about their need for services? Those ineligible people with a disability may not have high needs but they have a need for support. Whose responsibility will it be to provide that support? It is not enough for the New South Wales Government to say it is negotiating with the National Disability Insurance Agency [NDIA] and the Federal Government. This bill, in part, is about the role of the State Government. We need a clear approach to the provision of services. That is why this bill should be referred to a committee so that it can examine the issue, flesh out the evidence and other information, and inform the Government on its negotiations with the NDIA and the Commonwealth.

This bill underwent consultation and submissions were received and we have now reached the stage of the second reading debate. The wonderful submissions certainly helped me to put my thoughts together on the issues. The reason I ask for the bill to be referred to a committee is that common to many submissions was the concern of people with disabilities and the disability sector about the provision of services. They were particularly concerned about those in Tier 2 who will fall through the gaps. It was clear to them that the State Government's role regarding those people is not clearly defined in this inclusion bill.

I shall address that aspect further. The concerns about those in Tier 2 were best summarised in the submissions. I refer to a submission which followed the release of a response by the Minister on Friday 8 August at 5.30 p.m. The feedback and response document was prepared by the department, after considering all the submissions. It explained clearly to organisations and people with disabilities, carers and families why certain matters had been accepted and included in the bill. That is fair enough, but we only received that at 5.30 p.m. on Friday and I am not sure when it was put on the department's website—probably also last Friday at the same time.

Yesterday in the other House the Minister seemed to indicate that, because it had been 10 weeks since the introduction of the bill, it was remiss of the Labor Opposition not to have approached him and suggested a referral to a committee or to have presented amendments. That is democracy at work. The Government's response to submissions on the bill outlining the matters that had been accepted was published only at 5.30 p.m. last Friday. Given the Minister's reflection on timing, it is only fair that I make it clear that that is the reason we were unable to go to the Minister. I make it clear also that in discussion a few weeks earlier with the Minister's office I asked whether such a document would be released. Although I am now pleased to see the document, it took some time before it was provided. If the document had been provided earlier, we may have been able to have more fruitful discussions regarding the matters I raise.

In New South Wales we have taken a bipartisan approach, but that does not mean that there should not be accountability. The Minister's reflections in the other House were wrong. It is also wrong that the bill will pass quickly through this House and not allow members in this Chamber to have a voice on behalf of their constituents and people with disabilities. I have digressed to some extent, but I will now return to the reasons this matter should be referred to a committee. I commenced by referring to submissions that best summed up concerns around the Tier 2 cohort. It was stated in earlier submissions to the consultation process by People with Disability Australia and summed up again following the Minister's response on Friday 8 August. Page 3, point 4, of the People With Disability Australia submission states:

Through the Department of Ageing, Disability and Home Care the NSW Government currently funds a number of specialist disability services that support people with disability who will not be NDIS eligible. What the NDIS terms "Tier 2 participants", for example, are Enable NSW, Aids and Equipment, Criminal Justice Program and Home and Community Care services, which includes Meals on Wheels, community transport, maintenance and domestic assistance and special school transport.

The submission further states:

Tier 2 NDIS participants will not receive services from the NDIS because they are not eligible. They will only be provided with general information about the most effective care and support options within generic and community support groups and services.

This means they will be referred to mainstream services such as health, education and justice, which the States and Territories have an obligation to provide. It is not the obligation of the National Disability Insurance Agency [NDIA] to ensure that these mainstream support services are accessible to people with disability. People with Disability Australia [PWDA] is concerned that some services for people in the Tier 2 category will cease to exist on enactment of the bill and that mainstream services provided by other government departments and the non-government sector are not sufficient to meet the needs of people with disability.

People with Disability Australia is not the only group, organisation or individual to raise that issue. It has been raised by a number of people. This is clearly worrying those in the disability sector. It is fundamentally wrong to not address it in the inclusion bill, which is the reason the bill should be referred to a committee of this House. The bill should be looked at again through the committee process, which could assist the ongoing negotiations between the Government, the NDIA and the Commonwealth. Another reason for a referral is the potential loss or reduction in special services for people with a disability as a result of them being withdrawn or transferred to other departments due to the gradual loss of Ageing, Disability and Home Care. We have to ensure that people do not fall through the gaps.

The final reason the bill needs to be referred to a committee is the fact that the market mechanism of the National Disability Insurance Scheme [NDIS] may not deliver support for people with complex needs, particularly those living in rural and remote areas, which are thin markets, or for those who have a need for expensive or unusual services. For those reasons, the House should support a referral to tease out these issues and to provide recommendations.

The Opposition's prime concern—and I am sure it is also a concern of the Government—is that no person with a disability falls through the cracks in the transition to the National Disability Insurance Scheme and the years following its implementation. New South Wales must unequivocally demonstrate a continuing commitment to meeting the needs of people with disability, their carers and their families. Throughout my discussions with the disability sector regarding this legislation the concern was expressed time and again that some of our most vulnerable citizens will be left behind. The theme that surfaced was that New South Wales is preparing to abrogate its responsibilities towards people with disability, their carers and their families. This must not and should not happen.

What I am about to say may sound odd coming from the floor of the infamous bear pit—a reputation that has been forged through a history of combative politics—but disability policy has never been a partisan

issue. It is not an issue with which to score political points or garner media hits. This area of policy is one that speaks to the kind of society we want. It is a chance to bring hope to the lives of some of our most vulnerable citizens. When we get disability policy right, we are telling the world that we believe in the potential of each member of our society and that we will leave no-one behind.

It is a privilege to represent Labor in this area of policy. It is a privilege to work with a range of dynamic and committed organisations within the disability sector. Most of all, I am honoured to have had the chance to meet a range of extraordinary human beings who happen to have a disability. Their achievements and determination to live life to the fullest is inspiring and it feeds my own commitment to achieving good policy outcomes. It is crucial that the Government keeps the lines of communication open with the entire disability sector, including disability rights organisations and advocates, people with disability and their families and carers, who work hard with no thought of reward. Only by working together can we achieve the best policy outcomes. In the spirit of this goal, I pay tribute to the Government for signing up to the NDIS and for its bipartisan approach relating to Stronger Together 2.

As the Minister in the other House noted, it is important to have a Disability Inclusion Bill ahead of the full introduction of the NDIS to New South Wales. However, I have been disappointed in the past couple of days that the Minister was not willing to work in a constructive and bipartisan manner to consider our amendments to the bill or to agree to refer the bill to a committee. I wish to be clear that my comments are not criticisms or attempts to score political points. I seek to make a positive contribution. Yesterday in his speech in reply the Minister suggested it would be a travesty—I am not exactly sure of his words—if the bill were not passed. It seems that the argument he proffered for not referring the matter to a committee was that the Ombudsman parts of this bill, which are important in regard to oversight and so on, would be delayed and there can be no delay.

The Ombudsman part is schedule 5 of the Minister's bill. If the Minister had such a concern he could have omitted schedule 5 and introduced a separate amendment to the Ombudsman Act. I do not believe that the Minister's comments were fair or rational or that he had any coherent thought as to why this bill should not be referred to a committee. The Ombudsman's amendments are a concern to a number of stakeholders. They do not go far enough. I am disappointed that the Minister did not take up my invitation to hold a meeting with the Ombudsman and other interested parties such as The Greens, the Christian Democratic Party and the Shooters and Fishers Party to talk about the technical issues regarding the Ombudsman's amendments. Labor's intention is to work with the Government to ensure that the bill reflects the needs of people with disability, their families and carers. People with disability and those who support them will have peace of mind if the provisions articulate clearly the role that New South Wales will play post the introduction of the NDIS in 2018.

Consultation and compromise are the hallmarks of good legislation and good legislating. In his second reading speech the Minister was extremely vague as to what he took away from the vast range of submissions that were offered in the wake of the draft exposure bill, although we now have the response to this as of last Friday. I note that the section on restrictive intervention was removed from the bill. I concur with those in the sector who felt that it was inappropriate to include restrictive intervention legislation clauses in a bill that has as its overarching primary purpose a focus on rights and inclusion. In that respect the Minister did the right thing. I also note that the Minister took on board advice from the sector that the bill's principles apply to all supports and services available to people with disabilities and not just those offered by disability service providers.

Again, it is crucial that transparency surrounds this legislative process. The sector and those it serves need peace of mind that the Minister is listening and responding to their concerns. I return to the key concept of listening and working in a consultative fashion. The amendments Labor moved in the other House, and which I foreshadow we will move in this place, are a product of such a process. I do not wish to re-litigate all the amendments but I will highlight some of them. I will share with the House the reasoning behind some of the amendments. To do that, I return to my opening remarks in relation to the need to ensure that no-one is left behind in the transition to the National Disability Insurance Scheme and that no-one is disadvantaged once the NDIS begins in earnest.

Sadly, there is concern within the sector that once the NDIS begins in 2018 the New South Wales Government will seek to withdraw completely from disability support and services. That is what the enabling legislation says and I understand that. But in its current form the bill does not explicitly set out the Government's view of its role in disability services post 2018. Part 5 of the bill relating to the provision of supports and services applies only to the period leading to the commencement of the NDIS. As I said earlier, it is silent on the State's responsibilities going forward from that date. The State will have responsibilities after that date and we

must remember that, while the NDIS is an important step forward in providing independence and opportunities for people with disabilities, it is not a catch-all panacea that will meet the needs of every person with a disability in this State. No-one should be left behind during the transition period and following implementation. New South Wales must demonstrate that it intends to retain a role in service delivery for people with disabilities. That is why Labor has sought to ensure that every reference made to "the Minister" in the bill means the "Minister for Disability Inclusion". Unfortunately, the Minister criticised that proposal. He said:

... I am the Minister for Disability Services. To want to change a title because People with Disabilities—

he is referring to the organisation PWD—

wrote a letter on Friday and sent it to members opposite simply because those people want to see my title changed adds no weight whatsoever to this bill.

The Minister has missed the point big-time. That indicates to me that he is either naïve or he did not understand the force of the amendments. The amendments aimed simply to have a Minister for Disability Inclusion who would have some oversight and be able to coordinate services and advocate across the Cabinet table for those people who may fall through the gaps. The wonderful philosophy behind the NDIS is giving individuals equal rights and choices, but just as important is having an advocate in a government for people with disabilities. I was gobsmacked when I heard the Minister say that in the House yesterday. I am not trying to score any political points; I am just very disturbed by what he said.

At the beginning of my remarks I made the point that nowhere does the bill explicitly guarantee that New South Wales will retain a dedicated Minister for Disability Inclusion. Such a guarantee would put many minds to rest and would show people with a disability, their families and their carers that the Government intends to play a substantial and ongoing role in supports and services that meet their needs. There will be ongoing issues for this State. The NDIS will not cover every person with a disability in New South Wales and the bill leaves many questions to be answered in that regard. For example, what happens to those people categorised as Tier 2 participants who do not meet the threshold for supports under the NDIS? Additionally, what happens to services currently provided under the Disability Services Act once this bill is enacted?

It would seem that all services not geared towards the NDIS transition target group could cease immediately. I know that is probably unlikely but it is how the bill reads. That would include vital case management, respite care, the monitoring and regulation of services provided by non-government organisations, and a range of home and community care services. As it stands, the bill does not include any obligation for the State to provide, maintain, establish, encourage or regulate any generic community support groups and services to meet the needs of people with a disability. It should be noted also that the language contained in parts 2 and 3 of the bill do not address the provision, availability or accessibility of supports and services for Tier 2 people. The State Disability Inclusion Plan merely sets goals to support inclusion and improve access to services. There is no obligation to resource the plan, let alone implement it.

That is why, if our first amendment does not get up today—that is, to refer the matter to a committee—we will seek to amend part 3 of the bill to ensure that inclusion plans, whether they be at the State or the local government level, are implemented. At the very least, this bill should acknowledge that, come 2018, Ageing, Disability and Home Care will not exist as a department. That would provide a proper starting point for the conversation that we must have about how the State can best provide ongoing services to those who do not meet the thresholds for support set out in the NDIS. In this State about 60 per cent of work is already carried out by the non-government sector. I commend the work that is done by the not-for-profit and non-government sectors in this State. They are amazing, extraordinary, inspirational people who are committed, passionate and compassionate.

My comments should not be regarded as not supporting that sector—far from it. What I am talking about, and what the sector is talking about, is those people they are concerned about who will not be able to access supports. I ask the Minister to step up and provide certainty to people with a disability and their families regarding the ongoing provision of such vital services. A number of amendments seek to strengthen protection for disabled people. Although I have not put forward any amendments in relation to the Ombudsman Act because we were not able to meet with the Ombudsman, as I indicated earlier, it is of concern that the Act is not the best it can be with respect to oversight. I refer to the National Disability Service, which put on its website a document entitled "Disability Inclusion Bill 2014 shaped by NDS members".

In that document National Disability Services states that it, like me, welcomes the changes empowering the NSW Ombudsman to scrutinise the systems of service providers for preventing, handling and

responding to reportable incidents of abuse and neglect in supported accommodation and centre-based respite. The document goes on to say, "National Disability Services supports the recommendation by the NSW Ombudsman that this reportable incidents scheme should include establishing a database for reporting completed proceedings against employees or volunteers. This would further strengthen New South Wales's capacity for probity checking. New South Wales could show leadership and dedication to protecting vulnerable people in the years prior to a national framework being established. However, it is unclear whether this legislation will achieve it."

Victoria has taken its obligations to safeguard people with disability much further than those in this bill. In particular, I draw the attention of the House to a media release dated 5 August 2014 from the Hon. Mary Wooldridge, MP, in which she was clear about ensuring that the Victorian Government had done everything it possibly could to safeguard people living in disability residential services. I would have thought this Government would look at schemes that either have been introduced or are being introduced in other States. As I said earlier, we have missed the opportunity to provide powers to the Ombudsman to strengthen his role in this area.

In many of the submissions received, including that of the Australian Services Union, concern was raised about the further strengthening of those provisions due to privacy reasons. We need the best system possible. Indeed, New South Wales could have led by example; we have not done that. It is not clear from the feedback document I received, which was presented by the Minister at 5.30 p.m. last Friday, why those provisions were not strengthened as the Ombudsman had suggested in his submission to this bill dated 11 February 2014. The feedback document proffers some reasons but when one looks at what other jurisdictions have done I do not accept that they are good enough. I am concerned but it is not too late. This House is not barred from referring this matter to a committee. That part of the bill could easily be excised and reintroduced as an amendment to the Ombudsman Act. It would also be an opportunity to relook at the Ombudsman's submission so that these provisions can be strengthened.

Some of Labor's amendments relate to boarding houses and ensuring that there are greater protections for people with a disability who reside in assisted boarding houses. The Opposition feels very strongly about this. In its current form, the bill explicitly excludes assisted boarding houses from its definition of "supported group accommodation" when setting out the service standards that will be in force for supports and services for people with a disability. This was a matter of immediate concern to me when the draft exposure bill was released. When the House dealt with the Boarding Houses Bill I called—

**Mr ANTHONY ROBERTS** (Lane Cove—Minister for Resources and Energy, and Special Minister of State) [5.34 p.m.]: I move:

That the member for Auburn be not further heard.

**The House divided.**

**Ayes, 42**

Mr Aplin	Mr Gulaptis	Mr Rowell
Mr Ayres	Mr Hazzard	Mr Sidoti
Mr Barilaro	Ms Hodgkinson	Mrs Skinner
Mr Bassett	Mr Holstein	Mr Souris
Mr Bromhead	Mr Maguire	Mr Speakman
Mr Conolly	Mr Marshall	Mr Spence
Mr Coure	Mr Notley-Smith	Mr Stokes
Mr Dominello	Mr O'Dea	Ms Upton
Mr Doyle	Mr O'Farrell	Mr Ward
Mr Elliott	Mr Page	Mr R. C. Williams
Mr Evans	Ms Parker	
Mr Flowers	Mr Piccoli	
Mr Fraser	Mr Provest	<i>Tellers,</i>
Mr Gee	Mr Roberts	Mr Patterson
Ms Goward	Mr Rohan	Mr J. D. Williams

**Noes, 19**

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

**Pairs**

Mr Baird	Mr Daley
Mr Humphries	Ms Hay
Mr Perrottet	Mr Park
Mr Stoner	Mr Rees
Mr Toole	Ms Tebbutt

**Question resolved in the affirmative.**

**Motion that the member for Auburn be not further heard agreed to.**

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

**Mr ANTHONY ROBERTS** (Lane Cove—Minister for Resources and Energy, and Special Minister of State) [5.42 p.m.]: I move:

That standing and sessional orders be suspended to provide:

- (1) For the debate on the Disability Inclusion Bill:
  - (a) Remainder of the second reading:
    - (i) one Government member;
    - (ii) one Opposition member; and
    - (iii) Minister in reply.
  - (b) Any consideration in detail:
    - (i) member for Auburn—one period of up to 15 minutes;
    - (ii) member for Balmain—one period of up to 5 minutes;
    - (iii) Minister—one period of up to 15 minutes;
    - (iv) one Opposition member—one period of up to 5 minutes; and
    - (v) one Government member—one period of up to 5 minutes.
  - (c) Any debate on the third reading:
    - (i) Minister; and
    - (ii) member for Auburn.
- (2) That during any consideration in detail on the Disability Inclusion Bill:
  - (a) The bill will be considered in groups of clauses and schedules.
  - (b) Any proposed amendments are to be moved together and considered as one question, "That the amendments be agreed to."

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

**The House divided.****Ayes, 42**

Mr Aplin	Ms Goward	Mr Rohan
Mr Ayres	Mr Gulaptis	Mr Rowell
Mr Barilaro	Mr Hazzard	Mr Sidoti
Mr Bassett	Ms Hodgkinson	Mr Souris
Mr Bromhead	Mr Holstein	Mr Speakman
Mr Conolly	Mr Maguire	Mr Spence
Mr Coure	Mr Marshall	Mr Stokes
Mr Dominello	Mr Notley-Smith	Ms Upton
Mr Doyle	Mr O'Dea	Mr Ward
Mr Elliott	Mr O'Farrell	Mr R. C. Williams
Mr Evans	Mr Page	
Mr Flowers	Ms Parker	
Mr Fraser	Mr Piccoli	<i>Tellers,</i>
Mr Gee	Mr Provest	Mr Patterson
Ms Gibbons	Mr Roberts	Mr J. D. Williams

**Noes, 20**

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

**Pairs**

Mr Humphries	Ms Hay
Mr Perrottet	Mr Park
Mrs Skinner	Mr Rees
Mr Toole	Ms Tebbutt

**Question resolved in the affirmative.****Motion agreed to.**

**Mr CHRIS PATTERSON** (Camden) [5.51 p.m.]: I am pleased to speak in support of the Disability Inclusion Bill 2014. I am sure all members will agree that this bill is necessary not only to enable New South Wales to make a smooth transition to the National Disability Insurance Scheme [NDIS] but also to protect and promote the rights of people with disability. The bill acknowledges the human rights and fundamental freedoms of people with disability. It provides a rights-based inclusion framework with a focus on enhancing the choice and control that people with disability have over their lives.

The first object of the bill acknowledges that people with disability have the same human rights as others, and that it is the responsibility of the State and community to facilitate those rights. The second and third objects pertain to promoting the inclusion, choice and control of people with disability. The fourth object is about providing safeguards to protect rights. The fifth object references the United Nations [UN] Convention on the Rights of Persons with Disabilities. Similarly, the bill's principles place a strong emphasis on human rights. These principles align with the UN convention and acknowledge the human rights that are general to people with disability—for example, the right to respect for their dignity and worth as individuals, the right to participate in social and economic life, the right to realise their own personal capacities and the right to make decisions to the fullest extent possible.

Consistent with the UN convention, the bill also includes a special category of principles that set out responsibilities to address the intersectional disadvantage experienced by particular groups of people with

disability so they may enjoy their human rights. These groups include Aboriginal and Torres Strait Islander people with disability, people with disability from culturally and linguistically diverse backgrounds, and women and children with disability. Significantly, the bill's objects and principles will operate beyond the NDIS. This confirms the New South Wales Government's enduring commitment to promoting and protecting the human rights of people with disability.

Furthermore, the bill supports the right of people with disability to live independently and make decisions that affect their lives through a focus on individualised funding arrangements, which enable people with disability to control how they use their money to pursue their personal goals, better supports and an improved quality of life. Crucially, the bill includes transitional safeguards which will ensure the rights of people accessing disability services in New South Wales are protected until the NDIS is fully implemented. These safeguards minimise risk where appropriate and include the power to make standards by regulation that all disability services must comply with. It is intended that these standards will be the New South Wales Disability Service Standards.

The bill also introduces repeat criminal record checks for workers, volunteers and board members who work directly with people with disability, and a ban on people convicted of certain prescribed offences. This safeguard recognises the need to protect some of the most vulnerable members of our society. The last safeguard introduced by the bill is compulsory reporting to the New South Wales Ombudsman of incidents of abuse or neglect in supported group accommodation, including centre-based respite. This safeguard acknowledges the relative vulnerability of people accessing these services and will enable the Ombudsman to identify any systemic issues and make recommendations for improvements.

The bill is designed to allow people with disability to exercise choice and control, whilst simultaneously ensuring that their right to protection against abuse and neglect is upheld. The bill represents the New South Wales Government's commitment to respecting and promoting the human rights of people with disability. Through its emphasis on human rights, this bill will ultimately make this State a better place for people with disability to live. I commend the Minister for Disability Services, Minister Ajaka. He has done a tremendous job on this bill. He and his team have worked tirelessly to ensure that people with disability, some of the most vulnerable people in society, are supported until the NDIS is introduced. I commend the Minister on all his work. I also commend him for the amount of time he has put into my electorate of Camden. He has visited Camden a number of times and is due to visit again next month, so I thank him for his time.

I am sure the Minister would want me to acknowledge the outstanding staff of his office—his Chief of Staff, Adam Zarth, who does a great job; his advisers Alasdair Cameron, Nicolle Nasr, Chelsea Collignon and Warren Hudson, who all do an outstanding job; media adviser Vanessa Rofe; and department liaison officers Mary O'Connell, Tegan Summerill and Stephanie Wright. I thank the Minister and his outstanding team for all the work that has gone into this bill and all the work they do. I commend this bill to the House.

**Mr CLAYTON BARR** (Cessnock) [5.57 p.m.]: It gives me great pleasure to speak on the Disability Inclusion Bill 2014. To start with I mention my disappointment that a little while ago the shadow Minister was gagged from continuing her contribution. Leaving aside all the other matters that members want to talk about—be it WestConnex, the North West Rail Link, changes to education and TAFE, or other things—the National Disability Insurance Scheme has to be the single most significant social reform that this country has seen since Medicare. Here we are on a Thursday afternoon in this House and the Government is trying to ram through an incredibly important piece of legislation in less than an hour. We have already seen the shadow Minister gagged from making a further contribution. This is incredibly disappointing.

I was upstairs listening to the shadow Minister. If I was going to pick a shadow Minister then I would probably want the member for Auburn to be the shadow Minister for whatever portfolio was vacant because she is always constructive. She is always seeking to improve legislation. She is always thinking it through from a slightly different perspective to that of the Minister and his staff so that we can get the best possible outcome for the people of New South Wales—and in this instance the best possible outcome for people with disability. I commend her for that, and I think it is incredibly unfortunate that this afternoon her contribution on this bill has been shut down. I will focus my comments primarily on the role of boarding houses in supporting people with disability and the loophole that seems to exist in the legislation as it stands. In its current form the bill explicitly excludes assisted boarding houses from its definition of "supported group accommodation" when setting out the service standards that will be enforced for supports and services for people with disability.

When the draft exposure bill for this legislation was released the shadow Minister was immediately concerned and flagged it with her colleagues. I recall at the time that the shadow Minister, the member for

Auburn, called for it to be amended. I am saddened that Labor's amendment to this bill in the Legislative Council earlier this week was not supported by the Government. The New South Wales Ombudsman noted in a submission on the draft exposure bill that people with a disability who live in assisted boarding homes are often some of the most vulnerable members of our community as they do not have the natural safeguards that so many others have.

They are not surrounded by family and friends, by their mum or dad, by their brothers and sisters or by a husband or wife. They are in boarding houses, often isolated and alone. They do not have the advice and support of loved ones who would otherwise be looking out for their very best interests. The decision to exclude boarding houses from this legislation also means that the Ombudsman will be powerless to provide support to them. That is an incredible shame and something that can be fixed fairly simply. I defy members of this House to vote against that solution to a possibly terrible and tragic loophole that is currently in the legislation.

**ACTING-SPEAKER (Mr Lee Evans):** Order! Is the member for Balmain taking a photograph in the Chamber?

**Mr Jamie Parker:** No.

**ACTING-SPEAKER (Mr Lee Evans):** Order! The taking of photographs in the Chamber is not permitted.

**Mr CLAYTON BARR:** I also note that a 2013 report entitled, "Prevention of abuse and safeguarding mechanisms with Ageing, Disability and Home Care" recommended that an independent reporting scheme be established and applied across any service for people with disabilities, including boarding houses. That is a clear example where this bill will allow vulnerable members of our society to fall between the cracks—identified by the report and by the Ombudsman, yet the gap still exists. Members of the Opposition urge the Minister to take a very close look at this issue and ponder the consequences of not offering the same level of protection and oversight to residents of assisted boarding homes as the bill offers to those in facilities that do fall under the definition of "supported accommodation".

Labor's amendments did not just seek to ensure the physical wellbeing of persons with a disability but were also designed to enhance and protect the guiding principles of the bill and the goals of inclusion and the promotion of human rights of a person with a disability. That is why it is perplexing that clause 47 (1) (2) in part 6 of the bill was included. The Opposition has sought to delete it because it is both unnecessary and potentially damaging to the intent and eventual impact of the bill. This clause states:

- (1) Nothing in sections 3–6 nor in any application of those sections by this Act gives rise to, or can be taken into account in, any civil cause of action.

However, clause 6 of the bill notes that persons and organisations performing a function or providing funding and services must at all times have regard to the disability principles set out in section 4 of the Act. This means that clause 47 of this bill essentially robs persons with disability of the option to take civil action should the disability principles meant to protect them be violated. To put it in simpler terms, it shreds the very integrity of this bill and renders the disability principles impotent. Why would members of this Chamber vote against our amendment to remedy that?

Can this bill really be said to promote inclusion and human rights for persons with disability if the values that underpin it are not enforceable? This is bitterly disappointing and its true impact will only be realised when it is too late. I now turn to another important motivation behind the amendments that Labor has proposed to this bill, that is, ensuring that persons with a disability have the level of support they need to make the best choices for their lives. That is why Labor sought to include advocacy as an explicit principle and object of the Act. Labor sought to amend clause 4 (9), one of the disability principles contained in the Act. This clause states:

People with disability have the right to access information in a way that is appropriate for their disability and cultural background, and enables them to make informed choices.

That seems very reasonable. Labor sought to add:

... and to be supported in making those decisions including through access to independent advocates and information to assist them in doing this.

Again that seems to be very reasonable. Why did the Government reject that amendment? Labor believes that appropriate advocacy services empower persons with disability. All of us need frank and independent advice at different times to assist in making important decisions in our own lives, be they financial, legal or otherwise. Being able to access qualified and independent expert advice is therefore crucial. By including advocacy as an explicit principle of the bill, Labor was trying to ensure that no-one falls through the cracks in a time of great change for persons with disability. There has not been a more important time for people with disability than during the implementation of the National Disability Insurance Scheme. We are in the midst of that introduction, to which this bill refers. As well as ensuring that persons with disability had access to advocacy services, Labor was also determined to provide them with a voice of appeal.

Labor's strong concerns regarding the impact of clause 47 of the bill on the rights of persons with disability to take civil action and to ensure that the disability principles underpinning this legislation are adhered to must be recognised. Additionally, Labor offered amendments that sought to clarify and strengthen the right of appeal for persons with disability, something that seems to be very reasonable. First, Labor sought to more clearly articulate the language contained in the bill dealing with the exact rights of a person with disability to appeal decisions not to give a person funds, support or services and, additionally, a decision not to give a person individualised funding.

Second, Labor sought to ensure that the Secretary must offer demonstrable proof of the validity of their decision to suspend or terminate financial assistance. Where the bill stated that the Secretary could act on the basis of reasonable belief regarding a case, Labor sought to revise the language so that instead the Secretary would have to show that—in other words, provide evidence for the decision. Why is that so unreasonable? Labor believes that a decision-making process that has the potential to impact severely on the lives of some of our most vulnerable citizens must be as transparent as possible. Not only must persons with disability understand their rights to appeal a decision but they also must have confidence in how that decision is reached. Personal discretion, such as that implied by terms like "reasonably believe", is not a substitute for clear and transparent evidence-based decision-making. [*Extension of time agreed to.*]

I move:

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

"the bill be referred to the Social Policy Committee for consideration and report by 30 October 2014."

**Question—That the words stand—put.**

**The House divided.**

**Ayes, 40**

Mr Aplin	Mr George	Mr Roberts
Mr Ayres	Ms Gibbons	Mr Rohan
Mr Barilaro	Ms Goward	Mr Sidoti
Mr Bassett	Mr Gulaptis	Mrs Skinner
Ms Berejikian	Mr Hazzard	Mr Speakman
Mr Bromhead	Ms Hodgkinson	Mr Stokes
Mr Conolly	Mr Maguire	Ms Upton
Mr Coure	Mr Marshall	Mr Ward
Mr Dominello	Mr Notley-Smith	Mr R. C. Williams
Mr Doyle	Mr O'Dea	Mrs Williams
Mr Elliott	Mr O'Farrell	
Mr Flowers	Mr Page	<i>Tellers,</i>
Mr Fraser	Mr Piccoli	Mr Patterson
Mr Gee	Mr Provest	Mr J. D. Williams

**Noes, 19**

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

**Pairs**

Mr Baird	Ms Hay
Mr Constance	Mr Park
Mr Perrottet	Mr Rees
Mr Stoner	Mr Robertson
Mr Toole	Ms Tebbutt

**Question resolved in the affirmative.**

**Motion agreed to.**

**Ms GABRIELLE UPTON** (Vaucluse—Minister for Family and Community Services) [6.18 p.m.], in reply: I thank all members who have contributed to this debate. As I said in my second reading speech, this is an important bill. I am pleased to support my colleague Minister Ajaka, the Minister for Disability Services, in the passage of this bill through this House. It is an important bill for the people of New South Wales because it sets out how supports and services can be provided to people with disabilities over the next few years as they transition to the National Disability Insurance Scheme and it provides an ongoing role for the New South Wales Government. I commend the bill to the House.

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

**The House divided.**

**Ayes, 41**

Mr Aplin	Mr George	Mr Provest
Mr Ayres	Ms Gibbons	Mr Roberts
Mr Barilaro	Ms Goward	Mr Rohan
Mr Bassett	Mr Gulaptis	Mr Rowell
Ms Berejiklian	Mr Hazzard	Mr Sidoti
Mr Bromhead	Ms Hodgkinson	Mr Speakman
Mr Conolly	Mr Maguire	Mr Stokes
Mr Coure	Mr Marshall	Ms Upton
Mr Dominello	Mr Notley-Smith	Mr Ward
Mr Doyle	Mr O'Dea	Mr R. C. Williams
Mr Elliott	Mr O'Farrell	Mrs Williams
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Mr Daley	Ms Mihailuk	<i>Tellers,</i>
Mr Furolo	Mr Parker	Mr Amery
Mr Greenwich	Mrs Perry	Mr Lalich

**Pairs**

Mr Baird	Ms Hay
Mr Kean	Mr Park
Mrs Skinner	Mr Rees
Mr Stoner	Mr Robertson
Mr Toole	Ms Tebbutt

**Question resolved in the affirmative.**

**Motion agreed to.**

**Bill read a second time.**

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

**Mr ANTHONY ROBERTS** (Lane Cove—Minister for Resources and Energy, and Special Minister of State) [6.27 p.m.]: I move:

That standing and sessional orders be suspended to provide that the Disability Inclusion Bill proceed to its third reading without consideration in detail.

**Mr MICHAEL DALEY** (Maroubra) [6.28 p.m.]: I do not think I would be alone on this side of the House in saying that the motion just moved by the Leader of the House to suspend standing and sessional orders is quite astounding. In all my time in this place, which is nearly nine years, we have had the odd gag motion but we have never had one on this subject matter. This is a bill dealing with a subject matter that people on both sides of the House hold very dear. It is an important piece of legislation. Frankly, we have been fluffing around all week, taking note of the First World War, which is important but which is not as important as this matter. Members can moan and groan but we went home early last night.

This bill should have been brought forward so that it was debated before the take-note debate on the sale of the Currawong property and the motion on the Centenary of the First World War. This is a remarkably important piece of legislation. The shadow Minister has been gagged once already. She had intended to move her amendments in globo. The motion moved by the Leader of the House for a suspension of standing orders shows insensitivity in a week when the Government's whole show is crumbling around its ears. The Government is up to its eyeballs in corruption and now it is up to its eyeballs in politics in this House. Government members should hang their heads in shame.

**Mr ANTHONY ROBERTS** (Lane Cove—Minister for Resources and Energy, and Special Minister of State) [6.29 p.m.]: The behaviour of the Opposition has been disgraceful. This bill has been around since May. The actions of the Opposition are not in keeping with one of the wonderful traditions of this House, cooperation. I have moved for a suspension of standing and sessional orders because there is an order of procedure in this House and a process. I will have more to say on that matter at a later date.

**Question—That the motion be agreed to—put.**

**The House divided.**

[*In division*]

**ACTING-SPEAKER (Mr Lee Evans):** Order! I draw the attention of members to and welcome a delegation of Congressmen from the United States of America.

**Ayes, 43**

Mr Aplin	Ms Gibbons	Mr Roberts
Mr Ayres	Ms Goward	Mr Rohan
Mr Barilaro	Mr Gulaptis	Mr Rowell
Mr Bassett	Mr Hartcher	Mr Sidoti
Ms Berejiklian	Mr Hazzard	Mr Speakman
Mr Bromhead	Ms Hodgkinson	Mr Stokes
Mr Conolly	Mr Maguire	Mr Toole
Mr Coure	Mr Marshall	Ms Upton
Mr Dominello	Mr Notley-Smith	Mr Ward
Mr Doyle	Mr O'Dea	Mr R. C. Williams
Mr Elliott	Mr O'Farrell	Mrs Williams
Mr Flowers	Mr Page	
Mr Fraser	Mr Perrottet	<i>Tellers,</i>
Mr Gee	Mr Piccoli	Mr Patterson
Mr George	Mr Provest	Mr J. D. Williams

**Noes, 19**

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

**Pairs**

Mr Baird	Ms Hay
Mr Grant	Mr Park
Mr Humphries	Mr Rees
Mr Kean	Mr Robertson
Mrs Skinner	Ms Tebbutt

**Question resolved in the affirmative.**

**Motion agreed to.**

**Third Reading**

**Ms GABRIELLE UPTON** (Vaucluse—Minister for Family and Community Services) [6.36 p.m.]:  
I move:

That this bill be now read a third time.

**Mr MICHAEL DALEY** (Maroubra) [6.37 p.m.]: Mr Acting-Speaker—

**ACTING-SPEAKER (Mr Lee Evans):** Order! Pursuant to Standing Order 203 the question is not open to debate.

**Ms Linda Burney:** How can you do that on this bill?

**ACTING-SPEAKER (Mr Lee Evans):** Order! Because the bill was not considered in detail.

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

**The House divided.**

**Ayes, 43**

Mr Aplin	Ms Gibbons	Mr Roberts
Mr Ayres	Ms Goward	Mr Rohan
Mr Barilaro	Mr Gulaptis	Mr Rowell
Mr Bassett	Mr Hartcher	Mr Sidoti
Ms Berejiklian	Mr Hazzard	Mr Speakman
Mr Bromhead	Ms Hodgkinson	Mr Stokes
Mr Conolly	Mr Maguire	Mr Toole
Mr Coure	Mr Marshall	Ms Upton
Mr Dominello	Mr Notley-Smith	Mr Ward
Mr Doyle	Mr O'Dea	Mr R. C. Williams
Mr Elliott	Mr O'Farrell	Mrs Williams
Mr Flowers	Mr Page	
Mr Fraser	Mr Perrottet	<i>Tellers,</i>
Mr Gee	Mr Piccoli	Mr Patterson
Mr George	Mr Provest	Mr J. D. Williams

**Noes, 19**

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

**Pairs**

Mr Baird	Ms Hay
Mrs Hancock	Mr Park
Mr Humphries	Mr Rees
Mrs Skinner	Mr Robertson
Mr Stoner	Ms Tebbutt

**Question resolved in the affirmative.**

**Motion agreed to.**

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

**ST SHENOUDA COPTIC ORTHODOX MONASTERY (NSW) PROPERTY TRUST BILL 2014**

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

**ACTING-SPEAKER (Mr Lee Evans):** Order! I advise the House that the Speaker has received a written authority from Reverend the Hon. Fred Nile, MLC, advising that the Attorney General, and Minister for Justice, will have carriage of the bill in the Legislative Assembly.

**Second Reading**

**Mr BRAD HAZZARD** (Wakehurst—Attorney General, and Minister for Justice) [6.45 p.m.]: I move:

That this bill be now read a second time.

I support the St Shenouda Coptic Orthodox Monastery (NSW) Property Trust Bill 2014. This bill was introduced by Reverend the Hon. Fred Nile on 19 June 2014 in the other place. The bill proposes to create a new Act that will constitute a statutory property trust for the St Shenouda Coptic Orthodox Monastery and incorporate a statutory corporation to hold property on trust for the monastery. The bill mirrors the existing Coptic Orthodox Church (NSW) Property Trust Act 1990, which created a property trust for the Coptic Orthodox Church Diocese of Sydney.

I note that at some point in the near future the Government intends to introduce legislation that will deal more comprehensively with such matters as property being held by the various churches. We will then be able to address some of the issues of consistency and ensure a better framework for the various faiths. This bill was, as I said, introduced by Reverend the Hon. Fred Nile, who has reported to the Government that the St Shenouda Coptic Orthodox Monastery is keen to progress this bill at this time. The Government intends to look at the issues that are contained within this bill and some other related issues in a more comprehensive fashion. The Government is prepared at this time to agree to support the St Shenouda Coptic Orthodox Monastery (NSW) Property Trust Bill to satisfy the immediate needs of the church.

The Coptic Orthodox Church is one of the oldest Christian churches—more than 19 centuries old—and regards itself as a strong defender of the Christian faith. Although fully integrated into the body of the modern Egyptian nation, the Copts have survived as a strong religious entity and pride themselves on their contribution to the Christian world. Whilst the monastery is part of the Coptic Orthodox Church, it is different in terms of congregation size, property holdings and governance structure. The bishop of the monastery is separate from the bishop of the diocese, with each being required to report directly to the Pope in Egypt. The

monastery was purchased in 1993 and has since undergone significant transformation with the construction of a church for the monks and congregation, a retreat house, a large workshop, and a number of— [*Quorum called for.*]

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

The monastery regularly welcomes thousands of parishioners from New South Wales and other parts of Australia. His Grace Bishop Daniel is only the second bishop to be ordained of a Coptic monastery in Sydney. St Shenouda monastery was officially canonised in 2009 and officially recognised by the Holy Synod. St Shenouda monastery is one of the small number of Coptic monasteries outside Egypt that has been canonised. The bill satisfies each of the requirements of the St Shenouda Coptic Orthodox Monastery and addresses issues including: constituting a statutory corporation to hold property on trust for the monastery; making the bishop of the monastery the sole trustee; vesting property in the trust without the need to pay duty; specifying the functions of a statutory corporation, for example, by detailing conditions for the variation of the trust; empowering the trust to act as executive administrator; and the execution of documents. Other details in relation to this bill can be found in the address by Reverend the Hon. Fred Nile in the other place. The bill seeks to establish a property trust structure for the monastery that is very similar to the structure created for a diocese. I commend the bill to the House.

**Mr PAUL LYNCH** (Liverpool) [6.51 p.m.]: I lead for the Opposition on the St Shenouda Coptic Orthodox Monastery (NSW) Property Trust Bill 2014. The Opposition supports the bill. The objects of the bill are to constitute a statutory corporation to hold property on behalf of the St Shenouda Coptic Orthodox Monastery, to specify the functions of the statutory corporation, and to vest in the statutory corporation property held in trust for the monastery without the need to pay duty. The St Shenouda Coptic Orthodox Monastery is located at 8419 Putty Road, Putty. The property was purchased in 1993. The mover of the bill in the other place does not state this, but I infer from the bill that the property is currently held by the Coptic Orthodox St Shenouda Monastery Ltd or held on trust by the St Shenouda Coptic Orthodox Monastery.

The bill provides that all such property be vested in the trust established as a corporation by this bill. The bill provides that the sole trustee of the trust be the Bishop of St Shenouda Coptic Orthodox Monastery. My inquiries of the Coptic community reveal that that community is enthusiastically in support of this bill. I should note in my capacity as the member for Liverpool my close connection with the Coptic community in Liverpool and in particular the St George and Prince Tadros Coptic Orthodox Church, which is literally next door to my house, and the good relationship I have with Father Georgios Ramandious. As I say, I have made inquiries and am perfectly happy that this bill is a good thing, and we should support it.

In regard to the details of the bill, it is difficult to deal with bills like this when we have a second reading speech from Reverend the Hon. Fred Nile in the other place that is so totally unrelated to the bill. I got less help from that second reading speech in relation to this bill than any other bill I have seen in the past 20 years in this place. Reverend the Hon. Fred Nile did himself and the church no favour by making such a totally inadequate second reading speech. Having said that, I have made my own inquiries and I am delighted to be able to support the bill. The Opposition supports the bill.

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

**Motion agreed to.**

**Bill read a second time.**

### **Third Reading**

**Motion by Mr Brad Hazzard agreed to:**

That this bill be now read a third time.

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

**Pursuant to resolution community recognition statements proceeded with.**

## COMMUNITY RECOGNITION STATEMENTS

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### SPORTSPERSON ANITA HANDONO

**Mr STEPHEN BROMHEAD** (Myall Lakes) [6.54 p.m.]: I inform the House that 13-year-old Anita Handono from Tuncurry was selected for the Football National Youth Championships, which were held in Coffs Harbour. Anita attends Great Lakes College and plays for the Forster Tuncurry Tigers Football Club in the under-14 team and she is a member of the Mid North Coast representative side. Anita has played for the New South Wales football team in her age groups for the past two years. In early 2014 Anita was invited to try out for the Northern New South Wales under-13 girls side and she made an impressive display to be selected for the Youth Championships.

Anita travels to Newcastle every third week for training with the under-13 Newcastle Jets team and she also trains in Taree with the Mid North Coast under-13 boys team. Anita has played cricket for the Great Lakes Cricket Club and has been selected to play representative cricket for the Manning Valley and the Mid North Coast teams. She also played for the New South Wales North Coast Cricket Academy and from there played for the Mid North Coast under-15 team, which won the New South Wales Country Championships played in October 2013.

### ITALIAN REPUBLIC DAY FESTIVAL

**Mr NICK LALICH** (Cabramatta) [6.55 p.m.]: On 1 June thousands of people converged on the Marconi Club to celebrate the annual Italian Republic Festive Day. The event, celebrated by Italians across the globe, commemorates the day in 1946 when Italy became a republic. Despite the cold and the rain, more than 25,000 people came along to the Festa della Repubblica. The day showcased the best that Italian culture has to offer, including music, dancing, food and wine. The event also had wonderful Italian cars on display and lots of rides for the big kids and small kids. The Fairfield-Cabramatta area is blessed to have so many people of Italian ancestry living in the area. The festival was also a celebration of their contribution to our area. I congratulate Club Marconi President, Mr Vince Foti, the club's board of directors and staff on hosting another wonderful festival.

### THE SHIRE: A JOURNEY THROUGH TIME BOOK LAUNCH

**Mr MARK SPEAKMAN** (Cronulla—Parliamentary Secretary) [6.56 p.m.]: I am looking forward to attending this Saturday the launch of a new book that looks at the history of the Sutherland shire in a global, Australian and local context. It is called *The Shire: A journey through time*, written by Sutherland Shire Historical Society President Bruce Watt. He terms the book "a history, a genealogy, a portrait and a sketch." He writes in chapter one that his intention is not merely to restate accepted versions of existing histories but to bring together over the broad sweep of time an understanding of the character, charm and even unpleasant warts that stamp the shire as unique. What stamps this book as unique is that it gives a big picture perspective, which is a significant departure from the orthodox telling of local history. It goes beyond recounting what happened, and explains the context of what happened, and provides another version and another perspective of local history that current and future readers can evaluate. It is a great read, and I look forward to its launch on Saturday.

### BANKSTOWN BUSINESS AWARDS

**Ms TANIA MIHAILUK** (Bankstown) [6.57 p.m.]: I was delighted to attend yesterday evening the local Bankstown Business Awards at La Luna Lounge at Bankstown Paceway. The awards program is coordinated by Precedent Productions, and I congratulate Steve Loe and his team on their efforts in coordinating both the event and their awards program. Further, I take this opportunity to congratulate the four major sponsors, in particular Torch Publishing, who are partners and long-term sponsors of the program, Bankstown City Council, Bankstown City Credit Union and Bass Hill Plaza on sponsoring this year's awards program. Bankstown is blessed to have a very strong and resilient business community, and I congratulate each and every one of the nominees and award recipients on their contributions in building a better Bankstown business community and for putting Bankstown on the map.

### STATE INDOOR CRICKETER CARLY LEESON

**Mr CHRISTOPHER GULAPTIS** (Clarence) [6.58 p.m.]: I offer my congratulations to Carly Leeson on her achievements in cricket. Carly, who is only 15 years old, led the New South Wales Cyclones to victory in

the Under-17 Girls National Indoor Cricket titles in Adelaide, and then backed it up by captaining the New South Wales Blues in the Under-20 Women's National Indoor Cricket title in Melbourne. This included being part of the final batting pair, who required 50 runs to beat Queensland, with the winning runs being scored off the last ball of the innings. Carly has also been selected in the Australian Under-20 Women's team to contest the Indoor Cricket World Cup in New Zealand later this year. I wish Carly continued success, not only at the World Cup but also with whatever she chooses to do in the future.

#### **MOUNT DRUITT POLICE CITIZENS YOUTH CLUB CITIZENS CAFE**

**Mr RICHARD AMERY** (Mount Druitt) [6.59 p.m.]: On 21 July 2014 I attended the open day of the new Police Citizens Youth Clubs Citizens Cafe situated at The Hub, Mount Druitt. This cafe will be a living classroom providing accredited certificate level training in hospitality and work experience. The PCYC has been a constant presence in my electorate for decades, especially from the Shalvey Youth Centre. The PCYC is now the manager, through Karen Quinn, of a cafe which will provide not only valuable training, qualifications and work experience but also an all-day menu for breakfast, lunch and snacks and to cater for local nearby business, services and community groups. My congratulations to Karen Quinn of the PCYC. I urge all locals and those visiting Mount Druitt to call in at the PCYC Citizens Cafe and enjoy quality food and coffee and service from the friendly staff.

#### **TRIBUTE TO PETER OLSEN**

##### **GRACE BENNINGTON 100TH BIRTHDAY**

**Mr JOHN FLOWERS** (Rockdale) [7.00 p.m.]: I recognise Peter Olsen of Brighton-Le-Sands for his input into the school zone flashing lights initiative adopted by the New South Wales Government. His design was more efficient and cost-effective and it is proposed that all schools in New South Wales that do not already having flashing lights will have them before the end of 2015. I acknowledge Peter's ongoing passion for road safety and his continual outstanding contribution to the local community, and for the people of New South Wales more generally. I also take this opportunity to extend special congratulations to Ms Grace Emily Bennington, formerly of Brighton-Le-Sands, who celebrated her 100th birthday on 1 July 2014. I wish her every happiness and good health in the future.

#### **FAIRFIELD PUBLIC SCHOOL 125TH ANNIVERSARY**

**Mr GUY ZANGARI** (Fairfield) [7.00 p.m.]: As part of the 125th anniversary celebrations at Fairfield Public School, the parents and citizens association launched the Fairfield Cooks program. The aim of the program is to encourage parents to share their traditional recipes and contribute towards the production of a Fairfield Cooks' cookbook. The parents and citizens association, under the leadership of president Mr Vic Meli, is committed to supporting all families, especially those who have recently migrated to Australia. Fairfield Cooks offers parents the chance to be social and engage with each other and to celebrate their cultural and religious diversity.

#### **ALBURY ELECTORATE ACHIEVEMENTS**

**Mr GREG APLIN** (Albury) [7.01 p.m.]: Congratulations to Nicholas Close, an Albury flooring apprentice, who won Apprentice of the Year in his category of Flooring Technology—Carpet at the National Furnishing Industry Training Awards held in Melbourne earlier this week. The dedicated volunteers of the Corowa Arthritis Support Group celebrated their twentieth anniversary recently. Congratulations on reaching such a milestone and for your great work in the community. We thank you for your work and wish you all the very best for the future. Congratulations to the Holbrook Public School dance troupe which has been selected to take part in the State Dance Festival to be held in Sydney in September. Well done on the great achievement of being selected from 23 dance troupes.

#### **SERBIAN FOLKLORIC FESTIVAL**

**Mr PAUL LYNCH** (Liverpool) [7.02 p.m.]: I recognise the twenty-eighth annual Serbian Folkloric Festival held at the Bonnyrigg Sports Club. This is the largest Serbian event held in Australia. It extends over three days and attracts some 10,000 attendees. It had an official ceremony on Sunday 10 August, when the festival was officially opened by His Grace Bishop Irinej. Other distinguished guests and speakers included the Ambassador for the Republic of Serbia, Miroljub Petrovic; Serbian Consul Jasmina Pekmezovic; Ned

Bogicevic, President of Bonnyrigg Sports Club; Danny Zagorac, President of the Bonnyrigg Football Club; and John Pavasovic and Nena Borak. I also acknowledge Vaso Despotovic of BEO Group Australia and Vic Petrovich of NSW Compensation Lawyers, sponsors of the event.

I have attended this annual festival for quite a few years. It is always an impressive display of not just traditional Serbian folkloric tradition and culture but also the spectacular diversity of multicultural Sydney. Sydney, particularly western and south-western Sydney, is a great place in which to live. That is significantly because of our cultural diversity and communities such as the Serbian community.

#### **DAVE KOCH, CLONTARF ACADEMY**

**Mr ADAM MARSHALL** (Northern Tablelands) [7.03 p.m.]: I congratulate Dave Koch who has taken the reins of the Clontarf Academy at Inverell High School. Dave took over from Chris McDonald who recently has been promoted to Clontarf's regional manager in Dubbo. Dave has a long history with the Clontarf program in Inverell, having been a teacher at Holy Trinity School for 22 years gaining a lot of experience working with the boys. There are currently 55 students involved in the Clontarf program at Inverell High School and two students have joined since Dave has been on board. I wish Dave all the very best and congratulate him on his new role with the Clontarf Academy at Inverell High School. This program caters for the needs of Aboriginal young people and puts them on the right path to engage with school education through sport. It is a great initiative.

#### **BALMAIN BALL**

**Mr JAMIE PARKER** (Balmain) [7.04 p.m.]: On Friday 8 August 2014 the first black-tie Balmain Ball was held at the Westin. The ball was a fantastic social event and a wonderful opportunity to support organisations in our community. The mission statement of the Balmain Ball is to bring together the local community for a wonderful evening and to create awareness for those in need in the local community. In 2014 all funds raised from the Balmain Ball will be donated to the local St Vincent de Paul Society to support its work of assisting people on the Balmain peninsula.

The Balmain Ball committee is a volunteer group of passionate and committed Balmain residents who share a vision to give back to their community and to bring together local residents, businesses and sponsors to support, donate and volunteer to make an important difference in our community. I congratulate the committee of Adam Trippe-Smith, Jenny Chamberlain, Tim Condon, Elisabeth Drysdale, Peter Dunne, Catherine Flynn, Johanna Jorgensen and Justine Latham on their hard work and the great success of the evening. The Balmain Ball will continue to be the focus of the community's social calendar for years to come.

#### **SISTER PHILOMENE TIERNAN, RSCJ**

**Ms GABRIELLE UPTON** (Vaucluse—Minister for Family and Community Services) [7.05 p.m.]: On 13 August 2014 I attended a commemorative mass at Kincoppal-Rose Bay School of the Sacred Heart in my electorate to celebrate the life of Sister Philomene Tiernan, RSCJ, who tragically died on Malaysian Airlines Flight MH17. Sister Phil's death was a shocking blow to Kincoppal-Rose Bay, where she had taught and played a senior leadership role, as well as for the Society of the Sacred Heart, with which she was associated for decades.

The mass was led by Monsignor Tony Doherty and was attended by more than 800 school community members, past and present. It celebrated the life of Sister Phil—her warmth, intellect, faith and the strong encouragement and inspiration she provided to those who crossed her path. The message she brought to those around her was "be the best you can be". It was an honour to help celebrate the life of such a cherished community member. The loss will weigh heavily on Kincoppal-Rose Bay, but Sister Phil's legacy will live on through every smile shared between students in the hallways and every act of kindness she continues to inspire. I offer my sincerest condolences to Sister Phil's family and friends and to the Kincoppal-Rose Bay community. Vale, Sister Philomene Tiernan, RSCJ.

#### **SOUTH SYDNEY COMMUNITY AID CHRISTMAS IN JULY**

**Mr RON HOENIG** (Heffron) [7.06 p.m.]: Last month I had the pleasure of attending a multicultural Christmas in July celebration, hosted by South Sydney Community Aid. South Sydney Community Aid provides important assistance for culturally and linguistically diverse communities, particularly those on a low

income, socially isolated people, the unemployed, seniors and disabled people. The luncheon was catered by Eat. Drink. Give., a fantastic organisation that aims to ensure that everyone, no matter their socio-economic background, is given the opportunity to have a nice dining experience. The food was spectacular and everyone enjoyed themselves.

There were a number of cultural performances at the celebration including Cantonese opera, Vietnamese dance, a traditional Pacific Islander song and others. The afternoon was an opportunity to celebrate all the multicultural diversity that our community has to offer. The celebration was attended by local culturally and linguistically diverse residents, community leaders and local public housing residents from the Redfern and Waterloo areas. I particularly thank Mr Bill Yan of South Sydney Community Aid, who was integral to organising the event and for introducing me to the fantastic organisation that is South Sydney Community Aid. I look forward to working with it more in the future.

### **HOLSWORTHY HIGH SCHOOL CHRISTMAS IN JULY**

**Ms MELANIE GIBBONS** (Menai) [7.07 p.m.]: On 29 July I had the pleasure of joining the Holsworthy High School for its Christmas in July meal, which I have attended for several years. This event seems to get better and better. The meal is cooked by the senior class and it puts on an amazing meal for more than 20 people, including the members of the parents and citizens association and volunteers at the canteen. Local community groups also get to enjoy this fabulous meal.

This year the meal was cooked in the brand new kitchen at the school. I spoke to the Minister for Education about the school's need for this facility. He came to the school and now this kitchen has beautiful new stainless steel benchtop and appliances. The kitchen is now fit for teaching the useful skill of cooking. Christmas in July was also attended by former principals and it was good to catch up with them. This year schools in Wattle Grove, Hammondville and Holsworthy all have new principals, a big change for our area. I congratulate Holsworthy High School on hosting this event.

### **BOMADERRY ROTARY CLUB**

**Mr GARETH WARD** (Kiama) [7.08 p.m.]: On Monday 30 June I was pleased to attend the Rotary Club of Bomaderry's annual changeover dinner held at Bomaderry Bowling Club. I acknowledge the retiring president, David Bisker, and congratulate the new president, John Merritt. I also acknowledge the outgoing secretary, Bob Webster, OAM, and congratulate the new secretary, John Drinkwater, and the treasurer, Ashley Reid, who continues in that role. I also acknowledge my good friend Barry Faulks for the great contribution he has made to the Rotary Club of Bomaderry over many years.

Rotary is an enormous organisation with around 1.2 million members worldwide of 34,000 clubs. Rotary has done sensational work towards eliminating polio. It also does important work with younger people and promoting youth leadership and local community events. I commend the Rotary Club of Bomaderry for outstanding work and the contribution it makes to the community and in making the Shoalhaven a great place to live.

### **BAULKHAM HILLS INNER WHEEL CLUB**

**Mr DAVID ELLIOTT** (Baulkham Hills—Parliamentary Secretary) [7.09 p.m.]: Recently I attended the changeover dinner of the Baulkham Hills Inner Wheel Club. Congratulations to all those elected to positions of responsibility for the 2014-15 year: President Janice Walker; Secretary Robyn Scobie; and Treasurer Ann Spece. It was uplifting to learn of the contributions that community groups make in Baulkham Hills. Over the past year the Inner Wheel Club has donated more than \$4,000 to the Northcott Society. The club's musical evening for performing students from public schools in The Hills district raised \$2,710 for Stewart House and provided students with the opportunity to be awarded marks for their end-of-year exams. Funds were raised in many ways, serving Devonshire teas, catering for dinners, Christmas gift wrapping, raffles, donations and directing vehicles at the Castle Hill Show. Congratulations to the previous executive on maintaining an active club that contributes to the community. I wish the executive all the best as it continues to serve the Baulkham Hills community.

### **DAVIDSON ELECTORATE SPORTS ACHIEVEMENTS**

**Mr JONATHAN O'DEA** (Davidson) [7.10 p.m.]: The Northern Suburbs Netball Association Over 40s netball team demonstrated its talent on the court by taking out its division at the Netball NSW State Age

Championships in June. The team won all of its 16 matches under the captaincy of Jenny Gage from my electorate of Davidson. Jenny paid tribute to the team's depth of talent across all positions and the team's ability to remain focused across all matches. Another local female captain, Sarah Turner of St Ives, represented New South Wales for the second time in the School Sport Australia girls cricket championships. This year the team she led ended the tournament in Darwin undefeated and won gold. I congratulate both teams on their outstanding performances and wish each sportswoman well for her future sporting success.

### **BRYCE OSTINI PHOTOGRAPHY EXHIBITION**

**Mr ANDREW GEE** (Orange) [7.10 p.m.]: I draw the attention of the House to Bryce Ostini who will hold a photography exhibition tonight in Orange in support of the Cancer Council NSW. Bryce is a talented 15-year-old local amateur photographer with a passion for photography who believes that, no matter how old one is, one can still make a difference in the fight against cancer. Prior to mother Sandy's breast cancer diagnosis, Bryce already had a long association with the Cancer Council, which included shaving his head and raising more than \$15,000 in 2011. In fact, Bryce is no stranger to a head shave. In year 4, aged just nine, he participated in the World's Greatest Shave for the Leukaemia Foundation.

Motivated by his good friend Adam's second diagnosis of acute lymphoblastic leukaemia—his first was at age three and then at age eight—Bryce individually raised more than \$3,500. He has since also attended to fundraise for the Leukaemia Foundation through the "Light the Night" event, which has been held twice in Orange—in 2009 and most recently in 2013. Bryce hopes to raise \$500 at his event tonight, with all proceeds being donated to the Cancer Council. I wish Bryce the best of luck at his exhibition. I table for the benefit of the House Bryce's photographs entitled "Forsaken" and "Growing Hope".

### **ROBOT FRED AUTHOR NICHOLAS SPEAKMAN**

**Mr JAI ROWELL** (Wollondilly—Minister for Mental Health, Assistant Minister for Health) [7.11 p.m.]: I acknowledge St Anthony's School, Picton, student 11-year-old Nicholas Speakman, who was diagnosed with dyslexia three years ago. This condition affected his ability to read, write, spell and convert thoughts in his head to words and then onto paper. Following his diagnosis, Nicholas began to work with a tutor from his school. Towards the end of last year they began a project to help Nicholas put his ideas down on paper, writing one sentence or paragraph at a time each week. The end result was a published version of Nicholas' book, *Robot Fred*. The book details Nicholas' thoughts on the challenges that school presents and how they can be overcome. I also acknowledge Isaac, the son of his tutor, Clare-Ann Taylor, for providing the illustrations for the book. This is a fine example of what students from St Anthony's School, Picton, can do.

**Community recognition statements concluded.**

**Pursuant to resolution private members' statements proceeded with.**

### **PRIVATE MEMBERS' STATEMENTS**

#### **MEALS ON WHEELS**

#### **FAIRFIELD FOOD SERVICES**

**Mr NICK LALICH** (Cabramatta) [7.12 p.m.]: I bring to the attention of the House a most valuable institution that is often taken for granted but one that everyone knows: Meals on Wheels. This wonderful institution began its life in Britain during the Second World War when it was set up to help the elderly who wanted to stay in their homes but needed help to do so. The organisation spread its wings from there, setting up in Australia in 1952 in South Melbourne. Back then meals were delivered by a lady on a tricycle. When it got too much for one person the Red Cross took over the service. New South Wales got its first Meals on Wheels service in 1957. It was run by Sydney City Council and in its first week 150 meals were cooked in the Town Hall. Amazingly, the cost of a meal back then was just two shillings—which is equivalent to 20¢ today.

Since those early days Meals on Wheels now delivers more than 14.8 million meals each year to about 53,000 people Australia-wide. About 4.5 million of those meals are delivered in New South Wales. Meals on Wheels could not deliver this vital service without the support and hard work of its volunteers. New South Wales has about 35,000 Meals on Wheel volunteers. These people are truly the backbone of our communities.

My local Meals on Wheels has been renamed Fairfield Food Services to take in all the services it provides. Recently Fairfield Food Services celebrated 50 years of service to the local community. The Fairfield service started with just two clients, in 1963. Now, on average, Fairfield Food Services produces more than 100,000 meals for over 250 clients every year.

As someone who has lived and worked in the area for decades, I have seen firsthand the joy that the staff and volunteers bring to vulnerable people—those who are frail, elderly or disabled. Without this vital service it would be impossible for many residents to live independently in their own homes and in our community. On behalf of the Cabramatta electorate I thank Fairfield Food Services staff and volunteers for the food they provide and the care, companionship and friendship they offer to those who need it most in our community. I also commend the staff and volunteers of Meals on Wheels across the country. In my eyes, they truly are heroes.

### **CASULA DEVELOPMENT PROPOSAL**

**Ms MELANIE GIBBONS** (Menai) [7.16 p.m.]: I bring to the attention of the House an important matter for my local community. Currently before Liverpool City Council is a proposal to develop the Fontainebleau motel-restaurant on the Hume Highway at Casula. Residents have spoken to me about the impact of this development on their area. Those who live in close proximity to the proposed development are concerned that it is not in the best interests of their community. The proposal is to develop the motel and restaurant into a late-trading hotel with at least 30 gaming machines and an outdoor drinking and eating area. If approved, the development will be located within five metres of residential houses. The close proximity to the development, combined with extended trading hours and the comings and goings of patrons in the car park, will surely affect residents adversely.

This area of Casula has not been developed recently as most residents are longstanding locals, in some cases of more than 20 or 30 years. I do not expect this ageing population would adapt easily to the potential noise and disruption of this proposed development. As I have said, some residences are located within five metres of the boundary of the site but, additionally, a women's refuge is nearby and many people with a disability live in nearby public housing. Also, Casula Public School is about 100 metres from the development site. Obviously a great deal of disruption will be caused. Being located on the Hume Highway places the development near one of the biggest black spots in New South Wales, at the junction of the highway and the M5. Obviously concerns have also been raised about the possible increase in drink-driving by patrons. Combining this with its location—near one of the State's biggest black spots—it is causing a great deal of distress.

Poker machines in the Liverpool local government area average a net profit before tax of \$123,277 per machine—71 per cent above the State average. The opportunity to have 30 more poker machines in this same area is also cause for concern. Local residents oppose the development quite strongly and I believe they are justified. They are taking their objection to Liverpool council and I believe the council is listening to their concerns. I trust that it will reject the development when it is presented, or at least modify the plans to a reasonable facility for the area. A 3.00 a.m. closing time for six nights a week is not what the residents are used to and it could impact severely on their amenity. Residents request that the council delay the consideration process until the community presents an important formal request for government information regarding hotel compliance and alcohol-related records of licensed venues under the control of the proponent. They are also looking for information about the Department of Family and Community Services use of emergency and crisis accommodation to ensure that it continues or an appropriate alternative is suggested.

We want to look at the negative social impact of an additional 30 machines being placed in this vulnerable community. It is said to be a family friendly facility because it will have music and entertainment. I cannot see how a facility that closes at 3.00 a.m. six nights a week could be family friendly, but that matter needs to be taken into account. It is also said to be of benefit because it breaks the golden triangle in Liverpool by shifting one of the liquor and poker machine licences from the central business district to Casula. However, it merely sends it two kilometres down the road and extends the area on which it could have an impact. As I have mentioned, the proposed development is located close to a primary school, childcare facilities, a women's refuge, and disabled, disadvantaged and elderly clients in public housing, and it is five metres away from the family residences. The proponents operate the equally most violent premises in New South Wales, which is a concern. The Crossroads Hotel is 1.5 kilometres down the Hume Highway. I support the residents and ask that these issues be taken into consideration by the council.

**Mr JAI ROWELL** (Wollondilly—Minister for Mental Health, Assistant Minister for Health) [7.21 p.m.]: I acknowledge the hardworking member for Menai for her excellent advocacy on behalf of her constituents. We know what communities across our electorates need and want. The member for Menai is in tune with her constituents and raises important issues. I encourage all parties to work together to continue to make her local area a great place to live and to work.

### **DOLPHIN MARINE MAGIC**

**Mr ANDREW FRASER** (Coffs Harbour—The Assistant-Speaker) [7.21 p.m.]: I bring to the attention of members the plight of what was called the Pet Porpoise Pool, but is now known as Dolphin Marine Magic, in Coffs Harbour. The pool was established originally by Hec Goodall approximately 36 years ago. It was the second oceanarium to be established in New South Wales. The first was set up by Jack Evans in Tweed Heads. Hec worked with Jack and has been involved in the business since 1960. During my term as member for Coffs Harbour I have had three bureaucrats try to bring in regulations that would close the pool. The pool not only benefits scientific research but also each year brings an estimated \$20 million in tourism benefits.

On 19 September the Minister for Agriculture and Primary Industries visited the pool. She took the opportunity to have a look at the condition of its mammals and how they were kept. The pool sets the benchmark for the keeping of marine mammals in New South Wales. Her children were with her for the weekend and they all took the opportunity to swim with the dolphins, which is a magnificent experience. As a result of the Minister's visit, Ian Roth, the Chief Veterinary Officer for New South Wales; Bruce Christie, the Executive Director of Biosecurity NSW; and Matthew Crane, the Leader of Exhibited Animals, came to have a look. I am grateful that they inspected the pool rather than try to close it by way of regulation. Matthew Crane has since written to the Pet Porpoise Pool. On the day of his visit I believed we had an agreement that we could use the secondary pool to house the seals and that they were happy with the pool and its inhabitants.

There were other issues relating to the pool. For example, the land next door is available for the pool to be expanded, but Coffs Harbour City Council is expecting approximately \$500,000 for it so the Minister for Natural Resources, Lands and Water is looking at a far better option. Despite our discussions on the day, Mr Crane now wants a long-term management plan, which has been in place for many years but has not been able to be instigated because of a lack of land. Extra seal pools have been built and I am sure that Ian Roth and Bruce Christie were impressed with the filtration system in the exhibition areas and the housing areas for the seals and dolphins. Unfortunately, after their visit correspondence was received by Dolphin Marine Magic that states:

Any variation granted in relation to the use of the show pool as a long-term off-exhibit holding enclosure for seals is likely to be conditional.

That is not what we discussed on the day. It continues:

Such conditions are likely to relate to the maximum number of seals that may be accommodated in the pools—

we do not have a problem with that—

—and the length of time for which this variation will be granted.

It would cost the group \$1.8 million to build new pools. The board of directors are volunteers from the local area, other parts of New South Wales and Victoria. Last year the net profit earned from the pool was \$40,000. I want the department to work with the directors. Standards Australia-wide have been set by Dolphin Marine Magic and the department should be taking its advice from them, not being dictated to. Research is conducted on behalf of the National Marine Science Centre and the National Parks and Wildlife Service and it should be accepted by other organisations in Australia and worldwide. The American advice that it is the best dolphin and seal enclosure in the world should also be acknowledged. It is obvious that the mammals are healthy, which is the main issue—indeed, it was acknowledged they were the healthiest mammals they had seen. I implore Mr Crane to stick with the agreement we had on the day to ensure that this vital piece of infrastructure and major tourist attraction is maintained in Coffs Harbour.

**Mr JAI ROWELL** (Wollondilly—Minister for Mental Health, Assistant Minister for Health) [7.26 p.m.]: I acknowledge the hardworking member for Coffs Harbour for his representation regarding Dolphin Marine Magic and animal conservation. As we all know, the member has a longstanding passion for seals and dolphins and often discusses them with us all. He is truly a visionary, and animal welfare is a serious business.

## HYDE PARK ANZAC MEMORIAL

**Mr BARRY O'FARRELL** (Ku-ring-gai) [7.27 p.m.]: On Monday the United States Defense Secretary, Chuck Hagel, joined Australia's defence Minister, Senator David Johnston, in laying wreaths at the Anzac Memorial in Hyde Park. The memorial, built through public donations, commemorates each of the 120,000 New South Wales volunteers who served in the Great War of 1914-18, whose centenary we are now commemorating. Next year Australia commemorates the centenary of the Gallipoli campaign. It is a campaign that lasted just eight months in which more than 8,000 Australians died and another 18,000 were injured, but it is an event that also saw the sacred word "Anzac" enter the vocabulary of this nation.

The date of 25 April was officially proclaimed as Anzac Day in 1916 and was marked by ceremonies and services. In 1927 ex-servicemen heading home after a function on Anzac Day eve saw an elderly woman laying flowers at the unfinished Sydney Cenotaph in Martin Place. The former diggers joined her in remembering the sacrifices made at Anzac Cove and they later resolved to hold a dawn service the following year. Therefore, Sydney's first dawn service—which was attended by 150 people—was held at the Sydney Cenotaph on 25 April 1928. Anzac Day 1916 was also the day that Hugh D. McIntosh, a newspaper proprietor and sporting and theatrical impresario, launched an appeal to build a permanent memorial to those who had fought at Gallipoli. As historian Ken Inglis wrote:

The idea for a state memorial came earliest to people in the oldest and most densely populated part of Australia, who then took longer than anybody else to get it built.

By 1919 more than £60,000 had been raised for this proposed permanent Anzac memorial. In 1923 the Institute of Architects suggested it be built in Hyde Park. This suggestion was subsequently, but only narrowly, agreed to by this Parliament. In 1929 a competition was held that attracted 117 designs for the memorial. The design of a young Sydney architect, C. Bruce Dellit, was chosen. Construction started in 1930 and the Anzac Memorial was opened on 24 November 1934.

Last week I was pleased to hear the Government announce that it would mark the centenary of World War I by completing Dellit's 1930 vision for the Anzac Memorial and, importantly, incorporate within it an education centre. It is a project that, along with the Minister for Veterans Affairs, Victor Dominello, I am proud to have championed in government. Since 150 people first assembled for the first dawn service in 1928, the numbers at services have swelled, especially in recent decades. This year an estimated 10,000 to 12,000 people gathered at the Cenotaph in Martin Place to commemorate the dawn landings at Gallipoli. Next year, on the 100<sup>th</sup> anniversary of the landing at Anzac Cove, even more people will be in attendance or wanting to attending.

As Opposition leader and Premier, attending these dawn services was always a privilege. The sacrifices made by men and women at Gallipoli, and in all subsequent conflicts, are commemorated with great dignity and solemnity. But the geography of Martin Place and the larger crowds have made it more difficult for many of those attending to fully experience and participate in these services. I propose that, from either 2016 or the completion of the proposed upgrade, Sydney's Anzac Day Dawn Service should be moved to the Anzac Memorial—the shrine specifically built to commemorate the efforts of those Australians who fought at Anzac Cove and at the other sacred battlefields of the war of 1914-1918.

I have no doubt that the idea will be met by some who will claim that this would upset a longstanding tradition. First, it is important to note that in 1916 our forebears willingly gave their pounds and shillings to erect a permanent Anzac Memorial which, when built, was located at Hyde Park. As Ken Inglis has noted, had the Anzac Memorial been accomplished sooner, Sydney would never have acquired its Cenotaph. Therefore, a move of Sydney's dawn service to the Anzac Memorial would respect the wishes of those who had the closest connections and suffered the greatest losses during the Great War.

Secondly, surrounded by parkland as it is, a shift to the Anzac Memorial in Hyde Park would make it easier for more people to better participate in and experience a dawn service. Thirdly, relocating the Anzac Day dawn service to the Anzac Memorial would be consistent with the State Government's renewed focus on this tribute to those who served, whether in the Great War or in later conflicts, and it would be consistent with the State Government's decision to invest a significant sum to upgrade the Anzac Memorial and to realise, finally, Bruce Dellit's vision for the memorial.

It would be a renovation which, by the inclusion of an education centre, would ensure the memorial becomes a place where future generations of citizens learn about those who have sought to defend our values

and the freedoms that we enjoy in this country, and where they might, in the words of Brian Fitzpatrick, learn of "triumph over pain, how young men doffed their cloak of fears that man might rise again". A few years ago Don Rowe, President of the NSW State Branch of the Returned and Services League, described the Anzac Memorial as "the most significant memorial in New South Wales". Making the Anzac Memorial the focus of our Anzac Day commemorations, through the staging of dawn services at the memorial, would make that clear to all.

### **LIVERPOOL ELECTORATE CLUB GRANTS**

**Mr PAUL LYNCH** (Liverpool) [7.32 p.m.]: Tonight I draw the attention of the House to an event I attended on Monday 11 August at Mounties Club in Mount Pritchard. This was a presentation evening for grants allocated by the Liverpool Club Grants Committee under the Club Grants Scheme. Two things in particular were on display that evening. One is the very significant contribution that local clubs make to facilities and infrastructure and success in my local area. That is not restricted, of course, to the Club Grants Scheme, bearing in mind the very many other contributions that clubs make to our area. However, this scheme is a good example of how clubs make those sorts of contributions.

The other obvious feature on display was the extraordinary contribution made by so many to the communities in the Liverpool region. These contributions, of course, would not occur, or would be otherwise much less, if it were not for the grant funding made available through this scheme. Often the funding helps volunteer groups, often it supports the provision of services to people whose circumstances are quite problematic and often funding goes to groups fulfilling important functions that no-one else will undertake.

The Club Grants Scheme was previously known as CDSE, and in that guise it has been in existence for many years. There are six clubs in Liverpool involved in the Liverpool Club Grants Scheme: the Liverpool Catholic Club; Mounties—known also as the Mounties Group, but better known as the Mount Pritchard and District Community Club, although the components of the group now extend well beyond the premises at Mount Pritchard; Club Liverpool, as the John Edmondson VC Memorial Club is known; the Kemps Creek Sporting and Bowling Club; the Austral Bowling Club; and the Moorebank Sports Club.

There was good representation from the clubs at the presentation night. The presidents of various clubs were present, including Tony Atkins from the Liverpool Catholic Club, Kevin Ingram from Mounties, Tom Jones from Club Liverpool, and Graham Wornsnop from the Kemps Creek Sporting and Bowling Club. A number of directors were present and, although I do not have an exhaustive list, they included John Dean, Bill McGrory and Lorraine Deane from Mounties, and Val Hood, Michael Coffey, Gregory Richardson, Dennis Williams and George Ajkay from the Catholic Club. There were a large number of recipients of the grants. Once again, this is not an exhaustive list, but recipients included the War Widows' Guild, the Young Adults Disabled Association—known in Liverpool as YADA—Aspect, Disability Southwest, the Street University operated at Liverpool by the Ted Noffs Foundation and the Cerebral Palsy Alliance.

The Clubs NSW website says that more than \$1 billion has been allocated since the scheme first began. Prior to this year's allocations in Liverpool, more than \$5 million had been provided to various projects. One of the most interesting contributions on the night came from Pat Hall. Pat told the story of what is now called a social enterprise at Warwick Farm, especially associated with Peppers Place, which now operates as a coffee shop. It is a truly impressive story of which I have been aware for some time. Part of that story is that its commencement was through a small seeding grant for CDSE. Pat Hall is the operations manager of Liverpool Neighbourhood Connections.

Peppers commenced as a coffee club, but building on the CDSE money, and using philanthropic support, TAFE Outreach and other grant money and other agency contributions, it developed into a social enterprise cafe that employed local women as baristas. One of the participants has been reported as saying that it was the first time that she had been able to tick the "employed" box on her child's school form when she worked at that centre. Pat was also able to explain the latest developments and the future plans for Peppers, including the potential of their coffee cart.

This is a story about using CDSE funding and funding from other sources to allow people to develop skills, to have jobs and to have much better lives. It is a story of the power of a comparatively small grant from a local club to prompt some great success. It also says something pretty good about Pat Hall and the determination and resilience of the women from Warwick Farm who have been involved in Peppers Place. Pat has now got some good ideas about a basketball court, which I hope will be successful and I hope I can assist. Another

organisation that was a recipient of a club grant is another organisation that I know well, Disability South West. This organisation was established in 2007. It resulted from the merger of the Liverpool Fairfield Disabled Persons Resource Service and the Liverpool Fairfield Learning Centre.

The former of those was established in 1981 and the latter in 1992. On the night, schools also received grants, among other things, for programs relating to safe driving and the development of driving skills for students. I sometimes speak to people who are dismissive about the contributions of local clubs to their communities. Those people almost always do not come from Liverpool or south-west Sydney more generally, and they could not be more wrong. The grants they make often provide the glue that holds communities together. The role of clubs in my area is invaluable.

### **MOTOR VEHICLE FRONTAL PROTECTION SYSTEM**

**Mr ADAM MARSHALL** (Northern Tablelands) [7.37 p.m.]: Tonight I take up the cause in this House of people in my electorate who happen to be in the crosshairs of the local Highway Patrol in relation to bull bars and frontal vehicle protection systems on their cars. At the outset, I say that in no way am I attacking the local police; they do an excellent job and they are just doing their job. But, unfortunately, a number of people—particularly rural people in my electorate—have unwittingly been caught by a rule that is largely unknown across rural New South Wales in the Australian Design Rules that relate to frontal vehicle protection systems dating back to 2003.

Many drivers in my electorate have been caught and have been issued with defect notices by Highway Patrol for bull bars that have been factory-fitted or fitted by accredited smash repairers and they have unwittingly been driving around—some of them for many years—with bull bars that do not comply with Australian standards. They are incurring expenses sometimes in excess of \$4,000 to replace those bull bars with bull bars or frontal protection systems that are compliant with the rules. The issue can be summed up best by Inverell panelbeater David Simpson. I have been in communication with David through my office and he has said that vehicle owners are absolutely irate over the ban. David is quoted on the front page of today's *The Land* newspaper as saying:

People are coming in and going off their tree. They've got a vehicle there and need to spend \$1000 or more replacing the illegal bar. Out here bullbars are an absolute necessity. I've got cars in here with the fronts ripped off because there's no protection. Any bullbar is better than none.

David makes a very good point: in rural areas bull bars are an absolute necessity. In the case of many constituents who have contacted me—whether they are stock and station agents, contractors, farmers or people just going about their business, particularly in times of drought—bull bars are absolutely essential to protect vehicles but, more importantly, to protect life. They are absolutely vital when people are driving on roads when kangaroos and other animals are about.

I will read a piece of correspondence I received from Georgie Oakes from the Inverell area. She told me that she and her husband, who is a stock and station agent based in Inverell, recently bought a brand-new four-wheel-drive vehicle for her husband to drive. They bought the vehicle from a car dealership. Three weeks after collecting the vehicle they were informed by police that the bull bar was illegal. Most people who buy a new car from a dealership fitted with a bull bar assume that it meets Australian standards. Why would a car dealer or a smash repairer fit a bull bar that is illegal? Mrs Oakes told me that her husband left Inverell at 4.00 a.m. and on his way to Bourke he hit four kangaroos and a wild pig. Luckily in that instance the damage to the car was quite negligible, but it is unlikely it would have been driveable if something worse had happened. Bull bars are essential.

I have asked both the Minister for Roads and Freight, the Hon. Duncan Gay, and the Minister for Fair Trading, the Hon. Matthew Mason-Cox, why companies are allowed to manufacture, distribute and sell bull bars that do not meet Australian standards. The Centre for Road Safety is liaising with police to raise awareness, as I have with local police, that people are being inadvertently caught in this blitz on illegal bull bars. The Centre for Road Safety is urging that common sense prevail and those who are unwittingly caught should not be unduly penalised. The Centre for Road safety is working with Roads and Maritime Services, police and NSW Fair Trading to gather evidence about manufacturers who produce and sell these non-compliant bull bars. This issue is to be raised with the Australian Competition and Consumer Commission and, if enough evidence is gathered, I hope appropriate action will be taken against these manufacturers.

It is not fair that people living in rural areas, who are already doing it tough with the drought, should suffer this extra expense because they are unknowingly breaking the law. These people are trying to do the right

thing. They are trying to protect their vehicles and loved ones yet they are being penalised. The police are doing a great job; this is not their fault. Somehow common sense must prevail. These bull bars should not be allowed to be manufactured. The word needs to go out that people should check the bull bars on their cars to ensure that they meet Australian standards.

**Mr JAI ROWELL** (Wollondilly—Minister for Mental Health, Assistant Minister for Health) [7.42 p.m.]: I congratulate the member for Northern Tablelands on his pit bull advocacy in raising important issues to his community and rural New South Wales more generally. I too come from a semirural electorate and I appreciate the great work he does in raising awareness of rural and regional issues. I admit that I am in the process of fitting a bull bar to a vehicle, so I will be sure to inquire as to whether it meets Australian standards.

#### **DEATH OF GABRIELLE LAUSCHET**

**Mr KEVIN CONOLLY** (Riverstone) [7.43 p.m.]: It is with great sadness that I bring to the attention of the House the tragic passing of Gabrielle Lauschet. Ms Lauschet, who was a resident of Stanhope Gardens in the Riverstone electorate, was one of 38 Australians on board Malaysia Airlines flight MH17, which was shot down in air space above eastern Ukraine on 17 July this year. Ms Lauschet had been a teacher at the German International School at Terrey Hills since 2000. Ms Lauschet was 47 years old. She had recently become engaged to Andreas Schaaf, who is also a staff member at the school. Gabrielle Lauschet has been described by some of those who knew her as selfless and "the kindest, sweetest lady you could ever meet". Ms Lauschet is recalled as brightening the lives of those around her.

A statement on the school's website says that "she inspired not only her pre-schoolers, but everyone around her with her happiness, love and giving nature". Ms Lauschet was originally from the German town of Aachen. On 17 July she was returning to Australia after visiting her mother in her native Germany. She is survived by her mother, her fiancé, Andreas, her twin sister, Monika, and her son, Tim. Ms Lauschet was a teacher in the pre-school section of the German International School where she worked directly with 38 young children. The principal of the German International School, Erhard Seifert, said she was like a second mother to her students and that her school community is in disbelief at this tragic turn of events. The Teacher Planning Day for the start of term 3 was cancelled as staff strove to deal with the shock of her loss. I understand that the students, staff and families of the school have since participated in a moving memorial service for their lost colleague, friend and teacher.

Ms Lauschet was one of six New South Wales residents whose lives were cut short in this disaster. Sister Philomene Tiernan of Rose Bay, Michael and Carol Clancy from the Illawarra, Victor Oreshkin of Lidcombe and Jack O'Brien of Old Toongabbie were among those who tragically died that day. The 38 Australians on board flight MH17 represented the face of the Australian nation. They came from a variety of backgrounds: mothers, fathers, sisters, brothers, sons, daughters, retirees, young adventurers and small children were among them. Some were doctors, real estate agents, students and teachers. Some were travelling on business, others were returning home after the trip of a lifetime. They came from all corners of this great country. To the families, friends and communities of the 38 Australians who lost their lives in this unspeakable tragedy, I extend my deepest and heartfelt condolences.

Many were Australian citizens, others permanent residents. All boarded the plane that day expecting an ordinary journey home. All would have been looking forward to being reunited with loved ones, friends or workmates on their return. None deserved to be the innocent victims of the reckless act of violence which brought so many lives to an end. I commend the Australian Government for doing all it can to finally bring home all those Australians who set out on 17 July but did not make it to their destination. I can only imagine the torment being experienced by those who have lost loved ones and have been so far denied the chance to lay them properly to rest. On behalf of members of this House I express sympathy to all those affected. In particular, I offer my condolences to Gabrielle Lauschet's family. To Gabrielle's mother, her fiancé, Andreas, and her son, Tim, I extend my deepest sympathy.

**Mr JAI ROWELL** (Wollondilly—Minister for Mental Health, Assistant Minister for Health) [7.47 p.m.]: I echo the comments of the member for Riverstone on behalf of all members in this House and offer condolences to the families of those who lost their lives on Malaysia Airlines flight MH17. The circumstances concerning this incident are nothing short of tragic and we condemn those responsible. This tragedy has touched all Australians. The family of one of the people on that plane are friends of my wife's family. My brother-in-law was in the year of a person that passed away. This has touched our extended family. My staffer Michael Shull was meant to be on that flight. At the last minute he extended his holiday by one day, and I am very thankful to the Lord that he did. We will never forget those who lost their lives on this flight. Lest we forget.

### TECH SAVVY SENIORS

**Mr JOHN FLOWERS** (Rockdale) [7.48 p.m.]: Tonight I acknowledge a special individual in my electorate, Mrs Kaelene McGuire, for her winning entry in a recent photo competition. Tech Savvy Seniors is an initiative of the NSW Ageing Strategy, funded through a partnership between the New South Wales Government and Telstra. The Tech Savvy Seniors program is designed to assist seniors from 60 years of age who have limited or no previous experience in using technology. It provides seniors with access to information so they can stay connected with their family and friends by use of smartphones, tablets and computers.

At the 2014 Royal Easter Show, the State Government and Telstra ran "The Show Through My Eyes" photo competition. It was conducted over two dedicated Seniors Days at the Telstra Seniors Hub. The grand prize was a trip to the United States of America. I was pleased to attend the presentation ceremony, which was hosted by the Minister for Ageing, and Minister for Disability Services, the Hon. John Ajaka, here at Parliament House. All parties involved in this competition were in attendance, including Telstra General Manager of Digital Inclusion, Nancie-Lee Robinson. I thank the Minister and his departmental staff for their professionalism in organising the event.

As I said, the winner of "The Show Through My Eyes" photo competition was Mrs Kaelene McGuire, from Sandringham in my electorate. I congratulate Mrs Kaelene McGuire, who takes pride in her father's love of motorbikes, particularly his skill and courage in death-defying feats. As a tribute to her father, Kaelene submitted a photo of Mick McGuire and a pillion passenger, his recently deceased wife, Audrey, riding a motorbike in the spectacular Wall of Death. This couple were among daredevil riders who thrilled spectators with their performances on the vertical wall of a wooden cylinder, which was 7.6 metres in diameter and 4.3 metres high. In circling the cylinder, they reached speeds up to 64 kilometres an hour.

Kaelene's winning entry shows a striking image of a man and woman riding a motorbike in the 1964 Royal Easter Show. The picture gives an insight into the dangerous and exciting lifestyle witnessed by Kaelene during her father and Audrey's famous performances riding the Wall of Death. She remembers that her winning photo was taken about 1964 when she was 15 years old. She recalls watching her dad perform at the Royal Easter Show when he used to ride to the top white line of the cylinder, where people were seated directly behind, giving everyone a scare. Kaelene said her father was a full-time showman who travelled from show to show, from Queensland to Tasmania.

Mike McGuire also rode the Globe of Death in a steel cage in the late 1950s. Kaelene recalls that he was taught to ride the Wall of Death in Mount Gambier in 1948 and began performing his famous ride in 1949. Kaelene recalls fondly that at the age of 88 Mick McGuire was still going strong and still loving his motorbikes. Her winning entry is one of the special memories of her father and his life, as she feels it captures his youth and free spirit. Kaelene was delighted to receive first prize, and the opportunity to visit the United States of America with her husband, Barry. I congratulate Kaelene on her excellent photo and for entering the competition for tech savvy seniors.

**ACTING-SPEAKER (Mr Christopher Gulaptis):** Order! Before I call the member for Smithfield I welcome to the gallery Emmanuel Brikha, Sandy Askaria, Suzan Anwan and Givargis Ilyaei, guests of the member for Smithfield.

### MAKE A DIFFERENCE RALLY

**Mr ANDREW ROHAN** (Smithfield) [7.53 p.m.]: Tonight I speak on a matter that is close to the heart of many residents in my electorate and to my heart. On Saturday 2 August I was honoured to join 10,000 other people, most of them wearing T-shirts printed with the letter N, for a peaceful rally organised by the Make A Difference—or MAD—organisation at Belmore Park, which later proceeded to Martin Place in Sydney. The rally was coordinated with rallies throughout the world, including another rally in Melbourne, Victoria. MAD was founded recently by 30 members of the Assyrian, Chaldean and Syriac youth communities, and I am proud to say that we have four members of the group in the gallery tonight. Members from broader Christian denominations and other organisations as well as some of the Muslim faith came to support this peaceful rally aimed at raising awareness within the broader Australian community of the recent tragic events taking place against the Christian communities in the Middle East but particularly in Mosul in northern Iraq.

The rally was also organised to demand from the Federal Government immediate action to end the persecution we are witnessing of the Assyrian, Chaldean and Syriac Christians, who are facing another wave of

religiously motivated persecution and ethnic cleansing at the hands of the Islamic State of Iraq and the Levant [ISIL]. Since the end of Saddam Hussein's regime in 2003 the indigenous Assyrian, Chaldean and Syriac Christians have been the subject of unspeakable religiously motivated attacks, including rape, beheadings and crucifixions. Unfortunately, history is replete with atrocities committed against the Assyrian, Chaldean and Syriac Christians of Iraq; throughout history they have paid time and time again with their blood for the right to exist and to have a say in their ancestral homeland. They have no rights and no voice.

In my inaugural speech in this Parliament I said that my parents were among 90,000 Assyrian Christian refugees who fled their ancestral homeland to escape persecution. My parents and the other refugees were fleeing from the Ottoman Empire to escape what would later be known as the Armenian, Assyrian and Pontic Greek Genocide. By the grace of God my parents survived. Unfortunately, two-thirds of the Assyrian nation did not. More than 750,000 men, women and children perished in what was the first genocide of the twentieth century. Today we are witnessing a new genocide against the indigenous Christian Assyrians, Chaldeans and Syriac people of Iraq. Although there are many similarities between the genocide from 1917 to 1921 and the genocide today, fortunately there are also differences.

In August 1933 the Iraqi Government ordered the slaughter of Assyrian Christians in the town of Simele near Mosul, where more than 3,000 men, women and children were murdered, and on return to Baghdad the soldiers were welcomed as heroes. Today it is terrorists carrying out the murders and the most senior members of the Iraqi Government are condemning the treatment of the Christians at the hands of the Islamic State of Iraq and the Levant. ISIL has now established a caliphate, an Islamic state, in northern Iraq and western Syria and issued an ultimatum to all Christians living in Mosul to convert to Islam, pay a religious tax, leave before the imposed deadline or face the sword as the only other answer, implying they will be killed.

ISIL militants have committed various atrocities against the Christians, but the one that makes my heart most heavy with sadness has been the storming and destruction of the 1,600 year old Mariner—Saint—Behnam Monastery 15 kilometres south of Mosul. The clergy were told to leave immediately, with only the clothes they were wearing. The monastery was a Christian landmark in Iraq and a site where the local community and visitors, both Christians and Muslims, traditionally pray for healing and fertility. For the first time in nearly 2,000 years of Christianity, no church bells rang and no mass services were conducted in Mosul for three consecutive Sundays.

Furthermore, ISIS terrorists are marking the homes of Christians with the letter N for Nazarene, as in Jesus of Nazareth, which is reminiscent of the yellow Star of David that the Jews were forced to wear in Germany under Hitler. Many Iraqi Muslims have been joining Iraqi Christians to proclaim "I am a Nazarene". By marking the letter N on Christian homes ISIS is declaring that these homes can lawfully be looted. I wholeheartedly commend the organisers of Make A Difference. They managed to unite the community for the largest rally I have ever seen in support of Christians in the Middle East, and the demonstration itself was peaceful without incident.

In fact, the photos that were posted on Facebook in the aftermath of the rally by those in attendance praised our hardworking police officers, which was pleasing to see. As the Chair of the Parliamentary Friends of Assyria in the New South Wales Parliament I have requested meetings as soon as possible with the Prime Minister and the Minister for Foreign Affairs in order to address this humanitarian crisis facing the Christians in Iraq. Iraq, once the centre of the earliest Christian churches in the world, is today being emptied of its Christian population.

### **TRIBUTE TO RODGER DOWSETT**

**Mr RON HOENIG** (Heffron) [7.58 p.m.]: Today I pay tribute to Mr Rodger Dowsett, who this month will retire from Botany Bay City Council as a director after 44 years of service. Mr Dowsett began his career as a junior health inspector in 1970 and leaves as the Director of Planning and Assessment. He has literally grown up at Botany Bay City Council. When I was elected mayor in 1981 Mr Dowsett was a junior municipal health surveyor. He rose through the council's service from a health and building inspector to manager of those services and then to director of planning. His elevation over the years has been due to his immense talent, ability, integrity and hard work.

Planning is perhaps the major local government function that can impact upon a council area for a century. The transformation of the city of Botany Bay from a land of stinking tanneries, polluting toxic

industries and hazardous industries to the greenery of the suburbs that I left on departing the office of mayor in 2012 was attributable to planning policy. I might have been the architect of that planning policy, but Rodger Dowsett was the builder. As the builder Mr Dowsett has overseen the city's transformation from poor-quality industrial to high-quality residential development. One example of many is the transformation of areas such as William Street, Botany, from warehousing and semi-trailers to quality townhouses, villas, Federation housing and a leafy environment, which is a remarkable example of what planning policy can achieve.

The transformation of the Mascot station precinct from an old industrial space into a well-designed, high-quality and high-density living area is also remarkable and can be attributed to Mr Dowsett's remarkable effecting of planning policy. In my 30 years as mayor, success in implementing these massive changes involved consultation with and the support of the community, which can only occur through genuine consultation. You cannot achieve significant change without taking the community along with you. It was Mr Dowsett who introduced community consultation committees to ensure that the council took the community with them in relation to the continued changes in the City of Botany Bay as it moved from an industrial area to residential development.

As if Mr Dowsett's contribution to planning and the environment were not enough, during my time as mayor I constantly restructured the council's activities to allocate even greater responsibility to Mr Dowsett. I needed Mr Dowsett's dedication and capacity to succeed on behalf of the community. I provided him initially with responsibility for outdoor staff and then parks and gardens and then asked him to implement significant sporting and community infrastructure. Hensley Athletic Field is a testament to Mr Dowsett's vision. With a Federal grant, an archaic athletic field was transformed into a modern athletics facility with synthetic grass soccer fields. It provides endless sporting opportunities for the community. Hensley Athletic Field will remain for future generations a monument to Mr Dowsett's achievement, particularly for junior athletics and football in the City of Botany Bay.

Council's then general manager constantly warned me that I was overloading Mr Dowsett. However, upon my inquiries Mr Dowsett refused to indicate that he was overloaded or overburdened, such was his commitment and dedication to the council. He leaves the council's service as one of the most professional and competent planners I have ever come across. He also leaves council as a dear friend to many of the City of Botany Bay council staff, who greatly admire and respect him on both a personal and a professional level. Roger Dowsett is a planner, building inspector and dedicated director who is passionate about his work and takes the quality of his work very seriously. He leaves the service of the council knowing that most of his life has been dedicated to significantly improving the lives of the city's citizens in every capacity and in every way. I wish him, his wife, his two daughters and his grandchildren well upon his retirement. On behalf of the Parliament of New South Wales, I thank Mr Dowsett for his immense contribution to the City of Botany Bay.

### **HENLEY MARINE PARADE BAY RUN**

**Mr JOHN SIDOTI** (Drummoyne) [8.03 p.m.]: The Henley Marine Parade Bay Run in my electorate is one of the great walking, running and cycle paths in this State. It is a seven-kilometre trail around Iron Cove. The scenery is nothing short of splendid. I encourage people to enjoy the picturesque views, the picnic areas, the wide open spaces and the many cafes that line this path. It is one of the most popular harbourside tracks in Sydney. It is a very social and family-friendly walk in the inner west. At no point on the entire seven-kilometre track are users ever more than 20 metres from the water's edge.

It is a pleasure to walk this almost entirely flat path. There are numerous cyclists, people pushing prams and dog walkers alike. A substantial portion of the path is clearly marked for walkers and cyclists. Along the pathway users enjoy the landscape, historical buildings, at least 10 parks, Iron Cove Bridge, Drummoyne Swim Centre, Drummoyne Rowing Club and Haberfield Rowing Club. Many popular events take place along the path, including the Walk for Alzheimer's, in which I have taken part in the past. The people of New South Wales are very fortunate to be able to enjoy this magnificent facility.

This year the New South Wales Government funded, on a 3:1 funding mix, an upgrade and widening of a certain section of the path in my electorate near Sisters Bay at a cost in excess of \$1.3 million. In the 2014-15 budget the New South Wales Government funded a further \$1 million to renovate and widen a bridge over Iron Cove Creek. This is a great initiative with the council. I think it is great that these partnerships are developing between the different levels of government. It is important that this is acknowledged. Without the State

Government and without the council these facilities would not be enjoyed by as many people as they are today. I place on the record an email I received on 27 February 2012. It is one of many. It comes from Mr Kieran Allen. It says:

Dear John,

I have recently begun cycling for fitness and as a means of transportation. In preparation for beginning to ride to work, I have been making use of the Bay Run in an attempt to better my rather lacking level of fitness. ... the only part of the Bay Run that does not cater to Cyclists lies between Thompson St and Formosa St in Drummoyne. It is the only part of the 7km circuit that does not have cycle track separated from the road. To continue cycling when you reach this section, you must either:

- Cross the road at Thompson St (which is interesting as it is hard to see around both corners) and ride with the traffic in the very faded/non-existent bike lane risking being run over around the next blind corner or car doored a little further ahead where the bike lane becomes parking.

or

Only last week I was driving that particular section of road when I saw the car behind me nearly take out a cyclist partaking in the latter option.

Rather than run the risk of being seriously injured or killed, I (like a lot of other cyclists) must either dismount and walk along the path or take an alternate route through the backstreets. It is a disincentive to use the Bay Run and in effect to exercise (and I really need no extra excuses not too exercise).

This section we are talking about is only 700m in length. The state government recently contributed \$700,000 toward the completion and upgrade of the Bay Run through Callan Park (an off-road section of the track which posed much lesser risk to the Bay Run community). While I understand the responsibility for this particular section of the Bay Run lies with Canada Bay Council, councils these days are generally lacking the necessary funds to do any "non-essential" work, and as such without a driving force at the state level, are unlikely to take any action.

I appreciate you taking the time to read my email and hope to hear from you soon.

I received that email in 2012. I have been endlessly harping on about this upgrade and beating the drum. I thank the New South Wales Government for listening and taking action. This is an absolutely fantastic facility in my electorate that is used by not only local residents but also people from all over the inner west and indeed Sydney. It is something I am very proud of and that everyone can enjoy. It does not cost users one cent. It encourages a healthy lifestyle, sport and fitness. I thank the Government and the City of Canada Bay council for their contribution in part to this upgrade. I look forward to the next section being upgraded. I thank Kieran Allen and the many other constituents who have written to me or emailed me about this very important issue.

**Mr DARYL MAGUIRE** (Wagga Wagga—Parliamentary Secretary) [8.08 p.m.]: I am very familiar with the Bay Run that the member has just highlighted. It provides great access for people to improve their fitness and enjoy the ambience of what is a most beautiful part of the world: the electorate of Drummoyne. If anyone can get the job done it is the member for Drummoyne. He is a champion for his local community. Daily in this Parliament we hear about the improvements being made in his electorate. I see that there is a challenge for him to continue to advocate. He has a Government that actually listens to him. As he has indicated here today, he has a very strong voice in this Government. The Government is clearly happy to listen to him and to deliver. I congratulate the member and all those people who have been involved in this partnership. Partnerships are important, and so are relationships; and it is clear that the member has the confidence of the community, Ministers and local councils.

### CAMPBELLTOWN ACADEMIC CHALLENGE

**Mr BRYAN DOYLE** (Campbelltown) [8.09 p.m.]: It gives me great pleasure to share with the House news of the Campbelltown Academic Challenge, which was held on 30 July this year during Education Week. This is a competition that I founded and have sponsored from the get-go. It is now in its third year. This challenge was designed to be a fun, team-based competition for year 6 students where they can celebrate and recognise excellence in their education. I was again hosted by the wonderful Karen Endicott, Principal, Sarah Redfern High School. This year the competition expanded to 20 teams: the red pool, Sarah Redfern, Sackville Street, Ingleburn North and Claymore public schools; the blue pool, Glenwood, Macquarie Fields, St Andrews and Leumeah public schools; the green pool, Campbellfield, Robert Townson, Glenfield and Eschol Park public schools; the yellow pool, the Grange, Wattle Grove, Ingleburn and Curran public schools; and the purple pool, Minto, Campbelltown, Ruse and Campbelltown North public schools. Four students from each of those schools competed in a variety of competitions.

"Quizmaster poetry" included two separate activities, one of which was assembling an unseen and unfamiliar poem in an allocated time frame. It was interesting to watch students gathering jumbled words,

creating a poem against a set of criteria and passing it on in a relay. The original poem was read to them and explained. "Buzz me in" is a maths-based game where four teams were asked a number of numeracy-based problem-solving questions. "Chemical magic", a science-based game, involved mixing and measuring the volume and mass of largely non-harmful chemicals. The students wore laboratory coats and it was amazing to watch them using their minds to solve scientific problems. "Jeopardy", which is a bit like Parliament, is an Australian-based general knowledge quiz. I am sure that the member for Mount Druitt would have a vast advantage over students but it was good to see their knowledge of Australian geography tested. "Picture this" is a game using four framed pictures as clues and students looked for a particular book located in the library. They either scurried around or were able to phone a friend. Those who knew their way around the library did very well.

In the individual categories, Glenfield Public School won "Buzz me in"; Ingleburn Public School won "Chemical magic"; Wattle Grove Public School won "Jeopardy"; and Ingleburn Public School won "Picture this". The overall winner and the winner of the "Quizmaster poetry" category was Sackville Street Public School. It was an honour to speak to team members and parents and to tell them that they should be proud of the students. I also told them that I had spoken about them in my inaugural speech in this House. What makes Campbelltown the greatest place in the world to live is its sense of community. I told the parents that some of the best students in our community were competing and that the apple does not fall far from the tree.

The fact that most school principal attended this competition shows dedication of our principals and teachers. I am glad that I started a tradition with the Campbelltown Academic Challenge. I commend the efforts of the students involved and the staff from each of the competing schools. I also thank Sarah Redfern High School for another seamless and enjoyable day of academic activities. I look forward to inviting the winners of each of those groups to lunch at Parliament House and hopefully to see Parliament in action. I am sure that Hansard staff would be pleased to know that poetry and literature are strong points in this competition.

**Mr Richard Amery:** I don't see much of that here.

**Mr BRYAN DOYLE:** They get a fair bit of it when I speak. I commend the Campbelltown Academic Challenge to the House.

**Mr DARYL MAGUIRE** (Wagga Wagga—Parliamentary Secretary) [8.14 p.m.]: I commend the member for Campbelltown for instigating the Campbelltown Academic Challenge for year 6 students and congratulate the 20 teams that participated and the teams that won. The member for Campbelltown said that parents can be proud of the students. I think Campbelltown can be proud of its member for encouraging further education with this challenge. As I am a regular reader of the newsletters that are published, I congratulate the member on his outstanding efforts to expedite construction of Campbelltown Hospital. I am sure that the parents to whom he spoke appreciate the fact that work on that hospital has been expedited. This challenge is a great initiative in Campbelltown. Learning is a lifetime challenge from our early years to our old age. I congratulate everyone involved in this challenge.

#### KIAMA ELECTORATE COMMUNITY ACHIEVEMENTS

**Mr GARETH WARD** (Kiama) [8.15 p.m.]: My electorate is blessed with hardworking and dedicated public servants who are committed to their roles and to our community. I take this opportunity to recognise three servants in our community who deserve recognition. Jill Appleton has been principal of Bomaderry High School for more than 20 years, including during my tenure at that outstanding public high school. Jill initially started at the University of New South Wales studying law; however, she soon decided that her passion was to teach. Jill received a scholarship and transferred to a teaching degree. She graduated with an honours degree in 1975 and has since completed two masters degrees.

Jill's first appointment was to James Cook Boys High School, where she stayed for one year. She then went on to hold positions at Liverpool Boys High School for five years, at the head office in Sydney as the senior education officer in 1981, as head teacher of history at Plumpton High School, as a leading teacher at Singleton High School and as principal at Bomaderry High School. At the time Jill Appleton was appointed to Singleton High School in 1985 she was a real trailblazer as very few women were in senior executive positions in schools at that time. Jill was appointed to Bomaderry High School as principal on 28 April 1993 and she remains there to this day. When Jill was appointed to Bomaderry High School she appeared in the *South Coast Register* on 12 May 1993 and was quoted as saying, "I am looking forward to staying here for quite some time."

Jill has made an incredible contribution to my old school in that time, supporting all aspects of the scholastic curriculum from speech and drama, the Rock Eisteddfod, Tournament of Minds and every possible sporting event. Jill has encouraged her students and staff to pursue their goals and objectives and to achieve their full potential. At every assembly Mrs Appleton would walk to the edge of the stage with no microphone and deliver her report to the students. We were enthralled and we enjoyed it very much. Thank you, Jill, for being an outstanding educator for more than three decades and for continuing to serve in this important role. You are well respected, deeply admired and greatly appreciated by all whom you have worked with—including this very appreciative former student in whom you instilled a firm and proud belief in the importance of public education.

Another Bomaderry High School teacher that I wish to acknowledge is Allan Roger Mearns. Roger, as he is commonly known, has been involved in the community for many years as president of the Nowra-Culburra Surf Life Saving Club and vice-president of the South Coast Branch Surf Life Saving. He recently announced his retirement after 43 years of active service. Roger has given a total of 55 years voluntary service to the following organisations: Surf Life Saving Australia, the Royal Life Saving Society of NSW and the NSW Combined High Schools Athletics Association.

From 2005 to 2008, Roger volunteered his time presenting lectures to primary school students across the Illawarra, South Coast, Southern Highlands and Braidwood districts. Roger co-delivered the Schools Surf and Beach Awareness Aquatic Safety Program to more than 16,000 students. Roger Mearns was a great teacher and through his selfless volunteering to make our community a better place has conducted himself in a highly distinguished and extremely commendable fashion. As a former student I can attest to the fact that Roger was a diligent and dedicated teacher who was well respected and liked by his students. Thank you, Roger, for your many years of distinguished service as a volunteer and as a great educator.

Last, but not least, I congratulate Malcolm Connellan of Kiama Downs on recently receiving an Australian Fire Services Medal as part of the 2014 Queen's Birthday Honours List. I acknowledge Mr Connellan's more than 30 years of service to NSW Fire and Rescue during which time he has been involved in the development of several important projects, including the implementation of a new payroll system and electronic rostering for staff. This award is one of the highest honours an Australian firefighter can receive. Malcolm is a very deserving Australian Fire Services Medal recipient and I thank him for his extensive and distinguished service to our local community, including his voluntary involvement with the Lions Club of Minnamurra. Congratulations and well done, Malcolm, on your wonderful achievement.

We all have many dedicated volunteers and extraordinary public servants in our electorates. They do not often get acknowledged and they are sometimes treated badly by people on both sides of this place. I am delighted to be able to acknowledge three people who deserve to receive recognition from the oldest Parliament in the country. From education to health to community services, there are many hardworking and passionate individuals across the public service who want to see their government represent their community and deliver results as best as it can. These are just three individuals who have provided notable service and who deserve recognition. I am delighted to recognise their extraordinary achievements in this House.

### AUSTRALIA POST

**Mr RICHARD AMERY** (Mount Druitt) [8.20 p.m.]: I use this private member's statement to express concerns about the continued publicity being given to the plight of the post office. This week the Parliament has been advised of a change in ownership of the post office in this very building. I repeat the goodwill messages given to the departing postmaster, Keith Miller, in the House earlier today. We wish him well and I hope he advises us if he turns up in a post office somewhere near us—perhaps in one of our electorates—in the near future. We also wish the new owners great success. I urge all members to support this office by purchasing postal services, paying bills and conducting other business that the post office provides for all members and staff.

But it is not just about our in-house post office to which I relate my comments tonight. There has been a softening up in the community about the future of postal services from Australia Post. My electorate is serviced by many post offices. There is a post office at the Westfield shopping centre, where my electorate office is located, and Plumpton Shopping Centre. Rooty Hill has a long-established post office, as does Emerton and Mount Druitt Village. Further, Australia Post has a number of red post boxes throughout my electorate but their number has been slowly declining for some years.

Despite the excellent service, supporters of the postal service—whom I count myself among—are being told that the Federal Government is considering approving dramatic changes such as further increases in

postal charges and even a reduction in the number of days the post is delivered. The reason given is that the regulated letter service, on its own, is losing money due to the reduction in mail going through the postal service. This of course is brought about by the practice of businesses and government departments sending items such as bills, rates and phone accounts—to name just a few—by email.

Should our constituents accept this brainwashing campaign by the management of Australia Post and the Federal Government? The fact is Australia Post is a profitable business. The only way one can argue that it is not is for the management to dishonestly select the daily mail service and say that, in isolation, it is losing money. Would we accept dramatic changes, for example, if a large supermarket chain said that dramatic action needs to be taken because the breakfast cereal component or the dairy component of its business was losing money? Of course that is absurd. So are the arguments that just the letter component of the post office is losing money and therefore the whole service has to be cut back, wound back or made more expensive.

I was impressed by an article published on the ABC online media outlet *The Drum* that was written by the Federal member for Melbourne Ports, Mr Michael Danby. He highlighted that last financial year Australia Post made \$312 million. It returned a dividend to the Government of \$244 million and paid taxes of \$447 million. He further said that the letter delivery losses of \$218 million, which have been given considerable publicity, were outweighed by the parcel delivery profit of \$648 million. That is, the combined letter and parcel delivery service has an operating profit of about \$430 million. Some loss! As Mr Danby said:

But what, I ask, is the urgency if Australia Post is still providing healthy dividends to the government? Why is it so "absurd" for one arm of a government service provider like Australia Post to cross-subsidise another arm?

They are good questions. After all, every other business selling multiple products and providing multiple services does the same thing every day. Our postal service is the envy of the world. We should protect it. It employs thousands of people directly in addition to the other thousands of people who make a living doing private contract work and operating private post offices around the country, like the one in this building. I urge everyone to not accept what the Federal Government is up to. The spectre of privatisation is high on the political agenda. I urge everybody to support their local post office by paying a bill there, buying some stamps or posting the occasional letter. By doing so they are supporting postal jobs and the postal business. In conclusion, this is another case of the old adage: Use it or lose it.

**Mr DARYL MAGUIRE** (Wagga Wagga—Parliamentary Secretary) [8.25 p.m.]: I acknowledge the great service that Keith Miller has given the parliamentary post office and wish the new owners well. I also wish Keith well. As mentioned by the Speaker, he has delivered outstanding service. He is a great friend who is well liked and who will be welcome back here anytime. I note the comments of the member for Mount Druitt. Technology is changing everything that we do. We now have email, Facebook and mobile phones. As I walked into the Chamber I heard the member tapping away on his typewriter preparing his speech.

The fact of the matter is that the world is changing and businesses need to embrace technology and find different ways to deliver their services. Whilst Australia Post is changing, the types of services it provides will change too. Everyone uses Australia Post but the nature of the postal business is changing. Businesses that do not change will become dinosaurs and eventually cease to exist so they must embrace technology and change the way they conduct their operations. I understand that Australia Post will continue to provide services into the future. They may perhaps be in a different form, but Australia Post will continue to serve the people in the community.

**Private members' statements concluded.**

**The House adjourned, pursuant to resolution, at 8.27 p.m. until  
Tuesday 9 September 2014 at 12 noon.**

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