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# LEGISLATIVE COUNCIL

Thursday 14 March 2013

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**The President (The Hon. Donald Thomas Harwin)** took the chair at 9.30 a.m.

**The President** read the Prayers.

## ROYAL COMMISSIONS AMENDMENT BILL 2013

**Bill received from the Legislative Assembly, and read a first time and ordered to be printed on motion by the Hon. Michael Gallacher.**

**Motion by the Hon. Michael Gallacher agreed to:**

That standing orders be suspended to allow the passing of the bill through all its remaining stages during the present or any one sitting of the House.

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

**Pursuant to sessional orders Formal Business Notices of Motions proceeded with.**

## PAKISTAN DAY

**Motion by the Hon. SHAOQUETT MOSELMANE agreed to:**

1. That this House notes that:
  - (a) on Saturday 23 March 2013, Pakistanis all around the world will celebrate the twenty-third anniversary of the adoption of the first Constitution of Pakistan,
  - (b) there are almost 20,000 people who were born in Pakistan living in Australia, and
  - (c) many Pakistani communities across Australia will celebrate this historic milestone, including the Pakistan Association of Australia which will host a function on 23 March 2013 to commemorate the occasion.
2. That this House notes the valuable and various contributions of Pakistanis in Australia.
3. That this House congratulates His Excellency Mr Abdul Malik Adbullah, High Commissioner of Pakistan in Australia, and Mr Azam Mohammed, Consul General of Pakistan, the Pakistan Association of Australia, media organisations, community leaders and members of the Pakistani community for their achievements in building bridges and fostering relations with the broader Australian community.
4. That this House wishes all Pakistanis living in Australia a happy and auspicious Pakistan Day.

## BLUES HOGS FOR HOMELESS CHARITY RIDE

**Motion by the Hon. MARIE FICARRA agreed to:**

1. That this House notes that:
  - (a) the Hogs for Homeless tour commenced on 1 March 2013 and included Rugby League Legends, Brad "Freddy" Fittler, AM, supported by former internationals Nathan Hindmarsh and Ian Schubert, who travelled from Nowra to Goulburn, Kurri Kurri to Tamworth, Tweed Heads to South West Rocks, and finished at Parliament House, Sydney, on 7 March 2013,
  - (b) the tour raised money for Father Chris Riley's Youth Off The Streets while raising the profile of rugby league and the State of Origin series,
  - (c) during the tour, participants slept under the stars on some of the most famous football grounds in New South Wales to bring homelessness issues to attention, and
  - (d) along the way Mr Fittler, Mr Hindmarsh and Mr Schubert were joined by Andrew Johns, Glen Grief, Trent Barrett, Andrew Ryan, Alan Tongue, Paul Gallen, Kurt Gidley, Anthony Minichiello and Luke Lewis and held training clinics and fan meets during the tour.

2. That this House:
  - (a) acknowledges and commends Mr Brad "Freddy" Fittler, AM, Nathan Hindmarsh, Ian Schubert as well as other NRL players that assisted in raising money for Father Chris Riley's Youth Off The Streets,
  - (b) acknowledges and thanks for their generosity, the sponsors of the Tour: Sony Music Foundation, Harley Davidson, Tenant Recruitment, Fuchs Lubricants, Harrigan's Irish Pub—Hunter Valley, Caltex Australia, John Sample Automotive, Holden Australia, Xstrata Coal—Mangoola and the Hunter Investment Corporation,
  - (c) acknowledges the Government, which donated \$10,000 to the Hogs for the Homeless in support of Father Chris Riley's Youth Off the Streets, and
  - (d) Members of Parliament that welcomed the Hogs for the Homeless back to Parliament House, Sydney: the Hon. Barry O'Farrell, MP, Premier; the Hon. Graham Annesley, MP, Minister for Sport; the Hon. Chris Hartcher, MP, Minister for Energy and Resources and Special Minister of State; the Hon. Katrina Hodgkinson, MP, Minister for Primary Industries and Minister for Small Business; Mr John Robertson, Leader of the Opposition; and the Hon. Marie Ficarra, MLC, Parliamentary Secretary to the Premier.

### COMMONWEALTH DAY

#### **Motion by the Hon. NATASHA MACLAREN-JONES agreed to:**

That this House notes that:

- (a) Monday 11 March 2013 was Commonwealth Day,
- (b) the Parliament of New South Wales is an active member of the Commonwealth Parliamentary Association, which promotes the advancement of parliamentary democracy throughout the Commonwealth,
- (c) Commonwealth Day is celebrated by member states of the Commonwealth of Nations and is an opportunity to reflect on the role of the Commonwealth as a voluntary association of independent and equal sovereign states comprised of 54 nations,
- (d) the Commonwealth of Nations remains committed to liberty of the individual under the law, in equal rights for all citizens regardless of gender, race, colour, creed or political belief, and in the individual's inalienable right to participate by means of free and democratic political processes in framing the society in which he or she lives, and the Commonwealth has recommitted itself to these principles through the adoption on Monday 11 March 2013 by all members states of the Commonwealth Charter, and
- (e) the Commonwealth Day Council of NSW held their annual luncheon to celebrate this event at the Parliament of New South Wales, attended by the Patron of the Council, Her Excellency Professor Marie Bashir, AC, CVO, Governor of New South Wales.

### LUNAR NEW YEAR CELEBRATIONS

#### **Motion by the Hon. SHAOQUETT MOSELMANE agreed to:**

1. That this House notes that:
  - (a) the Lunar New Year is the most significant and symbolic festival season in China, and widely celebrated in the Vietnamese and Korean communities,
  - (b) this year the Lunar New Year was celebrated between 10 to 25 February 2013,
  - (c) this year marks the City of Sydney's seventeenth Chinese New Year Festival, with the program and festivities celebrating the Year of the Snake bigger and better than all previous years,
  - (d) there are more than 391,000 Chinese born people living in Australia, and
  - (e) the Lunar New Year was celebrated in numerous Chinese communities across Sydney and Australia.
2. That this House notes the extensive contributions made by members of the Chinese community to enrich cultural tapestry in Australia.
3. That this House congratulates members of the Chinese community for their continued efforts and achievements in promoting cultural cohesion.
4. That this House wishes all members of the Chinese, Vietnamese and Korean communities who celebrate the Lunar New Year, "Kung Hei Fat Choy".

**PREMIER'S MULTICULTURAL MEDIA AWARDS****Motion by the Hon. MARIE FICARRA agreed to:**

1. That this House notes that:
  - (a) on Thursday 28 February 2013, the inaugural Premier's Multicultural Media Awards took place,
  - (b) the inaugural Premier's Multicultural Media Awards is one component of Multicultural March, a month-long celebration of the State's cultural diversity,
  - (c) the concept of Multicultural March was launched by the Premier at the inaugural Premier's Harmony Dinner in 2012,
  - (d) the awards night was attended by over 300 people from the multicultural media, mainstream media and the community,
  - (e) the Government has recognised excellence in journalism in the state's multicultural media, and
  - (f) the following won the Inaugural Premier's Multicultural Media Award:
    - (i) Best News Report of the Year: *Indian Link*—Literature of Anguish—Rajni Anand Luthra and Pawan Luthra,
    - (ii) Best Radio Report of the Year: SBS Radio Hindi Program—Kumud Merani,
    - (iii) Best use of Online and Digital Media: Ang Kalatas Australia, Millie Marcial-Phillips,
    - (iv) Best Online Publication of the Year: *Indian Link*—Rajni Anand Luthra,
    - (v) Best Image of the Year: Indian Link—Rajni Anand Luthra and Pawan Luthra,
    - (vi) Best Editorial/Commentary of The Year: *El Telegraph*—Remy Wehbe,
    - (vii) Best Feature of the Year: Joint Winners—Namoi Isvirko and Antoine Kazzi,
    - (viii) Best Investigative Story of the Year: SBS World News—Katrina Yu,
    - (ix) Best Print Publication of the Year: *Zaman Australia* Newspaper—Enes Cansever,
    - (x) Lifetime Contribution: Anwar Harb and Simon Ko.
2. That this House acknowledges:
  - (a) those that attended, particularly:
    - (i) the Hon. Barry O'Farrell, MP, Premier,
    - (ii) the Hon. Victor Dominello, MP, Minister for Communities and Citizenship, Minister for Aboriginal Affairs,
    - (iii) the Hon. David Clarke, MLC, Parliamentary Secretary for Justice,
    - (iv) the Hon. John Ajaka, MLC, Parliamentary Secretary for Roads and Transport,
    - (v) Ms Gabrielle Upton MP, Parliamentary Secretary for Education,
    - (vi) Mr Charles Casuscelli, MP,
    - (vii) Mr Mark Coure, MP,
    - (viii) Mr Tony Issa, MP,
    - (ix) Mr Kevin Conolly, MP,
    - (x) Mr Bryan Doyle, MP,
    - (xi) Mr David Elliott, MP,
    - (xii) Mr Geoff Lee, MP,
    - (xiii) Mr Matt Kean, MP,
    - (xiv) Mr John Sidoti, MP,

- (xv) Mr Andrew Rohan, MP,
- (xvi) the Hon. Natasha Maclaren-Jones, MLC,
- (xvii) the Hon. Philip Ruddock, MP, Federal Member for Berowra,
- (xiii) Mr George Ghanem, Consul General of Lebanon,
- (xix) Dr Stepan Kerkyasharian, AO, Chairperson, Community Relations Commission,
- (xx) Mr Nihal Gupta, Chairman of the Multicultural Business Advisory Council,
- (xxi) Reverend Father Antoine Tarabay, St Charbel's Church, Punchbowl, and
- (b) the Community Relations Commission and committee that brought the event together, specifically the judging panel comprising:
  - (i) Professor Ramaswami Harindranath,
  - (ii) Professor Lynette Sheridan Burns,
  - (iii) Mr Rick Feneley,
  - (iv) Ms Natasha Robinson, and
- (c) That the Premiers Multicultural Media Awards is the start of a new and exciting annual initiative that will continue to honour and recognise the work of the multicultural media for years to come.

## BUSINESS OF THE HOUSE

### Formal Business Notices of Motions

**Private Members' Business item No. 1127 outside the Order of Precedence objected to as being taken as formal business.**

### *DOMAIN CHINESE PROPERTY MAGAZINE*

#### **Motion by the Hon. SHAOQUETT MOSELMANE agreed to:**

1. That this House notes that:
  - (a) over the past decade, China has been the largest source of offshore investment in residential property, particularly Sydney,
  - (b) Fairfax media launched *Domain Chinese* on 19 October 2012 to cater to this increased interest and investment in the Australian Property Market,
  - (c) *Domain Chinese* is the first property magazine for the Chinese community that includes property listings, market information, industry news, investment opportunities, and communities' and suburb's news for Chinese readers in Australia and overseas,
  - (d) *Domain Chinese* will publish quarterly property awards and host an annual awards program to acknowledge the best examples of real estate marketing targeting the Sydney Chinese community, and
  - (e) *Domain Chinese* has been so successful that an online version, *chinese.domain.com.au*, was launched on 13 February 2013 at the Sydney Opera House, where more than 200 distinguished guests attended including Mr Liu Kan, the Deputy Consul General of the People's Republic of China.
2. That this House notes that this is the first publication in mainstream media in another language, which specifically caters for the ethnic Chinese business community.
3. That this House congratulates Mr James Tong, Chief Executive Officer of *Chinese Domain*, Mr Tony Blamey from the Sydney Morning Herald Domain, and Mr Nic Cola, Chief Executive Officer of Fairfax Marketplaces for developing and successfully launching *Domain Chinese*.

## TABLING OF PAPERS

**The Hon. Greg Pearce** tabled the following papers:

1. Annual Reports (Statutory Bodies) Act 1984—Report of the Mine Subsidence Board for the year ended 30 June 2012.
2. State Owned Corporations Act 1989—Report of Superannuation Administration Corporation (trading as Pillar Administration) for the six months ended 31 December 2012.

**Ordered to be printed on motion by the Hon. Greg Pearce.**

**SPECIAL ADJOURNMENT****Motion by the Hon. Duncan Gay agreed to:**

That this House at its rising today do adjourn until Tuesday 19 March 2013 at 2.30 p.m.

**BUSINESS OF THE HOUSE****Suspension of Standing and Sessional Orders: Conduct of Business****Motion by the Hon. Rick Colless agreed to:**

That standing and sessional orders be suspended to allow the moving of a motion forthwith relating to the conduct of the business of the House.

**Conduct of Business****Motion by the Hon. Rick Colless agreed to:**

That

- (a) the order of the day for resumption of debate on Private Members' Business item No. 1067 outside the Order of Precedence relating to the study mission to Israel be called on forthwith,
- (b) notwithstanding anything to the contrary in the standing or sessional orders, the time for debate on the motion be extended by an additional one hour, and
- (c) the time for speakers and interruption to allow the mover to speak in reply under the sessional order continue to apply to the debate on the motion.

**PARLIAMENTARY FRIENDS OF ISRAEL STUDY TOUR****Debate resumed from 28 February 2013.**

**The Hon. ROBERT BORSAK** [9.51 a.m.]: It is with pleasure that I join in debate on the motion of the Hon. Rick Colless regarding a recent study mission to Israel by the New South Wales Parliamentary Friends of Israel, which comprised parliamentarians from all political parties, except notably and for their own reasons, The Greens, who I might add are pretty good at coming up with adolescent views and superficial solutions but it appears are not really interested in some real-world, fact-finding missions.

From the outset I would like to thank the New South Wales Jewish Board of Deputies for organising and hosting this study mission for the purpose of building a better understanding in me and the other delegates of the diverse and complex issues impacting on Israel and its neighbours in the Middle East. I want to particularly thank the President of the New South Wales Jewish Board of Deputies, Mr Yair Miller, the Chief Executive Officer, Vic Alhadeff, who I note is in the gallery today, and his staff for their assistance in facilitating what was an extraordinary and probing study trip to Israel. It is obvious that the New South Wales Jewish Board of Deputies is well practised in organising such trips and in providing relevant access and information to every delegate to better understand the situation in Israel.

I would particularly like to thank Yaron Finkelstein and Yossi Tal, who accompanied us throughout the whole tour, for their on-the-ground organisation, reorganisation and itinerary juggling, for their friendship, and also for not singing in the bus, early in the morning or late in the evening, as we travelled to and from our hotel. It was much appreciated. I would also like to recognise and thank our tour guide, Mark Deckelbaum, for his deep knowledge and love of his home country, Israel.

I note also that in the lead-up to this trip there was yet another outbreak of hostilities around Israel's borders that could have seen the trip cancelled for safety reasons. However, again I thank the New South Wales Jewish Board of Deputies for their reassurance, guidance, and commitment to make the trip a success. It has to be said that despite the constant and dangerous environment within which Israel lives, I have now found a third place in the world where I feel truly safe. As I have previously noted in this House, I am the son of a Polish Holocaust survivor. My father was involved in the intrigues of the local resistance movement in Warsaw and the

Jewish Ghetto during the Second World War, and was later arrested in September 1942 and condemned to Buchenwald concentration camp, where he described his experiences at the time as his descent into Dante's description of hell.

This was my first trip to Israel and the region. I asked why the plight of Israel interested me in such a way. The safety and security of Australia set a benchmark in my mind. The Middle East is always in the news and the intractable problems of that region always seem in the end to focus on the plight of the Palestinians and the people of Israel. Once my parents got to the safety of Australia after the war, Europe was not somewhere they were in any great hurry to revisit, and given what my father went through one can appreciate how much they grew to love this country and the safety and opportunities that it afforded them. In effect, Australia provided the opportunity for a new start in life for my parents. What I needed to try to start to understand in detail was what makes the Middle East so important in world affairs? Why is Israel pivotal to it and what sort of state is Israel?

The itinerary provided by the New South Wales Jewish Board of Deputies was comprehensive and diverse and filled every day with meetings and/or tours to many of the places mentioned in this motion. What became clear as the tour progressed is that Israel is a state run by the rule of law. It has a supreme court, a national parliament—the Knesset—and all the organs and institutions of a full democratic society. It functions as you would expect any democratic society to function, in a modified Westminster model. Its robust democratic process is healthy, thriving, interesting and intriguing, to say the least. Its location in the world also requires a large overt, and I am sure covert, state security apparatus that, unlike its neighbours, does not run the state or oppress and cow its citizens.

Israel's economy is strong and vibrant, reflecting the human intellectual resources of its citizens and, above all else, is highly integrated into the world's economy. Despite the massive burden of its defence budget, the standard of living, for a country effectively on a permanent war footing, is just as high as ours here in Australia. As anyone who has travelled from Australia to the Middle East would appreciate, our country after only 225 years of white settlement is far behind the thousands of years of settlement that can be seen everywhere in Israel. In Israel you can see places that date back not only to the time of the Bible, but even further to the time of Moses and before that. It is rather humbling to stand in some of those places, where religions converge, and in a region that is historically significant.

Having already travelled extensively to other parts of the world, sometimes for hunting—which led to a number of photographs that the *Sydney Morning Herald* seems to like—I must admit that during this trip I took literally thousands of photographs, and they are a reminder of what I considered to be the most significant trip in my life. It is lucky I took those thousands of photographs because when one of my colleagues, the Hon. Walt Secord, loaded the thousands of photographs he took into his computer they were all somehow deleted forever. I was tempted to sell him some of mine, but I gave him a copy as an act of kindness—despite the fact that he does not support conservation hunting in national parks.

For me, one of the most striking aspects of the trip were the security briefings, which showed just how the people of Israel are constantly on alert and aware that hostilities can erupt anywhere at any moment. Significantly, Israel is also prepared to meet any such threat. I mention here having seen, for instance, bomb-proof bunkers where children can play, that there are obviously other arrangements in place, and I admire the people of Israel for their resilience in living under such an ongoing threat. I know that there are always two sides to any story, but on both sides there are many innocent people suffering and dying. Middle East peace should not be a pipe dream and surely it is not beyond mankind to be able to work out how Israelis and Palestinians can live alongside each other in peace and mutual security.

There is no doubt in my mind that Israel has a right to exist in peace and likewise the Palestinians have that same right. How they achieve this should be a matter for the statesmen from each side. Surely there are men or women of good will and initiative and who are forward thinking who can work out a plan to enable them to co-exist in peace. The innocent women and children and civilians from both sides really deserve a proper and lasting settlement of this ongoing issue.

In closing, I thank the Hon. Rick Colless for bringing this motion to the House. I thank all my parliamentary colleagues and their partners who travelled on the study mission for their company, and I hope they enjoyed it and learnt as much as Cheryl and I did. Once again I particularly thank the New South Wales Jewish Board of Deputies for their assistance and advice in facilitating what was an outstanding and inquisitive



study trip to Israel. I also take this opportunity to congratulate Mr Yair Miller on his wedding. He got married in Israel during the trip and indeed he extended an invitation to all of us to attend the ceremony, which I for one greatly appreciated. I commend the motion to the House.

**The Hon. DAVID CLARKE** (Parliamentary Secretary) [10.00 a.m.]: I add my support to the motion moved by the Hon. Rick Colless. My wife and I, as a member of the New South Wales Parliamentary Friends of Israel, were part of the parliamentary delegation that recently participated in a study tour of Israel. I express my heartfelt thanks to the New South Wales Jewish Board of Deputies, its representatives and staff for their hard work and meticulous attention to detail that made the study tour the outstanding success all participants considered it to be. The tour enabled us to travel extensively throughout the country and to meet with a broad cross-section of Israeli society. Our visit took us to the Gaza border, the northernmost part of Israel that borders Lebanon, into Palestinian territory on the West Bank and to many places in between.

We were presented with a comprehensive and non-stop itinerary and met with representatives from Christian and Muslim-Arabic Israeli communities. We were subjected to a wide range of opinions from the Jewish-Israeli community and from Palestinian leaders and representatives from the West Bank. Our tour included meetings with leading journalists, military personnel, religious leaders, legal and judicial personalities, representatives of academia and commerce and political spokesmen from both the government and the opposition. We were free to go wherever we wanted to go and we met with whoever we wanted to meet. Following the conclusion of the organised study tour, my wife and I stayed for an additional period to meet with those people we believed would assist us in coming to an informed and accurate view of present day Israel. I confirm that we were unhindered in pursuing our goal and that no obstacles were placed in our way.

I do not propose to revisit the events and meetings that were highlighted by other members who have spoken in this debate other than to confirm that I concur with their assessments and conclusions. However, I wish to record my general impressions and my viewpoint. First and foremost, I found Israel to be a free and democratic society. In fact it is a vibrant and open democracy and every possible viewpoint is represented in the political spectrum. The worst type of abuse is that which is being heaped upon Israel by dictatorships. The United Nations human rights committees and delegations, which are top heavy with such dictatorships and regimes, demonstrate an hypocrisy of monumental proportions because their allegations present a negative picture of Israel. I found the opposite to be true. Democracy is alive and well in today's Israel, but in so many other nations in the region and elsewhere democracy is non-existent. I found Israel to be a land where the judiciary is vibrant, independent and impartial—one that cannot be dictated to or intimidated. Israel is a place in which the rule of law is applied without fear or favour, as is the case in Australia.

I constantly marvel that for 65 years Israel has maintained constraint and calmness in the face of hostility, threats and terrorist attacks. We met an Australian resident who lost his 15-year-old daughter in a terrorist bomb attack that deliberately targeted a pizza restaurant in Jerusalem that was frequented mainly by children and teenagers. He lives with the memory that whilst his beloved daughter was murdered in an horrendous way, the perpetrators of such a wicked deed, who remain unpunished, are publicly known and feted elsewhere in the Middle East and continue to bask in their notoriety.

In southern Lebanon the Islamist terror organisation, Hezbollah, which is outlawed in Australia and elsewhere, maintains a network of bases that are deliberately placed in built-up civilian areas. From those bases it periodically launches attacks on Israeli civilians with rockets and missiles provided by regimes in Syria, Iran, North Korea and others. Presently, Hezbollah has some 70,000 rockets. To the west, in Gaza, the Islamist terrorist organisation, Hamas, also banned in Australia, operates in a similar way and periodically launches rocket attacks that target civilian areas, such as Sderot, which we had the opportunity to visit.

When Israel militarily responds to such attacks, her usual enemies and critics heap invective upon her whenever a civilian is injured or killed, but there is a major difference in the case of casualties sustained by both sides. Hezbollah and Hamas deliberately target civilians, but when Israel militarily responds it finds that the bases from which the rockets have been launched have been deliberately and strategically placed in civilian areas. Hezbollah and Hamas have deliberately placed civilians under their control in such danger. Israel is damned if it does and damned if it does not. Both Hezbollah and Hamas, in their own charters, unambiguously call for the destruction of the state and, by none too subtle an implication, call for the destruction of Israel's Jewish population as well.

How do you negotiate with those who declare their intention to destroy you? Israel's critics say that Israel should negotiate for peace. However, to be successful you need peace partners with whom to negotiate.

Where are those peace partners? Hezbollah and Hamas have no desire to negotiate peace—their *raison d'être* is to achieve the exact opposite. Where should we turn? Should we turn to the Palestinian authorities on the West Bank? Are there fruitful prospects for the peace process there? Perhaps the cessation of the television propaganda in those areas that promotes hatred against Jews as a people and calls for their destruction might be a preliminary sign of good faith. Perhaps the cessation of glorification of suicide bombers and other terrorists would be another sign of good faith. The truth is that one day of terrorism against the United States on 11 September 2001 led to the War on Terror and the war in Afghanistan, and rightly so. What the United States faced on that one day is the threat that Israel has faced every day of its existence. It is something that it has faced day in and day out, year after year for 65 years.

I am grateful to have been part of the study tour that is the subject of this motion. It reinforced my view that support for the State of Israel is necessary for the defeat of international terrorism; in fact, it is the frontline in that fight. It reinforced my view that the State of Israel is a land where democracy and freedom continue to flourish and that we in Australia have a moral imperative to lend our support. It reinforced my view that the cause of Israel is a righteous cause. It was a righteous cause 65 years ago and it is still a righteous cause 65 years later.

**The Hon. MATTHEW MASON-COX** (Parliamentary Secretary) [10.13 a.m.]: "From the river to the sea"—the plaintive cry rings out and the echo returns, louder, louder still, building to a blinding crescendo, binding the seething mass of humanity gathered at the feet of one Khaled Meshaal. The feared yet exulted leader of Hamas stands triumphantly as the gunfire rings out approvingly. His visit to Gaza on 8 December 2012 to commemorate the twenty-fifth anniversary of the founding of Hamas reverberates throughout the Arab world. It is all made possible by the very people he would mercilessly expunge from the very face of the Earth. However, the Jewish people have been that way before. This land from the river to the sea, this biblical homeland of the Jewish people, this State of Israel, sanctioned by the United Nations and sanctified by the blood of so many, will find another way. It simply has no other choice.

As a Christian it has been my lifelong dream to visit the land of my childhood stories and to walk in the footsteps of Jesus. The Jewish Board of Deputies offered to host this study tour just before the Israeli assassination of Hamas military commander Ahmed Al-Jabair, just before the predictable retaliatory rocket attacks from Gaza recommenced and just before the predictable Israeli armed response—Operation Pillar of Defence. This way is also too well travelled. Like many, my wife and I had serious reservations and wondered whether we should postpone our visit. However, after receiving reassurances from the Israeli Embassy, we joined the parliamentary team for what proved to be a cultural, spiritual and political tour de force.

I thank the Jewish Board of Deputies for hosting the visit. In particular, I thank Mr Vic Alhadeff, the Chief Executive Officer, who is in the President's gallery today, Mr Yair Miller, the President of the Jewish Board of Deputies, whose wedding we had the honour to attend during our visit, and our esteemed fellow travellers from the board—Yaron Finkelstein and Yossi Tal. Their guidance, warmth and hospitality was much appreciated by all. I also thank my fellow travellers in this place for their fellowship during the visit. I ask them to pass on my best wishes to their spouses, who accompanied us. Rather than using this opportunity to reiterate some of our shared experiences, I will endorse each of their contributions to the debate while focusing mine on my lasting impressions of what I encountered of the character of the Israeli people.

One proud Israeli I met, and I met many, informed me that the Israeli people are like the prickly pear that infests large parts of their beautiful country: prickly on the outside but warm and sweet in the middle. There is some truth in that analogy, so I will start in the middle with the moving story of Arnold Roth and his beautiful daughter, Malki. Malki Roth was 15 years old when she was murdered in a senseless act of terrorism on 9 August 2001. She was in Jerusalem eating pizza with her friends when she died along with 14 other innocent people, many of them children and teenagers. Hamas proudly took responsibility for this heinous act. The female mastermind escaped to Jordan, while the male perpetrator was captured and sent to an Israeli jail. He was later released as part of a prisoner exchange and escaped to Jordan, where he was publicly hailed as a hero by King Abdullah for this cowardly crime against humanity.

Arnold courageously shared his pain and his outrage with us. He shared his long journey for justice, played out in forums including the United Nations General Assembly and in many conferences and meetings with leaders around the world. It is a story too familiar to all sides of this conflict. However, rather than let this tragedy consume him, as it has so many, Arnold Roth and his family instead chose to establish the Malki Foundation in September 2001 in memory of their daughter, who had a love for children with special needs. The Malki Foundation gives substantial financial and practical support to thousands of Israeli families—Christians,

Muslims, Jewish and Druze—who choose to care for their special needs children at home. Instead of hate, the Roths chose a loving, compassionate response to terror and tragedy that continues to serve the most vulnerable of the Israeli community. Their story is an inspiration to us all.

Our visit to the city of Sderot was also particularly memorable. Sderot is home to 20,000 people and is adjacent to the Gaza Strip and has been the target of thousands of rockets from Gaza. Its citizens have only 15 seconds from when Israeli radar detects a missile launch until it strikes. Bomb shelters are scattered throughout the town. Even children's playgrounds are designed to act as bomb shelters should circumstances dictate. We were hosted by Noam Bedein from the Sderot Media Centre. Noam related how mothers have 15 seconds in which to stop their cars and try to get a couple of kids out and into a shelter. However, the mothers have found that it is impossible to stop their car and to undo two sets of seatbelts. They are often forced to choose—which child do I save? It is a stark choice indeed.

We visited the Sderot police station and learnt that the rockets that have rained down on Sderot are colour coded and often feature messages from their sender. The green rockets are from Hamas, the yellow are from Islamic Jihad and the black are from Al Qaeda. Whilst the colour may vary, the 15 seconds never varies. Everyone lives not knowing when the clock may start to tick. I was very impressed with the positive, resilient attitude of the locals under the weight of this constant pressure. Remarkably, they have shown an ability to turn this terror into something of beauty by shaping twisted metal missile casings into beautiful flowers that adorn the streets of Sderot. It says a lot about the character of the people of this city—living each and every day on the edge yet defiantly turning terror into beauty.

I wish to also recount our visit to the settlement of Gush Etzion, also known as Efrat, where we met with Mayor Oded Revivi. Within the Gush Etzion area is a cluster of Israeli settlements that are located in the West Bank. The settlements, which were founded in the 1940s on land purchased in the 1920s and 1930s, were destroyed in 1947 to 1948 and rebuilt after the 1967 six-day war. Today 70,000 people live in more than 20 settlements. My friend and colleague John Barilaro, the mighty member for Monaro, and I had the privilege of delivering a letter of support and goodwill from the Mayor of Queanbeyan, Councillor Tim Overall, to Mayor Revivi. That letter was graciously received and we have since exchanged further letters. We sincerely hope that this relationship continues to bear fruit over time and that it serves to enhance the friendship between our two cities and our two countries. Long may the people of Efrat prosper.

In closing I again thank the Jewish Board of Deputies for hosting our visit. I went to Israel a natural supporter and I returned an ardent admirer. Perhaps I have found my inner Jew. Whatever the case, I stand with the Israeli people and declare my unequivocal support for their quest for peaceful coexistence with the Palestinian people. Whilst this remains the world's most intractable conflict there is no doubt that in time it can be resolved. Another page is turning with the election of a more centrist Israeli Government along with the important visit of President Obama to Israel next week. The serious engagement of the United States of America is central to any successful peace process. It is central also to the wider security of the Middle East.

The recent regime changes across the Middle East, commonly referred to as the Arab Spring, masks a far more sinister development. In reality what we have witnessed is a Sunni tsunami that directly threatens the Iranian stranglehold over politics in the Middle East. Undoubtedly this will have significant consequences for Israel, the most menacing of which is the prospect of a nuclear Iran if no action is taken in the foreseeable future. We were repeatedly warned that this is the year of action against Iran should diplomatic efforts fail to deter it from its current path. A nuclear Iran is a threat to world peace so we all have a stake in these outcomes. Australia and the Middle East have a stake in ensuring that Israel's security and future are assured. I stand here today a strong supporter of Israel's security. I came back from this tour with a deeper understanding of the strategic challenges faced by the people of Israel and remain confident about their future.

**The Hon. PAUL GREEN** [10.23 a.m.]: I support the motion moved by the Hon. Rick Colless in the following terms:

That this House notes that:

- (a) the NSW Parliamentary Friends of Israel under the auspices of the NSW Jewish Board of Deputies hosted a delegation of New South Wales Parliamentarians on a study mission to Israel from 6 January 2013 to 10 January 2013 ...

For the benefit of members I note that all members paid for their own airfares and accommodation. I was privileged to be invited by the New South Wales Jewish Board of Deputies to visit Israel—an important historical, biblical and culturally rich land. I begin by thanking the New South Wales Jewish Board of Deputies

for organising this study trip. The New South Wales Jewish Board of Deputies is the officially elected representative body of the Jewish community in New South Wales, with 61 major communal organisations as its constituents. It is recognised by the New South Wales Government, its agencies, the media and other ethnic and religious groups as the representative body of the Jewish community and it speaks on its behalf of Jewish people in New South Wales on all matters affecting their status, welfare and interests.

I thank Mr Vic Alhadeff, the board's chief executive officer and a tireless advocate for Jewish people in New South Wales, whose work is appreciated by many in the community. When I was mayor of Shoalhaven, Vic took the time and effort to visit the beautiful Shoalhaven area and to meet me and to pave the way to a continuing and good relationship at different levels. A number of members from the Government, Opposition, Christian Democratic Party and the Shooters and Fishers Party were privileged to be invited on the study tour this year. The second part of the motion moved by the Hon. Rick Colless is as follows:

- (b) the purpose of this study mission was to build an understanding amongst the delegates of the complex and various issues impacting on Israel and other jurisdictions within the Middle East,

The trip afforded members an opportunity to dispel some of the misinformation about Israel that they had read in the media. Israel covers an area of approximately 22,000 square kilometres. In comparison, Australia covers an area of about 7.7 million square kilometres, which is approximately 350 times bigger than Israel. Despite its size, Israel is rich in history, art, archaeology and culture. The delegation of New South Wales parliamentarians spoke to a large number of people and groups from all walks of life and across the political spectrum. Because Israel is a true democracy people's opinions were wide and varied and we were given an opportunity to hear those opinions. The political realities of Israel cannot be divorced from religious realities. I have heard various proposals about one-state and two-state solutions to assist Israel in forging ahead. The Christian Democratic Party has a biblical and common sense stance on Israel. From a common sense perspective, Israel and Israelis have the right to defend themselves against total extermination.

The Christian Democratic Party supports Israel's fundamental right to exist and to protect itself. A number of members have spoken about their visit to Sderot. As a father of six children I could not imagine sending my children to a school with a playground that had cement caterpillars filled with bombs and expecting my children to find shelter in 15 seconds. Members of the delegation took a bus trip on a day of inclement weather and saw the remnants of a school that had been hit by a bomb, which was a sobering experience. It would be frightening for any parents to send their children to schools or to parks not knowing whether they would return.

**Mr David Shoebridge:** Was that when you were in Gaza?

**The Hon. PAUL GREEN:** That was when I was in Sderot which is on the border of Gaza. It highlighted to members of the delegation just how blessed Australians are to be able to send their children to school without a second thought. Our children return home after school and we all get on with our lives. Imagine the stress of parents in Sderot who must constantly wonder what will happen to their children on any school day. Before we arrived in Israel about 500 bombs had come over the border which would cause an enormous amount of anxiety for families. Some 75 per cent of these children suffer from post-traumatic stress disorder—a disorder commonly seen in those exposed to bombs and killing in war zones. It is appalling that young children are suffering from post-traumatic stress disorder. That applies not only to the children of Israel but to any child in the world facing war. We all have world views but it is a sad day when the agenda of peace is secondary to our world views.

A study was conducted by a team led by Dr Rony Berger, a clinical psychologist at Ben-Gurion University of the Negev, who also serves as the Director of Community Services at Natal, the Israel Trauma Center for Victims of Terror and War, and nearly half of Sderot middle schoolers surveyed by local researchers showed signs of post-traumatic stress disorder. The study, which appeared in the *Journal of Adolescent Health*, was based on a questionnaire given to 154 seventh and eighth graders, aged 12 to 13, in a State secular school. The data was collected in 2007-08, when already thousands of rockets had been launched at the area from Gaza and 15 people had been killed or wounded in the city. After analysing the answers, it was found that 43.5 per cent of the children were displaying clinical signs of post-traumatic stress disorder.

Researchers also determined that proper intervention in school can successfully reduce the symptoms of post-traumatic stress disorder in pre-teens. The researchers divided the children into two groups. A group of 107 pupils underwent a therapy course developed for the study, which was delivered by teachers in the school; the other group of 47 children had no intervention. The therapy involved weekly 90-minute meetings with

teachers to reduce tension and fear. The meetings were held over 16 weeks between November 2007 and March 2008. These lessons included raising awareness of how the body responds to stress, learning techniques to relieve tension, making the pupils more aware of their feelings and strengthening the connection between sensations and emotions. Some members may consider that my contribution is off target but I am endeavouring to illustrate the sorts of things faced by children in places such as Sderot and the State of Israel.

The pupils were also taught ways to control their emotions, breathing techniques, guided imagery and methods of distracting themselves and coping with anger and loss. The teachers discussed with the pupils ways to improve their communication with others and how to turn a crisis situation into an opportunity. The intervention had a dramatic effect, leading to a significant drop in the display of post-traumatic stress disorder symptoms among the children. The chances of recovery among those who had the therapy were deemed 2.7 times higher than among those in the control group. Of the 48 pupils who had been diagnosed with post-traumatic stress disorder in the intervention group, only 13 were still exhibiting symptoms four months later. Among the 19 children in the control group who had exhibited symptoms of post-traumatic stress disorder 12 were still exhibiting symptoms after four months. The researchers concluded:

When you take into account that intervention by teachers is more accessible, more economical and lends itself less to stigmas, the findings are important for the purpose of getting broad help for children suffering from trauma.

People plant gum trees in front of their houses to deflect and block rockets? Why should people have to live like this? Why does the world point a finger at Israel when it is simply trying to protect its own people from indiscriminate rocket fire. Over the past 10 to 12 years about 12,000 rockets have been fired indiscriminately at Israelis. Reports emerged from last year's violence that Palestinian rockets had malfunctioned, fell into Gaza and killed innocent children. But there was no widespread condemnation of that. No rockets fell while I was there but I saw firsthand the circumstances of southern Israeli citizens. It made me feel blessed that we live in this country. The third paragraph of the motion reads:

- (c) the delegates on this study mission comprised all parliamentary political parties represented in the NSW Parliament with the exception of The Greens.

It was disappointing that my wife and I were the only Greens on the trip. I would have been pleased if other Greens from the full crossbench of the upper House had joined us. While I appreciate that opinions on issues vary significantly within The Greens—as was evidenced when they voted on the boycott, divestment and sanctions motion—I was disappointed they did not take part in this very valuable study trip. As I said earlier, the tour group included a cross-section of opinions. There was much to learn, and it would have been a worthwhile experience for them. Perhaps next time The Greens might take up the invitation of the NSW Jewish Board of Deputies. The fourth paragraph of the motion reads:

- (d) delegates met with a wide range of religious, political, media, military, judicial and business personnel in Jerusalem, Tel-Aviv and Bethlehem during the course of the mission.

I spoke with a number of people and groups but I found myself processing information as a father. I thought about people like Arnold Roth, whose 15-year-old daughter went out for pizza and did not return home. Then, as the Hon. Matthew Mason-Cox articulated, the people who murdered her got off scot-free through a political program. More work needs to be done towards a better solution. I am not overly politically aware of all the issues. Indeed, I have been a bit of an armchair spectator watching news reports on the Middle East. But I have grown into my present role as a member of Parliament, and I am open to learning more about Israel, Palestine and other countries. Peace among all men is the ultimate aim, and I will not shrink from that aim. I learnt a lot about Israel on the study tour. It seems that in order to move forward politically we must aim for the best-case scenario.

On our study tour we visited Knesset, Old Jerusalem and the Temple Mount, the Church of Nativity, the Church of the Holy Sepulchre and the Supreme Court of Israel. We also visited Yad Vashem, which was awesome. Unfortunately, I do not have enough time to talk about that. It reminded me of *Schindler's List* and the loss and heroics portrayed in that film. Suffice to say, we must ensure that such things never happen again. The tour group visited Gush Etzion Settlement Block at Efrat. The mayor of Efrat was one of my favourites. As a former mayor I was able to appreciate the work he does with the Arab settlements. [*Time expired.*]

**Mr DAVID SHOEBRIDGE** [10.28 a.m.]: I speak to this motion and note at the outset that it is a very unbalanced one. Indeed, a member asked if The Greens took part in this study mission to Israel. As far as I am aware, no Greens member of Parliament went on this study mission. That was primarily because of the one-sided nature of the itinerary, which is reflected in the one-sided nature of this motion. In a motion that

purports to talk about building an understanding of the complex and various issues impacting on Israel and other jurisdictions within the Middle East, it is extraordinary that in the more than 100 words and five paragraphs of this motion not one word is mentioned about Palestine or the Palestinians.

The human rights of the Palestinians are airbrushed out of the motion, just as they were airbrushed out of the itinerary of the study tour that travelled to Israel and some very small parts of the West Bank. Having heard the contributions of members who went on the study tour and having read the motion, I can see that this is little more than a public relations exercise for the Israeli Government. Indeed, this public relations exercise has been run in part through the offices of the NSW Jewish Board of Deputies, which arranged the tour and, I understand, partly paid for the study trip to Israel.

For the record, I do not recall getting an invitation from the Jewish Board of Deputies for this visit. However, had I received one I would not have accepted the invitation to go on this study trip because of the extraordinarily one-sided itinerary provided to members. If the Parliamentary Friends of Israel were interested in building an understanding of the complex issues in the Middle East, as they purport to be, their itinerary should have included a couple of other places to visit. First, the itinerary should have included visits outside the limited confines of Israel, Jerusalem and Bethlehem. How could members of this Chamber who wanted to get a balanced understanding of the issues facing the Israelis, the Palestinians and the Middle East travel to that part of the world and not meet with any members of the Palestinian Legislative Council, or at least those members of the Palestinian Legislative Council not currently being held in Israeli jails, many of them without trial and without being charged with any criminal offence?

How could members go there and meet with only one of the legislative bodies, the Knesset, and ignore the Palestinian Legislative Council? How could members, who wanted to get a balanced understanding of the issues facing Israel, Palestine and the Middle East, go to the other side of the planet and fail to visit Gaza, the world's largest outdoor prison? How could members not go to see the way the Palestinians live under the illegal blockade or not speak to the local health workers about the conditions in Gaza, or the paramedics about how they respond to the impacts of aerial bombardments by the Israeli military? If they had visited Gaza they would have been able to see the X-rays that the Gaza doctors show of children's kidneys riddled with kidney stones because of the saline water they are required to drink. The Israeli wells on the edge of Gaza are stripping out the fresh water from the arterial basin and the arterial basin is filling up with saline water from the sea. That saline water fills the wells. Most of the water treatment plants have been destroyed by Israeli bombardments and almost every child in Gaza has kidneys riddled with kidney stones and ongoing health problems.

Next time members should go to Gaza, look at the children, look at the damage, look at the X-rays and get some balance in their visit. If they had gone to Gaza surely they would then have gone to the West Bank and outside Bethlehem and Jerusalem and spoken to Palestinian villagers whose lives and livelihoods have been destroyed by the apartheid wall. Talk to the farmers whose olive groves have been cut off by the illegal apartheid wall, who cannot get to the fields that generations of their family had previously tended because of an illegal apartheid wall built by Israel through the middle of their homes, villages and farms. Surely members could also have met with Israeli peace activists, such as Jeff Halper from the Israeli Committee Against House Demolitions, and spoken to Palestinians who have been illegally evicted from their homes and land to make way for internationally condemned settlements being built by the Israelis.

But, no. Members spoke to the Israeli settlers but they did not visit and speak to the people who have been evicted illegally for these internationally condemned, unlawful settlements that are now riddling the West Bank. How could members not have travelled to Hebron and done the Breaking the Silence tour, where former Israeli soldiers would have told them about what goes on in the occupied territories, about the violence and the discrimination perpetrated by the Israeli military and the settler movement against the native Palestinian population? Or were they Israeli voices that members wanted to edit out and not hear the inconvenient truth?

**The Hon. Dr Peter Phelps:** What about the Fatah and Hamas civil war? What about what Fatah and Hamas do to each other? Did you go to the police building in Gaza? Did you go to the town hall in Gaza where they chuck people off? Did you go to the police building in Ramallah where they throw people out the window?

**Mr DAVID SHOEBRIDGE:** It is the inconvenient truth of the illegal, violent, discriminatory and brutal occupation in the West Bank.

**DEPUTY-PRESIDENT (The Hon. Paul Green):** Order! Interjections are disorderly at all times.

**Mr DAVID SHOEBRIDGE:** How could members not visit the Palestinian refugee camps in neighbouring countries such as Lebanon, where Palestinian refugees from 1948, 1967 and beyond live in sub-standard Third World conditions?

**The Hon. Dr Peter Phelps:** What is the right of return for Vietnamese refugees?

**The Hon. Lynda Voltz:** Point of order: Members speaking in this debate have been heard in silence. Some members may not agree with other views expressed in the Chamber, but members should be allowed to express their views in a democratic way. I ask you to stop members of this Chamber from yelling down other members with whose views they may disagree.

**DEPUTY-PRESIDENT (The Hon. Paul Green):** Order! Members are entitled to express their views while debating the motion.

**The Hon. Dr Peter Phelps:** I'm just reminding him that there are two sides to the story.

**DEPUTY-PRESIDENT (The Hon. Paul Green):** Order! There are diverse views in this Chamber. As per the protocols of the House, members are entitled to be heard in silence.

**Mr DAVID SHOEBRIDGE:** How could members not visit those Palestinian refugee camps in neighbouring countries such as Lebanon, where Palestinian refugees from 1948, 1967 and beyond live in sub-standard Third World conditions and are denied their human right to return to their homes? Members did not speak to them, see their title deeds and see the keys they still hold for the homes that were taken from them in the illegal occupations and evictions that have been taking place for decades in that part of the world? It is extraordinary to note that Labor members, one of whom is notionally from the Left, visited Israel and small parts of the West Bank but did not travel to Nablus and meet with any of the Palestinian trade unions. How could members have travelled over there and not spoken to the firefighters in the Nablus fire station who were locked into their compound by Israeli tanks and snipers and prevented from doing their job as firefighters? They were prevented from saving the lives and homes of their families and friends for days and days as homes burned; children and other people died while the Israeli military shelled and burned their city around them.

The motion is not balanced; the visit to Israel was not balanced. It was not about getting an understanding of the complex and various issues but, rather, about getting a narrow part of the Israeli understanding. For members who went on such an unbalanced tour and failed to see the balanced truth, the oppression the Palestinian people face daily as a result of the illegal occupation of Israel, and to support this motion and preach to the rest of the Chamber about truth, understanding, peace and non-violence is extraordinary.

**The Hon. SHAOQUETT MOSELMANE** [10.48 a.m.]: All people have a right to a homeland—all people, including Jews, Kurds, Armenians and Palestinians. All people have a right to exist and receive the protections under international law and live in peace and security. Since the 1948 United Nations resolution to divide Palestine between the Jews and Arabs, the Palestinian people have been left to suffer the indignity and trauma of people dispossessed. I am not surprised that there is no mention in the motion of the Palestinian people, the Palestinian land, the Palestinian suffering, the Palestinian rights as people deprived of their land, persecuted, imprisoned, killed, traumatised and dehumanised.

I wonder whether the members on their study mission considered the Palestinian people; I wonder whether the human rights of the Palestinian people crossed their minds. I hope it did cross their minds and that they pondered a little about the human rights of others now being dispossessed of their land, their dreams, their aspirations and their future as a people. Ever since 1948 the Israeli Zionist plan has been acquiring territory to expand the borders of the Jewish colonial state. Zionist ideology demanded—

**The Hon. Walt Secord:** Point of order: My point of order is on relevance. The member is not speaking to the motion and as the Deputy Chair of the Parliamentary Friends of Israel I disassociate myself from his remarks.

**The Hon. Dr Peter Phelps:** To the point of order: This is a fairly broad-ranging motion. While the member's speech is not directly relevant to the wording of the motion, it would be unfair if the member were not allowed to continue to speak, considering the breadth of topic that has been debated in relation to this motion.

**DEPUTY-PRESIDENT (The Hon. Paul Green):** Order! The Hon. Shaoquett Moselmane may resume his speech. He is within the latitude of the general purpose of the motion.

**The Hon. SHAOQUETT MOSELMANE:** After the United Nations allocated 56 per cent of the Palestinian territory to a Jewish State, 80 per cent was seized by force. Christians and Muslims made up two-thirds of the population. Jews, who owned only 6 per cent of the land, have now taken 85 per cent of the former Palestine land. The 800,000 who were initially dispossessed, expelled from their land—now five million—live in diaspora. There was nothing fair or legitimate about the United Nations' offer. It was carried out over the objections of the majority, but even this corruption of justice was not enough to satisfy the craving to take over people's land.

Arab voices were ignored. Not a single Arab was consulted on the plan. Now five million Palestinians are scattered across the globe and those still living in their homeland are living in two non-contiguous territories—Gaza and the West Bank—which makes up less than 20 per cent of the territory they originally had after 1967. I believe it is more like 14 per cent of the former Palestine that they now live in. Members will see from this plan the former Palestine territory and the land that Palestinians now own, just spots of land scattered all over.

**The Hon. Walt Secord:** Point of order: The member is using props. The use of props is out of order.

**DEPUTY-PRESIDENT (The Hon. Paul Green):** Order! The member would be well aware that the protocol of the House is that members should not use props to support their arguments.

**The Hon. SHAOQUETT MOSELMANE:** The Palestinians' right to return to their homeland is a fundamental right of all people. It is a fundamental right that is at the heart of the Palestinian struggle. This must be addressed and resolved fairly. In all the speeches made in the House today, we have not heard about the Israeli assaults on Arab territories in 1956, 1967, 1982, 2006 and 2009. In the 2009 assault on Gaza 1,000 residents were killed, over 300 of them children, and 5,000 were wounded. As was described by a member earlier today, Gaza is the world's largest open-air prison camp, containing 1.5 million people in a very small parcel of land. The Israeli assault continues on Gaza.

According to the Al-Mezan Center for Human Rights, some 90,000 Gazans were forced to flee their homes. Residents of Gaza city and to the north had no water and no electricity; they were trapped, traumatised and terrorised. Nothing was said in this debate about the rights of those Palestinians, who were effectively murdered by this military machine. They did not have hospitals. The Israeli military machine effectively erased government buildings, apartment buildings and mosques, and it struck United Nations schools, as well as the compound of the United Nations Relief and Works Agency, ambulances and hospitals. Their actions can be seen as violation of international humanitarian law.

The International Committee of the Red Cross accused Israel of breaches of humanitarian conventions for failing to bring assistance to wounded and starving civilians and preventing ambulance access for four days. B'Tselem, Physicians for Human Rights and other Israeli human rights groups have described civilians being fired on in doorways by Israeli soldiers, attacks on ambulance crews and aid workers, and schools being used as civilian refuges. The Human Rights Watch accused Israel of using white phosphorous munitions over densely populated areas of Gaza in violation of international humanitarian law. The United Nations Human Rights Council has condemned the Israeli offensive for "massive violations of human rights". Amnesty International says that Israeli shelling of residential areas is "prima facie evidence of war crimes". The organisation has also accused Israeli soldiers of using Palestinians as human shields:

It's standard practice for Israeli soldiers to go into a house, lock up the family in a room on the ground floor and use the rest of the house as a military base.

Richard Falk, the United Nations Special Rapporteur on the Palestinian Territories and Professor Emeritus of International Law at Princeton University, says that Israel is in breach of the United Nations Charter, the Geneva conventions, international law and international humanitarian law. Falk says:

If there were the political will there could be an ad hoc tribunal established to hear allegations of war crimes. This could be done by the general assembly acting under article 22 of the UN charter which gives them the authority to establish subsidiary bodies.

But they did not do so. A Human Rights Watch investigation found that Israel had repeatedly and indiscriminately fired white phosphorus over crowded areas of Gaza, killing and injuring civilians—



**The Hon. Walt Secord:** Point of order: My point of order relates to relevance. I remind the honourable member that the motion states:

That this House notes that:

- (a) The NSW Parliamentary Friends of Israel under the auspices of the NSW Jewish Board of Deputies hosted a delegation of New South Wales Parliamentarians on a study mission to Israel from 6 January 2013 to 10 January 2013—

**The Hon. Lynda Voltz:** You cannot read the whole motion.

**The Hon. Walt Secord:** I am just reminding the member of the motion.

**The Hon. Lynda Voltz:** Get to your point of order.

**The Hon. Walt Secord:** It was relevance.

**The Hon. Lynda Voltz:** Relevance has already been raised.

**The Hon. Walt Secord:** This speech is simply an anti-Israel rant.

**The Hon. Lynda Voltz:** You are trying to stop democratic debate in the Chamber.

**The Hon. Walt Secord:** This is simply an anti-Israel rant and he is not speaking to the motion.

**The Hon. SHAOQUETT MOSELMANE:** That is rubbish, and you know that.

**DEPUTY-PRESIDENT (The Hon. Paul Green):** Order! The Hon. Walt Secord is correct. Members have the motion in front of them, or have access to the motion. While I have been generous in general about speeches, the Hon. Shaoquett Moselmane needs to stay within the purview of the motion and not give a lengthy history.

**The Hon. SHAOQUETT MOSELMANE:** If ever there were a group in need of protection from war crimes, crimes against humanity and ethnic cleansing it is the Palestinians, and yet the Palestinians receive little outside help.

**The Hon. Dr Peter Phelps:** They received billions from the UN.

**The Hon. SHAOQUETT MOSELMANE:** In 1982 Israel invaded Lebanon.

**The Hon. Dr Peter Phelps:** Billions.

**The Hon. SHAOQUETT MOSELMANE:** Deputy-President, I did not interrupt other speakers. I let them make their speeches without interruption. Previous speakers had the opportunity to speak without interruption and I ask that the same courtesy be shown to me. I have only four minutes left to speak. I have the right to inject some balance into this debate. I am glad that I am a member of this House and have the opportunity to speak and inject balance and humanity into this debate. I have that right and I have four minutes to do so.

**The Hon. Matthew Mason-Cox:** Point of order: Could the Hon. Shaoquett Moselmane retire while I take my point of order?

**DEPUTY-PRESIDENT (The Hon. Paul Green):** Order! The Hon. Shaoquett Moselmane will retire to his seat while a point of order is taken, as per the protocols of the House.

**The Hon. Matthew Mason-Cox:** I have listened with tolerance to the member. I take a point of order based on relevance. This is a motion about a study mission to Israel and members have noted the facts in relation to that study mission. The Hon. Shaoquett Moselmane did not even go on the study mission. He is having a little rant about personal issues. The motion is about a study mission to Israel, nothing more, nothing less. The House has been more than tolerant in listening to some of the garbage that he has been talking about.

**The Hon. Trevor Khan:** To the point of order. Whilst I agree with the Hon. Matthew Mason-Cox with regard to the words of the motion, speakers have raised a very broad range of matters. It is my argument that having allowed broad discretion in the debate so far and, to be frank, having allowed a scab to be picked, the Hon. Shaoquett Moselmane is entitled to have his say. He has only a few minutes left in which to speak.

**DEPUTY-PRESIDENT (The Hon. Paul Green):** Order! I ask the Hon. Shaoquett Moselmane to address his remarks to the motion. Mr David Shoebridge was given an opportunity to speak on a range of matters and I will extend the same latitude to the Hon. Shaoquett Moselmane.

**The Hon. SHAOQUETT MOSELMANE:** As I stated, all people have a right to a peaceful existence and so do the Palestinian people. I want this House to know that and I want that comment to be recorded. They as well as the Jewish people have a right to peaceful existence and to a homeland. We have heard comments about how peaceful and democratic the Israeli Government is. I remind the House that in 1982 when Israel invaded Lebanon and then occupied Lebanon for 18 years they imprisoned people. People in southern Lebanon were tortured. I visited the camps and I saw the prisons. I invite members to go to these torture camps that the Israelis set up in southern Lebanon and see for themselves. They occupied Lebanon for 18 years. I resent members here accusing the resistance of being terrorist groups. I salute the resistance.

If the resistance in Lebanon had not forced the Israelis out of Lebanon I would not have been able to go to my grandparents' home in southern Lebanon and visit the land I was born in. I salute them for their resistance. It is the right of people to do so. Imagine what the response would have been in 1941 or 1942 if we had condemned resistance against Nazi Germany. Guns would have been blazing at us for not resisting Nazi Germany. In Lebanon the resistance was able to force the Israelis out. In 2006, towards the end of the Israeli war on Lebanon, they dumped three million cluster bombs in little southern Lebanon. Those three million bombs are buried in the ground. A child walking on the ground will be blown up or lose a limb. An animal walking around will die. Three million cluster bombs will exist for hundreds of years and people will continue to suffer. In conclusion— [*Time expired.*]

**The Hon. LYNDIA VOLTZ** [11.03 a.m.]: While I did not go on this Israeli study tour I have travelled to Israel and Palestinian, including Gaza and the West Bank, on a number of occasions. Unlike my colleague Mr David Shoebridge, if I received an invitation from the Jewish Board of Deputies to go on a tour of Israel I would certainly take them up on the offer because I am a strong believer in the notion that travel broadens the mind and that you should always listen to a person's point of view with an open mind. Travel should expose us to beliefs that are contrary to our own and challenge some of our views, particularly of history and international politics.

However, if the reports of the study tour I have heard are anything to go by, I doubt there was any significant challenge to the existing views of those who went on the tour. As I am sure the Hon. David Clarke will agree, in the past I have discussed the issue of Palestine with him. I have also discussed it with other members of the Chamber. While we may not agree it does not mean I do not respect his views. I understand his views because I have had a lengthy discussion with him about them. Certainly the Jewish Board of Deputies are entitled to put their case in relation to the way they see the situation. I do not think anyone in the Chamber disagrees with that.

It is important as members of Parliament to remember to ensure there is balance in the views we express in this Chamber. I do not think balance has been expressed in the debate arising out of this study tour. I note that one of the few meetings with someone whose views may not have reflected those of the Israeli Government was with Abdel Fattah Hamayel, the Governor of Bethlehem, who is appointed by the Palestinian Authority. It is interesting that none of the reports by members included the views of the Governor of Bethlehem. In particular, I wonder whether some of the outrage that was expressed in this Chamber over the campaign of boycotts, divestment and sanctions [BDS] was relayed to the Governor who undertakes inspections of local shops to ensure that no products from illegal Israeli settlements are sold anywhere within Bethlehem. It is also interesting that the tour did not meet with the democratically elected mayor of Bethlehem given all the support for democracy being voiced around this Chamber.

**The Hon. Dr Peter Phelps:** I met with him.

**The Hon. LYNDIA VOLTZ:** It is a woman, so I doubt you met with him.

**The Hon. Dr Peter Phelps:** No, in July last year it was a man—unless they have had an election.

**The Hon. LYNDIA VOLTZ:** By tradition the mayor of Bethlehem has always been a local Christian. The current mayor is the first woman elected to the position, Vera Baboun, an academic from Bethlehem University. She is also a mother of five who single-handedly raised her children after her husband was detained by the Israelis for three years and who died soon after his release. Of her husband, Johnny, Vera said:

He never fully recovered after his return from prison. In the second Intifada his garage was destroyed by shelling, it was right near Rachel's Tomb. They were searching for someone there and shelled the entire area. I told him I would take a loan and we would rebuild the garage and that's what we did. And the next night, right after we finished rebuilding, it was shelled and wrecked again. Johnny was completely destroyed. He lost all hope. He was like a child again, and at a certain point he just gave up. He told me, "Vera, I'm passing my sword and shield over to you, I can't do it anymore."

I assume the person the Hon. Dr Peter Phelps said he met was Victor Batarseh, the democratically elected mayor. He was a Roman Catholic, a physician and a United States citizen. Unfortunately, both the United States and Israeli governments boycotted him although they have continued to cooperate with the Governor of Bethlehem who is appointed to the position. Perhaps, however, Abdel Fattah Hamayel made the delegation aware of the reality that the promises of a contiguous independent Palestinian state are all but dashed as Israeli continues to build extensive illegal settlements on some of the few remaining strips of land that can tie Bethlehem in the south to Ramallah in the north. Certainly the delegation does not appear to be aware of this activity by the Israeli Government.

I note that the Hon. Rick Colless was impressed with Khaled Abu Toameh. I would have been happy to pass on the names of any number of Palestinian journalists that I would have liked him to meet. I do not think Khaled would have been one of them. Indeed, according to Stand With Us—I am sure Vic will be able to tell the Hon. Rick Colless about the background of that organisation—Khaled Abu Toameh is a lonely voice of dissent on issues relating to the Palestinian Authority. However, I am pleased the Hon. Rick Colless enjoyed his presentation.

I am particularly surprised the delegation did not meet with Max Gaylard, an Australian who is the Deputy Coordinator for the Middle East Peace Process, at the level of Assistant Secretary-General. In that capacity Max Gaylard serves as United Nations coordinator for humanitarian and development activities in the Occupied Palestinian Territory in the neutral zone. I am sure he would have provided an alternative view. For example, I am sure Max would have apprised Reverend the Hon. Fred Nile of the extreme difficulty the United Nations has in getting any supplies into Gaza, particularly concrete. This restricts their ability to provide any sewerage facilities and essentially raw sewerage runs straight into the sea. They are not the beautiful beaches that one member mentioned. I think we would find that not one Australian would swim at any of those beaches.

Perhaps the next time the group visits the Erez crossing they can do as I have done on a number of occasions and pass through the checkpoint into Gaza, where they can experience the situation of 1.6 million people who live in an area of 48 square kilometres—1.1 million of whom are refugees forced off their land. Perhaps they may want to visit the children of Gaza. As a mother, I know they are small for their age and that their depressed demeanour speaks of their situation. One Australian I would like them to meet in Gaza is Dr Jean Calder. Dr Jean Calder was a Queensland finalist for Senior Australian of the Year, although she has been unable to return home to Queensland for the past 25 years. Dr Jean Calder runs the Red Crescent in Gaza. Her views would be different to the ones we are hearing from the delegation that visited Israel.

Reverend the Hon. Fred Nile has criticised claims that people have called Gaza a concentration camp. I assume he is referring to the Vatican's Justice and Peace Minister, Cardinal Renato Martino, who described Gaza as resembling a big concentration camp. Perhaps he was referring to the British Prime Minister, David Cameron, who described Gaza as the world's largest open air prison. Perhaps the views of these conservative commentators should be taken into account when considering a balanced view of Palestine. It would have been worthwhile for the delegates to have met with Israelis who do not share the current views of the Israeli Government. Many of them argue that their democratic rights to free speech are being prohibited.

**The Hon. Matthew Mason-Cox:** You should have come along.

**The Hon. LYNDIA VOLTZ:** As I said at the beginning of my speech, I would be happy to go at any time. As Mr David Shoebridge suggested, they should start with an organisation run by ex-military personnel, Bet Tselem, or the Israeli committee against the destruction of houses—although I am sure Vic Alhadeff and I have a different view about Jeff Helper. The Hon. Matthew Mason-Cox said that the United Nations had declared "from the river to the sea" the land of the Jewish people. I am sure that anyone who has an understanding of the United Nations resolutions and what happened would say that is absolutely not the case.

**The Hon. Matthew Mason-Cox:** Point of order: That is not what I said. Once more, let the record show that the member is incorrect.

**The Hon. LYNDIA VOLTZ:** *Hansard* will reflect what the member said. We will be happy to see what *Hansard* says. While many members come with a binary view of the Middle East, the reality is that there are five million shades of grey of what happens in the Middle East. The most heartbreaking issue of the conflict is that it probably began when the British insisted on preventing the immigration of Jewish holocaust survivors, which led to a Jewish uprising. The history since then has been complex. These people have been in conflict for a long time and there are arguments from all sides. It is important that members do not come into this Chamber

with a binary view. Although some members follow certain doctrines, I would have thought that the other members who share my liberal values who participated in the study tour would have come back with a more open view.

**The Hon. TREVOR KHAN** [11.13 a.m.]: I have made a deliberate decision not to be a member of the New South Wales Parliamentary Friends of Israel, the New South Wales Parliamentary Friends of Lebanon or any group in that regard. In my view, the issues of the Middle East are extraordinarily complex and it is impossible to be a member of one group without offending the other groups. As I have said in other circumstances, my concern is that we live in a liberal democracy and a melting pot of cultures. All cultures must be respected in our country, whether it is in respect of this conflict or the conflict in my grandfather's country, India. If we bring those disputes to Australia we risk bringing upon ourselves a nightmare of ethnic and religious disputes that we will always regret and that has been reflected in part in some of the debate today.

I remember standing here dealing with the famous issue of Max Brenner and The Greens' passion in that respect. One can only be left appalled with regards to the hysteria that he is capable of bringing to a debate simply because of some bizarre political reason. The passion the Hon. Shaoquett Moselmane brings to this debate is different. He is to be congratulated on the passion he brings both to this Chamber and to the broader ethnic community, and not just the Christians or Muslims.

I pay tribute to the New South Wales Board of Deputies for encouraging and assisting this tour to go ahead and for the important role it has played in the Australian and New South Wales community for many years. The Jewish community is an important component of our society. The Jewish Board of Deputies has played an important role in supporting the Jewish community, but it has also engaged with the larger Australian community and the larger political community. They are to be applauded for the work that they do. When this debate ends I hope that some of the rancour that has been demonstrated will subside and we will remember the good things that both the Jewish and the Arab communities have contributed to the world community rather than the terrible conflict that has beset both sides for far too long.

**The Hon. RICK COLLESS** [11.18 a.m.], in reply: I sincerely thank all members who contributed to this debate. The members who participated in the debate and joined me on the tour included the Hon. Luke Foley, Reverend the Hon. Fred Nile, the Hon. Walt Secord, the Hon. Robert Borsak, the Hon. David Clarke, the Hon. Matthew Mason-Cox and the Hon. Paul Green. The members who participated in the debate but did not join the tour were Mr David Shoebridge, the Hon. Shaoquett Moselmane, the Hon. Linda Voltz and the Hon. Trevor Khan. Members spoke of the land from the river to the sea. Some of the members who spoke against the motion claimed that they did not get an invitation. Nobody got a personal invitation for this tour from the Jewish Board of Deputies. It was an open invitation. I heard about it and approached Vic Alhadeff and informed him that I would be keen to go, and it was arranged. Mr David Shoebridge said that the tour was paid for in part by the Israeli Government. It was not paid for by the Israelis. All members paid their own airfares and accommodation costs, and the Jewish Board of Deputies met some of the meal costs. The vast majority of the expenses were met by the members.

The Hon. Shaoquett Moselmane said that what was originally Palestine is now Israel. As he would know, originally Palestine included all of Jordan, so why are the Palestinians not forcing themselves back into Jordan? Most Jordanian people are of Palestinian origin. There is more to the story than simply saying that Israel has taken their land. The honourable member made reference to the Gaza Strip. The 2006 election gave Hamas control of Gaza and the Jews and Christians living there left because they knew what would happen. Some 18 months later, Hamas threw about 600 Fatah people off roofs and killed them. All of these issues must be considered.

Many members spoke about the complexity of the situation. The Hon. Lynda Voltz referred to it as having "five million shades of grey". I agree; it is an extremely complex situation and it cannot be simplified. Like many people, the only thing that those of us who went on the tour knew about the Middle East was what we had read in newspapers and seen on television, and the messages depended on the viewpoints of the journalists. It is not until one travels to that part of the world that one can appreciate the complexities. Mr David Shoebridge accused the tour and the motion of being one-sided. We did visit the West Bank and we spoke to quite a few Muslims who gave us their side of the story. We were able to get an understanding of what is going on. I have met Australian Muslims, Israeli Muslims and Muslims on the West Bank and in Turkey. The vast majority of the Muslims I have met, including the Hon. Shaoquett Moselmane, are extremely peace loving and honourable. It is a shame that a few people in the world are militant. I once again thank Vic Alhadeff and the Jewish Board of Deputies for arranging the tour. We all had a fantastic time.

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

**Motion agreed to.**

## COMMUNITY BUILDING PARTNERSHIP GRANTS

**Debate resumed from 18 October 2012.**

**The Hon. STEVE WHAN** [11.23 a.m.]: I support this motion moved by the Hon. Shaoquett Moselmane. It is a very good motion, and somewhat less controversial than the previous motion—although perhaps not after members have heard what I have to say. It deals with an important program established by the Labor Government. The motion highlights the fact that some excellent projects have been funded through the Community Building Partnership program and that the Coalition Government has cut the program budget, which has had a negative impact on our communities' ability to undertake important works. During the years that I have been involved in politics I have found that small community grants can be amongst the most effective tools that governments can provide. That is particularly true when they are used to assist community organisations that have been fundraising and driving a project on their own.

It is one of the best ways to assist a community to get the facilities that it needs because it already has local momentum. The community is so motivated to get something it wants that it is willing to raise most of the money itself and to devote many hours of voluntary labour to deliver the project. It gives the community a great sense of satisfaction. Community Building Partnership grants are a terrific reward for community voluntary effort. I will highlight some of the community groups that received Community Building Partnership grants for important projects in the Monaro area while I was the local member. In the 2010 grants round, the Adaminaby Snowy Scheme Collection received more than \$60,000 to complete a project that had previously received both State and Federal government funding. I was delighted to join the Hon. Matthew Mason-Cox at the opening of that project by the Governor-General a couple of years ago—or it might have been last year.

**The Hon. Trevor Khan:** Time flies.

**The Hon. STEVE WHAN:** I cannot remember when it was. The project was driven from its inception by the community of Adaminaby and its genesis was a collection of vehicles that were used in the construction of the Snowy Mountains Scheme. It is interesting to compare the size of that machinery with the size of the machinery now used in the mining industry. It is incredible the feats of engineering that the workers on the scheme performed with that 1950s-era equipment. It is also fantastic to highlight the contribution of local citizens. The Bungendore Show Society received a grant from the program to upgrade its horse yards and the Burra Community Association received a grant to upgrade its community hall—and I had the pleasure of attending the opening of the refurbished hall. The Cooma Car Club received a grant to upgrade the road to Mount Gladstone so that it could hold hill climb events, and the Cooma Netball Association received a grant to install floodlighting at its courts. Dozens of projects have been funded in the Monaro district through the Community Building Partnership program.

As a former local member it was a pleasure to help these worthwhile organisations by supporting their applications. That is why I was particularly surprised when not long after coming into this place I heard that the new member for Monaro had branded the grants as pork-barrelling. No doubt that is why one of the Coalition Government's first decisions on coming to office was to cut the funds available to the program. It could not abolish it altogether because bizarrely the member for Monaro made promises during the election campaign that grants would be provided to groups that had not made applications. That is an interesting approach to electioneering. A number of the organisations that were promised grants were not told that they would come from the Community Building Partnership program. They were subsequently told that they would have to submit an application and that it would be part of a competitive process. Surprise, surprise, they got the funding. I commend members opposite for delivering on that commitment, but it was a strange process.

Another strange feature of the program that has emerged since the Coalition Government came to office is the change to the process of handing over cheques. Those of us who have been a member of the other place have used the politician's prop—the big cheque. When the Labor Government was in office, the cheque usually made a clear reference to the funding being provided by the New South Wales Government. It stated clearly on the cheque that the funding had come from the New South Wales Government and the bank branch was listed also on the cheque. However, today's cheques list the member's name and the words "The Nationals", which gives one the impression that the money comes from The Nationals or the local member—which is grossly dishonest and a breach of appropriate procedure. One of my constituents wrote to the Department of Premier and Cabinet and raised this issue but so far as I am aware that constituent has not received an appropriate response which is a breach of guidelines and could be seen as inappropriate conduct.

**The Hon. Trevor Khan:** Point of order: It is plain that the Hon. Steve Whan is casting aspersions on a member of the Legislative Assembly, which should be done by way of substantive motion rather than tipping a bucket—

**The Hon. STEVE WHAN:** To the point of order: I am talking about the administration of a scheme and cheque handovers, which is entirely relevant to the motion.

**DEPUTY-PRESIDENT (The Hon. Sarah Mitchell):** Order! I am listening carefully to the contribution of the Hon. Steve Whan. While I do not uphold the point of order, I ask the Hon. Steve Whan to be careful in his comments.

**The Hon. STEVE WHAN:** I found it difficult to hear the point of order because of the protest and the chanting that are occurring outside Parliament House. It is another protest against this Government and its inaction. I do not know what the protest is about today as I have lost track of which parties the Government has offended.

**The Hon. Greg Donnelly:** It is a long list.

**The Hon. STEVE WHAN:** It is a long list. It is inappropriate for Government members to claim that the funding for this program is coming from the Coalition parties when it is coming from the taxpayers of New South Wales. It is the height of hypocrisy for Coalition members to claim credit for delivering this money when they have cut back on the funding that was made available by the former Government. The member for Monaro has accused Opposition members of pork-barrelling. I am sure that the Adaminaby Snowy Scheme Collection, the Bungarby Memorial Hall, the Bungendore Showground Trust, Burra Community Association, the Bywong Community Association, Cooma Monaro Historical Automobile Club and the Cooma Netball Association would disagree, as would Cooma-Monaro Shire Council which upgraded Centennial Park to the value of \$60,000.

That council did a terrific job of upgrading the toilet block that is used frequently by travellers passing through the area. Members opposite will be pleased to know that I did not attend the opening of that toilet block, although I have attended the opening of other toilet blocks as they are important facilities. The toilet block at Cooma—Australia's highest toilet block built by the former Labor Government at Rawson's Pass in Kosciuszko—is an important environmental project that services visitors to the area. Other community organisations that would disagree that Opposition members are pork barrelling include Mountain Life churches in Jindabyne that received \$64,000 for the provision of a community stage in the clay pits area of Lake Jindabyne, which is being used to stage carols by candlelight at Christmas. That project was welcomed by the Jindabyne community. Palerang Council received funding to upgrade the footings at Hoskins Town Hall—an important thing to do in rural areas. Other projects include the provision of floodlighting at Freebody Oval, Queanbeyan, one year after the Queanbeyan Kangaroos won the rugby league local premiership, and Queanbeyan and District Historical Museum Society received funding for the provision of workspace for volunteers.

**The Hon. Dr Peter Phelps:** Go the Blues.

**The Hon. STEVE WHAN:** I acknowledge the interjection of the Hon. Dr Peter Phelps. Both the Blues and the Kangaroos are terrific rugby league teams that feed into the mighty Canberra Raiders.

**The Hon. Dr Peter Phelps:** Queanbeyan Raiders.

**The Hon. STEVE WHAN:** I acknowledge the interjection of the Hon. Dr Peter Phelps. I remember climbing a tree many years ago at the Seiffert Oval and watching the Queanbeyan Raiders. I used to do that until I was old enough to visit the bar on the other side of the sportsground. Other community organisations that have received grants from this program include the Macedonian Orthodox Community and the Wamboin Hall Management Committee among many others from previous rounds. Under the former Government this important program provided funding in the region of \$500,000 for each electorate. It is a shame that when this Government came to office round one of the program was spread over two years, which meant that community groups had substantially less funding. The latest round of funding is substantially less than the funding provided by the former Labor Government.

One of the most important ways in which governments can help community groups is by investing in them and helping them to drive their own projects. Opposition members are not pork barrelling; good local

representation provides community groups with the support that they need. I have always believed that community grants programs help people to get things done in their communities. Local communities want governments to help them get things done. Great credit should go to the former Labor Government for commencing this program. I ask the Government to consider increasing funding for the community grants program, which will continue to produce good results in local communities.

**The Hon. GREG DONNELLY** [11.38 a.m.]: I support the motion moved by the Hon. Shaoquett Moselmane and thank him for bringing this important matter before the House. As one travels around the State in urban areas or in remote and rural areas—

**The Hon. Dr Peter Phelps:** How is the Central Coast?

**The Hon. GREG DONNELLY:** I will have a lot to say later about the Central Coast. Community associations and organisations, which are run on a voluntary basis, are the lifeblood of most communities in New South Wales. If they did not contribute to their local communities, those communities would be the poorer for it. Organisations that take part in this program are run by genuine individuals—some of whom have been involved for a long time—who are best described as salt-of-the-earth individuals. They are highly motivated by their interest in a particular matter whether that is sport, the aged or the Scouts. I often meet people who have had a long involvement with groups such as this.

If one toted up the number of hours contributed by those people it would run into thousands of hours and communities would be the poorer without them. As members of Parliament we should take the opportunity to acknowledge that contribution whenever we can and pay tribute to them. In my experience these organisations are able to make relatively small amounts of money go a long way. They are very considered in the way in which their money is spent. This is motivated both by the genuineness of those involved and by an awareness of how hard it is to raise money through fundraising activities such as selling raffle tickets and holding sausage sizzles. If those organisations are fortunate enough to receive government funding—and in the context of this debate I am referring to State Government funding—this equally applies.

The Labor Party has always believed in the importance of trying to encourage, foster and cultivate these local community activities. Some members have referred to the amounts of funding that have been set aside over the years under this program. My duty electorates include the four Central coast electorates of Wyong, The Entrance, Terrigal and Gosford, as well as the electorates of Hornsby, Manly and Coffs Harbour. People are disappointed at the funding cuts under the O'Farrell Government and it is worth recording the amount of those cuts in *Hansard*. In 2010 under the Community Building Partnership program in the electorate of Hornsby the former Labor Government allocated \$486,324. In 2011 under the first round of grants of the O'Farrell Government that amount was reduced to \$293,750. In 2010 in the electorate of Manly the former Labor Government allocated \$507,256. In 2011 under the O'Farrell Government that amount was reduced to \$300,000. In 2010 in the electorate of Coffs Harbour the former Labor Government allocated \$710,225. In 2011 under the O'Farrell Government that amount was reduced to \$399,981.

I will deal with the four electorates on the Central Coast in aggregate first. In the comparable years of 2010 and 2011, funding under the Community Building Partnership program went from \$2.6 million to \$1.4 million. In 2010 in the electorate of Wyong the former Labor Government allocated \$709,999. In 2011 under the O'Farrell Government that amount was reduced to \$400,000. In 2010 in the electorate of The Entrance the former Labor Government allocated \$682,456. In 2011 under the O'Farrell Government that amount was reduced to \$400,000. In 2010 in the electorate of Terrigal the former Labor Government allocated \$515,000. In 2011 under the O'Farrell Government that amount was reduced to \$299,639. Finally, in 2010 in the electorate of Gosford the former Labor Government allocated \$703,580. In 2011 under the O'Farrell Government that amount was reduced to \$400,000.

Understandably when the cuts were made people who had applied for funding but did not receive any were disappointed. I was asked why the Government was doing this. We are talking here about small—in some instances, very small—organisations that frankly run on the smell of an oily rag and whilst this funding was relatively small in total, it made an enormous contribution to communities. The multiplier effect of the activity of these organisations in how they contribute to the social fabric of communities was well understood. Although small in number, these organisations are often made up of very motivated people who are devoted to their cause, but the significant outcomes achieved by these people, and the effect they have in their communities, are often not proportionate to their size. That is why there was so much disappointment about the funding cuts.

The O'Farrell Government will soon celebrate its second anniversary in office. I call on the Government to revisit this area and to talk to members in order to gain a better understanding of how valued and appreciated this funding is. I have suggested to those in my duty electorates, be they individuals or people holding officer positions in organisations, to make their grave disappointment clear to their local members. Members need to report to their party room just how important it is for local organisations to be supported. The Community Building Partnership program, which has operated over some time, delivers funding in a fair and balanced way, and throughout the State there have been many beneficiaries. Many of those who live in our cities or in remote areas of this State know about this funding having been paid in the past—if they have not been part of an organisation that has received grants they might have family members, friends or neighbours who have.

These people are disappointed that the O'Farrell Government has deemed this to be a good area in which to make cuts. At the end of the day a government is judged on its priorities and how it implements them. Many issues in our society turn on how local communities are able to look after their own. Tragically today a number of our local communities are broken and dysfunctional. These groups create almost a glue and a bond that helps some of these places to hold together. Of course, if they fall away because they do not receive funding the good work that they do does not get done and, frankly, does not get picked up by others. If one looks at this as a cost-benefit analysis, these services cannot be floated on the stock exchange and provide a profit to these groups. These non-profit organisations operate to serve their local communities, not to make a profit. It is important that we support these organisations as best we can as a Government and as a Parliament. I hope that the Government looks to boost funding over time, and I am sure it will be greatly appreciated across the State.

**The Hon. HELEN WESTWOOD** [11.50 a.m.]: I support the motion moved by my Labor colleague the Hon. Shaoquett Moselmane. In this motion he condemns the O'Farrell Government for its cuts to the Community Building Partnership program. I join the member in that condemnation, and I hope that members in this House who claim to be concerned for our community and recognise the great work that community organisations do in addressing social issues and, more importantly, in preventing social problems and crises from arising, also will put their voice behind this condemnation of the O'Farrell Government. The Hon. Shaoquett Moselmane also noted in the motion a number of organisations and projects that have benefitted from the Community Building Partnership program in the local government area and electorate of Rockdale.

Like other members in this place, I know of other electorates that have been equally detrimentally affected by the slashing of funding for this program. I will share with the House my firsthand experience of the huge benefits that the Community Building Partnership program has provided to our communities. These grants were open to local councils and incorporated not-for-profit bodies such as charities and sporting, social and environmental groups. It was terrific and welcoming news for regional communities as well. As we all know, a little grant can go a long way in a regional community. Not surprisingly, the Community Building Partnership grants were introduced by the former New South Wales Labor Government in the 2009-10 budget. I say "not surprisingly" because it is Labor governments that are willing to make that capital investment in the social infrastructure that is necessary in our community. Conservative governments always walk away from that capital investment; their answer tends to be growth in numbers in our prisons.

The program was designed to stimulate economic activity and local employment while upgrading and improving community infrastructure and facilities. Labor governments have an enviable track record of introducing and funding worthwhile community grants and programs such as these. Under Labor, we provided \$35 million for the scheme in the 2009-10 State budget and 1,180 community grants received funding. In the 2010-11 State budget Labor provided a further \$35 million for the Community Building Partnership program. The program was extremely popular and achieved its outcomes by providing local tradies with employment that stimulated local economies. Over that time the number of applications increased tenfold. I am proud to say that in response to that Labor increased the grants to a total of \$58.4 million, which meant that 1,775 projects received funding. In total, the former Labor Government provided \$93.4 million over two years to fund nearly 3,000 projects.

These local projects were a value-for-money investment in communities across New South Wales. They were projects identified by the community for the community, and they had the added value of providing opportunities for local jobs and further supported the small business sector. Few local projects have the ability to tick so many positive boxes. As my colleagues have already outlined, \$300,000 was provided on a non-partisan basis to every State electorate, with an additional \$100,000 for 48 electorates with a higher unemployment rate. These allocations were subsequently increased by Labor from \$300,000 to \$500,000 and \$700,000 respectively. In my view it was a very fair spread of the funding because extra funding was spent on those communities where jobs were most needed.



Before the last State election Barry O'Farrell made a promise to continue the Community Building Partnership scheme. However, he did not disclose that it would be at a significantly reduced rate. Only after the 2011 election did it become apparent that the O'Farrell Government would provide only \$35 million over two financial years, which is a staggering cut of \$50 million from the program and which amounts to yet another broken promise. In my duty electorate of Blue Mountains, local charities, sports clubs and community organisations will lose at least \$100,000 a year in funding for their essential projects such as much-needed community group projects and facility upgrades. In the latest announcement of Community Building Partnership grants, the Blue Mountains received nothing despite attempts by the local member, Roza Sage, to pretend otherwise.

I note that the Hon. Natasha Maclaren-Jones wrote a letter to the gazette, trying to excuse the disinvestment in important and much-needed social and community services in the Blue Mountains. The reality is that there has been a disinvestment. No amount of spin will get around the fact that there has been a significant decrease in funding for the program. The Government claims that there is one project based in Blacktown and that covers four local government areas—Blacktown, Hawkesbury, Blue Mountains and Penrith. One need only look at the objectives of the project to understand that not \$1 of that grant funding will be invested in the Blue Mountains. Although the grant amount is quite small, not \$1 will be invested in the Blue Mountains. Clearly, the applicants just ticked the box for the number of local government areas.

The local Liberal member is pretending that the Blue Mountains is receiving funding through the Community Building Partnership scheme but the community knows that that is a lie. It is an out and out lie. Not surprisingly, the local member has not been willing to meet with the community to explain her Government's appalling record on this, which is disappointing. I return to the Community Building Partnership program. I want to identify projects that were previously funded under Labor in the Blue Mountains electorate. They included refurbishing the community kitchen at Wentworth Falls Anglican Church, replacing the roof at Katoomba Men's Shed so that mature men can come along to share a common purpose and support each other, building improvements at Lawson Community Preschool, and funds for the Mount Riverview Girls Guides Hall.

Worthy organisations such as these will now miss out. They will not be able to build upon the vital services that they provide in a sector that is severely underfunded by the Liberal Government. Not only is the sector severely underfunded; it is continually having its funding slashed. In consecutive budgets the grant funding is slashed. When the next budget is delivered we know that funding for this sector will be further cut. We know that it will increase funding to the criminal justice system rather than to programs to prevent people from entering the criminal justice system and from acquiring illnesses. The population in our jails will continue to grow if the Government is not willing to invest in services that prevent people from entering the criminal justice system and provide the support they need to prevent them from becoming ill, whether that relates to mental health or physical wellbeing.

Organisations such as those I have mentioned will struggle to finance their activities. As I have said, it is typical of the Liberal-Nationals Government to cut funding from those who need it most. The picture is the same across all of western Sydney. It is important to note the types of organisations and not-for-profit groups that will suffer. I am talking about western Sydney, which is the area that those opposite claim they care for and represent, but their local members are silent when it comes to these cuts. Certainly none of them is willing to speak up for their electorates in either Chamber of this Parliament or in the party room. They are willing to cop these horrendous cuts to funding and services in their own electorates and then claim that they represent the people of western Sydney.

Funding is being cut to places like Bankstown childcare centres and multicultural organisations and other commendable groups such as Coolabroo Neighbourhood Centre, which is also in a Liberal electorate. I expect Mr Glenn Brookes, a former councillor with whom I served at Bankstown, to stand up in his party room and object when the Government cuts funds to organisations such as Coolabroo Neighbourhood Centre. I know that he is aware of the great services that that organisation provides, and has provided for many years, to a range of needy groups within the area. It assists people of various ages and from a diversity of backgrounds. Members have a responsibility to represent their electorates and their constituency in Parliament; they are not here to trumpet the latest political slogan of the Liberal Party or The Nationals.

In 2010-11 Labor funded over \$1.7 million for 22 local projects across the Blacktown City Council area. Blacktown communities are now an estimated \$500,000 worse off after the Liberal-Nationals Government grant funding cuts. It is the same story in Penrith where funding will be reduced by approximately one-third. In the case of Penrith and Mulgoa, funding was slashed from \$500,000 to \$200,000. What did the member for

Penrith and the member for Mulgoa say about this? They were silent. Did the mayor of Penrith, who happens to be married to the member for Mulgoa, speak up on behalf of his community? No. All of them were silent and simply accepted the slashing of funds to much-needed services in their local communities. They have fallen in behind the conservative party line to never invest in community services or social services. That mob over there simply does not see the value in investing in community services.

The allocation to the electorates of Londonderry and Smithfield has been doubly impacted because previously they had received an extra \$100,000 disadvantaged funding due to the high unemployment rates in those areas. Did the member for Londonderry and the member for Smithfield speak up? Were their voices heard in the party room? Did they speak up in the other place? Of course they did not. Again they were silent.

**The Hon. Dr Peter Phelps:** Charlie, it was 12 o'clock, not five past. You have just been machine-gunned at "The Neck" by the Turks. You are five minutes late. Coordinate the watches.

**The Hon. HELEN WESTWOOD:** I note that the interest on the other side is directed to the Hon. Charlie Lynn turning up a few minutes late for his rostered duty rather than the needs of disadvantaged people in the electorates of Londonderry, Smithfield, Penrith and Mulgoa. Those opposite are far more interested in whether the honourable member arrived late and other Government members had to wait in the Chamber a few minutes longer than their rostered duty time. Community Building Partnership grants go to local projects and not-for-profit organisations such as the Australian Foundation for Disability [AFFORD], which is dedicated to helping people with disabilities.

In the Liverpool region the foundation has received funding towards the purchase of two vehicles to transport trainees participating in the Transition to Work Program and also the purchase of four industrial evaporative coolers to cool their factories during the summer months. At Windsor they received funding to buy sensory equipment for young adults in the Windsor Community Participation Program and at Blacktown they were able to purchase a commuter bus with a wheelchair lift to help clients at the Kings Park Community Participation Program.

I support the Hon. Shaoquett Moselmane's call for the reinstatement of Community Building Partnership grants. The previous Labor Government provided a template with these grants that demonstrated how government can work in partnership for the greater good of our communities and turn ideas into reality. The Community Building Partnership grants are a funding priority because they focus on the community. [*Time expired.*]

**The Hon. PAUL GREEN** [12.05 p.m.]: I speak to the motion moved by the Hon. Shaoquett Moselmane. The Community Building Partnership is an essential program for local communities. Speaking as a former mayor of Shoalhaven, I know the extreme importance of this program and I appreciate the Hon. Shaoquett Moselmane bringing this matter before the House. It is an important issue for local governments and voluntary and sporting groups. Initially I understood that the Government was tightening its belt. But in light of recent revelations that the budget may not be in deficit and finances are not as bad as first thought, I question the necessity of cutting or freezing funds to the Community Building Partnership program. If the State is in surplus and not in debt, I also question the need of the Minister for Education to cut funding to private and public schools. However, that is a separate issue and outside the scope of this debate.

Councils are the vessel for delivering important projects. In my experience as mayor of Shoalhaven, once a community project is started with seed funding from government, when that funding stops it often falls on local government to continue those community services, which places a great deal of strain on council resources. People do not like the cutting of services, and councils have difficulty balancing their budget when the State leaves them to continue these services.

With current overheads, these projects cannot be delivered without the aid of funding from the Community Building Partnership program. This issue has long been a concern for the Christian Democratic Party. In June last year I asked the Premier to ensure the continuation of the Community Building Partnership program and I also asked about the amount of funding that would be allocated each year for the next four years. I note that the budget estimates of 2012-13 under the Education and Communities cluster indicate that key initiatives will include \$47 million for the Community Building Partnership program to support community groups and local councils to provide community infrastructure. I am pleased to see funding in those terms.

To the Government's credit, the Premier recognised the significant benefit to communities that the program has provided in supporting local community infrastructure. This is essential in order to promote

vibrancy, harmony, cohesion and participation and, in particular, encourage inclusion of disadvantaged sections of the community, as the Hon. Helen Westwood noted. A number of members in both Houses have spoken about the importance of the Community Building Partnership program. A report in the *Sydney Morning Herald* on 20 May 2012 titled "Libs revolt to stop Baird's axe" said that members were concerned they would not be able to get their \$400,000 to spend on building-related projects needed by local sporting, community and social groups. It said they were working to ensure the program would not go backwards but would have increased funding.

I note that other members of Parliament see the same value in this program that I do. The Hon. Eric Roozendaal noted the program was introduced in 2009 specifically to support local economies and provide direct funding to local community groups. He said the sorts of groups that would get the benefit of such funding included Meals on Wheels, scouts and all the organisations that work tirelessly, usually staffed by volunteers who do not seek recognition, to make a contribution to the community at all levels. He noted that they were the sorts of groups that this funding was aimed at.

The Hon. Sophie Cotsis in a speech about the Community Building Partnership program said it had been a success because it invested directly in local communities. If the program were reduced it would mean fewer funds for community groups. With Community Building Partnership grants many groups can basically build an empire for their social group, sporting group, Men's Shed or Meals on Wheels. This money is an investment that quadruples the bottom line, so it is important that we do not remove it or reduce it. Many councils are under financial strain. The FiscalStar report, which was issued some time ago, said that nearly two-thirds of local government is under financial strain. These cash injections are appreciated. I note the O'Farrell Government also has announced \$70 million for a local infrastructure renewal scheme. The Government has seen the sorts of things that will quadruple the bottom line through investing in local government.

The Community Building Partnership program is no different. By investing in local community groups and giving them a bit of cash, they can quite often quadruple value by using volunteer labour. I do not know how many Men's Shed openings I have attended or participated in but many have been built by the men themselves. It has been therapeutic for them—

**The Hon. Helen Westwood:** And for their wellbeing.

**The Hon. PAUL GREEN:** Absolutely, their health and wellbeing. Many of them are able to have those otherwise awkward conversations while planing a piece of wood or drilling into some metal. They are able to talk about matters that men would not normally talk about, which is helpful for both their physical and mental wellbeing. The Community Building Partnership program is a gift that keeps on giving, and we must acknowledge its value. The Hon. Sophie Cotsis, in her passionate speech, explained that the program is a success because of its investment in local communities and it shows the communities that their taxpayer dollars are at work. She went on to say that under the previous Labor Government 1,175 grants were approved in 2010 and 1,180 grants in 2009.

We do not want to see the number of grants go backwards. We do not want to see the number reduced but increased to 2,000 plus. Given that the Premier recognises the value of the program and given the ongoing speculation that the State might not be in such a dire financial predicament after two years of Coalition Government I question the necessity to cut this program. I urge the Government to reconsider this move. There is no doubt that mums and dads, seniors, pensioners and kids are all beneficiaries of facilities and infrastructure such as sporting areas, ovals and canteens. These projects are all at the grassroots level where the community could do with a hand up. They are not asking for a handout but a hand up. These services and pieces of infrastructure tend to be gifts that keep on giving. I encourage the Government not to put the program into reverse but to raise the number and amount of grants that have been approved to date for our communities' facilities.

Before I conclude, I give a plug for the Lady Denman Maritime Museum, which has probably one of the largest volunteer groups serving a single purpose in one place in New South Wales. It is on the edge of Jervis Bay within the settlement of Huskisson. They do a wonderful job from the chairman down through the whole organisation. It has consistently been the beneficiary of the Community Building Partnership program and I assure members it is probably one of the best maritime museums in the world. None of the paintings or the different collections would be possible without the contribution of the museum's benefactor, Warren Halloran, who has been incredibly generous in donating items in perpetuity. However, without the

Community Building Partnership program the museum would not have the bricks and mortar and the rooms to store that wonderful collection for the people of New South Wales and for visitors who come to see it from around the globe. I note again that the program is a gift that keeps giving and I encourage the Government to try to outdo the Labor Government's grants and increase them so that more funds, rather than less, are handed out.

**The Hon. Dr PETER PHELPS** [12.16 p.m.]: In the very short time remaining for this debate I will speak on this motion. I want to note two points. Firstly, this scheme was introduced in 2009 by Eric Roozendaal. Far be it from me to suggest that it may well have been pork-barrelling prior to the last State election, but I am still going to suggest that. I do so because pork-barrelling is quite poorly understood in Australia. I turn to none other than Andrew Leigh, who is now the Federal member for Fraser and who in 2006 very conveniently wrote a paper called "Bringing Home the Bacon: An Empirical Analysis of the Extent and Effects of Pork-Barrelling in Australian Politics". It is a brilliant paper and I warmly recommend that everyone who is in politics get a copy of it and read it.

We hear from members opposite that the Community Building Partnership program has been terribly handled by the current Government and that it was wonderful under the previous Government. It comes as no surprise that amounts increased from \$300,000 to \$500,000 to \$700,000 in every electorate because one of the key findings of Dr Leigh, when he was an academic and before he became a member of Parliament, was that there is a great deal of evidence that discretionary funding is associated with larger swings, indicating that targeted funding is rewarded at the ballot box.

**The Hon. Lynda Voltz**: Point of order: Discretionary funding is completely different from the grants program. I ask you to bring the member back to the motion before the House on the basis of relevance.

**DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones)**: Order! I do not uphold the point of order. Wide latitude has been extended during debate on motions.

**The Hon. Dr PETER PHELPS**: Indeed, there has been very wide debate on motions today. Part of Dr Leigh's examination related to the Volunteer Small Equipment Grants scheme at the Federal level, which very neatly mimics the Community Building Partnership program at the State level in terms of small grants projects. Dr Leigh notes that aside from the fact that the National Party seemed to do disproportionately well out of grants programs—probably because of their very effective representation—there is a very strong relationship. He suggests the possibility that a politician may gain more political advantage from announcing 10 separate grants of \$50,000 than a single \$500,000 grant. He goes on to do a nice bit of regression analysis. He finally concludes that the coefficient of the Roads to Recovery program is 0.25, indicating that a \$1 million increase in funding raised the Coalition's share of the vote by 0.25 percentage points. However, he notes that the coefficient on the Stronger Families and Communities program, of which the small grants program was a part, was a whopping 117.7. So a standard deviation increase in the Stronger Families and Communities funding boosted the Coalition's vote share by 1.9 percentage points.

This strongly indicates that there is a significant gain to be made from small grants pork-barrelling. Therefore, I join with the Labor Party in saying that our small grants program should be significantly increased. Who benefits the most? The incumbents do. If it is a unitary system for everything, we will be getting a hell of a lot more discretionary funding which, as Andrew Leigh points out, produces a significant vote in favour of those who are delivering it. I say congratulations, Labor. You have given us exactly the material we need to increase this amount in our incumbency. We can go ahead and increase it and improve our vote share at the next State election.

**Pursuant to standing orders debate interrupted to permit the mover of the motion to speak in reply.**

**The Hon. SHAOQUETT MOSELMANE** [12.20 p.m.], in reply: I thank all members who spoke on this motion, particularly the Opposition members, the Hon. Sophie Cotsis, the Hon. Steve Whan and the Hon. Helen Westwood, the Hon. Jan Barham and the Hon. Paul Green. I also thank the Government members: the Hon. Dr Peter Phelps, the Hon. John Ajaka and the Hon. Scot MacDonald. I also congratulate those who spoke in support of the motion, in particular, the Hon. Paul Green, the Hon. Jan Barham and the Hon. Helen Westwood, all of whom were former mayors and understand from their experience the significance of the Community Building Partnership program. I thank the Government members who spoke because they gave us an insight into the attitude of the O'Farrell Government. Unfortunately, their views were negative and

disappointing. Members can look at *Hansard* to read the comments made by the two front bench aspirants, the Hon. Scot MacDonald and the Hon. John Ajaka, and the contribution that was just made by the Hon. Dr Peter Phelps.

**The Hon. Dr Peter Phelps:** Point of order: I have never aspired to the front bench and I do not aspire to the front bench. If I am asked, I will not serve.

**DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones):** Order! The Government Whip knows full well that is not a point of order.

**The Hon. SHAOQUETT MOSELMANE:** The Hon. John Ajaka believes that the motion was political and describes it as "money thrown at communities with no consideration whatsoever of the long-term effect in an attempt to buy votes". That is an insult to the communities and community groups who have spent every cent of their grant with the interests of their community in mind. It is an insult to say that this program is pork-barrelling the community. If that is so, why is the O'Farrell Government continuing the program? I have a soft spot for the Hon. John Ajaka, so I will not quote his comments. Members can read his comments in *Hansard*. I do not want to talk about the honourable member's lightweight opposition to the motion, but it is a sad reflection on the attitude of Government members towards communities, community organisations and community services.

Even worse was the response in opposition to my motion by The Nationals member the Hon. Scot MacDonald. He shamelessly described the motion as a bribe. That is an outrageous slur on our communities and community organisations. It smacks of poor form from a Government member who has been let loose. He went on to describe the Community Building Partnership grants as if they were dole payments. He implied that the many community organisations that work hard for their communities are similar to dole bludgers who are dependent on charity. That is not the case, and many of the members who spoke on this motion will vouch for that.

The Hon. Scot MacDonald wants the community organisations to hold raffles, woodchop events and other fundraising activities and not seek government grants provided under the Community Building Partnership program. That was another unfair statement he made against community organisations. These volunteers give up their time and money to do charitable community work. It is an insult that members of this House make such statements about our volunteers and describe the Community Building Partnership program as a handout, a bribe and dole money. Their outrageous statements warrant an apology.

This motion condemns the O'Farrell Government for its cuts to the Community Building Partnership program. I call on the O'Farrell Government to restore the Community Building Partnership grants funding to the levels prior to the 2012-13 State budget. I take this opportunity to acknowledge Ann Field, a former councillor of Rockdale and Kogarah, who is present in the public gallery.

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

**The House divided.**

**Ayes, 17**

Ms Barham	Dr Kaye	Mr Veitch
Mr Buckingham	Mr Primrose	Ms Westwood
Ms Cotsis	Mr Searle	Mr Whan
Mr Donnelly	Mr Secord	<i>Tellers,</i>
Ms Faehrmann	Ms Sharpe	Mr Moselmane
Mr Foley	Mr Shoebridge	Ms Voltz

**Noes, 20**

Mr Ajaka	Miss Gardiner	Mr Mason-Cox
Mr Blair	Mr Gay	Mrs Mitchell
Mr Borsak	Mr Green	Reverend Nile
Mr Brown	Mr Khan	Mrs Pavey
Mr Clarke	Mr Lynn	<i>Tellers,</i>
Ms Cusack	Mr MacDonald	Mr Colless
Ms Ficarra	Mrs Maclaren-Jones	Dr Phelps

**Pairs**

Ms Fazio  
Mr Roozendaal

Mr Gallacher  
Mr Pearce

**Question resolved in the negative.**

**Motion negatived.**

**BUSINESS OF THE HOUSE****Postponement of Business**

**Private Members' Business item No. 6 in the Order of Precedence postponed on motion by the Hon. Dr Peter Phelps, on behalf of the Hon. Catherine Cusack.**

**Private Members' Business item No. 7 in the Order of Precedence postponed on motion by the Hon. Lynda Voltz, on behalf of the Hon. Walt Secord.**

**HOMELESSNESS**

**Debate resumed from 18 October 2012.**

**The Hon. LYNDIA VOLTZ** [12.35 p.m.]: I support this motion moved by the Hon. Jan Barham. Homelessness is one of the most important issues facing our society. Having a home and food are fundamental human rights. Governments—and particularly State governments—play a vital role in ensuring that people have adequate housing. However, as we all know, many people do not have a home and those living on the street are testament to that. Of course, homelessness is a complex issue. It is not simply that people cannot access housing—mental health, alcoholism, remoteness and socioeconomics all have a part to play.

I will focus my contribution on the impact of mental health on homelessness. We must do more to address this issue. Governments have quite rightly imposed stricter criteria on those living in public housing. That is not surprising given that public housing often puts people in very close proximity. However, the new criteria have had a huge impact on people suffering mental illness because they often do not comply with the rules. The supported accommodation that they need is difficult to provide in a public housing scenario. Of course, not all of them are suffering from a treatable mental illness; some have a personality disorder.

**The Hon. Mick Veitch:** Point of order: I understand that honourable members on the other side are excited by the election of the new Pope. However, I ask that they speak quietly so that we can hear what is being said.

**DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones):** Order! I ask all members to keep conversations to a minimum.

**The Hon. LYNDIA VOLTZ:** People with personality disorders who have not been provided with supported accommodation often stay in public housing for only a short period. They quickly end up homeless and on the street. Although that may resolve the problem for the Department of Housing, it then becomes a problem for other government agencies that then become responsible for them. Often the burden falls on the NSW Police Force, which is called upon to look after them when they spiral into psychosis or get into trouble. It is easy to identify them because they usually have long records involving trespass and have regular interaction with the Police Force.

The bigger issue is for those people with a mental health problem who are not treated, which is a significant problem in New South Wales. If a person understands that they have a mental health illness and goes to a doctor and receives treatment there may be an opportunity to get them into some social housing and off the street. However, quite often people with mental health issues do not understand what they are suffering from, or do not have the capacity to recognise their psychosis or illness, and therefore they do not go to a doctor for treatment. As a result, those people spend most of their life on the streets and are homeless. It is an absolute travesty that people in this State do not get access to mental health services—and I have raised this matter in the

House before—because of their inability to recognise their illness. More importantly, they are denied the basic right of housing when they desperately need it to have some stability in their lives so that they can start to lead a normal, happy life, like the rest of the people in this State who get married and have children, feed themselves and go to the theatre or the beach. It is a terrible state of affairs.

Homelessness is not an issue on which we can say too little. Sydney is spreading housing further away from the central business district where there are jobs, so we need to look at a change in the style of housing. People are used to living on a quarter acre block, but at some point we have to ask ourselves: How far out can Sydney spread? How much must density change? We should be looking at models in Germany, Austria and Greece, where there is intergenerational housing. My brother lives a house in Austria where the parents are on the bottom floor, another level was added when the eldest child got married and then a third level was added for the expanding family. The loans on intergenerational housing are usually spread over 70 years, with the intention that the whole family will, over time, have what is almost a three-storey block of flats. Legislation is enacted in those countries to ensure that people have a right to the flat that they live in and own within certain conditions.

A huge shift in thinking is needed in Sydney about the way we view housing and how we live in what is now one of the most expensive cities in the world. Housing is becoming expensive all over the State. It is not uncommon for house prices in some country towns to be around \$500,000 and \$600,000, and employment is not as available in some towns as it is in Sydney. I hope that a shift in the way we think will free up housing to make it easier for us to deal with the homeless, who have quite complex issues to deal with. It is difficult for people with mental health issues in remote and regional areas where everyone knows everyone else as it is very unlikely that they will get housing—no-one will rent a property to them. If there is no public housing in that town they have no choice but to move on and go somewhere else.

There is a lack of housing and infrastructure in our more remote communities, particularly in towns such as Cobar. Six mines have opened in a mining boom in Cobar, but it is more and more difficult for people who do not work in the mining industry to find housing. The next nearest town may be two hours' drive down the road. Homelessness is a complex issue. I congratulate the Hon. Jan Barham on moving this motion as it is one of the most important issues we deal with in this Parliament.

**The Hon. DAVID CLARKE** (Parliamentary Secretary) [12.43 p.m.]: Reducing homelessness is a clear priority for the O'Farrell Government. This is reflected in NSW 2021: A plan to make NSW number one, being the O'Farrell Government's plan to improve services and lives for all people across New South Wales, including the most vulnerable members of our community, such as the homeless. In 2011-12, under the New South Wales Government's implementation of the National Partnership Agreement on Homelessness, 4,464 clients were provided with housing assistance; 1,303 homeless young people with complex needs were supported; 717 women who experienced domestic or family violence received tenancy support; 16,584 Aboriginal clients received assistance; 1,254 rough sleepers were supported by six services; and 1,921 people exiting care, custodial, health and disability settings were supported to access housing assistance. They are indeed very impressive figures.

Initiatives under this partnership are making an important difference to the lives of some of the most vulnerable people in our community. For example, the Camperdown Project was specifically designed to secure long-term housing for vulnerable people. The construction of the Camperdown Project was completed in November 2011. It contains 104 homes for 62 previously homeless people, with onsite tenancy management and support services, and 42 affordable housing units. The North Coast Accommodation Project complements the Tenancy Support initiatives on the North Coast by providing multidisciplinary case management support, including access to legal support to enable homeless people to establish and sustain a tenancy on the mid North Coast and Richmond Tweed. In 2011-12 the project assisted 1,505 Aboriginal people to access housing in the private rental market.

We have an initiative to assist women and children escaping domestic violence in western Sydney, the Hunter and Illawarra under which 416 women were provided with long-term supportive housing in 2011-12 when it was no longer safe for them to stay in their homes. The service linked clients to support, including health services, education, training, employment, brokerage and financial counselling. We are currently negotiating with the Federal Government on the terms of a one-year extension of the National Partnership Agreement on Homelessness, which expires in June this year. The New South Wales Government signalled its willingness to negotiate a new, long-term homelessness funding agreement in August last year because we know that homelessness cannot be solved with uncertain and ad hoc funding.

Federal Labor squibbed and would only commit to a one-year extension, in anticipation of negotiating a longer term agreement down the track—typical of the Labor Party and of all Labor governments. As negotiations proceed, the O'Farrell Government is moving ahead with a wide range of planning and service system reforms to prevent and reduce homelessness in New South Wales. As a significant marker of the progress, in February this year the Government released the Going Home Staying Home Reform Plan. The reform plan identifies five key strategies for reform of the specialist homelessness service sector in New South Wales. The implementation of the reform plan, which will be completed by June 2014, will strengthen homelessness services in New South Wales and will ensure better planning and resource allocation within the homelessness service sector. The reforms will make it easier for clients to access homelessness services, and will ensure that there is a better balance between early intervention and prevention, and crisis support for homeless people in New South Wales.

In continuing to address the challenge of homelessness we are collaborating with our non-government partners through a range of mechanisms, such as the Premier's Council on Homelessness. The council we inherited from the former Government was a discussion forum that did not have a clear mandate or work program, it did not have broad ministerial involvement and it did not have a membership with expertise across all the issues that impact homelessness. This Government was determined to make the contribution and the advice of the Premier's Council meaningful and decided to expand the membership of the council, and set some clear priorities for investigation and action by the council. The first meeting of the Premier's Council took place in December 2012 and was attended by the Premier, the Attorney General, the Minister for Citizenship and Communities, and Minister for Aboriginal Affairs, and others.

The council accepted a paper from non-government members that addressed homelessness issues for people leaving custody. The paper included a number of recommendations and these are currently under consideration by the relevant portfolios. The council's next priority focus is to look at links between the child protection system and homelessness for children and young people, and it is anticipated that the council will receive a non-government member's paper on that issue at its next meeting. The review of Protocol for Homeless People in Public Places is now complete and the revised protocol has been endorsed by all signatory agencies. Implementation of the protocol is underway, and all local councils have been informed of the revised protocol and encouraged to actively adopt it.

Each region of New South Wales has initiatives underway to address regionally specific homelessness issues, as set out in regional homelessness action plans. Regional homelessness committees, chaired by the Department of Family and Community Services, provide oversight and coordination for these regional initiatives, including those funded under the National Partnership Agreement on Homelessness. Local councils are encouraged to actively participate in these committees. The Government's work at a regional level is continuing through these committees, as well as through the reform programs underway that include regional needs analysis and regional planning mechanisms. The New South Wales Government remains committed to working with all key stakeholders as it continues to address homelessness across this State.

**The Hon. CHARLIE LYNN** (Parliamentary Secretary) [12.50 p.m.]: Reducing homelessness is a priority for the New South Wales Government. This is reflected in NSW 2021: A plan to make NSW number one, which aims to improve services and lives for the most vulnerable members in the community, including homeless people. The Premier's Council on Homelessness has been re-established and strengthened to provide high-level policy advice and recommendations to the New South Wales Government on responses to homelessness. The agreed priorities of the council for the next year are: homelessness and mental health; the relationship between homelessness and exits from out-of-home care; and the link between homelessness and exits from correctional facilities.

The first meeting of the Premier's council took place in December 2012, and was attended by the Premier, the Attorney General, the Minister for Citizenship and Communities, and Minister for Aboriginal Affairs. This demonstrates a very strong commitment by the Government to the issue. New members were welcomed to the council to ensure that a range of perspectives and experience were at the table, including expertise on mental health and children and young people. The council accepted a paper from non-government members that addressed homelessness issues for people leaving custody. The paper included a number of recommendations, and these are currently under consideration by relevant agencies.

The next priority focus of the council is to look at links between the child protection system and homelessness for children and young people. It is anticipated that the council will receive a non-government member's paper on this issue at its next meeting. What the council inherited from the former Government was a



discussion forum. It did not have a clear mandate or work program; it did not have broad ministerial involvement or a membership with expertise across all the issues that impact homelessness. This has changed and it is obviously expected that the Premier's council will make a substantive contribution to addressing homelessness across New South Wales.

The Going Home Staying Home Reform Plan was released in February this year. The reform plan identifies five key strategies for reform of the specialist homelessness service sector in New South Wales. The implementation of the reform plan, which will be completed by June 2014, will strengthen homelessness services in New South Wales and ensure better planning and resource allocation within the homelessness service sector. The reforms will also make it easier for clients to access homelessness services and will ensure that there is a better balance between early intervention and prevention, and crisis support for homeless people in New South Wales.

I can confirm that the Protocol for Homeless People in Public Places is now fully endorsed and is being implemented. The protocol underwent a comprehensive review, which included the receipt of written submissions and consultations with key stakeholders, including government agencies, non-government organisations, local councils and people who are or were homeless. The final protocol has been sent to all local councils, who are encouraged to fully adopt it. The New South Wales Government remains committed to working with all key stakeholders as it continues to address homelessness across the State.

**The Hon. PAUL GREEN** [12.54 p.m.]: I speak to the motion moved by the Hon. Jan Barham. Homelessness is one of many scourges in modern society. It is commonly thought that homelessness affects only a small fringe of society, particularly vulnerable people who suffer from mental health issues. That is not true. While people with mental health issues do make up a substantial number of people suffering homelessness, there is an increasing number of whole families who are finding themselves homeless. For instance, when I was mayor of the Shoalhaven City Council I learnt about a tragic situation where a family—a mum, dad and a few kids—that did not qualify for emergency housing had to resort to living in a car. The family business had gone belly up and the dad was going to be declared bankrupt. I got them to come to see me and we worked through how to get them out of that situation.

Things are getting difficult in our society and people in the midst of bankruptcy who have nowhere to turn end up living on the street. They are suffering from financial and family breakdown issues, not mental health issues. They may not have relatives to turn to and living on the streets is their last option. There are a lot of people in that situation and, sadly, some are whole family units. I quote from an article by John Picot, published in the *Sydney Morning Herald* on 5 May 2009, about an increase in the number of homeless whole families and what St Vincent de Paul and other charity organisations were doing to help them:

A new homeless shelter will be opened by the St Vincent de Paul Society in inner Sydney this year. But unlike other hostels, those which cater for single men—such as the Matthew Talbot in Woolloomooloo—this one will mainly accommodate families.

It is testament to the times that we know it will always be full.

That is sad and shameful for us as politicians. I continue:

From what we see at the coal face, it is tragically clear that families are the new face of homelessness. In an increasing number of cases, an intact family has ceased to be the buffer against this ultimate disadvantage.

The notion of the homeless single male is one most Australians have come to accept. The fact that children are caught up in its maelstrom is anathema. Homeless children should be just too much for any developed country to bear.

The reality is that sheltering and assisting whole families has become the pressing priority for charities. The new Vincentian House will replace a smaller hostel, which over the past few months has been turning away 10 times as many families as it can take. It will provide a home to 24 families on any one night. That's the equivalent of almost an entire school classroom of families in one pocket of Sydney alone. It will accommodate children who would otherwise have had no home to go to, no bath to have, no bed to sleep in.

Alarming, we are also seeing families becoming homeless who were previously in the private housing market. Home owners. This is unfamiliar territory for us.

The seriousness of the emerging situation is reflected in the Government's white paper on homelessness. It recognises the complexity of the problem, and the need for interventions that prevent homelessness, and to help those who have been homeless sustain independence once it has been, often tenuously, regained.

To do this properly, we need to look at what triggers homelessness. Some research has been done, but we don't know it all. Among the myriad financial, psychological and social problems that contribute to homelessness there is another intangible, something that is easy to feel, but less easy to define. And that is the complexity of the world in which we now live.

In many cases, the difference between those who have homes and those who do not is simply the ability to cope with that complexity. Expensive housing, a changing labour market, communication bombardment, runaway technology, confusing social expectations and restructured family units can be complex and confusing.

The world is not simple any more, and to navigate it requires skills that more and more people either don't have, or cannot sustain.

That inability to cope can lead to mental illness, drug, alcohol or gambling addictions. Those factors affect relationships at home, at work and socially. The slide is easy.

Those same complexities mean as a charity we face our own challenges which require more effectively managing responsive and flexible support. Pressure placed on our volunteers and professional staff means we, too, are pedalling faster than ever just to deliver on our core mission.

Can we simplify the world and its systems? No, but we can, and must, develop support services that guide people through it and develop their coping skills to navigate the hurdles.

*[The Deputy-President (The Hon. Natasha Maclaren-Jones) left the chair at 1.02 p.m. The House resumed at 2.30 p.m.]*

**Pursuant to sessional orders business interrupted at 2.30 p.m. for questions.**

**Item of business set down as an order of the day for a future day.**

### **DISTINGUISHED VISITORS**

**The PRESIDENT:** I welcome into the public gallery four visitors from Bougainville, with which this Parliament is twinned. The visitors are Sister Jessie Tonias, from Buka General Hospital, Mrs Dorcas Gano, President of the Hako Women's Collective, Miss Jennitha Pasio, a matriculation student at the Bougainville Open Learning Centre, and Mrs Marilyn Havini, an Australian Volunteers International volunteer to the Bougainville Women's Federation. Welcome to the Legislative Council for question time. I hope you enjoy your visit to Parliament House today and that you will take back to Bougainville the best wishes of all members for the peace and prosperity of the Autonomous Region of Bougainville.

### **QUESTIONS WITHOUT NOTICE**

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### **OUTLAW MOTORCYCLE GANGS LEGISLATION**

**The Hon. LUKE FOLEY:** My question is directed to the Leader of the Government in his capacity as Minister for Police and Emergency Services. Given that the Finks legal challenge was defeated in the High Court, will his Government take action to protect the people of western Sydney and immediately outlaw gangs under these laws?

**The Hon. MICHAEL GALLACHER:** The Opposition has a hide to raise this question and to make reference to western Sydney. It is all about the politics of postcodes for those opposite. We do not discriminate against one suburb or another; we are committed to serving all of New South Wales. What those opposite do not understand is that outlaw motorcycle gangs do not adhere to postcodes or State boundaries. We have a national problem in relation to gun crime, particularly in regard to outlaw motorcycle gangs. This side of the House is focused on pistols; the other side is after peptides. That is the difference between the Federal Government and this State Government. This State Government understands the need to stay focused on organised crime and the Federal Government is interested in peptides and sports stars. Their priorities are completely and utterly wrong.

**The Hon. Steve Whan:** Point of order: My point of order relates to relevance. This question was very specifically about whether the Minister and the Government were going to take action on outlaw motorcycle gangs. If the Minister is not going to take action, he should tell the people of New South Wales rather than focus on rhetoric.

**The PRESIDENT:** Order! The Hon. Steve Whan is now making a debating point. He will resume his seat.

**The Hon. MICHAEL GALLACHER:** Silly, silly boy, leading with the chin. Have a look at what the NSW Police Force has done in the past couple of weeks. Half a ton of methamphetamine was in the country—it was not on its way, it was actually here. It got through the Federal Government's hands and they knew nothing about it.

**The Hon. Amanda Fazio:** Point of order—

**The Hon. MICHAEL GALLACHER:** Another apologist.

**The Hon. Amanda Fazio:** My point of order is on relevance. The question was specifically about the Finks legal challenge being defeated in the High Court this morning; it was not about previous activity of the NSW Police. I would ask you to direct the Minister to answer the question that he was asked.

**The PRESIDENT:** Order! The Minister was being generally relevant. Does the Minister have anything more to add?

**The Hon. MICHAEL GALLACHER:** The Minister most certainly does. I will take every opportunity to speak in this place, or any other place, about the success of the NSW Police Force when it comes to tackling organised crime and, in particular, outlaw motorcycle gangs. Those opposite have an absolute hide to even raise this question because the overwhelming majority of abuse by bikies occurred during their watch. The bikie gangs that remain following the arrests during the week, as they associate in their clubhouses, will think, "Where did we go wrong? Why have the upper echelons cut away?" They have no-one to blame but themselves.

For far too long outlaw motorcycle gangs and their cohorts have been poking their fingers in the eyes of law enforcement agencies around this country. In New South Wales they have been poking their fingers in the eyes of the tiger; the tiger has had enough and has taken the heads off the Comancheros, the Hells Angels, the Finks—you name it. The NSW Police Force is coming after outlaw motorcycle gangs in New South Wales. We will do whatever it takes to remove the authority that these people had when that mob opposite was in government. They do not have the authority anymore.

#### ROAD SAFETY

**The Hon. DAVID CLARKE:** My question is directed to the Minister for Police and Emergency Services. With the major summer holiday traffic operations concluded, what are police doing to make sure that drivers keep doing the right thing on our roads?

**The Hon. MICHAEL GALLACHER:** I thank the honourable member for his question. The summer holidays may be over, but that does not mean that the NSW Police Force stops focusing on road safety. Anyone thinking about drink driving, speeding or doing something stupid on our roads can think again. The Traffic and Highway Patrol Command works with local area commands all year round to conduct countless traffic operations, both statewide and local. For example, Operation Drink Drive, which took place between 21 and 23 February this year, is a statewide operation held every year in the lead-up to Easter.

During the three-day operation police conducted more than 110,000 random breath tests and charged 139 motorists with drink-driving offences. There were 1,497 motorists booked for speeding and 4,879 charged with other driving offences. The horrendous weather conditions over the weekend affected the operation and a number of highway patrol units were required to enforce road closures in areas affected by flooding. I am stating the bleeding obvious: if a road is closed it is closed. A number of motorists decided to ignore closure signs over the weekend and found themselves in strife, putting themselves, their passengers and emergency service personnel at risk. Road flooding can be deceptive. What looks like a little puddle may turn out to be deep and fast-moving water, or road foundations may be structurally unsound. For their own safety, motorists must heed road closure signs. Nine people lost their lives during the three-day operation and 618 major crashes were reported to police. A number of these can be attributed to the extreme weather conditions. Driving in inclement weather is dangerous and requires motorists to be extra careful and alert. Add alcohol, speed and risky driving and we have a recipe for disaster.

Some examples of dangerous drivers who were intercepted by police during the operation include an unaccompanied learner driver who was stopped by police after he was seen swerving in and out of his lane. He returned a blood alcohol reading of 0.166. A provisional licence holder was stopped by police on Saturday night for driving with no headlights. He blew 0.046. A cyclist in Batemans Bay was charged with driving under the influence of alcohol. It was in the middle of the night and in the middle of a storm, he was wearing no helmet, he had no lights on the cycle and he was wearing dark clothing. Before police intercepted him, they witnessed him weaving onto the wrong side of the road into oncoming traffic. A car had to take evasive action to avoid a collision. He should thank his lucky stars he was stopped by police; he could easily have ended up being another

road statistic. I thank all of the officers involved in this operation as well as the other police and emergency service personnel who were on duty over the weekend. It was a wild and wet weekend and, without their assistance, the injury rate could have been much higher.

#### **LEICHHARDT FIRE STATION**

**The Hon. ADAM SEARLE:** My question is directed to the Minister for Police and Emergency Services. Why has Fire and Rescue NSW shut the Leichhardt fire station for four days in the past week?

**The Hon. MICHAEL GALLACHER:** I will obtain information from Commissioner Greg Mullins as to the decision he took in relation to Leichhardt fire station, if the information the member has given me is correct.

#### **NATIVE VEGETATION LEGISLATION**

**The Hon. ROBERT BROWN:** My question without notice is directed to the Minister for Finance and Services representing the Minister for the Environment. What is the current status of the review of the Native Vegetation Act and when will the legislation be repealed or replaced, together with more appropriate regulations relating to compliance with the Act by landholders and, in particular, farmers whose private property rights have been alienated because of the current laws?

**The Hon. GREG PEARCE:** I thank the honourable member for the question. I will seek a detailed answer from the Minister.

#### **LIVE TRAFFIC MOBILE PHONE APP**

**The Hon. JENNIFER GARDINER:** My question is directed to the Minister for Roads and Ports. Will the Minister update the House on the new mobile phone application which provides customised traffic information to New South Wales residents?

**The Hon. DUNCAN GAY:** Earlier this week I announced a new mobile alert service which will allow motorists to customise information about traffic conditions in New South Wales. This is yet another great initiative from a government committed to making life easier for the residents of the State. The new version of the Live Traffic app will now give users personalised alerts about incidents on State roads. In particular, users will be able to save their favourite travel routes and set up push notifications for them. For example, they could set up a home-to-work route with alerts scheduled every weekday at 6.00 a.m. Well, yours could be scheduled for 8.00 a.m.

**The Hon. Walt Secord:** Can I have one?

**The Hon. DUNCAN GAY:** Yes, they are free. The app will then send an alert to your phone letting you know if there are any incidents on this route. The app also includes driving mode and passenger mode functions which send alerts to your phone based on your current location. When driving mode is turned on, drivers will receive short audio messages to notify them of nearby incidents. The other day I heard a radio commentator say, "What are they doing putting these apps in place when you are not allowed to touch your mobile phone?"

**The Hon. Walt Secord:** That is a very good question.

**The Hon. DUNCAN GAY:** It is a very good question. If the radio commentator had read the material, as the Opposition obviously has, he would know we have a driving mode function that sends a short audio message to notify drivers of nearby incidents. If they turn on passenger mode they will receive audio and text messages. Labor should take note of this important point. We have included these features because many of our customers have asked for them. As I indicated, we are a government that is committed to listening to its customers and responding accordingly.

More than 355,000 customers have already downloaded Live Traffic NSW for iPhone and iPad. This and other transport apps are great tools for planning a trip, but as was mentioned a moment ago people must remember it is illegal to use a phone while driving. Anyone who wants to use these services will have to agree

to a road safety pledge before being able to access them. Development has also started on upgrading the Android app with these new services. More than 45,000 customers have downloaded Live Traffic NSW for Android.

Now that we have this range of mobile services available for customers throughout the State we will be phasing out the F3 critical incidents alerts pilot, which has been working so well on the F3 for a number of years. To ease the transition from the pilot to our new mobile services, all of our pilot participants will be automatically migrated onto a new email system to receive email alerts for critical incidents on the F3 freeway. If people do not have a smart phone I encourage them to check [www.livetraffic.com](http://www.livetraffic.com) before setting off on their journey and to listen to the radio for traffic updates while they are on the road. Drivers can also call the Traffic Info Line on 132 701. I am glad to say this updated app will provide customers with better access to information to ensure their journey on our transport system is as seamless and as pleasant as possible.

### KANGAROO POPULATION

**The Hon. ROBERT BORSAK:** My question without notice is directed to the Minister for Finance and Services, representing the Minister for the Environment. Is it a fact that the Office of Environment and Heritage recently put kangaroo numbers in New South Wales at 11 million, based on regular aerial surveys? How do these aerial studies compare with a recent submission to the New South Wales Scientific Committee by an ecologist who claims the kangaroo is in dangerous decline and should be listed as an endangered species in parts of the State?

**The Hon. GREG PEARCE:** Talking about endangered species, I note that the Shooters and Fishers Party is doing its best to ensure The Greens are an endangered species.

**The Hon. Matthew Mason-Cox:** The Greens don't need any help.

**The Hon. GREG PEARCE:** I guess that is true. The Greens do not need any help to make themselves an endangered species. The thing I am looking forward to most on 14 September is seeing all those Greens wiped out at the Federal level. That will be good. We will see a fantastic Liberal-Nationals Government come to power. What a bonus to get rid of The Greens as well. I will take the question on notice and get the member a detailed answer.

### CLEAN SLATE WITHOUT PREJUDICE PROGRAM

**The Hon. WALT SECORD:** My question is directed to the Minister for Police and Emergency Services. In light of Redfern Police Commander Luke Freudenstein's comments crediting the Clean Slate Without Prejudice program for an 80 per cent drop in juvenile robberies for the area, will the Minister step in and provide continuing funding for the program, which was rejected by the Attorney General?

**The Hon. MICHAEL GALLACHER:** I thank the honourable member for his question. Luke Freudenstein is an outstanding commander and individual who spends not only his working life but many hours of his private life working with the disadvantaged and those in the community who in the past would never have been able to form a relationship with a senior commander as they do with Luke Freudenstein. He is a credit to the NSW Wales Police Force and he is indeed a credit to the policing of Redfern by the local area command. I can indicate to the member that we are seeking advice on the matter he raised and I will make some comments when I have received the advice.

**The Hon. WALT SECORD:** I have a supplementary question. Can the Minister elucidate his answer by reference to a timetable?

**The Hon. MICHAEL GALLACHER:** I have just been reminded that Mr Freudenstein comes from National Party stock, a member of Parliament.

**The Hon. Duncan Gay:** George Freudenstein.

**The Hon. MICHAEL GALLACHER:** When I receive the advice and have an opportunity to consider it I will be in a position to make further comments or indeed further decisions.

**PILLAR SUPERANNUATION ADMINISTRATION CORPORATION**

**The Hon. MATTHEW MASON-COX:** My question without notice is directed to the Minister for Finance and Services. Will the Minister update the House on the recent performance of Pillar Administration?

**The Hon. GREG PEARCE:** I thank the honourable member and Parliamentary Secretary for that very important question. Members will be aware that Pillar Administration is the trading name of the Superannuation Administration Corporation. It has been managing superannuation for over a hundred years and has over two million member accounts. This morning Pillar's financial reports to the shareholding Ministers for the six months to 31 December 2012 were tabled in Parliament. I have to report that I am extremely disappointed to advise the House that Pillar made a loss of \$2.239 million in the six months ended 31 December 2012. That loss followed the posting a loss of \$2.2 million in 2011-12. Regrettably, these disappointing results, which can only be attributed to poor business decisions and oversight by Pillar management, reflect the long-term impediment overhanging the business, that is, its high-cost structure compared to its competition, especially in relation to employ expenses.

The problems follow a period under the previous Labor Government when the corporation was more interested in selling the business than its efficient and effective operation. The recent losses are largely attributable to the decision to expand the business through the poor transition of the Public Sector Superannuation accumulation plan [PSSap] client, which required both the transfer of balances and members' transaction histories. There have been some operational shortcomings, some of which have had to be referred to the industry regulator, the Australian Prudential Regulation Authority. In addition, I have read in the Pillar report to the shareholding Ministers that the call centre failed to meet its service standard to its clients. While there have been some changes in Pillar management, it still faces significant challenges to remain competitive as there is widespread consolidation in the superannuation administration industry, with ongoing outsourcing of functions to cheaper overseas locations by rival superannuation administrators.

On the positive side, I am pleased that an enterprise agreement was recently approved by the Government's wages policy task force and Fair Work Australia for Pillar, which took effect from 28 September 2012. The enterprise agreement complied with the Government's wages policy with an increase of 3.8 per cent for staff. That is in excess of our 2.5 per cent policy, but it was funded by savings as a result of an increase from 36 hours per week with a staggered increase to 37 hours and later 38 hours per week, which occurred over the three-year term of the agreement. I note that in the Federal sphere there have been developments with legislation introduced to implement the stronger super reforms. Pillar has had to analyse and plan for the implementation of those legislative changes and work effectively with its client superannuation funds to successfully comply with the Commonwealth legislation.

As the Minister for the Illawarra, I have a strong view that Pillar should remain a vibrant, significant and growing employer in the region. My disappointment was compounded when I learned that 40 Pillar call centre positions that were previously largely based in the Illawarra have been moved interstate. This is another decision that has been made under the influence of the former Labor Government. Pillar management remains under notice to improve Pillar's performance. I will have more to say on this matter in due course.

**POLITICAL LOBBYING**

**The Hon. JEREMY BUCKINGHAM:** My question is directed to the Hon. Mike Gallacher, representing the Premier. The Premier has stated that "people in New South Wales want clean politics; they want openness and transparency; they want the public put at the heart of government again". In light of revelations about Liberal Party identity Nick di Girolamo's role as a lobbyist for the Wallarah 2 coalmine as well as the Independent Commission Against Corruption investigations, will the Government commit to creating a lobbyist contact register for the Department of Resources and Energy similar to the one that currently operates for the Department of Planning?

**The Hon. MICHAEL GALLACHER:** I thank the honourable member for his question. As he has requested, I will take the question on notice and obtain an answer as soon as possible.

**SYDNEY CENTRAL BUSINESS DISTRICT TRAFFIC CONGESTION**

**The Hon. PENNY SHARPE:** My question is directed to the Minister for Roads and Ports. Given that previous Roads and Maritime Services modelling has indicated that putting light rail down George Street would increase traffic congestion by up to 30 per cent across the central business district, why is the Government now saying there will only be an 8 per cent increase in traffic congestion?

**The Hon. DUNCAN GAY:** Is that it? There is no more?

**The Hon. Penny Sharpe:** I was rudely interrupted by your colleague.

**The Hon. DUNCAN GAY:** If you want to ask the rest of the question, I am happy.

**The Hon. Penny Sharpe:** You did not hear it because he was yelling.

**The PRESIDENT:** Order! I did not hear the question. I ask that the clock be restarted. The Hon. Penny Sharpe will put her question again.

**The Hon. PENNY SHARPE:** If the Hon. Duncan Gay got his colleagues to be quiet then maybe he will understand it. My question is directed to the Minister for Roads and Ports. Given that previous Roads and Maritime Services modelling has indicated that putting light rail down George Street will increase traffic congestion by up to 30 per cent across the rest of the central business district, why is your Government now saying there will only be an 8 per cent increase in traffic congestion?

**The Hon. DUNCAN GAY:** In direct answer to the question, we obviously have done more research. We do not just rely on one lot of figures; we go back and carefully look at them again. This is a question that is construed to indicate that whilst they do support light rail they do not support it. The Opposition cannot make a decision on anything. When we look at their traffic record, in 2008 Labor's transport Minister John Watkins said, "We are absolutely against light rail."

**The Hon. Penny Sharpe:** Point of order: My point of order relates to relevance. The question was about traffic congestion and the Government's plans for light rail. We are asking reasonable questions about traffic congestion in the central business district, not about previous decisions concerning light rail.

**The PRESIDENT:** Order! The Minister was being generally relevant.

**The Hon. DUNCAN GAY:** The question has been asked about the figures. As a responsible Government, we re-examined the figures.

**The PRESIDENT:** Order! There is far too much interjection in the Chamber.

*[Interruption]*

**The Hon. DUNCAN GAY:** It was the Terrigals that did it for us. Why did we join? Frank Sartor said about yours truly, "It is not because we believed in something, but it is the only way we could see to get ahead." In 2012 Penny Sharpe said—

**The Hon. Greg Donnelly:** The Hon. Penny Sharpe.

**The Hon. DUNCAN GAY:** The Hon. Penny Sharpe, I apologise. She certainly is honourable. The Hon. Penny Sharpe said, "The O'Farrell Government's record on light rail expansion has been atrocious." On the one hand they say that they do not want light rail, but on the other hand they say that we are not doing enough. What can we believe? That is why the people of New South Wales threw them out and that is why the people of Australia will throw out the Federal Labor Government.

## SENIORS FIRE SAFETY

**The Hon. RICK COLLESS:** My question is directed to the Minister for Police and Emergency Services. Can the Minister please inform the House about Fire and Rescue NSW safety messages for seniors in the lead-up to Seniors Week?

**The Hon. MICHAEL GALLACHER:** I thank the Hon. Rick Colless for his question. This issue answer will be of particular interest to members opposite, including the Hon. Amanda Fazio. In the lead-up to Seniors Week this year, which will be held from 17 to 24 March, I raise the important issue of seniors and fire safety. It is a tragic fact that people aged over 65 make up one in three fire deaths in New South Wales and one in five fires involve seniors. The strongest message is that if a fire starts do not fight it. Get out and stay out and

dial 000 from a safe place. Never assume that someone else has called 000. Fire and Rescue NSW is also urging seniors in the community to check that their smoke alarms work. Installing a functional smoke alarm, taking care with cooking and heating greatly increases the chance of survival for seniors at home.

As part of the new partnership with Fire and Rescue NSW, home care workers will learn from firefighters so that they can educate seniors about smoke alarms and taking steps to improve fire safety around their homes. The new partnership with Home Cares Network, which employs 11,000 carers, aims to prevent 50,000 vulnerable seniors from becoming fire victims. The already well-established Smoke Alarm and Battery Replacement program, known as SABRE, can also help seniors.

The Smoke Alarm and Battery Replacement program involves Fire and Rescue NSW firefighters installing, changing and maintaining smoke alarm batteries. In 2012 firefighters replaced 16,884 smoke alarm batteries and installed 2,582 battery-operated smoke alarms for senior householders under the Smoke Alarm and Battery Replacement program. If a senior has difficulty hearing, they can be provided with special smoke alarms with a flashing strobe light and a vibrating pad which is placed under the pillow and which activates when the smoke alarm sounds. It is also important that seniors leave keys in or near deadlocks so that they can escape quickly in an emergency. Having a home escape plan and practising escaping can greatly increase seniors' chances of survival in a home fire.

The other common causes of fire in the homes of the elderly include improper use of heaters and electric blankets, and faulty appliances and wiring. This and other initiatives, such as the Change Your Clock, Change Your Batteries campaign, which is conducted when daylight saving commences and concludes, and the winter fire safety campaign, are ongoing. I look forward to updating the House on these issues later this year, and I will continue to update the House. I again commend the work of Fire and Rescue NSW in helping to keep our community safe.

### COAL SEAM GAS MINING

**The Hon. JEREMY BUCKINGHAM:** I direct my question to the Minister for Roads and Ports, representing the Minister for Resources and Energy. Federal Nationals member Luke "Hartsucker" —

**The Hon. Rick Colless:** Point of order: The Hon. Jeremy Buckingham deliberately mispronounced Luke Hartsuyker's name. I take offence.

**The PRESIDENT:** Order! Pronunciation is not covered by the standing orders. However, it is certainly a matter of common courtesy that if a mispronunciation is pointed out to a member he or she corrects it so that no offence is taken. I will allow the Hon. Jeremy Buckingham to ask his question again.

**The Hon. JEREMY BUCKINGHAM:** Federal Nationals member Luke Hartsuyker is reported in the *Coffs Coast Advocate* as stating:

The Nationals have a very clear position at a federal level on Coal Seam Gas and that is that there should be no Coal Seam Gas in areas of prime agricultural land, there should be no Coal Seam Gas extraction where it would interfere with aquifers and no gas extraction in close proximity to residential areas.

If The Nationals policy is that there should be no coal seam gas extraction on prime agricultural land, why has the O'Farrell Government opted for a gateway process that still allows it rather than an absolute ban?

**The Hon. DUNCAN GAY:** I thank the honourable member for his question. He is nothing if not consistent.

[Interruption]

**The PRESIDENT:** Order! The Minister does not need the assistance of crossbench or Government members.

**The Hon. DUNCAN GAY:** The reality of his question is that he wants to ban all mining in New South Wales. He pretends that he is a friend of the farmers, but one of his Greens colleagues said this morning that we should ban meat production. That demonstrates The Greens' true colours. When The Greens were in alliance with the Labor Government in this State they did not protect farmland. This is the first time this State or any State in the Commonwealth has provided proper protection. This Government has protected not only farmland



but also villages and towns. We know the Hon. Jeremy Buckingham is a wolf in sheep's clothing. He pretends to be a friend of the farmers, but we know about The Greens' anti-farmer stance on so many issues. It will give me great pleasure—

**The Hon. Jeremy Buckingham:** Point of order: I take offence. The Hon. Duncan Gay has impugned me by calling me a wolf in sheep's clothing. I ask him to withdraw.

**The PRESIDENT:** Order! Does the Hon. Duncan Gay wish to withdraw?

**The Hon. DUNCAN GAY:** If the honourable member has taken offence I am happy to withdraw and state instead that he is a sheep in wolf's clothing.

#### **SYDNEY CENTRAL BUSINESS DISTRICT TRAFFIC CONGESTION**

**The Hon. HELEN WESTWOOD:** I direct my question to the Minister for Roads and Ports. What changes and assumptions have been made to traffic modelling for the light rail in George Street that explain the now 8 per cent congestion level rather than 30 per cent?

**The Hon. Greg Pearce:** There is no light rail there yet.

**The Hon. DUNCAN GAY:** I thank my colleagues for their help in explaining to the Opposition that there is no light rail in George Street at the moment. We are modelling traffic and when the assumptions, bus routes and other features are changed and when traffic is moved to different intersections there is a different reaction. That is what the Government has been doing; it has been modelling different traffic scenarios for buses, crossings, general traffic and intersections to improve traffic flow. As the modelling progresses, it provides better information. It is no more or less than that.

#### **TOP GEAR FESTIVAL**

**The Hon. NIALL BLAIR:** I direct my question to the Minister for Roads and Ports—

**The Hon. Mick Veitch:** Why did you make me wear this tie?

**The Hon. NIALL BLAIR:** At least I can take the tie off; you can't take your head off. Will the Minister update the House on the recent Top Gear Festival held at Eastern Creek and the New South Wales Government's ongoing support for motor enthusiasts?

**The Hon. DUNCAN GAY:** I thank the member for that question and fess up that I bought the tie at the festival. I take the opportunity before answering this important question to indicate that today is the last day of work in Parliament for one of our trusted advisers, Aidan Cromarty. "Aido", as he is known, has worked in the Hon. Rick Colless' office for six years. That is a large part of a young man's life and he now has time off for good behaviour. Staff from throughout the Parliament and members who have worked with him will testify that he is brilliant. We will miss him and wish him well in his new role in a place nearby.

**The Hon. Mick Veitch:** What's Rick going to do now?

**The Hon. DUNCAN GAY:** Rick is in trouble. Along with thousands of other people, including my colleague the Leader of the Government, I attended the terrific Top Gear Festival last weekend. The real people were there—we did not see anyone from the Australian Labor Party. The festival attracted the proper people from Sydney and particularly from area around Sydney Motorsport Park, which was known as Eastern Creek Raceway. I know that many members, including the Hon. Jan Barham, never miss watching Jeremy Clarkson and Captain Slow.

One of the key events at the festival involved a star driving a moderately priced car. The Parliament's representative in that particular event was my personal champion Andrew Fraser—the only person with a better driving record than me. The event was sponsored by My Plates, which is appropriate because the participants were told to drive the vehicles like they were stolen—and if they were stolen a couple of sets of plates would be needed. I had not met Mark Bosnich before as I am not a follower of soccer, but he was at the launch. He is a very nice man.

**The Hon. Greg Donnelly:** They call it football.

**The Hon. DUNCAN GAY:** Sorry, football. When the category of a star in a moderately priced car in New South Wales was run, a Lexus was used. New South Wales is not doing too badly under a very good Treasurer and Minister for Finance. The Volvo challenge was held and the contestants did not have crash helmets or racing suits, but wore compulsory bowls hats.

**The Hon. Greg Donnelly:** You would make a good Volvo driver, Duncan.

**The Hon. DUNCAN GAY:** I am sorry, I didn't realise there were Volvo drivers in the House. [*Time expired.*]

### PUBLIC SPACES FITNESS GROUP USAGE

**The Hon. PAUL GREEN:** My question is directed to Minister for Finance and Services, representing the Minister for Local Government. Given that Australia has high levels of obesity and that recent reports have indicated that a small element in the community is openly hostile and vocal regarding the use of public places for personal training classes, what steps is the Government taking to ensure that local councils allow public areas, such as beaches and parks, to remain open for all groups to use for such purposes?

**The Hon. GREG PEARCE:** I will breathe in before I try to answer this question. I certainly enjoy, as does the Leader of the Opposition, walks around the city.

**The Hon. Michael Gallacher:** Do you go together?

**The Hon. GREG PEARCE:** No, not together.

**The Hon. Luke Foley:** I have walked through Hyde Park with you once.

**The Hon. GREG PEARCE:** We have once. You had on a lovely pair of shorts and very nice sneakers. I am certainly a great fan of recreation in our public parks, garden and beaches. I will certainly make representations to the Minister for Local Government to ensure that we do everything we can to keep those public places open.

### UNTREATED WASTEWATER RELEASES

**The Hon. GREG DONNELLY:** My question is directed to the Minister for Finance and Services. How many millions of litres of wastewater were released untreated between 1 March and 4 March when Sydney Water wastewater treatment plants at Cronulla, Warriewood, Bombo and Shellharbour were placed on by-pass?

**The Hon. GREG PEARCE:** If that were the case, I undertake to get some detailed information for the Hon. Greg Donnelly.

**The Hon. GREG DONNELLY:** I ask a supplementary question. Will the Minister elucidate his answer and outline the details of the content of the untreated wastewater?

**The PRESIDENT:** Order! The supplementary question did not seek elucidation of an aspect of the Minister's answer. Therefore, it is out of order.

### WOLLONGONG TOURISM AND EVENTS

**The Hon. JOHN AJAKA:** My question is addressed to the Minister for the Illawarra. Will the Minister update the House on the recent It's ON! For events in Wollongong campaign?

**The Hon. GREG PEARCE:** In order to promote Wollongong as a tourism and events destination, Destination NSW in partnership with Destination Wollongong developed the It's ON! in the 'Gong campaign. The most recent tourism statistics show that the Illawarra region received more than one million domestic and international overnight visitors to the year ended September 2012. In the same year, the region received nearly 3.5 million domestic day-trip visitors. I am told the current shadow Minister for the Illawarra has a record equal to the previous Minister for the Illawarra of no visits at all to the Illawarra.

**The Hon. Michael Gallacher:** Who is that?

**The Hon. GREG PEARCE:** I do not know who it is. Overnight visitors stayed more than 3.7 million nights in the Illawarra region and spent \$399 million. The It's ON! in the 'Gong campaign highlighted the range of events taking place in Wollongong and linked hotels in the area to the campaign by providing visitors with an attractive accommodation package. It was based on the highly successful It's ON! in Sydney and New South Wales campaigns. The campaign used the creative elements developed by Destination NSW for the statewide It's ON! in New South Wales campaign and used social media to attract more fans to the area. Facebook "Like" for the It's ON! in the 'Gong increased by a record 19.5 per cent in over just 10 weeks.

The campaign delivered strong results, with many hotel occupancy rates lifted to 100 per cent over the Australia Day long weekend. One major hotel almost doubled its occupancy rate from the same time last year. The success of the campaign is also a fantastic result for local businesses in the area and for the visitors who were able to experience what the area has to offer. Jeremy Wilshire, the Major Events Manager at Destination Wollongong, speaking about the success of the campaign said:

We are thrilled with the results the It is ON! in the Gong campaign delivered. Being able to leverage the campaign Destination New South Wales created meant we could more effectively let visitors know what events were happening. With a strong media plan to support the message we increased overnight visitation in Wollongong beyond our expectations to sell outs in many places.

Feedback from the key stakeholders on the campaign including Wollongong City Council hotel managers event organisers and local businesses has been overwhelmingly positive.

The success of this campaign demonstrates that the new marketing strategies of Destination NSW for New South Wales and its key visitor destinations are working. Its dedicated focus of bringing more overnight visitors to generate more visitor expenditure has achieved great results for the local visitor economy. This Government is committed to making Wollongong and the Illawarra a significant tourist destination. As members would be aware, last year we supported the Gran Fondo and the International Cycling Grand Prix Criterium invitation-only race, which raised money for prostate cancer research and awareness. This race saw the GreenEdge pro-cycling team racing on a course between 60 and 100 kilometres. The Gran Fondo will be in full swing this year and should in 2014 bring thousands of cyclists to the region. We are highlighting the natural beauty that the region has to offer: the escarpment, its beaches and rough terrain. This Government will continue to work hard for the people of the Illawarra and will continue working to make the region an excellent tourist attraction.

#### **NARARA VALLEY HIGH SCHOOL PARTNERSHIP AGREEMENT**

**Dr JOHN KAYE:** My question is addressed to the Minister for Roads and Ports, representing the Minister for Education. What steps has the Government taken to address potential conflicts of interest and corruption issues that might arise from the development of a formal partnership between Narara Valley High School and the coal company, New Coal Resources, the owner of Doyles Creek mine, given that Ms Maree Roberts became the company's director of training immediately after leaving a senior position with the Department of Education on the Central Coast?

**The Hon. DUNCAN GAY:** As Dr John Kaye knows, over many years I have asked many questions about New Coal Resources. I do not want to second-guess my colleague the Minister for Education, and I will refer this question to him. I want to comment on the long faces in the Left of the Labor Party today. One would nearly think that Gillard's hours are numbered.

**The Hon. Amanda Fazio:** Point of order: The Minister is not being relevant to the question he was asked. He is raving on with some drivel that may cause him, but no-one else in the House, some amusement.

**The PRESIDENT:** Order! It is not necessary for a member to make those sorts of comments in a point of order. Nevertheless, it was not clear as to where the Minister was going with his comments. The Minister was drifting away from being generally relevant. Does the Minister wish to add anything further?

**The Hon. DUNCAN GAY:** I have concluded my answer.

## WATER USAGE CHARGES

**The Hon. PETER PRIMROSE:** I address my question without notice to the Minister for Finance and Services, and Minister for the Illawarra. Last month Sydney Water issued a tender entitled, "Water conservation potential study for Greater Sydney". It called for private companies to conduct research on the "community's willingness to pay to avoid water restrictions or other impacts of drought-response measures". Is the State Government planning to establish a two-tier system where rich families can pay more to escape water restrictions?

**The PRESIDENT:** Order! I call the Hon. Penny Sharpe to order for the first time.

**The Hon. GREG PEARCE:** This Government, like any responsible government, is working to ensure that Sydney's water supply is secure. We currently have a process for developing a revised Metropolitan Water Plan, which is being conducted by the Metropolitan Water Directorate and my department. These matters will be focused on as the plan is developed.

## NEW SOUTH WALES CONSULAR CORPS HUNTER TOUR

**The Hon. MARIE FICARRA:** I address my question to the Minister for the Hunter. Will the Minister update the House on the recent visit of the NSW Consular Corps delegation to the Hunter region?

**The Hon. MICHAEL GALLACHER:** I thank the member for her question. I also thank the Hon. Greg Pearce for making that wonderful suggestion—this was done at his initiative. The Hunter is one of Australia's most productive regions for business, industry and agriculture, with land supply and human and natural resources that position it well for steady long-term growth, despite the best interests of The Greens. Indeed, the Hunter is a major economic driver of New South Wales. The Government is eager to build upon these strengths and to showcase its advantages to international business interests and investors to ensure its ongoing contribution to the prosperity of this wonderful State. It was a privilege for the New South Wales Government to work with the Commonwealth Department of Foreign Affairs and Trade to host a delegation of the New South Wales Consular Corps on a two-day tour of the Hunter region.

My invitation to the Consular Corps was aimed squarely at raising awareness in the minds of international diplomats of the industry capabilities and business opportunities that the Hunter region—indeed the whole of regional New South Wales—has to offer. The New South Wales Consular Corps comprise the Consuls-General and Honorary Consuls-General representing 90 countries. The Consular Corps plays a significant role in facilitating international trade and investment relationships across New South Wales. The New South Wales Government hosted the 16 nation delegation, which comprised representatives of G20 nations, including the United States, France, Germany and Italy, as well as trading partners in the Asia Pacific region, including Fiji, Sri Lanka, Samoa and Papua New Guinea. Each of the delegate's participation in the two-day tour was self-funded, highlighting their genuine interest in learning about the business capabilities of the Hunter and regional New South Wales.

The first day of the tour saw the delegation take a harbour-based tour of the Port of Newcastle, which proudly handles \$20 billion annually in trade for more than 40 commodities. The harbour tour took in the vibrant Honeysuckle precinct; the city's showpiece of urban rejuvenation from industrial beginnings into the residential, commercial and entertainment hub that it is today. The tour also took the delegation to Newcastle's world-leading research and development institutions, including the CSIRO Energy Centre, the University of Newcastle Institute for Energy and Resources, and the Hunter Medical Research Institute, during which the possibilities for cooperation with international research institutes was discussed. The delegation then sampled the region's renowned tourism offerings, with dinner and an overnight stay in the Pokolbin area of the Hunter's wine country.

The second day of the tour showcased examples of the high-tech manufacturing and primary industries of the region, with visits to innovative companies that are exporting their products and expertise to the world. These included a textile manufacturing plant in Rutherford, a significant defence and aerospace company in Tomago that specialises in electric vehicle technology, and a highly successful aquaculture operation at Bobs Farm, Port Stephens.

The tour received wide media coverage, and early feedback from individual Consuls-General participating on the tour has been overwhelmingly positive. Importantly, country representatives are already

starting to draw direct connections between industry capabilities in the Hunter and the specific areas of interest relevant to their individual countries. Individual government agencies, including NSW Trade and Investment, the Department of Primary Industries and the Department of Premier and Cabinet will now follow up with individual consulates to facilitate these connections. The tour was a practical and cost-effective demonstration of the steps the Government is taking to improve the performance of the New South Wales economy and to drive economic growth in regional New South Wales—stated goals of the NSW 2021 plan. [*Time expired.*]

#### **DEPARTMENT OF PRIMARY INDUSTRIES FLOOD RESPONSE MANAGEMENT**

**The Hon. SHAOQUETT MOSELMANE:** I direct my question without notice to the Minister for Roads and Ports, representing the Minister for Primary Industries. In light of recent government cuts to the Department of Primary Industries, what is the Government doing to respond to the expected increase in the number of fruit fly swarms on the North Coast after the devastating floods?

**The Hon. DUNCAN GAY:** The Government remains ever vigilant in the work that has been done over decades in the area of fruit flies—

**The Hon. Greg Donnelly:** What about ticks?

**The Hon. DUNCAN GAY:** Ticks as well; we get ticks on everything. Are you a Jesuit?

**The Hon. Steve Whan:** The cattle farmers of northern New South Wales will be interested to hear that.

**The Hon. DUNCAN GAY:** Ticks for you as well from the Central Coast. You got all the ticks out of the Central Coast when you were up there with Eddie's boy.

**The PRESIDENT:** Order!

**The Hon. DUNCAN GAY:** What I have not answered—which I suspect is very little—I will refer to my colleague, the Minister for Primary Industries.

#### **INDEPENDENT COMMISSION AGAINST CORRUPTION NGO FUNDING PAPER**

**Reverend the Hon. FRED NILE:** I address my question without notice to the Hon. Michael Gallacher, representing the Minister for Justice. Is the Government aware of the Independent Commission Against Corruption's analysis of the corruption risks in the funding of non-government organisations to deliver human services on behalf of the Government? Is the Government aware that in December 2012 the Independent Commission Against Corruption made 18 recommendations to improve the Government's capacity to prevent and detect corrupt conduct in relation to non-government funding? Does the Government intend to implement Independent Commission Against Corruption's recommendations? When will the Government carry out these recommendations?

**The Hon. MICHAEL GALLACHER:** The New South Wales Government appreciates the advice of the Independent Commission Against Corruption as to how we can work better and smarter to improve services and lives, including through non-government organisations. The Government is all about improving services; non-government organisations are often more effective service providers. The Government is transferring statutory out-of-home care to the non-government sector, for example, as recommended by Justice Wood in 2008. The Government is currently considering the Independent Commission Against Corruption's position paper in this important area. For 16 years Labor failed to invest in people, systems and capabilities in the public service. I suggest to Reverend the Hon. Fred Nile, and to assist him while the Government is conducting its review, that he should thoroughly examine the Schott report, which completely exposes the failures by those opposite when in government to address these issues.

#### **KINGS HIGHWAY ROAD SAFETY REVIEW**

**The Hon. SCOT MacDONALD:** I address my question to the Minister for Roads and Ports. Will the Minister update the House on the safety review of the Kings Highway between Queanbeyan and Batemans Bay?

**The Hon. Mick Veitch:** Matthew or Phelps should have asked this question; they are slow.

**The Hon. DUNCAN GAY:** I acknowledge the interjection of the member opposite from Young. It is interesting that the member said that someone from Monaro should have asked this question. I looked across at the man from the Central Coast, who also claims he is from Monaro, and he is sitting there like an Easter Island statue on the losers lounge.

**The Hon. Lynda Voltz:** Point of order: I ask the Minister not to cast aspersions on the character of members on this side of the Chamber.

**The Hon. Dr Peter Phelps:** To the point of order: The member should withdraw the accusation against Easter Island statues.

**The Hon. Michael Gallacher:** There's a mystery behind them; there's no mystery about Labor members.

**Pursuant to sessional orders business interrupted to permit a motion to adjourn the House if desired.**

**The House continued to sit.**

**The Hon. Steve Whan:** I don't need to ask questions; I've read the report.

**The Hon. DUNCAN GAY:** It will surprise many people that, first, the Hon. Steve Whan can read and, second, he has read something to do with a portfolio. That is not what happened when Labor was in government.

**The Hon. Steve Whan:** Point of order: The Minister's penchant for throwing insults across the Chamber is becoming stupid. I ask you to bring him back to the question, which relates to the Kings Highway. The Kings Highway is an important highway and on which this year the Minister is spending the least amount of money that has been spent in the past decade. It is shameful.

**The PRESIDENT:** Order! The Hon. Steve Whan is clearly making debating points. The member will resume his seat.

**The Hon. DUNCAN GAY:** As many members know, it was a year ago, in response to a series of tragic crashes, that I asked for a review of route safety on the Kings Highway. Experience has taught us that route safety reviews help to reduce road trauma. Our review included site inspections and detailed examinations of crash trends. The field inspection teams included people from Transport for NSW, Roads and Maritime Services, the NSW Police Force, the NRMA and the Rural Fire Service, and community representatives. Local communities had their say in consultation sessions last May at Bungendore, Braidwood and Batemans Bay, and we consulted other key stakeholders such as local councils and the NRMA.

Earlier this month in Queanbeyan, with that hardworking member for Monaro, John Barilaro, and the great member for Bega, Andrew Constance, I released the findings and detailed the work we can do to make the road safer. We want to end the crash and casualty rates for the motorists, families and communities that live between the Australian Capital Territory and the New South Wales South Coast. No doubt traversing the Kings Highway is a challenging task for drivers through some of the toughest terrain down the escarpment in this State. There is no single silver bullet; there is no single solution. The New South Wales Government will carry out a package of measures and safety works along the Kings Highway, but there also is an onus on motorists simply to slow down and to drive to the conditions. The safety review found that speed and fatigue-related crashes—

**The Hon. Steve Whan:** Hear, hear!

**The Hon. DUNCAN GAY:** I acknowledge that the Hon. Steve Whan agrees that fatigue and speed were the two major causes of crashes involving local residents.

**The Hon. MICHAEL GALLACHER:** If members have further questions I suggest that they place them on notice.

**Questions without notice concluded.**

## MOUNT PENNY EXPLORATION LICENCE

### Production of Documents: Correspondence

**The PRESIDENT:** As members would be aware, in 2009 the House received a return to order in relation to the Mount Penny exploration licence. The return comprised one box of privileged papers and one box of non-privileged papers. Members also would be aware that on 4 December 2012 the Clerk received correspondence from the Hon. Jeremy Buckingham expressing concern that relevant documents may not have been included in the return to order, based on documents that were made public by the Independent Commission Against Corruption as part of Operation Jasper. Subsequently, this matter has been the subject of further items of correspondence that have been tabled in the House on 19 and 27 February 2013. This morning I received correspondence from the Commissioner of the Independent Commission Against Corruption, Mr Ipp, as follows:

I refer to my letter of 26 February 2013.

In that letter I advised that the Commission was comparing the material produced to the House in November 2009 with the Commission's holdings to ascertain whether any of the material held by the Commission, but not included in the return, might also have fallen within the scope of material in the order for papers. The Commission has now completed that exercise.

The exercise involved a Commission officer cataloguing the documents produced in response to the order for papers and then comparing that list with the contents of the relevant exhibits tendered during the Operation Jasper segment of the public inquiry. The Commission officer then created a document comparison matrix listing the documents considered as being possibly relevant to the order for papers but which do not appear to have been included in the production to Parliament. A copy of the matrix together with a copy of the relevant documents is enclosed.

The Commission does not propose to take any further action with respect to this matter unless Parliament wishes it to do so.

I now table the correspondence and the attached "document comparison matrix and copies of relevant documents that are not contained within the return to order". This is an extremely grave matter. Since the High Court of Australia reaffirmed the power of this House to order the production of State papers, the exercise of that power has been a fundamental part of the work of this House, in holding the Executive Government to account, and the House has made 293 orders for the production of documents. We appear now to be faced with the possibility that one of the orders of the House was not complied with. It is ultimately for the House to determine whether or not its order has been complied with and the consequences that flow.

On Tuesday of this week the Leader of the House foreshadowed that if, as is now the case, the Independent Commission Against Corruption indicated that it held documents relevant to the order of the House which did not appear to have been included in the return to order, he would immediately move, under Standing Order 77, for the matter to be referred to the Privileges Committee for inquiry and report. I can advise members that in a conversation this morning Commissioner Ipp advised me that an inquiry into this matter by the Privileges Committee would in no way interfere with the current investigations being conducted by the Independent Commission Against Corruption and that it was entirely a matter for this House to determine how it proceeded to deal with this matter.

As your President I regard the privileges and powers of this House as matters of vital importance. It is essential that this matter be dealt with in a way that upholds the dignity, role and powers of the House.

## PRIVILEGES COMMITTEE

### Reference: Inquiry into Mount Penny Mining Exploration Licence and Tender Process

#### Motion by the Hon. Duncan Gay agreed to:

1. That under Standing Order 77, the Privileges Committee inquire into and report on:
  - (a) whether documents identified in the document comparison matrix provided by the Commissioner of the ICAC and tabled in the House on 14 March 2013 should, *prima facie*, have been provided the return to order tabled in this House on 26 November 2009 concerning the Mount Penny mining exploration licence and tender process, and
  - (b) if so, what further action the House should take, including any possible further involvement by the ICAC.
2. That in conducting its inquiry, the Committee may utilise the services of an appropriately qualified adviser.

3. That notwithstanding anything to the contrary in the resolution establishing the Committee, for the purposes of this inquiry"
  - (a) The Committee consist of either members, and
  - (b) The additional member be Mr Shoebridge.
4. That the Committee report by Tuesday 30 April 2013.

## PARLIAMENTARY COMMITTEES

### Membership

**The PRESIDENT:** I report the following message from the Legislative Assembly:

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

That:

- (1) Andrew Dominic McDonald be appointed to the Committee on the Health Care Complaints Commission in place of Ryan John Park, discharged.
- (2) Ryan John Park be appointed to the Joint Standing Committee on Road Safety in place of Robert Anthony Furolo, discharged.
- (3) Linda Jean Burney be appointed to the Committee on Children and Young People in place of Andrew Dominic McDonald, discharged.
- (4) A message be sent informing the Legislative Council.

Legislative Assembly  
14 March 2013

SHELLY HANCOCK  
Speaker

## THE HON. WALT SECORD COMMENTS

### Personal Explanation

**The Hon. CATHERINE CUSACK**, by leave: On Tuesday 12 March during question time Mr Walt Secord stated, "Catherine, I have shown restraint in relation to you. Catherine, do not make me read out those emails ... Those harassing, insulting emails that you have been sending." I seek the leave of the House to table the two emails referred to by Mr Secord, which I sent to him on Thursday 15 November 2012 and Wednesday 13 February 2013.

**Leave granted.**

**Documents tabled.**

I seek the leave of the House to table correspondence received and noted at the 20 February 2013 meeting of General Purpose Standing Committee No. 1 relating to those emails that I have just tabled.

**Leave not granted.**

I do have further comments I wish to make, however, as it could be construed as containing argument, I will make those comments at another time.

## DRUG DETECTION DOGS

### Personal Explanation

**The Hon. JAN BARHAM**, by leave: I wish to make a personal explanation. During question time on Wednesday 20 February the Minister for Police and Emergency Services claimed that I am "very supportive of drug detection dogs in Byron Bay". Although I believe it was clear to those in the Chamber at the time that the Minister was being humorous, I would like to clarify that I have never requested drug detection dogs for Byron Bay and I have not been supportive of their use.



## ADJOURNMENT

**The Hon. DUNCAN GAY** (Minister for Roads and Ports) [3.43 p.m.]: I move:

That this House do now adjourn.

## MOMENTUM ENERGY

**Dr JOHN KAYE** [3.43 p.m.]: Households and businesses are warned that a company marketing sustainable energy in New South Wales is involved with a massive dam building project in Sarawak that is displacing the Indigenous population and destroying forests and ecologically sensitive areas. Potential customers of Momentum Energy might be attracted by claims of "clean energy with smile power" and "proactive sustainability". However, they would most likely be unaware that Momentum's owner, Hydro Tasmania, has been supplying experts for the planning and construction of the controversial network of 50 hydroelectric dams as part of the Malaysian Government's Sarawak Corridor of Renewable Energy.

The Sarawak Corridor of Renewable Energy [SCORE] scheme, which also includes the construction of two coal-fired power stations, will displace thousands of local villagers and submerge large tracts of rainforest. It will destroy the orang-utan and clouded leopard habitat, helping push both those species closer to the brink of extinction. Momentum customers would be bitterly disappointed to learn of the involvement of their energy supplier in projects that are responsible for displacing tens of thousands of Indigenous people and devastating precious orang-utan habitat.

The clean green image that Momentum is pushing is comprehensively undermined by the company's links to the Sarawak dam project and its consequences for the Indigenous people and the local environment. It does not matter whether the involvement is as limited as the company's management claims. Consumers seeking sustainable energy would be horrified to know that their supplier was part of a project that is destroying the homes of tens of thousands of Sarawak Indigenous people and the habitat of endangered species, including the orang-utan. Momentum is marketing a vision of a clean, green and sustainable future to its New South Wales customers that is 100 per cent incompatible with its involvement in Sarawak's massive dam building project.

Customers who fall for Momentum's spin are being deceived about the true nature of Hydro Tasmania and its willingness to be involved in an unsustainable project that is violating the rights of Indigenous people. Ethical consumers see their responsibilities reaching beyond Australia's shores. Hydro Tasmania is participating in a highly deceptive and misleading practice. It cannot market itself as a responsible retailer to New South Wales consumers while helping to facilitate environmental and social destruction in an overseas location. The Minister for Fair Trading, Mr Anthony Roberts, should warn New South Wales customers that Momentum Energy's claims of environmental credentials are comprehensively undermined by its parent company Hydro Tasmania's overseas exploits. Momentum Energy's website claims:

As a responsible member of the business community and world at large we take our sustainability practices seriously. We believe in a proactive approach to maintaining our environment's precious resources.

It defines "proactive approach" as being:

We understand that we have the potential to impact on people through our activities ...

We aim to make a genuine difference in the communities in which we operate.

It is certainly making a difference in the communities in Sarawak. It is destroying those communities and displacing tens of thousands of Indigenous people as well as important habitat for the orangutan. It is not just households who sign up to Momentum that are being misled. Business customers are encouraged to use the retailer's SmilePower logo to demonstrate their commitment to corporate responsibility. Momentum Energy's website says:

The SmilePower customer logo was created to establish a new standard in corporate responsibility ...

Yet there is no corporate responsibility when it comes to destroying the homes and the livelihood of tens of thousands of Sarawak individuals. The development of 50 hydroelectric dams is part of the Malaysian Government's ambitious \$105 billion Sarawak Corridor of Renewable Energy scheme. Since 2008 Hydro

Tasmania has seconded 11 staff to work on the Sarawak Corridor of Renewable Energy scheme through its consulting arm Entura. Currently four staff are undertaking secondment. In its 2010 report Sarawak Energy stated that the partnership with Hydro Tasmania would be:

... a formal agreement for knowledge transfer, which includes secondment of staff from Hydro Tasmania, consulting services and a number of co-development agreements for specific hydropower projects ...

Hydro Tasmania, in its 2010 annual and sustainability report, says:

Our major international achievement this year was to establish our relationship with Sarawak Energy Berhad. The relationship was established to assist in the development of the country's hydropower resources ...

People considering purchasing Momentum Energy products should be deeply aware that this company is responsible for massive environmental and human destruction in the state of Sarawak in Borneo.

### LEGAL PROFESSION STANDARDS

**The Hon. TREVOR KHAN** [3.48 p.m.]: I wish to speak on recent developments relating to the administration of the disciplinary system applying to the legal profession. I should start by observing that I remain a proud member of the legal profession; however, I am concerned that the standing of the profession is damaged by the failure to rigorously pursue the few bad eggs that do the standing of the profession no good. Before going to the matter of specific concern, I note that one may be helped in understanding the problems of professional bodies disciplining themselves by reference to a very famous experiment that was undertaken in the early 1970s at Stanford University. The experiment was designed by Professor Phillip Zimbardo to test the interaction of prison guards and prisoners. As it turned out, the results of the experiment had far wider application. In an article by Margaret O'Toole in the Stanford University News Service entitled, "The Stanford Prison Experiment: Still powerful after all these years", she observed:

On Sunday morning, Aug., 17, 1971, nine young men were "arrested" in their homes by Palo Alto police ...

The arrestees were among about 70 young men, mostly college students eager to earn \$15 a day for two weeks, who volunteered as subjects for an experiment on prison life that had been advertised in the *Palo Alto Times*. After interviews and a battery of psychological tests, the two dozen judged to be the most normal, average and healthy were selected to participate, assigned randomly either to be guards or prisoners ...

From the perspective of the researchers, the experiment became exciting on day two when the prisoners staged a revolt. Once the guards had crushed the rebellion, "they steadily increased their coercive aggression tactics, humiliation and dehumanization of the prisoners," Professor Zimbardo recalls. "The staff had to frequently remind the guards to refrain from such tactics," he said, and the worst instances of abuse occurred in the middle of the night when the guards thought the staff was not watching. The guards' treatment of the prisoners, such things as forcing them to clean out toilet bowls with their bare hands and act out degrading scenarios, or urging them to become snitches "resulted in extreme stress reactions that forced us to release five prisoners, one a day, prematurely."

Zimbardo's primary reason for conducting the experiment was to focus on the power of roles, rules, symbols, group identity and situational validation of behaviour that generally would repulse ordinary individuals.

As a result of the treatment by the so-called guards, the experiment had to be abandoned. One of the research associates involved in conducting this experiment was Craig Haney, who later observed that the Stanford Prison experiment demonstrated that:

... good people are not enough to prevent abusive excess. ... Institutional settings develop a life of their own independent of the wishes and intentions and purposes of those who run them.

How does that apply in the setting of which I am speaking? Well, I fear that what we often see in disciplinary systems run by professional bodies is a form of bureaucratic capture similar to but more subtle than that exposed in the Stanford Prison experiment. I fear that people of otherwise impeccable character lose a portion of their individuality and instead develop a mindset that represents the wishes and desires of the organisation; if you like, they join the club.

That therefore brings me to the most recent example for concern. In *Justinian* on Monday 4 March 2013 an article disclosed a breakdown in the reporting and publication of the outcome of disciplinary action against lawyers and barristers. The Legal Profession Act requires that a register be kept by the Legal Services Commissioner of legal practitioners who have been the subject of adverse findings. That register is to be accessible on the website of the Legal Services Commissioner. A member of the public discovered that at least 17 members of the legal profession, who had adverse findings against them, had not been entered on the

register. I will not now go into the names of these people, but it is fair to say that some of those left off the register have had very serious findings made against them indeed. The Legal Services Commissioner, by way of explanation, said it was up to the professional bodies to report the disciplinary action to him for placement on the website.

Whilst clearly there is plenty of blame to share around on this failure, it comes after what can at best be described as a debacle in the handling of the matters against the partners of Keddies. It raises the question: Are the Law Society and the Bar Association capable of operating an effective disciplinary system of their members even under the supervision of the Legal Services Commissioner? Sadly, I think the answer is no.

### **SYDNEY HARBOUR FORESHORE LAND RESERVATION**

**The Hon. LUKE FOLEY** (Leader of the Opposition) [3.53 p.m.]: Those of us who sit in the Parliament of New South Wales must both treasure and act to safeguard Sydney's breathtaking harbour and its foreshore. We need to defend and protect those sites on the Sydney Harbour foreshore that have been reserved for the public realm. The very first New South Wales Labor Government, elected in 1910, protected large tracts of the Sydney Harbour foreshore, including what is today the Taronga Park Zoo and Nielsen Park. Today we live at a time when individualism and isolation are growing and communal life is on the wane. Democracies need public arenas in which large numbers of people, from all backgrounds, interact. We need to protect those sites that have been reserved as open green space and add to their number. To this end, the creation of a grand new urban park at Barangaroo north is a wonderful gift to the public.

I want to stand up for the civic amenity of Sydney's Botanic Gardens and Domain. The Royal Botanic Gardens and Domain Trust is a scientific institution, increasing our knowledge of the plant life of Australia. The Sydney Gardens and the Domain are also a great urban park, a place in the city to which people from many and varied backgrounds come. I do not believe that renting out the Botanic Gardens prime waterfront precinct to impresarios for months on end conforms with the core purpose of the Botanic Gardens. The green space at the eastern edge of Farm Cove is no longer for the general use of the public for passive recreation, reading, walking, jogging or quiet contemplation.

For all of the first four months of this year the land between Fleet Steps and the Yurong Gate is alienated from the public. I speak of not simply the erection of a cinema screen, and now an opera stage, on the water. The land south of Mrs Macquarie's Chair now carries a grandstand, restaurants, numerous bars, portable toilets, "platinum lounges" and merchandise stalls, all erected on land that was pronounced as Sydney's Botanic Garden by Governor Macquarie in 1816. The open air cinema has run for 11 years. Its season has lengthened from an initial short run to now taking up the best part of six weeks each summer. Add the time taken to construct and dismantle all that goes with it and the St George Open Air Cinema now has the run of that precinct for the first two months of the year.

Now the Handa Opera has taken ownership for all of March and April. The precinct has been a construction site for three weeks now, with cranes in the air and members of the public barred from walking around the harbour foreshore. The Handa Opera will open on 22 March and run until 12 April, with a single ticket costing up to \$325. In mid-April the site will once again become a construction zone for weeks as everything is dismantled. At this rate, Sydneysiders may anticipate that the Botanic Gardens and Domain Trust's waterfront land will soon be rented out to impresarios for most months of the year.

I believe we have gone too far. We need to wind back the prostitution of the finest harbourside land in the world, land that belongs to the public. I propose that this land be reserved for public use, and quarantined from commercial events, for a minimum 11 months every year. As a former trustee of the Royal Botanic Gardens and Domain I am aware of the pressures on the trust to earn private income. Yet the trust has an overriding duty to preserve its lands for the purpose of public amenity. Under section 7 of the Royal Botanic Gardens and Domain Trust Act 1980, the principal objects of the trust include:

- (a) to maintain and improve the trust lands

and

- (c) to encourage the use and enjoyment of the trust lands by the public by promoting and increasing the educational, historical, cultural and recreational value of those lands.

I call for the reservation of the Botanic Gardens and Domain's prime waterfront land for the purpose it was always meant for—public amenity, not entrepreneurial activity.

### ALCOHOL SUMMIT 2013

**Reverend the Hon. FRED NILE** [3.58 p.m.]: I speak on alcohol, Australia's number one social problem. I was pleased to attend today the 2013 New South Wales Alcohol Summit. We have had a decade of dealing with alcohol harm since 2003. The theme was where we are now in regard to the recommendations of the 2003 New South Wales Summit on Alcohol Abuse. Sadly, an analysis of the recommendations of that 2003 summit was very disappointing to say the least. The Labor Government of the time did not take them seriously and did not endeavour to implement them. I will quote the evidence for that in a moment. However, I am pleased to put on record what the Christian Democratic Party is seeking to do in combating Australia's number one social problem, alcohol.

Our first bill, the Alcohol Beverages Advertising Prohibition Bill, is a bill for an Act to prohibit the advertising of alcoholic beverages and related trademarks, brand names and logos, and for other purposes. This bill is similar to our Tobacco Advertising Prohibition Bill, which was passed by this House. The second bill, the Liquor Amendment (Drinking Age) Bill, is a bill for an Act to amend the Liquor Act 2007 to raise the drinking age from 18 years to 21 years, as occurs in many States in the United States of America. Finally, the Liquor Amendment (Health Warning for Pregnant Women) Bill is a bill for an Act to amend the Liquor Act 1982 to require packaged liquor to contain a health warning about the danger of drinking for pregnant women.

The 2013 Alcohol Summit was organised by the Foundation for Alcohol Research and Education. I commend the foundation for its important activities, which includes the expenditure of more than \$115 million over the past 10 years to help 800 organisations and fund over 1,500 projects to address the harm caused by alcohol abuse. The summit today was also supported by the NSW/ACT Alcohol Policy Alliance, which is active in coordinating activities for more than 33 member organisations. During the summit, there were a number of references to the success of the Newcastle liquor reforms. Mr Tony Brown, who represented the Hunter, said at today's summit:

It is disappointing. However we have seen it is an application of very costly reactive bandaid measures that don't deal with the fundamental causes of the problem, which is excessive intoxication and the failed responsible service of alcohol.

He concluded:

Until the government can put public and police safety ahead of pub profits, we're going to see the same problem occurring and occurring again.

In discussions with a health Minister from the previous Government, he commented to me that the then Government would take on the tobacco industry but it was not prepared to take on the liquor industry because of its powerful influence in the State. That is true for both sides of politics. During the summit it was stated that trading hours were the main factor in alcohol-related problems. Research shows that over a three-year period 20 per cent more assaults occurred for each additional hour of trading after midnight. Other problems related to alcohol include late closing, high density—too many alcohol outlets in one location—availability and price. Sadly, many of the recommendations of the Drug Summit, which I attended in 2003, were not completed. For example, 26 recommendations related to raising awareness and only one of those was completed. Of the 15 recommendations relating to liquor accords, only four have been completed. Out of the 10 recommendations that related to enforcement, only three have been completed. It is important that summits are treated seriously and the recommendations are implemented.

### WORKPLACE BULLYING

**The Hon. PETER PRIMROSE** [4.03 p.m.]: On Monday 26 November last year, the House of Representatives Standing Committee on Education and Employment tabled its report on its inquiry into workplace bullying, entitled "Workplace bullying: We just want it to stop." Workplace bullying is a dynamic and complex phenomenon. Its causes are often multifaceted and its impact can be individual and varied. It can have a profound effect on all aspects of people's health as well as their work and family life, which can undermine their self-esteem, productivity and morale. For some, it can result in permanent departure from the labour market and, in extreme cases, suicide. Bullying behaviours can range from subtle actions that seek to exclude, isolate or marginalise to extreme acts of physical violence resulting in death or serious injury. The report looked at this issue in great detail and took an extensive number of submissions. I do not have the opportunity to run through them all, but I will mention some of the comments that were made in the report:

According to Davidson Trahaire Corpsych [DTC], a leading organisational psychology consulting firm, the most common form of workplace bullying is verbal abuse: shouting, swearing, malicious sarcasm, intimidating behaviours and undesired evaluations.

Bullying can also manifest in more predatory activities. In a case that gained national attention in 2006, Brodie Panlock, a 19-year-old waitress, tragically took her own life after enduring persistent and vicious bullying at work. Evidence raised in the resulting court case revealed that Brodie had been the subject of continual physical and emotional abuse. In one of the more horrific incidents, Brodie was physically restrained whilst her manager, and cafe owner, poured oil all over her.

Bullying may manifest in different ways according to the nature of certain industries. For example, "initiation ceremonies" are more likely to occur in certain sectors or amongst workers of a certain age. A recent case in New South Wales was successfully prosecuted after five workers wrapped a 16-year-old asthmatic apprentice labourer in cling wrap. These workers then forced sawdust into his mouth as part of an "induction" into the workplace.

Bullying, particularly in the workplace, has been described as a "hidden problem". The prevalence of workplace bullying in Australia cannot be determined with any precision due to the absence of a national evidence base from which such indicators might be drawn.

Most of the material relating to the evidence and estimates comes from the Australian Workplace Barometer project in 2009-11:

The AWB project found that 6.8 per cent of Australian workers had been bullied at work in the six months prior to being surveyed, with 3.5 per cent experiencing bullying for longer than a six month period.

...

However, the prevalence of workplace bullying could be far greater than this statistic. The Assistant Commissioner of the Productivity Commission stated that:

It is probably higher than that ... it could be over 15 per cent. Professor Maryam Omari commented further:

What we are not capturing in whatever studies are done are the actual rates of workplace bullying, which would be far higher than the 22 to 33 per cent that I have found.

The cost of bullying is incredibly high and not only to individuals. The Productivity Commission estimated the cost to be between \$6 billion and \$36 billion every year. A lot more can and needs to be said about bullying. The inaugural State of the NSW Public Sector Report, which was released last year, found that one in two public servants has witnessed bullying in the workplace. Workplace bullying is a real and serious problem for all of us. I particularly refer to the good work that is being done by Mr John McPhilbin at the Injured Workers Support Network. His advice on this matter can be obtained at [injuredworkerssupport.org.au](http://injuredworkerssupport.org.au).

### AUSTRALIAN LABOR PARTY MEMBER CONDUCT

**The Hon. CATHERINE CUSACK** [4.08 p.m.]: In January 2009 Eddie Obeid did a deal with Nathan Rees to shoehorn John Robertson and Steve Whan into the Rees ministry, using a factional deal to avoid a proper caucus ballot. Tanya Gadiel, a female member of Parliament, wanted to be considered in a democratic vote for a Cabinet vacancy. On 26 January 2009 the *Australian* reported that Eddie Obeid telephoned Ms Gadiel and called her a treacherous disloyal bitch. The article stated:

He said to me, "Tanya, I don't need to worry about you, because you won't be around at the next election."

The article quotes Mr Obeid's version:

"She hadn't spoken to me for months and then abused me for not voting for her," he said.

"She rang me to set this up, then ring the papers and complain that I threatened her. She's crying because she doesn't have the numbers in caucus.

"It doesn't need me to tell her that she's failed miserably at everything she's tried to do.

"I deny totally that I abused her and I believe she'd had too much to drink.

"She believes she doesn't have to work for anything and can just demand it, and because she's a woman it will just be given to her.

"She has been given a job as deputy speaker long before she earned it. I am quite confident Robbo and Whan will get in and have no reason to ring up and abuse anybody."

This tactic of tearing down a female member and then, when she complains, striking back with smear and accusations of weakness and incompetence is sadly de rigueur in the Labor Party. For all her many faults, I felt sorry for Ms Gadiel, who was powerless against these bullies, little suspecting that I, too, would fall victim to this toxic culture of deceit and aggression.

Last Tuesday Mr Walt Secord instigated a disgusting smear against a powerless female staffer who is accused of nothing more than being married to a consultant. The ensuing angry exchange saw Mr Secord threaten to read out emails sent by me. He smeared me too, saying that the emails were offensive and constituted harassment. I have now tabled those emails and I will put them in context. At a meeting of General Purpose Standing Committee No. 1 on 13 November the usual negotiations were conducted between Government, Labor and crossbench members about which portfolios would be recalled for supplementary estimates hearings. A member said, "What about this: If you agree to recalling the Treasurer, we will agree not to call anybody else?" I replied, "What about western Sydney and Illawarra?" The member smirked, "Nobody gives a shit about that."

Given that the crossbench members had already indicated they would support a motion to recall the Treasurer, I agreed to this dumb deal. The member then moved the motion. After it was passed, the Parliamentary Secretary to the Treasurer asked for a recommital and my two Government colleagues recorded their votes against the motion. As a matter of honour, I felt unable to retract my vote in support of it. Yes, it was messy, but that was all there was to it.

Then a person leaked information about those deliberations with the spin that I had voted against my own Government to force the Treasurer to front a supplementary hearing. The story ran in the *Daily Telegraph*, the *Northern Star*, the *Sydney Morning Herald* and on ABC television and John Laws' 2SM radio show. I sought an investigation. The record shows that, after writing to everyone at the meeting and the media outlets that reported the unauthorised disclosure, on 20 February this year General Purpose Standing Committee No. 1 resolved that "as the significance of the disclosure does not justify further inquiry, no further action be taken". Government members disagreed but were in the minority. Throughout the meeting one committee member attacked and abused me personally. He incorrectly stated that the Clerk's advice to the committee required that it take no further action. In fact, no advice was provided by the Clerk. He falsely and emotionally stated that I was seeking to turn the committee into a kangaroo court. To the contrary: I simply sought further advice from the Clerk and indicated that the matter should ultimately be reported without finding to the House. I hoped that a competent committee could investigate further.

The leaking of private cross-party discussions during confidential committee deliberations is without precedent. Whatever the standards of the Parliament and the committee, I happen to care about the truth. In this case, truth and honour were sacrificed as unimportant and time wasting. I would not, did not and do not accept that. All the mockery of the Labor Party and its members' slander will never force me to accept that. This leak was personal, malicious and politically pointless. I have congratulated Mr Secord, whom I hold responsible for his meeting victory, and informed him that I will persist in my efforts to expose his true character. Labor members may tolerate such behaviour but, as I explained in the email, this time he has sleazeballed the wrong politician. For 19 years Eddie Obeid sat in this place and was referred to as "honourable". The Labor Party has parachuted a liar, a bully and a cheat into Parliament as his perfect replacement. His presence here is billboard evidence that the Labor Party has learnt nothing and changed nothing. It is so unrepentant that it is continuing its wanton destruction of the credibility, standards and work of this place.

**Question—That this House do now adjourn—put and resolved in the affirmative.**

**Motion agreed to.**

**The House adjourned at 4.13 p.m. until Tuesday 19 March 2013 at 2.30 p.m.**

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