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# LEGISLATIVE COUNCIL

Thursday 15 May 2014

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

**The President** read the Prayers.

## TEACHING SERVICE AMENDMENT (TRANSFERS) BILL 2014

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

**Motion by the Hon. Duncan Gay, on behalf of the Hon. John Ajaka, 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.**

## SESSIONAL ORDERS

### Extension of Debate Time for Private Members' Business

**Motion by the Hon DUNCAN GAY agreed to:**

That:

- (a) for the remainder of the current session and unless otherwise ordered, when a private members' motion is interrupted to allow the mover to speak in reply, the mover, or any member who has not already spoken in debate, may move a motion, without notice, to extend the time for the debate and to set time limits for each subsequent speaker in debate; and
- (b) on a motion moved under this sessional order members may not speak for more than five minutes, and if the debate is not concluded after the expiration of 30 minutes after the moving of the motion the question on the motion will then be put.

## GENERAL PURPOSE STANDING COMMITTEES

### Appointment and Portfolio Responsibilities

**Motion by the Hon. DUNCAN GAY agreed to:**

That the resolution appointing five general purpose standing committees reflecting Government Ministers' portfolio responsibilities adopted by this House on 12 May 2011, and as amended on 15 March 2012 and 19 September 2012, be further amended to reflect changes to Government Ministers' portfolio responsibilities as follows:

In paragraph 1 omit (a) to (e) and insert instead:

"(a) **General Purpose Standing Committee No. 1**

Finance and Services  
Industrial Relations  
Infrastructure  
Planning  
Premier  
Treasury  
Western Sydney  
Women

**(b) General Purpose Standing Committee No. 2**

Aboriginal Affairs  
 Ageing  
 Citizenship and Communities  
 Disability Services  
 Education  
 Health  
 Medical Research  
 Mental Health  
 The Illawarra  
 Veterans Affairs

**(c) General Purpose Standing Committee No. 3**

Local Government  
 Regional Infrastructure and Services  
 Roads and Freight  
 Small Business  
 The Hunter  
 The Legislature  
 The North Coast  
 Tourism and Major Events  
 Trade and Investment  
 Transport

**(d) General Purpose Standing Committee No. 4**

Attorney General  
 Fair Trading  
 Family and Community Services  
 Hospitality, Gaming and Racing  
 Justice  
 Police and Emergency Services  
 Sport and Recreation  
 The Arts

**(e) General Purpose Standing Committee No. 5**

Heritage  
 Natural Resources, Lands and Water  
 Primary Industries  
 Resources and Energy  
 Special Minister of State  
 The Central Coast  
 The Environment  
 Western New South Wales".

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

**Government Business Notice of Motion No. 2 objected to as being taken as formal business.**

**PARLIAMENTARY COMMITTEES****Membership**

**The Hon. DUNCAN GAY** (Minister for Roads and Freight, and Vice-President of the Executive Council) [9.34 a.m.]: I seek leave to amend Government Business Notice of Motion No. 3 by omitting in paragraph 2 "Mr Lynn" and inserting instead "Mrs Maclaren Jones".

**Leave granted.**

**Motion by the Hon. DUNCAN GAY agreed to:**

- (1) That Ms Cusack be discharged from the Joint Standing Committee on the Ombudsman, the Police Integrity Commission and the Crime Commission and Dr Phelps be appointed as a member of the committee.

- (2) That Ms Cusack be discharged from the Joint Standing Committee on the Health Care Complaints Commission and Mrs McLaren-Jones be appointed as a member of the committee.
- (3) That Mr MacDonald be discharged from the Joint Standing Committee on the Office of the Valuer-General and Mr Lynn be appointed as a member of the committee.

**Message forwarded to the Legislative Assembly advising it of the resolution.**

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

**NIGERIAN ABDUCTED SCHOOLGIRLS**

**Motion by Dr MEHREEN FARUQI agreed to:**

That this House:

- (a) condemns the abduction of almost 300 girls on 14 April 2014 from a secondary school in the north-eastern town of Chibok, in Nigeria, of which more than 200 are still missing;
- (b) calls for their immediate return unharmed; and
- (c) notes the struggles that women and girls face throughout the world for equal rights and education.

**INTERNATIONAL NURSES DAY**

**The Hon. HELEN WESTWOOD** [9.36 a.m.]: I seek leave to amend Private Members' Business item No. 1818 outside the Order of Precedence by omitting paragraph 3 and inserting instead:

- (3) That this House notes that the New South Wales Nurses and Midwives Association is continuing its campaign for safe care for all patients by calling for the implementation of mandatory safe nurse-to-patient staffing ratios and a safe work environment in New South Wales public hospitals.

**Leave granted.**

**Motion by the Hon. HELEN WESTWOOD agreed to:**

- (1) That this House notes that:
  - (a) Monday 12 May marked 2014 International Nurses Day and is celebrated worldwide each year on the birthday of Florence Nightingale, who was widely considered to be the founder of modern nursing;
  - (b) the theme of 2014 International Nurses Day is "Nurses and Midwives: A force for Change—Putting Patient Safety First";
  - (c) International Nurses Day is an opportunity to recognise registered nurses, enrolled nurses, assistants in nursing and student nurses for their contribution towards improved health care services and the delivery of better health outcomes;
  - (d) New South Wales's health, aged care and disability systems rely on the more than 79,000 nurses currently working throughout the State;
  - (e) the nursing workforce is the largest group of health professionals and a vital resource for the health of our population; and
  - (f) a recent survey identified nursing as the most ethical and honest profession in Australia—an achievement all nurses should be very proud of.
- (2) That this House acknowledges the professionalism and dedication of nurses and thanks them for the contribution they make to the wellbeing of the citizens of New South Wales.
- (3) That this House notes that the New South Wales Nurses and Midwives Association is continuing its campaign for safe care for all patients by calling for the implementation of mandatory safe nurse-to-patient staffing ratios and a safe work environment in New South Wales public hospitals.

**SOUTH ASIAN MUSLIM ASSOCIATION OF AUSTRALIA**

**Motion by Dr MEHREEN FARUQI agreed to:**

- (1) That this House:
  - (a) congratulates the South Asian Muslim Association of Australia [SAMAA] for hosting a celebration on 10 May 2014 to recognise and acknowledge the experience and wisdom of older members of our society;

- (b) commends its work in providing a range of aged care services to South Asian Muslims in New South Wales to meet their physical, spiritual, cultural and emotional needs; and
- (c) recognises the hard work of volunteers in supporting the elderly and providing for their special needs.

## **FORMER MINISTER FOR FINANCE AND SERVICES DOCUMENTS**

### **Production of Documents: Further Order**

#### **Motion by the Hon. ADAM SEARLE agreed to:**

- (1) That this House notes:
  - (a) the order of the House of 19 March 2014 for the production of documents from the office of the former Minister for Finance and Services and Minister for the Illawarra;
  - (b) the partial return of documents in response to paragraph (b) of the order received on 6 May 2014;
  - (c) the continued failure of the Government to produce the documents captured by paragraph (a) of the order, being the bulk of the documents.
- (2) That this House notes:
  - (a) correspondence from the Acting Secretary of the Department of Premier and Cabinet, dated 16 April 2014 tabled in the House on 6 May 2014, and the attached advice of the Solicitor-General and Ms Mitchelmore of Counsel addressing a number of matters concerning the Legislative Council's power to compel the production of documents;
  - (b) that it is not in any way bound to accept the advice of the Solicitor General and has, in relation to the exercise of its power to order the production of documents, previously obtained its own advice;
  - (c) that the Leader of the Government, in justifying non-compliance with the order of the House is relying on one paragraph only of the Solicitor General's advice;
  - (d) that the Solicitor-General's advice, in the main, confirms the power of the House to order the production of State papers.
- (3) That this House further notes:
  - (a) that the Solicitor General's advice states that "There are no formal steps that the Executive might take vis a vis the Council to satisfy itself of the validity of an order for production. The Executive can obviously obtain its own legal advice as to the validity of an order but there remains, as already noted above, the difficulties associated with challenging an order by way of court proceedings." (page 11); and
  - (b) that the appropriate time for issue to be taken with the terms of any order for the production of documents, for negotiation to take place on its terms and for any amendments to be proposed is before the matter is resolved by the House and not afterwards.
- (4) That this House rejects the proposition advanced by the Executive Government that an Order of the House that does not refer to any specific subject matter in relation to documents sought but identifies documents sought by location places "great practical difficulties on compliance" and is a proper basis for non-compliance with an order of this House.
- (5) That, under Standing Order 52, there be laid upon the table of the House within 56 days of the date of passing of this resolution the following documents, not previously provided to the House, created since 1 April 2011 in the possession, custody or control of the Premier or the Department of Premier and Cabinet, all documents retrieved from the office of the former Minister for Finance and Services, and Minister for the Illawarra, the Hon. Greg Pearce, MLC, on or after 1 August 2013 that are contained in 75 boxes that do not contain Cabinet information, office administration or personal files of the former Minister, that are:
  - (a) Ministerial briefing notes and submissions;
  - (b) reports and presentations prepared by third parties;
  - (c) information and brochures/packs from third parties, or
  - (d) submissions from external parties on law reform and policy proposals.

## **BUSINESS OF THE HOUSE**

### **Formal Business Notices of Motions**

**Private Members' Business item No. 1828 outside the Order of Precedence objected to as being taken as formal business.**

### TURKEY MINE EXPLOSION

**The Hon. TREVOR KHAN** [9.38 a.m.]: I seek leave to amend Private Members' Business item No. 1830 outside the Order of Precedence by omitting paragraph 1 (b) "151 workers dead" and insert "237 workers dead".

**Leave granted.**

**Motion by the Hon. TREVOR KHAN agreed to:**

- (1) That this House notes:
  - (a) the tragic news that a coal mine explosion has occurred near the town of Soma in the western Turkish province of Manisa;
  - (b) the explosion has left 237 workers dead, as well as scores injured;
  - (c) that at this time many miners remain unaccounted for;
  - (d) that large crowds of workers and family members have gathered at the pit head awaiting news of their loved ones; and
  - (e) there are many people living in New South Wales who originated from the Manisa province.
- (2) That this House expresses its deepest sympathy and condolences to the families of those who have suffered the tragedy of loss or still await news of the fate of family members.

### AUSTRALIAN HOSPITAL SHIP *CENTAUR*

**Motion by the Hon. TREVOR KHAN agreed to:**

- (1) That this House notes:
  - (a) on 14 May 1943 the Australian Hospital Ship *Centaur* was steaming north from Sydney towards New Guinea;
  - (b) on board the ship were the ship's normal crew and staff as well as members and equipment belonging to the 2/12 Field Ambulance Unit;
  - (c) the ship was appropriately painted in white with Red Cross markings on each side of the vessel;
  - (d) before dawn on 14 May the vessel was torpedoed by a Japanese submarine off North Stradbroke Island; and
  - (e) of the 332 on board only 64 survived, those survivors not being discovered until 36 hours after the sinking.
- (2) That this House expresses its condolences and sympathy to the families of all those lost in this war crime.

### IRREGULAR PETITIONS

**Leave granted for the suspension of standing orders to allow Dr Mehreen Faruqi to present an irregular petition.**

#### Sow Stalls

Petition requesting a total ban on sow stalls, received from **Dr Mehreen Faruqi**.

**Leave granted for the suspension of standing orders to allow the Hon. Penny Sharpe to present the following irregular petitions.**

#### CountryLink

Petition calling on the Government to retain public ownership and operation of CountryLink, received from the **Hon. Penny Sharpe**.

#### Pensioner Public Housing Rents

Petition calling on the Government not to raise public housing rents for pensioners when the Federal Government increases pensions, received from the **Hon. Penny Sharpe**.

**Public Housing Rents**

Petition calling on the Government not to raise public housing rents when Centrelink benefits are increased, received from the **Hon. Penny Sharpe**.

**Goulburn Rail Services**

Petition calling on the Government to review the timetabling and structure of rail services to and from Goulburn through the Southern Highlands rail corridor, received from the **Hon. Penny Sharpe**.

**Richmond Line Train Timetable**

Petition calling on the Government to change the Richmond Line train timetable to increase the frequency of trains stopping at Lidcombe during peak hours, received from the **Hon. Penny Sharpe**.

**BUSINESS OF THE HOUSE****Routine of Business**

*[During the giving of notices of motions]*

**The Hon. Luke Foley:** If you want your Bentley debate today, we've got the drift.

**Mr JEREMY BUCKINGHAM:** I beg your pardon.

**The PRESIDENT:** Order! Members will come to order. Mr Jeremy Buckingham will be heard in silence.

**Mr JEREMY BUCKINGHAM:** Excuse me for taking one minute.

**The Hon. Luke Foley:** You tell us you want to debate the Bentley blockade.

**Mr JEREMY BUCKINGHAM:** Penny can take 15 minutes.

**The PRESIDENT:** Order! I call the Leader of the Opposition to order for the first time. I call Mr Jeremy Buckingham to order for the first time.

*[Later]*

**Mr Jeremy Buckingham:** You're not giving him the hurry up. When are you moving your Wallarah motion? You have forgotten that one.

**The PRESIDENT:** Order! I call Mr Jeremy Buckingham to order for the second time.

**The Hon. CHARLIE LYNN:** I appreciate that ruling because my motion is about the Anzacs.

**The PRESIDENT:** Order! The Hon. Charlie Lynn will give his notice of motion. The matter has been dealt with and he requires no further assistance.

**SPECIAL ADJOURNMENT**

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

That this House at its rising today do adjourn until Tuesday 27 May 2014 at 2.30 p.m.

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

**Motion by the Hon. Luke Foley agreed to:**

That standing and sessional orders be suspended to allow a motion to be moved forthwith that Private Members' Business item No. 1777 outside the Order of Precedence, relating to the death of the Hon. Neville Wran, be called on forthwith.

## Order of Business

### Motion by the Hon. Luke Foley agreed to:

That Private Members' Business item No. 1777 outside the Order of Precedence be called on forthwith.

### **DEATH OF THE HONOURABLE NEVILLE KENNETH WRAN, AC, CNZM, QC, A FORMER PREMIER, MINISTER OF THE CROWN, MEMBER OF THE LEGISLATIVE COUNCIL AND MEMBER FOR BASS HILL**

**The Hon. LUKE FOLEY** (Leader of the Opposition) [10.07 a.m.]: I move:

- (1) That this House express and place on record its deep regret in the loss sustained to the State by the death on 20 April 2014 of the Hon. Neville Kenneth Wran, a former member of this House, and former Premier of the State of New South Wales.
- (2) That this resolution be communicated by the President to the family of the deceased.

Neville Wran led the Labor Party in this place, and in the other place. He entered the Legislative Council in 1970. Reg Downing had led the Labor Party in the Legislative Council through all of the 24 years of unbroken Labor rule from 1941 to 1965 and through the first seven years of Robert Askin's conservative government. Reg Downing suffered a heart attack in 1971 and, with his support, Neville Wran succeeded him as Labor's leader in this House in February 1972.

At the November 1973 election, Neville Wran successfully transferred to the Legislative Assembly as the member for Bass Hill. Days later he was elected leader of the New South Wales Labor Party. All of the achievements that followed—a famous victory in 1976, four election triumphs and 10 years at the helm of a reforming Labor government—have been recorded at length and in depth since Neville's retirement in 1986. There is nothing I could add today that would enhance the recorded history of Neville Wran's achievements. I have hosted the annual Wran lecture here at Parliament House since I entered the Parliament, and I hope that the organisers will continue to afford me that honour.

Today I want to address the assaults on Neville Wran's reputation while he was Premier, assaults which curiously ceased after he resigned as Premier and did not revive until after his death. Neville expected the attacks to revive. He predicted such a revival to his friends over the years. In addressing this matter I seek to be calm and dispassionate. I was six years old when Wran became Premier and 16 when he resigned the office. I have an emotional distance from the towering rage of those who served with him about how Neville was traduced. The allegations against Neville Wran had their day in court, scores of days. The Street royal commission was the time and place when hearsay and vile rumour had their confrontation with the laws of evidence and forensic probing.

I need to expend some detail. The ABC program *Four Corners* broadcast a program on the administration of rugby league on 30 April 1983. The program broadcast an express accusation that the Premier of New South Wales, Neville Wran, in 1977 had formally directed Chief Stipendiary Magistrate Murray Farquhar not to commit to trial one Kevin Humphreys, then President of the NSW Rugby League and executive chairman of the Australian Rugby League.

Members should remember the political context: the Hawke Government had been elected in March, and Neville Wran was the Australian Labor Party national president. For most of the Fraser years the Wran Government was the only mainland Labor administration, and suffered accordingly. Now there was going to be a better deal for New South Wales from federalism. The same month Nick Greiner had become Leader of the Opposition. The royal commission fell into Mr Greiner's lap.

At the very moment when politics was about to change, Neville was laid low by the accusation. The Government established a royal commission on 11 May 1983. The commissioner was the Hon. Sir Laurence Street, Chief Justice of New South Wales and Lieutenant-Governor. That such base accusations could be broadcast on the ABC revealed that a coterie in its current affairs department was well connected to rumours that had been swirling inside an inner-city circle of Left critics of the Labor Party, a circle notable for its incestuousness. Those who had expected jobs in the Wran administration and missed out were among the most bitter, and the most inventive.

The mainstream vehicle that contributed so much to the circulation of rumour was the *National Times*, a journal which died of exhaustion inside four years. The journal had many good stories. It contributed to public

debate. It was a worthy vehicle for long-form journalism and investigative reporting. What it lacked was respect for the presumption of innocence. The progenitor of its ethos to publish and not worry about consequence was Evan Whitton, who was editor of the paper from 1978 to 1981. By 1983 he was on a roving commission with Fairfax. Whitton was impressed by the justice system in parts of continental Europe in which the roles of judge and prosecutor are merged.

The most enthusiastic purveyor of the ethos was Wendy Bacon, who has distinguished herself since Neville Wran's death by a brutal attack on his reputation. For Whitton, Bacon and their coterie, once they had cause to believe rumour then rumour was truth. Reportage by these people of the daily proceedings of the royal commission was built on the certainty of Neville Wran's guilt. One infected by the same certainty was the reporter for the ABC who laced his reports with editorial comment. His bias caused a memorable exchange in the conference that took place immediately after Neville's total exoneration:

**NEVILLE WRAN:** Are you from the ABC?

**REPORTER:** I am.

**NEVILLE WRAN:** Yes, then I won't answer your question at this conference.

What these reporters had in common was an incapacity to see beyond the story of the moment. The weakness is pernicious, a danger to civil society. For them your story is just another story. For the subject, it is his or her life—the only life they are going to live. Politics and media coverage in the 1980s seems cockeyed from today's perspective. A left-wing Labor Government by today's standards was attacked from the Left. In a tribute at Neville's funeral Paul Keating explained New South Wales politics as the 1980s unfolded. Keating said:

In the glory years of the Suich-Gardiner regime at the *Herald*, Labor leaders were attacked from the Left. The implicit charge against people like Neville Wran, and I might say later Bob Hawke and me, was that we were not really Labor—we were faux Labor, because in their opinion, we did too much for and had too much to do with the business community. I christened that particular clutch of journalists, the "Glebe Point Gulag".

In her most recent denunciation of Neville after his death Wendy Bacon made note that of the firmest believers in corruption "most had records as progressives when students". But of course. The royal commission sat through May to July. The terms of reference asked the commission to inquire into two questions and answer them. One was to establish an interference in the course of justice by Farquhar. The second required an answer to a question that was as follows:

... whether the said Murray Frederick Farquhar was acting at the direction or request of the Honourable Neville Kenneth Wran.

The answer from Sir Laurence Street was as follows:

No; Mr Farquhar was not acting at the direction or request of Mr Wran.

There it was and there it is, set out on page 1 of the Report of the Royal Commission of Inquiry into Certain Committal Proceedings Against K. E. Humphreys. With forensic thoroughness, rendered in beautiful prose, Sir Laurence Street set out to answer how a baseless tale had taken hold. Something improper had indeed occurred in 1977: Farquhar had indeed acted corruptly. The problem was that the essence of truth had acquired a carapace of invention. Invention had taken over. The observations by Sir Laurence Street contain universal truths about the power of self-reinforcing rumour. At pages 9 and 10 of the report on the Street royal commission Sir Laurence wrote:

In the intervening five or six years, rumours waxed and waned. In some cases suspicion underwent subtle change to belief, which itself progressed to reconstruction, which in turn escalated to recollection. No presently stated recollection could be safely assumed not to have progressed upwards and not to be the product of one of these earlier stages. The sheer frailty of human memory of necessity required a most anxious and critical appraisal of the evidence of the witnesses, no matter how credit-worthy they might be.

It became apparent that in the years since August 1977 the recollections even of those with undoubted first-hand knowledge have in some instances faded, in some instances fermented, and in some instances expanded. Moreover, in many cases the realisation of the significance—indeed, the enormity—of what had occurred has tended to transmute into a more or less cynical acceptance of what had, or was believed or rumoured to have, taken place.

Exactly what the royal commission described was the body of hearsay that *Four Corners* had picked up and run with. Chris Masters was the ABC reporter responsible. In a memoir, Chris Masters acknowledged the wrongness of the accusation against Neville Wran. He reflected that the trashing of a man's reputation was an

unfortunate outcome in the pursuit of justice. The report of the royal commission isolated the time of the alleged phone call from Neville Wran to Murray Farquhar. At that moment, and for all of the hour around it, Neville was in a conference with the Secretary of the Treasury, another Treasury official and two private staff. He did not leave the meeting. He could not have made the call.

I might say that Neville Wran would not be the last Premier of New South Wales to suffer from a grandstander wanting to demonstrate he was a big shot with connections. Sir Laurence Street acknowledged how difficult it is to prove a negative. In accepting those inherent difficulties, the report set out to be an impressive demonstration of what happens and what does not happen when the evidence is followed. Sir Laurence probed the possibility of a triangle of Wran-Farquhar-Humphreys. He explored the three corners and all the lines in between. He found no links. He found the likelihood that such a triangle had ever existed as beyond reasonable possibility. The royal commission declared the innocence of Neville Wran. The findings went beyond doubt and beyond not proven to a declaration that the case against Neville Wran was not proven beyond a reasonable doubt. The finding of innocence was unequivocal.

*[Business interrupted.]*

### VISITORS

**The PRESIDENT:** I welcome into the public gallery school leaders, together with teachers and parents, from primary schools in the Hornsby electorate, who are at Parliament today as guests of the member for Hornsby, Mr Matt Kean, MP. A large number of schools are represented here this morning. I wonder if those in the gallery would mind if I singled out one, at the urging of our Clerk: Normanhurst West Public School. The students from that school include the vice-captain, Jordan Fullager, and school captains, Luka Swain and Nicholas Blunt, who is the son of our own Clerk. Nevertheless, all students are very welcome. I hope the students find their visit today enjoyable and informative and will visit again.

### DEATH OF THE HONOURABLE NEVILLE KENNETH WRAN, AC, CNZM, QC, A FORMER PREMIER, MINISTER OF THE CROWN, MEMBER OF THE LEGISLATIVE COUNCIL AND MEMBER FOR BASS HILL

*[Business resumed.]*

**The Hon. LUKE FOLEY** (Leader of the Opposition) [10.22 a.m.]: For Whitton, Bacon and company, the exoneration of Neville Wran was scarcely a setback. According to them, Sir Laurence had asked the wrong questions, had failed to ask the right questions, had called witnesses in the wrong order, and had failed to request an extension of the terms of reference. They stated it was wrong for the head of the judiciary to sit on the matter. Here is the rub: When accusers are so convinced of the guilt of their quarry, nothing the quarry does will satisfy them. The truth is that appointing the chief justice reflected the gravity of the accusation. The appointment reflected the determination of Neville Wran to out the truth at whatever cost. Instead of applause, to the accusers it was the wrong appointment. Who could have possibly been a correct appointment, if the most senior judicial officer was not a correct appointment?

Let me remind the House of who Sir Laurence Street is. Sir Laurence is the son and the grandson of chief justices of New South Wales. His mother was Jessie Street. No-one ever has suggested Sir Laurence was pro Labor, or pro Liberal for that matter. Sir Laurence was a jurist with an international reputation who was undertaking a solemn duty. Sir Laurence is now an old man. He is frail, yet he made a supreme effort to be present at Neville Wran's funeral to honour a great Australian. Does his presence that day affirm the unyielding view of the Wran belittlers that the royal commission was a fix?

The notion that the Premier of New South Wales could and did interfere in the course of justice defames the memory of a great man. It also defames those who were closest to him—those from whom he kept no secrets. A conspiracy could not have happened without the knowledge of the late Jack Ferguson, Gerry Gleeson and Denise Darlow. They either were part of the conspiracy or knew of it, and chose to ignore what was happening. To think in those terms is monstrous.

The accusations that resulted in the Street royal commission did have an impact on Neville Wran. Even such a comprehensive dismissal took a toll. Never again did Neville feel the same joy in the job, and Neville was a man who enjoyed being Premier in all its aspects: the hard grind of Cabinet, jousting in question time, exchanging barbs in caucus, media conferences, getting out and about, travelling across New South Wales,

meeting people of all backgrounds and representing New South Wales at Premiers' conferences. When Jill was away, he was likely to call in his private staff to share pizzas with him late into the night in the private flat on level nine of the old State Office Block. After 1983, it was so very different. Correctly, Neville noted the accusations, the rumours and the whispers and that none of them would cease, not completely. Malice drove the rumour mongers—malice with a purpose. Diminish Neville Wran and you diminished New South Wales Labor.

For those who knew Neville Wran, the notion that he would interfere in the administration of justice was preposterous. We are speaking of a man who was a Queen's Counsel and a founding member of the Council of Civil Liberties. On each and every occasion anyone anywhere made an allegation of crime, either in the media or on the floor of either House of this Parliament, the response of Neville Wran was the same: place whatever evidence you have before the police for investigation. In all the years since, no-one has emerged to give flesh to the accusations on *Four Corners* or to any of the other rumours that used to float up and down the street outside like a crimson fog. The attacks on Neville Wran should cease. Let him rest in peace.

**The Hon. JOHN AJAKA** (Minister for Ageing, Minister for Disability Services, and Minister for the Illawarra) [10.27 a.m.]: On behalf of the Government, I join in debate on the motion moved by the Leader of the Opposition in regards to the passing of Neville Wran, who passed away on 20 April 2014, aged 87 years. Neville Wran was a political hero to the Labor Party and to many of the citizens of New South Wales. I intend to speak in a positive manner about the life of Neville Wran. My father was an acquaintance of Neville Wran. They would often lunch together during my formative years.

As a young teenager I had the privilege to meet Neville Wran on a number of occasions. He advised me to become involved in politics and at the time to join the Labor Party. My father used to speak about Neville Wran's keen intellect, and he was a great admirer of Neville Wran's fast wit and easy humour as well as his exceptional knowledge of the law. My father considered him to be one of the best lawyers he had ever known. My father told me that Neville Wran was not an open book and that he was quite complex. At that time, Neville Wran was not Premier; he was a Balmain boy making good. He had won a Commonwealth scholarship to Sydney University to study Arts Law and, of course, had become a lawyer. He worked as a solicitor for 10 years and it was during this time that my father had met him, as he had worked on many workers' compensation cases before going to the Bar.

My former partner Geoffrey M. Cohen, of Cohen Ajaka Walter Solicitors, undertook a number of cases with Neville Wran whilst they were both at the Bar. They had apparently worked on a number of cases together, as junior and senior counsel. Geoffrey Cohen always spoke of the extraordinary ability of Neville Wran as an advocate. His favourite saying was "Neville Wran knew how to win a case." He told me that this was the main reason that Neville Wran had earned the nickname "Nifty".

In 1973 he moved to the lower House and became leader of the Labor Party, leading it to an extremely close win—one that took 10 days to form a government in 1976 and then only with the support of an Independent. As I had been informed by my former partner, Neville Wran knew how to win and, as they say, "A win was a win." Neville Wran made an impact across many portfolios. He was keenly interested in health, education and, above all, public transport. His was the wisdom that brought us Darling Harbour. He was passionate about national parks. He played the press gallery like a maestro with his friendliness and accessibility. He had a unique way of generating excitement on the issues that were dear to him.

Neville Wran's premiership held the hallmarks of a man who was incredibly generous and inclusive. I am well informed that he left no-one out. He encouraged other people to voice their views with wisdom, and always gave consideration to the opinions of others. His Government was instrumental in reforming the upper House. He also achieved significant electoral institutional reform: a democratic Legislative Council, four-year terms, public funding, disclosure laws and pecuniary interest registers for members of Parliament. He strengthened consumer protection, he was at the forefront of introducing Aboriginal land rights and he was the impetus for our first antidiscrimination laws.

Neville Wran was clearly a popular leader and at one stage, as I understand, he rated over 80 per cent approval in opinion polls. He was often talked about as a national political leader and rated highly in national polls as an alternative Labor Federal leader to Bill Hayden. They say old politicians do not die; they just fade away. This is not true of Neville Wran who—until 2012 when he entered Lulworth House—was to be found at work in his Blich Street office, working diligently at his desk.

Following his political career, Neville Wran was honoured on many occasions. In June 1987 he was appointed an Officer of the Order of the Golden Ark (The Netherlands) for his contribution to the environment.

In October 1987 he was appointed a Grand Officer 2nd Class of the Order of Merit of the Italian Republic by the then President of Italy. He was appointed a Companion of the Order of Australia on 26 January 1988 for service to government and politics and to the New South Wales Parliament. On 6 May 1995 the University of Sydney awarded Neville Wran the degree of Doctor of Laws. On 31 December 2009 the New Zealand Government appointed him a Companion of the New Zealand Order of Merit for services to New Zealand-Australia relations.

Neville Wran has left his mark on the State and, as custodians of the New South Wales Parliament, we too should hope to leave a lasting legacy for this great State. It can easily be said that Neville Wran was a giant amongst Australian politicians and he will be long remembered. I again express my condolences to his family, which I consider to include not only his immediate family but also members of the Labor Party and, of course, many of the people of New South Wales.

**Reverend the Hon. FRED NILE** [10.34 a.m.]: I speak on behalf of the Christian Democratic Party to support the following motion of the Leader of the Opposition in this House, the Hon. Luke Foley:

- (1) That this House express and place on record its deep regret in the loss sustained to the State by the death on 20 April 2014 of the Hon. Neville Kenneth Wran, a former member of this House, and former Premier of the State of New South Wales.
- (2) That this resolution be communicated by the President to the family of the deceased.

I am pleased to speak in support of this motion because I had a great involvement in the years in which Mr Wran was first a member and then a Premier of this State. As members know, he was responsible for reforming the Legislative Council to ensure that it became a democratically elected House. As members may know, prior to the reform in 1978 following the referendum, if there was a resignation or death of a member, the Legislative Assembly and the Legislative Council would meet to fill the vacancy. There was no participation by the people of this State in choosing the members of this House. I fully support, of course, the reforms that Mr Wran introduced to make this a democratically elected House. We could be cynical and say his purpose was to break the stranglehold of the conservative forces in the upper House.

**The Hon. Luke Foley:** He just wanted to bring you here.

**Reverend the Hon. FRED NILE:** He obviously hoped that the Labor Party would gain control of the upper House, which he succeeded in achieving. However—as the Hon. Luke Foley interjected—one of the fruits of that reform, which he would have not expected and which was probably a disappointment to him, was that I was elected to the House in 1981. Prior to the reform, I would not have made it through the front door. The Hon. Elisabeth Kirkby, who represented the Australian Democrats, joined the upper House at the same time. Prior to those reforms neither of us would have been able to be here. Neville Wran was shocked when I was elected—and so was I. I received a primary vote of over 9 per cent, which is almost two quotas of the upper House and my number two, Dr Graham McLennan, was almost elected.

During the time that the Australian Labor Party controlled this House we would have arguments when I moved amendments. The Leader of the House, representing the Labor Government, said, "You are wasting your time moving amendments, we have made a decision to accept no amendments from anybody. The legislation will go through, as presented." That was very frustrating for me, because I would still move amendments but they would just hit a brick wall. However, I became a little clever and started to move some amendments just to irritate the Labor Government. Just to frustrate it, I would move a token motion such as, "This House supports and endorses the United Nations Declaration of Human Rights." The Government would ask, "How can we vote against that?" That was part of my little strategy at that time.

Members may be surprised to know that, in those first years, members were elected for 12 years. I was elected for 12 years and, in fact, completed 11 years in that first term. I agreed that the term was too long and voted in support of the Labor Government's reforms to reduce the 12-year term to six years—twice the three years of the lower House. That meant members would be in the upper House for six years. When the lower House increased its term from three years to four years, the upper House term was increased to eight years. As I said, prior to that the term was 12 years. Going back in history, I believe members were elected for life in the original Legislative Council. It operated very much like the House of Lords in England.

Of course, another reform Mr Wran introduced was electoral funding and it probably irritated him again to think I would benefit from that. In those days political party organisation was not very clear. In fact,

the ballot papers for the 1981 election had only the names of individuals and no party names. The difficulty from the electoral funding change was deciding what was strictly party expenditure and what was candidate expenditure, which was debated when we submitted returns. Finally, we had to agree to get only 50 per cent of funding for that election. As members know, I was happy to support many reform proposals, particularly the reform for Aboriginal land rights, of which I am strong supporter. Of course, that put me in conflict with the Coalition. The Liberals and The Nationals strongly opposed any reforms relating to Aboriginal land rights and, in fact, some of them said to me, "We will oppose anything that has Aboriginal land rights in it." Those words are an anathema, but I felt it was the right and decent thing to do. It was one small step, not a massive one.

As far as I remember, the reform was that virtually useless Crown land could be claimed by Aboriginal communities and had nothing to do with private land, farmers land, et cetera. I was pleased to support that and other reforms Mr Wran introduced. However, I came to a head-on collision with what to him was important legislative reform regarding homosexuality. As a minister and having been involved in the Festival of Light, which was campaigning against that type of legislation, I was at the front line of a very controversial battle in the Parliament with Mr Wran's proposal. I had been, and was then, the honorary director of the Festival of Light, so I was in the Chamber and outside organising protest rallies often facing confrontations. On one occasion two protest rallies—one organised by the homosexual community supporting the legislation and the other opposing it—faced each other across Macquarie Street. One group was in front of Parliament House and the other was in front of St Stephen's church.

However, we failed in our opposition, of course, and the legislation eventually was passed by a small majority. Many people thought there was legislation banning homosexuals and said that we should not do that. New South Wales has never had a law that refers to homosexuals. There was no ban on homosexuals and no legislation referred to homosexuals or homosexuality. The only reference in the Crimes Act was to acts, such as buggery or sodomy. In fact, I believe the legal wording in the Crimes Act was the "abominable offence of buggery or sodomy", which was taken from the *Leviticus* in the *Old Testament*. It says "where two men lay together", which is the biblical way of saying having sex together, "it is an abomination" and God hates abomination. That is how the word "abomination" came into the law. Nevertheless, as I have always done in this place, I work with both sides of politics and never take any issue personally. I try to deal with issues and policies, not personalities or persons. I endeavoured to maintain a friendly relationship with Mr Wran in his various roles, particularly as Premier.

I shall conclude with what to me was an unusual event during the 1988 Bicentenary celebrations. I had protested against Mr Wran's legislation and, obviously, that created tension. I was attacked regularly in the Legislative Assembly by Labor members, particularly by Frank Walker, with whom my relationship eventually was restored. I was at the Bicentenary celebrations and all the VIPs were seated in the stand that had been specially built at the Opera House for the occasion. I was sitting with my wife and said to her, "Oh, that's Neville Wran coming in." We were sitting about half way up the stand and he started walking up to where we were sitting. I thought, "I wonder where he's going." Mr Wran walked right up to me and gave me a very friendly welcome, shook my hand and we had a few words of conversation. I took this as a sign of our reconciliation. May he rest in peace.

**The Hon. ADAM SEARLE** (Deputy Leader of the Opposition) [10.45 a.m.]: Neville Wran was a member of this House from March 1970 until 19 October 1973. In early 1971, despite only just arriving here, he was elected Deputy Leader of the Australian Labor Party and Deputy Leader of the Opposition in this place. In 1972 he became Leader of the Opposition. In the general election on 17 November 1973 he was elected to the other place as the member for Bass Hill, and was duly elected leader in that place. He became Premier of this State in May 1976 and held that position for over a decade. Like many others, I was at the Sydney Town Hall in 1986 when he announced his resignation in dramatic fashion. By any measure, Neville Wran was remarkable. His legacy and manifold achievements remain with us today. Whilst some have been eclipsed or overtaken by further developments, perhaps his most profound legacy is his work in preserving rainforests and wilderness for subsequent generations.

While his administration may have balanced the environment and development issues imperfectly, as I believe each subsequent Government also has, no prior Government considered the environment to any proper degree. His was the first, and I believe the resulting seismic shift in politics and public administration cannot be overstated. The green-brown divide is a fault line that runs through politics and governments of all kinds, even today. Resolving that conflict is the most profound challenge for the planet in our era. To make a significant contribution in any worthwhile field is an achievement. To stand out against all comers in the combative arenas

of the New South Wales Bar and New South Wales politics is highly unusual. However, Neville Wran did more than just stand out; he was a giant. He defied description. He was and remains an enigma. As one of his Cabinet Ministers said:

Trying to know Neville Wran is a lot like dealing with a set of Chinese boxes. Open one box and you will always find another box inside ...

For such a prominent and public figure, Neville Wran guarded his privacy and private life as closely as possible, letting in only those who were closest to him—his family and a very small circle of personal friends. Unusually for someone seeking to forge a career at the Bar, he practised law substantially as a solicitor, becoming a partner in busy and respected law firm Bartier Perry, specialising in litigation. As a barrister, he was renowned in the profession as a tireless worker, a remorseless and relentless advocate who left no stone unturned in pursuit of his clients' interests. While he practised in a number of fields, including common law and personal injury, it was in industrial law that he made his mark, appearing for unions on the left and right in both their external and internal struggles.

Among the many important matters he appeared in was *Moore v Doyle*. Until recently, this was the seminal case on union rules and the difficulties that can arise from incorporation under both State and Federal laws of organisations with essentially common membership within a single State. As with Lionel Murphy, QC, before him and Jeff Shaw, QC, after him, the crucible of advocating for working people was an important factor in shaping his character and political outlook. After only a decade, he became a Queen's Counsel.

As the leader of the Labor Party and New South Wales, he transformed both our party and this State. He is credited with creating a new style of modern Labor leadership that was used as a template across Australia, appealing to the emerging middle class and suburban and ethnic communities, while retaining the loyalty of traditional Labor voters. I note one of his former Cabinet colleagues, Rodney Cavalier, at the recent State funeral for Mr Wran put the proposition that Wran was in fact the last of the old Labor leaders, citing his political concern and focus on how he could improve the lot of regular, working people. This observation is partly correct, I think.

While Wran's working-class background and political approach was in keeping with Labor tradition in this State, in himself, his education, his appeal, his personal outlook made his taking up of the emerging so-called trendy issues of consumer protection, environmental preservation, support for the arts and cultural pursuits, and social liberal issues unexceptional and mainstream, and in so doing remade New South Wales Labor and New South Wales society. He addressed many issues in this way, including groundbreaking anti-discrimination legislation, the Environmental Planning and Assessment Act, transforming the old Land and Evaluation Court into the current Land and Environment Court and decriminalising sexual acts between consenting male adults. There are too many others to go into here.

One reform illustrates his commitment to the wellbeing of working people, which was influenced by his prior experience in the practise of labour law. In the early 1980s there was a recession in this State, as there was in Australia generally. There were significant lay-offs across industries, which impacted harshly on many working-class families whose main or sole breadwinner found it difficult to obtain subsequent employment and this affected their financial and other wellbeing. The Wran Government enacted the Employment Protection Act 1982, which created the first systematic machinery for the development and implementation of redundancy benefits for working people through the auspices of the Industrial Relations Commission of New South Wales.

This was on an individual rather than systemic basis. It was a groundbreaking development and its importance cannot be overstated. It was not until the mid-1980s that the Commonwealth industrial relations system took up the issue and redundancy benefits became available across Australia through industrial awards. Today those rights find statutory expression in the Fair Work Act as a core benefit for all employees in our nation, but it was not always so. It started in New South Wales with a Government led by a labour lawyer who knew the law was not just a dry or obscure set of rules, but a vital, living, breathing force for social change and improvement.

As with Lionel Murphy and Gough Whitlam, Wran was influenced by his law professor Julius Stone, of whom it was said, "He taught people to think about the law. He introduced the idea of problem-solving and social engineering. The law in those days was the worship of old precedence and the pursuit of the historical. Stone taught that the law is a dynamic process, not a bed of dead ideas." Wran was also influenced by his close friend Lionel Murphy, Attorney-General in the Whitlam Government. Murphy explained, "It is very difficult to

understand what happens in politics unless you understand the law and the legal system is at the heart of much of what happens in society." This is crucial for members in this place. Wran understood this and it informed his actions.

Wran modernised our political architecture. When he entered the oldest political Chamber in Australia, which dates back to 1824, the respect engendered by tradition had long before given way to an image of anachronism and irrelevance. Members were appointed rather than elected by the community. The Chamber was often referred to as either the best club in town or Pensioners' Palace. Its original function as a House of review had disappeared and it had little relevance to the Government of New South Wales. The institution of democratic elections for this place has put this Chamber at the heart of Government and political process in this State, often to the great inconvenience of Executive Government.

The Wran Government introduced four-year terms of office for the lower House and public funding of parties and elections, which is a system that migrated federally and for which recent events may lead to it being developed further. Neville Wran reformed the old system of malapportioned electoral boundaries for the Legislative Assembly elections, which grossly favoured Labor's conservative political opponents. For example, the Labor seat of Liverpool, once held by Cliff Malam, had nearly 50,000 voters while the Country Party seat of Sturt, held by Tim Fischer, subsequently Deputy Prime Minister in the Howard Government, had only 17,000 voters. Now there is one vote, one value for all elections for the lower House. Neville Wran extended Labor's political appeal, not just in the suburban areas but to country New South Wales as Bill McKell had done before him. Under Wran, Labor held seats in Casino and, at one stage, Albury and Wakehurst on the Northern Beaches and, briefly, more than one seat on the North Shore.

**The Hon. Luke Foley:** Willoughby.

**The Hon. ADAM SEARLE:** Willoughby, I acknowledge that. His political appeal defied geography and defied class. In a modern combative political system, he was as close to universal as any modern political leader can come. So much more can and has been said of this man and it could fill libraries with books but now there is not enough time to do him justice. I conclude with this observation of the former President of the New South Wales Court of Appeal and former High Court Judge Michael Kirby: While the blazing comet of his life is now over, its bright tail will illuminate the sky and our lives for many years to come. Vale Neville Wran.

**The Hon. STEVE WHAN** [10.55 a.m.]: I support this motion and pass on my condolences to Neville Wran's family, his wife, Jill, and his children. I had the privilege of attending the recent funeral at Town Hall along with many of my colleagues and other members of this Parliament. It was a memorable and appropriate funeral service for a man of Neville Wran's stature due to the respect that was held for him in the community and, importantly, within the Labor Party of New South Wales. It was obviously a Labor Party funeral. Those who attended appreciated the fact that Town Hall was the venue at which to say goodbye to Neville Wran, it having been the place where many memorable moments of his career occurred. My father accompanied me to the funeral. Throughout his career he had contact with Neville and he shared my appreciation of the memorable speeches we heard, particularly from Paul Keating, Bob Carr and others.

Neville Wran was a great Labor leader. Many people talk about Neville having set a model for future Labor governments, now known as the Wran model. Paul Keating talked about Neville Wran's influence on the Hawke Government and Keating Government and the way they operated. Their focus was on social achievements for the people of Australia in a climate of economic responsibility. It was an indication of how fine a thing politics can be and how close people can come to achieving their potential. Neville Wran, as was mentioned by several speakers on the day of his funeral, was narrowly elected as Labor leader by the New South Wales Labor Caucus. It is said in some publications that he may not have been elected had Mike Cleary not lost the electorate of Coogee by eight votes in the 1973 election. People have quoted from a number of books and cited a number of sources. As a Centenary of Federation project, the New South Wales Parliamentary Library published a number of books on State elections, which have provided background for some of the comments I will make.

When Neville Wran became the Labor leader, he moved to establish Labor as a potential party for government by following the McKell model where he put a lot of focus on country and regional New South Wales. He was said to have spent one week out of every four campaigning in country New South Wales because he recognised that in order to be a long-term government, Labor needed to hold seats in country New South Wales to spread its electoral representation. He was very successful in doing that—I will refer to the seat of Monaro shortly—but that was when Labor was suffering the after-effects of the dismissal of the Whitlam

Government. Neville Wran's success in the 1976 election helped Labor to turn the corner after the dismissal and showed that Labor was still a force to be reckoned with. I was only 12 years old at that time but it had a significant impact on Labor Party members across Australia. For example, in the by-election, which was held in the lead-up to the 1976 election and despite being in the period between the dismissal and the Federal election, there was a swing to Labor in the seat of Wagga Wagga.

At that time the New South Wales Liberal Government was beset by leadership changes and instability, including the party room disposing of a Premier and Premier Willis being the replacement—a recipe that Labor has also found not to be particularly successful at times. We also saw the resignation of the then member for Monaro, Steve Major, and his subsequent death from illness. There was then quite a lot of debate about whether or not there would be a by-election. Originally a by-election was scheduled but Premier Willis decided, because of the instability of his Government, to call a general election. John Akister, a Cooma man, won the seat of Monaro for Labor and he proved to be a terrific local member. John Akister had a broad northern English accent and I am told that when Neville Wran came to town he could not understand a word he said. But John's accent did not stop him from winning the seat and going on to achieve great things. Indeed, the role Neville Wran played in campaigning in that area helped to win that and other country seats. He campaigned strongly and came across well in public.

In the lead-up to the 1976 election Neville Wran focused very strongly on regional New South Wales. As part of his campaign he promised a number of important things, including the movement of State departments to the country, concessions to industry to encourage decentralisation and rail freight concessions to rural businesses. He promised an end to milk quotas, which had been a very controversial issue driven by North Coast dairy farmers. Don Day, who later became the Minister responsible—

**The Hon. Melinda Pavey:** A good man.

**The Hon. STEVE WHAN:** A very good man. He undertook some of those quite intense reforms. Members of the then Country Party from the North Coast were also at the forefront of pushing for that but were not getting the response they wanted from government. Neville Wran also promised a cut in water rates in the Murrumbidgee and Coleambally irrigation areas. Interestingly, the Wran Government was the last New South Wales Government to build a dam in country New South Wales—which is an issue for The Nationals at times. There was large reform to the dairy industry during the period of the Wran Government and that was one of the reasons why I felt it significant to take my dad to the funeral.

My dad undertook some of the studies which resulted in changes to the dairy industry in New South Wales and the formation of the milk authority. Dad often reflects that Neville Wran played a strong role in that process. Indeed, when my dad reported to Neville Wran on his recommendations for the formation of the authority, essentially as an afterthought but without any room for debate, he said to dad, "You will take the job, of course." My father did take the job. He moved to Sydney and so started a long involvement with the New South Wales dairy industry. The NSW Food Authority came about after the deregulation of the milk industry, and my dad remembers well Neville Wran's influence.

Neville Wran was true to his word to deliver for rural New South Wales. In subsequent elections he gave a number of further commitments. His success after the very narrow election win in 1976 saw Labor win a suite of seats in regional New South Wales in the 1978 election. In fact, Labor won 12 seats at that election, eight of which were in non-metropolitan areas. Neville Wran had delivered significant achievements in those areas. He promised improvements to the NSW Stock Squad; where train travel was not available, travel for children boarding away from home on coaches; a scholarship scheme for gifted country sportspeople; and ongoing commitment to the work that Labor had been doing to the Bathurst, Orange and Albury-Wodonga growth centres, to make up for "the Fraser government's betrayal" of those areas.

The Wran Government was responsible for implementing the XPT rail service. Interestingly, that travel service is still providing good, if somewhat aged, service to many country communities. In 1981 we had another Neville Wran election win with the slogan: It's Got to be Wran! Many of us would remember the advertising of that campaign. I think one of the ways in which the Wran Government led was in its effective use of television advertising in campaigning. In fact, I blame Neville Wran's advertising for the mispronunciation of my name by a lot of people—Wan instead of Whan—and for many years we also used to get letters addressed to us and questions about whether we were related, from people who could not see the "h" in Whan.

**The Hon. Dr Peter Phelps:** There is a little bit of resemblance there—a bouffant resemblance.

**The Hon. STEVE WHAN:** A bouffant resemblance, I am not sure about that. Wran's model of government was, as many people have alluded to in tributes to Neville Wran over the years, adopted by subsequent Labor governments and is still very relevant to the Labor Party. His success, of course, is something that we would all like to emulate. However, one aspect of the Wran model that needs to be emulated a little better, and the Deputy Leader of the Opposition and I both alluded to this earlier, flowed from McKell—namely, attention paid to recruiting excellent candidates for Country Labor in rural seats and giving those candidates the support and policy focus they need to win seats. I hope we are reminded of that lesson when we commemorate Neville Wran's life and that we will continue to build on that into the future.

The service held in the Town Hall for Neville Wran was very appropriate. I did not have the privilege of knowing him personally but I had met him on a number of occasions. I was growing up in Canberra for most of that time. My engagement with the New South Wales branch of the Labor Party began a long time after he had left the scene. However, he came as an elder statesman to many events. He also had a great presence and younger members of the party always wanted to hear his speeches. He also resigned as the Premier of this State with great style. He made his resignation announcement before the Labor Party's conference, which is held in the Town Hall—the same place where we heard Chifley's "light on the hill" speech and saw many other great moments in Labor's history. It is the biggest political conference in Australia, with 900 or more delegates, and is still set out in its original layout.

Wran brought great style to the job. A number of the speakers at his funeral talked about his personality. Paul Keating's memorable line was that Mr Wran had a PhD in profanity. There were some incredibly moving tributes paid at that memorial. As one of the inheritors of the legacy Mr Wran left for the Labor Party, a party that he helped to build, it is a great privilege for me to join in this condolence motion today to pay my respects to Neville Wran and to pass on my condolences to his family. His was a life very well lived, and it produced a lot for our State and our nation. He is someone who we will all remember.

**DEPUTY-PRESIDENT (The Hon. Trevor Khan):** Order! Before I call the next speaker, as this is a condolence motion I ask members to refrain from making interjections. It is appropriate that a former Premier be spoken of without interjections from members.

**The Hon. ERNEST WONG [11.10 a.m.]:** I join my colleagues from all parties of this Chamber in acknowledging the great contribution of former Premier the Hon. Neville Wran. Mr Wran served as Premier from May 1976 to July 1986. Since his passing on Sunday April 20 at the age of 87, tributes have flowed for his life and leadership. These have come from across the political spectrum and from all manner of industry and community interests. There is little that I can add to what has already been said about Neville Wran's leadership of both my party and my State so I will keep my contribution brief.

While any Sydneysider owes a debt to Neville Wran, I feel that I owe him more than the average, because I believe that the leadership of Neville Wran and the effect it had on New South Wales was critical to my decision to base my adult life and career here. When I first came to New South Wales to study, it was during the early days of the Wran era. I believe that the leadership and energy created by Wran's Government was a catalyst for my decision to stay here permanently. The Wran Government brought a sense of reform, change and energy. It helped make New South Wales feel exciting and full of opportunity. It was also a government of social justice and fairness, giving me confidence that many of the values I cherished were also integral to New South Wales life. The values of social justice and ethical thinking, and a deep respect for education, featured prominently in the Wran way of doing things.

A Queen's Counsel from a working-class suburb of Sydney, Wran embodied the power of education to dissolve class barriers. He also understood that the benchmark for Premiers lay in what they achieved for the everyday citizen not for themselves or their party. He seemed to personify both the "fair go" and the "land of opportunity" that Australia represented to those arriving on its shores. And one could feel the opportunities that were emerging during the Wran era. This was a genuinely progressive and exciting time in New South Wales and its legacy is impressive. On the environmental front, Wran oversaw our first genuine urban planning legislation and our first genuine heritage protection.

On the social justice front, he established the first Department of Aboriginal Affairs in New South Wales and the Equal Opportunity Tribunal. He abolished the death penalty in New South Wales and decriminalised homosexuality. He created health equity for Western Sydney through great health projects such as the opening of Westmead Hospital. He looked to the interests of every Australian by championing trade reform and statutory consumer protection. He prominently promoted New South Wales diversity, being ahead of his time in seeing its enormous economic and intellectual capital potential.

Finally, on a subject close to the heart of many in the Australian Chinese community, Wran converted an abandoned wasteland of disused wharves and rail lines into what is now Darling Harbour. Of course, the Australian Chinese community at Chinatown and Darling Harbour are somewhat linked, being situated next to each other. This is no accident. The Australian Chinese community was instrumental in building Australia's import-export boom during the nineteenth and early twentieth centuries and Darling Harbour was then the primary port. But as shipping relocated to Port Botany in the 1960s, Chinatown was left with an urban wasteland on its doorstep. In a manner that was characteristic of Wran's optimism and pragmatism, he almost single-handedly willed a new Darling Harbour into existence—setting an ambitious bicentennial deadline to create a new precinct of Sydney.

It was typical of Wran's focus on everyday New South Wales families that Darling Harbour became not a place for the big end of town or the flash trendies but rather a place of play for the mums, dads and kids of suburban Sydney—a role that it maintains to this day. As he did so, he revived the role of Chinatown, the historic home of the Sydney Chinese community. Not only that, he also paid tribute to the Australian Chinese legacy by working with the Chinese government to create the Darling Harbour Chinese Gardens. These gardens stand to this day as a magnificent symbol of both the richness that the Australian Chinese heritage has brought to New South Wales and to the vision and dynamism that Neville Wran brought to our State. I am sure that the next time I visit the gardens it will be with a sense of great gratitude to a man who was an inspiration both to me and my party and who achieved so much for my State. I thank members for their attention. I commend the motion to the House.

**The Hon. SHAOQUETT MOSELMANE** [11.15 a.m.]: I join colleagues in celebrating the legacy of the Hon. Neville Wran and express my condolences to his family and to the people of New South Wales on the loss of a great New South Wales leader. Neville Wran was a popular man who commanded great respect. He was a reformer, a civil libertarian and a conservationist. Mr Neville Wran first graced this House with his presence for three years from 1970 to 1973. He was Leader of the Opposition from 1972 to 1973. He then served in the other place as the member for Bass Hill from 1973 to 1986. He became leader of the Labor Government in 1973. It took him only about five years to go from being a member of the upper House and Leader of the Opposition to entering the lower House and becoming Premier of this great State in 1976, a position he served in for a decade. New South Wales became a great State in many respects due to his vision, his ideas and his drive.

Under his leadership and guidance as Labor Premier, the State witnessed significant change. As Premier, Mr Wran and his Labor team developed some of the most significant reforms in the history of this State. He wanted to improve basic services in transport, health and education—three areas most valued by communities throughout New South Wales. Critical to the New South Wales community were laws made in the areas of consumer affairs, anti-discrimination and equal opportunity. These policy areas reflected his education as a lawyer with a strong civil libertarian drive. High on the agenda that he championed were the rights of women and Indigenous Australians. He created the first anti-discrimination board, created the first ethnic affairs commission and undertook many other civil rights initiatives. I wish to note a couple of these initiatives—namely, the formation of the Ministry for Aboriginal Affairs in 1981 and the enactment of the Aboriginal Land Rights Act in 1983. This is landmark legislation of which we are all very proud.

I am sorry that I missed his funeral. I was in Bowraville with the Legislative Council Standing Committee on Law and Justice listening to evidence from the families and hearing of the impact the Bowraville murders had on the Bowraville Aboriginal community. We heard about the need to find justice for the three murdered children and to bring closure to the community's suffering. I am sure though that Neville Wran would have been proud to know that seeking justice for our Indigenous Australians is and will always remain high on our agenda. In closing, I wish to pass on my condolences to the family of Neville Wran and the people of New South Wales. May he rest in peace.

**The Hon. HELEN WESTWOOD** [11.19 a.m.]: I pay tribute to an inspirational Premier who epitomised the values of the Labor movement and championed the cause of working people across our great State. Neville Wran's death has been felt keenly by the men and women of the Australian Labor Party but it is his family who will feel his loss most deeply. I extend my condolences to his wife, Jill, daughters Kim and Harriet and sons Glenn and Hugo.

Many tributes have been offered to Neville Wran in recent weeks, all of them deserved. He was a political titan who left an indelible mark on New South Wales. I cannot do justice to everything Neville achieved in his time as Premier and I will not try, but I can acknowledge the significant contributions Neville

made to a range of causes I am passionate about. As a former mayor of Bankstown I am keenly aware of Neville's many contributions to the area. Balmain may claim Neville as its favourite son but it is in Bankstown that he became a legend.

Neville was the member for Bass Hill from 1973 until he resigned in 1986. Despite bearing the load of being the Labor leader and the Premier for much of this period he never forgot about the people of Bass Hill. As a councillor on Bankstown City Council representing the North Ward, which covered much of the same area as the electorate of Bass Hill, I saw firsthand the positive impact that Neville had on the community. Even today Neville's legacy can be felt across the Bankstown area. Neville left his mark not in a grandiose way but in ways that improved and continue to improve the lives of ordinary families in Bankstown.

Neville had an uncanny ability to understand what people wanted, not what the political class thought they wanted. At a time when the needs of Western Sydney were routinely ignored he had an unwavering belief that the people of Western Sydney should not have to put up with second-rate facilities and services. He set about ensuring that Western Sydney was looked after and, boy, did he deliver. Lake Gillawarna is an idyllic open space enjoyed by families, picnickers and runners every day of the week. It would not exist without Neville's support and his continuation of the investment begun by another great Labor icon, the Hon. Tom Uren, when he was Minister for Urban and Regional Development in the Whitlam Government through the creation of Mirambeena Regional Park along the banks of the Georges River.

Schools in this working-class part of Sydney also benefited from Wran's advocacy for his electorate of Bass Hill. When class sizes were bursting at the seams and classrooms were in terrible disrepair after years of neglect by conservative New South Wales governments, Neville Wran made sure local schools were soon upgraded and extended and that a number of new schools were built to accommodate the growing population of this burgeoning multicultural community. Neville's name adorns a leisure centre in Villawood, which is an area of great social disadvantage. The centre is a place where seniors can enjoy a range of classes and the companionship that they bring. It is a place where kids can learn to swim and play sport and where childhood memories are made and community bonds are tightened. The centre is symbolic of Neville Wran's overriding commitment to providing the community with the services that make life better.

Neville also worked to improve health services for the people of Bankstown. The Bankstown ambulance station—another Wran achievement—continues to provide peace of mind that medical assistance is close at hand. People feel safer because of Neville Wran's successful advocacy for the Bass Hill police station. The local community also benefited greatly from the establishment of the Legal Aid Commission. For the first time in New South Wales the poor and disadvantaged could access quality legal advice all because Neville believed every citizen should be equal in the eyes of the law and being poor should not mean people had to be victims.

Of course, the impact of Neville's premiership was felt across the State. Nowhere was this more evident than in the gains he made for the women of New South Wales. Neville worked to make New South Wales a fairer and better place for all women. He was not scared to take on entrenched interests that sought to keep women in the shadows. He did not try to do it all himself; Neville worked closely with women's groups such as the Women's Electoral Lobby to bring about real change. He also worked closely with many Labor women.

Particularly important were Neville's efforts to open up government to a generation of women who had in the past been told, "No, thank you. Blokes run the show in New South Wales." Neville established the Women's Coordination Unit in the Premier's department, a Social Development Unit in the Ministry of Education and a Women's Advisory Council that ensured women had a direct line to the Premier. Neville also fought for legislation that would empower women. In 1977 the Anti-Discrimination Act was passed in New South Wales. That landmark piece of legislation offered women much-needed protection, and his continued patronage of additional legislation that was designed to promote equal employment opportunities ensured that the pressure to achieve true equality continued.

Neville's efforts were also felt in a much more personal way by women and families in crisis. Under Neville Wran's leadership New South Wales told the world that women were no longer the property of their husbands by outlawing rape in marriage. Previously, there was a legal distinction between rape by a husband and rape by a stranger. Wran sent the message loud and clear that all rape was abhorred in New South Wales. Neville also moved to fight the scourge of domestic violence with the introduction of apprehended violence orders. The domestic violence program in New South Wales was recognised by the United Nations Committee on the Elimination of Discrimination Against Women as the world's best.

Under Neville's premiership new specialist women's health centres were founded and sexual assault centres were opened in eight hospitals. The sexual assault centre initiative assisted police in gathering evidence to prosecute rapists and recognised that rape was not only a physical crime but also a psychological crime. The centres helped start the healing process for rape victims. Before Neville came to power there were a paltry three women's refuges in New South Wales. Under his government that number jumped to 46 refuges, which accommodated 12,500 women and their children. For the first time ever New South Wales had a true safety net for women and their children fleeing domestic violence. Who knows how many lives were saved thanks to Neville's advocacy for and funding of women's refuges.

Neville also worked to improve childcare options for working mums and raise retention rates for girls in secondary education. Neville took the strong view that women deserved the same educational opportunities as those afforded to men. During his premiership more and more women started studying at university in fields as diverse as law, engineering and medicine. In fact, the participation rate for women in New South Wales universities went from 37 per cent in 1977 to 44 per cent in 1985.

Neville not only looked after the women of New South Wales but also made huge efforts on behalf of the gay, lesbian, bisexual, transgender and intersex community. In 2014 the idea of gay rights is for the most part widely accepted in the community. That was not the case in the 1970s and 1980s. It needs to be remembered that supporting the gay, lesbian, bisexual, transgender and intersex community could be very damaging to a politician in New South Wales at that time. Neville's advocacy on behalf of the gay, lesbian, bisexual, transgender and intersex community developed over time. In 1979 his Government repealed the Summary Offences Act that had led to the brutal arrests of protesters at the 1978 Mardi Gras parade. Then in 1984 Neville moved a private member's bill that legalised sexual activity between men in New South Wales. It was a historic moment for our State—a moment when the climate of fear and repression endured by gay and lesbian people in New South Wales began to break down.

I will not claim that Neville Wran had always been an enthusiastic supporter of gay and lesbian rights; his was a journey that took a number of years. But it is a mark of the man's integrity that he took a politically difficult course not because it would get him votes but because it was the right thing to do. Neville had a natural affinity for the underdog, the downcast and the oppressed. He was willing to acknowledge and understand changing community views and then work to lead on the issue. It is clear that the gay, lesbian, bisexual, transgender and intersex community owe a great debt to Neville Wran. Today I discharge a very small part of that debt in this Parliament.

I believe Neville Wran's record goes beyond the continual bickering of partisan politics. It shows what people of vision can achieve when they strive to make a better world for those around them. Neville Wran never forgot where he came from and never gave up on those who could not advocate on their own behalf. He proved that government could truly be a force for good in the lives of working people and the shadow he cast remains as potent today as in the long years of his premiership. Most importantly of all, Neville displayed something that is in short supply in today's political landscape: courage.

He had the courage of his convictions and the courage to lead. He refused to allow timidity and fear to govern his time in office: Instead he fought for his legislative agenda because he knew it was the right thing to do—and the people of New South Wales knew it was the right thing as well. History refers to Wran slides. They are electoral proof that political courage never goes out of style. Vale, Neville Wran.

**The Hon. WALT SECORD** [11.29 a.m.]: I pay tribute to the late Neville Kenneth Wran, who served as Premier from May 1976 to July 1986. Mr Wran passed away on Sunday 20 April at the age of 87 after battling dementia. There have been dozens of tributes to Neville Wran in the public arena and in this House—many of them much more eloquent than I could pen—so I will keep my remarks brief.

I migrated here in September 1988. Therefore, I did not live in New South Wales when Mr Wran was Premier. However, I absolutely lived in his legacy—both as a member of the Labor Party and as a citizen of New South Wales. As a ministerial staffer to a former Premier, Bob Carr, I am acutely aware of how the achievements of one Premier can build for the next. In this sense, we could not have had a Carr Government without the hard work and achievements laid out by the Wran Government. That is why I decided to be among the former staff, parliamentarians, officials and members of the public at the Town Hall farewell on May Day.

One simply could not work in a contemporary Labor Government without understanding the work of Neville Wran. I admired his approach to governing and government. I had the great benefit to hear his wisdom

as a ministerial staffer during the early days of the Carr Government in 1995. Mr Wran was no ordinary politician. From a working-class family, he became a top silk. This meant that he was as earthy as he was insightful and charming. Mr Wran was the first Australian politician to truly understand how to connect to communities through the media. He had the uncanny ability to engage in a conversation with the community. This was decades before the age of social media.

At the height of his popularity, he achieved an astonishing primary vote of 57.7 per cent in the Wranlide election of 1978. This was after initially securing government with a one-seat majority a mere three years earlier. Wran won four consecutive elections and in the process dispatched seven consecutive Opposition leaders. This was a sport that Mr Wran seemed to revel in effortlessly. But behind that seeming effortless was an amazing work ethic and a deep clarity about achievement on the voters' behalf. Politics, Mr Wran said, was a very simple craft:

Find out what they want ... and then just give them what they want. It is easy.

As former Premier Bob Carr said, Mr Wran was about the basics:

You've got to think of the bloke who makes \$400 a week. His wife's got a lump on her breast. His fibro house at Liverpool is missing a panel. He has a drink going home, she's locked his dinner back in the oven. He doesn't care what's happening in the upper House, what scandal's happening ... he's concerned about his job and her health.

It is best summarised in the adage: What's in this for Joe Blow and his missus? But Mr Wran also led and shaped New South Wales into our society of today, whether it was the electrification of the Hunter and Illawarra rail lines or protecting rainforest. During his premiership he led Australia through a number of groundbreaking policies that we now just accept as part of the current political process and debate.

They include historic environmental achievements, including protecting the North Coast and South Coast forests; setting up New South Wales's first Department of Aboriginal Affairs and the State's first Office of Women; establishing the Equal Opportunity Tribunal and the NSW Legal Aid Commission; moving hospital beds to Western Sydney, ensuring that families there have fairer access to health care; converting Darling Harbour and the Sydney Entertainment Centre from a tangle of disused rail lines into a much-loved place for Sydney families; promoting ethnic affairs, which later became multiculturalism and is now referred to as cultural diversity; getting rid of laws that resulted in crimes that targeted the poor, like begging and busking; introducing random breath testing and compulsory seat belts; championing consumer protection laws; abolishing the death penalty in New South Wales; and decriminalising homosexuality.

In addition to all that, Mr Wran was fiscally responsible. He proved that it is possible to be a caring and compassionate government and still keep an eye on the State's bottom line. This is something I fear that the Prime Minister, Tony Abbott, and the Federal Treasurer, Joe Hockey, are unable to see. I smiled to myself when former Prime Minister Keating, at the official tribute at Town Hall in Sydney, said Mr Wran had a "PhD in poetic profanity".

On a personal note, I remember Mr Wran passing me in the corridor on level 40 in Governor Macquarie Tower in around 2001. At the time, a newspaper had run a photograph of me walking my late dog, Sam, at Bondi Junction, when I was wearing a T-shirt and shorts. It was not a flattering photograph. Without pausing as he passed, Mr Wran declared; "Walt, never wear shorts in photographs. What were you thinking? You looked awful." He was brusque and abrupt, yes, but accurate? Absolutely! And coming from the great man himself, it was gospel to an Australian Labor Party member and ministerial staffer. I do not believe there are any photographs of me in shorts that have appeared in publications since—something for which I think we are all grateful. I thank the Honourable Mr Wran for his impeccable service to the party, the State and the nation, and I thank the House for its consideration.

**The Hon. SOPHIE COTSIS** [11.35 a.m.]: I wish to extend my deepest condolences to the friends and family of Neville Wran. Neville Wran was a true Labor hero. He was a hero because he brought Labor back into government in 1976 after almost a decade out of power and he was a Labor hero because he established a stable and successful Labor government that went on to win smashing election victories—the Wranlides—in 1978, 1981 and 1984. When Mr Wran retired from politics in 1986, he said:

I didn't set out to achieve much, actually. My principal objective was to keep beating the Liberals, and I have had amazing success at doing that. That's been my main triumph.

In making that statement, I think Mr Wran's modesty got the better of him because Wran's triumph was never the mere defeat of the Liberals. Rather, his triumph was the enactment of modern policies that advanced our great State, making life better for ordinary, average people living in suburbia. That really is why Wran is a true Labor hero. It is not just that he won elections. It is that when he won elections he got on with the business of making life better for ordinary, average Australians in suburbia. My colleagues have spoken eloquently about the achievements of the Wran Government. I will focus on four areas where Neville Wran's legacy endures today: housing, local government, the status of women and our State's multicultural communities.

When it comes to housing, Neville Wran delivered important reforms. The old model of social housing, which commenced under the Labor governments of John Curtin, Ben Chifley and Bill McKell, was beginning to show signs of wear and tear. This old model of building vast and new housing estates, which made cheap housing available for thousands of families of service men and women, was beginning to become associated with problems of antisocial behaviour and welfare dependency. As we all know, this is a challenge that still confronts governments today. Nevertheless, Wran's Government was the first to begin to take action to address this problem.

Mr Wran replaced the old Housing Commission with a new Department of Housing. He developed integrated policies to improve housing. He ceased the construction of new estate-style suburbs and instead developed partnerships with the private sector to build communities with a mix of private and social housing. Mr Wran sought to address the high cost of private rents by issuing bonds to encourage developers to build more properties and he used Landcom and partnerships with the private sector to develop new housing that was affordable for families to own.

The Wran Government directed considerable effort at reforming local government. Soon after coming to office, Mr Wran reintroduced compulsory voting for local government elections. This was a particularly important reform, which restored legitimacy and purpose to local government. When voluntary voting was introduced by the Askin Liberal Government in 1968, 74 per cent of people voted. Over the years when voluntary voting was in place, participation in local elections fell so that by 1974 only 28 per cent of people voted. At that time, of the 223 local government authorities in place in 1974, 179 requested the reintroduction of compulsory voting.

Mr Wran also introduced proportional representation and the direct election of mayors in Sydney, Newcastle and Wollongong. He went on to introduce other reforms, such as rate-pegging, which was dreaded by many councils but helped many thousands of ratepayers in the State by containing costs. Reflecting Wran's modern outlook, the Wran Government did much to advance the status of women. In *The Wran Era*, a book edited by Troy Bramston, Carmel Niland writes about her experience as a woman trying to advance Neville Wran's agenda. She recalls her first meeting with him, in which he said:

I want you to raise the status of women in New South Wales. This is the goal. Do whatever you have to do, but there are two provisos: don't tell anyone you are doing it ... that is my job to announce anything. Everything else you are to credit to the Women's Advisory Council after gaining their full support. And don't come to me for money, because I do not have any. You're to make the departments pay for your ideas; they are sitting on hollow logs.

That quote captures so much about Neville Wran. He was dedicated to the progressive goal of advancing the status of women and he was determined to achieve that goal in a politically pragmatic way, ensuring that the political capital from announcements flowed to where it would be of most use, putting responsible budgetary strictures in place and putting an onus on the bureaucracy to deliver. Under Neville Wran, the status of women in New South Wales went forward in leaps and bounds. He established a Women's Coordination Unit and the Women's Advisory Council.

In 1977 the Wran Government introduced the Anti-Discrimination Act, which made it unlawful to discriminate against people on the grounds of sex or marital status. The Wran Government introduced apprehended violence orders for the protection of women. Under the Wran Government, New South Wales became the second place in the world after Sweden to outlaw rape in marriage and to abolish the distinction between the rape of a woman by her husband or by a stranger.

In 1981 the Wran Government amended the Crimes Act to make court processes less difficult for victims of sexual assault and to encourage the reporting of sexual assault. A special sexual assault unit was formed in the NSW Police Force and police were trained to identify and investigate multiple offenders. Eight sexual assault centres in hospitals provided counselling and medical services, which operated 24 hours a day. The Wran Government also funded 46 women's refuges to accommodate 12,500 women and their children and made medium-term housing available to help women and children out of refuges.

The Wran Government introduced Australia's first legally mandated equal employment opportunity program for the New South Wales Public Service to increase the promotion prospects for women. It introduced Australia's first compulsory maternity leave scheme to provide a year's unpaid leave for all pregnant workers. The Wran Government also expanded the provision of day care and preschool facilities to make it easier for women to balance work and family life. In 1973 it established 13 childcare centres in TAFE where previously there had been none. During Wran's time in office, the New South Wales domestic violence program was recognised by the United Nations Committee on the Elimination of Discrimination Against Women as the world's best

During 1978 and 1979 another world first was accomplished with the opening of sexual assault centres in five hospitals—later increasing to eight—where police were required to take victims to collect forensic evidence and where the victim's physical and psychological injuries could be treated. New South Wales hosted the world's first Women and Sports conference in 1980 and the world's first Women and Arts festival in 1982. Mr Wran introduced Australia's first legally mandated equal employment opportunity program into public employment and universities in New South Wales—the third in the world to do so after the United States and the Canadian province of Ontario. The innovative non-sexist education program in government schools assisted girls to broaden subject choice and it increased awareness of discriminatory practices in education. I could go on and on.

For our State's multicultural communities, Wran was the first political leader to move beyond viewing ethnic communities as merely a voting bloc. Rather, Neville Wran took the issues of the many ethnic communities seriously. He showed respect, he listened, he attended functions and community events, and he set about delivering results. I have already mentioned the Anti-Discrimination Act—a great Labor achievement in law reform and which recognised that no-one should be discriminated against on the basis of race. Mr Wran deployed translators and interpreters throughout front-line government agencies. Under his Government, he introduced English as a second language [ESL] to schools to help the children of migrants integrate and to enable them to utilise all the opportunities that our country offers.

Mr Wran also recognised the importance to migrant communities of being able to maintain their cultural traditions, to practise their religion, and to learn their mother tongue. He funded community language schools to help migrants to maintain their languages and traditions. Neville Wran's achievements for the people of New South Wales are significant and numerous. They are recorded in books and articles on the Wran era and we recognise those achievements here today. Neville Wran was a truly inspirational leader, whose legacy of achievement is an inspiration to which future generations can aspire. I extend my deepest condolences to his friends and family and I thank them for sharing Neville Wran with the Labor Party, with the Parliament and with the people of New South Wales.

**The Hon. PETER PRIMROSE** [11.46 a.m.]: Neville Wran will be remembered for his political skill, his wit, his personal commitment to working-class people, and his many great and lasting achievements. He was a Labor leader in the great tradition of our great party. Today I want to talk about a particular reform that has had a huge effect on the governance of this State. It also has had a direct bearing on everyone present here today. It is Premier Neville Wran's 1978 referendum to reform and democratise the New South Wales Legislative Council.

Since self-government was granted in 1856, this House has been and continues to be the subject of controversy. From the time that Wentworth had proposed the first constitution for self-government in New South Wales in 1853, there had been contention about how the upper House should be constituted. Time and time again the landed, the privileged and the wealthy won out against moves towards democratic reform. Throughout the second half of the nineteenth century attempts at democratic reform of the Legislative Council failed, despite the strident advocacy of the likes of Henry Parkes and Charles Cowper. The House continued to lack legitimacy.

From 1933 and for many years beyond, Legislative Council members were elected by an electoral college, a combination vote comprised of the Legislative Assembly and two-thirds of this House. Being elected by politicians and not the public, the House could not claim to be democratic or representative of the people of the State. Objections to bills were routinely dismissed as the musings of a privileged few, "an unrepresentative swill", to use the words of a later politician concerning another place. Similarly, in 1961, Labor's Bob Heffron, when he asked the people to abolish the Legislative Council at a referendum, derided this House as "a barnacle on the keel of the ship of State". A campaign by the Country and Liberal parties against abolition was successful, garnering 56 per cent of the vote.

Seventeen years later, in 1978, Neville Wran faced the same undemocratic and unreformed upper House. He had become a member of the Legislative Council in 1970, before moving to the Legislative Assembly in 1973. In 1976 Neville Wran was elected Premier, with a one-seat majority. Labor's internal polling at the time reveals that its success was based on Wran's empathy with voters, the trust he engendered and his moderate leadership style. In 1976 the Labor Party's campaign slogan had been: "Let's put this State in better shape". By 1978 the party was indelibly imprinted with Wran's image. The campaign slogan was: "Wran's Our Man". As the campaign jingle proudly proclaimed, "He's got the plan. He understands. Wran's our man".

Labor still was reeling from the 1975 and 1977 Federal election disasters. The Australian Senate had been the chopping block on which the Whitlam Government had been executed. No Labor leader had ever gained anything but trouble from trying to reform the New South Wales Legislative Council. There were no guarantees that another attempt at reform would be successful with either the public or winning over the Opposition in Parliament. But Wran took on the challenge with his usual energy and commitment. He proposed one overarching and consistent principle for reform, as he informed the people of New South Wales through the innovative medium of political television advertisements:

Every Australian has a duty to protect and strengthen democracy, and the very basis of democracy is the right of the people to elect members of Parliament who represent them. This right does not exist in New South Wales. The Legislative Council, half our State Parliament, is elected by politicians, not by the people!

The then Country Party remained implacably opposed to democratisation—possibly a lesson we should still bear in mind today. So Wran negotiated with the Liberals, and steered through a compromise position that eventually gained their somewhat lukewarm, but nevertheless essential, support. Premier Wran then took democratisation of the New South Wales Legislative Council to the people in a referendum on 17 June 1978. The people responded with a thumping victory for the yes vote—82.63 per cent voted yes to 14.80 per cent who voted no. Governments of all political complexions continue to deride and criticise this House of review, but that is as it should be. The Legislative Council should not become a pale version of the Legislative Assembly.

Thanks to the political skills, vision and strength of Neville Wran and the ongoing reforms made possible by his referendum, the election system for New South Wales upper House members is regarded as one of the most representative and genuinely democratic in the world. Neville Wran is best known as a Premier and as a member of the other place, and today his bronze bust sits outside that Chamber. But we in this Chamber should remember that Neville Wran was truly the father of this House as a democratic institution representing all the people of New South Wales.

**The Hon. AMANDA FAZIO** [11.52 a.m.]: Today I express my condolences on the passing of a man who fundamentally changed the State of New South Wales for the better—the Hon. Neville Wran, AC, QC, who was one of the towering figures of New South Wales politics. He entered the New South Wales Legislative Council in 1970 when aged only 43 and three years later became the member for Bass Hill and the leader of the State parliamentary Labor Party. Neville Wran became Premier when Labor narrowly won the 1976 election, which was in doubt for several days before the seats of Gosford and Hurstville fell to Labor by 74 and 44 votes respectively, giving the Australian Labor Party a one-seat majority. From there Wran's political dominance grew, leading to 1978 and 1981 wins that were dubbed WranSlides and also cost two Liberal leaders their seats. In 1981 the Coalition had just 28 seats to the Australian Labor Party's 69. At one point Wran's popularity hit an unprecedented 80 per cent in polling.

Neville Wran resigned both the premiership and his seat in Parliament on 4 July 1986 in a speech to a shocked New South Wales Australian Labor Party conference at the Sydney Town Hall where many delegates cried at his announcement. This was after he had continuously held office longer than any other Premier in the history of New South Wales. Neville Wran was a true reformer who never forgot his working-class background and always supported the idea that everyone was entitled to a fair go. His vision shaped modern Sydney, setting the pace for its redevelopment during his time as Premier.

The list of his achievements is vast and includes many things that we now take for granted and expect from good governments, including reforming a stagnant public service and opening it up for women and Aboriginal people, in part by replacing the seniority system with merit; shifting the focus to customers and consumers in line with modern economic theory and appointing a woman as the first director of equal opportunity and employment; providing consumer protection and raising the profile of consumer affairs; creating the Anti-Discrimination Board, Ethnic Affairs Commission, Women's Advisory Council and a Minister for Aboriginal Affairs, as well as tackling land rights.

He created the Darling Harbour precinct from a disused railway goods yard; reformed many features of democracy in New South Wales, such as four-year terms, public funding and disclosure laws, a pecuniary interests register for members of Parliament and a democratically elected Legislative Council; established the Wharf, home to the Sydney Theatre Company, including wresting control of the site from a reluctant Maritime Services Board; established commissions of inquiry into police administration and gambling; appointed Janice Crosio as the first woman Cabinet Minister in New South Wales's history; started an environmental push that led to the creation of 20 new national parks, including world heritage listed areas around Barrington Tops and the Border Ranges in northern New South Wales; provided the electrification of several regional rail services; introduced rate-pegging for councils and random breath testing which has saved many thousands of lives since its inception; established the Land and Environment Court; and introduced laws allowing homosexual acts between consenting adults.

Unfortunately, Neville Wran's ambitious bill to outlaw discrimination was watered down to cover just race, sex and marital status and abandoned age, religion, disability and sexual orientation at the time. The charm and persuasiveness that Neville Wran used so effectively in court made him one of the first contemporary political masters of the media in knowing how to manage the news to his advantage. One example of this was a four-page spread in the *Australian Women's Weekly* on his marriage to Jill Hickson. He was the first political leader in the television age in Australia who was dashing, handsome and charismatic—something we have been missing of late. Neville and Jill were an exceptionally popular couple. I give one example.

A great aunt of mine lived on the far North Coast and was not particularly a Labor voter, as are many people in that region. One day I visited her when she proudly showed me a statue of a dog on her front porch. She had painted it to look exactly the same as the one in a *Women's Weekly* photo she had of Neville and Jill and their pet dog. She said, "Look, they're such a lovely couple and they have this lovely pet dog." My Auntie Queenie had gone out of her way to try to paint this statue of her dog to look like theirs.

Neville Wran's career had some downsides, including his 1983 appearance before the Street royal commission following claims aired on the ABC that as Premier he had tried to influence a magistrate, Murray Farquhar, over embezzlement charges against the former Australian Rugby League and New South Wales Rugby League chairman Kevin Humphreys. Mr Wran stood down as Premier for three months while this matter was heard, during which time he addressed the New South Wales Labor conference at Sydney Town Hall. It was in this speech that he most famously stated:

Balmain boys don't cry. We're too vulgar, too common for that. But if you prick us with a pin, we bleed like anyone else.

Ultimately, he was exonerated, but observed at the conference that "the mud will stick". He sued the ABC and settled out of court. Neville Wran was National President of the Australian Labor Party from 1980 to 1986 and made national conferences that much more enjoyable by his skills in the chair. Following his retirement from Parliament he served as chairman of both the Lionel Murphy Foundation and the CSIRO from 1986 to 1991.

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

*[Business interrupted.]*

## **BUSINESS OF THE HOUSE**

### **Suspension of Standing and Sessional Orders: Extension of Time for Debate**

#### **Motion by the Hon. Luke Foley agreed to:**

That:

- (1) the time for debate on this motion be extended for 90 minutes; and
- (2) each subsequent speaker may speak for not more than 10 minutes, except the mover who may speak for 5 minutes in reply.

### **DEATH OF THE HONOURABLE NEVILLE KENNETH WRAN, AC, CNZM, QC, A FORMER PREMIER, MINISTER OF THE CROWN, MEMBER OF THE LEGISLATIVE COUNCIL AND MEMBER FOR BASS HILL**

*[Business resumed.]*

**The Hon. AMANDA FAZIO** [11.58 a.m.]: Neville Wran's contribution to public life was recognised here and internationally. He was awarded the following honours: Officer in the Order of the Golden Ark from

the Netherlands "for his contribution to the environment"; Grand Officer (2nd Class) of the Order of Merit of the Italian Republic by the President of Italy, Francesco Cossiga; Companion of the Order of Australia on 26 January 1988 "for service to Government and politics and to the New South Wales Parliament"; a Degree of Doctor of Laws by the University of Sydney; and Companion of the New Zealand Order of Merit for services to New Zealand-Australia relations by the New Zealand Government. Neville Wran's philosophical outlook was best exemplified by the eulogy he gave for Lionel Murphy following his death in 1986. In it, Wran observed:

The Australian value, to be cherished and valued overall, is the openness and equality of our society. There is no ultimate meaning in our history, if it is not the struggle to break down the barriers raised against human fulfilment by differences of class, background, sex, colour and creed.

The passing of Neville Wran is a great loss, not only to his family but to the people of New South Wales. We are lucky to live in a society where his reforms still make New South Wales a better State.

**The Hon. PENNY SHARPE** [11.59 a.m.]: I speak to this condolence motion and pay my condolences to Neville Wran's family. Neville Wran was important to us, but he belonged to them and I know he is sadly missed. I met Neville Wran just once. It was an important moment for me; less so for him, I am sure. As a child growing up in Canberra at the time that Neville Wran was Premier, my impression of him was from the advertisement of the man standing on the bus. All of us could and did sing the jingle, "Wran's our man, he understands." I will not do that today. Neville Wran is a giant in the history of New South Wales. He is a giant in the Australian Labor Party. His influence and impact cannot be underestimated.

Today I mention Neville Wran's impact in two areas: his commitment and advancement of the rights of women in New South Wales and his pivotal role in getting legislation passed to decriminalise homosexuality in New South Wales. There were no women in Neville Wran's first Cabinet, which is unthinkable today, but as Helen L'Orange and Jozefa Sobski have written so eloquently, Neville Wran was dedicated to advancing equality for women in New South Wales. He worked closely with public servants, Labor women and women's organisations to make great progress. I share Helen L'Orange's and Jozefa Sobski's reflections on the role of Neville Wran that they wrote for the Women's Electoral Lobby of NSW:

With his passing, many tributes to Neville Wran have focused on his achievements in strengthening physical and environmental infrastructure. For many of us Neville Wran's greatest achievement was leading the building of social infrastructure and social reform which led a paradigm shift and changed society for the better in NSW and, arguably, throughout Australia. This social progress continues to this day. For those working in the public service, the excitement and idealism created by Neville Wran's leadership pervaded our work. He gave us the best years of our working lives. There were strong connections to community organizations and groups such as Women's Electoral Lobby, National Council of Women, Business and Professional Women NSW, Women Lawyers Association, NSW Council of Social Services, Labor Women's Committee, Immigrant Women's Speakout. Above all, there was a belief in the possibility of social reform and making strides towards achieving equality of the sexes and raising the status and standing of women.

The Women's Coordination Unit was established in the Premier's Department; a Social Development Unit was established in the Ministry of Education and gradually women's units or units focused on equal opportunity or women's policy and programs were established across government in most departments. These included health, industrial relations, housing, prisons, education and TAFE, multicultural affairs and community services. These units had a brief to influence departmental policy, undertake gender analysis, initiate programs for improving women's status and create women specific services. The TAFE Women's Coordination Unit, for example, was established to encourage girls into trades as well as running women only courses for those returning to study or work from a period of child rearing. The Women in Prison Task Force Report and Girls at Risk Report were far sighted and are still relevant today.

The Anti-Discrimination Act was passed in 1977 after a great deal of pressure from WEL NSW. It gave legal sanction to pursue and expose discriminatory practices and seek redress and reform. This law reform was followed by legislative changes introducing equal employment opportunity. Neville Wran sponsored significant packages of law reform on adult and child sexual assault and domestic violence. These were accompanied by statewide community education programs and well-funded services.

The Women's Advisory Council was established in 1976 to advise the Premier and there were many other inter-departmental and specialist task forces. The Child Protection Council was established in 1985 and took the lead in implementing reforms for children, initially implementing the Government's program to combat child sexual assault.

In those years, WEL's influence was critical and substantial. Members of WEL were appointed to positions in various government departments and onto advisory bodies. Activists were part of the reform process. There was untiring advocacy in the interests of the most vulnerable and disadvantaged women and their children.

Neville Wran's leadership and his personal commitment were crucial to the success of the decade coincident with the United Nations Decade for Women. The reforms achieved were systemic and far reaching. Sexual assault centres were opened in hospitals to augment the work of the NSW Rape Crisis Centre. The number of women's refuges went from three to forty six with much of the funding from the NSW state budget. Child care funding increased substantially. Retention rates for girls in schools improved and girls' enrolments in University course increased and diversified into fields like Law, Architecture, Medicine, Dentistry and Engineering.

On International Women's Day each year, Premier Wran hosted a reception and announced major initiatives for policy reform and program funding. He was a champion of change to improve women's status throughout his term. Though his approach in the early years was marked by a degree of moderation, Neville Wran believed in the power of government to lead social progress, systemically, gradually, but relentlessly.

Neville Wran was a moderate and a pragmatist. He combined these qualities with an acute sense of political timing, coupled with faith in the program being proposed and a preparedness to back it against any tide of criticism. He was supported by a Cabinet for which ALP ideals mattered. The ideals of social justice and fairness, democracy, transparency in government, women's rights, the rights of Aboriginal people, multiculturalism, preserving the environment, nourishing the Arts, expanding public housing and equal educational opportunity. Those working within government had satisfying work implementing the reforms and ensuring they were enshrined in public policy and practice.

Neville Wran's contribution to a better, more equal society including through all the support enabling women to work with government, in our view, was paramount and of enduring importance. He changed NSW for the better for all women and NSW led Australia in this program of social reform.

Thirty years ago this month Neville Wran introduced into the Legislative Assembly the Crimes (Amendment) Bill 1984 as a private member's bill. The passing of that bill removed the criminalisation of homosexual activity from New South Wales law. This was a monumental law reform from which so many other reforms have been made possible. The *Australian* wrote at the time:

Mr Wran took the bill into the House after virtually browbeating his troops into accepting that homosexual law reform was needed in New South Wales if the State was able to claim the title of most progressive in the country.

It has often been reported that Neville Wran once said that if you get the timing right you can do anything. The decriminalisation of homosexuality in New South Wales proved this point. Previous attempts to change this law had occurred. I pay tribute to former Labor members such as George Petersen, Frank Walker and Jack Ferguson who fought within Labor and Parliament to see this reform made a reality. They were unsuccessful the first time but they also laid the groundwork for this reform. This law reform also occurred as a result of the hard work of gay and lesbian community members who showed true courage by campaigning against the criminalisation of homosexuality at great risk to themselves and those they loved. During the debate in 1984 Premier Wran said:

I feel that New South Wales and the New South Wales Parliament will be completely out of touch with current community standards if some substantial reform of the law is not achieved. This approach seems to me to involve not only a recognition of the reality of contemporary social circumstances, but the implication of such important concepts as freedom of choice, and the rights of the individual and freedom from discrimination.

Fast forward 30 years and in New South Wales same sex couples are treated equally in all areas of the law. This would simply not have been possible without the decriminalisation of homosexuality that Neville Wran pursued. I hope that 30 years on we will be able to look to Neville Wran's example and establish a process for expunging wrongful criminal convictions of gay men who were charged and convicted under these laws. Neville Wran was larger than life. He showed what could be achieved for State Government and he changed our State for the better. As we gathered at Neville Wran's funeral, we saw and shared what makes us Labor. Neville Wran's legacy to me and perhaps all Labor members is to aim higher, to work harder and to always beat the Liberals. Vale Neville Wran.

**The Hon. LYNDIA VOLTZ** [12.08 p.m.]: I will not go through the long list of Neville Wran's reforms, which have already been mentioned by my colleagues. I will miss Neville Wran. When I was a young member of the Australian Labor Party, Neville Wran was a constant figure in Western Sydney. Despite his elegantly gravelly voice and dapper ways, there was a lot of the knock-about bloke about Neville. When I was a young 20-year-old and worked in the Workers Health Centre, I always appreciated that Neville Wran would go out of his way to let me know before the budget that funding for the clinic was still available. It was an important mark of the man. It showed that he had empathy and an understanding of the crucial work that was carried out on behalf of those suffering from workplace injuries. Many of the injured workers had to fight tooth and nail to get recognition elsewhere, especially those who were exposed to asbestos, who had never received compensation, often only a death sentence.

Even while I sat with Neville Wran watching the Socceroos in the mid-1990s, he lectured me on the importance of empathy and to always put myself in the position of others. He taught me one of the most important rules of politics: To ask myself, "If this was happening to my children, how would I feel?" Later in his life whenever I saw him at a function, and many others had faded away, Neville still maintained the fire in his belly that drove him to politics. He, alongside others like his mate Jack Ferguson, was amongst a clique of politicians who understood all too well the struggles of the Depression and the importance of care for those less fortunate or those who had fallen on hard times.

They were not bleeding-heart liberals; they were realists who knew about the impacts on society from an uncaring government. I am glad that Neville Wran was not here to see the budget that was handed down by the Abbott Government this week. The removal of the basic safety net for those families where the sole bread winner is under 30 is, at its heart, the very antithesis of politicians like Neville Wran who had grown up through the Depression and entered the Labor movement to ensure that no longer would families be thrown out on the streets begging for food. I will miss Neville Wran. Politicians like him are once-in-a-lifetime leaders and the Labor Party was the richer for his presence.

**Debate adjourned on motion by the Hon. Lynda Voltz and set down as an order of the day for a future day.**

## BUSINESS OF THE HOUSE

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

**Mr DAVID SHOEBRIDGE** [12.10 p.m.]: I move:

That standing and sessional orders be suspended to allow a motion to be moved forthwith that Private Members' Business item No. 1829 outside the Order of Precedence, relating to the Bentley blockade, be called on forthwith.

This matter is urgent because the Baird Government has been threatening peaceful protestors with extraordinary emergency police powers. Thousands of members of the North Coast community have come together to protect their land and water from invasive coal seam gas drilling rigs. They have the strong, almost unified, support of their community—namely, 87 per cent of the community—standing in support of their call for no coal seam gas and no coal seam gas exploration.

**Reverend the Hon. Fred Nile:** Nothing is happening now. It is all over. It is all finished.

**Mr DAVID SHOEBRIDGE:** I note the interjection of Reverend the Hon. Fred Nile, who suggests that this is all over. What we have seen today is the Government suspending the licence, not cancelling it. We have also seen this Government ratchet up the police response from blockade after blockade where the community has stood—whether at Doubtful Creek, Glenugie or in the Pilliga. In the past few weeks we have seen the very real threat of this Government using extraordinary police powers to cordon off the area around the coal seam gas protest.

**The Hon. Trevor Khan:** Point of order: My point of order is relevance. Mr David Shoebridge is supposed to be addressing the issue of urgency, but he seems to have lurched into addressing the substantive issue. I ask the member to direct his attention to the question of why this matter is more urgent than others on the *Notice Paper*.

**DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones):** Order! I remind members that some of them have already been called to order. I uphold the point of order.

**Mr DAVID SHOEBRIDGE:** This matter is urgent because we need to make a statement today that peaceful, non-violent protest will be met by peaceful means and respected by this House. I commend the urgency motion to the House.

**The Hon. DUNCAN GAY** (Minister for Roads and Freight, and Vice-President of the Executive Council) [12.13 p.m.]: This motion is not urgent. Once again Mr David Shoebridge is trying to pillory police. Instead of addressing urgency, he has shown his card to the House and in this soliloquy he can indulge in his favourite sport—namely, bating and hating police, and hating law and order across this State.

**DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones):** Order! The Greens members will cease injecting. They will have an opportunity to contribute to the debate.

**Dr John Kaye:** Point of order: My point of order is relevance. The Minister has not lurched; he has leapt out of the issue of urgency and into a personal attack on Mr David Shoebridge.

**DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones):** Order! The Minister had been speaking for only 30 seconds and members were constantly interjecting. I could not hear the Minister. The Minister has the call.

**The Hon. DUNCAN GAY:** This matter is not urgent because this morning the Minister for Resources and Energy, the Hon. Anthony Roberts—

**The Hon. Dr Peter Phelps:** Robbo the Good.

**The Hon. DUNCAN GAY:** Robbo the Good—announced the suspension of the petroleum exploration and production company's right to drill at this site. The genesis The Greens are using as a thinly veiled rationale to attack police has gone out the window. No-one objects to the right of peaceful protest but it is a waste of the time of this House to debate a motion that has no validity. The Minister has said that the exploration is not going to happen on that site. There are some in this House that would encourage some members of The Greens to chain themselves to any fence in the State—now that would be a matter of urgency and something the Government would support. There is no urgency in this motion.

**The Hon. WALT SECORD** [12.16 p.m.]: The Opposition supports urgency.

**Ms JAN BARHAM** [12.16 p.m.]: I speak in support of the motion. I am a little disappointed in the comments of the Leader of the House. This motion is not about attacking police. I find it difficult that the Leader of the House would even think that way. I have made it known in this House before that a number of my family members come from a long line of policing and they all believe in supporting the community. I know for a fact that the police on the North Coast did not feel comfortable about the Government's political decision to support this.

**Mr Scot MacDonald:** Point of order: Is the member proposing to address urgency in the near future or will she just be sharing her life history with the House?

**DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones):** Order! I uphold the point of order. Ms Jan Barham will return to the leave of the motion.

**Ms JAN BARHAM:** I have no further comments to make.

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

**The House divided.**

**Ayes, 19**

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

**Noes, 18**

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

**Pairs**

Ms Fazio	Ms Ficarra
Mr Foley	Mr Gallacher

**Question resolved in the affirmative.**

## Order of Business

### Motion by Mr David Shoebridge agreed to:

That Private Members' Business item No. 1829 outside the Order of Precedence be called on forthwith.

### BENTLEY BLOCKADE

Mr DAVID SHOEBRIDGE [12.25 p.m.]: I move:

- (1) That this House expresses its support for the right of communities to engage in peaceful, nonviolent protests to protect their land and water.
- (2) That this House acknowledges the strength of community support for the Bentley coal seam gas blockade in northern New South Wales including support from:
  - (a) a large cross-section of the local community;
  - (b) local councils and mayors; and
  - (c) religious and community leaders.
- (3) That this House notes that a 2012 plebiscite in Lismore City Council found that 87 per cent of local residents opposed coal seam gas exploration and production in their area.
- (4) That this House calls on the Coalition Government and the NSW Police Force to:
  - (a) ensure that the peaceful nature of the blockade is respected, and
  - (b) to refrain from the use of Emergency Powers under Part 6A of the Law Enforcement (Powers and Responsibilities) Act to break up and disperse this peaceful community action.

This motion is essential business for any Parliament concerned about the right of freedom of expression; the right of peaceful, nonviolent protest; and the right of communities to stand up and unite against destructive industries even if those destructive industries are given permission to operate by the Government of the day. Those communities have a right to stand up against those destructive industries and say that their land and their water is too precious to be destroyed for the sake of the profits of a well-connected gas exploration and mining company. That is what the people of Lismore and the North Coast, and others around the State, are saying.

Right around this State—whether it be in the Pilliga, on the mid North Coast, on the Central Coast or in the Southern Highlands—people are saying that they want their Government to protect them from the destructive impacts of coal seam gas exploration and drilling. They do not want fracking of their aquifers. They want to ensure that the water supporting their communities, farms and towns, which is clean now, will be clean for their kids and their grandkids. If ever there has been a statement of a united community it has been the Bentley blockade. Religious leaders have come out to support the Bentley blockade. Mayors and councillors have come out to support the Bentley blockade. Local councils have resolved with overwhelming majorities to support the blockade and to approve development applications to allow the protestors and the protectors of the land and water to establish campsites and to have a legal presence at the site to protect their own land and water.

If ever there was an example of unity in the face of wrong-headed government policy and bad laws it is the Bentley blockade and the thousands of people from across the spectrum of society who have united against coal seam gas and said they will not allow the drilling rigs into the site to damage their land and water. The driving force behind the blockades at Glenugie, Bentley, Doubtful Creek and in the Pilliga is a demand from ordinary people to have clean politics and a clean energy future in this State. Clean politics is at the core of the demand of the people at Bentley. In protest after protest and blockade after blockade a united community has been met with a ratcheting up of police powers by this Government.

We saw the protests and the arrests at Doubtful Creek. Over the past few weeks extraordinary numbers of police have been amassed to go to Bentley with the express intention of this Government to break the blockade. We know that this Government has been seriously considering using the police emergency powers contained in part 6A of the Law Enforcement (Powers and Responsibilities) Act to break the blockade at Bentley. Governments of this State have an appalling history of using police emergency powers to break up peaceful environmental protests. In 2008 the former Labor Government used the emergency powers to break up the Climate Camp.

The police emergency powers were not put on the statute books to break up peaceful protests or stop concerned citizens from engaging in non-violent protests to protect their land and water. The extraordinary police powers were introduced in 2005 in response to the Cronulla riots. They were rushed through this Parliament after only hours of notice. They were never intended—at least not expressly—to be used for the purpose of breaking up peaceful, non-violent action. When the part 6A powers were being pushed through the Parliament the Premier of the day, Morris Iemma, and the Leader of the Government in this House, the Hon. John Della Bosca, both said:

These powers are not intended for use in respect of peaceful protests, union demonstrations and the like.

Yet one of the first uses of the powers was to shut down the peaceful Climate Camp protest in 2008. What has this Government been actively considering using them for? To break the Bentley blockade.

**The Hon. Duncan Gay:** Occupy Sydney.

**Mr DAVID SHOEBRIDGE:** I hear the Leader of the Government interject they were also being considered for Occupy Sydney.

**Dr John Kaye:** That's news.

**Mr DAVID SHOEBRIDGE:** It is news that the Government was considering using these appalling powers to break up Occupy Sydney.

**The Hon. Duncan Gay:** Point of order: The member is misrepresenting what I said, which is not unusual for him. It is no wonder he had to leave the bar if that was his behaviour.

**The Hon. Lynda Voltz:** To the point of order: The Minister knows full well that he did not cite any standing order. Time and again when he takes a point of order he makes debating points. I ask that in the future the Minister be brought to order.

**DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones):** Order! I thank the Hon. Lynda Voltz for her suggestion. There is no point of order.

**Mr DAVID SHOEBRIDGE:** For the record, once again the appalling abuse by the Leader of the Government and his personal invective against me has no foundation. I have not left the bar and I have no intention of leaving the bar.

**The Hon. Duncan Gay:** You're still working?

**Mr DAVID SHOEBRIDGE:** If the Leader of the Government had a brain, which clearly he does not, he would understand that a person can be a member of the bar without working at the bar. I will move on from that worthless interjection by the member. It was another attempt to throw a spoke in the wheels of democracy to avert the public's attention from the Government's brutal anti-environment, anti-community agenda. It comes out time and again when Government members see a united community and a genuinely democratic groundswell of community support for clean air, clean water and above all—which is what most offends the member—clean politics in this State. Wherever they see it they want to step in and send in the police.

**The Hon. Duncan Gay:** Point of order: I find the imputation that I am against—

**The Hon. Lynda Voltz:** You never make any reference to a standing order.

**The Hon. Duncan Gay:** Can you wait a second?

**DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones):** Order! The Hon. Lynda Voltz will cease interjecting.

**The Hon. Duncan Gay:** I find the imputation that I am against clean politics offensive and I ask the member to withdraw.

**Dr John Kaye:** Unlike the imputation you made about him that he was chucked out of the bar?

**The Hon. Duncan Gay:** He made imputations about me that were wrong and did not withdraw them. He lied to the Chamber and Dr John Kaye knows that.

**Dr John Kaye:** You can dish it out but you can't take it.

**The Hon. Duncan Gay:** I can dish it out and I can take it.

**DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones):** Order! Dr John Kaye will cease interjecting.

**Mr DAVID SHOEBRIDGE:** To the point of order: For the member who makes constant gross and unfounded aspersions against me in interjections and statements to take a point of order to try to stop a discussion about clean politics in this Chamber shows not only the glass jaw of the member but also the glass jaw of this Government on the issue of clean politics.

**The Hon. Duncan Gay:** Further to the point of order: It was not about a discussion; it was about a statement that I was against clean politics in this State. I once again ask you to instruct the member to withdraw that allegation. I find it offensive.

**The PRESIDENT:** Order! The standing orders are quite clear as to how these matters are dealt with. While the words were not offensive, the imputation was offensive. Therefore, I call Mr David Shoebridge to order for the first time.

**Mr DAVID SHOEBRIDGE:** Thank you, Mr President. I acknowledge and accept your ruling. What are the extraordinary emergency powers that can be used under part 6A? First of all, part 6A allows the Commissioner of Police or a deputy or assistant commissioner to authorise the use of emergency powers when they have reasonable grounds for believing that a large-scale public disorder is occurring or a threat of a disorder and are satisfied that the powers are necessary.

How is public disorder defined? It is defined as a riot or other civil disturbance that gives rise to a serious risk to public safety, whether at a single location or resulting from a series of incidents. The thought that this Government and senior police would consider a peaceful protest to be that kind of civil disorder is deeply disturbing. What is the target area in which they can apply these emergency powers? It is as big or as little as they want. It can be a town, roadway, farm, region or locality. Wherever the senior police determine they want the emergency powers they can draw a line on the map and have the powers in that area.

How long does it last? It lasts for a maximum of 48 hours but of course the police can extend the time by application to the Supreme Court. Where can the powers be exercised? The emergency powers, which I will detail shortly, can be exercised within the target area and any public place in the target area. "Public place" is an extraordinarily broad definition and would almost certainly cover the camp of protesters at Bentley, the paddocks around the entrance to the farm where the blockade is and the roadways in those areas. In addition to the target area, a good many of these powers that allow police to stop, detain and search vehicles and detain property can be exercised anywhere in the State, with certain limitations.

What emergency powers was the Government considering giving to the police? First of all, it was considering giving police the power to set up roadblocks and cordons. To stop and search people or vehicles or to stop people in vehicles entering or leaving the target area police can put a cordon around the target area and establish a roadblock in the target area. Once police have set up their roadblocks and cordons they can stop and search any vehicle in the target area. Police officers can stop and search a vehicle, anything in the vehicle and anyone inside the vehicle without a warrant. They can stop a vehicle for as long as they think is reasonably necessary to carry out a search.

Having stopped the vehicle and having searched the people within the vehicle, any police officer within the target area can stop and search, without warrant, any person in the target area. They can perform a frisk search on anyone in the target area and they can search anything in the possession of the person in the target area. They can go through people's mobile phone records, their backpacks or any documents that they have with them, and detain them as long as they think it is reasonably necessary to do that.

The police officers within the target area can demand proof of identity and can demand to know everybody's name and address. They also can request proof of identity in the form of documentation. Anyone

who does not give the police those details faces a criminal offence and a maximum fine of \$550 or 12 months imprisonment. Within the target area—and this is where it becomes absolutely like martial law—as part of a search of a vehicle or a person, the police can seize and keep for up to seven days any vehicle, any mobile phone or, as the legislation so extraordinarily phrases it, "any other thing". They can hold onto that for a maximum of seven days. They can take people's vehicles, their mobile phones and all their possessions as a result of a search, if they think it will assist in preventing or controlling public disorder.

As well as that—and here we get to the Joh Bjelke-Petersen powers—a police officer can direct any group of people in the target area to disperse immediately. The police officer only has to tell the group that the direction is given for the purpose of preventing or controlling public disorder. If people do not disperse, if they do not leave the area and if they do not break up the crowd or the blockade, they face a maximum penalty of \$550. A wish to maintain the protest and a democratic right to protest would not be considered a reasonable excuse although perhaps the fact that a person is locked onto an object might be: but no doubt that will be tested.

The emergency powers also would allow the police to search and detain vehicles that are outside the target area. A police officer can search and detain a vehicle and its occupants and can seize possessions if they suspect on reasonable grounds that the occupants of the vehicle have participated in or intend to participate in the public disorder, and the officer is satisfied that the exercise of those powers is reasonably necessary to prevent or control disorder.

Seizure and detention powers also are provided but, thankfully—and this is the one small limitation in the legislation—the police cannot disperse groups outside the target area. Effectively, this is martial law whereby the police will have the power, and other people's rights will be extremely limited. Those laws should never be considered for use against peaceful protests. We should be demanding now that this Government say it will never use those powers for peaceful environmental protests. I commend the motion to the House, but I commend the strength of the community, the Bentley blockade—those thousands of ordinary individuals who put their lives and their time on the line to protect what is precious to them.

**The Hon. DUNCAN GAY** (Minister for Roads and Freight, and Vice-President of the Executive Council) [12.42 p.m.]: Some days when I come into this House I think I am living in a parallel universe. I have just heard a speech that, frankly, does not have a lot to do with the motion. Anybody who listened to the speech made by Mr David Shoebridge would be inclined not to support the motion. Once again it is a speech that is anti the police and anti any powers for the police.

**Dr John Kaye:** That is just not true.

**The Hon. DUNCAN GAY:** Dr John Kaye should read *Hansard* and he will find out that it is true.

**DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones):** Order! Interjections are disorderly at all times.

**The Hon. DUNCAN GAY:** The fact is that the focus of police is always on public safety and a non-violent approach to protesters. That is what they do, and that is what they should do. That is why we have the police. I have to say that I find the motion before the House to be supportable. I find it supportable.

**Mr Jeremy Buckingham:** What have you done, David?

**The Hon. DUNCAN GAY:** I have actually read the motion. There is a difference between reading the motion and listening to the tripe that comes out of Mr David Shoebridge. The fact is that this motion is pretty much supportable. There are a couple of words which, if I had written the motion, would have been slightly different but in general terms it is not a bad motion. It is an aspiration with which, I suspect, no-one in this House would disagree. However, they would certainly disagree with the venom and the viciousness of the attack on the police once again made by The Greens, who are trying to build something into the debate that is not happening.

The fact is that this morning the Minister announced that the drilling approval had been suspended. Once again The Greens have been left like cocky on the biscuit tin—without a chance. The Greens have connived with their political friends, the Labor Party, to bring on a motion—any motion they could find. They saw Corncob Joe's motion and thought, "That's a bit controversial. I don't think we can bring that one on", and then they found this motion. When the motion is read, it is a good motion. I have to say that I do not mind it although, as I said, there are couple of words that I would change. The first paragraph states:

That this House expresses its support for the right of communities to engage in peaceful, nonviolent protests to protect their land and water.

Who could disagree with that philosophy? I have a slight but not huge disagreement with the second paragraph, which states:

That this House acknowledges the strength of community support for the Bentley coal seam gas blockade in northern New South Wales including support from:

- (a) a large cross-section of the local community;
- (b) local councils and mayors; and
- (c) religious and community leaders.

Yes, there is support. I think there is tad of exaggeration within that part of the motion, but that is a nuance that could be argued and is worthy of proper debate. The third paragraph states:

That this House notes that a 2012 plebiscite in Lismore City Council found that 87 per cent of local residents opposed coal seam gas exploration and production in their area.

That is a fact relating to that plebiscite. The wording of that paragraph could be argued, but I will not oppose something that actually happened. The fourth paragraph of the motion states:

That this House calls on the Coalition Government and NSW Police to:

- (a) ensure that the peaceful nature of the blockade is respected;

And so we damned well should, and that is what we were going to do, had the protest continued. The fourth paragraph of the motion also states:

and

- (b) to refrain from the use of Emergency Powers under Part 6A of the Law Enforcement (Powers and Responsibilities) Act to break up and disperse this peaceful community action.

Of course we would. That was what we wanted to do. We wanted to refrain from having to use those powers, but there is an equal responsibility on members on the other side to behave peacefully and properly in putting their point of view. While the Government is absolutely opposed to the venom and viciousness once again displayed by The Greens towards police, with support from the Labor Party, the Government has no problem with this motion. In general terms, it is a motion that should be supported.

**The Hon. WALT SECORD** [12.47 p.m.]: As shadow Minister for the North Coast I make a brief contribution to debate on the motion relating to the Bentley blockade, Metgasco and The Nationals. I lead in this debate for New South Wales Labor. This morning the Office of Coal Seam Gas told Metgasco that its licence to drill at Bentley would be suspended because the company "did not fulfil a condition of its exploration licence, namely to undertake genuine and effective consultation with the community as required". Firstly, I welcome the decision made this morning. There is no way to describe it other than as a community victory. It is a victory for North Coast families and North Coast farmers, but it is a victory that had nothing to do with The Nationals. The Nationals had to be dragged to this morning's decision.

Unfortunately, The Nationals are trying to spin a completely different line. They claim that they always were there in the fight to stop the expansion of coal seam gas and unconventional gas industries in the northern rivers region, but the North Coast community has a long memory. They know the duplicity of The Nationals. Just last month, the New South Wales Minister for Resources and Energy, Anthony Roberts, attacked farmers and locals who were protesting against coal seam gas and unconventional gas exploration on the North Coast and described them as "extremists", but this morning at 8 o'clock, Minister Roberts was standing on the steps of the New South Wales Parliament with the member for Lismore, Thomas George, announcing that the State Government had suspended Metgasco's licence.

The community will not forget that the member for Lismore, Thomas George, the member for Ballina, Don Page, the member for Tweed, Geoff Provest, and the member for Clarence, Chris Gulaptis, all were advocates for the expansion of unconventional gas and coal seam gas exploration on the North Coast. This was evident in Lismore's *Northern Star* article of 12 September 2012, which reported that those very same Nationals members of Parliament, in relation to reissuing 21 coal seam gas licences, were "on a conference call with *Northern Star* in a bid to sell the policy to North Coast readers yesterday". Earlier this week, the State

Government was doing everything in its power to facilitate exploration of unconventional gas and coal seam gas [CSG] at Bentley near Lismore. The Government was ready to bring in 800 police and the riot squad to break up lawful peaceful protestors.

**The Hon. Duncan Gay:** Point of order: My point of order is relevance. The motion before the House is quite discrete on the issue of Bentley. It should not allow a wide-ranging debate on what happens at Tweed and across other States with other people. The motion relates to police action in the area of Bentley.

**DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones):** Order! There is no point of order. The member may continue.

**The Hon. WALT SECORD:** Motels and accommodation across the North Coast had been booked for police use. However, the police were uncomfortable with the decision by the State Government to use them and their resources to remove lawful and peaceful protestors. Only after sustained questions in the New South Wales Legislative Assembly by the shadow Minister for Police, Michael Daley, and the Leader of the Opposition, John Robertson to the Premier and the Minister for Police did the State Government buckle. It is on the public record that the Premier and the Minister for Police refused to meet representatives of the Bentley blockade and the Lock the Gate organisation. However, the New South Wales Opposition assisted and met with representatives of those organisations on their visits to Parliament over the past two weeks.

On 30 April I visited the Bentley blockade and met with locals, university students and farmers and their wives. My visit was to show solidarity with their cause. I can assure the House that those protestors are far from being radicals, as the State Liberals and Nationals have tried to label them. They are decent, law-abiding locals who want to protect their water supply, their family farms, and the region's future. They are defending farms that have been in their families for generations. Their deep opposition to unconventional gas and coal seam gas exploration was astounding and understandable. I met an 80-year-old woman at the Bentley blockade—it was the first protest she had ever attended.

On the 30 April visit I was accompanied by the Federal member for Richmond, the Hon. Justine Elliot, MP, and Labor's candidate for the Tweed, Ron Goodman. Justine Elliot and Ron Goodman have joined other concerned locals in their opposition against coal seam gas expansion on the North Coast. In fact, Mr Goodman climbed to the top of the tripod to survey the scene. I also note that Isaac Smith, Labor's candidate for Lismore, also visited the Bentley blockade to show his solidarity.

The announcement today does not bring an end to the fight against unconventional gas and coal seam gas exploration on the North Coast; it is only the beginning. The genuine concern remains that, if re-elected in the 2015 State election, the Nationals in Government would once again give the green light to Metgasco and other coal seam gas companies to resume start-up operations on the North Coast.

I commend everyone involved in the action to stop unwanted unconventional gas mining on the North Coast. I cite the work of Phil Laird, Ian Gaillard, Michael McNamara and all the other community-minded people involved in this campaign. Finally, I acknowledge Mr Jeremy Buckingham, member for The Greens and Federal Labor member for Richmond, the Hon. Justine Elliot, MP, for their strong stand against coal seam gas and unconventional gas exploration. They both warned about coal seam gas and unconventional gas from the very beginning. I commend the motion to the House.

**Mr JEREMY BUCKINGHAM [12.53 p.m.]:** I make a brief contribution to the excellent motion of Mr David Shoebridge. In acknowledgement of the contribution by the Hon. Duncan Gay, I hope that the Government is going to support this very reasonable motion. If members opposite and members of the Opposition have read it, they will see it is a fair statement of community expectation. The first part of the motion says:

This House expresses its support for the right of communities to engage in peaceful, nonviolent protest to protect their land and water.

That is a fundamental part of our democracy. If these protests were occurring in the Ukraine or in parts of Africa or Asia, they would have been met with overwhelming violent force early in the piece. In opposition to the manner in which the Hon. Duncan Gay has characterised it, The Greens would like to pay their respects to the NSW Police Force and to acknowledge the way in which it has engaged with the community in this matter. There has been a constructive, ongoing relationship between the NSW Police Force and liaison representatives

from the Bentley blockade which has meant that it has been a peaceful and constructive protest. Despite some elements of the media and some members of this place wishing to characterise these people as law-breakers, extremists, violent and the like, it has been a peaceful and positive expression of a community's will to be free from gas development. The Greens believe that this motion is clear recognition of that. I move the following amendment to the motion:

That the question be amended by omitting in paragraph 4 (b) the words "disperse this peaceful community action" and inserting instead "disperse this and all other peaceful community action".

The motion would then state:

To refrain from the use of emergency powers under Part 6A of the Law Enforcement (Powers and Responsibilities) Act 2002 to break up and disperse this and all other peaceful community actions.

The Greens believe that the motion should apply to all protests and not just to the one that we are discussing today. I acknowledge the work of Mr David Shoebridge in highlighting the pressure that has been brought to bear on the Government. We should also consider the unfair pressure that has been brought to bear on the NSW Police Force by Metgasco. It is disgraceful that, without a social licence, a corporation that is seeking to bully its way into a community in this State would seek to use political means to pressure the NSW Police Force to put the company's corporate interests before the interests of the community.

I fully support the motion. I acknowledge the work of Mr David Shoebridge in his efforts to highlight the correspondence and the political pressure that Metgasco has put on the State Government and I join him in saying that it is disgraceful. The NSW Police Force exists to protect the community. It should be noted by the House that today the local police were joining the community in celebrating. They were driving up and down the Bentley to Kyogle Road with their lights on, tooting their horns and waving their hands in the air, celebrating the victory of a peaceful demonstration of people power.

**The Hon. Duncan Gay:** So, a good Government decision.

**Mr JEREMY BUCKINGHAM:** A good Government decision—overdue and one that needs to go further. Suspending the drilling is one thing but the Government needs to recognise that, wherever this company and this industry turn up, the people will be there en masse. People recognise the risk. This form of gas mining has not been proven safe and these companies do not have a social licence. The Greens commend the decision of the Government today but we want it to go further. I commend the motion to the House because I know many members opposite share these concerns.

**Reverend the Hon. FRED NILE** [12.58 p.m.]: The Christian Democratic Party supports the motion in principle, particularly the opening section:

This House expresses its support for the right of communities to engage in peaceful, nonviolent protest to protect their land and water.

And a right to protest on other matters as well. As members of the House know, the whole Bentley gas mining project has been stopped by the Government. It is not proceeding but it does appear that The Greens would like to make some political mileage out of that by proceeding with the motion. The matter has been referred by the Hon. Anthony John Roberts, Minister for Resources and Energy, and Special Minister of State, to the Independent Commission Against Corruption [ICAC] because there is some indication of links with the Australian Water Corporation. That is a rumour I have heard that may or may not be true. The Christian Democratic Party supports the notion of peaceful community protest. I note that the Commonwealth Attorney-General's website states:

The right to peaceful assembly protects the right of individuals and groups to meet and to engage in peaceful protest.

And I emphasise the word "peaceful".

The right to freedom of association protects the right to form and join associations to pursue common goals.

The Federal Attorney-General's website quotes also articles 21 and 22 of the International Covenant on Civil and Political Rights, which again guarantee recognition of the right to peaceful assembly. Clearly, in Bentley the people have gathered for a peaceful protest without incident against the proposed coal seam gas exploration.

This does not warrant using emergency powers. The Christian Democratic Party considered proposing amendments to remove the words "protect their land and water" to support peaceful protest or action on any other issue or matter.

**Mr DAVID SHOEBRIDGE** [1.00 p.m.], in reply: I thank members for their contribution to this debate. I commend the motion and the amendment to the House.

**Question—That the amendment of the Hon. Jeremy Buckingham be agreed to—put and resolved in the affirmative.**

**Amendment of the Hon. Jeremy Buckingham agreed to.**

**Motion as amended agreed to.**

*[The Deputy-President (The Hon. Natasha Maclaren-Jones) left the chair at 1.01 p.m. The House resumed at 2.30 p.m.]*

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

### QUESTIONS WITHOUT NOTICE

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#### FEDERAL BUDGET AND AGEING AND DISABILITY SERVICES

**The Hon. LUKE FOLEY:** My question is directed to the Minister for Ageing and Disability Services. Why is he defending and explaining Federal budget cuts to ageing and disability services while at the same time the Premier and Treasurer are convening emergency meetings with their State and Territory counterparts to protest cost shifting to New South Wales? Is the Minister at odds with the Premier and the Treasurer?

**The Hon. JOHN AJAKA:** The short answer is no, and I would never be at odds with the Premier or the Treasurer because we are fortunate in this State to have a brilliant Premier and a brilliant Treasurer. As I have informed the House in previous answers, the Federal Government was forced to take some tough decisions in its first budget, after six years of fiscal incompetence by the former Federal Labor Government.

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

**The Hon. JOHN AJAKA:** One of the tough and unfortunate decisions taken by the Federal Government has been the removal of the national partnership agreement on service concessions for pensioners and senior cardholders. This decision means a cut of \$100 million a year or \$400 million over the forward estimates in funding to New South Wales for concessions for seniors.

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

**The Hon. JOHN AJAKA:** These include concessions to all pensioners and concession cardholders for local government rates, including land, water, sewerage, energy and motor vehicle registration. Public transport concessions to out-of-State senior cardholders on public transport services will be provided on the same basis as they are provided to resident senior cardholders. This House should note that the New South Wales Government already provides more than \$300 million per year in concessions for seniors as part of these programs in addition to those provided by the Federal Government. As the Minister for Ageing, I am well aware of this decision and will continue to fight for every dollar for seniors.

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

**The Hon. JOHN AJAKA:** I have raised my concerns with the Treasurer who has assured me that this matter will be at the forefront of his forthcoming discussions with representatives from Federal Government.

#### STATE INFRASTRUCTURE

**The Hon. MELINDA PAVEY:** My question is addressed to the Minister for Roads and Freight. Will the Minister advise the House on how the Government is delivering infrastructure to ease congestion, create jobs and connect communities across New South Wales? Will the Minister also inform the House of any alternative proposals?

**The Hon. DUNCAN GAY:** I thank the Hon. Melinda Pavey for her question. Yesterday the Federal Coalition delivered an infrastructure budget that will help us transform New South Wales and fix the damage that Labor did to our State. As we know, New South Wales Labor managed to secure only 2 per cent of funding for Sydney from Anthony Albanese and Federal Labor. Their own people did not trust them to deliver, and with good reason. In partnership with Tony Abbott and Warren Truss, this Government is delivering a Western Sydney infrastructure plan, including Northern and Bringelly roads, a new motorway from the M7 to the Northern Road and a \$200 million local roads package. Unlike the former Labor Government, a decision on the second airport has been made and the infrastructure needed to support it has been funded.

This Government has achieved an 80:20 per cent split on the Pacific Highway, which it will now deliver by 2020. Labor shamelessly ripped money out of regional Australia. It said it could not be done but this Government has done it: In addition to the \$1.5 billion that was offered, a \$2 billion concessional loan facility has been delivered so that this Government can fast track WestConnex. Labor could never deliver this project, despite its repeated promises. NorthConnex will take 3,000 trucks a day off Pennant Hills Road. As we know, New South Wales got the largest share of the Coalition Government's \$50 million infrastructure plan in the 2014-15 budget.

The member asked me about alternative proposals. New South Wales Labor does not have any alternative proposals, only promises of more studies for light rail—which, wait for it, this Government is delivering. Anthony Albanese now claims that this Government's infrastructure program and the Federal Coalition's support for it was his idea. For example, he honestly believes that he and Julia Gillard funded WestConnex. If he calls the unrealistic tolling conditions and the pie-in-the-sky scope changes a "commitment", that is why history shows us that Labor never delivers. Anthony Albanese even has the hide to talk about the New South Wales Liberal-Nationals delivery of the North West Rail Link, which is a project he refused to fund and which Labor promised but never delivered. I like Albo, as members know, but let us get real.

**The Hon. Amanda Fazio:** He does not like you.

**The Hon. DUNCAN GAY:** That's not what he said about you.

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

**The Hon. DUNCAN GAY:** The New South Wales Liberal-Nationals have done the planning and are now delivering the key infrastructure projects that our State needs and our citizens deserve. Labor failed to deliver in New South Wales and it failed in Canberra. As a result, New South Wales fell behind. It is too late for Albo to try to change history. [*Time expired.*]

#### FEDERAL BUDGET AND AGEING AND DISABILITY SERVICES

**The Hon. ADAM SEARLE:** My question is directed to the Minister for Ageing and Disability services. Given the Minister's earlier answer today to the Leader of the Opposition, will he call for an emergency meeting of the Council of Australian Governments Standing Council on Community, Housing and Disability Services regarding cost shifting to the States and Territories as a result of the Federal budget?

**The Hon. JOHN AJAKA:** I thank the Deputy Leader of the Opposition for his question. I refer to my earlier response. As I have indicated, and as Opposition members have heard on numerous occasions, the Premier has made it very clear that he intends to take up these matters with the Commonwealth. Yesterday, while I was in this Chamber answering questions, the Premier made it very clear that he will take up this matter. Labor members know this because as soon as they returned to their offices they would have looked at *Hansard* and read every word from the Premier during question time. Yet they pretend they know nothing about it. It is very sad.

Again, I thank the Deputy Leader of the Opposition for his question. The Federal budget is a matter for the Federal Government, and the Premier and the Treasurer will take up the issue with the Commonwealth. As I informed the House yesterday, and I repeat again today, the Federal Government clearly was forced to make the tough decisions it did as a result of the incompetence of the Rudd-Gillard-Rudd Governments. Where were those opposite when the incompetence of the Rudd-Gillard-Rudd Labor Governments was clear to all in Australia? Did we hear a word from them? Did we hear a single peep out of them?

**The PRESIDENT:** Order! I call the Hon. Mick Veitch to order for the second time.

**The Hon. JOHN AJAKA:** Did we hear those opposite demanding that their Federal Labor colleagues act responsibly? No, there was not a word from them. The Premier has made it clear that the Baird Government will not stand by—

**The PRESIDENT:** Order! I call the Hon. Peter Primrose to order for the first time. I call the Hon. Greg Donnelly to order for the first time.

**The Hon. JOHN AJAKA:** —and let the people of New South Wales be penalised in the Federal budget because of the poor economic management of the previous Labor Government. Those opposite know that, but they will not admit it. As I have said, the Premier has clearly indicated that he will enter into discussions with the Commonwealth to assess the potential impact on service delivery.

#### **ANZAC PARADE PEDESTRIAN AND CYCLIST BRIDGE**

**Dr MEHREEN FARUQI:** I address my question to the Minister for Roads and Freight. Can the Minister explain why the Government is planning to build a bridge over Anzac Parade which does not integrate with the existing cycleway or shared path on Anzac Parade and will require cyclists using the bridge to cross the high-speed Anzac Parade busway to access the cycleway?

**The Hon. DUNCAN GAY:** I have been asked why the Government is building a bridge over Anzac Parade. I would have thought it was painfully obvious: for people to get from one side to the other.

**The Hon. Dr Peter Phelps:** Why did The Greens cross the road?

**The Hon. DUNCAN GAY:** Why did the chicken cross the road? This question cuts to the chase; we get the tough questions in this House. This is an absolutely fabulous bridge. Design changes were needed because of the light rail.

**The Hon. Steve Whan:** It is the Duncan Gay Bridge.

**The Hon. DUNCAN GAY:** I would love it to be the Gay Way. People all over the State say, "Minister, we could change the name of a road if we could get some funding", but they always renege when I say that "Gay Way" might look good in their area. That is a joke: the Government would never build a road and put my name on it.

**The Hon. Steve Whan:** There would be no rainbow crossing on it.

**The Hon. DUNCAN GAY:** They are not safe. This bridge has been widely lauded by mainstream communities and the sporting community. In fact, it has been lauded by most of the community. The Moore Park light rail stop is located near the junction of Anzac Parade and Lang Road. The new pedestrian bridge incorporated with the Moore Park stop will provide a safe link for students of Sydney Boys and Sydney Girls high schools—some of the most important and smartest children in our State—to cross Anzac Parade.

**The Hon. Lynda Voltz:** My children are the most important and smartest children in the State.

**The Hon. DUNCAN GAY:** I said "some", so that includes your children, my grandchildren and all other children who are equally important across the State. The bridge will be delivered under the CBD and South East Light Rail project. A separate larger pedestrian bridge—which is the bridge we are talking about—is proposed to cross Anzac Parade further to the north. This bridge will provide a high-capacity pedestrian link from the city to the events precinct at Moore Park. This bridge is not part of the CBD and South East Light Rail project scope but will be delivered by Roads and Maritime Services as a separate project. That is how nice and benevolent the Government is.

Anyone who attends events at the Sydney Cricket Ground or the Sydney Football Stadium well knows the safety aspects of walking back to the city. It is difficult to get across Anzac Parade, and that is why the Government is building this bridge. Everyone likes it: it has a good name, it is a great design, and it is in the right place. No matter what structure the Government builds, one can guarantee that Ms Farrelly, editorial writer for the *Sydney Morning Herald*, and/or The Greens—they are probably in the same camp—will be against it.

**ILLAWARRA MERCURY**

**The Hon. CHARLIE LYNN:** I address my question to the Minister for the Illawarra. Will the Minister update the House on a key media outlet in the Illawarra?

**The Hon. JOHN AJAKA:** I thank the honourable member for his question. At the outset I draw the attention of members to the presence in the public gallery of Alistair Langford-Wilson and I thank him for being here. The reputable *Illawarra Mercury* newspaper has been reporting on the region's current affairs for almost 160 years. It is the key print media outlet in the Illawarra and its main footprint stretches from Helensburgh to Kiama. The *Illawarra Mercury* is published from Monday to Friday, and a weekend edition is published on Saturday. Reporters are on the scene for every major announcement, incident and event in the local area, making sure that locals are kept up-to-date with the happenings in the region. The newspaper's reporting represents the three tiers of government, community and stakeholders and ensures that everyone's opinion is appropriately heard.

Earlier this month I inspected the newspaper's new premises in Market Street, Wollongong, following its move only last month. The *Illawarra Mercury* is a great local employer with almost 90 staff, the vast majority of whom live in the Illawarra region. Many are Wollongong born and bred and have strong community ties with local networks. At the paper there is an exciting mix of young, enthusiastic journalists who are guided by an experienced senior team and led by editor Alistair Langford-Wilson, who, as I have mentioned, is seated in the public gallery.

The *Illawarra Mercury* was founded in 1855. It is the second-oldest regional newspaper in New South Wales. When first sold, it cost sixpence and was only available weekly on a Monday. The first issue was circulated on 8 October 1855 and printed as eight large folio pages. Before that time the people of the Illawarra relied on Sydney newspapers, which did not support that community during one of its most crucial stages of development. Fast forward to 2014, the *Illawarra Mercury* is the only daily newspaper in the Illawarra and it serves a population of 300,000 people. Despite being marketed to residents of the Illawarra and surrounding regions, the paper also can be purchased throughout the Sydney metropolitan region. It is popular because of its high quality coverage of horseracing and sporting events, especially its coverage of the Dragons, the Hawks and the Wolves.

The *Illawarra Mercury* reports on issues that affect the region such as the Princes Highway, Port Kembla, local hospitals and the Wollongong city centre. Many Illawarra locals rely on the newspaper for their daily news, advertising, shopping details and real estate. Over the years the newspaper has won major awards, including the prestigious Pacific Area Newspaper Publishers Association award for Australian newspaper of the year, as well as numerous marketing, sales and photographic awards and Walkley awards for outstanding investigative reporting. In my capacity as the Minister for the Illawarra the *Illawarra Mercury* is important because it is one of the main means I have to communicate with the general public of the Illawarra. It provides clear, concise and up-to-the-minute reporting. I thank the friendly staff for their persistent reporting in the region and for raising the important issues of the day for Illawarra locals.

**HOME SCHOOLING**

**The Hon. PAUL GREEN:** My question without notice is to the Minister for Disability Services, representing the Minister for Education. The Home Education Association wrote to the Board of Studies, Teaching and Educational Standards [BOSTES] on 25 March 2014 asking the board to provide to home schooling registration applicants who are not awarded the maximum registration period a written explanation giving reasons for the decision. The Board of Studies, Teaching and Educational Standards' reply of 14 April 2014 did not address the association's concerns relating to the provision of written explanations. Given there has been a 600 per cent increase in short, three-month registrations, and given the Minister, in his written reply on 24 October 2013 to a question asked by the Reverend Fred Nile, said that he was aware the New South Wales Ombudsman had requested improvements to the openness and transparency of the registration process, will the Minister intervene to ensure that the Board of Studies, Teaching and Educational Standards provides written explanations so that its rulings are transparent and accountable?

**The Hon. JOHN AJAKA:** I thank the Hon. Paul Green for his question. It is a very detailed question seeking factual information. I will refer it to the Minister for Education and report back to the House and the member when I receive a response.

**ORANGE GROVE SHOPPING CENTRE**

**The Hon. LYNDA VOLTZ:** My question without notice is directed to the Minister for Ageing and Minister for Disability Services. Has the Minister attended or travelled to any official functions or events with Liverpool Councillor Gus Balloot or Nabil Gazal and, if so, will the Minister confirm the answer he gave yesterday in which he said that he had not discussed the Orange Grove development with any member of Liverpool City Council or proponents of the project?

**The Hon. JOHN AJAKA:** I thank the Hon. Lynda Voltz for her question. I am no longer surprised that she would ask this type of question after what occurred yesterday.

**The Hon. Lynda Voltz:** Point of order: The Minister is not entitled to debate the question. The Minister must answer the question.

**The PRESIDENT:** Order! There is no point of order. The Minister has the call.

**The Hon. JOHN AJAKA:** At the time I gave my answer yesterday, I considered that the question was clearly asking if I as a Minister had made ministerial representations in regards to Orange Grove Shopping Centre.

**The Hon. Steve Whan:** Perhaps you should listen to the question.

**The Hon. JOHN AJAKA:** That was clearly the question being asked of me. I am happy to reply to that question, and maybe the Hon. Steve Whan should listen to the answer. The question was, "Has the Minister made representations or provided any other support, assistance or advice about the proposed Orange Grove Shopping Centre? Has the Minister discussed that proposal with any Liverpool city councillor?" Clearly the question being asked of me was whether I, as a Minister, had made ministerial representations in regards to Orange Grove Shopping Centre.

**The Hon. Duncan Gay:** Had you?

**The Hon. JOHN AJAKA:** No. Thank you, I was about to come to that part.

**The PRESIDENT:** Order! I call the Hon. Amanda Fazio to order for the second time.

**The Hon. JOHN AJAKA:** I again confirm that I have not made any ministerial representations. However, if the Hon. Lynda Voltz is now trying to ascertain whether I have ever discussed the Orange Grove development with anyone, then the answer is yes, I have. As members would know, at least half of Sydney was, and is still, talking about Orange Grove. As members opposite know, most members of this House and those in the other place over many years have spoken and still speak about Orange Grove.

Most members of this House, including those opposite, are well aware of the assertions made against the former Labor Government and a number of its Ministers in relation to Orange Grove. Everyone in this place knows about the assertion that the former Labor Government and a number of its Ministers—and I quote—"did the wrong thing" when it came to Orange Grove. Like many others, I have said on many occasions, and I will continue to say today, that the Labor Party did the wrong thing in relation to Orange Grove. It seems, further, that the member is asking me about my relationship with members of the Gazal family. If that is part of her question, I am happy to provide an answer. I have known Nabil Gazal Jnr, Nicholas Gazal and many other members of the Gazal family for most of their lives.

**The Hon. LYNDA VOLTZ:** I ask a supplementary question. Can the Minister elucidate his answer as to the details of the dates when he discussed Orange Grove with Gus Balloot and Nabil Gazal?

**The Hon. JOHN AJAKA:** I have not actually mentioned any of that as part of my answer. I am not sure how I can elucidate on it but I am happy to continue.

**The PRESIDENT:** Order! Is the Minister taking a point of order?

**The Hon. JOHN AJAKA:** No, that was part of my answer. As I have indicated, I knew their father, the late Nabil Gazal Snr, for almost my entire life. Nabil Gazal Snr and I served as trustees on the board of

directors of the Melkite Catholic Eparchy for many years. I attended the home of the late Nabil Gazal on one occasion, and that was to pay my respects to his family upon his death. That was the first and only time that I have attended their home. I consider that I have a friendship with many of the Gazal family members. The various members of the Gazal family are well known and well respected within the Australian Lebanese community and the broader Australian community.

I have met many members of the Gazal family at numerous events and functions of the Melkite church, during church services and mass, and at many other community functions. At many of those functions other people were also present, including members of Parliament, councillors and members of the local community. At a number of those events Labor Party members were also present. The Hon. Shaoquett Moselmane probably saw me at many of these events, as did other members. There were Federal and State members and councillors of all different political persuasions present. I will continue to attend when invited to community functions, as all members would know— [*Time expired.*]

### STATE ECONOMY AND JOBS

**The Hon. DAVID CLARKE:** My question is addressed to the Minister for Fair Trading, representing the Treasurer. Can the Minister update the House on jobs and economic growth in New South Wales?

**The Hon. MATTHEW MASON-COX:** I thank the Hon. David Clarke for his question because I am absolutely delighted to update the House on what a magnificent job the Government of this State has been doing over the last three and a bit years. Before one can actually understand that in its completeness, one needs to understand where it all started. It started after 16 long years of Labor's economic mismanagement. The economic Visigoths over there committed all manner of crimes upon the budget of this State which we, when we came to Government three years ago, started to repair.

Our cousins in Federal Parliament are undertaking the same process. They understand very clearly the damage done by six years of a Federal Labor government. We in New South Wales had to recover from 16 years of damage. That is where we started from. We remember the situation in New South Wales just over three years ago. We had the big budget black hole. The former member for Monaro still thinks that was a fabrication. He has got no idea. He is another economic illiterate and I wonder where his money box is today.

**The PRESIDENT:** Order! The Minister will stop reflecting on other members. I call the Hon. Steve Whan to order for the second time.

**The Hon. MATTHEW MASON-COX:** I will try not to debate the Hon. Steve Whan because I want him to stay and listen to this; he will learn some things. When we came to government we were faced with a \$10 billion black hole. After five complements of members opposite—

**The PRESIDENT:** Order! I call the Hon. Greg Donnelly to order for the second time. I remind the Hon. Mick Veitch that he is on two calls to order.

**The Hon. MATTHEW MASON-COX:** I know the Hon. Mick Veitch does not want to get out early.

**The PRESIDENT:** Order!

**The Hon. MATTHEW MASON-COX:** I will cast the minds of members opposite back once more to that painful time three years ago. I know they miss the Treasury benches so I will not taunt them any more on that front. It was a sobering time for us coming into government. I acknowledge the magnificent work of the Hon. Greg Pearce, who had to repair a lot of the damage as the Minister for Finance and Services at the time. One of the first things we did to repair the budget was restrict the growth in expenses in New South Wales. As members opposite would know if they cared to remember, we had a long debate on the biggest item of expense in New South Wales, which is the wages of public servants. In that regard we introduced a 2.5 per cent cap.

I know it is a painful memory for members opposite. I remember the instructions they took from their union bosses at Sussex Street. They stood up one after another and put their hands on their hearts. The Greens competed valiantly to out-do them. They spoke in this Chamber for seven hours at a time before in his wisdom the Leader of the Government closed down the debate. The reality is it is that debate and that decision that have driven the economic fortunes of the State budget. From there I can move to outlining what the Government has done for employment under its Jobs Action Plan. I am running out of time but I look forward to expanding on that in the near future. [*Time expired.*]

### STATE REVENUE LEGISLATION

**Mr JEREMY BUCKINGHAM:** My question without notice is directed to the Minister for Roads and Freight, representing the Premier. Has the Hon. Mike Baird as either Treasurer or Premier received any representations on the State Revenue Legislation Amendment Bill 2013 or the State Revenue Legislation Amendment Bill 2014 from the Property Council of New South Wales, the Minerals Council of New South Wales or any other organisation?

**The Hon. DUNCAN GAY:** Three days, three slurs on people across this State. The Greens used to be the social conscience of New South Wales but they are now into gutter politics. The slur within the question is wrong. I am advised that following a media inquiry the Premier asked Treasury to check if he received any correspondence on the bill from the Property Council of New South Wales, the Minerals Council or any other organisation. I am advised that there was no record of any correspondence being received.

If any representations were made they were made to the wrong person because consultation on the bill was managed by the Office of State Revenue. In that case it would have been referred to the Office of State Revenue. For this reason, whilst it would have been entirely proper to speak with interested parties—there is nothing wrong with consulting with people who have interests and concerns about issues—I am advised that the Premier did not do so. Mr Jeremy Buckingham is wrong, wrong, wrong.

### ORANGE GROVE SHOPPING CENTRE

**The Hon. LYNDA VOLTZ:** My question is addressed to the Minister for Ageing and Minister for Disability Services. In light of the Minister's earlier answer will he advise whether he has spoken to Councillor Gus Balloot about Orange Grove?

**The Hon. JOHN AJAKA:** I refer to my earlier answer and again indicate that I have met with many people on many occasions.

**The PRESIDENT:** Order! I remind the Hon. Penny Sharpe that she is on two calls to order.

**The Hon. JOHN AJAKA:** I assure the House and members opposite that I have at all times complied with my obligations in accordance with the code of conduct and the disclosure requirements as a member of the Legislative Council, a Parliamentary Secretary and since being commissioned as a Minister.

### RURAL AND REGIONAL ROADS

**The Hon. RICK COLLESS:** My question is addressed to the Minister for Roads and Freight. Will the Minister update the House on major roadworks and investments in country New South Wales roads?

**The Hon. DUNCAN GAY:** Members opposite never ask for any good news; they do not want to know about it. The Hon. Rick Colless takes his trusty old Holden along the roads and byways of New South Wales. He has asked a great question that allows me to highlight the stark difference between what we are delivering and the magnificent nothing of past Labor governments. Everywhere people look across country New South Wales we are refurbishing or building long-overdue transport and freight infrastructure. We are delivering projects that were either ignored or neglected by Country Labor.

With historic levels of funding since March 2011, including an extra \$2 billion, we are fast-tracking the duplication of the Pacific Highway. Of the 670 kilometres between Hexham and the Queensland border 381 kilometres of the highway is now a four-lane divided road. Eighty kilometres is being built and major contracts have been awarded or a preferred contractor has been announced for a further 57 kilometres. With historic levels of funding in our first three State budgets of more than \$489 million we are accelerating major upgrades to the Princes Highway, including the Gerringong upgrade. With historic levels of funding of more than \$435 million we are surging ahead with major upgrades to the Great Western Highway, including finishing works this year between Woodford and Hazelbrook.

**The Hon. Adam Searle:** Finally.

**The Hon. DUNCAN GAY:** Finally? We had to wait 16 years to get a good government to fix it. With historic levels of funding of \$48 million we are building seven extra overtaking lanes on the Bells Line of

Road—finally too, because Labor did nothing except lower the speed limit. We are also working towards reserving a corridor for a future motorway. With historic levels of funding of more than \$20 million we are delivering 11 additional overtaking lanes on the Newell Highway. Four have been completed, five are currently under construction with completion due this year and planning for the remaining two is well underway. Along with our Coalition partners we have resurrected stage 2 of the Moree bypass. That is a \$30 million project that was killed by Country Labor at Moree. Since 2012 both the Cobb and Silver City highways have benefited from a funding boost of about \$3 million each year. More needs to be done and I am determined to continue to lift our current funding profile for vital western New South Wales highways.

Since March 2011 we have committed \$1.54 million towards the maintenance and repair of roads and bridges on State and council owned networks, which is the largest funding commitment for road maintenance in the State's history. Combine that with our Bridges for the Bush and our fixing country roads initiatives and the question must be asked: Exactly what did Country Labor ever do for country roads? We know the answer—zero, zilch, nought, nothing. That is why Labor members are so quiet. They are ashamed of the legacy that they left for regional New South Wales.

**The Hon. Steve Whan:** Point of order—

**The Hon. DUNCAN GAY:** That is why they booted the Hon. Steve Whan out of Monaro.

**The PRESIDENT:** Order! The time for the Minister's answer has expired.

### COUNTERTERRORISM MEASURES

**Reverend the Hon. FRED NILE:** I direct my question to the Minister for Ageing, and Minister for Disability Services, representing the Minister for Police and Emergency Services. Is the Government aware that there are Australians fighting in Syria and that they now occupy senior leadership positions with Al Qaeda-linked Islamic groups? Is the Government also aware that the Federal Attorney-General, George Brandis, confirmed in his recent statement, "There is a small number of Australians occupying reasonably senior positions in various of the anti-regime forces", and again repeated the Government's "serious concern" that Australians might return further radicalised and armed with training, experience and terrorist trade craft? Is the Government aware it is understood that 33 passports have been cancelled on security grounds in the eight months since July 2013? Will the Minister inform the House of the security measures in place to address this serious concern and ensure New South Wales' safety against any suspected terrorist individuals or organisations involved in Syria and returning to Australia?

**The Hon. JOHN AJAKA:** I thank Reverend the Hon. Fred Nile for his question. I am certain that the Minister, like all members of this House, is always concerned about any possible terrorist acts within the State of New South Wales. This Government takes that very seriously. As the question is very detailed, I will refer it to the relevant Minister, obtain an answer and report back to the House.

### FEDERAL BUDGET AND RURAL AND REGIONAL EMPLOYMENT

**The Hon. MICK VEITCH:** My question is directed to the Minister for Roads and Freight, representing the Deputy Premier and Minister for Regional Infrastructure and Services. What advice has his Government received about the need for the New South Wales Government to step in and provide additional support to rural and regional families following the Abbott Government's recent decision to cut off support for under-thirties workers who have lost their jobs, including those who are made redundant as a result of manufacturing plant closures?

**The Hon. DUNCAN GAY:** Firstly, I do not think there is anyone in this State who does not acknowledge the role adopted by the Deputy Premier in relation to this area as well as the concern he has shown and the work that he is doing. Certainly, if there are any areas that have been missed in which he can possibly assist, I know his belief in relation to this tragedy. Sometimes it is a tragedy. It is pretty ecumenical across this Chamber that we have experienced some changes that have occurred because of world economic conditions that affect us.

**The Hon. Peter Primrose:** You don't give contracts to manufacturers in Newcastle. You can decide.

**The PRESIDENT:** Order! I call the Hon. Peter Primrose to order for the second time.

**The Hon. DUNCAN GAY:** The Hon. Peter Primrose should be careful. We have a copy of his diary.

**The PRESIDENT:** Order! The Minister will be generally relevant in the information he provides.

**The Hon. DUNCAN GAY:** We know there is nothing in it, other than fixing up his side. The Deputy Premier will be looking at that issue. Certainly I am unaware of the details of the issued raised by the Hon. Mick Veitch but, unlike some of his colleagues, I certainly take on face value what he has told me because of my dealings with him. He is mostly honourable—in fact, he is always honourable.

**The Hon. Steve Whan:** Stop reflecting on him.

**The Hon. DUNCAN GAY:** I am not reflecting on him. I am reflecting on the Hon. Steve Whan.

**The PRESIDENT:** Order! I remind Opposition frontbench members that six of them are on two calls to order.

**The Hon. DUNCAN GAY:** I will refer the question to the Deputy Premier and obtain a detailed answer.

### REGIONAL FUNDING

**The Hon. SARAH MITCHELL:** My question is directed to the Minister for the Illawarra. Will he update the House on funding to regions, including the Illawarra?

**The Hon. JOHN AJAKA:** I thank the Hon. Sarah Mitchell for her question. After six dismal years of economic mismanagement by Federal Labor governments, the Federal Coalition Government is doing what Coalition governments have had to do too often—clean up Labor's mess. Some measures in the Federal budget have disadvantaged New South Wales and the Premier will be taking up those issues with the Commonwealth Government, as I mentioned earlier. However, this House should note that a number of initiatives were announced that will benefit regional areas of New South Wales, including the Illawarra. It has always been the contention of this Government that Labor failed regional areas of New South Wales.

I inform the House that in the budget the Coalition is delivering the National Stronger Regions Funds. The Federal Government will provide \$1 billion over five years from 2015-16, including \$200 million in 2018-19 and 2019-20, for a competitive grants program to support the construction, expansion and enhancement of infrastructure across Australia. Grants will be available for projects to be delivered in partnership with local, State and Territory governments, the private sector and community groups. Funding partners will be required to contribute at least half the total project cost. Funding for Regional Development Australia committees continues and will increase to approximately \$20 million a year. A new National Highway Upgrade program will be allocated \$229 million, and an additional \$200 million will be allocated to the black spot program. A further \$350 million will be allocated to the Roads to Recovery program. In 2013-14, \$5.6 billion will be allocated for the Pacific Highway upgrade. In relation to inland rail, \$300 million will be allocated to preconstruction works.

The Federal Government will provide \$100 million over four years to improve the coverage and competition in the provision of mobile voice and wireless broadband services in regional areas of Australia. As part of a package of measures to support farmers affected by drought, the Federal Government will allocate \$320 million over four years and \$100 million over four years to fund research in partnership with rural research and development corporations. The Federal Government will allocate \$15 million over four years to support small exporters in sectors in which there are specific export certification registration charges. To establish the National Landcare program, the Federal Government will allocate \$1 billion over four years, which will consist of payments of \$291.3 million in 2014-15, \$261.3 million in 2015-16, \$244.1 million in 2016-17 and \$231.4 million in 2017-18. The new program will merge Caring for Our Country and Landcare to create a single national Landcare program.

The New South Wales Government welcomes the commitment by the Commonwealth Government to invest \$200 million a year in regional infrastructure. This focus aligns with the New South Wales Government's investment in regional infrastructure throughout Restart NSW that sets aside 30 per cent of funding for regional infrastructure projects. That investment is on top of the New South Wales Government's \$100 million for the Restart Illawarra Infrastructure Fund, which will deliver 12 priority infrastructure projects for the region. Those projects will drive employment and economic growth as well as secure the delivery of necessary infrastructure in the region. [*Time expired.*]

### INTERCITY TRAINS DISABILITY ACCESS

**Ms JAN BARHAM:** My question is directed to the Minister for Roads and Freight, representing the Minister for Transport. With the recent announcement by the Minister of \$2.8 billion to be spent on around 65 intercity trains, what provisions will be made to cover access for people with disability? Will they provide dedicated wheelchair seating?

**The Hon. DUNCAN GAY:** I thank the honourable member for her question and for highlighting the fact that we finally have a government that is about to replace not just an ageing fleet but an old fleet. I am sure that one of the key things to be considered will be disability and wheelchair access. I will refer the question to my colleague the Minister for Transport to obtain a more exact answer.

### NSW FAIR TRADING INFORMATION SERVICES

**The Hon. ERNEST WONG:** My question is directed to the Minister for Fair Trading. Further to the answer the Minister gave yesterday about the work that officers of NSW Fair Trading do in policing the activities of so-called "rogue traders", will he advise the House as to how Fair Trading ensures that entrepreneurs from non-English speaking backgrounds—including store operators at Paddy's Markets in Haymarket—are made aware of their legal obligations and responsibilities?

**The Hon. MATTHEW MASON-COX:** I thank the member for his interesting question. NSW Fair Trading has a range of outreach services for people from non-English speaking backgrounds. I am advised that our brochures and handouts are in a range of languages, including Chinese. Fair Trading employs officers in outreach roles who go to Paddy's Markets, other markets and businesses across Sydney and New South Wales to ensure that traders understand their responsibilities and the rights of consumers. The activities of Fair Trading relate to consumer protection. It is important that traders understand that consumers have protected rights and that, when a person comes to their store and wishes to avail themselves of those rights, the trader must acknowledge that and respond accordingly.

Each day Fair Trading has inspectors in the field whose job it is to inform businesses and traders at places such as Paddy's Markets by providing them with information on consumer law. That information is translated appropriately to inform traders from the Chinese community, the Vietnamese community and other non-English speaking communities to ensure that they have the information they need for the proper running of their businesses. At the same time, Fair Trading has a role in relation to compliance and enforcement. Fair Trading ensures that businesses understand their responsibilities not to hold stolen goods for resale or in relation to trademark infringement and other infringements so that, as business owners, they are able to comply with consumer law.

These are important matters and Fair Trading takes its role seriously. If the member opposite is aware of a situation where people at Paddy's Markets or in business across New South Wales are not receiving information or would like to receive more information I encourage him to contact my office or the Office of Fair Trading. We would be pleased to provide the information directly to that business. I would be pleased to ensure that an inspector went out to have a chat to the business owner about the goods available and to ensure compliance with consumer law. If the member would like to give me names, I would be pleased to pass that request on and arrange for an inspector to visit the businesses to assist the owners in understanding precisely what their roles, rights and responsibilities are and to ensure that they are not selling goods in breach of Australian consumer law.

### NSW FAIR TRADING REGULATIONS

**The Hon. NATASHA MACLAREN-JONES:** My question is addressed to the Minister for Fair Trading. What is Fair Trading doing to remove redundant regulation to make it easier for the community and businesses to prosper?

**The Hon. MATTHEW MASON-COX:** I thank the honourable member for that important question. Yesterday the Travel Agents Repeal Bill 2013 passed this House. That was an important event that does not happen often enough. We have a lot of regulation in this State and that is something that, as Minister, I take seriously. We should be reducing regulation wherever possible. I understand that the Hon. Dr Peter Phelps passionately believes in this objective of good government and I might speak with him separately about ways in which we can fast-track that in a range of areas in New South Wales. I have instructed the Office of Fair

Trading to go through each of the 43 pieces of legislation that we have under our responsibility in order to ensure that we limit red tape for business. Unlike those opposite, the Government understands that it is business that is the engine driver of this economy—not government bureaucracy.

**The PRESIDENT:** Order! I encourage Opposition members who are on two calls to order, particularly those who have adjournment speech slots, to remember that they have been warned.

**The Hon. MATTHEW MASON-COX:** Business drives the economy and regulation gets in the way of good business. Those opposite would take us down another course. Let us look at what the Department of Fair Trading has been doing in this important area.

**The PRESIDENT:** Order! I call the Hon. Walt Secord to order for the first time. I call the Hon. Helen Westwood to order for the first time.

**The Hon. MATTHEW MASON-COX:** A major goal for NSW 2021 is to rebuild the economy, drive economic growth and increase competition in business in New South Wales. The Government has adopted a specific target for reducing red tape by 20 per cent by June 2015. For those opposite—particularly the Hon. Steve Whan—that is one-fifth. New South Wales contributes to this target through the implementation of national reforms—and we have already seen some of those in this place—administrative initiatives and repeal of costly and inefficient regulation.

This week we saw the repeal of the Travel Agents Act 1986 and the removal of a significant red tape burden on that industry. My department has had a consultant look at the net benefit to the industry and it is real money—between \$19 million and \$25 million. That is \$19 million to \$25 million that that industry can put in their own pockets to drive down the price of the services they provide to the public. It will make a real difference to their everyday business activities. Removal of this significant burden is a major win for business and leads to lower costs and better outcomes for the community.

#### SMART AND SKILLED PROGRAM

**Dr JOHN KAYE:** My question is directed to the Minister for Ageing, and Minister for Disability Services, representing the Minister for Education. Will the Minister explain why under the new Smart and Skilled Program, details of which were released this afternoon, disability loadings are set at only 15 per cent? Why is there no information available on community service obligations? What will happen to people who have hearing disabilities and other disabilities under the new pricing scheme?

**The Hon. JOHN AJAKA:** I thank the honourable member for his question. I may need to take some of the specifics of the question to the Minister for Education. New pricing arrangements for training under the Smart and Skilled Program reforms will take effect on 1 January 2015. The new pricing arrangements are based on advice from the Independent Pricing and Regulatory Tribunal [IPART], feedback from stakeholders who made some 130 submissions, and the recommendations of the independent NSW Skills Board.

These changes are significant reforms to our vocational education and training system in New South Wales and ensure that more students can access training—46,000 more students can train than would be possible if the current fees were retained. Students will have increased choice with one set of fees applying across approved public and private training organisations. Quality is at the heart of the system with fixed prices ensuring providers compete on quality, not price. Students will get value for money with the subsidy and fee reflecting the efficient cost of training.

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

**The House continued to sit.**

**The Hon. JOHN AJAKA:** Students will know what they will pay for up front with a fee being charged for the qualification rather than the year. Disadvantaged students will know what support they will get with loadings to support higher cost learners and community service obligation funding for TAFE NSW and Adult and Community Education. Prices will be simpler for providers by collapsing three current pricing models into one. Aboriginal students will continue to be exempt from paying student fees, and students with a disability will be exempt for one course per calendar year. Low-income students on Commonwealth welfare benefits will

pay a concession fee. We took the Skills Board's advice to provide lower concessions than those recommended by the Independent Pricing and Regulatory Tribunal. Concession fees will range from \$80 for a Foundations Skills Course to \$240 for certificate III and IV courses.

Students doing a diploma or advanced diploma course no longer will have a concession as they will have access to VET FEE help loans that will not have to be repaid until they are earning a defined income level, which, in 2014, is \$51,308. TAFE NSW and approved community and private providers will be supported for the cost of training disadvantaged learners. A 15 per cent loading on top of the base price will be paid for Aboriginal students and students with a disability. A 10 per cent loading will be paid for long-term unemployed students. TAFE NSW and Adult and Community Education providers will have additional funding provided through community service obligation funding to support the needs of disadvantaged students, including students with a disability and Aboriginal students. TAFE NSW and approved community and private providers also will be supported for the cost of training regional and remote students. A 20 per cent loading on top of the base price will be paid for remote students and a 10 per cent loading will be paid for regional students.

**The Hon. DUNCAN GAY:** The time for questions has concluded. If members have any further questions, we would be happy to take them on notice.

**Questions without notice concluded.**

**Pursuant to sessional orders Government business proceeded with.**

## **BENTLEY BLOCKADE**

### **Ministerial Statement**

**The Hon. DUNCAN GAY** (Minister for Roads and Freight, and Vice-President of the Executive Council) [3.32 p.m.]: I wish to make a ministerial statement to clarify the Government's position on Private Members' Business item No. 1801 outside the Order of Precedence about the Bentley coal seam gas blockade, which was moved earlier by Mr David Shoebridge and passed by the House. As I said in the debate, the Government supported the original motion. However, in the proceedings the Government voted against the amendment of the Hon. Jeremy Buckingham. We could not and would not have supported the motion with that amendment. Subsequently, unaware to us, the motion was passed containing that amendment. I indicate to the House that whilst the Government will not move to rescind the motion, it is important that I place on the record that the Government opposed the amendment and voted against it. Somehow a procedure was missed that indicated we supported the amendment, which we did not.

## **BUDGET ESTIMATES 2014-15**

**The Hon. DUNCAN GAY** (Minister for Roads and Freight, and Vice-President of the Executive Council) [3.36 p.m.]: I seek leave to amend Government Business Notice of Motion No. 2 by omitting paragraph (2) and inserting instead:

(2) That the initial hearings be scheduled as follows:

### **Day One: Monday 18 August 2014**

GPSC2	Health, Medical Research	9.00 a.m.—1.00 p.m.
GPSC2	Citizenship and Communities, Aboriginal Affairs, Veterans Affairs	2.00 p.m.—5.00 p.m.
GPSC5	Primary Industries	10.30 a.m.—1.00 p.m.
GPSC5	Natural Resources, Lands and Water Western NSW	2.00 p.m.—5.00 p.m.

### **Day Two: Tuesday 19 August 2014**

GPSC3	Transport, The Hunter	9.00 a.m.—1.00 p.m.
GPSC3	Local Government	3.00 p.m.—5.00 p.m.
GPSC2	Ageing, Disability Services, The Illawarra	9.00 a.m.—12.00 p.m.
GPSC2	Mental Health	12.15 p.m.—1.15 p.m.
GPSC2	Education	2.00 p.m.—6.00 p.m.

**Day Three: Wednesday 20 August 2014**

GPSC4	Police and Emergency Services, Sport and Recreation	9.00 a.m.—1.30 p.m.
GPSC4	Attorney General, Justice	2.00 p.m.—6.00 p.m.
GPSC5	The Environment, Heritage, The Central Coast	9.00 a.m.—1.00 p.m.
GPSC5	Resources and Energy, Special Minister of State	2.00 p.m.—6.00 p.m.

**Day Four: Thursday, 21 August 2014**

GPSC3	Trade and Investment, Regional Infrastructure and Service, Tourism and Major Events, Small Business, The North Coast	9.00 a.m.—1.00 p.m.
GPSC3	Roads and Freight	2.00 p.m.—6.00 p.m.
GPSC1	Planning, Women	9.00 a.m.—1.00 p.m.
GPSC1	Premier, Infrastructure, Western Sydney (Baird)	2.00 p.m.—6.00 p.m.

**Day Five: Friday 22 August 2014**

GPSC1	Treasury, Industrial Relations	9.00 a.m.—1.00 p.m.
GPSC1	Finance and Services	2.00 p.m.—5.00 p.m.
GPSC4	Fair Trading	9.00 a.m.—10.30 a.m.
GPSC4	Hospitality, Gaming and Racing, The Arts	10.45 a.m.—12.15 p.m.
GPSC4	Family and Community Services	2.00 p.m.—5.00 p.m.

**Leave granted.**

Accordingly, I move Government Business Notice of Motion No. 2 as, by leave, amended:

- (1) That upon tabling, the Budget Estimates and related papers for the financial year 2014-2015 presenting the amounts to be appropriated from the Consolidated Fund be referred to the General Purpose Standing Committees for inquiry and report.
- (2) That the initial hearings be scheduled as follows:

**Day One: Monday 18 August 2014**

GPSC2	Health, Medical Research	9.00 a.m.—1.00 p.m.
GPSC2	Citizenship and Communities, Aboriginal Affairs, Veterans Affairs	2.00 p.m.—5.00 p.m.
GPSC5	Primary Industries	10.30 a.m.—1.00 p.m.
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GPSC1	Planning, Women	9.00 a.m.—1.00 p.m.
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GPSC4	Hospitality, Gaming and Racing, The Arts	10.45 a.m.—12.15 p.m.
GPSC4	Family and Community Services	2.00 p.m.—5.00 p.m.

- (3) That an initial round of supplementary hearings be scheduled during the week of 7 to 10 October 2014.
- (4) That each scheduled day for the initial round of hearings will begin at 9.00 a.m. and conclude by 6.00 p.m.
- (5) The committees must hear evidence in public.
- (6) The committees may ask for explanations from Ministers in the House, or officers of departments, statutory bodies or corporations, relating to the items of proposed expenditure.
- (7) There is no provision under this resolution for a Minister to make an opening statement before the committee commences questions.
- (8) A daily *Hansard* record is to be published as soon as practicable after each day's proceedings.
- (9) The committees are to present a final report to the House by 19 December 2014.
- (10) Members may lodge questions on notice with the Clerk to the committee during a Budget Estimates hearing and up to two days following.
- (11) All answers to questions taken on notice during the hearing, and questions on notice lodged up to two days following the hearing, must be provided within 21 days, or as otherwise determined by the committee.

**The Hon. AMANDA FAZIO** [3.36 p.m.]: The Government discussed this schedule with the Opposition and other crossbench members. While we always will appreciate more time to question Ministers, this proposal is probably the best we will get. Therefore, we support the motion setting out the budget estimates hearing schedule. We look forward to an interesting time at estimates hearings.

**Dr JOHN KAYE** [3.37 p.m.]: The Greens appreciate the Government's negotiating this issue. I agree with the Opposition Whip that it would have been better to have gone further, if possible, but that appears not to be the case. We should be setting aside two weeks for budget estimates hearings, rather than cramming them into one week.

**The Hon. Catherine Cusack:** Why stop at two weeks?

**The Hon. Melinda Pavey:** I don't remember you putting that when we were in opposition.

**Dr JOHN KAYE:** I note the interjections of Government members. I recall that when the Hon. Melinda Pavey and the Hon. Catherine Cusack were Opposition members, they enthusiastically supported the idea of longer and more comprehensive budget estimates hearings.

**The Hon. Mick Veitch:** As has the Government Whip.

**Dr JOHN KAYE:** I have been told that the Government Whip also expressed his opinions in that direction. I do not want to make this a long speech. I thank the Government for negotiating this schedule with The Greens and making it a more workable template. However, I repeat that The Greens believe more time is required.

**The Hon. ROBERT BROWN** [3.38 p.m.]: It appears that this motion will be passed and the House is happy with what has been provided. I must have been asleep at the wheel because I do not recall being consulted. However, I had a discussion with the Opposition Whip and I guess that we too are happy with what we get. I add my comments to those of my colleague Dr John Kaye and, indeed, refer to my speech recently in a take-note debate. We need to start thinking seriously about how budget estimates hearings are conducted. In the new Parliament I will prosecute an agenda around that issue. We support the motion.

**Reverend the Hon. FRED NILE** [3.39 p.m.]: The Christian Democratic Party is pleased to support the amended schedule for the Estimates Committees for 2014. We are pleased that there is agreement between the Government, the Opposition and the crossbench on the schedule.

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

**Motion agreed to.**

#### ADJOURNMENT

**The Hon. DUNCAN GAY** (Minister for Roads and Freight, and Vice-President of the Executive Council) [3.40 p.m.]: I move:

That this House do now adjourn.

#### EUROPEAN RED FOX

**The Hon. ROBERT BORSAK** [3.40 p.m.]: The European red fox is arguably the worst animal ever imported into Australia by our forebears not long after the arrival of the First Fleet, with the cane toads, rabbits and cats not far behind. It was apparently brought to Australia by the so-called gentry so they could continue their tradition of fox hunting. The red fox acclimatised so well that it was soon out of control and wreaking havoc on our native birds and animals and it continues to do so today. The fox is a voracious predator. Any farmer can tell us what they do to newborn lambs and about their never-ending battle to protect their stock from this predator.

It should amaze every member of this Chamber to know that each weekend, at a pet store in Alexandria, members of a group called Sydney Fox Rescue solicit customers for funds to have young foxes adopted as domestic pets. I find it offensive in the extreme and hope that a well-intentioned government would find a way to make it illegal to keep a fox as a pet. Sydney Fox Rescue should try to save a more deserving native animal such as bilbies or penguins.

For the life of me I cannot understand why it believes foxes should not be removed from our country. Every weekend hundreds of hunters take part in fox drives and fox hunts. In Victoria a bounty is offered to encourage the destruction of foxes. For many years I have advocated for a similar scheme in New South Wales, so far without result but I will keep trying. I will tell members what I have learned about Sydney Fox Rescue from its website. Not surprisingly, it does not endorse the shooting or baiting of foxes or even the use of snare traps. It points out that New South Wales foxes may be kept in captivity but it is an offence under the National Parks and Wildlife Act 1974 to release them. On its website it states:

Sydney Fox Rescue is unique in that we are the only registered Australia Charity who work in connection with the red fox. Whoopee.

Whoopee! Whoever approved it as a charity should have a big rethink. In all sincerity, I appeal to people not to donate to this group. There are far more worthy charities.

**The Hon. Dr Peter Phelps:** Just about any charity is more worthy.

**The Hon. ROBERT BORSAK:** I acknowledge that interjection. The website goes on to state:

We work to rescue, rehabilitate and rehome foxes. The majority of the animals we work with are young, orphaned or injured and will eventually be vaccinated, desexed and rehomed with members of the community who have been approved by our adoptions team, installed a secure fox enclosure and undergone a fox ownership training program.

**The Hon. Dr Peter Phelps:** What?

**The Hon. ROBERT BORSAK:** It gets better. Are these people serious? Not even The Greens could support such a group. I know in fact The Greens do not because The Greens realise and acknowledge the damage that is caused by the red fox. I do not think urban yuppies have a clue about the damage the fox causes. It does not need to be kept as a domestic pet. I honestly doubt they can be tamed because they are naturally predatory. It gets even worse. For example, the Sydney Fox Rescue website states:

Foxes undergo a behaviour test prior to rehoming to ensure they can live happily and comfortably in a family environment.

What about those that fail? They cannot be released back into the wild, so where do they go? Sydney Fox Rescue states:

Less social foxes who do not meet behaviour requirements for normal-adoption will stay with a suitable foster carer until an appropriate forever home can be found that understands their special needs.

**The Hon. Dr Peter Phelps:** Around Natasha Maclaren-Jones's neck.

**The Hon. ROBERT BORSAK:** I acknowledge that interjection. Sydney Fox Rescue understands that not all foxes are suited to life as a house pet and that some foxes may be happiest outdoors with minimal human interaction or, indeed, around someone's neck. The cruncher comes next. An adoption fee of \$250 to \$350 applies per fox to cover the cost of desexing, vaccinations, worming and flea treatments. Incidentally, flea is spelt "flee". It may also include mange treatment and a course of antibiotics, if necessary.

**The Hon. Dr Peter Phelps:** For the owners.

**The Hon. ROBERT BORSAK:** I acknowledge that interjection.

**The Hon. Robert Brown:** What about skinning costs?

**The Hon. ROBERT BORSAK:** I acknowledge that interjection. What a load of rubbish. Let us address the situation. The Government should declare the fox a pest under the Local Land Services Act 2013 and then offer at least a \$10 bounty for each fox killed so that it has a red-hot go at eradicating them to help to preserve and protect our native wildlife and farm animals. I dread the day I walk down George Street and pass a yuppie with a fox on a lead or indeed see a fox sticking its head out of a man bag.

## CROWN LAND REVIEW WHITE PAPER

**Mr SCOT MacDONALD** [3.45 p.m.]: The Government, through NSW Trade and Investment, is calling for submissions on the Crown Land Review white paper until 20 June 2014. This is a generational opportunity to modernise the management of Crown land for the benefit of New South Wales. I address the aspect of Western Lands. The division comprises 88 per cent of the Crown estate and 32 million hectares in the west, which is about a third of the State. But I am concerned that the four recommendations of the review and the Government's response seem to be leading towards incremental changes to Western Lands rather than seizing the chance to abolish the division and its convoluted tenures, regulation and dead-hand of bureaucracy.

I do not think any stakeholders disagree that the Western Lands Division has been an economic under-performer, especially in comparison to its Victorian counterpart. In its submission to the review, Wentworth Shire Council points out the stark differences between Mildura, with its population of 60,000, and its New South Wales counterpart over the Murray with 7,000 people. I agree with the contention that this lack of

development over the past 113 years is mostly due to the differences in tenure. It is an inescapable fact that Victoria freeholded its rangelands more than a century ago, whereas New South Wales Western Lands Division muddles on with leasehold.

I appreciate there are varying views on this and some leaseholders are comfortable that a Western Lands lease is adequate security for finance and land trading, but freehold remains our highest and most proven form of land property right. We do not need to speculate on what the abolition of the division might mean for New South Wales because we have evidence from over the border. I also do not accept the argument that the original rationale of the division to protect the zone's natural values by controlling rabbits and managing vegetation still holds. We now have many layers of natural resource protection, including the Native Vegetation Act, Threatened Species Conservation Act and Local Land Services. It is instructive that the head office of the Western Lands Division lies outside the division in Dubbo.

This is a highly bureaucratic organisation that is somewhat remote from the communities it is meant to serve. This unnecessary layer of administration is a barrier to economic development. Its goals are poorly defined and not understood. It takes a lease fee but has weak representation with only a Western Lands Advisory Council to give sporadic feedback. For many years the lease liability has been waived and cost-shifted back to other taxpayers. Local Government is quite capable of carrying out most of the functions of the division, including planning, with real input from the community.

Last year I visited Wentworth, which is about 1,000 kilometres from Sydney. I toured the shire and stayed at the Australian Wildlife Conservancy property Scotia Sanctuary in the unincorporated area on the South Australian border. In my view, the current tenures and Government management are not working. Lessees are burdened by distance, bureaucratic overload, slow administrative responses and inferior, complex tenure. I heard a number of reports that applications for leasehold conversion, or is a relatively simple request for change of use, are taking a couple of years.

Wentworth Shire Council stated in its submission that "Currently many activities on the Western Lands leases require approval of the Western Lands Commissioner, including approval for purchase of a Western Lands lease; additional approval for company ownership of a Western Lands lease; subdivision of a Western Lands lease; subdivision of a Western Lands lease lot; minor development applications, including houses, pumps, easements, sheds and swimming pools that already need local government approval." That is not the framework for a modern economy. I put it to Trade and Investment that the claim in the review that the current arrangements are not impeding development is not backed up by any data and simply defies the evidence on the ground.

Across the border, Mildura has been identified as a growth area, whereas the Western Lands Division is grappling with depopulation and weak economic activity. I appeal to the Government to use this review to reject the incremental reform approach, abolish the Western Lands Division, facilitate conversion to freehold; support local councils to assume their rightful role and empower local communities to manage their affairs as we expect them to do throughout New South Wales.

#### COMMONWEALTH WOMEN PARLIAMENTARIANS ASSOCIATION

**The Hon. CATHERINE CUSACK** [3.50 p.m.]: Recently the Australian branch of the Commonwealth Women Parliamentarians Association held an election for its chair. I was successful in my bid to be the New South Wales candidate, and subsequently contested and was then elected to the chair's position.

**The Hon. Robert Brown:** Hear, hear!

**The Hon. CATHERINE CUSACK:** Thank you. It is a great honour and a humbling experience to have the support of female colleagues not only from my own team but also from those opposite and the crossbench. I stand here as an icon for the truism that you are never too old to learn. I would characterise my first eight years in Parliament as an unbridled warrior for the Liberal-Nationals, working 24/7 to defeat our traditional political enemies and to elect a Liberal-Nationals Coalition Government. But the past three years have taught me that the partisan battle is a two-dimensional view of politics. I have learnt that there is a third dimension, the original dimension perhaps in Westminster democracy—the role and responsibilities of the true parliamentarian.

This has included the opportunity to chair the Committee on the Ombudsman, the Police Integrity Commission and the Crime Commission. On that committee members from all parties and both Houses have

worked hard, supported by outstanding staff, to fulfil the Parliament's responsibility to those independent agencies, as well as the public interest, in receiving and inquiring into the reports of those agencies. All committee members have wanted to contribute and this committee is a treasured opportunity to do so. The committee is under the radar but it is an example of the finest traditions of Parliament. It is a committee where all members have acted in good faith and in the public interest. In a sense we have cast aside our cloaks as politicians and assumed the old garb of being parliamentarians. I hope that it has been a most productive and rewarding experience for every member of the committee; it certainly has for me.

I have learnt more about true courtesies and the potential of Parliament in the past three years on the backbench than I did in eight fiery years on the front bench. It is this approach that I hope to bring to the Commonwealth Women Parliamentarians Association. On 25 May outgoing chair Lisa Baker will hand over to me at a full day meeting of the steering committee in Perth. Ms Baker has given innovative, respected service and I congratulate and sincerely thank her for that. I am also most appreciative of her guidance as I take on this role wearing L plates. My objectives in my new role will particularly relate to the issue of female participation in politics.

As of 31 March 2014, only 21.9 per cent of Australian parliamentarians were women—that is, 240 out of 824 members of Parliament. Unfortunately, this is a reduction from 30.8 per cent in 2010. In New South Wales the percentage of female members of Parliament has declined from 26.9 per cent in 2010 to 20.4 per cent today. In fact, overall female representation in New South Wales is at its lowest ebb in more than a decade. We are going in reverse not only in numbers but also in senior positions in government—both elected and in the bureaucracy. Women members of Parliament are concerned that we are going backwards. It is also of concern that more than ever before young women are more educated than their male peers yet the opportunities for realising their potential are shrinking, in an enlightened era when we would expect them to be increasing.

All women members of Parliament have an interest and responsibility to advocate for the generation after us and to support change. I note that many of our male colleagues feel exactly the same way. In a sense while it is our responsibility to be the catalysts, the way in which we conduct ourselves and empower our male colleagues to join us in this cause of greater equity is very important. It is my belief that the Commonwealth Women Parliamentarians Association can play an important role in this. We are well placed to argue for change to empower women members of Parliament to collectively advocate publicly—not only publicly and in the Parliament but within the political parties themselves, which are the pipelines that supply successful candidates for future Parliaments.

I am really looking forward to the May meeting. I thank my colleague Ms Robyn Parker, who has been our representative on this committee for three years. Robyn has really assisted and guided me in preparing for the meeting. I also thank the Hon. Amanda Fazio. I have had discussions with her about how we can look at a more bipartisan approach to empower women on all sides of politics so that we can all realise our full potential as parliamentarians. I hope I will be able to make a difference in this space. Once again, I thank all my colleagues for their support in delivering me this opportunity.

### **RACIAL DISCRIMINATION ACT**

**The Hon. PETER PRIMROSE** [3.55 p.m.]: There is widespread and strong opposition to moves by the Federal Liberal-Nationals to repeal section 18C of the Commonwealth Racial Discrimination Act 1975. Alarm bells have started ringing for Indigenous Australians and throughout our multicultural communities. The Liberals are making a choice as to whose rights they are giving priority. It is not about some inviolable principle of free speech; it is about the interests of some people being backed by the Government over the interests of other people. Law is an instrument through which a community's values and rights might be given effect. People in our State have a right to freedom of movement, but it is not an absolute right because you cannot just walk into someone else's house. The law is always a balancing act between competing rights.

The Liberals have come down firmly on the side of those who would give voice to racially motivated insults and offence, over those who are targeted by such comments. All laws, but particularly those dealing with discrimination, not only are prescriptive but also have educative and symbolic functions. Any weakening of anti-discrimination law at the Commonwealth level will leave a significant gap in the necessary legal protections from discrimination against Indigenous, culturally and ethnically diverse communities. It will also place increasing pressure on New South Wales' anti-discrimination laws and institutions. We need to send a simple message to Tony Abbott: To offend, insult and humiliate someone because of their race or ethnic background is not okay.

Watering down the Racial Discrimination Act can only have one result—namely, to make it more acceptable and so easier to racially abuse men, women, the old and, most troubling, the young. This is not only an issue for shock jocks and right wing ideologues, who complain endlessly over the airwaves and in the print media that they never get an opportunity to express their views. What the Liberals are proposing is something toxic that will have real victims, not simply pretend ones. The victims of this move will be children and the young people in our Indigenous and multicultural communities. The sentiments coming out of the Liberal Party as expressed by Senator Brandis are totally out of step with multicultural Australia.

In 2014, after years of pretending to be friendly and nice in Opposition, the Liberals are again becoming the Nasty Party. In the privacy of their own homes and in their own minds people can be as bigoted as much as they wish, but when that extends to actions that harm others our society has until now drawn a line. As a community we have until now said that racism has no place in modern Australia. The problem is not that Tony Abbott is stuck in the past, with knights and dames and White Australia; the problem is that he wants the rest of Australia to go back there and keep him company

The Government's amendment also proposes to scrap sections 18B, 18D and 18E and replace them with a new section, which will make it unlawful for a person or group to publicly do something which is "reasonably likely" to "vilify" another or "intimidate" them because of their "race, colour or national or ethnic origin". Section 18C became law in 1995 in response to recommendations from major inquiries, including the Royal Commission into Aboriginal Deaths in Custody. Its accompanying section 18D was inserted as a protection for balance and free speech, as it allows comments or actions made in good faith and "fair comment" if it is an "expression of a genuine belief held by the person making the comment". The proposed Abbott test of whether an act is reasonably likely to vilify or intimidate will be incredibly narrow. I quote from the exposure draft:

... [it will] be determined by the standards of an ordinary reasonable member of the Australian community, not by the standards of any particular group within the Australian community.

In other words, this proposed amendment no longer requires good faith and accuracy—they are being purged. Anything goes in the name of free speech, accurate or not. This so-called free speech exemption is blatant and all pervasive. Again I quote from the exposure draft:

- (4) This section does not apply to words, sounds, images or writing spoken, broadcast, published or otherwise communicated in the course of participating in the public discussion of any political, social, cultural, religious, artistic, academic or scientific matter.

That is a pretty big list of exemptions. Let us be clear, this move by the Abbott Government to amend the Racial Discrimination Act gives the green light to racism and hate speech.

## COASTAL PROPERTY PROTECTION

**The Hon. ROBERT BROWN** [4.00 p.m.]: I speak tonight on the matter of coastal property protection. This will become an important issue within the next few years or, indeed, the very next time our coastline is battered by a major storm system. The interest of the Shooters and Fishers Party in this issue was sparked by a paper published last year in the *Australian Law Journal* which asserted, "Beachfront landowners have no legal right to defend their homes from the ocean, nor do governments have a duty to intervene."

The media article in which this journal was cited also had words to the effect that the Government was seeking legal advice on that assertion. In March this year we asked whether that advice had been received. The answer arrived last week, and it was pretty simple. It said, "The paper has not been the subject of a request for advice." This sounds like an answer written by Sir Humphries somewhere in the Office of the Environment and Heritage who was not going to tell those "redneck Shooters and Fishers Party members" anything. I would have thought greater minds than ours—the simple people in the Shooters and Fishers Party—particularly some of those in Government, would have been a little interested in finding out the situation in regard to the legal rights of beachfront landowners. But perhaps I am mistaken.

As all members would know, legal disputes over the ownership of land that is gradually taken back by the sea as the oceans erode coastlines date back to about the 1300s in England. For the Government not to make that journal article the subject of a request for advice defies belief. Ignoring the assertion will not make it go away. If the assertion is correct, a lot of people will want to know just where they stand if a storm starts to wash

away their front garden. As I said at the beginning, this issue will become urgent sooner or later. I suspect that the Government is hoping there will not be any severe coastal storms in the next few years. It is facing enough storms as it is at the moment.

The Office of Environment and Heritage—which, it would appear from its answer, has not even requested advice on assertions made in the article—would be aware that the whole debate about seawalls is headed towards the New South Wales Supreme Court. The Registrar General has been reviewing a request by environmentalists, coastal councils and property law experts for the Supreme Court to clarify whether, "Beachfront landowners have the legal right to defend their homes from the ocean, or governments have a duty to intervene." I understand that the court could be asked by the Registrar General for a binding determination for the administration of the law, in what is known as a stated case. The court receives only a couple of such requests each year.

The whole issue revolves around the assertion of Southern Cross University, School of Law and Justice PhD candidate John Corkill that, "While landowners had a limited common law right to defend against the sea by building walls, that right is overruled by New South Wales coastal protection laws that acknowledge beaches should be preserved for the public good." Mr Corkill has based the claim on his review of English court rulings over hundreds of years and also on modern day Australian and New Zealand cases. Interestingly, in a recent media article on this topic, the New South Wales Coastal Panel chairman, who advised former environment Minister Robyn Parker on seawall approvals, said:

... a fundamental questioning of the ownership of private property and the beach now existed ...

I wonder if it also existed two months ago, when the Shooters and Fishers Party asked the original question of then Minister Parker. I suspect it did.

## MANUFACTURING INDUSTRY EMPLOYEES

**The Hon. HELEN WESTWOOD** [4.05 p.m.]: I speak tonight in support of thousands of manufacturing workers in New South Wales. Thanks to the inactivity of this Government, manufacturing is in crisis, as are the jobs of thousands of hardworking families. While this Government is content to sit on its hands, the working families of New South Wales are not. Through their union, the Australian Manufacturing Workers' Union [AMWU], manufacturing workers are saying enough is enough. If workers understand that manufacturing matters, why does this Government not understand? Manufacturing employs one in five people in Western Sydney and the Hunter. It is a crucial component of these local economies and the economy of our State as a whole.

Perhaps I should not be surprised at this Government's inactivity. I doubt those opposite could find Western Sydney or the Hunter on a map, let alone concern themselves with the mundane details of the economic survival of these communities. This callous disregard for the manufacturing workers of New South Wales was on full display recently when this Government announced that it would be buying new New South Wales trains off the shelf instead of supporting our own high-quality manufacturers, who could make these trains on time and on budget. It is outrageous that this Government refuses to have faith in the manufacturers of New South Wales.

Rail manufacturing directly employs 3,000 workers in the Hunter, and the industry supports many more jobs indirectly. Even this is not a good enough reason for the Government to support local firms. I can only conclude that it holds local workers in such disdain that it is willing to invest \$2.8 billion in any economy except our own. Does this Government realise how precarious things are for our local manufacturers? Just last week Pacific National cut 45 rail jobs in the Hunter, and the iron and steel company Arrium cut another 120 jobs. Think of those families now facing an uncertain economic future. That is just it: this Government is not thinking at all. If it is not happening on the north shore of Sydney, it does not want to know about it.

Developing a sensible, local procurement policy that would benefit local manufacturers and the people they employ is just too hard for this Government. The Australian Manufacturing Workers' Union understands that buying locally makes good economic sense. The people of the Hunter and Western Sydney understand that buying locally keeps communities alive. Why cannot this Government open its eyes? We have talent, skills and the know-how in New South Wales that is simply world class. Companies such as Downer EDI at Cardiff and the United Group at Broadmeadow, just to name a couple, have a proven track record. Why are we not supporting these workers?

The Hunter region faces a huge jobs crisis. Some have quite rightly labelled it the biggest jobs crisis since the closure of BHP. This crisis requires action, and with the stroke of a pen the New South Wales Government could act to save jobs. It could show some faith in the manufacturing workers of the Hunter and commit to building new trains in New South Wales. I also want this Government to take more seriously manufacturing innovation and the future of the industry. I have spoken previously in this place about the actions this Government could take to develop a coherent and comprehensive approach that will ensure a vibrant manufacturing industry in the future. It is not as if the Government is being asked to do the work itself.

The Australian Manufacturing Workers' Union 2013 report entitled "10 Ways to Drive New South Wales Manufacturing Jobs" sets it all out in language even this Government could understand. It is not complicated: Support local jobs by using local workers. First, support local businesses by reintroducing the Jobs First policy to provide a price preference for New South Wales businesses as a baseline for all government procurement. Secondly, invest in our skills base and future generations of manufacturing workers by supporting vocational and industry training. Thirdly, provide meaningful support to local manufacturers chasing tenders. And finally, heaven forbid, help women become more involved in the industry by including skills training targets for women on major infrastructure projects.

Again what frustrates me is that the road forward is so clear. Workers and their union, along with local employers, are crying out for help and for someone to listen. Yet those opposite seem blithely unaware of the looming jobs catastrophe. Even as workers across the Hunter took to the streets to support the "Build Them Here" campaign being run by the Australian Manufacturing Workers' Union, this Government was more interested in internal power games and media strategies. I say to the Government, open your eyes and look at what is going on in areas like the Hunter and start showing manufacturing workers that you care about their future. The choice is a simple one, and it is about time this Government acted responsibly and did the right thing.

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

**Motion agreed to.**

**The House adjourned at 4.10 p.m. until Tuesday 27 May 2014 at 2.30 p.m.**

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