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# LEGISLATIVE COUNCIL

Wednesday 19 November 2014

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**The President (The Hon. Donald Thomas Harwin)** took the chair at 11.00 a.m.

**The President** read the Prayers.

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

## CENTENARY OF FIRST WORLD WAR AND ANZAC LEGACY

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

- (1) That this House notes that August 2014 marked 100 years since our nation's involvement in the First World and that from 4 August 2014 to 11 November 2018 Australia will recognise and commemorate the Centenary of the First World War and the Anzac legacy.
- (2) That this House notes the Anzac Centenary will be one of the most significant commemorations to take place in our lifetime and during the Centenary of Anzac communities across Australia will gather to remember the sacrifices of those who served and died in war and it will be a time to honour and reflect upon the service and sacrifice of all those who have worn our nation's uniform.
- (3) That this House notes this is a once in a generation opportunity to reflect on one of the most significant chapters in our country's history and will enable all Australians to recognise and pay tribute to 100 years of service for our nation, with the centenary themed as follows:
  - (a) 2014—Origins and beginnings of the First World War;
  - (b) 2015—Turkey and Gallipoli;
  - (c) 2016—France and the Western Front;
  - (d) 2017—Belgium and the Western Front; and
  - (e) 2018—Conclusion of the First World War.
- (4) That this House notes the contribution by the people of New South Wales to the war effort was the most significant including:
  - (a) providing over 164,000 enlistees in the Australian Imperial Force and the Australian, Naval and Military Expeditionary Force, with this figure representing 39.8 per cent of all males in this State between the ages of 18 and 44, the highest percentage of any State in Australia and it is estimated that more than 3,000 New South Welshmen also enlisted in the Royal Australian Navy between 1914 and 1918;
  - (b) the majority of troops embarked for overseas service from the port of Sydney;
  - (c) units from New South Wales took part in all major conflicts in the First World War including Gallipoli, the Somme, Passchendaele, and Bullecourt;
  - (d) of the 64 Victoria Cross recipients from the First World War, 17 came from New South Wales;
  - (e) Australia's most famous war correspondent, and key founder of the Australian War Memorial, Charles W. E. Bean, came from Bathurst, New South Wales;
  - (f) New South Wales provided the bulk of metals to the war effort, a significant amount of which came from the then newly built BHP plant at Newcastle;
  - (g) the then recently opened by Lord Kitchener small arms factory at Lithgow expanded rapidly during the war to provide domestically produced rifles and bayonets for the Australian soldiers, and at its height was producing 80,000 .303 rifles per year during the First World War; and
  - (h) New South Wales raised the greatest amount of funds through war pensions and Australian Patriotic Funds.

- (5) That this House acknowledges New South Wales Government Centenary of Anzac initiatives including:
- (a) the Joining Forces initiative, a joint initiative between the New South Wales Government, Sydney Legacy and the Returned and Services League (RSL) NSW Branch which encourages multicultural communities to become involved in this significant commemoration period by participating in activities to honour our veterans and embrace the Anzac spirit which encapsulates the ideas of mateship and sacrifice;
  - (b) the United We Stand initiative, to encourage local sports clubs to engage in Centenary of Anzac activities and honour the legacy of our Diggers through acknowledgement of their club's service history;
  - (c) the Wartime Legends initiative, that encourages ex-service groups, government agencies, non-government organisations, businesses, schools and local government to become involved by recognising contributions made by the 400 Aboriginal servicemen and women who fought in Gallipoli and on the Western Front; and
  - (d) the Gallipoli School Tour Initiative that will enable 100 high school students from across New South Wales to represent the State at the 2015 Gallipoli Dawn Service, marking the 100th anniversary of the landing of the first Anzacs and encourages young adults to submit a written or visual piece of work on a theme or topic related to the Centenary of Anzac.
- (6) That this House:
- (a) notes the work by the Parliamentary Secretary for the Centenary of Anzac, Mr David Elliott, MP, to coordinate the Anzac Youth Ambassadors Essay Competition to encourage young people across Western Sydney to embrace the Anzac legend and reflect on the significance of the Centenary of Anzac to modern Australia;
  - (b) notes that the Anzac Youth Ambassadors Essay Competition, sponsored by Clubs NSW, offers six students from Western Sydney the opportunity to visit Gallipoli, France, Ypres and Westminster Abbey for Remembrance Day this year, allowing the next generation to engage with our history and ensure that the Anzac legacy lives on; and
  - (c) congratulates the six winners of the Anzac Youth Ambassadors Essay Competition, Dan Nguyen from Hurlstone Agricultural High School, Lihini De Silva from Baulkham Hills High School, Samuel Lewis from St Columba's Catholic College, Emily Frey from Quakers Hill High School, Madison Thompson from St Columba's Catholic College and Jack Jeffries from Parramatta Marist High School.
- (7) That this House acknowledges the work of the Anzac Centenary Ambassadors who serve on the Advisory Council, which includes 27 community leaders who have been appointed as Anzac Centenary Ambassadors and all are leaders in their respective fields, including the Defence Force, public sector, arts community and corporate sector.

## **PUB2PUB CHARITY FUN RUN AND WALK**

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

That this House notes that:

- (a) the Pub2Pub Charity Fun Run and Walk is now in its twenty-second year;
- (b) the event aims to raise funds for local charities on the northern beaches including the local surf clubs, local hospitals, the State Emergency Service [SES], the NSW Rural Fire Service and charities;
- (c) this year, around 5,000 runners and walkers took part in the 13 kilometre run from Dee Why to Newport raising more than \$400,000 from entry fees, merchandise sales and sponsorship; and
- (d) this significant community charity event is organised by the Rotary Club of Brookvale in conjunction with race founder Mark Bayfield of the Newport Arms Hotel and supported by over 200 volunteers from Surf Life Saving Clubs, the Rural Fire Service, the SES, the police and the scouts.

## **BUSINESS OF THE HOUSE**

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

**Private Members' Business items Nos 2085 and 2094 outside the Order of Precedence objected to as being taken as formal business.**

## **RAPE AND DOMESTIC VIOLENCE SERVICES AUSTRALIA**

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

- (1) That this House notes that 28 October 2014 marked the fortieth anniversary of Rape and Domestic Violence Services Australia.
- (2) That this House congratulates Rape and Domestic Violence Services Australia for providing support and services for over 40 years to people whose lives have been impacted by sexual assault or domestic violence.
- (3) That this House acknowledges that everyone has a right to live free of sexual assault and domestic violence.

- (4) That this House notes that:
- (a) Rape and Domestic Violence Services Australia was originally established as the Sydney Rape Crisis Centre in the early 1970s by a group of volunteer women;
  - (b) these women would travel all over Sydney to pick up women who had been sexually assaulted and bring them to the centre for counselling and medical help;
  - (c) in 1974, the Commonwealth Government provided funding as the first specialised service for women who had been sexually assaulted;
  - (d) since it was established, the organisation has continuously expanded and improved its services for those affected by sexual, domestic and family violence, rebranding as NSW Rape Crisis Centre in 1997, and Rape and Domestic Violence Services Australia in 2013;
  - (e) Rape and Domestic Violence Services Australia is a non-profit community organisation managed by a group of committed women and the service employs counsellors who are professionally qualified and have extensive experience in the area of sexual assault, family and domestic violence trauma; and
  - (f) Rape and Domestic Violence Services Australia provides 24/7 telephone and online crisis counselling services for anyone in Australia who has experienced or is at risk of sexual violence, family or domestic violence, together with their non-offending supporters.

## **BUSINESS OF THE HOUSE**

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

**Private Members' Business items Nos 2113, 2117 and 2123 outside the Order of Precedence objected to as being taken as formal business.**

## **REMEMBRANCE DAY**

**Motion by the Hon. DAVID CLARKE, on behalf of the Hon. CHARLIE LYNN, agreed to:**

- (1) That this House notes that:
- (a) on 11 November 2014, the annual Remembrance Day Service was held at Martin Place Cenotaph to mark the anniversary of the armistice which ended the First World War (1914–18); and
  - (b) Remembrance Day provides us with the opportunity to honour Australians who died or suffered in conflicts, and to reflect upon the sacrifices made by our service men and women and their families in defence of freedom.
- (2) Lest we forget.

## **BUSINESS OF THE HOUSE**

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

**Private Members' Business items Nos 2137 and 2144 outside the Order of Precedence objected to as being taken as formal business.**

## **SAINT NARSAI ASSYRIAN CHRISTIAN COLLEGE**

**Motion by the Hon. DAVID CLARKE agreed to:**

- (1) That this House notes that:
- (a) on 17 September 2014, Saint Narsai Assyrian Christian College celebrated the graduation of its year 12 class of 2014 at a ceremony held at Edessa Reception Auditorium at Greenfield Park; and
  - (b) guests at the ceremony included:
    - (i) His Beatitude Mar Meelis Zaia, AM, Metropolitan of the Archdiocese of Australia, New Zealand and Lebanon of the Holy Catholic Apostolic Assyrian Church of the East;
    - (ii) Mr Andrew Rohan, MP, member for Smithfield, representing the Hon. Mike Baird, Premier of New South Wales;
    - (iii) Police Superintendent Peter Lennon;
    - (iv) Mr Mudafar Al Joburi, representing the Iraqi Consulate in Sydney;
    - (v) Dr Bushra Al Obaidi and Inaan Jajoo, representing the Iraqi Australian Academic Forum; and
    - (vi) Reverend Fathers of the Holy Catholic Assyrian Church of the East.

- (2) That this House:
- (a) congratulates the students of the year 12 class of 2014 of Saint Narsai Assyrian Christian College on their recent graduation and wishes them well for the future;
  - (b) acknowledges the outstanding achievement of the Assyrian-Australian community and its spiritual leader, His Beatitude Archbishop Mar Meelis Zaia, for their hard work in the founding and development of Saint Narsai Assyrian Christian College; and
  - (c) extends its best wishes to:
    - (i) Mr John Haskel, school principal;
    - (ii) Mr Edward Dinkha, deputy school principal; and
    - (iii) students, staff and members of the school board for the continued success of Saint Narsai Assyrian Christian College.

### **LIFELINE**

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

- (1) That this House notes that:
- (a) on 13 November 2014 at the Westin Hotel, Sydney, Lifeline and its Australia Chairman, John Brogden, AM, hosted a fundraising 13 11 14 Lifeline lunch with the former Governor of New South Wales, Professor the Honourable Marie Bashir, AD, CVO, as the guest speaker;
  - (b) Lifeline was founded in 1963 by the late Reverend Dr Sir Alan Walker, when he took a call from a distressed man who later took his own life, prompting Sir Alan to launch a 24-hour crisis support line;
  - (c) Lifeline forecasts that it is expected to receive one million calls in 2015 financial year and 960,000 for this financial year;
  - (d) these calls are answered by over 3,500 trained and dedicated telephone crisis supporters working 24 hours a day, 365 days a year to support those in need; and
  - (e) Lifeline is a national charity providing all Australians experiencing a personal crisis with access to the following 24-hour crisis support and suicide prevention services:
    - (i) suicidal thoughts or attempts;
    - (ii) personal crisis;
    - (iii) anxiety;
    - (iv) depression;
    - (v) loneliness;
    - (vi) abuse and trauma;
    - (vii) stresses from work, family or society; and
    - (viii) self-help information for friends and family.
- (2) That this House notes that every day Lifeline saves lives and congratulates Lifeline on the tremendous service it provides all Australians.

### **GOING HOME STAYING HOME**

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

#### **Motion by the Hon. SOPHIE COTSIS agreed to:**

That the resolution of the House of 23 October 2014 under Standing Order 52, that there be laid upon the table of the House within 28 days of the date of passing of the resolution certain documents relating to the "Going Home Staying Home" reforms, be amended by inserting at the end:

- "(2) That, in relation to emails, this order of the House be limited to emails of the 25 most relevant people in the department who were involved in the "Going Home Staying Home" reforms, and that these documents be provided electronically by Thursday 4 December 2014."

## ARAKWAL NATIONAL PARK

### Motion by Ms JAN BARHAM agreed to:

- (1) That this House congratulates the Arakwal people and the NSW National Parks and Wildlife Service [NP&WLS] for the Arakwal National Park and the adjoining Cape Byron State Conservation Area being included in the International Union for Conservation of Nature's [IUCN] first ever Green List of the top 24 protected areas in the world.
- (2) That this House notes:
  - (a) the significance of this award in the context of there being over 200,000 terrestrial protected areas in the world today;
  - (b) that Trevor Sandwith, the director of IUCN's protected areas program, referred to the Green List as "something every protected area in the world can aspire to";
  - (c) that these areas are considered exceptional on the criteria of inclusion of the Indigenous traditional owners, protection of significant biodiversity values, conservation of heritage, award-winning educational programs and high-quality recreation facilities for visitors and the local community;
  - (d) that eco-tourism and educational programs generate a sustainable source of funding for the long-term management of the reserves;
  - (e) that almost 300 hectares of the Arakwal National Park was established after a landmark out-of-court Indigenous Land Use Agreement between the Arakwal People of the Bunjalung Nation, and the New South Wales Government in 2001, with considerable guidance from Byron Shire Council, and is managed jointly by the Arakwal People and the NPWS, and delivers training and jobs for Aboriginal people; and
  - (f) that the Cape Byron State Conservation Area is iconic with its lighthouse of historical significance and, as the most easterly point of Australia, it is prime viewing for whales and for dolphins, the symbol for the Arakwal people.

## VIETNAMESE COMMUNITY IN AUSTRALIA (NSW CHAPTER)

### Motion by the Hon. DAVID CLARKE agreed to:

- (1) That this House notes that:
  - (a) on 30 August 2014, the Vietnamese Community in Australia, New South Wales Chapter, held a successful fundraising concert at the Mounties Community Club, Mount Pritchard in support of activities planned for the fortieth anniversary of the first arrival of Vietnamese refugees in Australia, which will occur in 2015;
  - (b) the concert, which included both local and international Vietnamese performers, was organised under the direction of Mr Davy Nguyen, Vice President of the Vietnamese Community in Australia, New South Wales Chapter; and
  - (c) guests who attended the concert included:
    - (i) Mr Thang Ha, President of the Vietnamese Community in Australia, New South Wales Chapter;
    - (ii) the Hon. David Clarke, MLC, Parliamentary Secretary for Justice;
    - (iii) Councillor Nhan Tran, Fairfield City Council; and
    - (iv) representatives of nearly 100 Vietnamese community organisations as part of the Vietnamese Community in Australia, New South Wales Chapter.
- (2) That this House:
  - (a) congratulates Mr Davy Nguyen, Vice President of the Vietnamese Community in Australia, New South Wales Chapter, his organising committee and all the performers and participants for a successful fundraising concert to raise money for activities for the upcoming fortieth anniversary of the arrival of Vietnamese refugees in Australia; and
  - (b) commends the Vietnamese-Australian community for its ongoing and positive contribution to New South Wales.

## WESTERN SYDNEY WANDERERS

### Motion by the Hon. AMANDA FAZIO agreed to:

That this House:

- (a) congratulates the Western Sydney Wanderers for their victory in a 1-0 aggregate result in the 2014 Asian Champions League Final against the Saudi Arabian team Al-Hilal at the King Fahd International Stadium in Riyadh;

- (b) notes that the goal of Tomi Juric in the first leg of the final played in Parramatta proved the difference between the teams, sealing an historic 1-0 aggregate victory for the club;
- (c) commends the players and coaches who participated in the two finals matches for their sterling effort, namely:
  - (i) Captain, Nikolai Topor-Stanley;
  - (ii) Goalkeeper, Ante Covic;
  - (iii) Brendan Hamil;
  - (iv) Antony Golec;
  - (v) Shannon Cole;
  - (vi) Labinot Haliti;
  - (vii) Iacopo La Rocca;
  - (viii) Matthew Spiranovic;
  - (ix) Mateo Poljak;
  - (x) Mark Bridge;
  - (xi) Daniel Mullen;
  - (xii) Kwabena Appiah;
  - (xiii) Vitor Saba;
  - (xiv) Brendon Santalab;
  - (xv) Tomi Juric; and
  - (xvi) Coach Tony Popovic and Assistant Coach Ian Crook.
- (d) commends goalkeeper Ante Covic for winning the Champions League Player of the tournament; and
- (e) further congratulates the one female and 10 male members of the Wanderers supporters known as the Red and Black Bloc for their commitment to the team, which was demonstrated by their travelling to Riyadh to attend the match.

### **RSL RURAL COMMEMORATIVE YOUTH CHOIR**

#### **Motion by the Hon. DAVID CLARKE, on behalf of the Hon. CHARLIE LYNN, agreed to:**

- (1) That this House notes:
  - (a) Ms Rhondda Vanzella, OAM, and Creative Director Ms O. J. Rushton, members of the Kangaroo March Re-enactment Committee, have worked tirelessly to create the RSL Rural Commemorative Youth Choir that brings music and history to engage our youth during the Centenary of Anzac period and beyond;
  - (b) the Youth Choir will provide a resource for local RSL sub-branches and other community organisations to help with the running of commemorative services in the community such as Anzac Day and Remembrance Day each year;
  - (c) that through Rhondda and OJ's perseverance, the Youth Choir was formally approved and recognised by the New South Wales RSL State Branch in September 2014; and
  - (d) shortly after this, the Youth Choir received their certificate of registration and became a member of the Australian National Choral Association [ANCA].
- (2) That this House:
  - (a) congratulates Ms Rhondda Vanzella, OAM, and Creative Director O. J. Rushton on their drive, passion and commitment in establishing this wonderful initiative; and
  - (b) supports the vision "for communities in Australia to embrace the choir until it becomes a State and national choir during the years of the Centenary of the Great War to support the RSL and to keep the spirit of Anzac alive for generations to come".



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

**Private Members' Business item No. 2157 outside the Order of Precedence objected to as being taken as formal business.**

**SAINT SAVA SERBIAN CULTURAL CLUB CENTENARY OF FIRST WORLD WAR****Motion by the Hon. DAVID CLARKE agreed to:**

- (1) That this House notes that:
- (a) on Sunday 3 August 2014, at the Saint Sava Serbian Cultural Club at Middleton Grange, a Commemoration of the Centenary of the Beginning of World War I was held;
  - (b) the commemoration event was organised by the Saint Sava Serbian Cultural Club and Mr David Milovanovic, representative of the Serbian Diaspora for Australia and New Zealand to the Republic of Serbia, assisted by several Serbian community organisations; and
  - (c) those who attended as guests included:
    - (i) Colonel Brendan Casey, representing Air Chief Marshall Mark Binskin, AC, Chief of the Defence Force of Australia;
    - (ii) the Hon. David Clarke, MLC, New South Wales Parliamentary Secretary for Justice, representing the Hon. Mike Baird, Premier of New South Wales, as well as the Hon. Victor Dominello, MP, Minister for Citizenship and Communities, Minister for Aboriginal Affairs, Minister for Veteran Affairs and Assistant Minister for Education, and Marisa Clarke;
    - (iii) Mr Craig Kelly, MP, Federal member for Hughes;
    - (iv) Mr Alex Glumac representing Mr Chris Hayes, MP, Federal member for Fowler and Chief Opposition Whip;
    - (v) Mr Georgios Koromvokis, Executive Officer to the Consul-General of Greece in Sydney, Dr Stavros Kyrimis;
    - (vi) Mr Vladimir Illasov, First Secretary to the Consulate in Sydney of the Russian Federation;
    - (vii) Councillor Milovan Karajcic, Fairfield City Council;
    - (viii) Councillor Peter Ristevski, Liverpool City Council;
    - (ix) Mr Constadine Tagaroulis, President of the Pan-Macedonian Association of New South Wales; and
    - (x) Mr Slobodan Lazovic, President of the Montenegrin Cultural and Artistic Association of Njegos.
- (2) That this House:
- (a) congratulates the Saint Sava Serbian Cultural Club and Mr David Milovanovic, representative of the Serbian Diaspora for Australia and New Zealand to the Republic of Serbia and other Serbian Community organisations for their successful Commemoration of the Centenary of the Beginning of World War I; and
  - (b) commends the Serbian-Australian Community for its ongoing contribution to the State of New South Wales.

**MR ANTHONY MUNDINE****Motion by the Hon. SHAOQUETT MOSELMANE agreed to:**

- (1) That this House notes that:
- (a) on Wednesday 12 November 2014 Anthony Mundine defeated previously unbeaten Belarusian Sergey Rabchenko, in what the *Courier Mail* described as one of the greatest performances of his 15-year career;
  - (b) in winning the World Boxing Council [WBC] silver light middleweight title Anthony Mundine is now number one challenger to WBC titleholder American superstar Floyd Mayweather;
  - (c) Anthony Mundine is an Australian professional boxer and former rugby league player and is a former two-time World Boxing Association [WBA] Super Middleweight Champion, an International Boxing Organisation Middleweight Champion, an interim WBA Light Middleweight Champion and a New South Wales State of Origin representative footballer;

- (d) in 2000 Anthony was named the Aboriginal and Torres Strait Islander Person of the Year and he has also won the Deadly Award as Male Sportsperson of the Year in 2003, 2006 and 2007;
  - (e) Anthony Mundine has a proud history of standing up for Indigenous peoples; and
  - (f) at the 2014 National Indigenous Human Rights Award, an award was presented in his name, the Anthony Mundine Courage Award.
- (2) That this House congratulates Anthony Mundine on his personal achievements as well as for his contribution to boxing in Australia and notes that "The Man" lives to fight another day.

## **SELECT COMMITTEE ON HOME SCHOOLING**

### **Extension of Reporting Date**

#### **Motion by the Hon. PAUL GREEN agreed to:**

That the reporting date for the Select Committee on Home Schooling be extended to Friday 19 December 2014.

## **JACKIE AND JACK NEWTON, OAM**

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

- (1) That this House notes that:
- (a) since its inception in 1979, the Jack Newton Celebrity Classic and Diabetes Corporate Cup have collectively donated over \$3 million to the Jack Newton Junior Golf Foundation and to diabetes research and care;
  - (b) the Jack Newton Junior Golf Foundation [JNKG] was established in 1986 to introduce more young people to the game of golf and to nurture their skills and enjoyment of the sport;
  - (c) the objectives of JNKG are to establish and serve a variety of golf programs for boys and girls that create pathways through the sport and cater for the beginner through to the elite with programs ranging from the introduction of golf in schools through to elite level tournaments, attracting the best from interstate and overseas;
  - (d) the JNKG is a non-profit organisation dependent upon the support and commitment of sponsors and grants from the New South Wales Government, the New South Wales Golf Association, Women's Golf New South Wales and the major fundraiser, the Jack Newton Celebrity Classic;
  - (e) the JNKG major sponsors include the Kinghorn Foundation, Subaru, Srixon and Titleist;
  - (f) Mr Jack Newton, OAM, was one of Australia's most successful golfers in the 1970s and early 1980s who turned professional in 1971 and won his first professional tournament, the Dutch Open, in 1972;
  - (g) Mr Newton achieved several victories winning titles such as the British Matchplay in 1974, the Buick-Goodwrench Open in 1978, and the Australian Open Championship in 1979;
  - (h) in the 1975 Open Championship at Carnoustie in Scotland, Mr Newton lost in a playoff to Tom Watson, having in the third round set a course record of 65;
  - (i) Mr Newton won the PGA Tour of Australia's Order of Merit in 1979 and finished tied for second at the 1980 Masters Tournament behind the winner Steve Ballesteros;
  - (j) in the 2007 Queen's Birthday Honours list, Mr Newton was awarded the Medal of the Order of Australia for outstanding services to golf, particularly through a range of executive, youth development and fundraising roles;
  - (k) Mrs Jackie Newton has been the backbone behind the organisation of the Jack Newton Celebrity Classic and the Diabetes Corporate Cup and the Jack Newton Junior Golf Foundation over the last 30 years, assisting extensively with the organisation of the events, mentoring of children and young people and raising money for charitable organisations; and
  - (l) Mr and Mrs Newton have both actively supported and contributed to a range of charitable and sporting organisations over the last 35 years.
- (2) That this House:
- (a) acknowledges and commends Jackie and Jack Newton, OAM, for their continued outstanding services over the last 35 years to golf, children and young people and charitable organisations; and
  - (b) acknowledges and commends the work and contribution in our community of the Jack Newton Celebrity Classic and Diabetes Corporate Cup and the Jack Newton Junior Golf Foundation.

## BUSINESS OF THE HOUSE

### Formal Business Notices of Motions

**Private Members' Business item No. 2163 outside the Order of Precedence objected to as being taken as formal business.**

### SAINTS PETER AND PAUL CHURCH, CECIL PARK

#### **Motion by the Hon. DAVID CLARKE agreed to:**

(1) That this House notes that:

- (a) on Saturday 13 September 2014, His Beatitude, Mar Meelis Zaia, AM, Metropolitan of the Holy Apostolic Catholic Assyrian Church of the East, Diocese of Australia, New Zealand and Lebanon officiated at the opening and consecration of Saints Peter and Paul Church at Cecil Park; and
- (b) those who attended as guests included:
  - (i) the Hon. Philip Ruddock, MP, Federal member for Berowra, representing the Hon. Tony Abbott, MP, Prime Minister of Australia;
  - (ii) the Hon. Chris Bowen, MP, Federal member for McMahon, Shadow Treasurer, representing the Hon. Bill Shorten, MP, Leader of the Federal Opposition;
  - (iii) Mr Andrew Rohan, MP, State member for Smithfield, representing the Hon. Mike Baird, Premier of New South Wales;
  - (iv) Mr Guy Zangari, MP, State member for Fairfield, Shadow Minister for Citizenship and Communities, shadow Minister for Sport and Recreation, representing the Hon. John Robertson, MP, Leader of the New South Wales Opposition as well as Mr Paul Lynch, MP, State member for Liverpool, shadow Attorney General and shadow Minister for Justice;
  - (v) Reverend the Hon. Fred Nile, MLC, Assistant President of the Legislative Council of New South Wales;
  - (vi) Mr Nick Lalich, MP, State member for Cabramatta;
  - (vii) the Hon. Shaoquett Moselmane, MLC;
  - (viii) His Eminence, Archbishop Mor Malatius Malki Malki of the Syriac Orthodox Church, Patriarchal-Vicariate of Australia and New Zealand;
  - (ix) His Eminence Archbishop Robert Rabbat and Reverend Father Fady Salameh, Melkite Eparchy of Australia and New Zealand;
  - (x) His Eminence Archbishop Mar Djibrael Kassab, Chaldean Eparchy of Oceania;
  - (xi) His Grace Bishop Daniel of the Coptic Orthodox Church, Diocese of Sydney and Affiliated regions;
  - (xii) His Grace Bishop Irinej and Protodeacon Petier Mrakic of the Serbian Orthodox Church, Metropolitanate of Australia and New Zealand;
  - (xiii) Reverend Fathers and Deacons of the Holy Apostolic Catholic Assyrian Church of the East;
  - (xiv) Councillor Ninos Khoshaba, Fairfield City Council, representing Councillor Frank Carbone, Mayor of Fairfield City Council;
  - (xv) Councillor George Barcha, Deputy Mayor, Fairfield City Council;
  - (xvi) Councillor Zaya Toma, Fairfield City Council;
  - (xvii) Mr Hermiz Shahan, Secretary-General of the Assyrian Universal Alliance;
  - (xviii) Mr David David, President of the Assyrian Australian National Federation;
  - (xix) Mr Dinkha Warda, President and Mr Nabel Karim Vice-President of the Assyrian Australian Association;
  - (xx) Mr Edwar Dinka, Deputy-Principal of St Narsai Assyrian Christian College, representing the Principal Mr John Haskal;
  - (xxi) leaders and representatives of numerous other Assyrian community organisations;
  - (xxii) Police Superintendent Peter Lennan of the Fairfield Area Command; and
  - (xxiii) Mr David Brodie and Mr Andrew Condon, representing Legacy Australia.

- (2) That this House:
- (a) congratulates clergy and members of the Holy Apostolic Catholic Assyrian Church of the East on the opening and consecration of their new church, Saints Peter and Paul at Cecil Park; and
  - (b) commends the Holy Apostolic Catholic Assyrian Church of the East and its members for their ongoing contribution to the religious and community life of the State of New South Wales.

### **PALESTINIAN NATIONAL DAY**

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

- (1) That this House notes that:
- (a) the Council of Australian Palestinians commemorated Palestinian National Day at the New South Wales Parliament on 14 November 2014, hosted by the Hon. Peter Primrose, MLC;
  - (b) guest speakers included Mr Tony Issa, MP, representing the Premier, the Leader of the Opposition, the Hon. John Robertson, MP, the Hon. Amanda Fazio, MLC, the Hon. Lynda Voltz, MLC, and the Hon. Shaoquett Moselmane, MLC, together with many distinguished community representatives and guests including Pakistani, Chilean and Philippine consular representatives;
  - (c) this commemoration coincided with the 15 November 1988 proclamation of an independent state of Palestine by the Palestine National Council [PNC] at a meeting in Algiers;
  - (d) this created a remarkable opportunity for peace under the policy of a two state solution; and
  - (e) in this Palestinian Declaration of Independence, the PNC accepted the United Nations General Assembly's Partition Resolution 181 (II) of 1947, which called for the creation of the State of Israel side-by-side with a Palestinian State, together with an international trusteeship for the City of Jerusalem.
- (2) That this House notes the significance of the National Day of Palestine and congratulates the Council of Australian Palestinians on their support for a two-state solution.

### **DR JENNY MAY**

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

- (1) That this House notes that:
- (a) Dr Jenny May of Tamworth has recently been named the Telstra Rural Doctors Association of Australia's [RDAA] Rural Doctor of the Year in recognition of her outstanding contribution to rural health on a local, regional and national level;
  - (b) Dr May has worked as a general practitioner [GP] for nearly 25 years, while at the same time teaching, conducting research and taking on leadership roles within the rural medical community;
  - (c) Dr May was instrumental in the development of Peel Health Care, a corporate practice that pioneered a community-led practice model;
  - (d) Dr May is the Clinical Dean of the University of Newcastle's Department of Rural Health, and is responsible for supporting 32 medical students studying at the Rural Clinical School in Tamworth and has trained and mentored countless young doctors, and has published numerous academic papers and presentations;
  - (e) Dr May is completing her PhD studying recruitment and retention issues affecting regional centres for both specialists and GPs; and
  - (f) Dr May's advocacy roles have included Chair of the RDAA Female Doctors Group and past Chair of the National Rural Health Alliance, member of the National Lead Clinicians Group as well as the National Dental Advisory Council.
- (2) That this House acknowledges and commends Dr Jenny May for her deep passion for clinical work, outstanding commitment to her patients, and exemplary service to improving the health of all rural Australians through her advocacy work.

### **INDO-CHINESE ELDERLY HOSPITAL**

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

- (1) That this House notes that:
- (a) on 28 October 2014, the New South Wales Chef Association held its Charity Gala Dinner in support of the Indo-Chinese Elderly Hostel, attended by many distinguished members of the Australian Chinese Community;

- (b) the Indo-Chinese Elderly Hostel was built to meet culturally specific needs of the aged population from Cambodia, China, Laos, Vietnam and South East Asian countries; and
  - (c) the hostel commenced operations at Bonnyrigg in October 2003 with 30 beds and currently provides accommodation and care to 88 frail aged members of the Indo-Chinese and Chinese communities.
- (2) That this House congratulates the New South Wales Chef Association and the Board of Committee and the Indo-Chinese Elderly Hostel on its 10-year anniversary and services to the Indo-Chinese and Chinese Australian communities.

### **FESTIVAL OF DEEPAVALI 2014**

#### **Motion by the Hon. DAVID CLARKE agreed to:**

- (1) That this House notes that:
- (a) on 26 September 2014, the Hindu Council of Australia held a celebration of the Festival of Deepavali in Martin Place, Sydney;
  - (b) the Festival of Deepavali, also known as the Festival of Lights, is widely celebrated by Hindus and Sikhs worldwide and symbolises the victory of good over evil and light over dark; and
  - (c) the Hindu Council of Australia is a national body representing Australians of the Hindu faith and has been celebrating the Festival of Deepavali in Australia since 1999.
- (2) That this House:
- (a) congratulates the Hindu Council of Australia on the successful holding of its celebration of the Festival of Deepavali in Martin Place, Sydney on 26 September 2014; and
  - (b) commends the Hindu and Sikh communities for their ongoing contribution to the religious life of our State.

### **MUSLIM COMMUNITY RADIO 2MFM**

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

- (1) That this House notes that:
- (a) 2MFM Muslim Community Radio was established in 1995 and recently celebrated 20 years of community service;
  - (b) 2MFM is a multicultural and multilingual Islamic radio station that broadcasts to Sydney's broader community while specifically catering to the needs of the Islamic community of Sydney;
  - (c) Muslim Community Radio currently broadcasts 24 hours, 365 days a year covering all Islamic events, with programs primarily transmitted in Arabic, English and programs in other community languages evolving in pace with demand;
  - (d) Muslim Community Radio depends on the listeners' support rather than the commercial sector and this policy upholds the station's principle of objectivity in reporting and ensures that community needs remain paramount over commercial imperatives; and
  - (e) this state of financial independence reserves for Muslim Community Radio the privilege of establishing policies, producing programs and concluding administrative decisions based on the needs and interests of the community.
- (2) That this House notes that support of Muslim Community Radio is significant to our cultural diversity and congratulates Muslim Community Radio 2MFM on 20 years of broadcasting service.

### **MR KEN ROSEWALL, AM, MBE**

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

- (1) That this House notes that:
- (a) on 11 November 2014, in support of the Australian Children's Music Foundation, the Patron, Professor the Honourable Marie Bashir, AD, CVO, and Sir Nicholas Shehadie hosted a celebration to honour and mark the eightieth birthday of Australian Tennis legend Ken Rosewall, AM, MBE;
  - (b) Mr Rosewall is a former world top-ranking amateur and professional tennis player who won a record 25 tennis majors including eight Grand Slam singles titles and, before the open era, a record 15 Pro Slam titles and a record 35 major finals overall;

- (c) Mr Rosewall won the Pro Grand Slam in 1963 and won nine grand slams in doubles, including a double Grand Slam;
  - (d) Mr Rosewall is considered one of the top male tennis players of all time;
  - (e) Mr Rosewall was the World No. 1 tennis player for a number of years in the early 1960s and was ranked among the top 20 players, amateur or professional, every year from 1952 to 1977;
  - (f) Mr Rosewall is the only player to have simultaneously held Pro Grand Slam titles on three different surfaces, achieving this feat in 1962–1963;
  - (g) at the 1971 Australian Open Mr Rosewall became the first male player during the open era to win a Grand Slam tournament without dropping a set;
  - (h) at the Australian Championship, Mr Rosewall was Singles Champion in 1953, 1955, 1971 and 1972 and Doubles Champion in 1953, 1956 and 1972, at the French Open was Singles Champion in 1953 and 1968 and Doubles Champion in 1953 and 1968, at Wimbledon was Doubles Champion in 1953 and 1956, at the United States National Championship was Singles Champion in 1956 and 1970, Doubles Champion in 1956 and 1969 and Mixed Doubles Champion in 1956;
  - (i) Mr Rosewall was a Davis Cup team member in 1953 to 1956, 1973 and 1975;
  - (j) in the Queen's Birthday Honours of 1971, Mr Rosewall was appointed a Member of the Order of the British Empire [MBE] and in the Australia Day Honours List of 1979, he was appointed a Member of the Order of Australia [AM];
  - (k) Mr Rosewall was inducted into the International Tennis Hall of Fame in Newport, Rhode Island, in 1980;
  - (l) in 1985, Mr Rosewall was inducted into the Sport Australia Hall of Fame and has also been named an Australian Living Treasure;
  - (m) the Australian Children's Music Foundation is a charity that provides free music education and instruments to the disadvantaged and indigenous children at risk and youth in schools, remote communities and juvenile justice centres across Australia;
  - (n) Ambassadors of the Australian Children's Music Foundation include Rachael Beck, Tony Briggs, Liam Burrows, Justine Clarke, Toni Collette, Russell Crowe, Latifa, Luke Darcy, Amy Dickson, Ian "Dicko" Dickson, Natasha Duarte, Lucy Durack, George Ellis, Tim Freedman, Ellis Hall, Rob Mills, Mirusia, Peter Northcote, Leo Sayer, Danielle Spencer, Richard Tognetti and John Waters; and
  - (o) board members of the Australian Children's Music Foundation include Don Spencer, OAM, Founder and Chief Executive Officer, Hilary Hannam, Chair, Michael Conway, Ian Dicko Dickson, Tim Freedman, Kieran Lane, Melanie Mossman, Blainey North, Shelly Rafferty, Brian Russell, Danielle Spencer, Brian Wexham and Geoff Wilson.
- (2) That this House:
- (a) acknowledges and commends Mr Ken Rosewall, AM, MBE, on his outstanding career in tennis and continued service to sporting and charitable organisations;
  - (b) extends its congratulations and best wishes to Mr Rosewall on the occasion of his eightieth birthday; and
  - (c) acknowledges and commends the Australian Children's Music Foundation, its board, patron, ambassadors and teachers for their commitment to provide free music education and instruments to Indigenous children and the disadvantaged in schools, remote communities and juvenile justice centres across Australia.

## **AUSTRALIAN HELLENIC EDUCATIONAL PROGRESSIVE ASSOCIATION**

### **Motion by the Hon. DAVID CLARKE agreed to:**

- (1) That this House notes that:
- (a) on Saturday 15 November 2014, at Darling Harbour Sydney, the Australian Hellenic Educational Progressive Association celebrated its foundation 80 years ago with a charity ball in support of the Sydney Children's Hospital Foundation;
  - (b) the association, which was founded in Australia in 1934, promotes Hellenism, civic responsibility, individual and family excellence and has a commitment to humanity, freedom, democracy, philanthropy and education; and
  - (c) guests who attended the ball included:
    - (i) Reverend Father Scoutas, representing His Eminence, Archbishop Stylianos, Primate of the Greek Orthodox Church in Australia;

- (ii) Mr Nickolas Varvaris, MP, Federal member for Barton, representing the Hon. Tony Abbot, MP, Prime Minister of Australia;
- (iii) Mr Matt Thistlethwaite, MP, Federal member for Kingsford Smith, Shadow Parliamentary Secretary for Foreign Affairs and Immigration, representing the Hon. Bill Shorten, MP, Leader of the Federal Opposition;
- (iv) Mr Mark Coure, MP, member for Oatley, representing the Hon. Mike Baird, MP, Premier of New South Wales;
- (v) the Hon. Sophie Cotsis, MLC, shadow Minister for Local Government, Housing and the Status of Women, representing the Hon. John Robertson, MP, Leader of the Opposition;
- (vi) the Hon. David Clarke, MLC, Parliamentary Secretary for Justice;
- (vii) the Hon. Shaoquett Moselmane, MLC;
- (viii) Mr Ron Hoenig, MP, member for Heffron, Shadow Minister for Emergency Services and Shadow Minister for Ports;
- (ix) Dr Stavros Kyrimis, Consul-General of Greece in Sydney;
- (x) Mr Jeremy Spinak, President of the New South Wales Jewish Board of Deputies;
- (xi) Mr Hermiz Shahan, Deputy Secretary-General of the Assyrian Universal Alliance;
- (xii) Mr David David, President of the Assyrian Australian National Federation;
- (xiii) Mr Vaianos Oreopoulos-Kelenis, Commercial Attache, Consulate-General of Greece in Sydney;
- (xiv) Councillor Angela Vithoulkas, City of Sydney;
- (xv) Councillor Sam Stratikopoulos, Kogarah City Council;
- (xvi) Councillor Petros Kalligas, Rockdale City Council;
- (xvii) Councillor Peter Poulos, Rockdale City Council;
- (xviii) Councillor Michael Nagi, Rockdale City Council;
- (xix) Councillor Nicholas Mickovski, Rockdale City Council;
- (xx) Councillor Nick Katris, Kogarah City Council;
- (xxi) Councillor Nicholas Aroney, Kogarah City Council;
- (xxii) Councillor George Katsambaris, Kogarah City Council;
- (xxiii) Councillor Anthony Andrews, Randwick City Council;
- (xxiv) Councillor Harry Stavrinis, Randwick City Council;
- (xxv) Councillor Bill Mouroukas, Waverley Municipal Council; and
- (xxvi) leaders and representatives of other Australian Hellenic organisations, including the Lemnos 1915 Commemorative Committee and the Pan-Macedonian Association of NSW.

(2) That this House:

- (a) congratulates Mr Yiannis Kallimanis, Grand President, New South Wales and New Zealand, and the Committee of the Order of the Australian Hellenic Educational Progressive Association, New South Wales and New Zealand branch, on the occasion of its 80th anniversary charity ball; and
- (b) commends the association for its 80 years of service to the ideals of Hellenism, to the Hellenic-Australian community and to the wider Australian community.

### **ASSYRIAN MARTYRS AND GENOCIDE DAY**

**Motion by the Hon. DAVID CLARKE agreed to:**

(1) That this House notes that:

- (a) on Sunday 10 August 2014, the Assyrian Australian National Federation and Assyrian Universal Alliance jointly hosted Assyrian Martyrs and Genocide Day at the Edessa Reception Hall, St Hurmizd's Cathedral; and

- (b) guests at the event included:
  - (i) His Beatitude Mar Meelis Zaia, Metropolitan of the Holy Apostolic Catholic Assyrian Church of the East, Diocese of Australia, New Zealand and Lebanon;
  - (ii) Reverend Fathers Ninos Eliya and Yousip Gazrawi of the Holy Apostolic Catholic Assyrian Church of the East;
  - (iii) the Hon. Chris Bowen, MP, Federal member for McMahon and Shadow Treasurer of Australia;
  - (iv) Mr Craig Kelly, MP, Federal member for Hughes;
  - (v) Reverend the Hon. Fred Nile, MLC, Assistant President of the Legislative Council of New South Wales;
  - (vi) the Hon. David Clarke, MLC, Parliamentary Secretary for Justice;
  - (vii) the Hon. Paul Green, MLC;
  - (viii) the Hon. Marie Ficarra, MLC;
  - (ix) Mr Guy Zangari, MP, member for Fairfield, shadow Minister for Citizenship and Communities and shadow Minister for Sport and Recreation;
  - (x) Mr Andrew Rohan, MP, member for Smithfield; and
  - (xi) Mrs Tanya Davies, MP, member for Mulgoa.
- (2) That this House commends:
  - (a) the organisers of Assyrian Martyrs and Genocide Day held on 10 August 2014; and
  - (b) the Assyrian-Australian community for its ongoing contribution to New South Wales.

### COMMEMORATION FOR VICTIMS OF GENOCIDE

#### **Motion by the Hon. DAVID CLARKE agreed to:**

- (1) That this House notes that:
  - (a) on Tuesday 16 September 2014 the nineteenth Annual Genocide Commemoration was held in the Theatre at the Parliament of New South Wales jointly organised by the Australian Institute for Holocaust and Genocide Studies and the Hellenic Genocide Commemorative Committee; and
  - (b) guests at the commemoration included:
    - (i) the Hon. Sophie Cotsis, MLC, shadow Minister for Local Government, Housing and the Status of Women and Parliamentary Host, representing the Hon. John Roberson, MP, Leader of the Opposition;
    - (ii) the Hon. Gladys Berejiklian, MP, Minister for Transport;
    - (iii) Reverend the Hon. Fred Nile, MLC, Assistant President of the Legislative Council of New South Wales;
    - (iv) the Hon. David Clarke, MLC, Parliamentary Secretary for Justice;
    - (v) Mr Dimitri Kepreotis, Vice-President of the Inter-Committee Council of the Greek Archdiocese of Australia representing His Eminence Archbishop Stylianos, Primate of the Greek Orthodox Church in Australia;
    - (vi) Dr Stavros Kyrimis, Consul-General of Greece in Sydney;
    - (vii) Reverend Father Nicholas Tsouloukidis;
    - (viii) Mr John Theodoridis and Mr Nick Lambros representing the Order of the Hellenic Educational Progressive Association;
    - (ix) representatives of the Jewish, Armenian and Assyrian communities; and
    - (x) representatives of numerous Hellenic community organisations.



- (2) That this House:
- (a) commends the Australian Institute for Holocaust and Genocide Studies and the Hellenic Genocide Commemorative Committee for their organising of the nineteenth Annual Genocide Commemoration and for their ongoing work against genocide; and
  - (b) states its own strong opposition to all forms of genocide.

#### **INTERIM COUNCIL OF ASSYRIAN ORGANISATIONS INTERNATIONAL AID**

##### **Motion by the Hon. DAVID CLARKE agreed to:**

- (1) That this House notes that:
- (a) on Sunday 3 August 2014, the Interim Council of Assyrian Organisations in Sydney held a fundraising event at St John's Park raising in excess of \$38,000 to support the humanitarian relief effort in Iraq that is being conducted by the Assyrian Church of the East and the Assyrian Aid Society;
  - (b) the Interim Council of Assyrian Organisations in Sydney, consisting of 18 Assyrian-Australian community organisations, was formed in July 2014 to assist refugees and other victims affected by the ongoing violence and civil unrest in Iraq; and
  - (c) guests at the fundraising event included:
    - (i) the Hon. Chris Bowen, MP, Federal member for McMahon and Shadow Treasurer, representing the Hon. Bill Shorten, Leader of the Federal Opposition;
    - (ii) the Hon. David Clarke, MLC, Parliamentary Secretary for Justice;
    - (iii) Reverend Fathers Ashur Lazar and Mooshi Barkho, representing the Assyrian Church of the East; and
    - (iv) representatives of the 18 Assyrian organisations who formed the Interim Council.
- (2) That this House:
- (a) commends the Interim Council of Assyrian Organisations in Sydney, the Assyrian Church of the East Relief Fund and the Assyrian Aid Society for their ongoing efforts to assist those adversely affected by ongoing violence and civil unrest in Iraq; and
  - (b) sends its heartfelt condolences to the Assyrian-Australian community and others in Australia who have family and friends suffering in Iraq as a result of recent events.

#### **FELLOWS OF THE SENATE, UNIVERSITY OF SYDNEY**

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

- (1) That this House notes:
- (a) the important contribution that the University of Sydney makes to the education and research in the Australian and international community;
  - (b) the role of the Senate in governing all aspects of the University of Sydney; and
  - (c) the retirement of the following Fellows of the Senate:
    - (i) Alan Cameron, AO, who retires on the 31 December 2014; and
    - (ii) James Flynn who retires on 30 November 2014.
- (2) That this House acknowledges and commends:
- (a) Deputy Chancellor Alan Cameron, AO, for his 10 years of outstanding service to the university community and his six years of service and leadership as Deputy Chancellor; and
  - (b) Mr James Flynn for his three years of outstanding service to the university community and his involvement in all parts of the university community.

#### **BUSINESS OF THE HOUSE**

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

**Private Members' Business item No. 2146 outside the Order of Precedence objected to as being taken as formal business.**

**GENERAL PURPOSE STANDING COMMITTEE NO. 2****Report: Budget Estimates 2014-2015**

**The Hon. Melinda Pavey**, as Chair, tabled the report entitled "Budget Estimates 2014-2015", dated November 2014, together with transcripts of evidence, tabled documents, correspondence and answers to questions taken on notice.

**Report ordered to be printed on motion by the Hon. Melinda Pavey.**

**The Hon. MELINDA PAVEY** (Parliamentary Secretary) [11.22 a.m.]: I move:

That the House take note of the report.

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

**PETITIONS****Granville Rail Services**

Petition calling on the Government to restore peak hour rail services on the Western line and to ensure that trains stop at Granville station, received from the **Hon. Lynda Voltz**.

**BUSINESS OF THE HOUSE****Withdrawal of Business**

**Private Member's Business item No. 2100 outside the Order of Precedence withdrawn by Dr John Kaye.**

**SELECT COMMITTEE ON THE CONDUCT AND PROGRESS OF THE OMBUDSMAN'S INQUIRY  
"OPERATION PROSPECT"****Membership**

**The PRESIDENT:** I inform the House that this day the Clerk received from the Leader of the Government the following nominations for membership of the Select Committee on the Conduct and Progress of the Ombudsman's Inquiry "Operation Prospect":

Government members	Mr Blair
	Mr Khan
	Mrs Maclaren-Jones

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

**Government Business Notice of Motion No. 2 postponed on motion by the Hon. Duncan Gay and set down as an order of the day for a future day.**

**Pursuant to resolution valedictory speeches proceeded with.**

**VALEDICTORY SPEECHES**

**The Hon. DUNCAN GAY** (Minister for Roads and Freight, Minister for the North Coast, and Vice-President of the Executive Council) [11.49 a.m.]: I move:

That this House express its appreciation to those members who will not be returning following the 2015 periodic election for their contribution to the Legislative Council and the people of New South Wales.

**The Hon. MARIE FICARRA** [11.49 a.m.] (Valedictory Speech): Today I deliver what could be my last substantive speech before the 2015 State election. It seems such a short time ago when, on 5 June 2007,

I gave my inaugural speech in this place. As I said on that day, I believe that Parliament is the most important institution in every democratic society. I am proud and humbled to serve in this place. Parliament's actions ultimately regulate, finance and facilitate every section of our society. The presence of Parliament through its democratic elections provides public legitimacy to the governance of its people and the structure of its society. I pledged to work tirelessly to represent the people of New South Wales and I sincerely believe I have done that whilst representing the Liberal Party—a party of initiative and enterprise, and a party that values the importance of the family, individual freedom and private endeavour whilst caring for those in need.

For the support given to me over many years I cannot thank enough the Hon. Barry O'Farrell, MP, who as Leader of the Opposition appointed me as his Parliamentary Secretary. When he became Premier I was honoured to serve as his Parliamentary Secretary again, which was a great privilege. Barry has always put the interests of the people of New South Wales first and did a fine job as Premier, reforming a State in desperate need of his strong leadership and dedication. I pay tribute to him and his wife, Rosemary, and their family and wish them all the best in the future.

Offices do not function without efficient people and I must pay tribute to Rose Doolan and Gayle Mitchell, outstanding people of great ability who now support Premier Mike Baird. Premier Baird and his team will continue to ensure that New South Wales forges ahead economically, especially in the areas of infrastructure, services and jobs creation as well as maintaining social harmony and growth in the provision of aged and community services.

Over the past almost eight years I have valued immensely meeting thousands of people and attending many events of charitable, community, welfare, sporting, professional, business and religious organisations across this State. It has been an honour to come into contact with people dedicated to our community and determined to make it a better place. It has been a priority of mine to recognise in the Parliament, through notices of motions and adjournment speeches, those good people and organisations and to place on record their outstanding work and contribution to the fabric of our society. I especially mention those who are often ignored in society, particularly women's organisations, female athletes and the passionate workers in our multicultural and Indigenous communities.

I thank the Usher of the Black Rod, Susan Want, and Legislative Council officers Jenelle Moore and Rebecca Main for assisting me with the many notices of motions that have recognised such extraordinary people and organisations. Bringing the outstanding achievements of the netball fraternity to the attention of this House also has been a great honour and I further commend Neita Matthews, OAM, Wendy Archer, AM, Carolyn Campbell, Mo'onia Gerrard, Maureen Stephenson, OAM, Beverley Dew, OAM, Roslyn De Luca, OAM, and the many other dedicated volunteers for their passion and dedication to the thousands of young Australians, women and men, who love this great sport.

I pay special tribute to the Penrith Panthers Rugby League Club and particularly its Panthers on the Prowl charity arm. Under the leadership of Don Feltis, OAM, and Phil "Gus" Gould, AM, together with that brilliant lady Diane Langmack, OAM, Penrith has served the needs and interests of so many young Australians. They are very special people whom I greatly respect and admire for their dedication to the social, physical and economic fabric of Western Sydney society. The classes offered to primary school children at Centrebet Stadium are an inspiration and a model of success nationally. The program aims to build self-esteem, social skills, resilience and leadership, and it helps improve student engagement and motivation. Panthers on the Prowl has been running a much-valued program to mentor years 10 and 11 students to broaden their awareness of different career paths available to them.

I have been pleased to highlight and support the fine work of organisations such as the Federation of Community Language Schools, headed by the energetic Albert Vella and ably supported by Michael Christodoulou, AM, and the passionate membership. The federation, which represents tens of thousands of families in New South Wales, spotlights the social and economic value of diversity through language linked to cultural understanding. I sincerely urge Premier Baird and future governments to continue to support, respect and work collaboratively with the federation's enlightened leadership.

What an honour it has been to observe the great work of Weave's Kool Kids Club, which operates in La Perouse and surrounding suburbs in Sydney's south-east. Weave's Kool Kids Club was launched in 2001 as a free community initiative aimed at young people aged between seven and 13 years. It works with approximately 200 disadvantaged children each year, making a significant impact on the lives and wellbeing of the children. I acknowledge Shane Brown and Siobhan Bryson and all those involved at Weave Youth and Community Services for their tireless efforts.

The South Sydney Rabbitohs rugby league club's Souths Cares program is equally as impressive through its support of disadvantaged, marginalised and Indigenous youth and their families. With a specific focus on education, training, health and employment, Souths Cares leverages the Rabbitohs National Rugby League team in engaging with the community to effect positive social change. Its Teachers Aide program, Healthy and Active Lifestyle program, Indigenous Leadership Program and Oral Health Program are all making significant positive impacts on the community. Thanks go to Souths Cares Shannon Donato and Leellen Lewis.

No mention of the South Sydney Rabbitohs would be complete without acknowledging their 2014 win and particularly the outstanding contribution of the Burgess brothers—Luke, Sam, George and Tom—who, with their mother, Julie Burgess, since coming from England have inspired Sydney's south and have brought great pride to thousands of Rabbitohs loyal supporters. Indeed, the efforts of all members of the 2014 South Sydney Rabbitohs deserve special praise.

I continue to be inspired by important community contributions from people such as Bill Anderson, PSM; Phil Lambert, PSM; Grace Fava; Annie and Linda Tang and their Way In executive; Andrew O'Keefe; Charles Curran; Vache Kahramanian; Dr Eman Sharobeem; Clint, Jackie and Jack Newton, OAM; and Luke and Sonia Lewis. In politics one sees a huge diversity of people who contribute to the protection of the environment. Aaron Barnes and Jeff Hansen of the Sea Shepherd Conservation Society are remarkable gentlemen who are dedicated to protecting our beautiful but endangered sea life. To them and their extended seafaring family worldwide I say thank you and to always remember that you have the enormous force of public support that travels with you into Antarctic waters.

I have been pleased over the years to take up in this place environmental causes on behalf of so many communities who, like me, oppose overdevelopment and the destruction of our precious environment. This has resulted in my having to defend some councillors of all political persuasions who have come under attack for their selfless efforts in standing up against developers, lobbyists and those with power and money who act out of self-interest. I went into local government in 1979 to protect and preserve our great environment and community. Nothing has changed decades later and I am proud that the Georges River Riverkeeper Program, an initiative that I helped implement as a Hurstville city councillor and mayor, has become a national best-practice model.

During my time in this Parliament, together with my adviser Vincent De Luca, OAM, I have been determined to help charities, organisations and people in desperate need of funds. It has been an honour to host, organise and raise thousands of dollars over the years for charities such as the White Ribbon Foundation for the Prevention of Violence Against Women—which I hope to see here in Parliament next Tuesday—the Cancer Council NSW, the Cure the Future Foundation for stem cell research, Bravehearts child protection, the Go Fund for gynaecological cancer research, and the Hope for the Cambodian Children Foundation. I have also been involved in important causes such as fundraising for the orphans in Japan following the tsunami in 2011, helped by the Hon. Shaoquett Moselmane, and fundraising to help disadvantaged Aboriginal and Polynesian athletes participate in sport.

I am proud to have spoken out on behalf of many people who were adversely affected by bullying at WorkCover NSW and those with workers compensation claims, many of whom were in despair following their claims being dealt with inadequately. My speaking out, along with others, helped bring about the inquiry into WorkCover NSW. I pay tribute to Dr Howard Bell, OAM, and Jann Jeffries for their care of so many people who have been tragically affected by disgraceful conduct, which was outlined at the Legislative Council's inquiry into bullying at WorkCover NSW. We eagerly await the Government's implementation of the inquiry's recommendations and moving on those responsible from the organisation.

It has been of particular importance to me to raise human rights issues in this place. International conflicts and tragedies affect many family and community members who now live in New South Wales. Thankfully, a Parliament of the standing of this one has a significant impact when it makes public statements in the form of adopted motions. Along with other members, especially Reverend the Hon. Fred Nile and the Hon. David Clarke, I am proud of this Parliament's resolutions condemning the Russian separatists' criminal shooting down of flight MH17 over Ukraine, the recognition of the eightieth anniversary of the Ukrainian Holodomor, the Armenian, Assyrian Pontian genocides perpetrated by the Ottoman Empire, the recognition of Nagorno Karabakh and this Parliament's call to stop the persecution of minorities such as the Copts and other Christians in Egypt and the Middle East. These motions represent historical justice, respect for our multicultural communities and strong ethical values.

I have been supported in this place through good times and tough times by so many members and staff. I particularly thank Reverend the Hon. Fred Nile and the Hon. David Clarke for their constant faith in me and unwavering support. Indeed, I thank all my Liberal and Nationals colleagues who have shown care and concern for me, especially over the past months. The additional workloads they have carried have not gone unnoticed by me. To a true gentleman of this Parliament, my local member, Mr Mark Speakman, SC, MP, I thank you for your genuine care and kindness. I say to other Legislative Assembly members, particularly Tanya Davies, John Sidoti and Kevin Connolly, that your continual words of support have meant so much to me. Politics aside, the support I have received from colleagues on the other side of the Chamber and the crossbench will never be forgotten.

To say that I admire so many people in this place for their professionalism, ethics and care is an understatement. To our Clerk of the Parliaments, a true gentleman, David Blunt: Thank you for always being there with your help, guidance, experience and care. I thank your deputy, Steven Reynolds. I thank the ever-helpful Senior Council Officer, Kate Cadell—a legend of the Legislative Council—for her kindness and efficiency. Over the years I have been overwhelmed with people in this Parliament who always put the needs of members first. I acknowledge all our attendants, Lucy Smith, Charles Barden, Mike Jarrett, Mark Muntz, Richard Weber, John Ferguson and Maurice Rebecchi, for your care and diligence in looking after all of us.

To our hardworking and dedicated Hansard reporters who have had to tolerate our interjections, mumbblings, mispronunciations, garbled, crammed speeches—such as this one—and boring dissertations: Thank you so much for your professionalism. To our wonderful dining room staff, Maria Marcinkus, Anong Vichapol, Charlotte Page, Gary Chan and Alex Galanis: You are the ultimate professionals and take pride in serving this Parliament. To Santiago Naves Gomez, your daily Spanish greetings, words of wisdom and support have meant a great deal to me.

We are fortunate in this place to have a very efficient and conscientious young lady in our Facilities Branch, Kirsty Aldred. Kirsty bends over backwards to assist members and their staff. To Marin Jurcevic, Michael Westaway, Baden Hutchins, Alex Mantzoros and all those in our Security Branch who always put our safety as their paramount consideration, I thank you. I do not think any member or worker in this place could function without our very dedicated, ever helpful and patient IT staff: Simon Chalmers, Nicholas Sozou, Marcelo De Oliveira, Ashley Toms, Andrew Johnston, Angelo Montesano, Jasmin Gelsana, Helen Johnston and Melinda McIntyre. Thank you, you are simply the best and you keep us looking less stressed and professional in this place.

My ever loyal and great mate, my adviser, Vincent De Luca, OAM, is one of the busiest, most intelligent and effective people in this place. He has made his own stamp in this Parliament; a friend to many, he has transgressed political barriers to enjoy the respect, friendship and admiration of people of all political persuasions. He is always willing to help anyone who asks and he is dedicated to serving our community. The countless events he has run in Parliament, ensuring significant funds have been raised to help some of the most disadvantaged in our society, is unparalleled. His work over so many years since a very young man in youth welfare, domestic violence prevention and charity is enormously admirable. His integrity, ethics and fight for what is right is never ending. I thank him for his loyalty, outstanding work and service over many years.

I thank Gebran Gaby Habib and Stephanie Fannin for their friendship and support, along with Shanu Fox and Georgina Jassoneos and Ann Lewis. They always have bright smiles and a friendly word. I have been fortunate to have so many loyal friends support me during my life, before and during my time in Parliament, and I know it will continue after Parliament: Professor Neville Hacker, AM, Head of Gynaecological Oncology at the Royal Women's Hospital and founder of the Australian Gynaecological Cancer Foundation; Helen Zerefos, OAM; Reverend George Capsis, OAM; Ann and Dr Frank Chapman; Rosita Luk; Tina Calarco; and Dunstan de Souza—to name just a few. Most importantly, I thank my family, who have always been there for me.

I declare my unending love for my best friend, strongest supporter and darling husband, Dr Alan Carless. His support for and devotion to me throughout our years together, our marriage and my time in Parliament are unswerving. I cannot deny that recent times have been tough. The knowledge that I have always acted honestly, with integrity and in good faith as a servant of the people, despite those who seek dishonestly and unethically to attack me, will ensure that I survive. The words of Sir Winston Churchill always inspire me:

The truth is incontrovertible. Malice may attack it, ignorance may deride it, but in the end, there it is.

I thank all those who have supported me during my many years in Parliament, and I wish all my colleagues, staff and their families all the best in the years ahead. I conclude with Psalm 115: Verse 1—words that have always meant so much to me not only in my public life but always:

Not unto us O Lord, but unto thy name give glory, for thy mercy and for thy truth's sake.

**The Hon. AMANDA FAZIO** [12.08 p.m.]: When I was elected to the House on 30 August 2000 my aim as a member of the Legislative Council was to help develop and implement policies and legislation which would further the social justice aim of the Australian Labor Party. I hope that upon leaving I will be judged by my peers as having made a positive contribution in this regard. I joined the Australian Labor Party because I believed that it was the only party that could assist working people, and I continue to hold that belief, especially when I look at the policies being pursued by the Federal Coalition Government. It seems intent on unravelling the social policies that we have taken for granted since they were implemented by Australia's greatest reformist Prime Minister, the Hon. Gough Whitlam.

As I have said before, I was raised in Cabramatta when Gough Whitlam was the local Federal member for Werriwa and he attended the school speech days. Mrs Whitlam taught me and many other young children to swim at the Cabramatta Memorial Swimming Pool. Their daughter, Catherine, attended Cabramatta High School in the year above me. I can still recall the euphoria in Cabramatta on Saturday 5 December 1972 when he was elected Prime Minister. You could not buy a cold beer at any of the local bottle shops for love or money and it was a pretty warm day. His many reforms reshaped Australia and I cannot recall the number of people who have told me when they find out that I am a Labor politician that they were the first member of their family to be able to go to university because of his higher education reforms. I also was taken with the progressive ideas of Don Dunstan and Neville Wran when they were Premiers of South Australia and New South Wales. The Labor Party is at its best when it is a party of reform and progressive ideas.

The opportunities given to me by the Australian Labor Party are something for which I will always be very thankful. I may from time to time have differences with certain people in the party but not with the party itself. I have made many very good friends through my involvement with the party, too many to name. However, there has been one constant friend and mentor upon whom I could rely, the former Speaker of the House of Representatives, the Hon. Leo McLeay.

I am grateful for the many and varied opportunities that I have had as a member of this House. These have ranged from being presented to and lunching with Her Majesty Queen Elizabeth II, the Duke of Edinburgh, the Prince of Wales and the Duchess of Cornwall, to seeing Ms Loretta Lynn performing in Louisville Kentucky. Travelling to Buka for the signing of the agreement on the twinning arrangements between the Parliament of Bougainville and the New South Wales Parliament was a highlight. The greatest honour that I have had is serving as the President from 24 November 2009 to 3 May 2011. There have been 20 Presidents of the Legislative Council since the establishment of responsible government in 1856. I was the nineteenth and the third female to hold the position following the Hon. Virginia Chadwick and the Hon. Meredith Burgmann. Prior to this I was the Chair of Committees and Deputy President for more than six years. Section 22G of the Constitution Act 1902 provides:

There shall be a President of the Legislative Council, who is the Presiding Officer of the Legislative Council and is recognised as its independent and impartial representative.

I endeavoured to comply with this requirement at all times, especially during a number of challenging episodes. My attitude during these times was that it was the role of the President to protect the rights of both the Parliament as an institution and the rights and privileges of members. There is and never should be any party political bias from any Presiding Officer. These episodes included the "internet filtering furore" in September 2010 in which the actions of a rogue employee significantly tarnished the reputation of the Parliament as well as a number of members by leaking an unauthorised and wildly inaccurate report on internet usage to the media. In addition, the possibility of a breach of parliamentary privilege by way of the monitoring of websites visited by parliamentarians and their staff was raised. Such actions should never be deemed acceptable and I hope that the procedures put in place at that time will ensure the privacy and privileges of members will never again be breached in this manner.

The second most challenging episode was in relation to the gentrader inquiry. I was leading a goodwill delegation to Pakistan in December 2010 when the Government prorogued Parliament early to stymie the gentrader transaction inquiry being conducted by General Purpose Standing Committee No. 1. Upon my return I was very sick in bed with the flu when a family member came upstairs and told me that a television film crew

was at the front door demanding an interview. My first reaction was to tell them to go jump because I was too sick to put up with stupid jokes and then they handed me the business card of a television reporter. This was shortly followed by a visit from a newspaper journalist. I then started to feel under siege and just wanted to pull the covers over my face and hide until I felt better.

My handling of this matter was not based on my membership, albeit suspended, of the Australian Labor Party. It was based on my responsibility under the Constitution Act 1902 to be independent and impartial. It was a pity that the media who had been so keen to get my comments could not bring themselves to believe or report that I would be independent and impartial even though I repeatedly told them so. In any case I believed that the role of the Legislative Council as a House of review which should hold Executive Government to account should be defended. The decisions that I made at that time were based on this belief.

Having mentioned my suspension from the Australian Labor Party from 20 October 2010 to 25 March 2011, I would like to take this opportunity to place on the public record the reasons for my actions which resulted in the suspension. In my inaugural speech I stated that "I support social justice and equality". I did not vote against a government bill. I voted for an amendment to the Government's Classification (Publications, Films and Computer Games) Enforcement Amendment Bill 2010 because the proposed section of the bill would have entrenched inequality. The amendment sought to delete the part of the bill whereby those charged with selling unclassified adult material would be responsible for paying for the cost of having the material classified. We do not require accused rapists, murderers or others to pay for the cost of DNA or forensic testing of evidence. So why should we charge proprietors or sales staff at adult shops to do so? I still believe that there is no good reason to do so and that all accused should be treated equally under the law. During my suspension I continued to support both the Labor Government and the Australian Labor Party in votes in the Legislative Council and in many other ways.

We are very privileged as members of this place. The access to information that we receive is remarkable and the level of service provided by the Parliamentary Library in respect of both tracking down obscure publications and preparing research papers is outstanding. I commend them and hope that they continue to receive the funding required to provide this high level of service to members. Many organisations send us copies of their regular publications and research reports which allow us, if we take the time to read them, to keep abreast of many issues of concern to community and business organisations.

We receive many invitations to attend seminars, conferences and community events. I am grateful to receive these and make the effort to attend as many as possible. Since the 2011 election I have attended almost 300 such events across New South Wales. I have developed a liking for Indian dance—preferably classic style—and for Chinese dance and opera. I am always impressed at the contributions made by volunteers with many of these organisations. Quite frankly, if it were not for the community spirit and commitment of volunteers across our society so much would remain undone.

I have made many good friends in the Chinese, Italian, Pakistani, Indian, Cypriot, Armenian, Assyrian, Ukrainian, Muslim, Buddhist and other communities since my election to this place. I commend them for the good work that they do in creating cohesion in their communities and for contributing to the broader Australian community. Whenever there are natural disasters in Australia, they rally around, fundraise and provide assistance. I hope that these friendships will continue beyond my time in this place. In 2013 I was very fortunate to undertake study tours to both Armenia and Cyprus. Looking at the exhibition of the amazing photographs from Armenia in the Fountain Court has reminded me of this visit when we met with senior members of the Government and the Presiding Officers of the Armenian Parliament and the Archbishop.

I had the opportunity to address the Parliament of Nagorno Karabakh and will continue to support recognition of it as an independent state. I still believe, like my colleague the Hon. Marie Ficarra, that the Armenian, Assyrian and Pontian Greek genocide must be acknowledged by Turkey. My greatest joy was to visit Cyprus, where our delegation met the Prime Minister, Presiding Officers and the Archbishop. I attended and laid a wreath at the commemoration of the thirty-ninth anniversary of the illegal invasion of northern Cyprus by the Turkish Army.

We had the opportunity to visit areas in the no-go zone accompanied by United Nations Peacekeepers and to view the ruins of Nicosia airport, which remains as it was at the time of the invasion, and the ghost city of Famagusta. I urge all members to visit Cyprus as it truly is part of the cradle of civilization with so many archaeological sites and areas of natural beauty. It is really one of the gems of the Mediterranean, along with

Sicily and the Aeolian Islands, of course. I am committed to working to ensure a just solution to the Cyprus problem and will ensure that the New South Wales Parliamentary Friends of Cyprus continues in the next Parliament.

Speaking of the Aeolian Islands, it is quite remarkable that in the mid-1800s a brother and sister from a poor fishing family in the town of Lipari on the largest island, also called Lipari, would each have one of their great-grandchildren serving in the New South Wales Parliament at the same time. I am referring to my great-grandfather Vincenzo Fazio and the great-grandmother of the member for Fairfield, Guy Zangari. I am also very proud of the achievements of my cousins from my mother's side of the family, the Ramsays. All from humble beginnings, they now include teachers, solicitors, health professionals, accountants, merchant bankers, police officers, photographers, computer wizards, and classic car and motor bike collectors. I hope to have more time to catch up with them all.

In my time here I have served as the Labor Party's duty MLC for the country electorates of Ballina, Orange, Tweed, Myall Lakes, Northern Tablelands, Tamworth, Burriajuck, South Coast, Upper Hunter, Coffs Harbour, Bathurst, Clarence, Dubbo and the metropolitan seats of Penrith, Strathfield and Drummoyne. I asked to be allocated country seats as I strongly believe in the equitable distribution of services across the State. I want to commend all the branch and electorate council officials that I have worked with over the years in these seats, as it is often not easy to fly the Country Labor flag in rural New South Wales. I have enjoyed attending many community events in these seats and note that there is very often a crossover between those who give their time on a voluntary basis to the Labor Party and to community organisations whether it be Marine Rescue, the Country Women's Association, Landcare, National Trust, health boards, the State Emergency Service or the Rural Fire Services.

Many members of the other place do not appreciate or understand the complexity of the committee system in the Legislative Council. I immensely enjoyed my committee work, especially on the Standing Committee on Social Issues and the Standing Committee on Law and Justice. During my time as Chair of General Purpose Standing Committee No. 3 the committee undertook inquiries into prisons, which helped me develop my interest in corrections and ways in which these services could be improved. Of all the joint committees and select committees I have served on I think that the inquiries into mental health and juvenile offenders have left the strongest impressions. These are two areas where improvements must be made if we are to meet our responsibilities as a civilised society. The inquiries were very interesting and the results often genuinely shaped government policy and legislation for the better.

For more than nine years I have served as a member of the Privileges Committee. I am currently the Deputy Chair of the committee. Some of the inquiries I have served on have been really fascinating and have helped to develop procedures and protocols to protect the rights of members and parliamentary privilege. They have helped me to develop a strong interest in parliamentary procedure. I have had the opportunity to attend a number of conferences where I have learnt a lot more about the practices of other parliaments.

The committee staff deserve special recognition as their level of professionalism, research skills and report writing is quite frankly exceptional. They perform their duties impartially, efficiently and without complaint—at least not to the members. Committee visits provided the chance to spend some time with the Hansard reporters who accompanied us. There is little chance to say much more than hello when they are reporting the proceedings of the House or committee hearings. They are highly professional in the way they carry out their duties, often in the most difficult of circumstances. I tried to learn shorthand after I left school and failed miserably, so I remain in awe of their skills.

The Clerks of the Parliaments with whom I have worked since my election are John Evans, Lynn Lovelock and David Blunt. They are the epitome of the professional and impartial public servant who hardly exists anywhere outside of parliamentary precincts. Their procedural knowledge is invaluable and they are dedicated to their role. This professionalism and dedication has been encouraged and engendered in the staff of the Legislative Council and it is very reassuring that we have people of this calibre and integrity to rely upon for advice.

During my term as President of the Legislative Council I felt privileged to have had the support, advice and guidance of Lynn Lovelock. Lynn's commitment to the Legislative Council as an effective House of review and her passion for protecting the rights and reputation of the institution and its members were her great strengths. During some difficult times during my term as President in late 2010 the thoughtful advice and



strategic thinking of Lynn was instrumental in overcoming these problems and ensuring that the harm to the reputation of the Legislative Council and its members was minimised. I found her wise counsel during the gentrader inquiry to be invaluable.

I place on record my appreciation and gratitude to all those who have worked for me and with me over the years. They are Melinda Loew, Kate Iffland, Danielle Bevans-Sundvall, Carly Learson, Pru Car, Lisa Russell, Moira Brophy, Nicole Seniloli, Michael Meurer, Sam Dastyari, Rob Allen, Scott-Peter Coomber and, the longest suffering of all, Trish Marinozzi and Peggy Georgiou.

I am pleased that after 14 years of service I have escaped unscathed by the Independent Commission Against Corruption [ICAC]. I was surprised to see the level of institutionalised corruption uncovered in the most recent inquiries into the Liberal Party. I believe that the corruption of former Labor Ministers that ICAC has revealed was limited to the individuals concerned and trust that the measures put in place by the Labor Party since these revelations will minimise the likelihood of such behaviour happening again. I remain unsure why some allegations of corruption are investigated and others not. My former colleague Angela D'Amore is a case in point. I have been advised that Angela was in exactly the same position as approximately 20 other members of the other place in that she brought her relief staff member to Parliament on sitting days rather than a permanent member of staff. It remains a mystery to me why Angela was investigated and subject to public hearings when the others, including some current senior Ministers, were treated differently.

Of course, I have some regrets. The first is that we do not have enough women in Parliament. Following the introduction of affirmative action rules in the Australian Labor Party in 1994 we achieved a high point of seven women out of 17 Labor members in the Legislative Council or 41 per cent. Currently we have five women out of 14 members, or 35 per cent. After the 2015 election the very best that we can hope for is four women out of 13 members, or 30 per cent, but I believe that the most likely outcome is three out of 12, or only 25 per cent. That is nowhere near the 40 per cent mandated under the national rules. It is shameful that we are going backwards 20 years after we adopted the affirmative rules. I intend to work within the party to ensure that we reach the national requirement of 40 per cent representation of women in Parliament. This will require some significant re-education of men in the party—whether or not they like it.

I regret the changes to procedures and standing orders in this House that have occurred since the 2011 election. These changes have effectively gagged debate in this House—something not found to be necessary at any time in the past. I believe that the approach taken in this regard is bordering on totalitarianism in that those in control grant neither recognition nor tolerance to parties of differing opinion. The fact that members of Parliament are still allowed to undertake secondary employment and we have not yet extended the disclosure regime to family members and family trusts is also of concern to me. The public deserve and expect better from their elected representatives.

I must say that I intensely dislike the misuse of the term "fulsome" in this House. As I have pointed out before, it is not a compliment. The meaning of "fulsome" is "offensive to good taste; especially as being excessive; gross; insincere", so please stop using it unless you mean it as an insult. Thanks must go to my parents, Ruth and Vince Fazio, for their continual support during my parliamentary career. They have always helped out to ensure that I could fulfil my parliamentary commitments by looking after my children when necessary. I hope that in retirement I can assist them both as they are not getting any younger.

I thank my children, Alessandro and Angelica, for their understanding of the demands on my time and choice of holiday destinations, which sometimes coincided with my duty electorates. They have attended many community events with me over the years and have gained a strong appreciation of the cultures of many communities that make up our vibrant multicultural New South Wales. I am very proud of them as they are responsible and considerate young adults with a strong sense of social justice. I am thankful to my friend Michael who has helped by looking after my children, my pets and my home when parliamentary duties have called me away.

To most of the colleagues on all sides of the House that I served with: thank you for your friendship. There are many good people who work hard in this place to bring about positive change for the people of New South Wales. Thank you to all the staff of the Parliament who make sure that the work of members and their staff can proceed smoothly. I have always regarded the Parliament as my workplace and everyone who works here as my work colleagues and I respect and value all of you. I intend to stay active in the Australian Labor Party, particularly through my involvement with the Italian Friends of Labor, and I am honoured to have been made a patron of Labor for Drug Law Reform.

I am lucky that my retirement comes when I am young enough to pursue other interests. I intend to pursue progressive issues and promote them within the Labor Party. I hope to continue to promote interfaith harmony and understanding as I believe that this is one of the keys to achieving unity in New South Wales. I am not sure yet what the future holds for me, apart from travelling the world and spending some quality time with my four dogs—Joey, Petal, Honey and Baby. My hope is that my time as a member of the Legislative Council will be viewed as being constructive. I would hate to be remembered, as I am sure some will be, as a speck of dandruff on the history of the New South Wales Parliament.

**Debate adjourned on motion by the Hon. Rick Colless and set down as an order of the day for a later hour.**

## **PRIVILEGES COMMITTEE**

### **Report: Citizen's Right of Reply (Professor Richard Henry)**

#### **Motion by the Hon. Trevor Khan agreed to:**

That the House adopt Report No. 73 of the Privileges Committee entitled "Citizen's Right of Reply (Professor Richard Henry)", dated November 2014.

*Pursuant to standing orders the response of Professor Richard Henry was incorporated.*

I make this response to statements made by Dr John Kaye on November 22, 2011, on May 2, 2012 and in March 2013. From August 2006 until my retirement in November 2012, I was the Deputy Vice-Chancellor (Academic) and Vice-President of the University of New South Wales (UNSW). I have a long history of service to the community as a medical practitioner, specialising in paediatrics, and have worked in the hospital and university sectors in Australia and overseas as a clinician, as an academic and an administrator. I obtained my medical degree from the University of Sydney and my research doctorate from the University of Newcastle. I was at the University of Newcastle from 1984-1997, initially as Senior Lecturer, then Associate Professor and Professor. I joined UNSW in 1997 as the Foundation John Beveridge Professor of Paediatrics. I was Head of School, then Senior Associate Dean and subsequently Acting Dean of the Faculty of Medicine, before being appointed as Acting Pro-Vice-Chancellor (Education and Quality Improvement) prior to the role as Deputy Vice-Chancellor (Academic). In 2007 I was awarded Membership of the Order of Australia for service to paediatric respiratory medicine as a clinician, researcher, educator and mentor, and serving in a range of roles with professional medical organisations. Currently I hold a number of unpaid positions, including Pro-Chancellor of UNSW, Director of Children's Cancer Institute, Trustee of Sydney Grammar School and Chair of the Board of the Centre for Social Impact.

During the course of my employment as Deputy Vice-Chancellor (Academic), I terminated the appointment of Dr Paul Barach during the probationary period of his employment at UNSW after a whistleblower had alerted me to inconsistencies in Dr Barach's curriculum vitae and in grant applications. I determined that Dr Barach was not the person that he claimed to be, with false claims that he had a PhD, false claims that he had been a Professor at two different universities and false claims that he had been the author of various publications. Dr Barach lost an appeal against his dismissal in Fair Work Australia and then lost an appeal to the Full Bench of FWA. He then launched action in the Supreme Court against UNSW, against me and against other individuals for unfair dismissal and for defamation. On a number of occasions, Dr Kaye made allegations about me that were false and were highly distressing to me and to my family. Because I was a defendant in a case, I was unable to respond to these attacks on me. The case has recently been finalised and I am now at liberty to correct the record.

On November 22, 2011, Dr John Kaye suggested that I was part of 'a corrupt and prejudiced environment of nepotism and retribution that has gripped the University of New South Wales'. He made the false claim that I was the key university officer who 'responded by sacking Dr Barach on trumped-up charges'. Further he made the false allegation that 'Senior academic managers, including Professor Richard Henry, acted to protect Associate Professor Andrew McIntosh when he should have been dismissed and subject to police investigation'. On May 2, 2012, he made further adverse and false comments about me, including that the reason that I dismissed Dr Barach was because I was 'deeply loyal to' the Vice-Chancellor and that I knew his wishes, 'even if he did not express them directly'. He also made the incorrect claim that I acted '[i]n contravention of University of New South Wales policies'. Dr Kaye made further speeches in support of Dr Barach in March 2013. Yet again, I was named and accused of sacking Dr Barach on 'completely trumped-up charges'.

Dr Barach has now written two letters which withdraw all his allegations and totally contradict the allegations made by Dr Kaye. The first is written by Dr Barach to the Chancellor of the University of New South Wales, Mr David Gonski. In that letter Dr Barach writes: 'During the period after my cessation of employment at UNSW, I made assertions within the pursuit of my claims and publicly including to journalists and Mr John Kaye MP, that I now know not to be true. I recognise that UNSW and the relevant individuals (in particular, Professor Fred Hilmer and Professor Richard Henry) have at all times strongly denied all of my allegations. I acknowledge that Professor Hilmer and Professor Henry and all other relevant UNSW staff have acted with propriety at all times. I unreservedly withdraw my allegations and apologise for any offence they caused'. The suggestions by Dr Kaye that I dismissed Dr Barach on trumped-up charges are not only absolutely false but have been denied by Dr Barach himself.

The second letter is written to Associate Professor Andrew McIntosh. Dr Barach also admits that, with regard to his allegations against Associate Professor McIntosh, Dr Barach 'made assertions within the pursuit of my claims and publicly including to journalists and Mr John Kaye MP that I now know not to be true'. He also acknowledges that Associate Professor McIntosh 'acted with propriety at all times' and Dr Barach unreservedly withdraws his allegations and apologises for any offence that they

caused. The suggestion by Dr Kaye that I was acting to protect Associate Professor McIntosh is contradicted by Dr Barach. The overwhelming evidence is that not only did I not behave wrongly, not only did I not cover up anything but also that there was nothing to cover up.

This statement will correct the false claims against me recorded in Hansard.

## ANSWERS TO QUESTIONS

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

That notwithstanding anything contained in the standing orders, all answers to written questions on notice and to questions taken on notice during question time this week, which are outstanding at the end of the sitting period are to be provided by Friday 19 December 2014.

## BUSINESS OF THE HOUSE

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

#### The Hon. PENNY SHARPE [12.30 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. 2103 outside the Order of Precedence, relating to a further order for papers regarding the CBD and South East Light Rail Project, be called on forthwith.

I do not intend to take long in arguing why item No. 2103 should be called on forthwith, except to say that I have made several attempts to deal with this matter through formal business and it has been rejected by the Government. I have also seen a change in the way in which the order of business has been operating over the past week or so in this House. It has been extremely difficult to bring the motion on at any time. The motion is urgent because today is the second-last sitting day. It is a further call for papers which goes to the heart of the powers of this House and the ability of the House to do its job in relation to the information that is provided to it from Executive Government. The matter needs to be dealt with before we rise and should be dealt with now because it is more urgent than the other items on the business paper.

**The Hon. DUNCAN GAY** (Minister for Roads and Freight, Minister for the North Coast, and Vice-President of the Executive Council) [12.32 p.m.]: The Government does not support the urgency motion. The matter is not urgent. It is clear that the motion is not about transparency or obtaining better transport outcomes for customers; it is about politics. It is silly to suggest that one will make things better by bringing this motion on urgently. The member is playing a political game. This motion is nothing more than a stunt by an Opposition that has no ideas of its own and that hates to see a government achieve anything. Those opposite want to stop that whenever they can.

**The Hon. Penny Sharpe:** Point of order: The Leader of the Government is not speaking to why the motion is not urgent but is having a general spray because he is unhappy about it. I ask that the Minister be brought back to why he believes the motion should not be debated urgently.

**The ASSISTANT-PRESIDENT (Reverend the Hon. Fred Nile):** Order! The Minister can continue to speak to the motion before the House on urgency.

**The Hon. DUNCAN GAY:** As I indicated, there is no urgency about this because it is about grandstanding. This is simply a turf war between The Greens and the Labor Party. And who jumped? It was the divas—fighting for an inner Western Sydney seat.

**The Hon. Lynda Voltz:** Point of order: The rules relating to an urgency debate are clear. A member should debate why a matter is more or less urgent than other matters on the business paper. The Minister has not gone within a bull's roar of arguing about urgency and is again having a general spray. I ask that he be brought back to the debate on urgency.

**The ASSISTANT-PRESIDENT (Reverend the Hon. Fred Nile):** Order! The Minister will speak to the motion before the House.

**The Hon. DUNCAN GAY:** The motion is not urgent because it is political grandstanding. There is nothing to indicate why this motion should be debated ahead of any other motion. The Greens are moving in the same area. Interestingly, the member who moved the motion is a Labor candidate for a seat in the inner west. This is what it is about—politics.

**The Hon. Amanda Fazio:** Point of order: At this stage of the debate the Minister should be talking only about why other matters on the business paper should take precedence over this matter and why he believes it is not urgent. It is not for him to debate the motives of the person who has put up the motion.

**The ASSISTANT-PRESIDENT (Reverend the Hon. Fred Nile):** Order! The Minister will speak to the motion before the House.

**The Hon. DUNCAN GAY:** This is a private member's motion seeking papers under Standing Order 52. Tomorrow is private members' day; today is Government business and valedictories. In fact, there is a list of Government business—

**The Hon. Penny Sharpe:** You're getting pretty desperate now.

**The Hon. DUNCAN GAY:** This is not desperation. When members opposite do not like the argument, they claim desperation. When they lose a debate with The Greens—who are killing them in the inner west—they want to claim that it is out of order. Those opposite asked why I was not talking about other bills that are more urgent but when I start to talk about bills that should be more urgent, they object to that as well. Those opposite do not want anyone else to have a different view from them. They want to have carte blanche to play politics when and where they want to. They are morally bankrupt— *[Time expired.]*

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

**The House divided.**

**Ayes, 18**

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

**Noes, 17**

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

**Pairs**

Ms Cotsis	Ms Cusack
Mr Foley	Miss Gardiner
Mr Wong	Mr Lynn

**Question resolved in the affirmative.**

**Motion agreed to.**

**Order of Business**

**Motion by the Hon. Penny Sharpe agreed to:**

That Private Members' Business item No. 2103 outside the Order of Precedence be called on forthwith.

## CBD AND SOUTH EAST LIGHT RAIL PROJECT

### Production of Documents: Further Order

**The Hon. PENNY SHARPE** [12.44 p.m.]: I move:

- (1) That this House notes that:
  - (a) on 8 May 2014, this House ordered the production of documents relating to the traffic and patronage modelling, the business case and cost-benefit analysis for the CBD and South East Light Rail Project;
  - (b) on 5 June 2014, the House received a return to order which did not include the business case or traffic and patronage modelling other than the summaries of what was already publicly available; and
  - (c) the index to the return to order included correspondence from the Secretary of Transport for NSW stating that: "Transport for NSW has reviewed its relevant files for the purposes of determining whether it holds any documents, other than Cabinet documents, that fall within the terms of the resolution. I note that all agencies are obliged to protect the confidentiality of Cabinet documents and not produce or refer to any such documents in complying with the resolution."
- (2) That this House notes the following judgements by Chief Justice Spigelman and Justices Meagher and Priestley in the Court of Appeal in *Egan v Chadwick* (1999) concerning Cabinet documents:
  - (a) Spigelman CJ held that it is not reasonably necessary for the proper exercise of the functions of the council to call for documents the production of which would conflict with the doctrine of collective ministerial responsibility by revealing the "actual deliberations of Cabinet"; that a distinction must be made between documents which disclose the actual deliberations within Cabinet and those which are described as "Cabinet documents", but which are in the nature of reports or submissions prepared for the assistance of Cabinet; and that the production of documents prepared outside Cabinet for submission to Cabinet may, or may not, depending on their content, be inconsistent with the doctrine of collective ministerial responsibility to Cabinet;
  - (b) Meagher JA took the view that the immunity of Cabinet documents from production was "complete", arguing that the Legislative Council could not compel their production without subverting the doctrine of responsible government, but without exploring the distinction between different types of Cabinet documents drawn by Spigelman CJ; and
  - (c) Priestley JA took a different view, noting that a court has "the power to compel production to itself even of Cabinet documents" and that the "function and status of the Council in the system of government in New South Wales require and justify the same degree of trust being reposed in the Council", and that "notwithstanding the great respect that must be paid to such incidents of responsible government as Cabinet confidentiality and collective responsibility, no legal right to absolute secrecy is given to any group of men and women in government".
- (3) That this House further notes that in evaluating a disputed claim of privilege on documents returned to an order of the House in 2005, the Hon. Terrence Cole, AO, RFD, QC, stated that: "In assessing a claim for public interest immunity in relation to 'Cabinet documents', a distinction is to be drawn between: (a) true Cabinet documents, that is, those documents which disclose the actual deliberations of Cabinet; and (b) Cabinet documents, that is, reports or submissions prepared for the assistance of Cabinet. A claim for privilege for true Cabinet documents will always be upheld. ... When privilege is claimed for other Cabinet documents, a judgement process is required to weigh the competing public interests."
- (4) That this House further notes that in its October 2013 report entitled "The Mount Penny return to order", the Privileges Committee:
  - (a) stated that "... the Committee does not necessarily accept that *Egan v Chadwick* is the final word on this matter, and that the Council does not have the power to order Cabinet documents. The three Justices in *Egan v Chadwick*, Spigelman, Meagher and Priestly, took significantly different approaches to this issue. The committee believes that the dissenting judgment of Justice Priestley is instructive"; and
  - (b) specifically rejected the definition of "Cabinet information" in the Government Information (Public Access) Act 2009 as an appropriate definition of Cabinet documents for the purposes of responding to orders for papers made by the Legislative Council under Standing Order 52.
- (5) That under Standing Order 52, there be laid upon the table of the House within 14 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 Minister for Planning, the Department of Planning and Infrastructure, the Minister for Transport, Transport for NSW or NSW Treasury relating to the traffic and patronage modelling, the business case and cost-benefit analysis for the CBD and South East Light Rail Project:
  - (a) the final version of the business case prepared by Transport for NSW,
  - (b) the traffic and patronage modelling relied on in the business case for the CBD and South East Light Rail Project,

- (c) the NSW Treasury and PricewaterhouseCoopers [PWC] cost-benefit analysis; and
- (d) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.
- (6) That in the event that any documents are not provided to the House in response to this order on the basis of a claim of Cabinet confidentiality, the return identify how the provision of those documents to the House would breach the immunity attaching to Cabinet documents as variously articulated in *Egan v Chadwick*.
- (7) That this House regards failure to comply fully with an order of this House for the production of documents as an unacceptable interference with the capacity of this House to fulfil its constitutional roles.

I commence my contribution with a quote from Harry Evans, a former Clerk of the Senate. He states:

Knowledge has always been power, but the management of information has become the key to government. The executive wants the public to receive only the information favourable to it, and strives to manage the release and the presentation of unfavourable information, and to keep much secret. A functioning legislature is essentially an instrument for breaking down that information management in the interest of the public's ability to judge governments.

This motion is a further call for papers dealing with the CBD and South East Light Rail Project. This is a motion about that project, but I do not intend to go into the various issues associated with it. I particularly want to explain to the House why I am moving the motion and why I believe it deserves support. This motion goes to the heart of the power of this House and its ability to compel the Government to provide information in the public interest. A number of calls for papers have been moved over the past four years, some of which have resulted in the provision of good information in a reasonable manner and some of which have resulted in the provision of mountains of information in a very unhelpful manner. I acknowledge that sometimes that is partly the fault of those who drafted the motions, that is, they have been too general. However, every time a motion calling for papers has been put to the House it has been done with the best of intentions and to elicit information from the Executive Government about a number of things occurring in the New South Wales Parliament and about the State Government's management of this State.

*Egan v Chadwick* in 1999 tested the ability of this House to compel the provision of information. I will not go through the motion in detail, but I will refer to some of the relevant issues. It comes down to the fact that the judgment in *Egan v Chadwick* went to the heart of how one defines "cabinet-in-confidence", and whether that convention is compromised by an order for papers. The justices handed down a split decision and the issue remains unresolved for this House. I have observed and participated in many debates on motions dealing with Standing Order 52, and I have moved motions designed to elicit information to provide to the public. I have done that in the spirit of the convention; that is, to provide information to this House so that we can contribute properly to the good governance of this State and to fulfil our constitutional role as the House of review.

On 8 May this year, the House agreed to a motion calling for the production of documents relating to traffic and patronage modelling, the business case, and the cost-benefit analysis for the CBD and South East Light Rail Project. The House believed it was appropriate to obtain information about those matters and that that information should be in the public domain. On 5 June 2014 the House received a return to order which did not include the business case or traffic and patronage modelling other than the summaries of what was already publicly available. It is important to note correspondence from the Secretary of Transport for NSW in relation to this return to order:

Transport for NSW has reviewed its relevant files for the purposes of determining whether it holds any documents, other than Cabinet documents, that fall within the terms of the resolution. I note that all agencies are obliged to protect the confidentiality of Cabinet documents and not produce or refer to any such documents in complying with the resolution.

I believe the Government has fallen foul of the intent in the powers of this House. The Government has actively sought to stop Opposition members from getting the information they need to fulfil their constitutional role. The Government went to extraordinary lengths to ensure that as little information as possible was provided in response to this call for papers. I understand that the Government sought outside legal counsel advice in relation to this and that the legal fees in relation to this call for papers were extraordinary. I believe the legal fees were not spent on trying to facilitate information coming to this House, but rather the sole purpose of the legal process was to stop any piece of useful information from being produced, using the fig leaf "prepared by Cabinet" when it is clear that much of this information should be in the public domain. The information does not reveal the direct deliberations of Cabinet, which those on this side of the House do not seek. We understand Cabinet-in-confidence deliberations, but we do not accept the extraordinary lengths to which the Government has gone in relation to this call for papers.

In this call for papers we are asking specifically for the final version of the business case prepared for Transport for NSW, the traffic and patronage modelling relied on in the business case for the CBD and South East Light Rail Project, the NSW Treasury and PricewaterhouseCoopers cost-benefit analysis and any legal or other advice regarding the scope or validity of this order. This is a narrow and well-defined further call for papers that is intended to get the Government to provide the information that has been sought in good faith.

There has been a lot of argy-bargy about infrastructure in this State. We know we need to build infrastructure in this State and we support more public transport. Some of us also support building roads in the right place. However, if we are to get beyond the narrow partisanship of these matters we need to build faith in the process. Every step of the way this Government has sought to hide the information that would allow us to give these projects our wholehearted support. Instead, the Government creates a vacuum of secrecy and does not build trust in the Parliament that the Government will build the infrastructure this State needs. We need transparency and good governance and we need to be open about the reasons for the decisions that are made. However, the Government has sought to ignore this.

This is a call for specific documents. We also call for an explanation from the Government for not producing these documents, if that is the decision that is made. If so, how did the Government decide which papers were Cabinet-in-confidence? This is not an unreasonable request; it is simply trying to define and understand the breadth of the definition of "Cabinet-in-confidence". I believe the Government has gone out of its way to cast the widest net possible to exclude as many documents as possible. The Opposition is simply asking for an explanation if the documents are not coughed up, although I sincerely hope that the Government will cough them up. The final point of this call for papers is:

That this House regards failure to comply fully with an order of this House for the production of documents as an unacceptable interference with the capacity of this House to fulfil its constitutional roles.

Today we will listen to valedictory speeches and hear about the fine work that goes on in this place, our role as the House of review and keeping watch over Executive Government. This motion goes to the heart of that by challenging the Government to stand up for its powers and the people of New South Wales by producing the information that we need to do our job properly. I commend the motion to the House.

**The Hon. DUNCAN GAY** (Minister for Roads and Freight, Minister for the North Coast, and Vice-President of the Executive Council) [12.54 p.m.]: The Government is opposed to this order for papers under Standing Order 52. I reiterate the track record of the shadow Minister for Transport. The motion will divert resources from delivering for our public transport customers. I am advised by Transport for NSW that the last Standing Order 52 moved by the member on this project cost the taxpayer more than \$800,000 and 2,380 hours of departmental time were wasted. That is \$800,000 that could have been spent on transport services. We were in the House when the member said, "All I got was 40 boxes of rubbish." That is no-one's fault but hers. She set the parameters for this and the Opposition is playing fast and loose with the taxpayers and the people of New South Wales.

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

**The Hon. DUNCAN GAY:** It really is disgraceful; it is just for politics. The Government respects the authority of this House to make orders. We might not like all the orders, but we accept that the House has the authority to make orders to compel—

**The Hon. Walt Secord:** That is good of you.

**The Hon. DUNCAN GAY:** It is a lot harder with some of yours, I have to say. Yours are the most petty, silly amendments, full of politics, full of spite, full of the uselessness that those opposite have come to represent for the people of New South Wales. There has never been a more useless legislator in the history of this Parliament than the member sitting opposite.

**The ASSISTANT-PRESIDENT (Reverend the Hon. Fred Nile):** Order! The Hon. Walt Secord will have an opportunity to contribute to the debate.

**The Hon. DUNCAN GAY:** I was talking to the motion before I was interrupted by the member. The power of the House to compel the production of documents does not extend to Cabinet information.

Accordingly, even if otherwise covered by the terms of an order, Cabinet documents are neither identified nor produced in response to an order. The letter from the Department of Premier and Cabinet to the Secretary of Transport for NSW in respect of the resolution regarding the light rail project included this paragraph:

Cabinet documents should not be produced or referred to in responding to the Resolution.

All agencies are obliged to protect the confidentiality of Cabinet documents (refer to Premier's Memorandum 2006-08 Maintaining Confidentiality of Cabinet Documents and other Cabinet Conventions).

The astute amongst us would notice that it is the Premier's Memorandum 2006-08.

**The Hon. Dr Peter Phelps:** Who was in government then?

**The Hon. DUNCAN GAY:** Not us; it was those who are now in opposition. This is not something that we have created to hide behind. This is proper protocol put in place by the Department of Premier and Cabinet. The Premier's Memorandum 2006-08 is significant as it gives guidance to agencies in protecting the confidentiality of Cabinet documents. The memorandum states:

[A] convention at the core of the Cabinet system of government is the collective responsibility of Ministers for government decisions. Ministers are collectively responsible for all Cabinet decisions and must publicly support them, even if they do not personally agree with them.

The unauthorised and/or premature disclosure of Cabinet documents, including draft Cabinet documents (such as draft Cabinet minutes), undermines collective ministerial responsibility. It also undermines the convention of Cabinet confidentiality. It is accordingly essential that the confidentiality of Cabinet documents, including draft Cabinet documents, is maintained to enable full and frank discussions to be had prior to Cabinet making its decision.

This is a memorandum issued by the former Government in 2006 and its operation has been continued by this Government to this day.

*[The Assistant-President (Reverend the Hon. Fred Nile) 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.**

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

## QUESTIONS WITHOUT NOTICE

### OILED WILDLIFE CARE NETWORK

**The Hon. LUKE FOLEY:** My question is directed to the Minister for Roads and Freight. Has the Minister established an oiled wildlife care network as required by the Marine Pollution Act 2012?

**The Hon. DUNCAN GAY:** I thank the member for his question. As a diligent Government and a diligent Minister, everything that needs appropriately to be done will be done. I will come back with a detailed answer.

### ROADS AND MARITIME SERVICES NSW PREMIER'S PUBLIC SECTOR AWARDS

**The Hon. MELINDA PAVEY:** My question is addressed to the Minister for Roads and Freight. Will the Minister update the House on the achievements of Roads and Maritime Services [RMS] at the Premier's Awards?

**The Hon. DUNCAN GAY:** It is my absolute pleasure to congratulate Roads and Maritime Services on winning a Premier's public sector award—

**The Hon. Walt Secord:** Oh!

**The Hon. DUNCAN GAY:** The Opposition spokesman for the North Coast is making silly sounds. He would do well to listen to this and appreciate exactly what has happened. Roads and Maritime Services has won



a Premier's public sector award for coordinating the Western NSW Aboriginal Learner Driver Programs and Licensed and On the Road Entry—I seem to have his attention now. I am thrilled that the team received this important recognition for its efforts in helping Aboriginal communities across western New South Wales. I also thank the Centre for Road Safety, ACE Colleges and Birrang for all their help.

Sadly, Aboriginal Australians represent nearly 19 per cent of fatalities involving a driver or rider who is unlicensed at the time of a crash. Driver licence offences are the second highest category among Aboriginal people. These programs help our Aboriginal communities gain the skills they need to become safe and legal drivers, which in turn ensures access to transport, jobs, education and health services. It is just so important for the rest of their lives to make sure they stay away from the problems that many young Aboriginal people face.

In the past year the program has provided more than 1,400 driving lessons, resulted in 79 people gaining their learner licence and 83 people gaining their provisional P1 licence. These outcomes, which can be life-changing for Aboriginal kids and adults, are so important for the livelihood of these communities and it is so great to see the success of this program acknowledged. The great achievements of RMS should be recognised in their entirety. RMS was a finalist in three categories—Building Infrastructure for the Hunter Expressway, revitalising regional New South Wales for the Tenterfield Main Street renewal, and strengthening the environment and communities category for the Western NSW Aboriginal Learner Driver Programs and Licensed and On the Road, which it won. The \$1.7 billion Hunter Expressway comprises a new four-lane freeway link between the M1 motorway and the New England Highway west of Branxton.

**The Hon. Rick Colless:** A great road.

**The Hon. DUNCAN GAY:** It is a great road. The project, which opened for traffic on 22 March 2014, was recognised for its improved safety, travel efficiency and new technology, delivering low maintenance, low noise road surfaces and minimised impact on the environment. I am sure anyone who has driven on the Hunter Expressway will acknowledge the engineering magnificence of the approach taken by the people who built it. The Tenterfield Main Street renewal on the New England Highway at Tenterfield in the Northern Tablelands—*[Time expired.]*

**The Hon. MELINDA PAVEY:** I ask a supplementary question. Could the Minister elucidate his answer?

**The Hon. DUNCAN GAY:** As I was saying, Tenterfield Main Street renewal on the New England Highway at Tenterfield in the Northern Tablelands was recognised as an example of service delivery in the success of collaboration between Federal, State and local governments and Roads and Maritime Services—so everyone involved. The project, which brought the central business district and Tenterfield to life, was almost \$1 million under budget and four years ahead of schedule. The local community had been lobbying for it for more than a decade. I am proud to be the Minister responsible for RMS and the great work that the men and women in the department do on a daily basis.

## USB CHARGERS

**The Hon. ADAM SEARLE:** My question without notice is directed to the Minister for Fair Trading. Given there was a delay in notifying the public of faulty and dangerous USB chargers following the death of the late Sheryl Aldeguer and a report was subsequently commissioned by the internal audit unit to review Fair Trading processes for administering product safety notices, will the Minister make the outcome of the report publicly available?

**The Hon. MATTHEW MASON-COX:** As the member correctly points out, there was an internal process to look at how we review our systems in Fair Trading, and that is an important thing to do from time to time. As the member would be aware, there was a delay of a number of weeks from when the accidental death of Ms Aldeguer occurred to when it was reported to Fair Trading. My office had a further nine-day delay in relation to that issue. As I have mentioned in estimates, those procedures have been reviewed. There has been an internal review and that is the normal course of things. It is part of the culture of Fair Trading that I have spoken about at length.

At Fair Trading we work to improve all that we do and to ensure consumer protection in New South Wales is at the forefront of our minds. I have not seen the details of the review. Within Fair Trading it is the expectation that deaths under the Electrical Safety Act or in relation to any matter that falls within the portfolio

will be reported immediately to the commissioner's office and immediately to my office. This is so that action will be taken to ensure consumer safety is first and foremost in our response. In respect of the review, it was an internal review and it will remain so.

### MARTINS CREEK PUBLIC SCHOOL

**The Hon. PAUL GREEN:** My question without notice is directed to the Minister for Disability Services, representing the Minister for Education. I refer to the Minister's answer on Thursday 13 November 2014 regarding the closure of the Martins Creek Public School in which he advised that the Minister for Education has made no decision or recommendation regarding the closure of the school. I ask for specific detail. First, has the Minister assessed the special needs of the student, with his carer present, to ascertain any detrimental effects on the student if the school closes? If not, why not? What is the true cost benefit of such a decision? Secondly, is the Minister aware that the local bus company has been notified that the school will close in 2015?

**The Hon. JOHN AJAKA:** I thank the member for his question. A process for community consultation has taken place regarding the most effective educational provisions for students at the Martins Creek Public School. The possible outcomes of the consultation included recommendations for closure, placing the school in recess, amalgamation with another school or retaining the school. As I have indicated previously, as yet no decision has been made regarding the future of the school. I will take the question on notice, refer it to the Minister and come back to the member.

### NSW AGEING STRATEGY

**The Hon. DAVID CLARKE:** My question is addressed to the Minister for Ageing. Will the Minister update the House on the achievements under the New South Wales Ageing Strategy? What is the New South Wales Government doing for seniors?

**The Hon. JOHN AJAKA:** I thank the member for his question. The New South Wales Ageing Strategy was launched by the Government in 2012 and much has been achieved since that time. Some of those achievements are as a direct result of government programs and initiatives. It is pleasing to see that many local communities and the private sector are developing responses to the challenges and opportunities of the ageing population. The Government has a commitment to ensuring that older people in New South Wales enjoy good quality of life as they age. These commitments are outlined in the New South Wales Ageing Strategy.

The fact that people are living longer and healthier and are remaining more engaged with their community is a cause for celebration. It is important that we as a Government and a community plan for the challenges of an ageing population. Our seniors must be given the support that they need to age with the comfort and certainty that they deserve. New South Wales Government initiatives such as the Get It in Black and White campaign provides older Australians with the tools to help them prepare a will that accurately reflects their ultimate plans and wishes.

We must not neglect the vulnerability that comes with ageing. The New South Wales Government has set up the Elder Abuse Helpline with the aim of protecting the elderly from those who may try to prey on them emotionally and financially. The Government has put in place programs designed to help seniors stay active, alert and communally involved such as the Tech Savvy Seniors Program, which helps older people become more familiar and confident with smart phones, tablets, computers and social media.

The recently announced Creating Liveable Communities Competition provided \$600,000 to councils across the State to fund a range of projects, including development of local ageing strategies, access improvements, pedestrian access, mobility plans and age-friendly exercise equipment. The population of New South Wales is ageing and that requires careful planning. Older people need different housing options and access to services. By 2031 the number of people aged 65 to 84 in New South Wales is likely to grow by 74 per cent, with the number of those aged 85 years set to double.

This will have enormous implications for the types of homes we need and where those homes need to be built. Among those aged 65 years and older there is likely to be a 75 per cent increase in the number of one- and two-person households. Many older people will live alone or with another person and may be looking to downsize to smaller homes such as apartments close to services but still in the neighbourhood where they raised their families. The Government will provide more housing choices in our suburbs and towns, to give

older people more suitable housing options in a familiar area and close to their families. The New South Wales Government is looking at the next steps under the New South Wales Ageing Strategy. No government can do it alone. Over the coming year we will be engaging with the community and private sector to encourage them to work with the Government to develop solutions to assist with critical ageing issues such as housing.

Yesterday I was privileged to speak at a forum about consumer research on housing for seniors. It was hosted by COTA NSW and held at the New South Wales Parliament. Mr John Sidoti, the member for Drummoyne, was also present. This morning it was a pleasure to open officially the 16th Australian Computer Conference for Seniors hosted by the Australian Seniors Computer Club Association. In order to refresh the New South Wales Ageing Strategy, we will continue to seek further input from seniors and key stakeholders to inform the future direction of the New South Wales Government's commitment to address the issues facing seniors in New South Wales.

### **CHINA-AUSTRALIA FREE TRADE AGREEMENT**

**Dr JOHN KAYE:** My question without notice is directed to the Minister for Roads and Freight, representing the Premier. My question relates to the investor-state dispute settlement provisions that are reportedly within the China-Australia Free Trade Agreement. It is understood that this agreement will allow Chinese corporations to seek binding arbitration against Australian governments in respect of changes in legislation and regulation that might adversely affect their commercial activities. Will the Minister describe the extent to which New South Wales laws and regulations and government policies and ministerial decisions are vulnerable to such provisions? Will the Minister outline to the House the steps proposed to be taken to ameliorate the impact that those investor-state dispute settlement provisions could have on the ability of the New South Wales Parliament and Executive Government to make and implement laws, regulations and policies?

**The Hon. DUNCAN GAY:** I thank the member for his question. I detect the tinkle of jingoism very distantly in the background but, of course, The Greens would not stoop to anything as low as that. I will take the question at its face value because it raises some serious matters. I congratulate the member on getting all that out in the time available to him. On the day when the Premier of our State is meeting with the Chinese Premier, it certainly deserves an answer. The Greens are talking in Chinese again and I am not surprised.

The China-Australia Free Trade Agreement will provide major benefits to New South Wales consumers and businesses. In particular, it will enable major growth in our service exports. Investor-state dispute settlements [ISDS] provisions in free trade agreements provide protection for Australians who choose to pursue new opportunities by investing abroad. Australia has ISDS provisions in four free trade agreements: the Australia-Chile Free Trade Agreement, the Singapore-Australia Free Trade Agreement, the Thailand Australia Free Trade Agreement, and the ASEAN-Australia-New Zealand Free Trade Agreement. Investor-state dispute settlement provisions can protect against sovereign or political risk.

An investor can have a claim determined by an independent arbitration tribunal without having to rely on domestic legal remedies. These provisions apply to foreign nationals who invest in Australia. ISDS does not prevent a government from changing policies or regulating in the public interest, nor does it freeze existing policy settings. I encourage the member to direct any questions about the provisions of the China-Australia Free Trade Agreement to the Commonwealth Government.

### **CASTLEREAGH STREET, SYDNEY, CYCLEWAY**

**The Hon. PENNY SHARPE:** I direct my question to the Minister for Roads and Freight. Why has the Government failed to consult bicycle users regarding the proposed changes to the Castlereagh Street cycleway? Why was the matter not referred for consideration to the Central Sydney Traffic and Transport Committee?

**The Hon. DUNCAN GAY:** I thank the member for her question, which relates as much as anything to non-consultation. As a Government we try to the best of our ability, given the competing interests within the central business district, to come up with the most suitable available options.

**The Hon. Walt Secord:** You have the notes now.

**The Hon. DUNCAN GAY:** I knew where I was going. From memory, it was in December 2013 that the Government released the Sydney City Centre Access Strategy, which is designed to improve access to the central business district by putting the right transport modes in the right places in the city centre. The strategy

sets out how the Government can best provide transport options to deal effectively with the growing number of trips into and out of the city now and over the next 20 years. The Castlereagh Street cycleway is part of the Government's commitment to implement a new and integrated cycleway network as detailed in the strategy.

**Mr Jeremy Buckingham:** I thought you were ripping them all up.

**The Hon. DUNCAN GAY:** I never said I was ripping them all up. That was a myth created by a small group of cyclists. Cycling trips doubled between 2010 and 2012 from 25,000 a day to 50,000 a day and significant future growth is forecast. I did say that if cyclists did not use the cycleway they might lose it.

**The Hon. Penny Sharpe:** They do use it.

**The Hon. DUNCAN GAY:** I am not so sure about some of them. A better connected network of separated cycleways in selected streets will improve safety for everyone in the CBD—cyclists, pedestrians and motorists—and I certainly support that. The access strategy identifies new connected cycleways on Castlereagh, Liverpool and Park streets. They will be delivered by Roads and Maritime Services and will be funded by the City of Sydney.

**The Hon. Penny Sharpe:** Point of order: My point of order relates to relevance. I am aware of the city access strategy. However, this question was specifically about consultation with bike users and why the matter had not been referred to the Central Sydney Traffic and Transport Committee, which was set up by the—

**The PRESIDENT:** Order! I have the gist of the member's point of order. The Minister was being generally relevant.

**The Hon. DUNCAN GAY:** The Government has had discussions with stakeholders, and those discussions are ongoing. It has also had talks with representatives of the commercial delivery industry. Consultation with all groups has included a public display of the concept designs, doorknocking of 70 businesses and speaking directly with owners and operators. In addition, 250 letters have been sent directly to stakeholders and 36,000 four-page brochures about the cycleways project have been delivered between Central Station and Circular Quay and the Castlereagh Street concept design has been exhibited. Members opposite do not like my answers. They keep asking questions, but when I provide definitive answers they want to play politics. They do not want to fix anything; they simply want to play politics. [*Time expired.*]

## NSW FAIR TRADING CONSUMER PROTECTION

**The Hon. JENNIFER GARDINER:** I address my question to the Minister for Fair Trading. Will the Minister update the House on how the Liberal-Nationals Government has delivered for the consumers of New South Wales?

**The Hon. MATTHEW MASON-COX:** I thank the member for that question. I think the Rolling Stones delivered for her last night. I understand it was a great concert. It would have been terrific, but not much better than being in this place. It is clear that the Liberal-Nationals Government has delivered significant gains for the consumers of New South Wales. When we were elected in 2011 we inherited the Labor Government's approach of having no cohesive plan to protect the consumers of this State. The Labor Government's approach was fragmented, to say the least, and legislative reform had stalled on a number of fronts. Since that time, the Liberal-Nationals Government has delivered on a range of election commitments. It is with pleasure that I mention some of them today.

The Fair Trading portfolio has delivered standardised retirement village contracts and disclosure documents, which have seen a significant improvement in consumer protection in that area. Retirement villages are home to a range of vulnerable residents. Residential park operators and park tenants are responding to a range of regulatory changes that this Government has released for consultation. The Residential (Land Lease) Communities Act 2013 reformed the residential park legislation to provide for greater self-governance and to assist with the resolution of disputes. That legislation will dramatically improve consumer protection, particularly as a result of the introduction of a code of conduct that will assist in bringing rogue operators to account. We must ensure that residential park residents are protected from rogue operators. The Government has also introduced mediation services in residential parks and retirement villages. Consumers will have access to a free service which will assist them in resolving their complaints in a timely manner and which will protect the interests of both consumers and businesses.

Members would be aware that the Government has upgraded the Fair Trading commissioner's position. That important reform was introduced to ensure that consumer protection was reinvigorated in this State. The Government has commenced an ambitious reform agenda designed to modernise fair trading legislation and to cut red tape for business while maintaining consumer protection. This Government has been the leader in implementing a national strategy to disrupt and to prosecute travelling conman activities. A dedicated task force has been established to manage surveillance and compliance activities and to coordinate the sharing of intelligence with other agencies and jurisdictions. The Government has also established a national hotline for reporting of travelling conmen, and more than 1,000 consumers have used the hotline to report conmen operating in their area.

The Government has introduced strong measures to cut red tape while maintaining continued consumer protection, including initiatives such as improving petrol price signage legislation to accommodate changes in fuel types and to increase transparency for consumers. It has established a licensing regime for tattoo parlours to assist law enforcement agencies in tackling organised crime. In addition, it has led a campaign warning against the supply of dangerous synthetic drugs in this State and developed the toughest synthetic drug legislation in Australia. The list goes on and on and includes the reduction of red tape for travel agents and the repeal of outdated licensing legislation. Again, these measures have made a significant contribution to improving consumer protection in New South Wales. *[Time expired.]*

### UNIVERSITY INTERNET ACCEPTABLE USE POLICY

**Reverend the Hon. FRED NILE:** My question is directed to the Leader of the Government, representing the Premier. Is the Government aware that in October University of Newcastle staff were warned that university resources were used to broadcast a live solo sex show via live web camera from a campus library? Is it a fact that live web camera shows, sometimes known as "camming" are an online peepshow, where performers set a per-minute rate for viewers, usually through a streaming service that takes a large—anything from 35 to 60 per cent—cut of the profit? What steps will the Government take to ensure that New South Wales higher education institutions are not being used by female students to engage in live online shows or prostitution on university premises or grounds?

**The Hon. DUNCAN GAY:** I can with great authority inform the House that I was not aware of the incident that the member is talking about. As the member has concerns—and I can understand his concerns—I will pass his question on to the Premier, as he requested, for a detailed response.

### NSW FAIR TRADING COMPLAINTS HANDLING

**The Hon. LYNDA VOLTZ:** My question is directed to the Minister for Fair Trading. Given that the Minister's department's Facebook page states, "If the negotiations [regarding complaints] are unsuccessful we then provide other options where appropriate, including the NSW Civil and Administrative Tribunal or private legal advice", will the Minister detail how many complaints over the past financial year were not resolved by his department through negotiations and therefore had to be referred externally?

**The Hon. MATTHEW MASON-COX:** I thank the member for the question. I am glad that the member has mastered the computer and is looking for information on Facebook. I encourage the member to look at a range of services that Fair Trading provides; it is a great site offering a range of services. As I mentioned yesterday, Fair Trading has a wonderful record for resolving complaints as it solves 93 per cent of complaints received. Complaints are dealt with in a timely manner and people can lodge their complaints via our internet service or our customer service centres in Parramatta or other regional offices. It is an important service that can refer complaints to external agencies, including the NSW Civil and Administrative Tribunal. I will take the question on notice and provide some information to the member in due course.

### BOAT TRAILER PARKING

**Mr SCOT MacDONALD:** My question is addressed to the Minister for Roads and Freight. Can the Minister update the House on what is being done to manage boat trailers parked on residential streets?

**The Hon. DUNCAN GAY:** I thank the member for his question and I hear the call across the Chamber from those with concerns about boats in their streets. The member on my right is the king of the tinnies and the member behind me has the biggest floating gin palace in the city. Both these men remain nameless. Yesterday I was pleased to announce new measures that will enable the removal of abandoned boat trailers from busy suburban streets and increase the availability of dedicated off-street parking areas. Under the new program

\$5 million is available to support the development of off-street storage solutions for boat trailers. We are calling on councils and other organisations to come forward with innovative proposals that will help us to relocate boat trailers from suburban streets, particularly in the metropolitan areas. This \$5 million investment is part of the record \$70 million investment that I announced earlier this year at the Boat Show to deliver critical boating infrastructure over the next five years. We are also introducing a three-month parking limit on local streets. This means boat trailers left in the same place longer than three months will be impounded. Fines will also be issued for unregistered boat trailers left on the street.

Some pretty ordinary people in the upper parts of the eastern suburbs, where Mr David Shoebridge lives, have been unfairly leaving their boats outside someone else's place. Apart from being un-Australian, it is pretty ordinary to leave a boat in the street. People have to look after their boats; they should reverence them, take them home, wipe them and protect them, just like a car. If they look after their boats they will look after them. On top of that, it is pretty rough to park a floating gin palace outside someone else's house. That person is paying rates for the site and, like members, they have probably paid a lot of money for that site, because it is in a good suburb and it has a great view. It is not fair to put an old boat in front of that view. That boat would also take up parking space when the owner's family wants to come around on the weekend for a family barbecue and when the kids get home late at night and need to park near the house.

This is unfair and un-Australian. Apart from that, some boats have been left on the streets for so long that the local people are filling them up with garbage. There are hulks in the streets, and that is why a committee was formed to come up with a plan to get rid of them. Some of them have been on the streets for years because some owners are too lazy to take their boats home. Instead, they drop them outside someone else's house and come back in a month or so when they want to use them. These people are in for a nasty shock, because if they leave their boats on the streets for more than three months, we will hike them. We will take them away and the owners will lose their floating gin palaces or their beloved tinnies. We are saving Mr David Shoebridge and his friends in the eastern suburbs. I pay tribute to Mr John Sidoti and the Hon. Gabrielle Upton for their help in resolving this issue.

#### **MOUNT THORLEY AND WARKWORTH MINES**

**Mr DAVID SHOEBRIDGE:** My question is directed to the Minister for Fair Trading, representing the Minister for Planning and Infrastructure. Why on earth did the planning Minister, by instrument dated 6 November 2014, remove all Land and Environment Court merit appeal rights for the people of Bulga and all other affected residents in relation to Rio Tinto's Mount Thorley and Warkworth extension open-cut coalmine applications?

**The Hon. MATTHEW MASON-COX:** I thank the member for this detailed question. I will be happy to refer his question to the Minister and come back with an answer in due course.

**Mr DAVID SHOEBRIDGE:** I ask a supplementary question. Can the Minister elucidate his response by clarifying whether or not Rio Tinto was asked, if not the residents of Bulga?

**The PRESIDENT:** Order! The question is clearly out of order as there was no attempt to seek an elucidation of an aspect of the Minister's answer.

#### **GENERAL PRACTITIONER MEDICARE CO-PAYMENT**

**The Hon. WALT SECORD:** My question is directed to the Minister for Ageing, and the Minister for Disability Services, representing the Minister for Health.

**The Hon. Duncan Gay:** You don't love me anymore.

**The Hon. WALT SECORD:** No, it is over, Duncan. Given that the State Parliament today hosted a meeting of the Pharmaceutical Society of Australia, what is the Government's response to community concerns in New South Wales about the expected increase in the number of sick people who will be forced to go to the local pharmacy for medical advice as they cannot afford the Federal Government's planned \$7 GP co-payment?

**The Hon. JOHN AJAKA:** I thank the member for his question. I do not understand why the member will not debate the Minister for Health on this issue. Why does he not ask the Minister these questions in front of an audience? Why does the member ask these questions in relation to a Commonwealth matter in this Chamber when clearly he will not ask the Minister for Health?

**The Hon. Steve Whan:** Point of order: The Minister is debating the question at length. I ask you to bring him back to the point of the question, which is about the impact of the \$7 GP co-payment on State health services.

**The PRESIDENT:** Order! I do not think he was debating the question but he was stretching the bounds of general relevance beyond credulity.

**The Hon. JOHN AJAKA:** As I have indicated previously to the member, the Federal Government's proposal for a GP co-payment is merely a proposal. Modelling of the Federal budget proposal regarding a GP co-payment has not been undertaken by the NSW Ministry of Health as no legislation has been introduced. The Government remains committed to ensuring that patients continue to receive the right treatment in the right setting at the right time. The New South Wales Government has already announced that there will be no co-payment for emergency department patients.

**The Hon. WALT SECORD:** I ask the Minister a supplementary question. Will the Minister elucidate his answer in regard to what representations the New South Wales Government and the Minister have made in relation to the Federal \$7 GP tax?

**The Hon. JOHN AJAKA:** As I have indicated, there is no proposal for a GP co-payment. There is no set definition; it is merely a proposal. Modelling of the Federal budget proposal regarding a GP co-payment has not been undertaken by the NSW Ministry of Health as no legislation has been introduced.

**The Hon. Walt Secord:** Point of order: For the benefit and information of the member, the Prime Minister reaffirmed—

**The PRESIDENT:** Order! The Hon. Walt Secord is clearly not making a point of order. He will resume his seat.

#### CHILD PROTECTION AND HOMELESSNESS SERVICES

**The Hon. SARAH MITCHELL:** My question is addressed to the Minister for Ageing, Minister for Disability Services, and Minister for the Illawarra, representing the Minister for Community Services. How is the New South Wales Government delivering reforms which better protect the most vulnerable members of the community?

**The Hon. JOHN AJAKA:** Each day the frontline of Family and Community Services is helping vulnerable people across New South Wales. My good friend and colleague the Hon. Gabrielle Upton, Minister for Family and Community Services, is doing a stellar job of protecting the vulnerable, even encouraging them to aspire to being able to support themselves where possible. Minister Upton said yesterday in the Legislative Assembly that social housing need not be a destination for everyone; that social housing can also be a way in which the New South Wales Government can help people in the short term get back on their feet. I could not agree more.

The New South Wales Government is here to help people in need get back on their feet. We help people in need in their darkest hours. We help people in need reach for and achieve a better life for themselves and their families. At the heart of the New South Wales Government is a commitment to helping those most in need. We are a Government that puts people first. We are delivering smart reforms to better protect the most vulnerable members of the community. We are delivering smart reforms to the child protection system through Safe Home for Life, to specialist homelessness services through Going Home Staying Home and to social housing, which will give the most vulnerable members a chance to have a better life.

We are strengthening the child protection system through the Safe Home for Life reforms. With the New South Wales Government reforms we are investing half a billion dollars over four years into child protection. The reforms mean more services and better outcomes for more children at risk and in care. The reforms will create a stronger, better child protection system by promoting good parenting, providing greater permanency for children and young people and creating a child-focused child protection system. This Government is also better at helping those who are homeless or at risk of homelessness through the Going Home Staying Home reforms. Going Home Staying Home means more money and better services delivered to the areas of greatest need.

Through the reforms, we are investing half a billion dollars over three years to tackle homelessness head-on. We are getting on with the job of rebuilding social housing. We are making social housing fairer and better. The New South Wales Government has made waiting lists transparent to help people make better decisions and it has run amnesties to crack down on those rorting the system. This Government has introduced measures so that more people can access housing and it has made decisions such as those affecting Millers Point, which will mean more money for new homes and maintenance for more people.

Yesterday the New South Wales Government released a Social Housing in NSW discussion paper, which will guide future directions in social housing. The paper is based on three guiding principles: a social housing system that provides opportunity and pathways for client independence, a social housing system that is fair and a social housing system that is sustainable. I encourage everyone to make their views heard by writing to the Minister for Family and Community Services and by taking part in the discussions so that we can get the best outcome for those who need it most. There is more to do. We must ensure that we continue to deliver smart reform so that we better protect the most vulnerable members of the community. This Government is going to deliver more for the vulnerable members of the community than those opposite—who failed the vulnerable—could do in 16 years in office.

### SOCIAL HOUSING

**Ms JAN BARHAM:** My question is directed to the Minister for Ageing, Minister for Disability Services, and Minister for the Illawarra, representing the Minister for Family and Community Services. Given the extensive investigation, analysis and input that has resulted in eight recommendations in the Auditor-General's report on making the best use of public housing, 41 recommendations from the inquiry into social, public and affordable housing and 18 recommendations from the Public Accounts Committee's inquiry into tenancy management and social housing, why has the Government now released a discussion paper on social housing in New South Wales that fails to address these extensive recommendations for addressing the social and affordable housing crisis in the State? When will a draft social housing policy be released for public comment?

**The Hon. JOHN AJAKA:** What an extraordinary effort by the Minister for Family and Community Services. She has been able to introduce a social housing in NSW discussion paper within a short period of time.

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

**The Hon. JOHN AJAKA:** For 16 years those opposite did absolutely nothing.

**The Hon. Lynda Voltz:** Point of order: My point of order relates to relevance. The member's question was clearly about the recommendations of numerous inquiries and why the Government had not included any of those recommendations. I ask you to bring him back to the question that was asked.

**The PRESIDENT:** Order! It was a little bit too soon to form a conclusion that the Minister was out of order. The Minister has the call.

**The Hon. JOHN AJAKA:** I strongly recommend that all members read the Minister's foreword, in which she clearly sets out the reasons for the discussion. It is clear that those opposite have not even bothered to read the discussion paper. They would not have a clue what to do about social housing. They had no policies on social housing in the 16 years they were in government and they still they have no policy whatsoever. All those opposite are capable of doing is continuing to whinge, because they have got nothing to give the people of New South Wales.

The Minister makes it very clear that the social housing system is under pressure and needs to change to better serve vulnerable people in New South Wales. The system was designed at a different time and for a different purpose. Despite improvements over the past three years, the current system is neither sustainable nor fair. Clearly the Minister is seeking consultation with and input from the community. Members opposite have completely failed to understand. They have no concept of consultation. Interestingly, had the policy come out members opposite would have screamed about no consultation or input from the community. So the Minister announces that and they scream. The document speaks for itself.

**Ms JAN BARHAM:** I ask a supplementary question. Will the Minister elucidate his answer and define one action out of that discussion paper?

**The Hon. JOHN AJAKA:** As I clearly said, the document speaks for itself.



### HOME CARE SERVICE OF NSW

**The Hon. GREG DONNELLY:** My question without notice is directed to the Minister for Ageing. What is the Minister doing to ensure that current elderly recipients of home care will continue to receive care after the privatisation of home care comes into effect, as those people aged over 65 are not eligible under the National Disability Insurance Scheme [NDIS]?

**The Hon. JOHN AJAKA:** That question clearly demonstrates that the Hon. Greg Donnelly has absolutely no concept of how the home care system works. Those currently aged over 65 receive Commonwealth funding. That is the case currently and it will continue to be the situation when the NDIS is implemented. It is also clear that members opposite fail to understand that people who enter the NDIS prior to turning 65 remain in the NDIS after they turn 65 years of age. That is the system; that is what occurs. Perhaps the member should understand how the NDIS works before he asks a question of that nature.

### STATE ECONOMY

**The Hon. NATASHA MACLAREN-JONES:** My question is addressed to the Minister for Fair Trading, representing the Treasurer. Will the Minister update the House on rebuilding the New South Wales economy by this Government?

**The Hon. MATTHEW MASON-COX:** Members opposite do not like hearing more good news from the Government. Kerching! Kerching! Kerching! It is another cashbox moment for them. It is a good story. In order to understand what we have done in the past 3½ years one needs to reflect on the carnage that members opposite caused over the previous 16 years. That carnage was devastating for the New South Wales economy. As we have heard today, when we came to government we had a plan called NSW 2021. The reality is that for the previous 16 years Labor had no plan and no idea. What did that result in?

I am glad I have asked myself that question. It resulted in a range of economic statistics at the bottom of the barrel. As members opposite would understand, the employment growth was the slowest for the past decade under Labor. We had the slowest economic growth of any State under Labor. Our business confidence was the lowest of the mainland States for the past five years to March 2011. As for housing supply, we had the lowest number of new dwelling starts per capita for the past five years under Labor. Housing starts were down to 23,000 starts per year. Retail trade had the lowest average annual growth of any State under Labor.

So what have we done? In the past 3½ years under this Government all those statistics have turned around. As for jobs growth, we now have the second highest number of jobs since April 2011. We have a 0.2 per cent reduction in unemployment, to 5.7 per cent, in the last quarter under this Government. Our economic growth is the strongest of all States through the yearly term, and business confidence has been positive for 14 consecutive months. Housing starts—the key driver of economic growth in this State—have increased to 52,000 over the past 12 months. Basically, that is double where Labor was during the last decade it was in office. That is the reality.

We also have strong retail trade growth—the strongest of the States—through the full last year. On any indicator the State has turned itself around under this Government's economic management. Not only have we turned the economy around in 3½ years, finally we have been acknowledged as number one across the States of this Commonwealth. And we have a plan for the future. We will continue good economic management in this State. We will continue to ensure that the State blossoms under our stewardship, and we have a plan. Members opposite—

**The Hon. Duncan Gay:** On the losers lounge.

**The Hon. MATTHEW MASON-COX:** —on the losers lounge have no plan. Our plan centres on recycling assets, including the long-term lease of 49 per cent of the poles and wire assets, which will realise \$20 billion to add to the \$61.5 billion we are already investing in infrastructure. That is our plan. One can see that plan in finite detail—

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

**The Hon. MATTHEW MASON-COX:** —in complete contrast to what members opposite offer the people of New South Wales, which is no plan, no idea and no future.

### POTATO POINT FIREBREAK

**The Hon. ROBERT BORSAK:** My question without notice is directed to the Minister for Fair Trading, representing the Minister for the Environment, and relates to moves by residents of Potato Point on the South Coast to have their firebreak restored. Is the Minister aware that the CSIRO has found that the National Parks and Wildlife Service Phoenix bushfire model used to predict the vulnerability of Potato Point to bushfire grossly underestimates the behaviour of major fires? Given that the organisation's director for bushfire research, Dr Phillip Cheney, concluded that the current firebreak is inadequate, will the Minister direct the staff of National Parks and Wildlife Service to implement urgently all the recommendations made by Dr Cheney to restore effective bushfire protection to the community?

**The Hon. MATTHEW MASON-COX:** I thank the Hon. Robert Borsak for that detailed question. I will take the wise course of action and refer the question to the Minister for a detailed answer and report back in due course.

### KENNETH ROAD, MANLY, PARKING PLAN

**The Hon. SOPHIE COTSIS:** My question is directed to the Minister for Roads and Freight. In April this year Manly council instituted new parking arrangements on Kenneth Road in Manly. In July this year the Minister wrote to the Premier and member for Manly, Mike Baird, to advise that the parking scheme instituted by Manly council on Kenneth Road has no legal basis and does not meet the requirements of relevant Australian standards for safe street car parking. Will the Minister advise when the scheme will be removed?

**The Hon. DUNCAN GAY:** I thank the member for her question. We are still awaiting a response on this matter. As soon as we receive a response I will come back to the House with a definitive answer.

### ROADS AND FREIGHT INFRASTRUCTURE

**The Hon. GREG PEARCE:** My question is addressed to the Minister for Roads and Freight. Will the Minister update the House on major road and freight investments and initiatives in New South Wales?

**The Hon. DUNCAN GAY:** I thank the member for his important question. I have been waiting all day to be asked such a question from members on the losers lounge, but it will never happen. With only one question time remaining for the Fifty-fifth Parliament of New South Wales, frankly, it is timely to compare our investments and achievements in roads and freight to those of Labor in the Fifty-fourth Parliament. As I have said numerous times over the past 3½ years, I still wonder what Labor did for those 16 lost years. Did Labor successfully negotiate a contract with the private sector to widen the M5 West? No.

This widening will be completed by the end of this year. Did Labor ever develop a long-term transport master plan or a freight and ports strategy for New South Wales? No. These documents are a 20-year road map to guide future strategic investment in vital transport and freight infrastructure and services. Did Labor ever provide sensible exemptions to farmers for the transport of wool, hay, straw and cotton bales? No. Did Labor ever deliver a grain harvest management and livestock loading scheme for farmers? No. Did Labor ever develop detailed plans and secure funding to widen and extend the M4 and M5 motorways, not to mention linking them together? No. But Labor did come up with a plan. As Robbo, the Leader of the Opposition, announced in his speech:

We won't let four years slip away. We will hit the ground running. We will get construction underway. Labor will get these projects built.

Labor is long on promise and short on detail. If The Greens are paying attention, I ask them: Where would the M5 run? It would probably go straight up the middle of King Street. The Greens members will have to surmise that because Labor has not given any indication where it will go. We have not been told how they will pay for it, whether it will be tolled or whether it will be underground or above ground. Yet the Leader of the Opposition said, "We won't let four years slip away. We will hit the ground running. We will get construction underway. Labor will get these projects built." Day after day Labor members whinge and whine in this House about what the Government is doing to fix the State but they are long on questions and short on answers on what they are doing. If we could lodge a Standing Order 52 request on the pomp and ceremony of the Labor Party we would be here for six years.

Early next year this Government will start construction of Australia's largest urban road project, WestConnex. Did Labor deliver additional overtaking lanes on the Bell's Line of Road? No. Labor had absolutely no plans and provided not a cent of investment for such upgrades. In the Blue Mountains Labor mismanaged a contract that led to a 12-month delay in upgrading the Great Western Highway between Woodford and Hazelbrook. All that Labor has done is to destroy communities and make hollow promises.

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

**The Hon. DUNCAN GAY:** The Hon. Penny Sharpe needs to give answers to the people of Newtown because she is not telling them what the Opposition is planning to do. [*Time expired.*]

The time for questions has expired.

### ORANGE PALLIATIVE CARE

**The Hon. JOHN AJAKA:** On 15 October 2014 the Hon. Walt Secord asked me a question about resources and support for palliative care in the Orange area. The Minister for Health has provided the following response:

No standalone palliative care service in Orange has been cut.

The Orange Health Service is committed to ensuring appropriate end-of-life planning occurs with patients and families. Since moving to the new Orange Hospital there has been a significant increase in the number of single rooms available to patients using their palliative care service, and in 2014-15 the service received an enhancement of an additional full-time palliative care nurse.

### HENRY LAWSON DRIVE ROADWORKS

**The Hon. DUNCAN GAY:** On 15 October 2014 the Hon. Lynda Voltz asked me a question about the commencement and completion of road works on Henry Lawson Drive. I provide the following response:

I am advised:

The northbound right-turn lane extension from Henry Lawson Drive into Bullecourt Avenue, Milperra is planned to commence in June 2015 and conclude in October 2015.

### DENILIQIN JOBS

**The Hon. DUNCAN GAY:** On 15 October 2014 the Hon. Robert Borsak asked me a question about employment in Deniliquin. The Minister for Natural Resources, Lands and Water has provided the following response:

I am aware that there is a longer term population trend in inland New South Wales of movement away from the smaller regional towns to larger centres.

The Basin Plan was developed by the Murray-Darling Basin Authority under Commonwealth legislation. The New South Wales Government refused to implement the Basin Plan until the Commonwealth committed to a number of conditions, in particular an improved balance between economic and social outcomes, and environmental outcomes.

This included requiring the Commonwealth to give priority to the recovery of the water through savings from water infrastructure projects and environmental works and measures. This is in contrast to the Commonwealth's previous preferred method of simply buying back water licences, threatening the productive capacity of our irrigation industry.

I am pleased to advise that a \$350 million package of new irrigation efficiency projects across New South Wales has recently been announced.

We also required the Commonwealth to provide assistance for New South Wales rural communities to adapt to the impacts of the Basin Plan. Applications for the \$32.5 million available for economic diversification initiatives closed on 31 October 2014. Projects must demonstrate that new jobs will be created.

### PYRMONT BRIDGE

**The Hon. DUNCAN GAY:** On 15 October 2014 the Hon. Luke Foley asked me a question about the impact of the proposed vertical garden on users of the Pyrmont Bridge prior to the plan being abandoned. I provide the following response:

I am advised:

Roads and Maritime Services was not consulted about the proposed vertical garden known as "A-maze".

On 2 October 2014, Roads and Maritime Services was advised by the Sydney Harbour Foreshore Authority that the proposal would not proceed in 2014.

## COAL SEAM GAS

**The Hon. DUNCAN GAY:** On 15 October 2014 Mr Jeremy Buckingham asked me a question about coal seam gas licences. The Minister for Resources and Energy has provided the following response:

The Government will consider instances of non-compliance on a case-by-case basis, if and when they are identified.

## MOUNT THORLEY AND WARKWORTH MINES

**The Hon. MATTHEW MASON-COX:** On 15 October 2014 Mr David Shoebridge asked me a question about Mount Thorley and Warkworth mines extension applications by Rio Tinto. The Minister for Planning has provided the following response:

I am advised:

No.

**Questions without notice concluded.**

## VISITORS

**The PRESIDENT:** There are many guests in the gallery who are no doubt here for the valedictory speeches. In particular, I welcome Mrs Helen Moppett, who is the wife of one of our dear, late colleagues the Hon. Doug Moppett. He was much loved in this Chamber and we are delighted to see Helen here today. Thank you so much for coming. I welcome to the public gallery a former member of the other place, Ms Wendy Machin. I also welcome to the public gallery the State director of The Nationals, Mr Ben Franklin.

**Pursuant to resolution valedictory speeches proceeded with.**

## VALEDICTORY SPEECHES

**The Hon. JENNIFER GARDINER** [3.34 p.m.] (Valedictory Speech): In 1991 when I was first elected to this House and the Fiftieth Parliament, it was an early election; there were no fixed terms. The only two other members of the Fiftieth Parliament who are still here today are Reverend the Hon. Fred Nile and the Hon. Duncan Gay. The USSR was disintegrating, the Gulf War had ended, the IRA had bombed No. 10 Downing Street, Paul Keating was about to succeed Bob Hawke as Prime Minister, Bob Carr was Leader of the Opposition, Nick Greiner and Wal Murray were Premier and Deputy Premier, Wal was the Leader of The Nationals, Wendy Machin was the only other woman in The Nationals party room and Robert Webster became Leader of The Nationals in this place after the abolition of the electorate of Goulburn. Robert was the first of the Legislative Council leaders of our Nationals team with whom I have had the privilege to work, followed by the Hon. Richard Bull and the Hon. Duncan Gay, to whom I have been deputy.

All three of those leaders are good blokes, parliamentarians who have been particularly dedicated to serving the interests of The Nationals constituency, regional New South Wales and beyond. In Duncan's case, he is the best roads Minister since Wal Murray. If Wal were here today he would be emotional about the progress that has been made, with the cooperation of our Federal Nationals leader, Warren Truss, on that great infrastructure project that Wal started—the duplication of the Pacific Highway. Wal was a thoroughly decent person and to my dying days I will defend his integrity. It has been a great experience to work with each of Wal's successors. I particularly want to thank George Souris for the opportunities he as leader afforded me, especially as a shadow Cabinet member, and for being one of the great characters of our party, successive governments and the Parliament. I wish George and his great contemporary Don Page all the best.

In that Fiftieth Parliament Max Willis was elected President and Duncan Gay was elected Chair of Committees and Deputy President. Sir Adrian Solomons had been the Chair of Committees in the Forty-ninth Parliament when Labor and the crossbenchers amended the Government's motion to elect the Hon. Max Willis to be the Deputy President. Knowing that history, I was very grateful that there was only one nominee for Deputy President and Chair of Committees in the Fifty-second Parliament. I thank Duncan and my Nationals colleagues Rick, Melinda, Trevor, Niall and Sarah for their decision on that day and their cooperation since. I also thank Mike Gallacher and my Liberal colleagues, and indeed the whole of the House for their decision. I thank you all for your cooperation, nearly all of the time, especially during those occasions when the House sat for long hours into the morning as the Committee of the Whole.

Mr President, I thank you for the many courtesies you have extended to me and for your mix of diplomacy and tenacity in oversighting incremental improvements to the parliamentary amenity—always a challenge given the testing relationships between the Parliament and the Executive's Treasurer. Thanks also for chairing discussions about improvements to the procedures of the House. I suspect that the trial of the Australian Senate procedures in the Committee of the Whole will get the thumbs up in the next Parliament. There have been many changes within the parliamentary precinct in the years I have known it in various capacities. I recall when members of the Country Party lived in Richmond Villa out the back, and got up to untold mischief. Later, I could drive my car up to the front steps of Parliament House to collect an urgent document. There were no fences; no-one had ever heard of Code Black. I used to telex Leon Punch's media releases from Young Street because the Leader's office here had no such advanced technology. I could not imagine then that years later I would be part of the legislature's trial groups here testing email, laptops and iPads.

I thank my family, especially my parents, Peter and Corelly, for their unequivocal support of me in pursuing this vocation in politics and Parliament. My mother was bemused when on the day I made my first speech she was here and, unbeknownst to me, the Rastafarianesque Democrat Richard Jones introduced himself to her and said, "I wish to give you my apology. I attacked Jenny in the media when she was preselected. I now know I was wrong. I apologise." My mother always had a soft spot for Richard's antics after that, whether it was bringing dingo pups into the Chamber as a campaign prop or appearing to be stoned on the adjournment debate.

I thank all of my siblings—Jo, Chris, David and Robin—for being here today, along with Brian, Jill and Cassie, Mary, Julia, Stephanie, Jock, George and Avril. We are a close but far-flung family and I deeply appreciate the efforts that you have made to be here today. Last night I was able to see my nephew Sam and Hannah as they embark upon a life in Canada.

In that first term the Parliament was opened by that great cross-generational constant Queen Elizabeth. As the attendance of those from the other place was awaited, the Queen particularly noted the number of women in this Chamber, so Her Majesty told Patricia Forsythe and me later in the Fountain Court. The number of women members here has hovered around the 30 per cent mark ever since. It is interesting to note that we live in a society in which support for the constitutional monarchy has increased while at the same time attempts to eliminate the gender imbalance in Australia's parliaments, particularly in the lower Houses, has failed to make great strides.

I will be watching with interest the 2016 Irish elections. Ireland's Parliament has legislated to link the gender balance of parties' slates of candidates to their eligibility for public funding—a powerful incentive to reform. The Irish may show us the way. I thank the Clerks of the Parliaments, John Evans, Lynn Lovelock and David Blunt, and the Black Rods and Clerks at the Table in the Procedure Office with whom I have worked over the years and especially in this Parliament for their assistance and guidance. David Blunt has quoted the Clerk of the Australian Senate in saying:

Clerks stand on the shoulders of the reputations forged by their predecessors and peers for non-partisanship, learning, long service and dedication to an institution.

The current crop of Clerks and their assistants do their predecessors proud. Thank you also to the other myriad staff who work in the parliamentary precinct for their assistance and courtesy down the years. I have been blessed with the staff who have worked in my office over the years: Julie McIntyre, Melissa Nalder, Philippa Gately, Jonathon Moore, James Bolster, Clare Barclay, Louise Talbot and Travis Russell, many of whom are present in the Chamber. Your diligent work, loyalty and friendship and that of the interns who have worked with me are greatly appreciated. I also thank Margaret Kristianssen for being here today. When she retired from her key role in the National Party's head office Marg was probably the longest continuously serving employee of any political party in Australia. I thank also Phil Orphan and Sue for being here; Phil had been our long-serving administration officer.

I have a special reason to thank Hansard. In 1996 the Sydney Swans were to play in their first grand final since World War II. Members, including the Hon. John Ryan, and the Clerks—all in their Swans gear—sang the Swans anthem in the adjournment debate. The next morning Hansard issued the pink *Hansard* proof, complete with quavers, clefs and notes—probably a first in the Westminster system. Steve Chase, a Swans supporter in the press gallery, recorded the event for the ABC. The tape was picked up by the ABC in Melbourne and used for their grand final festival theme. Briefly this Chamber's choristers were the most played vocal group in Australia. Alas, the Swans did not win that grand final but we did it all again just before their 2005 victory.

I thank also the Young Nationals. To cut a long story very short, if I had not attended my first or second meeting of the Tamworth branch of the Young Australian Country Party in a crowded Red Cross hall to question Ian Sinclair, the member for New England, about why the Liberal-Country Party Government would not match Gough Whitlam's policy to lower the voting age to 18, I probably would not be here now. My association with the Young Nationals continues to this day. I thank them for the honours they have bestowed upon me and for their friendship and the inspiration I draw from them. Most importantly, I thank The Nationals Central Council for its support, indeed in many cases its longstanding friendship, especially in three preselections, placing me higher and higher on the ticket each time.

I thank the party's salt-of-the-earth membership and staff, many of whom are present today. Having been the first National Party general secretary to be elected to a Parliament I am looking forward to seeing the current State Director, Ben Franklin, along with Bronwyn Taylor, join The Nationals team here and following their progress and that of the rest of The Nationals team in the years ahead.

We are fortunate to have first-class committee officers who work with members as we go about our committee work which, along with its High Court tested powers to call for papers, holds the Executive Government to account. It gives this House its political potency and assures its continuing relevance. I know I am tempting fate but the yellow press has not run an "abolish the LC" story for a while. The unceasing committee work of this place is one reason for that. Instead, journalists have recently lamented that the Fitzgerald inquiry failed to recommend that Queensland should once again have a bicameral Parliament.

I have served on countless inquiries and chaired some of its most challenging. From the Joint Select Committee upon Gun Law Reform to the latest budget estimates report, there was always something worthwhile to be learned—one of the most satisfying features of this vocation. At the seminar marking the twenty-fifth anniversary of the Legislative Council committee system I referred to the late Clerk of the Senate, Harry Evans' remark about the remarkable boldness of the Legislative Council in attacking Executive prerogatives and dragging reluctant governments to account. Harry Evans said the New South Wales Legislative Council has reaped the reward of being more courageous than the Senate and indeed any comparable House. He said:

It is a world leader in this area; in some respects ahead even of the United States Congress.

I have no doubt that in referring to being courageous he was referring, among other things, to the Orange Grove inquiry. Warren Cahill, who was required to serve a summons on a ministerial staffer during that inquiry, sent a goodwill message to that committee seminar. He was still recovering from Orange Grove and had retreated to safer climes. He was reporting from Mogadishu. After the Badgerys Creek inquiry in which Kristina Keneally appeared as planning Minister, I was outside the first aid room having had a flu injection. Kristina swept down the corridor and asked if I had already had the shot. I said that I had. She was disappointed. Kristina would have liked more pain to be inflicted. Her mother was the nurse doing the jabbing. The precipitate adoption of recommendations in that report by then Premier Rees has had a dramatic domino effect upon both sides of New South Wales politics ever since.

The whole time that I have been here I have been a member of the Privileges Committee, starting off with its work in developing the Parliament's Code of Conduct, and I have no doubt that I will miss that work in particular. I give special thanks to all of the Clerks who have worked on those important inquiries. Some inquiries were particularly challenging for Hansard and the Legislative Council. One former committee officer wrote to me recently saying very kindly:

I often think of my amazing experience working for you on all those big GPSC4 inquiries—Orange Grove, Pacific Highway ... It was a great way for me as a ... staffer to learn about the role and how to manage the *politics* of where we work.

There has been debate about our committee system becoming too adversarial and too partisan but I agree with the Leader of the Opposition, who has said:

I think the three standing committees initially established should strive to be bipartisan where possible. I think that when it comes to the scrutiny function of the estimates committees and select committees established to probe certain government actions, it is entirely appropriate for members of those inquiries to be inquisitorial towards public servants and adversarial towards ministers.

I think that is a realistic assessment of how the committee system will pan out in the foreseeable future. Being an election campaigner at heart I confess that, among other things, including policy development, the direct link between Legislative Council committee work and election outcomes is unqualifiedly satisfying. At a Governor's opening of the Parliament I noticed that the member for Tweed, Neville Newell, took his place in this Chamber and then fell asleep. I dubbed him Nodding Neville. The epithet immediately resonated in the Tweed media. The

Egan mini-budget terminated the Casino-Murwillumbah rail service and triggered another General Purpose Standing Committee No. 4 inquiry, which I chaired. That rail closure and the large public participation in the inquiry, along with the local member's perceived sleepiness in responding to a number of bushfires, was the catalyst for The Nationals regaining Tweed.

The Inquiry into the Transport Needs of Sydney's North-West Sector helped prepare the political groundwork for the then Opposition's election commitment to build the North West Rail Link. Before that I chaired an inquiry into rural and regional health services, which was one of the first general purpose standing committees to hold public hearings across the State. There were so many communities and medicos up in arms about the health services that I stretched Hansard and the staff by fitting in as many witnesses as possible.

All of my forebears in colonial Australia were pioneers in rural and pastoral communities. My grandfather, Bill Clayfield, was one. He returned from the Western Front and led a move to build a hospital in Penola, where I was born. While other towns erected statues in their main streets as war memorials, he and his colleagues built the hospital as the war memorial to the district's fallen. When he was the inaugural chairman of the hospital board when I was a child, I was aware of his visits to the health Minister to lobby for facilities and services at the hospital and the pride he took in keeping the hospital's finances in the black. Years later my sister and I learned that his hospital board provided superannuation to female employees—something practically unheard of at that time.

The parliamentary inquiry into rural and regional health led me to write a number of health policies and one ultimately became the policy setting up today's local health districts. That policy was announced by George Souris and me in Orange in 1999. That theme of local engagement and community ownership then became one of the pillars of the Liberal-Nationals campaign to be re-elected to government in 2011. An example of that is Adrian Piccoli's Local Schools, Local Decisions policy—one that follows in the footsteps of Ministers and leaders such as Earle Page, Dave Drummond and Charlie Cutler. Overall, many of those Legislative Council inquiries assisted in building the environment that made a change of government inevitable in 2011.

One series of committees that I have served on over the years has been those on election conduct, election funding and donation laws. I particularly remember one of my early joint party meetings when I was happy to see a Cabinet briefing paper seeking joint party room support for setting up an administration fund for political parties which the Hon. John "Johnno" Johnson and I worked on. I said to the Premier that I was pleased with his political pragmatism. He went bright pink and said, "Thank you for those kind words, Jenny, but I opposed the idea; I was rolled in Cabinet."

In recent times the vocation of being a parliamentarian has been called into question. Parliamentarians are more accountable than ever and I believe that we are in an honourable vocation. However, parliamentarians need to work harder than ever if we want to strengthen our democracy so that those sentiments are generally held in the wider community. I have enjoyed my role as a duty MLC in the Legislative Council for a range of electorates across the State. That role allows one to build networks, listen to a community's needs, develop policies that are locally relevant and identify and mentor future candidates. In the case of The Nationals, part of that job description shrank greatly after the 2011 election when we won almost all the seats that we contested.

There are so many moments that I can recall over the time I have been in this place: The untimely passing of my comrade in arms Doug Moppett was felt deeply across the Parliament—the Greens MLC Ian Cohen was so grief stricken he could not speak on the condolence motion, handing his notes to a colleague to read into *Hansard*; the opportunity to represent the New South Wales Opposition, at my own expense, at the canonisation of Mary MacKillop; the stunned look on Reba Meagher's face at a public hearing when I asked about the incidence of cockroaches on operating tables at Royal North Shore Hospital; and Sylvia Hale's question to Ron Medich at the Badgerys Creek inquiry that I had to rule out of order: "Did you have any involvement in the murder of Michael McGurk?" There are many others such as Franka Arena's statement of regret to the House after an intensive Privileges Committee inquiry. This red Chamber could have been the interior of Milan's La Scala, so dramatic was Franka's address.

Most of my time in this House was on the Opposition benches. With regard to the hard slog undertaken by Liberal opposition leaders and our colleagues—especially the Hon. John Brogden and the one who became Premier, Barry O'Farrell—I note the proverb: Those who drink the water should not forget those who dug the well. The Nationals' commitments in the 2011 campaign have been largely implemented and that gives us a sense of great pride. In my first speech I quoted something that the Hon. Sir Adrian Solomons said in his first speech:

In the years that I have been associated with my political party, I have had the opportunity to observe the self-sacrifice and self-discipline with which members of my party have approached the task while representing the electors of New South Wales. I know for a fact that this particular remark might well be applied to members of the other political parties.

Happily, after my years of service in this place, I largely concur with those words today.

**The Hon. STEVE WHAN** [3.57 p.m.] (Valedictory Speech): It has been one of my more minor ambitions to do a valedictory speech but the ambition is to do one from the other place. Giving a valedictory speech in the other place is generally the preserve of people who have safeish seats. Of course, it is no secret that my aim in leaving this place is to run again for the Monaro electorate and—in my ideal world—to win that seat and hold it. But I am giving a valedictory speech in the Legislative Council because, despite my term in this place extending to 2019, I will be submitting my resignation to the Governor at the appropriate time prior to the election and contesting the seat of Monaro.

It will be up to the people of Monaro whether my parliamentary career continues in the other place or whether it concludes after eight years in the other place and just under four years here. I do not take those voters for granted in any way and I know I stand the risk of losing. I want to make one thing clear though. Despite the Nationals' somewhat mischievous attempts to tell people in Monaro that they can vote against me and still keep me in this House, they cannot. It will be one or the other. If I am not elected in March to represent the people of Monaro it will be the end of my service to the voters of New South Wales. I will not seek or accept a reappointment to this place.

My decision to run again for Monaro is not a slight on this House. Over my term here I have gained a far better appreciation of the work done by the upper House than I had as a member of the lower House or as a Minister. More people in this State should appreciate the work this House does in scrutinising government. The committees do a terrific job and the things governments think are a pain, such as calls for papers, make a vital contribution to democracy. One can imagine what this Government would have got away with if the numbers in the other place after the last election held sway.

Before I say anything more, I want to record my appreciation of and thanks to the Legislative Council staff. I thank the very dedicated people who provide us with advice and assistance, the Clerks and all their staff, the committee staff and our wonderful attendants. They are all unfailingly friendly and helpful and they have made me feel very welcome and valued every day I have been in this place. As a person who rarely commits a speech to paper, I suspect that I may not be Hansard's favourite member. However, I very much appreciate the way that my off-the-cuff efforts turn miraculously overnight into coherent speeches. Thank you very much. Mr President, I admire the way in which you have done your job since I have been in this place. Your balance is a lesson to the rest of the Parliament. As a regular user of the gym, I personally thank you for your work in improving the facilities.

Some people probably think I am mad to leave a secure job that could be mine until 2019 to contest a Nationals-held seat. Some have asked me why I have not pushed for preselection in a safe lower House seat. I am in politics because of my beliefs and not because I want a job. I am a proud Country Labor and Labor member and I am involved in politics to make our community better. I come from a family with a history of service to our community. My father was a Federal member of Parliament and worked in agriculture, my great grandfather was a shire president in Wodonga, and my mother spent her working life in community service and as a member of non-government organisations and voluntary community organisations. My involvement in politics continues that community service. I acknowledge that that is the reason most of us are here. We are not here because we want a job or for personal gain; the vast majority of members are here for the right reasons. For me, the best way to serve our community and to make our community better is to have a Labor Government.

Some months ago I ran a forum for Country Labor members in our region to talk about future Labor policies. One of the things we were asked to do was finish the sentence, "On our best day Labor is ...". We came up with three responses, one of which was, "On our best day Labor is in government and delivering on its principles of helping and improving social justice and equity." That can mean many different things, but to me it is about education, public health care, regional development and jobs. It is also about decent community services and community infrastructure. However, the key point is that to do anything about any of these things we must be in government, and the only way to have Labor governments is to win seats like Monaro.

I loved my eight years as a local member and delivering for our area. It upsets me to see the way the electorate is being treated. When I was the member for Monaro, the Government delivered more than 450 separate achievements, including two completely new hospitals in Queanbeyan and Bombala; new ambulance stations; two new schools and many improvements to others; a dialysis unit in Queanbeyan; seven overtaking lanes on the Kings Highway; the duplication of Tomsitt and Lanyon drives; overtaking lanes on the Monaro Highway and Kosciuszko Road; new bridges over many rivers; making the route from Victoria to Canberra suitable for semitrailers and B-doubles; several new Rural Fire Service sheds and new fire control centres in Braidwood, Cooma and Bombala; many new fire brigade pumpers—and in the case of Braidwood, the first new pump ever; and new State Emergency Service and Rural Fire Service vehicles.



What has happened since 2011? For a start, unemployment has increased, the State government office block that the Labor Government built in Queanbeyan has been sold off, and public sector employment in Cooma—the biggest employer in Cooma—has also dropped away. There are a couple of bright spots. The dialysis unit at Cooma is good, but it is a very lonely achievement. Queanbeyan has seen no substantial government project commenced and finished by this Government. The Nationals made a lot of promises about delivering a high school for Jerrabomberra before the last election. However, nearly four years later, there has been no news, no school and not even the promised study.

The Government has recently promised to fund the Ellerton Drive extension, which is sometimes referred to as the bypass. My priority as the local member was road links to Canberra for commuters, the Kings Highway and the new hospital. I understand that the council is keen for the work on Ellerton Drive to proceed. The problem is that the funding for that project was supposed to be provided largely by the developers of Googong. Therefore, the State and Federal government funding essentially amounts to a gift to the developer of up to \$32 million. The Nationals promised to build a school at Jerrabomberra, but all it is delivering is traffic jams.

Government is also about providing community and social services. Services have been under attack since this Government was elected. The Nationals are missing in action when it comes to defending services for the elderly, the disabled, people with mental illness and the homeless. There was only silence from The Nationals when it was decided that Queanbeyan City Council would no longer be responsible for Home and Community Care [HACC] services and the Government redeveloped the partially State-funded HACC centre as office space. The State Government has walked away from providing community dementia services and has made major changes to mental health services that have caused great concern to community non-government organisations such as Home in Queanbeyan.

The long-established and strongly supported community-based organisation Monaro Crisis Accommodation in Cooma has just lost the contract to provide homeless services and as a result the crisis accommodation facility is now closed. Elderly people in Cooma are also very worried about the privatisation of the Home Care Service. The entire electorate is worried about the privatisation of poles and wires. I do not think that the voters of Monaro will be convinced by being offered a bribe in the form of funding for local projects. A large number of people in the electorate of Monaro want action on climate change. They support renewable energy targets and they certainly do not support The Nationals campaign against renewable energy in our region.

I am standing for the seat of Monaro because our region has always needed a strong representative. While we have Liberal-Nationals governments at both the Federal and State levels that becomes even more important. Where are our local Federal Liberals and Nationals when we need to defend the renewable energy target and to ensure that we retain jobs at the Boco Rock Wind Farm and that the next stage goes ahead? Where are they when we need to defend pensioners from changes to indexation or the many defence force personnel living in Jerrabomberra and the region who have been given an insulting 1.5 per cent pay increase? Where are they when we need to defend rural kids' opportunity to go to university or TAFE, which is under attack from both the Federal and State governments?

They are just some of the issues we are confronting, and I have not yet dealt with the problems facing public sector workers. The electorate of Monaro has more public sector employees than any other electorate in New South Wales. When they are targeted for cuts our communities suffer, and there have been cuts at both the State and Federal level. Another shop in Queanbeyan's main street closed down two weekends ago. We now have more vacant shops than I have seen in the past 12 years.

I am moving from this Chamber because our region has a great future, and I am asking the voters of that region to put their trust in me to help to deliver it. My agenda is focused on education, jobs, health and roads. I will stand up for our area, I will be there when I am needed and I will drive new opportunities. Members of Parliament must be community leaders when dealing with controversial issues. I recognise that my opponent—who was here earlier—probably thinks he can do the best job for the region. That is the beauty of our democratic system: we can both put our claim and have the voters judge it, hopefully in a fair election. By definition, that is an adversarial process. However, I suspect there are some issues about which we agree. I hope the Mr Fluffy asbestos saga is one of those issues. I believe I can make a bigger contribution to our region and our State by being the member for Monaro.

My time in the Parliament so far has been eventful. I was originally asked to stand for the seat of Monaro by Bob Carr in the 2003 election. I said I would do so if he delivered on my project wish list for the

Monaro. I have since discovered some people when asked that question seek assurances about ministerial appointments. Perhaps I should have done likewise. I have served under Premiers Carr, Iemma, Rees and Keneally. In all cases my number one priority has been the people of Monaro. I had the privilege of serving as a Minister from January 2009 until March 2011, and that was hugely satisfying. Morris Iemma first tried to get me in the ministry, but he was rolled and forced out. I was opposed to his overthrow and argued against it, just as I did when Nathan Rees was rolled. Those days have probably been the low points of my parliamentary career. Despite that, I have great admiration for all the leaders whom I have served. Morris won an amazing election victory in 2007 and he did not deserve to go the way he did.

Nathan Rees, who has become a friend, in his valedictory speech went through some of the things he achieved. I was finally elected to the Cabinet when he was Premier and enjoyed serving with him. He responded to some of our Country Labor agenda by introducing the country building initiative, which involved some well-focused programs, including the building of country halls and enabling Countrytell to provide broadband internet services in some parts of the State that otherwise would not have had it.

As I said, I opposed his removal but after it happened I enjoyed serving with Kristina Keneally. Kristina was Premier and I was Minister for Emergency Services when we massively boosted Rural Fire Service funding in response to the Victorian bushfire royal commission, introduced new ratings and neighbourhood safer places, rolled out defibrillators in all vehicles and many other initiatives. She also responded very positively to natural disasters, including a massive locust outbreak when we agreed to provide some \$18 million in funding to bolster the pest insect fund. Each of the Premiers I served provided farmers with in-drought support and an extensive network of extension officers.

I have always said no-one should enjoy a single day in Opposition, and there is no doubt being in opposition sucks. However, we have over the last four years done some very good work from a tough base. In the portfolios for which I am shadow Minister we have done some good policy work and highlighted the Government's failure in a number of areas, but, more importantly, we have a strong positive agenda. Our leader, John Robertson, has been absolutely tireless since we went into opposition and I appreciate his efforts.

I would like nothing better than to be the member for Monaro and a Minister in a Robertson government in April next year. There is a lot for us to do in the many portfolios I have covered, but I have particularly focused on the great opportunities from the Asian Century for our primary producers, particularly agriculture. The free trade agreement the Commonwealth has just signed with China offers us fantastic opportunities but the Government needs to focus on developing those opportunities from the ground up.

Even though I am hoping that this will not be my last opportunity to do this in the Parliament, I want to thank a few special people. I continue to be supported by some fantastic Country Labor people in the Monaro area—indeed, in many other parts of the State as well. I thank our Monaro branch members and my campaign team and the many loyal supporters who come up to me in the street and tell me how much they want me to run again. I particularly thank Joel Anderson, who has been working with me since I came into this place in 2011. I suspect I have not always been the easiest boss, a little grumpy at times, and going from having the staff and resources of government to being in opposition with one staff member has not always been easy. However, I appreciate the effort. To my colleagues here, I am looking forward to working with most of them in the next term and I wish those leaving all the best for their future. I hope I get the opportunity to work with many of my colleagues in the future. Many of them are friends and I cannot say I dislike any of my colleagues.

Most importantly I thank my family. My daughter, Maddison, is here today. She will turn 21 on Saturday. My son, Lachlan, is studying in Melbourne and is currently on an end-of-semester camping trip. They were under 10 when I came into Parliament and started commuting to Sydney. They are living in different cities and are at university now, but they put up with dad being away a lot as they grew up and I love them both for being so great about it all the time. They are special young adults.

My mum and dad have always been very supportive and Cherie's mum and dad and all our extended family and friends are always wonderful and very valued. I am about to run in my seventh election as a candidate, none of them in a safe seat. I have spent 12 years—and hopefully many more—essentially being a fly-in fly-out worker coming to Sydney, and I am still very happily married. My wife, Cherie, has been consistently supportive and loving all the way through and it is great testament to her belief in what we are doing and in me that she was the one who finally encouraged me to do it when I was considering whether to resign from this place and run again for Monaro. I would not be running without her support.

If the people of Monaro give me the honour of representing them again then I know that I will be doing it with Cherie's support. I love her and thank her for being such a support—she is at work in Canberra today. I thank everybody who has made the last 3½ years in this place a great experience. As I said, I thank all the staff of this place for helping to educate me on the value of the upper House.

*[Business interrupted.]*

### DISTINGUISHED VISITORS

**The PRESIDENT:** Order! I welcome to the President's gallery Mr Sumasy Singin, the Consul-General of Papua New Guinea, and Mrs Singin who are frequent visitors to Parliament House, particularly with the Hon. Charlie Lynn. They are always welcome here.

### VALEDICTORY SPEECHES

*[Business resumed.]*

**The Hon. CHARLIE LYNN** (Parliamentary Secretary) [4.15 p.m.] (Valedictory Speech): I was elected to the Legislative Council in December 1995. Since then I have served under five Liberal leaders of the Opposition, four Labor premiers and two Liberal premiers. I have seen the rise and fall of great political parties in this very Chamber: the Australian Democrats, who were eventually outflanked on the left by The Greens; the Better Future for our Children party represented by a bloke who did not have any children; the Outdoor Recreation Party represented by a bloke who developed indoor computer games; One Nation represented by one bloke, albeit a good bloke; Unity represented by a Dr Duplicitious; and Reform the Legal System represented by a bloke who then tried to reform the Labor Party—he soon returned to reforming the legal system because it was easier. We even had an Independent who was more sham than ho.

I have seen the emergence of The Greens under Ian Cohen and the reds under Lee Rhiannon. I have seen the rise and rise of the Christian Democratic Party under the crafty stewardship of the Father of the House, Reverend the Hon. Fred Nile, and the arrival of the Shooters and Fishers Party who have often flirted with a Guns n' Moses coalition. Although this diversity is obviously frustrating for government, I believe it is good for democracy because the greater majority of members in this place are committed to the values that brought them here. The recent debate on the Bowraville murders was a reminder of the willingness of members to work in close collaboration to right a wrong because it was the right thing to do.

It has been an honour and a privilege to represent the Liberal Party and to be a member of the Coalition Government during my term of office. I did not come into the Legislative Council via the normal process of working the numbers in the Liberal Party over a long period of time. I had been preselected as the Liberal candidate for Macarthur in what was then a marginal Labor seat bordering on an area of Labor heartland. After the Fahey Government lost the State election in 1995, I was offered a seat in the Legislative Council to allow John Fahey to run for the seat of Macarthur. When I arrived, it was my first visit to the New South Wales Parliament—in fact, it was my first visit to any parliament.

It is difficult to describe the feeling of pride I felt when I first arrived in our nation's oldest Parliament. I had not been able to finish my schooling in my hometown of Orbost, on the mouth of the Snowy River in Gippsland. I was conscripted into the Army from a bush camp in Nowa Nowa, saw active service in Vietnam and was selected for officer training. I went on to serve 21 years in the Army. My values were shaped by the leadership and mateship I experienced in this environment and I believe I was as proud as anybody to wear our uniform.

I soon learnt that these values, which are based on trust, loyalty and respect, are not that compatible with the Machiavellian nature of politics. However, I was pleasantly surprised to find that this Parliament is indeed a place of the people. During our party room meetings on a Tuesday various members would announce that their local branch members had hired a mini-van to come in from urban, outer urban, rural and regional areas for a buffet dinner. For a set fee they got a prawn cocktail, a roast, some pavlova, a few beers and some witty exchanges with Ministers and members who circulated through the room. After dinner they would visit both Chambers and have a stroll around the Parliament before the long drive home. For many it was the highlight of the year.

It was not a taxpayer-funded rort, as routinely described in the media. Those who came here were the unsung foot soldiers of our parliamentary democracy from across the parliamentary divide. They are the party

loyalists who do give a damn. They put their two bobs' worth in at branch meetings, knock on doors, do letterbox drops, hold street stalls and man the polling booths for their local members. Their only perk, if that is what one would call it, was a modest buffet that they willingly paid for. But it was not enough for the rort police in the media, so we priced their Parliament out of their reach.

Parliament was then fumigated and corporatised. I remember going down for dinner one night soon after the proletariat had been dispatched back to their mortgage belts. The table settings were immaculate, the menu unreadable and the new clientele largely disinterested. I joined a solitary figure, the Hon. Mick Veitch, for a feed down there. There were about 300 empty table settings—the corporates obviously had a better offer that night. We cracked a bottle of red and had a politically incorrect conversation about the sanctimonious wowsers now running the asylum. I can only hope that one day the Strangers' Dining Room will be rid of corporate strangers and returned to the unsung foot soldiers who do give a damn—while they still do.

Many have lost faith in the political process over the past couple of years as the major parties have been sullied by the Independent Commission Against Corruption [ICAC]. We do not know how this will impact on the next election but I believe that the first party to embrace reform, re-engage their supporters and re-empower their membership will reap the rewards of long-term political success. In the meantime, our political leadership must review the operation of ICAC. I appreciate that the process of public shaming is a powerful deterrent against corruption in the public sector; however, it is obviously not a deterrent to those who have no shame. I do not know how some of those who have been publicly shamed will ever recover their dignity.

Some were new to the political process and were caught up in the hubris of their first political campaign. They expected the Liberal Party to protect their backsides but the factional system within the party failed them. Nobody seems to have asked why some saw it necessary to establish a separate campaign fund in the first place—there had to be a reason. The result of what was effectively a series of political show trials has been tragic for a number of blokes who do not have a corrupt bone in their bodies. I would hope that the next government after the 2015 March election will move to have future ICAC hearings conducted in camera. If ICAC does find evidence of corrupt conduct by politicians or public officials then, and only then, should the full force of the law be brought against them.

I believe the Liberal Party, which I have been proud to represent, needs to urgently review its upper House preselection system, which currently leaves women barefooted in the political kitchen. The introduction of a provincial system about a decade ago has not resulted in a single woman being preselected as a provincial member of the Legislative Council. Current predictions indicate that no woman will be preselected for a winnable position on the "at large" positions on the upper House ticket. This effectively means that women, who represent 51 per cent of the population in New South Wales, will have zero per cent representation amongst the new batch of members in the upper House after the March 2015 election. Women will therefore regress to just 16 percent of Liberal representation.

This is not a good look for a progressive party that has been represented by 2,189 males and just 103 females—which represents 4.7 per cent of members—since the inception of the New South Wales Parliament in 1824. March 2015 could well be the first time in our political history when there will not be a woman elected to represent the Liberal Party in the New South Wales Legislative Council. Of equal concern to me is the fact that some 750,000 residents of Asian heritage in New South Wales will not have a single Liberal Party representative in this place. Without urgent reform the New South Wales Liberal Party risks being depicted as a white bread-Anglo enclave run by misogynistic factional warlords. This would be a pity because the wider membership of the Liberal Party is representative of the diversity within our State, but, unfortunately, the diversity will not be represented in this place.

One of our Liberal Party members, Dai Le, who is in the public gallery and is a refugee from the Vietnam War, was recently nominated by the *Australian Financial Review* as one of the 100 most influential women in Australia. She will struggle to get a winnable position in the Legislative Council because it seems that the deals have already been done. I can only hope that the Liberal Party organisation adopts the recommendation of the recent report from our party elders, which included the greatest Prime Minister of the modern era, the Hon. John Howard. I am confident this will happen because it is the most obvious way for us to harness the potential of our Liberal supporters throughout the State.

I would like to pay tribute to a number of people who have provided me with warm friendship and loyal support during my term in the Legislative Council. My first mate in this place came from the uniformed disciplinary services. I refer to the Hon. Mike Gallacher. If ever I had to share a weapon pit with anybody, Mike

would be my first choice. He came from what would be classified as a disadvantaged background, but he conquered whatever adversity he faced. Mike lives for his family—his mum, his wife, Judy, and his boys. He was an outstanding Leader of the Opposition in this place and Leader of the Government after the March 2011 election. I believe he was the most respected police Minister New South Wales has ever had. I look forward to continuing our mateship beyond politics.

I pay tribute to the current Leader of the House and Minister for Roads and Freight and motorcycles, the Hon. Duncan Gay, for his professional political leadership and his friendship. I pay tribute to all members of this House. While I certainly would never vote for at least half of them, I have a high degree of respect for the diverse views they represent and I wish you all well. Mr President, I pay tribute to you in your capacity as President of the Legislative Council. Your knowledge, your professional standard, your impartiality and your sense of fairness bring great credit to you and this House.

There are many others, too numerous to mention, whom I have been privileged to work with over the years. I would like to specifically acknowledge the former Leader of the Opposition, Chika, and the former Premier, the Hon. Barry O'Farrell. Both have shared the Kokoda pilgrimage with me and I am proud to have them as good mates. Chika and Barry shared the hard yards of the opposition years and their legacy will not be lost on Premier Mike Baird, who I believe has the potential to be the greatest Premier this State has ever known. To the doubters of this statement I can only say: watch this space.

To the rest, whom I do not have time to mention, I would just like to say that I luvs you all. I would also like to acknowledge the dedicated and loyal support of my secretary, research assistant and key adviser, Vi Le. I am a Vietnam veteran and Vi is a Vietnam refugee. I cannot begin to explain how proud I am of that linkage. It represents everything that is great about this great country we live in. If Vi had been working for me when I first joined the Parliament there is a good chance that I would now be Premier; however, that did not happen—to the great delight of the crooks, the spivs and the layabouts in this State.

I cannot mention all the staff in the Parliament who have helped me over the years but I can say that they are simply fantastic people. It has been an absolute pleasure to share my parliamentary experience with them. There is one person here today that I owe everything to: my beautiful wife of 48 years, Jill. Without her support I would never have made it out of the bush camp at Nowa Nowa. She has been my rock and my carer and I owe her everything I have ever obtained or achieved. I also pay tribute to our three beautiful daughters, Sharon, Terri and Tracie, and the world's best grandson, Tom Claverotte. With them, I have everything. Without them, I have nothing. I am therefore departing this place a very rich man.

I acknowledge my friends in the public gallery today, including my fellow veterans and my good mate the Papua New Guinea Consul-General, Mr Sumasy Singin, and his wife, Mary. Sumasy is a wonderful ambassador for his country. Papua New Guinea is close to my heart and I look forward to spending a lot more time working with its people to protect and preserve the wartime integrity of the land that is sacred to our heritage.

I would like to conclude my valedictory remarks with a reference to my involvement in Veterans Affairs over the past four years. I was privileged to be appointed Parliamentary Secretary for Veterans Affairs by former Premier Barry O'Farrell after the March 2011 election. Veterans Affairs was established by the former Labor Government, and I acknowledge their dinkum commitment to honour our Anzac heritage through commemoration and education. I would also like to acknowledge the commitment of former President the Hon. Peter Primrose when he advised me that veterans would have first call on the use of his President's dining room if ever they required it. I have never forgotten that offer and I hope that I have upheld the spirit of bipartisanship that should always be a feature of Veterans Affairs.

Unfortunately, the introduction of a cluster system by a Liberal policy wonk saw Veterans Affairs moved from the Premier's department and demoted to Education and then to Communities, where it existed at the end of the food chain for some time. Fortunately, under the stewardship of Mr Phil Minns, that is in the process of being rectified, and Veterans is now back in the Premier's department. Next year we commemorate the centenary of the landing of our Anzac troops on the Gallipoli Peninsula. Some have referred to this as the baptism of our nation. Until then we were regarded as a colonial outpost of Great Britain, but since then an independent and somewhat irreverent Australian character has emerged. If you wanted their respect you had to earn it; if you wanted their trust you had to earn it; if you wanted their mateship you had to earn it. These qualities could not be ordered by political leaders or ranking officers. They had to be earned.

Our Anzac traditions have since been upheld in the Second World War and in later conflicts in Korea, Vietnam, Iraq, Afghanistan and who knows where right now. Unfortunately our veterans who were united in action during their service have fragmented in peace time. The major representative bodies such as the RSL and Legacy do outstanding work in looking after the welfare of veterans, as does the Commonwealth Department of Veterans' Affairs. There is a myriad of other associations representing war widows, divisions, brigades, battalions, ships and ear wings. They are all well intentioned and do wonderful work in ensuring that the sacrifice of their mates is never forgotten. But they are sitting on a demographic time bomb, and many will not exist in the not-too-distant future. Some are sitting on substantial assets but they cannot be utilised to the maximum because of inter-service, inter-unit and inter-organisational jealousies.

The Centenary of Anzac period offers a timely opportunity for all ex-service organisations to review their modus operandi to ensure that their legacy is perpetuated through commemoration and education. We also need to see the leadership of the major organisations provide a voice for their members on our current strategic situation. Former Army Chief of Staff General Peter Leahy recently warned that the war on terror could last for the next 100 years. Therefore, we need to commemorate the history of our sacrifices over the past 100 years and educate our community on the strategies we will need to adopt for the future. We must ensure that the beliefs and values our Anzacs fought for inspire us in the challenges we will inevitably face in the war against terror. Appeasement should not be an option in this regard because terrorists have no respect for the values we treasure.

Recent dictates that discourage our service men and women and cadets from wearing their uniform in public should be reviewed. Our military uniforms are a symbol of national pride. During my Army career I spent two years as an exchange instructor with the United States Army. I can advise members that Australians are held in the highest regard by our American allies because of our shared sacrifice and defence of freedom. When I was on the edge of my fear threshold in a large C141 Starlifter jet at 20,000 feet, loaded down with heavy equipment, oxygen bottles and rifle, and had to throw myself out the side door in the dark of night, the only thing that got me across that threshold was a small Rising Sun badge on my left shoulder and everything it represented.

We should not allow our troops or our cadets to be intimidated by gutless terrorists within our midst, and we need to send a clear message to future arrivals that while they are most welcome they should hang their hats of hate on the rack at the port of arrival or leave. As parliamentarians we need to ensure that our intelligence agencies have all the resources they need to protect us from their medieval savagery. I will share the legacy of what we stand for. Osmar White, who was at Isurave during a difficult time in the Kokoda campaign, saw young boys and men in the most horrendous conditions. He paid tribute to them when he saw that. He said:

I was convinced for all time of the dignity and nobility of common men.

I was convinced for all time that common men have a pure and shining courage when they fight for what they believe to be a just and shining cause.

That which was fine in these men outweighed and made trivial all that was horrible in their plight. I cannot explain it except to say they were at all times cheerful and helped one another. They never gave up the fight. They never admitted defeat. They never asked for help.

I felt proud to be of their race and cause, bitterly ashamed to be so naked by the true ills of my own flesh and I wondered if all men, when they have endured so much that exhausted nerves would no longer give response, were creatures of the spirit, eternal, and indestructible as stars.

One day I attended a small service at the Cenotaph. The late Sergeant Stan Bright Bryant recounted the exploits of the 8th Division and their sacrifice in Malaya during the war. He left us with a message. He said:

I say to all you people here today. To you who are responsible for governing this country, to all you who hold positions of leadership in the community, to all Australians. It is from the men we honour today that you inherited this land.

These were the men who helped build this nation. They were the ones associated with building of our harbours and our bridges. They sealed the roads across the black soil plains, and they built the railways across Australia. Then they fought off the Japanese invasion so that you could inherit this country.

You now have the fruits of our labours. The cities and the harbours and the plains are yours. We few survivors are aged and can only look on with pride and wish you success in the future.

But we do charge you, to accept the responsibility of your inheritance and nourish and guard them with care.

And remember always, the men of the Eighth Australian Division and the two ships who stood between the Japanese invasion and Australia. They paid the price of your future. Only they know the real cost.

And remember—remember—we solemnly promised God that we would never forget!

We are in charge of that legacy. When the late Colonel Phil Rhoden led a parade in Isurave in 1996 he said:

Those of us now reaching the end of our time should continue to see that our children and their children embrace the notion that the death of the brave is never in vain and, a good action never lost to the world while there is but one actor or observer left to preserve the record of the event.

I leave all members of this Parliament with the words of John McCrae's epic poem *In Flanders Field*:

Take up our quarrel with the foe:  
To you from failing hands we throw  
The torch; be yours to hold it high.  
If you break faith with us who die  
We shall not sleep, though poppies grow  
In Flanders fields.

Lukim yu, Mr President. Lukim yu, members. Thank you for the privilege of serving as a member of the New South Wales Legislative Council. God bless this great country we live in.

**The Hon. PENNY SHARPE** [4.40 p.m.] (Valedictory Speech): In October 2005 I was given one of the greatest honours of my life. I was selected by the Labor Party to become a member of the New South Wales Legislative Council, replacing the irreplaceable Carmel Tebbutt. It has been nine years since I stood nervously in front of the President to take the oath. At that time the oath was to the Queen of Australia, her heirs and successors. I really wish that I had been warned about that before I had to stand in front of the President. As a republican I have to say I did have a moment where I wondered whether I was going to be able to go through with it. I am so very pleased that in 2006 the Labor Government changed the oath to ask members to swear allegiance to Australia and, most importantly, the people of New South Wales. It is also important and appropriate that this place recognises the traditional owners of the land we meet on, the Gadigal people of the Eora nation.

In November 2005 I tried to put into words what I hoped to achieve in the time that I was a member of this place. I committed myself to advancing and defending the best education that New South Wales can provide to every student. In government I saw Labor lower class sizes, focus on early learning through preschool, support teachers and raise the school leaving age to 17. I was proudly part of a government that was committed to second-chance education, fine arts education and skills development through TAFE.

Nine years ago I committed myself to advancing equality for women. I remain concerned about the inequality that women in New South Wales face—inequality for women driven by violence. Not a week goes by where women in this State are not murdered, raped or subjected to horrendous assaults—most often at the hands of men in their lives. And while there have been some good developments in legislation, policy and practice, the case remains that, for all the fear and loathing of violence in our community, women are still not the highest priority when it comes to government focus, resources or attention.

The reproductive rights of women in this State, including the right to decide the number and timing of children that a woman will have in her life, exists through very fragile legal underpinnings that continue to be tested and challenged by those seeking to place their moral values on the choices that women face in their daily lives. There is no place for abortion to exist in the Crimes Act in New South Wales, yet it does. I remain frustrated that there has not to date been the numbers in our parliaments to make possible this important reform. Political grandstanding on this issue will not have it resolved. Careful, strategic campaigning and persuasion across the political divide will. Failure to get this right could put more conditions and barriers in front of women as they try to exercise reproductive choice. We must act but there is no room for error.

Women remain chronically under-represented in the New South Wales Parliament—another issue that requires attention from all political parties who say they are committed to equality. When I started in this place I realised early on that very few people know what it is that we do here every day. To address this, I sought to use technology to try to shine some light on our decision-making and to give people information they needed to have input into the issues we were examining and the laws we sought to pass, block or amend. A website, electronic newsletter and later social media accounts—perhaps even social media addiction—have been my attempt to open up this place.

I worked with that noted tech-averse former Premier Nathan Rees to do something in government about opening up public data for public use. It has been good to see this work continue through the new Government, but I acknowledge the role of former Premier Nathan Rees—he did not know what an app was when I tried to

explain it to him. The development of online tools to improve transparency and open our parliaments have improved, but there remains more work to do. I believe we can overcome time and distance to make our decision-making more meaningful for more people, and that in itself is a good thing.

As a Labor member of this place I have always sought to improve the lives of working people in this State. Support for the once-in-a-generation equality pay case for community workers, campaigns to improve the wages of early childhood educators and cleaners, and fighting for a focus on high-skilled jobs in New South Wales through our manufacturing industry have made a difference to people in this State. One of the unexpected delights of being a member of the New South Wales Legislative Council has been the ability to work through challenging issues in our committees and through legislation.

In a very partisan political environment, few outside this place would know the good work that has gone on behind the scenes on issues of huge importance to the people of this State. It is in the calls we have had to make through free or conscience votes on legislation that has perhaps seen members work at our best. Whether it was making the New South Wales Medically Supervised Injecting Centre permanent or finding an ethical approach to the regulation of stem cell research or surrogacy, there has been considerable work with genuine community consultation that has informed our views and helped to shape the law.

In my time here gay, lesbian, bisexual, transgender, intersex [GLBTI] law reform is one of those issues where there has been real progress, to which I have been able to make a contribution. Removal of discrimination against same-sex couples in all areas of New South Wales law became a reality under the previous Labor Government. This has made a real difference to the lives of gay men and lesbians and their families. As just one personal example of what these law reforms mean, I came into this Parliament with two children. At that time they were not recognised as mine. I subsequently have had another child or, more importantly, my partner has had our child. Through the work that occurred in this place by former Attorney General John Hatzistergos, the support of former Premier Iemma and the campaigning of the GLBTI community organisations in this State, thousands of children in this State now have the legal protection and recognition of both their parents.

I acknowledge the work done by Clover Moore on adoption that made the best interests of children the only criteria for being able to adopt a child in this State. I was proud to sponsor this bill through the Legislative Council and, of course, see it narrowly pass. It was through the adoption debate that the beginnings of a strong working relationship were formed by members in this place which has gone on to continue GLBTI law reform—something that has been a highlight of my time here. While our attempt to progress marriage equality in New South Wales was defeated by just one vote this year, I know that marriage equality is a matter of when, not if. I hope that our efforts in this regard have brought this change closer to reality.

I cannot leave the New South Wales Legislative Council without thanking the many people who have supported me and the work I have contributed to. I thank the Labor Party members and our affiliated unions who have put their faith in me over nine years. To my Labor colleagues who have provided friendship, guidance, courage, expertise and leadership, I say thank you. To those of you—and I will not embarrass you or endanger your preselection by naming you—who have reached across the aisle to find common ground, share great humour, provide personal support and develop private friendships, I thank you.

Thanks especially to the wonderful people who have worked for me over the years. Our staff make us look good every day. They do all of the hard yards, they get very little of the thanks. Kate Deverall, Liam Hogan, Cathy Brown, Amber Jacobus, Neha Madhok and Callum Drake—all of you have made the work I do possible and you have done it with good grace, great skills, incredible commitment and many laughs along the way, even when I am being extremely annoying. I will recognise one Opposition staffer, John Macgowan. You have a very difficult gig but you do it very well, you do it professionally and you have been one of the best people I have seen in that role in the time that I have been here. To the staff of the Parliament, I do not want to name you all. I agree with everything that other members have said today. You are professional, hardworking, discreet, skilled and, most importantly, patient. There is so much that you do for our State; we are all in your debt and I cannot thank you enough.

Although I have four years to go on my term, there are three reasons why I will be resigning from the Legislative Council to contest the new electorate of Newtown. The first is personal. Earlier this year the redistribution of our electoral boundaries created a new electorate called Newtown. Newtown takes in the suburbs of Surry Hills, Redfern, Chippendale, Darlingtown, Erskineville, Eveleigh, Newtown, Enmore, Camperdown, Stanmore and Petersham. These are the suburbs I have called home most of my adult life. For me



the opportunity to represent the community I love and care for is an opportunity I cannot pass up. I want to put the people of Newtown at the heart of a future Labor Government so that we can work together to deliver the results our community needs.

The second reason I am running for Newtown was articulated first—although I did not know it at the time—in my inaugural speech. I said that for me involvement in politics was to stop talking and to actually start doing something and taking action. The community preselection in Newtown was an opportunity to stop telling people about how Labor needed to reform and instead go out there and demonstrate what reform could look like. I am humbled that through a community preselection that more than 1,000 community members in Newtown and hundreds of our local Labor members chose me to be the Labor candidate.

As I had the privilege to sit in Sydney Town Hall for Gough Whitlam's memorial service I, like many others, was given pause to reflect on how the power of ideas can be transformed into reality if you have the courage and the commitment to put your ideas to the people and seek to win government. It is through government that significant and transformative change can be fought and won. Never has that been more real than for the past four years as I have sat on the Opposition benches.

This brings me to the final reason why I am leaving this place. I want to make a contribution to the return of a Labor government in New South Wales so I can be part of the change I want to see in this State. I will never be content to lobby from the sidelines. I leave this place because the communities that form the electorate of Newtown need a Labor government; Newtown needs strong, effective Labor voices to stand up for its community. I seek to win the trust of the people of Newtown to make this happen. Being a member of the New South Wales Legislative Council has been a privilege that I shall remain ever grateful for. I hope I see all of you on the other side in March 2015.

**The PRESIDENT:** I welcome to the President's gallery Dr Lauretta Luck, the partner of the Hon. Helen Westwood.

**The Hon. HELEN WESTWOOD** [5.51 p.m.] (Valedictory Speech): I am in the difficult position of not knowing whether I will be returning after March 2015. While it is true that I was not preselected by my faction to be a candidate on Labor's upper House ticket for next year's State election, the leader of my faction has kindly offered me the No. 9 spot on the party ticket. It is true that I originally thought I had a better chance of winning the lottery than being elected at the No. 9 position. I have now reached the view that John Robertson has been doing such an excellent job as Labor leader that I could be returning to this place next March. However, I am enough of a realist to know that I may not. Therefore, I take this opportunity to place on the public record some of my observations and experiences during my term should this be the last time I speak in the New South Wales Legislative Council.

It is a privilege to serve in this place, an opportunity afforded to relatively few of our fellow citizens, and even fewer women. I am sincerely grateful to be one of those fortunate enough to have made a contribution to the Parliament of New South Wales. I thank the people of New South Wales who voted Labor in the 2007 State election for the opportunity that their confidence in Labor afforded me. I particularly want to thank the women and men of the Australian Labor Party [ALP] who share my belief in our great party's capacity to change our nation for the better. Without their dedication and their unpaid work the ALP certainly would not have had the electoral successes it has enjoyed. It is the result of so many committed Labor members.

When elected in March 2007 I was a serving councillor on Bankstown City Council and had served four years as the city's mayor. My time on Bankstown City Council met all my expectations of just what can be achieved through good governance, progressive policy direction, community engagement and inclusive politics. Following that experience I came to this place with great expectations of what I may be able to achieve as a member of State Parliament. I have to say that serving and former members of Parliament had advised me:

You can get far more done as a local councillor and mayor than you'll ever achieve as a backbencher.

Over the last 7½ years there are times when I have thought that they were right. However, at other times, such as this month when the report of the Standing Committee on Law and Justice's inquiry into the Family Response to the Bowraville Murders was tabled, one fully appreciates the breadth of the reforms that can be achieved through the parliamentary processes and what differences can be made to the lives of individuals and communities. One of the common experiences at all levels of government is the opportunity to work with communities on projects and issues. I have had the privilege of working with many community organisations and community-minded individuals during my term in this place.

Of course, it is impossible to thank and name them all. However, there are a few I want to mention tonight. One of the most satisfying experiences I have had during my term has been to host the National Week of Deaf People at Parliament House. This is the people's Parliament and each day citizens and tourists from diverse backgrounds visit to explore its spaces and places in our State's history. I noticed early in my term how few deaf people seem to visit the Parliament. It was this observation that helped me to host a National Week of Deaf People event. I am proud it is now an annual event.

One of my disappointments about not being here after March 2015 is that this event may no longer be celebrated at Parliament, but I am pleased to say that after I approached the Minister for Disability Services, the Hon. John Ajaka, he has agreed to ensure that the National Week of Deaf People continues to be an event on the parliamentary calendar on the condition that I work with him to bring the event to fruition each year. I thank him for his commitment to continuing this event as it has been a great success amongst the New South Wales deaf community and has allowed hundreds of deaf and hard-of-hearing students to visit the Parliament and interact with their local members—and even question the Premier—over the seven years that it has been held.

I thank members of the Deaf Society of NSW, who are present in the public gallery today, for their friendship and work with me. I particularly want to thank the Deaf Society of NSW, Deaf Australia and parents of deaf children who have partnered with me each year to ensure that the National Week of Deaf People is a great success. I first came into contact with the Deaf Society of NSW over 30 years ago when my daughter Hayley, who is deaf, was just a toddler. I have welcomed the opportunity to work with the leadership team during my term.

Through their advocacy and my representation to a number of Ministers for Disability Services, we have achieved great outcomes. The smoke alarm subsidy scheme for deaf and hard-of-hearing people and emergency broadcasts interpreted into Auslan are just two I want to mention. I thank, in particular, the Hon. Peter Primrose, who, as Minister for Disability Services, acted on both these important areas of reform for the deaf community. I thank and acknowledge subsequent Ministers for Disability Services who have acted on the representations I have made to them on behalf of the New South Wales deaf community.

I acknowledge the great work of the Muslim Women's Association and, in particular, Maha Abdo-Krayem, Wafa Zaim and Dr Ghena Krayem. That organisation has faced difficult times through the current climate of Islamophobia. They do invaluable work supporting women facing discrimination. I acknowledge the great work of a number of women's organisations that I have had the privilege to work with—Domestic Violence Australia incorporating the Rape Crisis Centre, Women's Health NSW, Women's Legal Services, the Women's Electoral Lobby, F Collective, Jessie Street National Women's Library, Family Planning NSW and the Australian Local Government and Women's Association.

I acknowledge SHINE for Kids, which does great work with children whose parents are incarcerated, the Australian Drug Law Reform Foundation and Rainbow Labor. I acknowledge the wonderful work of a couple of community centres in my duty electorate of the Blue Mountains—the Blue Mountains Women's Health Centre and the Katoomba Neighbourhood Centre. I mention Gavin Prendergast of Parramatta Pride, who provides a great service for the gay, lesbian, bisexual, transgender and intersex [GLTBI] community in Western Sydney, of which there are far too few, in my view.

As a backbencher I have found that it is in the work of the committees that the best work of the Legislative Council is done. It is the inquiries and the reports of those inquiries where we truly fulfil our role as the House of review. I spoke last week of my valuable work on these committees but I particularly want to mention two. It is often said that while failure is an orphan, success has many parents. Having said that, I am going to claim credit for initiating the inquiry into the partial defence of provocation. It is true that other honourable members had a desire to see this law reformed. However, I am confident that had I not pursued this issue with my Labor colleagues it would not have happened in the Fifty-fifth Parliament.

It was my representation to Labor leader John Robertson and shadow Ministers the Hon. Paul Lynch and the Hon. Adam Searle that allowed me to move the motion to establish the inquiry. I want to thank all members for their support. I particularly thank the Hon. Robert Brown, the Hon. Robert Borsak and the Reverend the Hon. Fred Nile because I believe that, without their support, the inquiry would not have proceeded. The successful outcome of a unanimous report and recommendations and the subsequent reform to provocation law through both Houses of Parliament is a highlight of my parliamentary career.

The Inquiry into Domestic Violence Trends and Issues in New South Wales through the Social Issues Committee is another of the inquiries where I was able to make an important contribution. I have previously

spoken of my passion to see these recommendations implemented and all members know my commitment to stopping violence against women. Early in my term I made a decision of principle that shaped—and at times perhaps misshaped—my time in this place. When I made that decision I could not have imagined the impact that it would have on the then government or on me personally. Today I need to place some of the facts of that time on the record in the hope that the mistake at the heart of the incident I am referring to is never repeated.

In my inaugural speech I spoke of my experience as a community worker in some of Western Sydney's most disadvantaged communities. I noted that, as a community worker, one gets to see the best and the worst of humanity. In particular, I spoke about the appalling impact of domestic violence on women and their children. Regrettably, there are still daily news reports of women who are suffering or are killed at the hands of their intimate partners. What I did not detail in my inaugural speech were two very personal experiences of domestic violence that have formulated my belief that violence against women is a terrible crime that has serious long-term detrimental impacts on women and their children and strengthened my conviction to do all I can to put an end to it.

When I was a small child a neighbour came to our front door. As my mother led her into our house I saw that her face was bleeding from cuts to her mouth and cheeks and that her eyes were swollen and bruised. As my mother comforted her, she apologised for disturbing us and asked if she could sleep under our house until her husband calmed down. This was my first experience of domestic violence and one I will never forget. Of course, my wonderful mother took care of her, took her to the hospital for treatment and gave her a warm bed for the night.

As a community worker in disadvantaged communities, I dealt with domestic violence on a daily basis, referring women and their children to refuges and women's legal services, assisting them to obtain domestic violence orders [DVOs], referring them to counselling and assisting them to put together a plan to escape their partner's violence. None of these experiences prepared me for dealing with the domestic violence that occurred in my workplace in the early 1990s. The perpetrator was a powerful man—a member of Parliament with strong and influential networks in politics, business and sport. Confronting this perpetrator in my workplace to prevent his violence and taking care of the woman and helping her to escape his violent and controlling behaviour was not part of my job description but it became a key part of the role I played in that workplace. It went on for months as I tried all within my power to stop his violence. Eventually, with the help of a number of others, his violent and controlling behaviour towards this woman was stopped but only when those in even more powerful positions than he, threatened his preselection for his safe Western Sydney seat.

Prior to being elected to this place I recall sitting in the Sydney Town Hall at the 2006 New South Wales Labor State conference hearing then Premier Iemma speak of his vision for New South Wales and the key planks of his reform agenda in the lead-up to the March 2007 election. I could not have been more delighted or prouder when he spoke of putting an end to domestic violence and violence against women as a central part of his policy platform. I was excited, knowing I would be part of a government that took violence against women seriously and saw it as the very serious criminal and social justice issue that it is.

When the Premier announced the new ministry for the Fifty-fourth Parliament, I was mortified to learn that the perpetrator of violence against the woman in my 1990s workplace was about to be sworn in as a Minister of the Crown, to be the Minister for Sport and the Minister for Western Sydney. I was horrified. I could not believe that we had gone to the election with stopping domestic violence as a key plank of our policy agenda and we were now going to have a perpetrator of violence against women appointed to the Cabinet. I realised then that, as a member of the Government, I had a responsibility—indeed, a moral duty—to report what I knew to be true. I accepted that for some the well-known allegations about this man were simply rumour. However, I knew it to be fact, and I had an obligation to report it to the Premier.

Call me naïve but I was not prepared for what my actions unleashed. There was nothing short of a media frenzy in the following days and weeks. Some of what was reported was incorrect but much was accurate. I have never spoken to a journalist about the events in 2007 or about the violence in my former workplace because I have integrity—not because I wish to protect the perpetrator. There is still a tendency of our media to treat violence against women as salacious gossip, if the perpetrator or the woman subjected to the violence is a public figure or a celebrity. This is most unjust and is one of the reasons why women in those circumstances do not apply for domestic violence protection orders because the moment their name appears on a court list, they are subjected to media attention in a way that further traumatises them.

Of all the media reports at the time, the articles that most accurately reported the facts were those by Brad Norrington in the *Australian* on 7 and 8 April 2007. On page 4 of that edition, he wrote an article entitled "Violence Crusader Blocked MP" and an article entitled "Kicked out of Play" on page 19 of the same edition. In one of those articles it states: "One of Ms Westwood's supporters said she had committed an outstanding act of

harakiri that demonstrated her strongly held convictions". I want to make it clear: It was not an act of harakiri; it was an act of principle. I believed then and I believe now that not to report what I knew to be fact was unethical. I will not be silent about violence against women; not then, not now, not ever.

Sarah Wendt, in a recent article questioning why we do not speak up when we see signs of domestic violence, argues that we struggle to say something about domestic violence because it demonstrates the problems of gender inequality, sexism and discrimination at its utmost severity. We fear naming gender inequality because, by doing so, we threaten the deepest fabric of our society. There is no doubt my actions then had threatened the plans of the men of power at the time and they decided that I needed to be punished for not abiding by their code of silence. I will never be silenced. I soon became persona non grata and was banished to the back bench, file marked "never to be promoted".

I expected that from some unethical people who had disproportionate influence over the Government at the time. I was disappointed that the leaders of my own faction did not stand with me to ensure that I was not punished for speaking out about violence against women. I was disappointed time and again while I undertook my responsibilities on the back bench. More important than my personal disappointment is the message that my punishment sends to young women and the wider community about speaking out against violence against women. No-one should be punished for speaking out against domestic violence.

As upper House members, one of our most important areas of responsibility is to represent our duty electorates. It has been one of the great pleasures of these responsibilities to work with the Australian Labor Party branch members in Ku-ring-gai, Davidson, Upper Hunter, Wakehurst, Miranda, Hawkesbury, Sefton and the Blue Mountains. In particular it has been a real privilege to work with the fabulous Trish Doyle—the next member for Blue Mountains—and the Labor councillors in the duty electorates.

I will be disappointed not to return in March next year as there are still many difficult areas of reform to which I had hoped to contribute. One of the things I have learnt is that in these most difficult areas of social policy and law reform it is best to work across the Parliament. We need to reach out to like-minded people across the Parliament and work together to achieve progressive law reform, especially in the areas of women's reproductive rights; medicinal cannabis; the rights of the terminally ill; advancing the rights of the gay, lesbian, bisexual, transgender and intersex community; drug law reform; and gender equality.

There are so many people to thank. I begin with the staff of the Parliament. There are far too many to name, but I especially thank the staff of the Legislative Council, the Clerk and his team, the attendants, Hansard and the catering and IT staff. You make our jobs so much easier. I cannot say enough about Karen McKeown. She has been with me since my election and is an outstanding advocate for Western Sydney and women in local government. I thank the Australian Services Union [ASU], and in particular Sally McManus, Michael Flynn and Natalie Lang. I thank them for their leadership and the ASU members for their commitment and support throughout my career. I thank Peter and Jan Primrose, my longest-standing friends within the Australian Labor Party, for their friendship and support.

I said in my inaugural speech that I hoped I would leave this place better than I found it. It will not be a better place with fewer women, and it will not be a better place without the voices of Western Sydney women. I offer my best wishes to all other retiring members and to those who will serve in this place after March 2015. I hope they legislate well for the people of New South Wales. I also acknowledge the wonderful friends I have made in this place. Of course, that includes my colleagues on this side of the Chamber. However, I have made friends across the Parliament. I particularly acknowledge the Hon. Melinda Pavey. We have worked together on some very interesting projects, including the Paddling Pollies team, which raised funds for breast cancer research, and the Spring Ball, which was great fun. I hope others enjoyed the event.

Finally, I thank my wonderful family, who have always supported me and who have had to pay the price of my not being there for them as often as I should have been. I thank my late father, Harry, and my darling 89-year-old mum, Cecily; my two beautiful daughters, Jessica and Hayley; my delightful grandchildren, Isabella, Lachlan, Tamara, Chelsea, Dalia, Alex, Gabriella and Dominick; my wonderful sons-in-law, Brett and Elias; my talented brother, David, and gorgeous nephew, Jackson; and, of course, my darling partner Lauretta Luck, without whose love, support and understanding I could not have survived.

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

**Motion agreed to.**

**STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL (NO 2) 2014****In Committee**

**Consideration resumed from 18 November 2014.**

**TEMPORARY CHAIR (The Hon. Natasha Maclaren-Jones):** I advise the Committee that an additional Government amendment on sheet C2014-176 is being circulated.

**Dr JOHN KAYE** [5.18 p.m.]: My understanding is that the Parliamentary Secretary has moved the amendment on sheet C2014-129A-2. My reading of *Hansard*—

**TEMPORARY CHAIR (The Hon. Natasha Maclaren-Jones):** Order! I have just advised the Committee that an additional amendment is being circulated.

**Dr JOHN KAYE:** I now have a copy of that amendment.

**The Hon. Adam Searle:** Do not amendments have to be circulated before we go into Committee? Do they not have to be lodged with the Clerks before we go into Committee?

**TEMPORARY CHAIR (The Hon. Natasha Maclaren-Jones):** Order! There is no rule requiring that. Although it is ideal, it is not a requirement. It is up to the Chair to decide. I have approved that amendment being circulated in the Committee stage. To Dr John Kaye's point, we have before us—

**Dr JOHN KAYE:** Point of order: I am having difficulty hearing this particular matter.

**TEMPORARY CHAIR (The Hon. Natasha Maclaren-Jones):** Order! I ask members to resume their seats. If they are conversing they should not do so near the microphones. To Dr John Kaye's point, before the Committee we have a motion that was put by the Parliamentary Secretary last night. The motion is on sheet C2014-129A-2. This is the motion to split the bill in two.

**Dr JOHN KAYE:** To be clear, we have not voted on that yet?

**TEMPORARY CHAIR (The Hon. Natasha Maclaren-Jones):** No, we have not.

**Dr JOHN KAYE:** The first item of business is to split the bill.

**TEMPORARY CHAIR (The Hon. Natasha Maclaren-Jones):** Yes.

**Dr JOHN KAYE:** Then the Committee deals with each bill, one after the other.

**TEMPORARY CHAIR (The Hon. Natasha Maclaren-Jones):** And amendments, yes.

**Dr JOHN KAYE:** First, we will deal with the first bill to which there will be no amendments, and then the supposed second bill, which I dispute the existence of, and we may have amendments to that.

**TEMPORARY CHAIR (The Hon. Natasha Maclaren-Jones):** That goes back to your point from last night. The schedules will be voted on individually, with the items put separately.

**Dr JOHN KAYE:** Madam Chair, will you ask whether leave is granted to deal with each of these bills as a whole, because we could deny leave on the second bill and deal with it clause by clause. It is a short bill and that would be the appropriate way to proceed.

**TEMPORARY CHAIR (The Hon. Natasha Maclaren-Jones):** That was done last night, but I am happy to do that.

**Dr JOHN KAYE:** With respect, it could not have been done last night because the second bill did not exist last night. We had only one bill last night.

**The Hon. Duncan Gay:** We agree with everything except the last bit.

**TEMPORARY CHAIR (The Hon. Natasha Maclaren-Jones):** I will put the motion to split the bills, but before I do so are there any further speakers to the motion to split the bills, as put on sheet C2014-129A-2?

**Question—That Government amendment [C2014-129A-2] be agreed to—put and resolved in the affirmative.**

**Government amendment [C2014-129A-2] agreed to.**

**TEMPORARY CHAIR (The Hon. Natasha Maclaren-Jones):** If there is no objection the Committee will deal with the Statute Law (Miscellaneous Provisions) Bill (No. 2) 2014 as a whole. The question before the House is: That the Statute Law (Miscellaneous Provisions) Bill (No. 2) 2014 as read be agreed to.

**Dr JOHN KAYE** [5.25 p.m.]: Madam Chair, as I understand it, the Government amendment on sheet C2014-129A-2 needs to be moved to remove the sections from that bill. The Parliamentary Secretary needs to seek leave to move the amendment. That will remove the provisions that have been put into the new bill from the old bill, and then we go to the new bill.

**TEMPORARY CHAIR (The Hon. Natasha Maclaren-Jones):** The Clerk has advised that that was done in the motion to split the bill. Now we are voting on the Statute Law (Miscellaneous Provisions) Bill (No. 2) 2014 on its own. Then we will move to the second bill, which is the Ombudsman and Public Interest Disclosures Legislation Amendment Bill 2014.

**Question—That the Statute Law (Miscellaneous Provisions) Bill (No. 2) 2014 as read be agreed to—put and resolved in the affirmative.**

**Statute Law (Miscellaneous Provisions) Bill (No. 2) 2014 as read agreed to.**

**TEMPORARY CHAIR (The Hon. Natasha Maclaren-Jones):** Is leave granted to take the Ombudsman and Public Interest Disclosures Legislation Amendment Bill 2014 as a whole?

**Dr John Kaye:** Point of order: I appreciate this will not be what happens but I want this on the record. My reading of Standing Order 136 is that a bill, other than a bill received from the Legislative Assembly, must be initiated by a motion for leave to bring in a bill. There has been no motion for leave to bring in this bill. The standing order goes on to say that the title must agree with the title of the leave, and no clause may be inserted in a bill which is irrelevant to the title. The title of this bill does not agree with the title of the original bill. I therefore do not believe we have a valid bill before the Committee. It has not been brought in by leave; it has not been first read; it has not been second read. I appreciate that the argument will be that it was somehow done magically by the way in which the bill was split or by leave to bring in the original bill and the first and second reading of the original bill. However, I cannot see how that works under Standing Order 136.

**TEMPORARY CHAIR (The Hon. Natasha Maclaren-Jones):** Order! I have sought clarification. In relation to Dr John Kaye's point of order, although members in the Chamber may not be familiar with this procedure it is within order. Under Standing Order 179 (2) an instruction may be given to the Committee to divide a bill into two or more bills or to consolidate several bills into one. The House has resolved to do that. Therefore, we have split the bill and we are able to debate the second bill now, which is the Ombudsman and Public Interest Disclosures Legislation Amendment Bill 2014. For the clarification of members, the text of the bill appears on sheet C2014-129A-2. Is leave granted to deal with the bill as a whole?

**Leave not granted.**

**TEMPORARY CHAIR (The Hon. Natasha Maclaren-Jones):** Order! For the clarification of members, that means we will now deal with each clause and schedule of the bill.

**Clause 1 agreed to.**

**The Hon. DAVID CLARKE** (Parliamentary Secretary) [5.33 p.m.]: I seek leave to move Government amendments Nos 1 and 2 on sheet C2014-176 in globo.

**Leave not granted.**

I move Government amendment No. 1 on sheet C2014-176:

**No. 1 Commencement of proposed Ombudsman and Public Interest Disclosures Legislation Amendment bill 2014**

Instruction c2014-129A-2, page 2. Omit clause 2 of the proposed *Ombudsman and Public Interest Disclosures Legislation Amendment bill 2014*. Insert instead:

**2 Commencement**

- (1) schedule 1 to this Act commences on 5 March 2015.
- (2) schedule 2 to this Act commences on the date of assent to this Act.

The amendment will amend the commencement date of the bill to 5 March 2015. Some members have expressed concerns that the proposed amendments to the Ombudsman Act may affect the operation of the Legislative Council inquiry into the Ombudsman inquiry Operation Prospect. The Government is happy to amend the commencement date of the bill until after the completion of the Legislative Council inquiry, which is due to report on 25 February 2015.

**The Hon. ADAM SEARLE** (Deputy Leader of the Opposition) [5.36 p.m.]: The Opposition supports the Government amendment but we wish to make a further amendment to that amendment, which is the handwritten amendment that has been circulated. I move:

That Government amendment No. 1 be amended by inserting at the end:

- (3) schedules 1 and 2 to this Act cease to operate on 5 March 2016.

We thank the Government for bringing forward its amendment. We did have the concern that the Parliamentary Secretary outlined, which we expressed in debate overnight. To fully address our concerns we had proposed not only a later commencement of the Act but also a sunset clause, which is the amendment I have moved. The reason is that beyond the fact that the Ombudsman has requested this and that he wishes to have it for consistency's sake with other like provisions, such as the Independent Commission Against Corruption Act, no clear policy rationale has been provided by the Government that the protections enjoyed by a current Ombudsman, staff member, legal practitioner or expert engaged should continue when they cease to hold those positions in order to protect the work they do.

I requested a briefing from the Ombudsman or his office last night. That has not been able to be achieved. I understand that as it was short notice. I had believed that we had reached an agreement with the Government on a sunset clause as per my handwritten note and I am disappointed that that is not forthcoming. But I note that a second amendment for a review will be moved, which we will also be supporting. However, we think the sunset clause is important because the origin of this request is so uncertain and so unclear. I therefore press the sunset clause amendment.

**The Hon. ROBERT BROWN** [5.38 p.m.]: Whilst we support the intent of the Opposition's handwritten amendment to bring in a definite conclusion, we do not think that is necessarily the crux of what we are trying to do with this bill. We believe that in the new Parliament we will be able to handle that by some method, whether there is a review or not. We will not support the Opposition's amendment; we will support the Government's amendment unamended.

**Mr DAVID SHOEBRIDGE** [5.38 p.m.]: The Government's amendments are expressed as proposed amendments to the instruction to the Committee of the Whole. I assume that they are amendments to the bill that is now before the House by dint of the instruction to the Committee of the Whole and are not an amendment to the instruction. On that assumption I will speak to the amendments. The Greens support the Government's proposed amendments. We had about 4½ hours overnight to try to come up with something that allays our concern. I believe the Opposition and crossbenchers have the same concerns, that is, that the imminent operation of the bill might be used to defeat some of the powers of the upper House inquiry that has been established. Deferring the commencement to 5 March allays those concerns.

The Greens also support the Opposition's proposed amendment to put in place a sunset clause. I note that the Hon. Robert Brown said that his main concern is the commencement date. That is the main concern of The Greens as well. As to not having a sunset clause, on the assumption that a majority in this House may not be reflected by a majority in the other place—

**The Hon. Robert Brown:** We are confident.

**Mr DAVID SHOEBRIDGE:** I note the Hon. Robert Brown's confidence. This House of itself would not have the power to remedy a problem if it became apparent by the end of next year. The only way we could remedy that is by having a sunset clause and requiring the matter to be brought to the House afresh, in the way it should have been brought in the first place. It should never have been included in the Statute Law (Miscellaneous Provisions) Bill (No.2). That is why this entire mess has happened.

**The Hon. Duncan Gay:** It wouldn't have been a problem if you hadn't put a committee in after it was put to the House.

**Mr DAVID SHOEBRIDGE:** When we asked to have those provisions pulled and we sought rational justification for why these powers are required, all we were told was that suddenly it was urgent.

**The Hon. Duncan Gay:** Come on, mate, it well predates your witch-hunt.

**Mr DAVID SHOEBRIDGE:** I note the Minister's angry interjection. He did not get much sleep last night and he will get more cranky as the night progresses.

**The Hon. Walt Secord:** That was a nasty—

**Mr DAVID SHOEBRIDGE:** I note and endorse the interjection from the bleachers behind me. I am sure the Minister will get worse. The need for urgency has never been explained. The statute legislation has been on the books for 20 years. Suddenly at 2.30 a.m. on the night of 18 November, 20 years after it was brought in, the matter is urgent.

**Question—That the amendment of the Hon. Adam Searle be agreed to—put and resolved in the negative.**

**Amendment of the Hon. Adam Searle negated.**

**Question—That Government amendment No. 1 [C2014-176] be agreed to—put and resolved in the affirmative.**

**Government amendment No. 1 [C2014-176] agreed to.**

**Clause 2 as amended agreed to.**

**Clause 3 agreed to.**

**The Hon. DAVID CLARKE** (Parliamentary Secretary) [5.43 p.m.]: I move Government amendment No. 2 on sheet C2014-176:

No. 2    **Ombudsman, officer or expert as witness**

Instruction c2014-129A-2, page 3, schedule 1 to the proposed *Ombudsman and Public Interest Disclosures Legislation Amendment bill 2014*. Insert after proposed section 35 (4):

- (5)        The Committee on the Ombudsman, the Police Integrity Commission and the Crime Commission is to review the operation of subsections (3) and (4) as soon as possible after 5 March 2016.

This amendment will provide for a review of the operation of the amendments to the Ombudsman Act by the Committee on the Ombudsman, the Police Integrity Commission and the Crime Commission. The review is to be undertaken one year after the commencement of the amendments. The Government does not think that this review is necessary, given that the provisions simply bring the Ombudsman Act into line with the legislation governing other watchdogs, such as the Independent Commission Against Corruption and the Police Integrity Commission. However, we are happy to provide for the review to give members comfort in relation to this issue.

**The Hon. ADAM SEARLE** (Deputy Leader of the Opposition) [5.44 p.m.]: The Opposition supports Government amendment No. 2. It is not as good as a sunset clause but we accept the offer—



**The Hon. Duncan Gay:** Don't be churlish.

**The Hon. ADAM SEARLE:** I am not being churlish. I am accepting the offer in good faith and in the spirit that no doubt it was belatedly and begrudgingly offered. In any case, given that there is no properly enunciated public policy basis for this sudden legislative flurry, it is important that the matter should be reviewed within one year.

**Mr DAVID SHOEBRIDGE** [5.45 p.m.]: The Greens believe that a sunset clause would be preferable. Had the Opposition's amendment got up, obviously the amendment would have been odious because the bill would have ceased at that point. However, given that the proposal for the sunset clause put by the Opposition did not succeed, we accept that this has been put forward by the Government not in a churlish manner but in a spirit of festive goodwill, and we support it.

**Question—That Government amendment No. 2 [C2014-176] be agreed to—put and resolved in the affirmative.**

**Government amendment No. 2 [C2014-176] agreed to.**

**Schedule 1 as amended agreed to.**

**TEMPORARY CHAIR (The Hon. Natasha Maclaren-Jones):** Order! The question on each item in schedule 2 will be put individually.

**Dr JOHN KAYE** [5.46 p.m.]: I shall be brief. I have already explained why The Greens do not support items [1] and [3]. We believe that this moves away from accountability. No argument has been made that there is a specific problem associated with organisations that do not have specific public interest disclosure activity and do not submit reports to the Parliament and the Ombudsman. We raise no objection to item [2], the referral of disclosures by investigating authorities. Indeed, we strongly support it. I will not repeat the arguments. However, I think it moves away from accountability. I certainly do not understand the urgency of the matter. Again, this is 1994 legislation; it is 20 years old. It has worked fine for 20 years, but suddenly we have a problem with it. The Government has not explained why that is the case.

**The Hon. ADAM SEARLE** (Deputy Leader of the Opposition) [5.47 p.m.]: The Opposition does not oppose these items. However, I ask the Parliamentary Secretary to make a commitment that arises from what the Parliamentary Secretary in the other place, Mr Darryl Maguire, indicated, that is, the regulation-making power provided here will be used only to exempt agencies with one staff member or no staff members. That was the public policy basis advanced by the Government in support of these regulations. I ask the Parliamentary Secretary to make the commitment that it will only be used for that purpose and not as a wider Trojan horse to gut accountability in the public sector.

**The Hon. ROBERT BROWN** [5.48 p.m.]: We will not oppose the amendments. We believe that we are in a time phase in which some interesting disclosures could come out of the committee. We do not oppose the amendments.

**Dr JOHN KAYE** [5.49 p.m.]: I will use this opportunity to put on record another of my concerns that was raised by Mr David Shoebridge. I note that Government amendments on sheet C2014-176 were framed in terms of amendments to the instructions. The reason why they had to be framed that way is because at the time those amendments were written there was no bill before the House. It yet again points to what I think is a major flaw with the process that we are now undertaking.

**The Hon. DAVID CLARKE** (Parliamentary Secretary) [5.51 p.m.]: In response to the comments of the Deputy Leader of the Opposition, the amendment to the Public Interest Disclosure Act 1994 is necessary because the current definition of "public authority" in section 4 of the Act is considered to capture some authorities with only one or no staff and, therefore, impose on those authorities the reporting requirements under that Act. It is considered anomalous for authorities with no staff or one staff member to be subject to these reporting requirements. There are similar exemptions from reporting obligations in other Acts, such as the Privacy and Personal Information Protection Act 1998, section 33 (6), and the Public Finance and Audit Act 1983, section 45EA. Any proposed regulations to exempt a public authority would be subject to disallowance in Parliament if it is considered that the exemption would be inappropriate. The Parliamentary Secretary used those words in the Legislative Assembly and I repeat them here.

**The Hon. ADAM SEARLE** (Deputy Leader of the Opposition) [5.52 p.m.]: I am not seeking to fence with the Hon. David Clarke but it would not necessarily be the case that when a regulation is made we will be able to know from that regulation whether the agencies covered have only one staff member or no staff member. It is a very clear question: Will he commit to only make regulations under these powers that cover agencies with one staff member or no staff members? Yes or no.

**The Hon. ROBERT BROWN** [5.52 p.m.]: As soon as the Government is given notice of a disallowance motion, I am sure that it would do everything it could to convince the House that the exemption was fair and reasonable.

**Dr John Kaye**: Not if it has the numbers.

**The Hon. ROBERT BROWN**: We live in hope, don't we?

**Question—That item [1] of schedule 2 be agreed to—put and resolved in the affirmative.**

**Item [1] of schedule 2 agreed to.**

**Question—That item [2] of schedule 2 be agreed to—put and resolved in the affirmative.**

**Item [2] of schedule 2 agreed to.**

**Dr JOHN KAYE** [5.53 p.m.]: The arguments that I advanced in respect of item [1] of schedule 2 also apply to item [3] of schedule 2. We therefore oppose item [3].

**Question—That item [3] of schedule 2 be agreed to—put and resolved in the affirmative.**

**Item [3] of schedule 2 agreed to.**

**Schedule 2 agreed to.**

**Title agreed to.**

**Ombudsman and Public Interest Disclosures Legislation Amendment Bill 2014 as amended agreed to.**

**Statute Law Miscellaneous Provisions Bill (No. 2) 2014 reported from Committee without amendment.**

**Ombudsman and Public Interest Disclosures Legislation Amendment Bill 2014 reported from Committee with amendments.**

### **Adoption of Report**

**Motion by the Hon. David Clarke, on behalf of the Hon. John Ajaka, agreed to:**

That the report on the Statute Law Miscellaneous Provisions Bill (No. 2) 2014 be now adopted.

**Report adopted.**

**Motion by the Hon. David Clarke, on behalf of the Hon. John Ajaka, agreed to:**

That the report on the Ombudsman and Public Interest Disclosures Legislation Amendment Bill 2014 be now adopted.

**Report adopted.**

### **Third Reading**

**Motion by the Hon. David Clarke agreed to:**

That the Statute Law Miscellaneous Provisions Bill (No. 2) 2014 be now read a third time.

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

**The Hon. DAVID CLARKE** (Parliamentary Secretary) [5.57 p.m.]: I move:

That the Ombudsman and Public Interest Disclosures Legislation Amendment Bill 2014 be now read a third time.

**Dr JOHN KAYE** [5.58 p.m.]: We have done a grave injustice to process here today, both with respect to the division of the bill and also the conventions around statute law. This is not the understanding of the House on statute law. It is the first time we have dealt with excisions from statute law in this fashion. I foreshadow that should the people of New South Wales be foolish enough to re-elect me I will seek to refer the matter to the Procedure Committee in April next year.

**Question—That this bill be now read a third time—put and resolved in the affirmative.**

**Bill read a third time and returned to the Legislative Assembly with a message requesting its concurrence in the amendments.**

**Dr John Kaye:** Point of order: As I understand it, we just created a bill.

**Mr David Shoebridge:** Which originated in this House.

**Dr John Kaye:** As Mr David Shoebridge said, it originated in this House. Therefore, do we need to send more than just a message about the passage of a bill? Do we need to report a new bill to the Legislative Assembly?

**DEPUTY-PRESIDENT (The Hon. Trevor Khan):** Order! The Clerk has advised that the message is yet to be drafted. However, the message will report to the Legislative Assembly that the Legislative Council, having received one bill, is returning two bills.

**Mr David Shoebridge:** The message will be crafted.

**DEPUTY-PRESIDENT (The Hon. Trevor Khan):** The message will be appropriately crafted, consistent with the previous historical event that occurred.

**The Hon. Adam Searle:** To the point of order: I refer to *New South Wales Legislative Council Practice* by Lovelock and Evans. Paragraph 2 of page 362 states:

Where a bill originates in one House but is divided into two or more bills in the other House, any new bills created by the division are taken to have originated in the House where the original bill commenced.

As much as this is a novel procedure, not free of controversy—and I think one which is right for referral to the Procedure Committee given that this is only the second time it has been successfully used—I think such limited precedent as there is suggests there is not a technical problem of a kind that has been adverted to and that we can safely assume these two bills that have now been passed can be taken to have originated in the other House.

**DEPUTY-PRESIDENT (The Hon. Trevor Khan):** I congratulate the Hon. Adam Searle on his interpretation, which was far better than mine.

## **BUSINESS OF THE HOUSE**

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

**The Hon. PENNY SHARPE** [6.04 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. 2103 outside the Order of Precedence, relating to a further order for papers regarding the CBD and South East Light Rail Project, be called on forthwith.

I do not plan to re-debate this issue. We have already had a division and the House agreed to bring the matter on. I am seeking to bring the matter on again.

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

**Motion agreed to.**

## Order of Business

### Motion by the Hon. Penny Sharpe agreed to:

That Private Members' Business item No. 2103 outside the Order of Precedence be called on forthwith.

## CBD AND SOUTH EAST LIGHT RAIL PROJECT

### Order for the Production of Documents: Further Order

#### Debate resumed from an earlier hour.

**The Hon. DUNCAN GAY** (Minister for Roads and Freight, Minister for the North Coast, and Vice-President of the Executive Council) [6.05 p.m.]: As I indicated earlier, all government agencies are required to comply with this memorandum, as they have been since it was issued by the former Government in 2006. The memorandum attaches a paper on Cabinet conventions in New South Wales compiled by Anne Twomey and Roger Wilkins. The paper discusses the convention of Cabinet confidentiality and its application to the production of documents to Parliament in light of the decision of the Court of Appeal in *Egan v Chadwick*. The paper states:

The power of the Houses of the Parliament to require the production of government documents is also derived from the principle of ministerial responsibility. While the courts have concluded that the Houses, in the exercise of their functions of legislation or the scrutiny of the executive, may require Ministers to produce government documents, this is subject to the requirements of cabinet confidentiality. The inherent powers of the Houses cannot be used to undermine the principle of collective ministerial responsibility by disclosing the deliberations of Ministers in Cabinet. This includes Cabinet documents which reveal the position that a Minister intended to put to the Cabinet. 'Cabinet documents' are generally taken to include Cabinet Minutes, submissions concerning Cabinet Minutes, correspondence concerning Cabinet Minutes, analyses of Cabinet Minutes and briefings to Ministers on Cabinet Minutes, Cabinet Agendas and Cabinet decisions. The equivalent documents concerning Cabinet Committees are also considered Cabinet documents. Draft versions of all such documents are also considered Cabinet documents.

That was all in the advice by Roger Wilkins and Anne Twomey, given to the previous Government. They are the rules that the previous Government put in place and they are the rules that we stand by to this day. We have not sought to change the rules. We stand by the rules that are there. A similar order to the one proposed by the Hon. Penny Sharpe, MLC, was passed by the House on 1 December 2005 in relation to Cabinet information concerning grey nurse sharks in the event that any document falling within the scope of the order was not produced as part of the return to order on the grounds that it formed part of a Cabinet minute. I might be wrong, but I think I might have been the person who asked for those documents at that time held for consideration as part of Cabinet deliberations. The resolution required that:

... a return be prepared showing the date of creation of the document, a description of the document, the author of the document and the reasons why the production of the document would 'disclose deliberations of cabinet' as discussed by the Court of Appeal in *Egan v Chadwick* ...

The response provided by the then Director General of the Premier's Department to that resolution is available on the Parliament's website. It states:

An index of documents not produced because of the Cabinet exemption has not been provided. After considering advice from the Crown Solicitor, the Government does not concede that the Council has the power to impose such a requirement.

Like successive governments before it, the Government recognises and respects the importance of Cabinet confidentiality to the system of responsible government. Accordingly, no Cabinet information will be produced or referred to in responding to a resolution made under Standing Order 52. Furthermore, the Government will not be creating new documents brought into existence after the date of the order to identify how the provision of certain documents to the House would breach the immunity attaching to Cabinet documents. The Solicitor General has previously advised the Government that there is good argument that Standing Order 52 only envisages documents that were in existence at the date of the order. The Solicitor General also advised:

Apart from an index however, we do not consider that a requirement to create documents, including edited versions of existing documents, would properly fall within the scope of the council's power which applies to the production of State papers. Nor may it be possible to explain how Cabinet protection applies to a particular document without making a disclosure which, of itself, would damage the convention of Cabinet confidentiality.

That is why this motion is opposed by the Government. We have detailed the precedents that have been put in place—not by us but precedents that have carried over from previous administrations. This is a gross waste of

money. The Hon. Penny Sharpe, in her previous attempts, has been less than discreet in her descriptions and has cost the State more than \$800,000—in her words—"To get 40 boxes of rubbish". Anyone who doubts that quote can look at the Legislative Council *Hansard*. The House is being trifled with for the political aims of someone with no agenda of her own, who is attempting to destroy the people who are building this State. Without an agenda of their own and through an accident of numbers, they have power to destroy the good work that is happening in this State. The Government strongly opposes this Standing Order 52 request.

**Dr MEHREEN FARUQI** [6.12 p.m.]: I speak briefly on behalf of The Greens in support of the Opposition motion for a further call for papers on the CBD and South East Light Rail project. As the Leader of the House and Minister for Roads and Freight knows well, The Greens are strong advocates of public transport and light rail. But more importantly, The Greens require clear transparency as well as the community's right to know—

**The Hon. Duncan Gay:** Have you asked the Labor Party what it is doing with the M5?

**Dr MEHREEN FARUQI:** That is not what we are debating right now. The Greens will support calls for transparency and support the community's right to know. I note that the Leader of the House was earlier raising concerns about the gross amounts of money that are required to produce such calls for papers. That expenditure could be avoided by the Government showing the community, at a project's inception, what the business case is, what the cost-benefit analysis is, what the traffic analysis is and what evidence these projects are based on. If the public could see these things openly, the community would not be required to jump through hoops to have them revealed. The Greens support the motion.

**The Hon. Penny Sharpe:** Point of order: The Minister laid out his position at length in relation to this matter. He should cease interjecting while others attempt to put another view during debate.

**DEPUTY-PRESIDENT (The Hon. Trevor Khan):** Order! I invite the member with the call to address the Chair and to avoid engaging with members on either side of the House.

**Dr MEHREEN FARUQI:** If money is the problem, that could be avoided by making these documents freely available to the public in the first place. The Greens support the motion and call for transparency.

**The Hon. ROBERT BROWN** [6.14 p.m.]: I might have been convinced by the arguments of the Minister for Roads and Freight, but I did my own Standing Order 52 request on the corrupt appointment of a corrupt former public servant to a totally corrupted review of an otherwise exemplary body—the Game Council. When I went through the documents, what did I find in the public documents? I found a Cabinet minute. Not only that, I found the details of the brief from the Office of Environment and Heritage to the external lawyers. That provided them with the decision that was then written into the Cabinet minute to convince the Government to go ahead with the appointment. From my point of view, requests for papers under Standing Order 52 and the documents they produce sometimes produce gems. I support the motion.

**The Hon. Dr PETER PHELPS** [6.15 p.m.]: Once again we return to the South East Light Rail and what do we have? We have yet another trawl by the Labor Party. The Government rightly does not support this motion. The motion is not about transparency; it is purely about politics in the same way that the motion was earlier in the year when the Hon. Penny Sharpe attempted to get information on the light rail project, despite the fact that thousands of pages were already available on the public record. At that time she graciously declined to indicate to us whether she supported the transport route along Devonshire Street, Foveaux Street or Cleveland Street. Once again, I ask her to indicate to the people of Sydney whether she supports the route up Devonshire Street, Foveaux Street or Cleveland Street. Her answer will be interesting because it would seem that the Hon. Penny Sharpe wants to have the best of all possible worlds—telling people that Labor is opposing one thing, without giving an answer to the people in the other two streets as to what they want.

The simple fact is that Labor does not care about transport in this State. Labor's record in office is appalling. This motion is all about political rhetoric to try to win the seat of Newtown and to try to make inroads against Mr Alex Greenwich in Sydney. It is not an open demand for transparency. It is old-fashioned grandstanding by a group of people who are ashamed of their record and who have no vision for the future of transport in this city or in this State. It is a motion moved by a member to try to cover up the disaster of 16 years of failed Ministers for Transport. It is basically about trying to out-leapfrog the left vote in Newtown.

The reality is, this is a race between Labor's spokesperson and The Greens' spokesperson for Transport who are both in a desperate bid—a death spiral—for relevance. They are seeking to move nonsensical motions

in this House. Instead of wasting Parliament's time, they should both get off the fence and tell the electorate what their policies are. Where will this light rail that is proposed go? What is this mythical M5 extension which John Robertson talks about but for which he has no money and no detailed plans?

Does either party support the provision of light rail services in Sydney as something other than a concept? If they do support it other than as a clean, green, pure concept, they should reveal their plans. They should tell us where they want to put it and which residents they want to have adjacent to the light rail line. I strongly suspect that they are all in favour of the theory, but when it comes down to the nuts and bolts, to producing something, to building something or to making something, it is all about not being specific because they do not want to annoy anyone. They will stick to the grand theory, but they will not deal with the nuts and bolts.

**The Hon. Penny Sharpe:** Point of order: My point of order relates to relevance. The motion is a specific, narrow call for four documents that already exist. The Opposition's, The Greens' or the Government's broader plans for public transport have very little to do with whether members will support the motion. Mr Deputy-President, I ask you to bring the member back to the leave of the motion.

**DEPUTY-PRESIDENT (The Hon. Trevor Khan):** Order! The Hon. Dr Peter Phelps no doubt has heard what the member has had to say. I will listen more closely to him and ensure that he is relevant.

**The Hon. Dr PETER PHELPS:** The Labor Party is simply cynical, but The Greens are a party of protest and bombast, not of government. The Greens can say whatever they like knowing full well that they will never have to implement anything. This motion will divert resources away from helping those most in need. I will refer to the information that is publicly available and I will refresh the memories of members opposite. They seem unable to find the hard copies of the Government's 440 page Long Term Transport Master Plan, which was released in 2012. A 380 page draft was released in September 2012 and Sydney's Light Rail Future document was released in December 2013. The City Centre Access Strategy was released in December 2013 and the CBD and South East Light Rail business case summary was released in November 2013.

The CBD and South East Light Rail Environmental Impact Statement, which comprises literally thousands of pages of detail on traffic modelling, travel times, patronage and all aspects of the project, includes volume 1, volume 1A, volume 1B, volume 1C, volume 2 with a technical paper, volume 3 with a technical paper, volume 4 with a technical paper, volume 5 with a technical paper, and volume 6 with a technical paper. The CBD and South East Light Rail Environmental Impact Statement overview has also been released. The Light Rail Environmental Impact Statement Submissions Report is Transport for NSW's response to the issues raised during consultation in respect of volume 1, part A, chapters 1 to 5, and comprises some 410 pages. Volume 1, part B is the Preferred Infrastructure Report and comprises 170 pages, and volume 2 comprises more than 300 pages.

Information has already been released to members opposite. That information, comprising literally thousands and thousands of pages, is on the record and it is publicly available now. As the Hon. Duncan Gay said earlier, it cost more than \$800,000 to provide that information. That money would have been much more wisely spent on public transport infrastructure in New South Wales. Members do not need to waste valuable time and money. The CBD and South East Light Rail Project was announced in 2011 and the Opposition has had the relevant documents in its possession and they have been in the public arena for five months. Has the Hon. Penny Sharpe read any of them? That is the key question. The Labor Government created this mess and the Liberal-Nationals Government is cleaning it up. Despite that, members opposite have the gall to try to slow us down. This motion is designed to put the brakes on a crucial public transport project simply to point-score in the lead-up to an election. Members on this side of the House want to get on with the job of delivering a world-class public transport system.

This motion will delay the implementation of the delivery of a key project; it will delay the approval of tenders for redevelopments; it will delay the preparation of development applications; and it will delay the delivery and operation of the CBD and South East Light Rail Project. It is important to note that this Standing Order 52 motion is simply another in a long line of vexatious requests for information. The Government has complied with previous requests. In fact, on 8 May 2014, the House ordered the production of documents relating to the light rail projects. In response, 13 boxes of documents were delivered to the Clerk's office on 5 June 2014 by the Department of Premier and Cabinet acting on behalf of the Government.

The Government respects the authority of the House. As members know, I am no great apologist for the Executive at either the Federal or State levels of government. I have often enjoined members of my party and

other parties to remember the primacy of the Parliament rather than the presumptive authority of the Executive. We as a Parliament acknowledge our obligation to comply with the orders of this place despite the significant resource and cost burden that is often imposed as a result. However, this motion is deprived of substance. It represents cynical politics masquerading as concern for public policy. The time of this House should not be wasted on petty, political motions that are part of the death battle going on in Newtown and Balmain between the Tweedle Dee and Tweedle Dumb forces of inner-city leftism.

The work that must be done to fix the public transport problems of this State is too important for us to waste our time on motions such as this, which simply seeks to delay and obfuscate for political purposes. We owe it to the people who elected us not to waste time but, instead, to debate substantial motions and legislation that will improve their lives. The shadow spokesperson for Transport is wasting taxpayers' money lobbying for the left-wing vote in Newtown and Balmain. From day one, the Labor Party has put politics before people. This motion is further evidence that Labor is always happy to put politics before policy. If this motion is passed, it will waste taxpayers' dollars, deprive this House of the time to review the critical issues before it, and take resources away from front-line services.

As I have already enunciated, an avalanche of information is publicly available for the perusal of those concerned about these matters. There is a mountain of information. If I were to stack all the documents provided to create a tower and it fell on me, I would soon be in the accident and emergency department of Sydney Hospital. In conclusion, the Government does not support this motion and it will maintain its opposition. As has been demonstrated, this motion is motivated ultimately by politics. It is untimely, unnecessary and unconscionable. If passed, it would lead to the diversion of resources from where they would be better spent providing improved transport services and revitalising our central business district. I urge honourable members to vote against the motion.

**The Hon. PENNY SHARPE** [6.30 p.m.], in reply: I thank members who spoke in debate on this motion. I will be very clear about what this motion is seeking. It is seeking four documents that are already in existence, so the idea that it will cost hundreds of thousands of dollars is rubbish. The Minister's office knows that this claim is a smokescreen, but the Hon. Peter Phelps was delighted to read it into the transcript. That is unfortunate because he is normally smarter than that.

The Hon. Jenny Gardiner, in her valedictory speech, quoted Harry Evans, the longest serving Clerk of the Senate when talking about the importance of this Chamber exercising its rights over the Executive. This is one of those cases. The Government can dress this up as a political stunt, but it is a basic request for the Government to provide the documents originally asked for: the business case, the patronage and traffic forecasts and the cost-benefit analysis for a project that was initially forecast to cost \$1.6 billion and is now projected to cost \$2.2 billion. I commend the motion to the House.

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

**The House divided.**

**Ayes, 21**

Ms Barham	Mr Green	Mr Veitch
Mr Borsak	Dr Kaye	Ms Westwood
Mr Brown	Mr Moselmane	Mr Whan
Mr Buckingham	Reverend Nile	
Ms Cotsis	Mr Primrose	
Mr Donnelly	Mr Searle	<i>Tellers,</i>
Dr Faruqi	Ms Sharpe	Ms Fazio
Mr Foley	Mr Shoebridge	Ms Voltz

**Noes, 16**

Mr Blair	Mr Gay	Mrs Pavey
Mr Clarke	Mr Khan	Mr Pearce
Ms Cusack	Mr Lynn	
Ms Ficarra	Mr MacDonald	<i>Tellers,</i>
Mr Gallacher	Mrs Maclaren-Jones	Mr Colless
Miss Gardiner	Mrs Mitchell	Dr Phelps

**Pairs**

Mr Secord  
Mr Wong

Mr Ajaka  
Mr Mason-Cox

**Question resolved in the affirmative.**

**Motion agreed to.**

**ADJOURNMENT**

**The Hon. DUNCAN GAY** (Minister for Roads and Freight, Minister for the North Coast, and Vice-President of the Executive Council) [6.39 p.m.]: I move:

That this House do now adjourn.

**MESSAGE OF CHRISTMAS**

**Reverend the Hon. FRED NILE** [6.39 p.m.]: I speak about the message of Christmas. It is a great privilege to have had the opportunity to serve in this House for 33 years and to have done so as a Christian minister who is also an elected member of the New South Wales Parliament. Romans 13:4 states:

The government is also a minister of God; that is, to serve both God and the people.

It is also a great privilege to have been able to bring to the attention of this House at various times, particularly opportune times such as the adjournment of the Parliament for Christmas, the meaning of Christmas as we celebrate the birth of Jesus Christ—the reason for the season. It is not the holiday season; it is the Christmas season. I believe it is important that we retain the word "Christmas"—which was originally "Christ's Mass", the Holy Communion or the Lord's Supper. For the meaning of Christmas we have to turn to the *Holy Bible*, Luke 1:35, where the angel speaks to the Virgin Mary and says:

The Holy Ghost shall come upon you, and the power of the Highest shall overshadow you:  
Therefore also that holy thing which shall be borne of you shall be called the Son of God.

The message of Christmas is to celebrate the birth of Jesus Christ, the Son of God. When studying the Bible, it is amazing to realise that the book of Isaiah, which has been proved to have been written 700 years before the birth of Jesus Christ, refers to the birth of Christ. Isaiah 9:6 states:

For unto us a child is born, unto us a son is given;  
And the government shall be upon his shoulder;  
And his name shall be called Wonderful, Counsellor, The Mighty God, The everlasting Father, The Prince of Peace.

Those are descriptions of Jesus Christ. However, what is the real meaning of Christmas? What is the spiritual meaning of Christmas? Many passages in the Bible refer to Christmas and its meaning. The passage that sums up the meaning of Christmas in a way that we can understand is in II Corinthians 4:17-20. It states:

Therefore if any person be in Christ, they are a new creature;  
Old things are passed away;  
Behold, all things are become new.

And all things are of God,  
Who hath reconciled us to himself by Jesus Christ,  
And hath given to us the ministry of reconciliation;

That is, that God was in Christ,  
Reconciling the world unto himself,  
Not imputing their trespasses unto them;  
And hath committed unto us the word of reconciliation.

Now then we are ambassadors for Christ,  
As though God did beseech you by us;  
We pray you in Christ's stead,  
Be ye reconciled to God.



The simple meaning of Christmas is that God loved us so much. As stated in John 3:16:

For God so loved the world,  
That he gave his only begotten Son,  
That whosoever believes in him should not perish,  
But have everlasting life.

Therefore, Almighty God, the creator, in His love, came down to earth at Christmas time and was born in the womb of the Virgin Mary by the Holy Spirit. We call that the Virgin Birth. It is very important that these facts be retained in our Australian Christian society as the centre of Christmas. It is important to always uphold the fact that Jesus Christ is the Son of God. That is why Christians say:

The Messiah is the Son of God.

Jesus Christ is the Son of God, and those facts should be upheld and celebrated, as we do, with festivals such as Carols by Candlelight which are held in many suburbs. It has also become quite a cultural Christian event in that Carols by Candlelight is celebrated across Australia, from Bankstown to Perth, from Darwin to Hobart. Tens of thousands of people gather with their families to celebrate Christmas. I urge people to continue to support Carols by Candlelight. I pray that all will continue to do that and enjoy the festival of Christmas on Christmas Eve and on Christmas Day, 25 December. I pray that all of us have in our hearts repented of our sins and, through faith in Jesus Christ, will become a Christian, members of the family of Almighty God.

It is a very simple step to become a Christian. Some people think it is very difficult and very complicated. It is not. It is simply child-like faith in Jesus Christ as your living saviour, as King of Kings and Lord of Lords. So, instead of saying, "Happy holiday," let us this Christmas say, "Merry Christmas"—that people may enjoy Christmas as they celebrate the birth of Jesus Christ, particularly with their families. Christmas is really a family festival, a time when families come together and renew their friendship and their family love. I pray that each one of those in this Parliament, in the upper House and the lower House, will enjoy this Christmas season, and that it may be a meaningful experience to everyone. God bless you.

#### **THE HON. MELINDA PAVEY PARLIAMENTARY CAREER**

**The Hon. MELINDA PAVEY** (Parliamentary Secretary) [6.44 p.m.]: In what is likely to be my final speech in this Chamber, I would like to reflect on my 12 years service to the people of New South Wales and my great party, The Nationals, in this wonderful Chamber, in the oldest Parliament in Australia. I have chosen an adjournment motion to do this rather than a valedictory speech as I do not believe my parliamentary service is yet finished. But that decision is firmly in the hands of the grassroots membership of The Nationals in the seat of Oxley in the first instance; and if that is successful, it then falls to the electors of the Oxley electorate on 28 March next year. I take nothing for granted.

In September 2002 my mother sat cradling my six-week-old daughter Emily alongside John Brogden as I presented my inaugural speech. How things have changed. Emily is now in her final weeks at Kororo Public School and her beautiful big brother Jack is in the gallery here tonight, alongside his equally handsome and dashing father, my husband, Warren. My family have been alongside me every step of the way in my political journey—mainly in spirit as I crisscrossed the State in the long hard years of Opposition as we laid the foundation for government to enact the change to enhance the lives of people across rural and regional New South Wales.

My proudest work as a Nationals duty MLC for eight long years is that we brought the seats of Port Macquarie and Monaro back into government because we laid the groundwork, and we found the very worthy candidates. They have shown their worthiness as fine members over the past 3½ years. Thank you in particular to Paul Rowlandson, Emma Watts, Jane Corcoran, George Lemon and Noel Atkins—great Nationals that stayed the course over many long years.

My mentor and political hero the great Nationals leader Wal Murray has also remained with me in spirit over this time, reminding me of what is good and decent in public life—a common-sense, down to earth approach; the ability to have a yarn, to listen and to do what is right. As his daughter Katrina Humphries, the Mayor of Moree, said to me the other day, Wally is still watching over his girls. I hope she is right.

The foundations I helped lay as shadow Minister for Emergency Services ensured a doubling of hazard reduction across the State since we were elected. Extra millions have been secured for water safety to create the

black spot program—river drownings are the biggest killer in New South Wales, causing 40 per cent of water deaths, followed by backyard pools and then our beaches. Working with the volunteers of the Rural Fire Service, the State Emergency Service, Marine Rescue, Volunteer Rescue Association and Surf Life Saving—the people that keep our communities safe—was inspiring on so many levels, which is why we created the volunteers council to give them a stronger voice directly to government.

I am proud of my achievements as a passionate Nationals member and as Parliamentary Secretary for Rural and Regional Health, delivering more dialysis services to communities such as Cooma and Nambucca Heads. There is still much to do to deliver fairer access to primary care for country patients. Too many of our people wait too long, cannot afford the Medicare gap, or present at our emergency departments because they cannot get in to see their general practitioner.

To all the magnificent staff of the Legislative Council with whom I have worked, our great Clerks and the committee staff: I have loved the budget estimates and I have loved all the committee work. I would particularly like to highlight Charlie, Lucy of Macksville, Richard and John from the mighty Clarence. I will really, really miss you.

I acknowledge Helen Westwood and the work we have done to make this a better place—putting down the political swords as we raised hundreds of thousands of dollars in our three Spring Balls and our three Dragons Abreast teams. The sight of her raising her paddle over the head of John Sidoti as he was flicking jellyfish into the boat is one I will always remember.

As I said, I still believe there is much to do; and with 12 years parliamentary experience, I believe I can serve the people of Oxley with not only passion and energy but also an ability to influence government for delivery of better local services and infrastructure. We need to ensure our local farmers, fishermen, timber industry and workers have the ability to be as productive and sustainable as possible; and that land use and water policy properly reflect the local conditions. This will unlock enormous job creation as well as properly supporting and encouraging local manufacturers and the tourism sector.

I acknowledge my upper House leader, Duncan Gay, and his incredible work fixing country roads and securing funding. The North Coast is being transformed by the work on the Pacific Highway—which will soon need to be called the Pacific Freeway. To Andrew Stoner: thank you very much for your 12 years of leadership and stewardship of our party from opposition into government. It is now in the strongest position it has been in its 90-year history. As the same time, Andrew never stopped working and achieving for the people of Oxley. His legacy will stand the test of time.

My wonderful, committed, loyal staff—Emma Watts, Rowena Gilbertson, Verity Lomax, Sean O'Connell and Ann Lewis—are all friends for life. I thank everyone in this room for their guidance and support. It has been an enormous privilege to serve the people of New South Wales in this Chamber. Two weeks ago we shared a very, very special moment when the Bowraville report was tabled, which directly impacts the people of Oxley. I said at the time that what unites us is more than what divides us. I will take that lesson with me always.

## WOMEN IN PARLIAMENT

**The Hon. HELEN WESTWOOD** [6.49 p.m.]: In my valedictory speech earlier today I said that this will not be a better Parliament with fewer women in it. Other retiring members also spoke of their regret that there is still such a gender gap in this Parliament and that the gender gap is likely to widen after the next election. We must be honest about the political culture and processes that continue to lead to so few women taking a seat in this place if we are ever to address the barriers that prevent more women being elected to our parliaments. I point to my recent experience in the New South Wales Left's preselection of candidates for the 2015 Australian Labor Party upper House ticket. It is argued by those who support and are beneficiaries of the current preselection process for Labor's New South Wales upper House ticket that it must be maintained as it is only through this process that Country Labor members will be elected to winnable places on the party's upper House ticket.

It is worth noting the current process did not ensure that the last Country Labor women in this place were preselected for a second term. In fact, they were unceremoniously shown the door. They did not have a posse of Country Labor men surrounding them and campaigning to ensure that they were preselected into winnable places on Labor's upper House ticket. This is not unique to the Labor Party; we have only to look at the recent Nationals preselections for the upper House, in which a competent and capable country woman lost to

a male powerbroker from that well-known country town of Kirribilli. The greatest determinant of preselection to the upper House is not geography; it is gender. But it is not just about The Nationals or the Labor Party. I noticed that Liberal Senator Fierravanti-Wells was quoted in a recent article in the *Australian* as saying:

Women must work twice as hard as men to be regarded as "half as good".

She went on to say:

Women are still fighting for the crumbs off the table of the men ... who still tend to dominate the decision-making process. Females make up half our population, yet this is not reflected in our parliaments or in the senior echelons of our public service.

My argument about women is hardly radical or even left-wing; it is about gender equality. It is also argued by those who oppose democratic reform of the current process of upper House preselection that it is the only model in which trade union members can have a say. I am a committed trade unionist and I hold the old-fashioned belief the Labor Party is the political wing of the trade union movement. I want trade union members to participate in the processes of the Labor Party. However, I believe the current model for upper House preselection is not inclusive of rank and file trade union members or Australian Labor Party members.

The reality is that disproportionate power rests in the hands of an exclusive few, the majority of whom are men. We have to be honest about the cultural responsibilities that lead to so few women being elected to winnable places in the upper House of this Parliament. Most of us still have responsibilities that men in this Parliament do not. We are often parents still caring for children, grandparents still caring for grandchildren or even children caring for aged parents, and we often live well beyond five or 10 kilometres from Parliament, which is a convenience that other members enjoy. We do not stay late for drinks, we do not get tickets to the football and we do not go along with the union secretaries to the various corporate boxes—I have never set foot in the President's Lounge at the Sydney Cricket Ground, and I am probably one of the few in here who has not. We know that that is how most of the networking is done.

There is a lack of diversity in my faction—the faction that I have been loyal to and a member of for more than 30 years. I was deeply disappointed with the outcome of the preselection process. I thank members of the Labor Party and members of the Left who continued to support me despite the pressure they were put under by the leadership of the Left to support their all-male ticket. For me, that is not good enough. I certainly will not be going anywhere. I am going to be around to ensure that my faction becomes more inclusive. I am very concerned that they completely ignore Western Sydney, where more than 30 per cent of the New South Wales population lives and which is the fastest-growing region in this State. They ignore Western Sydney at their peril. The test will come when the next casual vacancy occurs. Then we will see whether the men of power consider women of merit to be only those who live within 10 kilometres of the Sydney central business district, those who are part of their personal, social and professional networks, and those who qualify for inner-city university alumni.

### LOTTERY TICKET RETAILERS

**The Hon. MICK VEITCH** [6.54 p.m.]: It was revealed yesterday in the print media that newsagents across New South Wales may next year face the prospect of a massive hit to their incomes. It appears that the Government may open up the sale of lottery tickets to major retailers Coles and Woolworths—undoubtedly a decision that will be to the detriment of small businesses around the State, particularly in regional areas. In 2010, under the agreement reached during the privatisation of NSW Lotteries, Labor sought to protect these small businesses by imposing a five-year moratorium preventing major retailers from selling Lotto tickets and scratchies. Without so much as a review of the moratorium or a thought to the effect of its expiration, it appears that on 1 April next year the market will be allowed to let rip and the squeezing of local newsagencies will begin, particularly in rural and regional New South Wales.

The Newsagents Association of NSW and ACT has reacted strongly, making the point that lottery sales provide between 25 per cent and 90 per cent of a newsagent's income—they rely on their role as lottery agents to maintain a viable business. How is a business expected to survive a cut to its income stream of 25 per cent to 90 per cent? It will be a matter of life or death for many businesses and it puts at risk the viability of rural and regional newsagents, in particular. I raise this matter with an eye especially to regional and rural New South Wales to bring to light the prospect of what could be yet another blow to small business in country New South Wales. There is a long history of the two major supermarket chains coming to regional towns—places where there is simply not a large enough market for multiple businesses of the same type, for example, multiple supermarkets—and within a short period the last store standing is Coles or Woolworths.

The locally owned and run supermarket closes down in the face of the spending power and reach of a very large retailer. The corner shop disappears and the bottle shop goes, as do some of the fuel outlets. It is estimated that the market share of Coles and Woolworths has increased from 34 per cent in 1975 to around 80 per cent today. Together, the companies generated revenue of almost \$80 billion in 2013. In a fierce competition for customers in a town with a limited population and growth, these colossal companies can remain open even while making a loss. Their smaller competition cannot afford to stay open with declining profits; small business hits the wall and we are left with a huge supermarket chain that has no competition and that charges pretty much what it wants.

I appreciate that the two major grocery chains provide a source of employment for many communities, and I support creating more jobs in regional New South Wales. But we should support jobs and we should support keeping viable businesses within their local communities. Much has been said and written about the costs, both economic and social, of such a massive expansion. In smaller towns outside the metropolitan areas it can mean the death of the entire main street, particularly in communities where there is a ribbon retail precinct. Only six weeks ago during a Senate committee hearing we heard about the experiences of businesses in regional towns and how dozens of shops were forced to close after the opening of a large supermarket in the area. Whether this practice is innocent or otherwise, the results are devastating for these local small businesses and we should act now to protect local newsagencies from facing the very same fate.

Newsagencies have been lucky as they are one of the few small businesses left largely unscathed by the expansionism of the major supermarket chains. While supermarkets now sell newspapers and magazines, the newsagency business model has remained strong enough that we still see newsagents open across the State. If this moratorium is allowed to expire with no plan to ensure the viability of small newsagencies, we will not only lose local newsagencies but also risk losing that community interaction that is so important in small, close-knit communities in rural and regional New South Wales. I am sure that not one member of this House wants to see local newsagencies going under and family-owned retailers being forced to close their doors.

If we stand by and do nothing that is precisely what will happen. I call on the Government to take a stand for small businesses, especially the local economies of regional and rural New South Wales, and ensure that it acts to protect newsagencies from this change and that those small retailers that have such strong links to their local communities continue to thrive. Pharmacies will be next, so look out because Coles and Woolworths have wanted pharmaceutical-dispensing capacity for quite some time. Newsagencies and pharmacies will add to the model under which fuel, insurance and alcohol are also sold. An article in the *Sydney Morning Herald* on 11 June about small grocers stated:

Independent grocers are calling on the federal competition watchdog to rein in Woolworths and Coles, claiming the retail duo are opening oversized, unprofitable stores in growth areas and rural centres that are killing off competition and obliterating local small business.

We cannot stand by while this occurs. I support jobs in regional New South Wales, but I also support the retention of viable small business.

### EDEN WOODCHIP MILL

**Mr DAVID SHOEBRIDGE** [6.59 p.m.]: The beautiful town of Eden on the New South Wales South Coast is home to a relic—the last operating woodchip mill in New South Wales. This mill continues to be used to turn logs from our beautiful public State forests into woodchips despite the fact that the practice is acknowledged to be environmentally damaging, economically unsupportable and increasingly outdated. South East Forest Exports [SEFE], which runs the chip mill, is running at a chronic loss—reportedly multimillion-dollar losses year after year. Those losses SEFE has been reporting as a wholly owned subsidiary of Nippon Paper have been minimised because it gets paid above the international market rate by the parent company for the mixed, unwanted and unloved native woodchip. Had SEFE not been supported by that uneconomic transfer within Nippon Paper, the losses would be more substantial. The mill is a failing asset and has no long-term future.

Why do we know that? Earlier this year SEFE decided that it would not renew any of its wood supply agreements with the Victorian Government and move entirely from any long-term commitment to honour those contracts. As it transfers out of the Victorian native forest industry it is relying increasingly upon timber from its own plantations in New South Wales and Victoria. By accessing and harvesting its own plantations, it is accessing that timber clearly as a preparatory step to exiting the market entirely, and indeed closing the Eden operations. Why is the SEFE export woodchip mill so uneconomical? The reason is that the world does not want

its product. Mixed native forest woodchip with no certification and no ability to sell it as complying with even the most basic Forest Stewardship Council standards has almost no viable market in the global economy. Increasingly, paper producers, whether in Japan, Taiwan or even China, are saying they do not want access to uncertified mixed native forest woodchip because their ultimate end consumers demand a product with some form of environmental certification.

The mixed native forest woodchip is a relatively expensive product to pulp and produce into paper because it is of an uncertain standard. Compared with the lower-cost standardised product coming increasingly from plantations, mixed native forest woodchip is a deeply uneconomic prospect. For too long government after government in this State has suggested that nothing is wrong: The woodchip mill will keep operating and the shrinking number of jobs in its operations and the increasingly mechanised harvesting will continue forever. It will not. It is time that governments were honest with the people of Eden and in the south-east of this State. Woodchipping our native forests is deeply uneconomical and will be driven to the end by the market. We should not pretend that it can be propped up forever by millions of dollars in State subsidies for native forest harvesting through wealth transfers from the Forestry Corporation to harvesters and ultimately woodchippers.

Even with those unsustainable transfers, SEFE is running at a chronic multimillion-dollar loss. It is not sustainable. We need to have an honest discussion about how we transition the Eden economy and those who currently rely on the native forestry industry for jobs by finding jobs for them and their children into the future. It will not happen through this Government's blind, dead-end thinking. This Government has lost the way for the people of Eden. [*Time expired.*]

#### YARALLA ESTATE

**The Hon. GREG PEARCE** [7.04 p.m.]: Last month the Independent Commission Against Corruption [ICAC] released its report into the engagement of consultants at the Yaralla Estate, finding no evidence of improper relationships with Blue Visions Management Pty Ltd, Conrad Consulting and Capital Pty Ltd, of which John "Jack" Simos was sole director and Mr Richard McKinnon was executive chairman. ICAC found no evidence to support claims of excessive remuneration or improper relationships by Conrad. ICAC states that the inquiry arose following comments by John Robertson and Luke Foley, and questions raised by Mr Foley at a select committee hearing. The report outlines all the facts. I have known Mr McKinnon and Mr Simos for many years. They are both highly intelligent and experienced businessmen with considerable experience of government and policy. They are both honest, respectable and responsible citizens. I am pleased that the process has worked and that ICAC has cleared these gentlemen. However, it disturbs me that the balance has shifted in public affairs against the interests of fairness and privacy. Accusers have a responsibility to do their homework and to follow due process.

In past decades the tendency in the media—and, to a lesser extent, in politics—is for discussion to deteriorate from news and responsible commentary to gossip, character assassination and accusation. Material is printed without any regard to the traditional methods of balancing the right to free speech with rights to privacy and reputation. The position is exacerbated where people with the authority of an opposition leader make accusations. Other politicians are placed in an impossible position as they cannot judge the accusations. In this case it is fortunate that ICAC could be relied upon. Of course, I have personal experience. Last year I made mistakes—consuming alcohol while Parliament was sitting and messing up a travel booking. I acknowledged those mistakes, apologised and was admonished. However, one element of the media decided to get a scalp and ran a campaign. It failed to uncover a single, concrete piece of evidence to support any impropriety, undue influence, ministerial breach or incompetence on my part. Angry and embarrassed at this failure, it unleashed thousands of words of misrepresentation, distortion, innuendo and defamation.

Ultimately, I lost the ministry—purportedly because of a perceived potential conflict of interest. In fact, as many members know, I had disclosed the potential conflict in writing to the then Premier. In any event, I was the portfolio Minister; the relevant appointment was made by the shareholding Ministers and there was no possibility for a conflict. However, I acknowledge the decision in the context of the distraction that the ongoing media campaign caused the Government. The hypocrisy is that the same media wrote and inflamed the very distraction of which it complained. I raise these matters not by way of any complaint but as a salutary warning to others in public life. I am very proud of my contribution through committees ranging from the Cabramatta inquiry, sentencing options and the Redfern riots to Labor's disastrous electricity sale before the last election. In my inaugural speech I drew attention to Eddie Obeid. I worked to expose Labor's waste, mismanagement and neglected infrastructure in botched projects, such as the Millennium trains and the Cross City Tunnel.

In shadow Cabinet I shone the light on Labor's budget irresponsibility of continual unauthorised overspending and cost overruns, and the budget time bomb created by budget expenditure growth continually exceeding revenue growth. In government I drove reform and delivery of our commitments: as part of the finance team fixing the budget, including implementing a fair and responsible wages policy; and reforming the public service and its relationship with the community and business through the Information and Communications Technology Strategy, procurement reform and reform of the way we deal with our property assets, releasing more than \$600 million from surplus properties to date.

As portfolio Minister, I drove the desalination transaction, freeing up to \$2.5 billion so that Mike Baird could establish the Restart fund for infrastructure; and workers compensation reform, providing fair compensation to the most seriously injured, focusing on return to work, reversing a \$4 billion deficit to a \$2 billion surplus and reducing premiums. At Sydney Water and Hunter Water I intervened to assist with the cost of living by reducing increases in rates to at or below inflation and developing new plans for water security. Amongst many other achievements, I drove renewal and reinvigoration of the management of State Super to secure public servant superannuation, and a new understanding in public housing of the needs of tenants and property management as well as sustainability issues.

I helped deliver on our housing acceleration strategies and provided a \$100 million fund for infrastructure in the Illawarra. I had developed a reform scheme for motor accident compensation to assist accident victims who currently lose out because of an eighteenth century focus on "fault", to reduce the cost and waste of an adversarial system that preoccupies doctors and lawyers who should be focused on the injured, and to reverse the structural distortions that allowed insurers to make 28 per cent profits. Given increasing green slip costs, changes in the delivery of disability services and the National Disability Insurance Scheme [NDIS], I am sure this reform will occur eventually. We are now heading to an election when we will seek a mandate for the long-term lease of the electricity network businesses—except Essential Energy—to deliver a generation-changing boost for infrastructure, regional growth and culture. Mr McKinnon and Mr Simos have been cleared by ICAC; however, that does not compensate for the loss of reputation, costs and distraction caused. I call on Mr Robertson and Mr Foley to demonstrate their integrity by admitting their mistakes in this matter and apologising to Mr McKinnon and to Mr Simos.

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

**Motion agreed to.**

**The House adjourned at 7.09 p.m. until Thursday 20 November 2014 at 9.30 a.m.**

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