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LEGISLATIVE COUNCIL

Thursday 22 October 2015

The President (The Hon. Donald Thomas Harwin) took the chair at 10.00 a.m.

The President read the Prayers.

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

NSW RURAL FIRE SERVICE CHIFLEY ZONE LONG SERVICE AWARDS

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

- (1) That this House notes that on Thursday 11 June 2015 members of the NSW Rural Fire Service, Chifley Zone, were honoured in Oberon for their long service, which totals 782 years of combined service among them.
- (2) That this House commends the following Long Service Award recipients:
 - (a) Mr Ken Maloney for 71 years service as a member of the Jerrong/Paling Yards Brigade and Oberon Fire Control Centre;
 - (b) Mr Brian Nunan for 65 years service as a member of the Duckmaloi Brigade;
 - (c) Mr James Commins for 51 years service as a member of the Native Dog and Burruga Brigades;
 - (d) Mr Neville Kurtz for 50 years service as a member of the Norway Brigade;
 - (e) Mr Paul Kurtz for 50 years service as a member of the Norway Brigade;
 - (f) Mr Terry Behan for 50 years service as a member of the Gingkin Brigade;
 - (g) Mr Ray Brien for 46 years service as a member of the Native Dog Brigade;
 - (h) Mr Alan Ahlquist for 44 years service as a member of the Gingkin Brigade;
 - (i) Mr Alan Maloney for 40 years service member of the Jerrong/Paling Yards Brigade;
 - (j) Mr Tim Charge for 35 years service as a member of Norway Brigade;
 - (k) Mr Stephen Butterfield for 35 years service as a member of Black Springs Brigade;
 - (l) Mr Phillip Haynes for 30 years service as a member of Gingkin Brigade;
 - (m) Mr Brett Bailey for 30 years service as a member of Gingkin Brigade;
 - (n) Mr Mario Sormani for 29 years service as a member of Jerrong/Paling Yards Brigade;

- (o) Mr Anthony Sormani for 27 years service as a member of Jerrong/Paling Yards Brigade;
- (p) Mr Darryl Hanrahan for 24 years service as a member of Oberon Brigade;
- (q) Ms Pam Hanrahan for 24 years service as a member of Oberon Brigade;
- (r) Mr Mark Nunan for 23 years service as a member of Duckmaloi Brigade;
- (s) Ms Vivien Clark-Ferraino for 20 years service as a member of Duckmaloi Brigade;
- (t) Mr Scott Nunan for 19 years service as a member of Duckmaloi Brigade; and
- (u) Ms Anne Griffin for 19 years service as a member of Gingkin Brigade.

FIRE AND RESCUE NSW GRADUATES

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

- (1) That this House notes that:
 - (a) on 30 July 2015, 24 recruits of firefighting Class 4/2015 graduated into the ranks of Fire and Rescue NSW [FRNSW] and included the largest contingent of Indigenous firefighters in a single class; and
 - (b) the eight Indigenous firefighters were successful participants in a pilot training program designed to encourage and help more people of Aboriginal and Torres Strait Islander descent to prepare themselves for the FRNSW recruiting process.
- (2) That this House commends and congratulates the members of the graduating class:
 - (a) Cody Bardsley, Leichhardt station;
 - (b) Russell Bent, Matraville station;
 - (c) Alexander Beverdige, Glebe station;
 - (d) Simon Brady, City of Sydney station;
 - (e) Joshua Clay, Glebe station;
 - (f) William Evans-Brooks, City of Sydney station;
 - (g) Peter Fairlie, Randwick station;
 - (h) Dean Gillard, City of Sydney station;
 - (i) Bryce Gillmore, Ashfield station;
 - (j) Kynan Hall, Darlinghurst station;
 - (k) Peter Jensen, Glebe station;
 - (l) Quentin Johnson, Pyrmont station;

- (m) Michael Lett, Randwick station;
 - (n) Timothy Lowe, Ashfield station;
 - (o) Terry Manton, Mount Druitt station;
 - (p) Craig McLaren, Pyrmont station;
 - (q) Sean McPadden, Ashfield station;
 - (r) Jeremy Speck, Randwick station;
 - (s) George Spiros, Huntingwood station;
 - (t) Kirk Stevenson, City of Sydney station;
 - (u) Nathan Sullivan, The Rocks station;
 - (v) Joshua Sutton, Randwick station; and
 - (w) Christopher Wolley, City of Sydney station.
- (3) That this House acknowledges the vitally important, but sometimes dangerous, career of a firefighter and thanks the graduates, and all of Fire and Rescue NSW, for choosing a profession dedicated to protecting lives, property, and the environment of New South Wales.

BREAST CANCER AWARENESS MONTH

Motion by the Hon. BRONNIE TAYLOR agreed to:

- (1) That this House notes that:
- (a) Breast Cancer Awareness Month is marked every October;
 - (b) breast cancer remains the most common cancer among Australian women, excluding non-melanoma skin cancer;
 - (c) survival rates for invasive breast cancer have improved in Australia with 89 per cent of women diagnosed surviving five or more years beyond diagnosis; and
 - (d) the advances in breast cancer treatment bring benefits to cancer treatment more broadly.
- (2) That this House congratulates all those involved in raising awareness and funds this October, particularly those in rural New South Wales such as Brookfield's hot pink Omnibin at Active Metal Services, Cowra, and Hugh Bateman's Pink Tractor Trek from Mudgee.

ITALIAN CHAMBER OF COMMERCE GALA DINNER

Motion by the Hon. SOPHIE COTSIS agreed to:

- (1) That this House notes that:

- (a) on Wednesday 14 October 2015 the Italian Chamber of Commerce held its thirty-seventh Business Awards Gala Dinner;
 - (b) the evening was attended by Italian Ambassador, Pier Francesco Zazo; Italian Consul-General, Arturo Arcano; Chief Executive Officer of the Italian Chamber of Commerce and Industry, Nicholas Care; President of Co.As.It, Lorenzo Fazzini; Treasurer, the Hon. Gladys Berejiklian, MP; Minister for Trade, the Hon. Stuart Ayres, MP; member for Drummoyne, Mr John Sidoti, MP; member for Fairfield, Mr Guy Zangari, MP; member for Cabramatta, Mr Nick Lalich, MP; and member of the Legislative Council, the Hon. Sophie Cotsis, MLC; and
 - (c) the Italian community makes an invaluable contribution to Australia's prosperity, as almost one million Australians have Italian ancestry and bilateral trade between Italy and Australia is worth almost \$7 billion.
- (2) That this House congratulates all of this year's award winners and commends all members of the Italian-Australian business community for their continuing contribution to Australia's economic prosperity.

GREEK WELFARE CENTRE

Motion by the Hon. SOPHIE COTSIS agreed to:

- (1) That this House notes that:
 - (a) the Greek Welfare Centre of Sydney was founded in 1975 and is this year celebrating 40 years of service to the community;
 - (b) the Greek Welfare Centre was established with the support of the Greek Orthodox Church in Australia as an expression of the church's belief in the importance of welfare and community service;
 - (c) the Greek Welfare Centre has grown from its base in Newtown to include regional offices in Wollongong, Harris Park, Liverpool, Crows Nest, Brighton-Le-Sands and Hamilton;
 - (d) the Greek Welfare Centre provides a range of services to the community including information and referral, counselling and case work, community development, and education projects;
 - (e) the Greek Welfare Centre handles more than 12,000 instances of casework each year and responds to more than 13,000 telephone inquiries;
 - (f) the Greek Welfare Centre supports a wide range of groups accommodating seniors, women, people living with dementia and people with mental health needs; and
 - (g) a celebration of the fortieth anniversary of the Greek Welfare Centre was held with His Eminence Archbishop Stylianos, Primate of the Greek Orthodox Church in Australia, in attendance.
- (2) That this House congratulates and thanks the Greek Orthodox Archdiocese, His Eminence Archbishop Stylianos, Bishop Seraphim, the assistant Bishops, the parish priests and parishes of the Greek Orthodox Church in Australia for their ongoing support of the Greek

Welfare Centre and their commitment to community service.

- (3) That this House congratulates and thanks the founding members of the Greek Welfare Centre and everyone who has contributed to its success over the past 40 years, including the centre's founder and first Director, the Very Reverend Father Stephanos Pantanassiotis; Chair, Angelo Hatsatouris; Deputy Chair, Ulysses Coustas; founding member, Mary Tsamoglou; Director, Steve Magdas; and the exceptional staff and volunteers who contribute their time, skill and energy to this valued community resource.

CITIZENS' JURY SCORECARD PROJECT

Motion by Ms JAN BARHAM agreed to:

- (1) That this House notes that at the International Association for Public Participation [IAP2] Core Value Awards in Perth on 14 October 2015 the National Disability Insurance Scheme [NDIS] Citizens' Jury Scorecard project carried out by People with Disability Australia in conjunction with the National Disability Insurance Agency and Max Hardy Consulting won awards for International Project of the Year, Australasia Project of the Year, and Australasian Health Project.
- (2) That this House notes that in its Core Values Awards Showcase, the IAP2 said of the NDIS Citizens' Scorecard Jury project:

While there were many reviews of the scheme the voice of people with disability was absent in key places. Hence, the disability community forged a partnership to develop the first participant lead scorecard on the NDIS. It sought to create its "democratic moment" within the NDIS—a bold person centred evaluation to match the ambition of a bold person centred scheme;

and

Strong independent project partners ensured a quality outcome. There was a vigorous process of development over many months. The process was heavily tailored to get it right and ensure it was inclusive and true to the principles of participation and deliberation.

- (3) That this House:
 - (a) congratulates People with Disability Australia on winning these awards, and on the success of the Citizens' Jury Scorecard project; and
 - (b) calls on all Australian Governments and all parties to work in the interests of people with disability by:
 - (i) ensuring the successful implementation and rollout of the NDIS, including by addressing areas of concern and recommendations for improvement identified by the NDIS Citizens' Jury Scorecard;
 - (ii) supporting additional initiatives to ensure that the people with lived experience of disability who will be directly affected by the NDIS have ongoing participation and inclusion in its design, implementation, and evaluation.

MR RONALD WAKEM

Motion by the Hon. ROBERT BROWN agreed to:

- (1) That this House notes that:
 - (a) Mr Ronald Keith Wakem of Scone, New South Wales, has been a pillar of the Upper Hunter shooting and fishing community for the past 40 years;
 - (b) Mr Wakem's community service includes:
 - (i) conducting firearms safety training programs at the Upper Hunter Clay Target Club for the past 40 years, ensuring that law-abiding firearms owners practise their hobby safely;
 - (ii) lobbying the Department of Primary Industries and local fishing clubs to increase stocks of golden perch and Australian bass in Lake Glenbawn, with releases of fingerlings ensuring that it remains a prime fishing spot for families to enjoy;
 - (iii) coaching and training new competition clay target shooters across the Upper Hunter region;
 - (iv) instituting and operating target shooting as a sport for Scone High School for the past five years;
 - (v) founding the Valleybrook Hunting Club in the mid-1990s to promote safe and ethical recreational hunting, boosting its membership to over 200 members to make it one of the largest clubs in Muswellbrook;
 - (c) Mr Wakem is an avid fisherman, and in 2007 caught no less than two four kilogram golden perch while fishing at Lake Glenbawn, and this was witnessed by Andrew McManus and his father Tony McManus, both of whom can attest to Mr Wakem's catch; and
 - (d) Mr Wakem is a passionate advocate for the rights of law-abiding firearms owners, campaigning against the Unsworth Government's proposed firearms ownership restrictions and attended the inaugural meeting that formed the Shooters Party, now the Shooters and Fishers Party, at Sydney in May 1992.
- (2) That this House congratulates Mr Wakem on his service to the Upper Hunter region, as well as the shooting and fishing community of New South Wales.

SELECT COMMITTEE ON THE CLOSURE OF PUBLIC SCHOOLS IN NEW SOUTH WALES

Report: The Closure of Public Schools in New South Wales

The Hon. Paul Green, as Chair, tabled the report entitled "The closure of public schools in New South Wales", dated October 2015, together with transcripts of evidence, submissions, correspondence and answers to questions taken on notice.

Report ordered to be printed on motion by the Hon. Paul Green.

The Hon. PAUL GREEN [10.07 a.m.]: I move:

That the House take note of the report.

On behalf of the committee I thank everyone who was involved in the inquiry. The committee made clear from the start that it did not begrudge the fact that schools need to close on occasion. Since Australian settlement numerous schools have closed and opened for various reasons. But on this occasion it was brought to the attentions of members that the parents and stakeholders of some schools were greatly concerned that the decision to close their school had been made long before the school was consulted. In the process of consultation eventually held with the schools about whether they should shut or whether they could survive with future enrolments, it seemed that it did not matter if the necessary future enrolments could be achieved. There seemed to have been a pre-emptive decision made that the schools would close.

I have made it very clear that we are not opposed to the closure of schools; there are times when schools have to close due to changing demographics and declining population across our rural and regional areas. We often talk about relocation to regional areas and decentralisation from Sydney—taking the pressure off Sydney and encouraging the growth of towns in coastal, regional and rural areas. One of the major factors that people think about before making such a shift is the educational opportunities available to their children. It is about the facilities, the services and the character of those country towns. All of those factors will contribute to their child's education.

It is not a case of one size fits all. In many communities the school has been there longer than the showground, the post office and the church. The school is very much part of the town's history. So to go in there with a predetermined idea that a school should be closed because that is deemed a good idea economically is a bit unfortunate. The local council, service station and shop depend on the school being there. Mums and dads as they drop their kids off might grab a loaf of bread and a few items to take home. When a government kills the school and removes services then jobs go and towns die. One of the last opportunities for these small towns to survive is to offer education, and that allows people to relocate to those areas. When it comes to this report, we took all those things into consideration. We encourage the Government to be mindful of these communities. The last thing people want is to see their town lose its residents, lose its jobs and then lose its school and die.

Members in this House would be well aware of the case of a school called Martins Creek, which has a student with high needs. His world at that school is safe. He understands that world. He is not vulnerable there. He can take in that world, which includes four other students. That world is safe for that little fellow, and he is able to grapple with the mundane things that we take for granted every day. His biggest challenge is simply to get up, be fed and get to school—a safe environment. If anything goes wrong in his world, he knows those other four students, who are well versed in his world, will not denigrate him or put pressure on him. So his world will not suddenly blow up.

Given that sensitive situation, closing a school which has a student like that would force that child to move to a bigger school with 20 students and his world would become a lot more fragile. Having just one thing go wrong in that little fellow's world could really blow his whole future apart. Why would we want to tempt that for the sake of saving a few bucks? If we transfer a child in a situation like that to another school and his world does blow up then he will need more sociologists, psychologists, doctors and support services to put his world back together.

We took on this inquiry based on Martins Creek and a few other schools facing closure. Parents were upset because they did not feel they had been heard. At the end of the day, I think this is a very good report. It is unanimous, and I thank the Government for coming on board and hearing about these cases. We want to make sure that every child has the opportunity to be educated in a safe, practical and enriching environment. We would encourage the Government to take up the recommendations in the report and to keep the school at Martins Creek open, in particular for that student with high needs, until he is able to transition a little later in life, when he may not be so vulnerable because of the good education he has had at that school.

This report is dedicated to all the schools and parents. Sometimes we get into a position of power and forget that there are people involved—there are parents trying to get their kids to school and people who love their schools. People are contributing their finances and their time to keep their local schools going, only to have someone else come in and burst their balloon, so to speak. Their whole world can be blown apart by someone who comes in and believes they have a better idea about what the education of those kids should look like. So this report is for all the parents, stakeholders, teachers and principals out there serving our community faithfully in small schools across New South Wales.

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

SPECIAL ADJOURNMENT

Motion by the Hon. John Ajaka agreed to:

That this House at its rising today do adjourn until Tuesday 27 October 2015 at 2.30 p.m.

BUSINESS OF THE HOUSE

Suspension of Standing and Sessional Orders: Order of Business

Motion by the Hon. Dr Peter Phelps agreed to:

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

Order of Business

Motion by the Hon. Dr Peter Phelps agreed to:

That the order of Private Members' Business for today be as follows:

- (1) Private Members' Business item No. 2 in the Order of Precedence standing in the name of Ms Barham relating to the Climate Change Bill.
- (2) Private Members' Business item No. 182 outside the Order of Precedence standing in the name of Mr Pearson relating to the Prevention of Cruelty to Animals Amendment (Stock Animals) Bill.
- (3) Private Members' Business item No. 4 in the Order of Precedence standing in the name of Ms Voltz relating to activities in the East Hills electorate during the 2015 State Election.
- (4) Private Members' Business item No. 6 in the Order of Precedence standing in the name of Mrs Houssos relating to flexible working arrangements.
- (5) Private Members' Business item No. 8 in the Order of Precedence standing in the name of Mr Secord relating to the health and hospital system.
- (6) Private Members' Business item No. 428 outside the Order of Precedence standing in the name of Mr Buckingham relating to hemp food products.

VISITORS

The PRESIDENT: I draw the attention of members to the presence in the gallery of a delegation

from the Department of Finance of the Yunnan Provincial Government in the People's Republic of China who are visiting our Parliament as part of a study tour. I hope you have an enjoyable day here at Parliament House and that you enjoy your visit to Sydney.

CLIMATE CHANGE BILL 2015

Bill introduced, and read a first time and ordered to be printed on motion by Ms Jan Barham.

Second Reading

Ms JAN BARHAM [10.20 a.m.]: I move:

That this bill be now read a second time.

I am very proud to introduce the Climate Change Bill 2015 on behalf of The Greens. I am introducing this bill because it is essential that we provide for the wellbeing of future generations and protect our natural environment and precious biodiversity. If we fail to address global warming and its impact on our climate we will leave an unsafe environment and a compromised quality of life to those who inherit the consequences of our inaction. This bill delivers in a fundamental way on our constitutional expectation that the Parliament will make laws for the peace, welfare and good government of New South Wales. If this Parliament is to act in the best interests of the people of New South Wales, now and into the future, it is our responsibility to ensure that the laws of the State prioritise reducing the risks and impacts of climate change. There is an unprecedented but foreseeable risk and there are things that can be done to address it. It is our responsibility to act.

We are faced with a genuine opportunity for New South Wales to be a leader and provide responsible and innovative action on behalf of the people of this State. We can wait no longer for the Federal Government to lead on climate change. New Prime Minister Malcom Turnbull has committed to maintain the weak and ineffective climate policies of his predecessor; we are set to be the international dunces at the United Nations climate conference in Paris. As it stands, Australia will be seen as a developed, wealthy country that lacks the courage to make decisions in the best interests of its citizens, and instead has allowed a strange brew of ideology and short-term vested interests to influence its decision-making powers.

The NSW Government has recognised the implications of dangerous global warming. In a submission it prepared for the Federal consultation on post-2020 emissions targets but was never submitted by the Premier, there was a summary of key findings from the NSW and ACT Regional Climate Modelling [NARClIM] projections developed by the New South Wales and Australian Capital Territory governments in conjunction with the Climate Change Research Centre at the University of New South Wales. The submission, which was obtained under the Government Information (Public Access) Act [GIPA], notes that:

... without significant reductions in global emissions:

- NSW is expected to experience an increase in average maximum and minimum temperatures for the near future (2030) and far future (2070)
- by 2070 NSW average temperatures will be 2.1 degrees higher than now
- summer and spring will see the largest change, with maximum temperatures up to 3 degrees higher than now by 2070
- by 2070 the north-west may see over 40 additional hot days a year with over one-third of the year experiencing maximum temperatures above 35 degrees

- along the Great Dividing Range and the Tablelands there will be fewer cold nights, potentially impacting on natural ecosystems, snow tourism and cool climate agriculture. In the Snowy Mountains there will be up to 40 fewer nights with temperatures below 2 degrees
- annual average rainfall will not change significantly, but there will be changes in seasonal rainfall
- increases in severe fire weather during spring may increase bushfire risk and reduce opportunities for hazard reduction burning.

In particular, the impacts on the agricultural and tourism sectors, alpine regions, regional and coastal communities, human health and emergency services would be very significant.

These are foreseeable risks that we must take seriously and we should expect dedicated action at all levels of government. But instead of sensible debate about the risks and the pathways to successful mitigation and adaptation, we have had bizarre reflections on the aesthetic value of wind turbines, the glorification of coal, and a strange resistance to embracing the opportunity to have a go and meet a challenge head-on. For too long we have failed to grasp the opportunity in the face of a serious problem to be innovators and leaders and to expand into a jobs-rich and economically beneficial future. We have failed to lead the movement for the global action that is needed and to care for the health and wellbeing of our community and the environment. We are guilty of wilful blindness through our inaction on climate change.

As a North Coast resident for several decades, I have been very aware of the impact of the climate on our wellbeing, safety and local environment. We have seen the history of cyclones, storms, floods and destruction caused by dynamic weather patterns that are the hallmark of this subtropical region. Warming of the oceans and atmosphere mean that the intensity of future events is likely to be amplified by climate change, and so too will be the impacts and the risks we face without the necessary planning and actions to prepare and instil resilience to face disaster. Severe coastal storms in the 1970s led to an extensive investigation of coastal erosion by NSW Public Works. The Byron Bay to Hastings report provided sound evidence for the adoption of a coastal management option that became known as "planned retreat" in Byron Shire.

At a State level, the 1990 NSW Coastline Management Manual required the consideration of global warming in the planning of coastal settlements and directed councils to assess potential impacts. The manual also identified "planned retreat" as a valid management option. This science-based response to strategic planning ensured that the recognition of past risks and threats to the social, environmental and economic security of the coast should be considered alongside the future risk of global warming. I raise this example as a resident and representative of the North Coast who lives with the understanding of why it is important to act. There are those whose lives have been changed by the events of the past—homes lost, loved ones lost and their futures altered. They have been supported by our strong local communities and the commitment of disaster volunteers, but the Government's duty of care to the people means they must act. As a community activist, then a councillor and mayor, I recognised the importance of a responsible approach to planning for the impacts of climate change.

Other events have shaped my appreciation of the magnitude of the risk and the need to act—the unavoidable facts that underpin my reasons for introducing this bill. I recall the day in June 1992 sitting in a local cafe with a group of friends listening to our independent community radio station BayFM broadcasting reports from Rio de Janeiro about the progress of the Earth Summit. In a single day, 154 countries had signed a treaty: the United Nations Framework Convention on Climate Change, making a commitment to ensure the stabilisation of greenhouse gas emissions to prevent dangerous climate change; allow ecosystems to adapt; ensure food production is not threatened; and allow economic

development to proceed sustainably.

In November of the same year came the news that 1,700 of the world's leading scientists, including the majority of Nobel Laureates in the sciences, had presented a warning to humanity that "human beings and the natural world are on a collision course" and that fundamental changes were required, including a "move away from fossil fuels to more benign, inexhaustible energy sources to cut greenhouse gas emissions". Those moments of clear global acknowledgement of the urgent need to address global warming and ensure the ecological sustainability of our planet changed my life. I perhaps naively thought that they would change the world we live in.

Personal experience also has left me acutely aware of the health risks that may be intensified by the changing climate. In 2003 I discovered that I had what I thought was severe flu but in fact was Ross River fever. I was forced to begin a rest period of a few months, due to the debilitating chills and headaches and painful muscles and joints known as polyarthritis. I have suffered relapses and a compromised immune system. I hold great concern about the escalation of this condition and its impact on others. Extended warm seasons and more intense seasonal rainfall will create conditions that make outbreaks of mosquito-borne diseases more likely. Last summer there was a sevenfold increase in Ross River fever infections in New South Wales, with 540 cases compared to 80 in the previous year. Mosquito-borne diseases, heat stress and the impacts of extreme weather events—as well as the mental health issues that align with them—are some of the many health risks that confront us in a changing climate.

This bill ensures that these issues will be subject to planning. The most vulnerable groups in society, including older people, the young and the socially and economically disadvantaged, will feel the impact of those health risks. A compassionate society will need to plan to support those who are at risk. The 2015 Lancet Commission on Health and Climate Change observed that addressing climate change could be "the greatest global health opportunity" of this century. Reducing the impacts of climate change and adapting to the changes and risks that are occurring requires coordinated planning across all levels of government. In 2002 Byron Shire Council joined the Cities for Climate Protection program, an initiative of the International Council for Local Environmental Initiatives delivered in collaboration with the Australian Greenhouse Office. The goal was to reduce the greenhouse emissions levels of 1990 by at least 30 per cent by 2020. A greenhouse action strategy was developed and implemented across the organisation.

By 2007 more than 220 councils across Australia had signed up to the Cities for Climate Protection program, taking action at a local government level. The councils' efforts worked in conjunction with the initiatives under the Government's Climate Change Fund. These initiatives, across multiple levels of government, demonstrated the significant work that was possible at an individual and local community level to increase sustainability and reduce greenhouse emissions. In October 2007 my mayoral proposal for a climate change policy to address strategic planning for the shire was supported. This year my successor, The Greens Mayor Simon Richardson, has proposed a zero emissions plan for Byron shire and has been invited to the United Nations conference in Paris. It must be acknowledged that when government provides the leadership and support communities can and will respond. Unfortunately, that leadership and support for action on climate change has been haphazard at all levels of government and, in many cases, actively undermined. That is why the targets and the ongoing planning provisions in this bill are so important.

For the most part, we have lost a generation of action on climate change. A clear and loud consensus on the threat of global warming emerged during the 1980s. In 1988, NASA scientist James Hansen testified on climate change before the United States Congress. The Toronto Conference on the Changing Atmosphere was the first major international forum to bring together scientists and politicians in an effort to address global warming. Developed nations called for a 20 per cent reduction of 1988 greenhouse gas emissions by 2005, and the first meeting on the Intergovernmental Panel on Climate Change was held.

In 1989 the New South Wales Premier, Nick Greiner, moved to adopt the Toronto target. His Government released a discussion paper on the New South Wales greenhouse strategy. Federally, a Senate inquiry reported that early action was essential. Prime Minister Bob Hawke said that there was considerable scope to immediately reduce emissions. What followed was a watering down of action and a failure to follow through on changes that we as a society had the capacity to make. I encourage those who want to know more about how this happened to read the recent book by Maria Taylor, based on her PhD, titled *Global warming and climate change: what Australia knew and buried*.

Maria Taylor's work shows how the message that we were capable of transforming our society and our industry was undermined by an ongoing effort to cloud the scientific debate and to create the belief that Australia could not move away from its reliance on burning and exporting fossil fuels. Twenty-five years later, and with the world still warming, we are faced with growing urgency for action. The longer governments delay the process, the greater the problem they are handing to future generations. There are clear and foreseeable risks. All governments have a duty of care to their citizens to act in addressing those risks. The time to act is now. As United States President Barack Obama stated last year:

We are the first generation to feel the impact of climate change and the last generation that can do something about it.

This year Pope Francis acknowledged the unprecedented threat posed by climate change and called for everyone to act on their responsibility as caretakers for the natural environment. His encyclical stated:

The climate is a common good belonging to all and meant for all ... Reducing greenhouse gases requires honesty, courage and responsibility.

We are capable of meeting the challenge, but climate change action on a global scale requires a foundation that will provide consistent, long-term action. That is what this bill provides. Clause 5 of the bill establishes a set of guiding principles that acknowledge the serious threat of climate change, the strong scientific evidence about climate change and the global objective to reduce greenhouse gas emissions in order to limit its effects. These principles include a statement that the government of the day must take urgent action and develop strategies, policies and programs to address climate change. The guiding principles are to be considered by the Minister in exercising functions under this legislation. Clause 6 provides that all other legislation in New South Wales is to be interpreted, to the extent that it can be, in accordance with the guiding principles.

The bill imposes a duty on the Premier to ensure that New South Wales achieves a target of net zero greenhouse gas emissions by 2040, with interim targets of 25 per cent less than 2000 levels by 2020, 40 to 50 per cent less by 2025 and 60 to 80 per cent less by 2030. These are strong and appropriate targets, consistent with ensuring that New South Wales makes a contribution to limiting the rise in global temperatures to no more than two degrees and to achieving the goal of limiting global warming to 1.5 degrees—a goal that our a neighbouring Pacific Island States and leading experts have strongly urged global leaders to pursue.

These targets guide our emissions reduction trajectory, but every government from this point forward must play its part. To ensure this happens, the bill provides that at four-year intervals the Minister is to prepare a greenhouse gas emissions plan that sets annual carbon budgets in line with the targets and sets out the strategies, policies and progress that the Government will implement to meet budgets. The Minister is also to prepare a climate change adaptation plan that presents an analysis of the likely impacts and vulnerabilities related to climate change across the State and identifies strategies, policies and programs to adapt to the impacts and prepare for emergencies caused by climate change.

The Minister is to make an annual report about the most recent measurements of greenhouse

gas emissions and the State's progress in implementing the plans. If at any time the State fails to meet an annual carbon budget, the Minister must identify the reasons why the budget was not met, the action that is to be taken to ensure future budgets will be met and the action that will be taken to compensate for the excess emissions. Under part 5 of the bill, all public authorities, which includes every government department and each local council, must prepare a Climate Change Action Plan every four years that details what the authority will do to contribute to achieving the emissions targets and adapting to climate change. The bill also introduces a requirement that a public authority, in exercising its functions, must ensure that it does not decrease the State's ability to meet the targets and to adapt to the effects of climate change.

Importantly, the bill will provide for the bringing of court proceedings to remedy or restrain any decision or action that is in breach of these obligations. This mechanism will ensure that public authorities are addressing climate change in their decision-making and their activities in a way that is consistent with the relevant plans and guidelines. If a government develops solid plans to contribute to climate action and follows them, these safeguards will never be necessary. But these provisions will ensure that the public can hold any government accountable. The bill also provides a voluntary mechanism for any private entity to request to be subject to the same obligations as is a public authority. Any company or non-government organisation that wants to demonstrate leadership on climate change can notify the Minister that it would like to be subject to these same obligations to produce action plans and to ensure its decisions and actions do not detrimentally affect our capacity to meet the targets or adapt to climate change.

This provision will be a welcome opportunity for communities and consumers, who are increasingly insisting that the businesses they deal with display a genuine commitment to sustainability and social responsibility, as we have seen in the strength of the fossil fuel divestment movement. Finally, the bill establishes the NSW Climate Change Commission, an independent statutory body of five to nine members with expertise in climate change and its effects, which will advise the Minister as well as provide information to and consult with the public. The Minister must consult with the commission in developing the Government's climate change plans, and the commission will publish an annual report that details all advice given to the Minister. The commission may also make special climate change reports that will be tabled in Parliament, allowing the commission to provide independent analysis and commentary about any issues or actions affecting the State's performance in addressing climate change.

I note that this bill does not dictate what policies or mechanisms the government of the day should use to address climate change. It provides the flexibility for government to determine how it meets the targets and how it develops its action and adaptation plans. The Greens, of course, have our own vision and ideas about the appropriate policies to reduce emissions and to adapt to climate change. We have introduced other legislation that reflects some of these approaches. As two examples, last year Dr John Kaye introduced the Transforming NSW Energy Sector (Towards 100 percent Renewables) Bill 2014 and Mr Jeremy Buckingham introduced the Responsible Mining (Protecting Land, Water and Communities) Bill 2014. The Greens will continue to introduce bills in the future and will continue to campaign for the government of the day to adopt policies that are effective in addressing the challenge and to promote climate justice for all.

The current bill has a different intent. This bill provides the framework to ensure that the Government develops its own plans and that the community and business sectors are consulted and are made aware of those plans. If we are going to live up to our responsibility on climate change, we need to reach a fundamental agreement about the need for a plan of action. That is what this bill allows us to do. Some might be inclined to suggest that reducing greenhouse gas emissions is a responsibility of the Australian Government and that State targets would interfere with the efficiency of Federal climate action. But let us face the facts: this is too important for us to fail, and the Federal Government has us on a pathway to failure. Australia's post-2020 emissions targets are among the weakest put forward by developed countries and are insufficient to avoid catastrophic global warming.

Around the world sub-national governments are stepping up to make a significant contribution to

addressing climate change. The Compact of States and Regions was established last September at the United Nations Climate Summit in New York and already consists of 20 State, Territory and provincial governments which represent more than 220 million people and \$US8.3 trillion in gross domestic product [GDP]. They include California, New York, Wales, Scotland and Rio de Janeiro. These member States make a public commitment on targets to reduce greenhouse gas emissions and publicly report a standard set of annual greenhouse gas inventory data to the international community. Both the Australian Capital Territory and South Australia have joined. If this bill is enacted, New South Wales could become a leading member of this compact.

In 1992, when I heard the warning of scientists, I could never have conceived that 23 years later I would be standing here in Parliament presenting legislation to address our duty of care to the citizens of the State. It is of further amazement to me that I would be quoting the Pope, but I have done so in recognition of the breadth of recognition and leadership we are seeing on climate change and in an attempt to shift the conversation to our responsibility to act. I respect and appreciate the different views of honourable members in this place. In presenting this bill, I appeal to all members to seriously consider this proposal which would enable New South Wales to be in a position to report to the United Nations Conference on Climate Change in Paris that we, like many other sub-national governments, are taking responsible action—because we can and because it is the right thing to do as elected representatives.

This is a significant challenge and this bill sets us on a course for strong climate action. Climate change poses a foreseeable risk and we must act. This bill presents the opportunity for innovation; it presents the opportunity to ensure the health and wellbeing of the environment and the people and to prepare for an uncertain future. It presents the opportunity for us as elected members to show the courage that is needed and expected to meet the responsibility and challenge of climate change. I take this opportunity to thank my colleague David Mallard for his diligence and commitment to the preparation of this legislation. I commend the bill to the House.

Debate adjourned on motion by the Hon. Dr Peter Phelps and set down as an order of the day for a future day.

VISITORS

The PRESIDENT: I welcome year 11 students attending the Young Women's Leadership Seminar conducted by the Department of Parliamentary Services Parliamentary Education Section. Welcome to the Legislative Council. I hope you are enjoying the program today and that your day at Parliament House will be enjoyable. I welcome also students from Warnervale Public School, Tuggerawong Public School, Wyong Public School and Wyong Creek Public School, who are here as guests of the member for Wyong in the other place. Welcome to the Legislative Council. I hope you enjoy your visit to Parliament House today.

PREVENTION OF CRUELTY TO ANIMALS AMENDMENT (STOCK ANIMALS) BILL 2015

Bill introduced, and read a first time and ordered to be printed on motion by the Hon. Mark Pearson.

Second Reading

The Hon. MARK PEARSON [10.50 a.m.]: I move:

That this bill be now read a second time.

The Prevention of Cruelty to Animals Amendment (Stock Animals) Bill 2015 goes to the very heart of the principles of the Prevention of Cruelty to Animals Act 1979—an Act that is about being proactive, not reactive. I refer to the fundamental principles of the Act, which were reviewed in 1997. The objects

stipulate that the duty of care, control and supervision of animals is a positive duty, not a reactive one. The fundamental principle of this bill is that a person must promote and ensure the welfare of animals and must prevent cruelty or harm and suffering to those animals, even if the act of cruelty is not intentional.

The object of the bill relates to the wellbeing or welfare of livestock, that is, stock animals including poultry, pigs and cattle. In New South Wales the numbers of poultry are in the millions. As we speak, up to seven million chickens or poultry are being kept in various stages of intensive housing, as well as up to approximately 900,000 pigs and tens of thousands of cattle. This bill relates to intensive farming as well as to intensive and free-range facilities and the need to provide a secure enclosed area to protect the animals from predators and extremities in temperatures.

Several incidents have stimulated me, on behalf of the Animal Justice Party, to introduce this bill. These include incidences of extreme suffering where many hundreds of animals have burnt to death. A recent incident occurred at Wonga piggery near Young in central New South Wales where 2,500 weaners were killed in a fire. The manager of that piggery stated that he had no knowledge of how the fire started. Another incident was at Boen Boe Stud piggery near Joadja in the Southern Highlands where on 9 April 2015 400 pigs were burnt to death in a fire. In a facility near Gloucester belonging to Pace Farm approximately 22,000 hens were burnt to death in a fire. I will talk about alarm systems later.

I turn now to the three major areas that this bill addresses. First, it addresses the risk of fire. The bill provides that the proprietor of an abattoir or intensive livestock-keeping facility must ensure that a fire sprinkler system is installed and maintained in the abattoir or facility. At a piggery at Grong Grong, 500 pigs died from heat stress as a result of a breakdown of the ventilation system. The alarm system did not function properly so the owners were not alerted and were unable to assist the animals. I was in attendance at Henholme, a battery hen facility owned by Pace Farm, when it was discovered that the feeding system had malfunctioned. Feed was pouring out onto the hens and several hundred of the hens were suffocated. No alarm system was in place to notify management of any malfunctions. This bill contains a requirement for the proprietor of an abattoir or intensive livestock-keeping facility to install and maintain an alarm system.

In New South Wales and elsewhere several incidences of cruelty to animals, often egregious cruelty to animals, have been exposed. These incidences were exposed by way of surveillance camera recordings. How and who installed the cameras is not relevant. The recordings of the treatment of animals have resulted in investigations and prosecutions by the NSW Police Force. At the Burrangong Meat Processors abattoir near Young, in 1990 recordings from surveillance cameras, which had been installed by workers, depicted pigs not being bled out properly and rendered unconscious, pigs being lowered into scalding tanks while still conscious, and pigs being beaten. This treatment of the animals, which was exposed by the surveillance cameras, led to a major investigation by police and to charges being laid against the abattoir. It also led to a \$1.2 million investment in the facility to ensure that the pigs were rendered dead before being lowered into a scalding tank.

Last year an abattoir in the Hawkesbury Valley, not far from Sydney, was exposed for cruelty to animals during ritual halal and kosher slaughter. This caused an investigation by the NSW Food Authority, the police and the RSPCA and led to an overwhelming improvement in the welfare, wellbeing and treatment of animals. It also led to a very important undertaking by senior rabbis of the Jewish community to address factors surrounding kosher slaughter and the welfare of animals killed in that manner. Cameras that were installed in Inghams turkey abattoir near Tahmoor also revealed extremely brutal treatment of animals, which led to police investigations and prosecutions under the Crimes Act and the Prevention of Cruelty to Animals Act, which led to major changes at this abattoir. The purpose of this bill is to introduce mandatory surveillance cameras at critical points in either an abattoir or an intensive livestock facility to ensure animal welfare. Schedule 1 to the bill states:

- (1) The proprietor of an abattoir or intensive livestock keeping facility must ensure a video and audio recording is made of all operations relating to the keeping, movement, handling and slaughter of animals at the abattoir or intensive livestock keeping facility.
- (2) The proprietor must ensure that the equipment used for the purpose of making a video recording under this section is, at all times, positioned to ensure an unobstructed view of the operations being recorded.
- (3) The proprietor of an abattoir or intensive livestock keeping facility must ensure that a recording made under this section is retained for a period of not less than 3 months after the date the recording is made.

Under schedule 1 to the bill, new section 24ZA deals with inspectors under the Prevention of Cruelty to Animals Act which includes the police, the RSPCA, the Animal Welfare League and officers with prescribed authority under the Food Act. In relation to those officers it states:

- (1) An officer may, at any time within 3 months after the making of a recording under section 24Z, require the proprietor of an abattoir or intensive livestock keeping facility to provide the officer with access to the recording.
- (2) A person must not fail to comply with a requirement of an officer under subsection (1).
Maximum penalty: 25 penalty units.
- (3) The officer may do one or more of the following:
 - (a) examine, inspect or listen to the recording,
 - (b) make a copy of the recording,
 - (c) examine the equipment with which the recording was made.

It is important that the bill provides an exemption from the oversight of the Surveillance Devices Act 2007 which will not prohibit the installation, use and maintenance of a listening device within the meaning of the Act for the purpose of making a recording required under this section. This bill is important because it also goes to some very significant findings in law in relation to the responsibility of people who have animals under their care, control and supervision. When cattle were found dead or dying from starvation on a property it was successfully argued in the Magistrates Court that there was not a strict liability upon the owner of those animals because there was no mens rea—the owner did not know that the animals were suffering. This case was appealed in the Supreme Court before Justice Dowd and an unreported judgement in *Bell v. Gunter* was handed down. It was argued that the owner of the animals, the person who had the care, control and supervision of the animals, was unaware that those cattle were in that state and dying from starvation.

The RSPCA won the appeal, which set a very important precedent which goes to some of the underlying principles in this amendment bill. Justice Dowd found that there is strict liability and that once a company or a person in charge of animals places those animals in an enclosure, on an intensive farm, in a restricted area with a fence or other confinement around them where they can be rounded up and put in an abattoir or wherever—and they are not wild animals or where they cannot freely access food and water—then the onus of responsibility sits fairly and squarely on that company or person. There is no excuse for them not to know. The fact that someone has decided to purchase 100 steers, 1,000 pigs or 5,000 hens and then put them into a cage, a confinement or a shed at any given time means that the onus of responsibility is totally on that person to ensure they know where the animals are, what is happening to them, their situation and the elements and factors around them that could cause them harm.

This bill is really about sending a message and helping owners, managers and people who have responsibility for animals that they have a positive duty to ensure that they know where those animals are and that there are systems in operation that will prevent suffering, in the best and most reasonable way. This bill states that a watering system and sprinkler system need to be in place. If watering systems are placed along the floors of sheds for pigs, chickens or cattle to drink from then it is also possible to have a sprinkler system that is triggered in case of fire to prevent animals from burning to death or being injured, which no reasonable person wants to happen to any animal.

This bill addresses the positive duty of farmers, owners and managers of animals to ensure their wellbeing and welfare under the Prevention of Cruelty to Animals Act by preventing them from being burnt to death. That can be done by having functional alarm systems in place that many people can respond to. For instance, a ventilation system at Grong Grong piggery broke down and many animals died from heat exhaustion and suffocation, which is a terrible way to die. If a CCTV camera system is put in place it will work towards the principle of ensuring that animals are treated humanely. When the call comes from an abattoir to say that 400 pigs have to be on the truck by 2 o'clock and they have to speed up the line having mandatory CCTV cameras in place will ensure that workers' interactions with animals remain lawful and that they act with the best possible regard for animals. It will also help to ensure that workers at the operation are being looked after.

Those factors relate to the cases in which Justice Dowd found there is clearly a positive duty upon the owners and managers of an abattoir or intensive livestock facility, or a free-range facility for that matter. Justice Dowd found that the responsibility lies fairly and squarely on their shoulders. As I said, this bill goes to the very foundation of the Prevention of Cruelty to Animals Act because it is about the prevention of cruelty to animals. It will strengthen the foundation of the Act, which is about ensuring the welfare of animals and putting in place the best possible practices so that animals that are totally reliant on our activities, responsibilities and duties are offered the best possible protection from harm, injury and vice. I commend the bill to the House.

Debate adjourned on motion by the Hon. Dr Peter Phelps and set down as an order of the day for a future day.

MEMBER FOR EAST HILLS AND 2015 STATE ELECTION

Debate resumed from 17 September 2015.

The Hon. PETER PRIMROSE [11.12 a.m.]: I support the motion moved by the Hon. Lynda Voltz relating to a stain that persists on the character of the Baird Government. The stain was caused by the immoral actions of persons associated with the Liberal campaign in East Hills at the last State election. The stain persists like any stain because neither the Liberal Party nor the Baird Government has sought to take any positive action to remove it. The motion before the House outlines the abuse in detail. It proposes:

- (1) That this House notes that during the 2015 election there were a number of alleged breaches of the Parliamentary Electorates and Election Act 1912 in the East Hills electorate by the member for East Hills, Mr Glenn Brookes, MP, including:
 - (a) the distribution throughout the electorate and on polling booths of an unauthorised illegal leaflet attacking the Labor candidate, Mr Cameron Murphy by Mr Brookes' electoral staffer Mr Jim Daniel;
 - (b) the sending of an email from Mr Brookes' personal parliamentary electorate account to local journalists, community and sporting groups attacking the Labor candidate for East Hills, Mr Cameron Murphy;

- (c) electoral treating including the provision of a "donation" to a local religious school of 1,500 bottles of water promoting the member for East Hills, Mr Glenn Brookes, to be sold at the school fete, which the school organisation then asked other candidates to match and also through the provision of water bottles to commercial premises, that were provided at no cost to those premises, but which were then sold for profit and that Mr Brookes, by his own admission, stated that he had distributed 15,000 bottles at his own expense at a cost of \$4,500;
 - (d) the invoicing of the Australian Multicultural Christian Society, a charity run by convicted money launderer, Mr Carl Trad, for payment of water bottles used for campaigning purposes;
 - (e) the midnight appearance of a Glenn Brookes/Mike Baird Liberal Party billboard on Milperra Road, Revesby that lacked development application approval from Bankstown Council and for which Bankstown Council was required to issue a notice to remove;
 - (f) the extensive use of vehicles and resources from the company "Sydney Signs" which remain undeclared as an election donation, including the sign writing and advertising of an entire bus; and
 - (g) the use of vehicles from the company "Sydney Signs", driven by Mr Glenn Brookes, MP's electorate officer, Mr Jim Daniel, for the illegal and unauthorised removal of the Labor candidates' A-frames from local shopping precincts.
- (2) That this House notes that the Labor candidate, Mr Cameron Murphy, was the victim of a sustained attack that included the placement of stickers with defamatory and derogatory statements on campaign corflutes placed in local residents properties and that this illegal activity required the removal of all Labor corflutes in the East Hills electorate.
- (3) That this House condemns Mr Brookes for his actions and those of his campaign team during the 2015 New South Wales State Election that have brought the electoral process into disrepute.
- (4) That this House:
- (a) calls on the Premier of New South Wales to ascertain whether these matters have been investigated by the New South Wales Electoral Commission, when they were investigated and whether the Electoral Commission has adequate resources to stop breaches of the Parliamentary Electorates and Election Act 1912 during the election process; and
 - (b) condemns the Premier of New South Wales for his failure to act on breaches of the Parliamentary Electorates and Election Act 1912 by Mr Brookes when they were reported in the media.

State Politics Editor for the *Sun-Herald* Ms Kirsty Needham reported following the election:

Corflutes for the respected Cameron Murphy have been plastered with stickers maliciously alleging he is a "paedophile lover".

Mr Murphy was awarded the Order of Australia in 2014 for his contribution to human rights, and is the son of former Labor federal attorney general and former High Court judge Lionel Murphy.

...

The stickers, also plastered on Labor's power pole signs, are unauthorised by any party ...

"It is very disappointing when people engage in gutter politics," said Mr Murphy. "There have been leaflets and stickers claiming I am a paedophile, a serial rapist, in favour of a mosque in every street.

On 4 April an article by Anne Davies appeared in the *Sydney Morning Herald* and the *Age* with the headline "NSW State Election 2015: Smear campaign in East Hills reads like a whodunit". Ms Davies's article includes comments such as the following:

But Mr Murphy has special reason to feel bitter. He has been the victim of an unprecedented smear campaign that began four weeks ago. Tens of thousands of glossy leaflets insinuating he is a paedophile, or a supporter of paedophiles, appeared in letter boxes and at polling places. Letters accused him of being in support of a mosque in one part of the electorate, and accused him of opposing another in a different part of the electorate. Then just three days before the campaign, polished stickers, with three different messages, were applied to 300 of his Corflutes in a single night. They were virtually impossible to remove, so for the last three days of the campaign he had no posters.

In Australian elections there have been occasional outbreaks of nastiness.

...

Mr Murphy's problems began when 2GB's Ray Hadley accused him of being parachuted into the seat and played extracts of interviews that Mr Murphy had given when he was president of the Civil Liberties Union. In that role he had defended the right of a gallery to display the photographs by well-known artist Bill Henson which depicted pre-pubescent children. Murphy had also spoken out against legislation rushed through in 2009 which allowed a person to be evicted from their housing commission home without recourse to the law.

There is no suggestion that Hadley is part of the smear campaign, but those who opposed Mr Murphy soon began sharing the link to Hadley's broadcast. On a community Facebook page, Panania Social network, Anthony Ayoub posted a link to the Hadley broadcast and asked: "Hey guys, can anyone shed some light on this. Is Labor for real parachuting this guy to our area just because its traditionally a safe Labor seat? Liz Godfrey replied: "I found it hard to hear. Is he for paedos?" Jessica Daniel replied: I wouldn't vote for Murphy. He protects child sex offenders and rapists."

It is unlikely that Jessica Daniel would vote for Murphy anyway. Ms Daniel is the wife of Jim Daniel, the campaign manager for the Liberal MP for East Hills, Glenn Brookes. Mr Ayoub is one of Mr Daniel's close friends and volunteered for Mr Brookes.

Mr Murphy's problems were about to get much worse.

A letter appeared in letter boxes around Padstow in early March from a "W Shaw, concerned resident" warning that a vote for Mr Murphy was a vote for the mosque proposed in the suburb. While it acknowledged that the approval was a matter for council—the position that Murphy had taken publicly—it went on: "If we elect Cameron Murphy, we can only blame ourselves when we are sitting in traffic behind the 5000 people the mosque is expected to cater for or parked out of our driveways and our butcher only sells halal meat."

There is no W Shaw on the electoral roll or in the phone book in Padstow.

Meanwhile, among the Muslim community in Condell Park, the rumour mill claimed that Mr Murphy had attended an anti-mosque rally ...

In mid-March a glossy brochure, resembling other official campaign material, began appearing in letter boxes. Someone had researched reports of what Mr Murphy had said in interviews. Entitled "Stranger Danger", it artfully blurred the lines between what Mr Murphy had said in interviews to suggest he was either a supporter of paedophiles, or possibly one himself.

Mr Murphy told *The Herald* he had no convictions and had never been investigated for any crime. He said he was sickened by the pamphlet. He believes tens of thousands were distributed throughout the electorate on the basis of the number of calls he received. Several hundred were dumped at a school and retrieved by his campaign workers.

Stealing and defacing the opponents' Corflutes is unfortunately common during elections. But the next move against Murphy was undertaken with military precision. On the Wednesday night before the election 300 of his posters were defaced with stickers declaring him a "paedophile lover, a person who believes in the rights of child rapists and another simply saying "stranger danger".

Elections in New South Wales are hard fought, as they should be. Ours is an adversarial system, and frankly if someone cannot stand the criticism then they are trying to get the wrong job. But there are lines that candidates and their supporters should not cross. In East Hills at the last State election our community witnessed a level of abuse, and such total disregard for the electoral laws that govern elections in this State, that is unprecedented. Glenn Brookes should not be a member of the New South Wales Parliament. In East Hills at the last State election there was demonstrably a complete disregard for any of the standards required by civil society, let alone by the law. The Liberal campaign just went too far.

Those breaches include: the distribution throughout the polling booths in the electorate of an unauthorised, illegal leaflet entitled "Stranger Danger" attacking the Labor candidate, Cameron Murphy, by Mr Brookes' electoral staffer, Jim Daniel, who is also a Liberal councillor on Bankstown council; the use of Glenn Brookes company resources in the campaign, including for Jim Daniel to travel around the electorate stealing A-frames in a vehicle owned by Glenn Brookes' company, a Glenn Brookes bus and the production of materials. The sustained attack on Labor candidate Cameron Murphy included the placement of stickers with defamatory, derogatory statements on campaign corflutes, which necessitated the removal of all Labor corflutes in East Hills.

Further breaches include: illegal billboards erected by a company called Queen Street Racing; electoral treating, including the provision of a "donation" to a local religious school as I have outlined; and the invoicing of the Australian Multicultural Christian Society, a charity run by convicted money launderer Mr Carl Trad, for payment for water bottles used for campaigning purposes, in breach of the Act. If Premier Baird wants to be taken seriously when he says that he wants to clean up politics in New South Wales then he has to begin by removing this stain from his party and his Government. Until the Premier is prepared to condemn the member for East Hills and Liberal Councillor Jim Daniel for their behaviour, he is justifiably seen by citizens in this State as complicit in their actions.

The Hon. ERNEST WONG [11.24 a.m.]: It is of great concern to the New South Wales community when one of its basic institutions fails to ensure that the very basis for its existence is not being honoured. That organisation is the New South Wales Electoral Commission, which is charged with the important task of the oversight and conduct of elections in this State. In March 2015 the New South Wales general election was in full swing, with the commission doing what it usually does—efficiently and competently organising candidate nominations, preparing ballot papers and finalising polling booths. Meanwhile in the East Hills electorate as polling day was approaching the contest was reaching its

predicted crescendo.

What transpired, however, over the last months of the campaign highlighted the inability of the Electoral Commission to deal with those who would seek to debase the democratic processes of this State for selfish, personal gain. Those under the Liberal banner engaged in acts of bastardry that clearly breached the New South Wales Electoral Act, and despite these incidents being raised with the Electoral Commission and the Independent Commission Against Corruption [ICAC] no action was taken at the time to deal with the individuals who breached the law on numerous occasions.

Indeed it was the ICAC who advised that the breaches should be referred to the New South Wales Electoral Commission, which is empowered to defend the democratic process. It is clear that the Electoral Commission is not properly resourced by the Baird Government to ensure the integrity of the electoral process. The behaviour in question included such gems as the illegal billboards, water bottles for sale promoting the sitting member, box trailers parked illegally and a large bus advertising the sitting member. This was clearly in breach of the Act and, paradoxically, wiped out a set of traffic lights in Revesby at great expense to the New South Wales taxpayer. We still do not know if Mr Brookes has paid the damages bill.

With pre-poll voting in its last week before polling day, it was obvious to polling booth workers of all persuasions that the Labor candidate was performing well. This resulted in two acts of desperation by the team of the sitting member. First of all, they distributed pamphlets to local homes, to schools and at shopping centres advising that the Australian Labor Party candidate represented "Stranger Danger" and was a "paedophile lover". This instilled unnecessary and unwarranted fears into unsuspecting members of the community. The second act occurred under the cover of darkness—the majority of the ALP candidate's corrflutes were plastered with the word "paedophile" throughout the electorate. The impact on the psyche of the community was obvious.

The ALP team fielded numerous complaints from the community about the outrageous tactics and the smear on the ALP candidate, Mr Murphy. During the last days of pre-poll voting, voters were duped into believing this bile, aggressively declaring to booth workers they would not vote for "a paedophile". All of this conduct was reported to the officials of the Electoral Commission, but nothing has been done to bring those responsible to account. Community members provided statutory declarations identifying the member for East Hills' staffer Mr Daniel as one of the individuals distributing the "Stranger Danger" pamphlets under the cover of darkness. Come election day, the damage was well and truly done; and the dishonest trickery rewarded the Liberal candidate with victory by approximately 300 votes.

This sordid affair has no place in a modern twenty-first century democracy such as ours. The people of New South Wales deserve better, and those who offer themselves for public office, no matter their political persuasion, expect that the Electoral Act will be enforced to ensure that the democratic process is fair and transparent. It is imperative that the best candidate is elected based on a clearly articulated policy platform put to the community not the senseless politics of smear and innuendo, which only accentuates the unfortunate current decline in public confidence in this nation's institutions.

It is time the Baird Government acted and dealt with the member for East Hills and his staffer Mr Jim Daniel. It is also time that it properly resourced the New South Wales Electoral Commission with the tools to deal with serious complaints alleging breaches of its legislation, so that these matters can be dealt with fairly and expeditiously to ensure a fair go for all those involved in the electoral process. This would result in strengthening the integrity of New South Wales as a modern democratic society. It might just go some way to restoring the public's faith in the political system. I congratulate the Hon. Lynda Voltz on her passion for retaining the integrity of elections in New South Wales.

Dr JOHN KAYE [11.30 a.m.]: I support the motion moved by the Hon. Lynda Voltz. This issue goes way beyond the East Hills electorate, the Liberal Party, The Nationals and this Parliament; this is about the integrity of democracy itself. This is about the fundamental idea that this Chamber has stood up

for in jurisdictions like Burma—namely, the fundamental idea that people should have an honest and open choice about who represents them. I do not believe, on the evidence presented in the public and in this Chamber, that that occurred in the electorate of East Hills in March 2015. In fact, to the contrary, I think the people of East Hills were badly misled by a deliberate campaign that set out to assassinate the character of one particular individual.

I make it clear that I carry no brief for Cameron Murphy. Indeed, I have in public disagreed with him on a number of issues—on one particular occasion quite vehemently. This is not about the type of member of Parliament Cameron Murphy would make, although I have no doubt that he would make an excellent member of Parliament, if somewhat painful for many people—but those who probably deserve to have a bit of pain. This is not about Cameron Murphy. This is not even about Glenn Brookes, although I think he plays a key role in all of this. This is about the integrity of our democracy. The facts in the public domain are extremely clear. Tens of thousands of glossy leaflets, which insinuated that Mr Murphy was a paedophile, or a supporter of paedophiles, appeared in the dying days of the election and in polling booths.

There is absolutely no doubt that Mr Murphy is not a paedophile, nor indeed is he even a supporter of paedophiles. Mr Murphy, on any account, is a strong supporter of civil liberties. In the minds of anybody who is engaged in politics there is a difference between being a supporter of civil liberties and being a supporter of people who have breached the law. As I have said, I do not always agree with everything that Cameron Murphy says, but nothing that Cameron Murphy has ever said could in any way be vaguely interpreted, by anybody with a scintilla of honesty in their body, as being close to him being a supporter of paedophiles.

Mr Murphy was the victim of a campaign poster sticker attack. Different messages were placed on his corrflutes on the eve of an election in one single night. The Labor Party described that campaign as having military precision. I have been around elections for many years and I have seen many such campaigns conducted by both Coalition and Labor parties. But the organisational intelligence and clear intent of this stickering campaign takes the cake. This was not just a few wild cowboys who got overenthusiastic, printed up some stickers and belted them out there. This was a 100 per cent orchestrated campaign with the military intelligence and precision that could come only from a central organisation. This was not the work of a few gadflies; this was the work of a centralised organisation.

The third piece of evidence was the smear campaign that was run with respect to mosques. Mr Murphy was a victim in some parts of the electorate of being in favour of a mosque on every street, and in other parts of the electorate he was said to have attended an anti-mosque rally. He was really run over going both ways. Neither statement was true. Mr Murphy said through the election that this was a matter for the local council and that the issue should be resolved on the basis of law—everybody in this Chamber should stand behind that statement. Indeed, that is one matter at least with which I strongly agree with Mr Murphy. That is a long way from saying that there should be a mosque on every street, and it is an awfully long way from having ever been within a million miles of an anti-mosque rally. But it did not matter to the smearers of East Hills. It did not matter to the grubs that crawled out from under the rocks during this election campaign and set out to destroy this candidate based on complete dishonesty. It did not matter to them; they were quite happy to spread it around.

The reality is that there was only one beneficiary of that work: Mr Glenn Brookes. Nobody else gained from what happened. There can be no other explanation as to why this was done other than for the purposes of getting Mr Brookes re-elected and Mr Murphy not elected. That seat, which in the natural swing that occurred throughout the last election should have gone to Mr Murphy, was held by Mr Brookes for the Liberal Party by a mere 370 votes. By all accounts from representatives of The Greens and the Labor Party at the polling booths at East Hills people were walking into those polling booths saying that they would not vote for Mr Murphy because he was a paedophile, a supporter of paedophiles, he was in favour of mosques, and he was against mosques. It did not matter. They went into the polling booths with lies in their minds—promulgating lies through an election is a sure-fire way to corrupt an election—and

those lies were effective.

So what do we have? We have evidence of an orchestrated smear campaign, a campaign that was put together with intelligence and intent, a campaign that was put together clearly with resources, a campaign that was focused on spreading disinformation and lies about another candidate, and a campaign that successfully elected to the lower House of this Parliament an individual who would not have been here unless that campaign had been run. I do not know about you, Mr Deputy-President, but if I was to find myself in that situation I would see that the only honourable thing to do would be to resign. I would admit that my election had been comprehensively dishonest and obtained by a rort. I would admit that my election had been obtained by a series of lies and deception, and by the lowest form of electoral act that there is. That is not what has happened.

The other question in mind is: Was Mr Brookes himself involved in this campaign? There is evidence that Mr Brookes' campaign team were part of this campaign. Statutory declarations suggest that Mr Jim Daniel, a Liberal councillor on Bankstown council and staffer in Mr Brookes' electoral office, was seen distributing the leaflets. That draws a line that goes very close to Mr Brookes. We also know that Mr Brookes is refusing to hand over key information about his campaign—information, for example, about how he paid for a billboard erected during the election campaign without development approval and with an order from Bankstown council to be removed. No information has been forthcoming from Mr Brookes' office or from his campaign about how that was paid for, who paid for it or where the invoice is. That speaks of a culture of secrecy; a refusal to be open and honest.

I said before, if I was Mr Brookes and I had won the seat in the way he did I would resign. At the very least, any reasonable human being would recognise that there are severe question marks over his campaign and that Mr Brookes ought to be upfront and open with the people of New South Wales. He should open his books. The fact that Mr Brookes is keeping a closed book on his campaign adds to the weight of evidence that he was personally involved—that he at least knew, if not orchestrated and funded, a campaign that took politics in New South Wales to a new low point.

I spent some time living in the inner city, in the very worst days of the Tammany Hall politics of the old right-wing Labor crew. Members in this Chamber will know who I am talking about. They were a shameful bunch of disreputable individuals who ran as their personal fiefdom the then South Sydney Council, which was merged with the Sydney City Council and then became South Sydney Council again. I helped an Independent candidate to run, and I saw disgraceful things done by that Labor crew. Rumours were spread. Our campaign posters were ripped down at midnight. It was the usual stuff.

By every account, what happened in East Hills was a qualitative step towards a new low in campaigning. If that new low is allowed to stand, it will further poison the well of democracy in this State. If Mr Brookes does not do the honourable thing and leave Parliament or, at the very least, open up his books and explain some of the inexplicable expenditures and activities, then the reputation of this Parliament globally and with the voters of New South Wales will be irreparably damaged.

Bad things happen at election time because people become overheated. People say and do things that they subsequently regret. That is the nature of election campaigns. We should all learn from the experience in the electorate of East Hills by resolving not to be involved in such things ever again. But that resolution does not solve what happened in March in East Hills. This State was witness to the appalling act of an attack on democracy. It was not only an undeserved, mendacious attack on a man's reputation and a deliberate misleading of the voters; it was an attack on our democracy.

The Greens support this motion. We will continue to support any move to expose what happened in East Hills and bring to account those who are guilty. If Mr Brookes does not have the courage to stand up and explain what happened, to open up his books and acknowledge that the outcome was not fair and decent but a rort, then he stands eternally damned. If the New South Wales Liberal Party does not disassociate from Mr Brookes, if the decent, good and honest people in the Liberal Party do not stand up

against this, then their reputation and that of their party will forever carry the stain of what was done in the name of Glenn Brookes in the seat of East Hills. I commend the motion to the House.

The Hon. COURTNEY HOUSSOS [11.42 a.m.]: I make a brief contribution in support of the private member's motion moved by the Hon. Lynda Voltz regarding activities in the electorate of East Hills during the 2015 State election. Other members have covered the specifics of the outrageous activities that occurred in East Hills during the recent election. I will reflect more broadly on our system. In New South Wales we have one of the most rigorous systems of election funding and disclosure in the country. We have strict campaign donation and expenditure caps that are aimed at limiting the influence of particular interests who might seek to use government to feather their own nests.

Every person who is elected to this place and the other place comes with a variety of experience, having interacted with a range of different people. That is a good thing. Our Parliament must look as diverse as the community we seek to represent. But the idea that a particular interest can have a greater say or influence as a result of financial power is abhorrent. I am proud that it was the Labor Party that first introduced the system of capping electoral donations and expenditure to end a virtual arms race in campaign fundraising.

The motion lists serious accusations. I commend the Hon. Lynda Voltz for her tireless work in exposing these actions. It is clear that the Premier and the leadership of the Liberal Party hoped that this matter would just go away. Clearly, they do not know the Hon. Lynda Voltz. Their failure to condemn the unlawful and disgraceful actions in the campaign of the member for East Hills is shameful. It is no use having such rigorous laws if there is no method of enforcing them, as has been shown by this case. The NSW Electoral Commission is the government agency charged with supervising, administering and running elections for the Parliament, and it is the appropriate body to enforce those provisions. It must be given the powers and resources to undertake that action.

I often speak about what a privilege it is to be a member of Parliament. Unfortunately, many members of the public do not hold politicians in high regard. That has not been my experience. Most members of Parliament are hardworking and dedicated public officials serving their community in many and varied ways. The actions undertaken by those involved in the election campaign in East Hills undermine the work that we all seek to do to build community trust in our representatives and our public institutions. They must be held to account for their actions. It is time for the Premier, who prides himself on being on the right side of any issue, to condemn them as well. Surely he knows it is the right thing to do.

The DEPUTY-PRESIDENT (The Hon. Trevor Khan): Before I formally give the call to the Hon. Penny Sharpe, I wish her a happy birthday.

The Hon. PENNY SHARPE [11.46 a.m.]: Mr Deputy-President, I hope you say that after I have given this speech.

The DEPUTY-PRESIDENT (The Hon. Trevor Khan): That is why I did it first.

The Hon. PENNY SHARPE: Thank you very much. I appreciate the good wishes. The standard you walk past is the standard you accept. At the 2015 election, in the contest for the State electorate of East Hills, a new low was set even for the rough-and-tumble reality that is politics in New South Wales. Instead of a fair contest based on ideas, visions, solutions and the challenges faced by the people of New South Wales—and the people of East Hills in particular—the election contest in East Hills was beset by smear, illegal activity and the systematic attempt to destroy the reputation of a candidate. That candidate was Labor candidate Cameron Murphy. The point of this motion is not that the actions affected a Labor candidate but that the actions in East Hills fundamentally undermined the democracy that we all say we are here to uphold and believe we should defend.

I will briefly discuss the allegations about what happened in East Hills. The election campaign in East Hills was awash with breaches of the electoral Act. There was complete disregard for the standards that a member of Parliament should meet. The breaches included the distribution throughout polling booths in the electorate of unauthorised leaflets talking about stranger danger and attacking the candidate. The important point to note is that the allegations about who distributed the leaflets fell fairly and squarely on a Liberal staffer of the now member for East Hills. There is considerable concern about what the candidate did to subvert the laws and the spending caps in place in this State through the use of his own resources in the campaign.

Glenn Brookes' company resourced the campaign. That included Jim Daniel travelling the electorate and stealing A-frames in a vehicle owned by Glenn Brookes' company, and a Glenn Brookes bus and the production of materials. To date it is unclear whether that has been properly declared and thoroughly dealt with. There was a sustained and systematic attack on Cameron Murphy that included the placement of stickers containing defamatory, derogatory statements on campaign corflutes and the removal of corflutes throughout the campaign. Anyone who has been involved in campaigns would know that the stealing of a few corflutes is a regular occurrence. It is unfortunate. But the systematic removal of every one in the electorate, in addition to the other activities, shows that this was not just a tough campaign but a new low.

Illegal billboards were erected by a company called Queen Street Racing. Donations and a range of bottled water and other materials were provided and used throughout the campaign, clearly in breach of the law. The standard you walk past is the standard you accept. Every four years we ask the people of New South Wales to put their trust in us and decide who they want to be their representative making decisions in this place for this State. To make that choice fairly there needs to be a fair contest, a free flow of ideas and some sort of adherence to the idea that the information that is being provided is truthful and factual. It is about giving people information so that they can cast their vote and decide who should represent them. That information should not be full of innuendo and it should not be full of smear.

If we are serious about having the best people in New South Wales stand for election, we cannot stand by and watch what happened to Labor candidate Cameron Murphy in this campaign. We want good people to stand for Parliament. It is a tough thing to stand up and put yourself out there, but it is completely and utterly unacceptable to have your reputation besmirched in a deliberate attempt to win favour so that the other side can win the seat, and that is exactly what happened. The worst part of it is that nothing has happened. The Electoral Commission has its hands tied behind its back without the resources it needs to investigate this matter.

If we are serious about democracy, if we are serious about ensuring that we have fair contests, the Electoral Commission has to be properly resourced, it has to have the ability to monitor and it has to have the ability to investigate such serious breaches as occurred. But there has been deathly silence. No-one on the other side of the Chamber has stood up and defended democracy and the right for fair contest in this State; no-one has been prepared to say that what went on in East Hills was not only appalling but wrong. We need people to stand up and speak out. We need members of the Government to push their Premier to take more action. We need members of this place—the House of review—to call this out, but, instead, there is silence.

I note that the Liberal Party has considerable form when it comes to the use of appalling leaflets and material in election campaigns. I reference in particular to the case of Ed Husic, a candidate for the seat of Greenway in the 2004 Federal election. Ed Husic has become one of the best members in the Federal Parliament. He is active, he is concerned and he cares about his community. Yet in 2004, exposed in the night, Labor members were chasing people around in cars trying to stop the distribution of a racist leaflet that had been printed by the husband of the then candidate for Lindsay and was being distributed by her campaign team. There is form on this and we have to call it out every time we see it. Ed Husic lost that election by 800 votes. Cameron Murphy lost the election by an even smaller amount. Yet we have stood back and we are doing nothing to—

The Hon. Ben Franklin: How can you say it was printed by the candidate's husband?

The Hon. PENNY SHARPE: You can speak in the debate if you want.

The Hon. Ben Franklin: It's not true.

The Hon. PENNY SHARPE: You are welcome to speak in the debate.

The Hon. Ben Franklin: Say it outside the Chamber, Penny.

The DEPUTY-PRESIDENT (The Hon. Trevor Khan): Order! I call the Hon. Ben Franklin to order for the first time.

The Hon. PENNY SHARPE: We have a choice about the way in which we conduct our elections and no-one is suggesting that elections are not rough and tumble and no-one is suggesting that they are not difficult, but new lows have been sunk to. By any stretch of the imagination, the member of Parliament who represents the electorate of East Hills should not be there. He does not meet the standard that is required if he was prepared to turn a blind eye to what was happening in his own electorate and in his own campaign contest with his own staff. It is not good enough.

This motion is important. The action that should be taken is threefold. The Premier should stand up and stop talking about what a good bloke he is and how he has high standards and take action on the appalling campaign that was wasted in East Hills. More importantly, the Premier should ensure that the allegations around this campaign were properly investigated and that the outcomes were transparent and reported. Thirdly, the Premier should ensure that the Electoral Commission has the resources it needs to monitor, investigate and report on these matters. This is not just about East Hills and Cameron Murphy—although, in and of itself, that is reason enough. This is fundamentally about the trust that we have in the way that we conduct the selection of our candidates and it is about the fundamental basis on which we make decisions, we govern this State and we represent the communities we seek to represent. I urge members to support this motion. I move:

That this debate be now adjourned.

Question put.

The House divided.

Ayes, 16

Ms Barham
Mr Buckingham
Ms Cotsis
Dr Faruqi
Mrs Houssos
Dr Kaye

Mr Primrose
Mr Searle
Mr Secord
Ms Sharpe
Mr Shoebridge
Mr Veitch

Ms Voltz
Mr Wong
Tellers,
Mr Donnelly
Mr Moselmane

Noes, 23

Mr Ajaka
Mr Amato

Mr Farlow
Mr Gallacher

Mrs Mitchell
Reverend Nile

Mr Blair
Mr Borsak
Mr Brown
Mr Clarke
Mr Colless
Ms Cusack

Mr Green
Mr Khan
Mr MacDonald
Mrs Maclaren-Jones
Mr Mallard
Mr Mason-Cox

Mr Pearce
Mr Pearson
Mrs Taylor
Tellers,
Mr Franklin
Dr Phelps

Pair

Mr Mookhey

Mr Gay

Question resolved in the negative.

Motion for adjournment of debate negated.

Mr DAVID SHOEBRIDGE [12.03 p.m.]: I speak to the motion moved by the Hon. Lynda Voltz regarding the activities in the East Hills electorate during the 2015 State election. What is the point of having electoral laws that are designed to support the integrity of our elections, to stop them being bought by miscreants, to ensure that we have a fair democratic contest, if those electoral laws can be flouted, as we have seen in East Hills in the 2015 State election? What did we see in East Hills? Was it a fair battle, a fair contest, between the various candidates in accordance with the laws that are meant to ensure a fair democratic contest? The answer is no.

Glenn Brookes was elected by a very, very narrow margin in East Hills. His primary opponent, apart from a terrific Greens opponent, was Cameron Murphy. Cameron Murphy has a long record of speaking up on behalf of civil liberties. So of course he became the target of the right-wing, gutter-dwelling part of politics in New South Wales. What did the Right do when they dragged themselves out of the mud-filled gutter to contest the election in East Hills? First of all, they distributed throughout the electorate and at polling booths an appalling, unauthorised, illegal leaflet directly attacking the Labor candidate. Their unauthorised, grubby smear sheet was in breach of the electoral laws. It was clearly designed as a means of a grossly unfair and inappropriate character assassination on a candidate. Why was the leaflet not authorised? It was not authorised because if Glenn Brookes had put his name to it, it would have been shown for what it was: a vicious, ugly, divisive and illegal attack upon the Labor candidate, Cameron Murphy.

In addition, an email sent from Mr Brookes' personal parliamentary electorate account was forwarded to local journalists and community and sporting groups attacking the Labor candidate for East Hills. That is in breach of the requirement to not use parliamentary resources for electoral matters. Did anyone care? Did anyone check? Was anyone looking? No. Then there was the electoral treaty, which included the so-called donation to a local religious school of 1,500 bottles of water, free of charge, promoting the member for East Hills, Mr Glenn Brookes. From memory, the bottles had his mug on them. He then asked the other candidates to match this donation. This electoral treaty included the provision of water bottles to commercial premises, again provided at no cost to those premises. Those premises then sold what Mr Brookes had given them for nothing, the bottles with his mug on them promoting his electoral ambitions.

This type of electoral treaty—and by "electoral treaty" I mean candidates giving people money or resources in order to encourage them to vote for them; the kind of rotten borough corruption that used to happen in the United Kingdom—was a clumsy attempt, but an attempt nevertheless, to buy votes through the provision of free goods. It is illegal in New South Wales for candidates to try to persuade people to vote for them by giving them money or gifts. Mr Glenn Brookes, by his own admission, had distributed

1,500 bottles at his own expense, at a cost of some \$4,500. That is buying votes and that is illegal in New South Wales. Mr Glenn Brookes engaged in a serious breach of the electoral laws by handing out gifts to encourage people to vote for him. And what has happened? Nothing. He sits in the other place occupying the seat as if he got there by way of a fair and decent contest. He did not.

The distribution of the water bottles was Mr Brookes buying his election. He bought his election. And what has the Government done about it? It has protected him. An application seeking to obtain information under the Government Information (Public Access) Act remains outstanding. The Government is trying to gag this debate, to end it today, even though the Opposition wants to adjourn debate so it can obtain the material. I can hear the Glenn Brookes protection team behind me. I am surprised members of The Nationals are joining in. I would have thought they would exit the Chamber when anything to do with Glenn Brookes was being debated.

The Nationals might be in a coalition but they do not have to drag themselves into the gutter with Glenn Brookes. If I were a member of The Nationals I would not be present in the Chamber, and I would not sit next to the likes of the Hon. Dr Peter Phelps who is engaging in the Glenn Brookes' protection club. Why would someone want to support a bloke who bought an election, who distributed grossly offensive and illegal material in order to win a very narrow election, and who won his election by the grubbiest and most illegal means in New South Wales? We have seen invoices from the Australian Multicultural Christian Society, a charity run by convicted money launderer Mr Carl Trad, for payment of water bottles used for campaigning purposes. If the original offence was not bad enough, Mr Glenn Brookes then tried to hide his money trail of the water bottles with the help of someone whom nobody in politics would want to be associated with.

The Hon. Dr Peter Phelps: Like inviting a holocaust denier on a Greens harbour cruise, David?

The Hon. Lynda Voltz: Point of order: Interjections are disorderly. If the Hon. Dr Peter Phelps wants to contribute to the debate, members would be happy to yield the floor to allow that to happen.

DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones): Order! All interjections are disorderly. The member will not respond to interjections.

Mr DAVID SHOEBRIDGE: For the record, I was ignoring him. There was the midnight anti-Cinderella moment when the Glenn Brookes-Mike Baird Liberal Party billboard appeared on Milperra Road, Revesby. It had not been given development consent. Who cares about development consent? Mr Glenn Brookes does not care about the law.

The Hon. Shaoquett Moselmane: And Mike Baird is the Premier. Who cares?

Mr DAVID SHOEBRIDGE: I will not respond to that interjection. The billboard with the mug of Glenn Brookes, which was erected unlawfully, was to encourage people to vote for him. Why do we have laws in this State to protect the integrity of our elections and to restrain this type of unlawful development if they are ignored? And then Mr Glenn Brookes is treated as if he was fairly elected to the Legislative Assembly? He was not. The billboard with the mugs of Glenn Brookes and Mike Baird was illegally erected. One would have thought that the Premier would have been offended by it, but apparently not. The attitude of the Government is Glenn Brookes won the election so who cares?

Also, there was the extensive use of vehicles and resources from the company Sydney Signs, including the signwriting and advertising on a bus, which to this day remains undeclared as an election donation, as far as I am aware. We know it happened because we have seen photographic evidence of it. What do Mr Glenn Brookes and the Premier say about it? Nothing. What do the Liberal Party members in this Chamber say about it? Nothing. The people of New South Wales want an explanation. It was in support of the Glenn Brookes' campaign, so make the declaration. If they do not make the declaration they break the law. I can hear the Government Whip nattering and muttering away and his attempts at

interjections. If he has the courage of his convictions, rather than continuing with his pro-Brookes tirade he should put it on the record.

The Hon. Dr Peter Phelps: Point of order: Occasionally I stage whisper but I do not mutter.

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

Mr DAVID SHOEBRIDGE: As if to prove the point. Vehicles from the company Sydney Signs were driven by Glenn Brookes and his electorate office staffer Jim Daniel—great name, by the way—and used for the illegal and unauthorised removal of the Labor candidate's A-frames from local shopping precincts. Ordinarily, stealing goods is considered a crime in this State. Stealing an opponent's electoral materials is not only a crime under the Crimes Act—a matter that has not been investigated—it is also grossly offensive in the context of a democratic election. What has the Premier said about that? Nothing. I do not even hear any so-called stage whispers from the Government Whip. It is outrageous that the Government thinks this is acceptable behaviour and has done nothing about it.

I ask the House to note that Labor candidate Cameron Murphy was the victim of a sustained attack, which included the placement of stickers containing defamatory and derogatory statements on campaign corflutes in local residents' properties. This illegal activity resulted in the removal of all Labor corflutes in the East Hills electorate. That behaviour in East Hills should never have happened, and it should never happen again. How do we stop it? We take action against Glenn Brookes. How do we stop this kind of degraded democratic process happening? We stand up for our laws. When a candidate, no matter which party they represent—whether it is a governing party, an opposition party or a crossbench party—breaks the electoral law they should be brought to account. When a person breaks the electoral laws repeatedly, as Glenn Brookes did in plain daylight—except for the erection of the billboard, which occurred at midnight—they must be brought to account.

If we do not address what happened in East Hills in March 2015 it will be repeated in four years' time and in Federal and local government elections. All political parties must draw a line of decency. I could go on with additional flourishes about this matter, but a degree of partisanship is involved as it was a Liberal candidate. Regardless of our politics, we should be united on this motion and say that the behaviour was offensive and wrong. Mr Glenn Brookes should be brought to account and this House should condemn what occurred in East Hills.

The Greens support paragraph (4) of the motion calling for action by the Government. The Greens also ran a candidate against Cameron Murphy. We often contest vigorously against the Labor Party because we are competing for similar votes. But we do not contest elections in this way. No party should contest an election in this way. Cameron Murphy was defeated by a slender margin in an offensive and illegal election campaign. We must unite and say that this must never happen again. Members must condemn these unlawful acts. I urge members to support the motion.

The Hon. LYNDIA VOLTZ [12.17 p.m.], in reply: I thank my colleagues who spoke to this motion. I know that some Government members find the actions that occurred in East Hills abhorrent but I also note a complete failure by them to condemn the actions. I wanted this debate adjourned. My motion refers to invoices paid for by the Australian Christian Multicultural Society Inc. I have lodged a freedom of information application in relation to a grant that was given by Glenn Brookes to the Australian Multicultural Society in 2014 for the building of a covered outdoor learning area and playground equipment. The registered address of the Australian Christian Multicultural Society is a property in Revesby which is owned by and is the residential address of Carl Trad and his family.

This Chamber and the people of New South Wales deserve to know exactly what happened to the money for the covered outdoor learning area and playground equipment that Glenn Brookes arranged to be paid to the Australian Christian Multicultural Society Incorporated. That same organisation was invoiced for the payment of his water bottles. A member of that same organisation drove Salim Mehajer to

his wedding. They are people who ignore every rule in the book. The associates of Queen Street Racing, which put up an illegal billboard and illegally shut down an Auburn street, are the mates of Glenn Brookes and his friends.

I made a freedom of information request to this Government, which has said that it believes in transparency and openness and that its members are honest blokes. When I asked the Government to show me exactly where the money went I was told I would receive the response to my Government Information (Public Access) Act [GIPA] application on 15 September. When I did not receive a response by 17 September I began to chase up the department. I was informed that it was taking an additional 10 days extension. We should have received a letter about that extension but—what a surprise—I did not receive any such letter.

On 27 September, when the 10 days had passed, I again chased up the department. The department informed my staff member that it was going to take another 10 days. I then asked the leader's office to ask the department why it was taking that extension. The response was that my office had given the department permission to take another 10 days. My office might have given an extension if the department had asked for it but it did not ask. I contacted the department again on 13 October when the response to the GIPA application was due. Guess what? The department requested another extension. I gave it an extension for another seven days. I then spoke to the Right to Information Coordinator, who informed me that he had just received the information. He said it was on his desk and he was in the process of typing out the response to the GIPA request and sending it to me. On 20 October, when the response was due and the coordinator had said it would be on my desk, nothing was received. I again contacted the Right to Information Coordinator, who said, "I will have it to you tomorrow morning by 9.00 a.m." Guess what? We still have not received a response to our request.

Members on the other side of the Chamber and their department are running a protection racket for Glenn Brookes in East Hills. They are hiding information. They have no transparency. They will not tell us where the money went. They will not even allow us to wait to see whether if by some miracle Family and Community Services will respond at least in some way to the GIPA request. They will not do that because they are happy to run a protection racket for Glenn Brookes. They will not release the invoices to show what money he has paid. They will not show us how the billboards were paid for or how Glenn Brookes declared his company resources even though huge amounts of documents about that have been provided to the Electoral Commission. Members opposite will release none of that information because of the protection racket they are running to hide the fact that they committed illegal acts during the East Hills election. If members opposite did not like it they should have stood up in this Chamber and contested it. *[Time expired.]*

Question—That the motion be agreed to—put.

The House divided.

Ayes, 16

Ms Barham
Mr Buckingham
Ms Cotsis
Dr Faruqi
Mrs Houssos
Dr Kaye

Mr Primrose
Mr Searle
Mr Secord
Ms Sharpe
Mr Shoebridge
Mr Veitch

Ms Voltz
Mr Wong
Tellers,
Mr Donnelly
Mr Moselmane

Noes, 22

Mr Ajaka
Mr Amato
Mr Blair
Mr Borsak
Mr Brown
Mr Clarke
Mr Colless
Ms Cusack

Mr Farlow
Mr Gallacher
Mr Green
Mr Khan
Mr MacDonald
Mrs Maclaren-Jones
Mr Mallard
Mr Mason-Cox

Mrs Mitchell
Reverend Nile
Mr Pearce
Mrs Taylor
Tellers,
Mr Franklin
Dr Phelps

Pair

Mr Mookhey

Mr Gay

Question resolved in the negative.

Motion negatived.

TERRORISM (POLICE POWERS) AMENDMENT BILL 2015

BAIL AMENDMENT BILL 2015

Bills received from the Legislative Assembly.

Leave granted for procedural matters to be dealt with on one motion without formality.

Motion by the Hon. John Ajaka agreed to:

That the bills be read a first time and printed, standing orders be suspended on contingent notice for remaining stages and the second readings of the bills be set down as orders of the day for a later hour.

Bills read a first time and ordered to be printed.

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

WORKPLACE FLEXIBILITY

Debate resumed from 15 October 2015.

The Hon. PAUL GREEN [12.32 p.m.]: I speak on behalf of the Christian Democratic Party. Flexible workplace arrangements are something that employers should consider. It is important for carers and parents to have this sort of flexibility to be able to care for and spend more time with their families. An often overlooked need is for dads to have access to good paternity leave. Dads play an important role in the lives of their children. I know the Hon. Daniel Mookhey is spending time with his family right now, and the Hon. John Barilaro is spending time with his new daughter, Sofia Grace, and his lovely wife, Deanna.

DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones): Order! There is too much audible background conversation. If members wish to continue their conversations, they should do so outside the Chamber.

The Hon. PAUL GREEN: An article from the *Sunday Telegraph* states:

Just one in three new dads is claiming their \$1281 baby pay entitlement under Australia's paid parental leave scheme.

Fathers of newborns can secure up to two weeks of government-funded pay based on the rate of the minimum wage if they take unpaid leave from work to care for newborns under the scheme.

With the development of new technology enabling virtual meetings, videoconferencing, digital filing and remote access, opportunities for workplace flexibility have increased immensely. The Academy of Management speaks of the opportunity of having "virtual teams" in the workplace:

With virtual teams, organizations can build teams with optimum membership while retaining the advantages of flat organizational structure. Additionally, firms benefit from virtual teams through access to previously unavailable expertise, enhanced cross-functional interaction, and the use of systems that improve the quality of the virtual team's work.

This is a prime example of why a national broadband network is needed. Of course it is important that we get this network right—it is a forward step to link every house to the system and by doing so employees will have more opportunities to work remotely. I note on the issue of the National Broadband Network [NBN] that internet access is hindered in smaller towns and rural areas. The NBN is concentrating on towns with a population greater than 1,000. Even where I live in the Shoalhaven, we are only seven kilometres out of town and we will not be getting the NBN. I work from home, as I am sure many members do, in some of the non-sitting weeks. I find trying to download things from the internet very difficult at home, especially big files and reports. More needs to be done.

The NBN is putting up satellites. I think one was launched recently on the other side of the world. It would have been nice if it had been launched from somewhere in Australia so the money and economic activity resulting from it could have gone back into our economy. However, the good news is that there is this new satellite up there, and some parts of Australia will now get satellite broadband access. We need to make sure that accessibility to the broadband network is at comparable speeds. We know that the NBN is not the whole answer, but it is part of the solution. There has been a massive uptake of the information superhighway. The NBN will carry some of the load for the type of information we are seeing carried across that network.

Unify, a leading communications software and services firm, recently published a global study which revealed that more than 43 per cent of employees surveyed would prefer flexible work over a pay rise. WorkplaceTrends.com, another research and advisory membership portal servicing forward-thinking human resources professionals, and CareerArc, a global recruitment and outplacement firm, in the results of their study entitled "2015 Workplace Flexibility Study", stated:

Employers are seeing benefits from their flexibility programs. The top benefits organizations saw in their work flex programs were improved employee satisfaction (87%), increased productivity (71%), and that they retained current talent (65%). 69% use their programs as a recruiting tool and 54% said that their programs positively impacted their recruiting.

Another important point is that workplaces need to engage generation Z. It is very hard to engage this generation—it is like trying to put your finger on a ball bearing with oil on it; it keeps shooting off and moving away. Generation Z has also been called the "better offer generation". It is interesting to look at some of the studies around generation Z. When I was growing up people took for granted the sporting groups, and all sorts of others groups. People become very loyal to one sport—whether it be netball, Australian rules football, rugby, hockey or synchronised swimming.

The Hon. Bronnie Taylor: I did do a bit of synchronised swimming back in the day.

The Hon. PAUL GREEN: I picked it. I thought the Hon. Bronnie Taylor would be a synchronised swimmer. All sorts of sporting and hobby groups are finding that this generation is not committed. Loyalty is not what it used to be. For example, kids will try footy this season and in the offseason they will go and do something else. With the opening up of women's sporting opportunities we now have women's rugby. Actually I am trying to encourage my young daughter, Eden, to take up women's rugby. I thought that with her having four brothers that she tackles often she might find a way forward there. I think it is the Wallaroos.

The Hon. Bronnie Taylor: The rugby team?

The Hon. PAUL GREEN: Yes.

The Hon. Bronnie Taylor: We went to that.

The Hon. PAUL GREEN: Members are quiet on that matter. I think the Wallaroos were here the other day.

The Hon. Bronnie Taylor: Yes.

The Hon. PAUL GREEN: Madam Deputy-President, I am just trying to give the Wallaroos a plug.

The Hon. Bronnie Taylor: And fabulous they were.

The Hon. PAUL GREEN: We often talk about the wonderful Wallabies. I thought I would take a moment to talk about the wonderful Wallaroos. We wish them the very best in their upcoming matches.

The Hon. Bronnie Taylor: Hear, hear!

The Hon. PAUL GREEN: It is terribly hard to employ Generation Z. I remember my brother being loyal to his company for many, many years and then times changed. Literally that loyalty was no longer rewarded and people were made redundant. We now have a culture of workers who are not loyal; they are quick to go for a better offer. That has become a real rod for our back and for the economy. Many companies are doing what they can to secure a new generation of workers. Some of these initiatives—like the motion of the Hon. Courtney Houssos—acknowledge the shift in the culture of this generation. A recent report from Adecco Staffing, USA shows that an allowance for flexible schedules is one of the top five attributes generation Z will look for in a job. Its chief executive officer said:

Yet perhaps the biggest obstacle will be retaining these employees. Any company is susceptible to losing talent if employees aren't engaged in the work they do or committed to the organization they work for. With Gen Z in particular, job hopping could be a major concern as 83 per cent of today's students believe that three years or less is the appropriate amount of time to spend at their first job. Furthermore, over a quarter (27 per cent) of students believe you should stay at your first job for a year or less. By providing effective and frequent training, as well as professional development opportunities, employers can help their greatest assets—their employees—find a niche within the company and maintain a high level of engagement and retention.

This was one of the biggest topics when I was in local government and we were discussing regional and rural traineeships. Businesses are pouring hundreds of thousands of dollars into training—for example, General Electric was spending nearly \$1 billion on professional training for its employees—but employees are using that training to job hop and get a better job. So the money spent on training is worth diddly-squat to the long-term legacy and investment of those businesses. We are dealing with a very tricky generation. A lot of corporate sectors are trying to work out what to do to entice employees to stay

around longer. In some cases the answer is investment in social issues overseas—for example, putting in water wells or things like that. Some people are happy to work for a company that has social justice attachments to its corporate goals.

A report in the *New York Times* on Google's east coast headquarters described how Google has tailored its workplaces to accommodate employees. In Google land, employees have Lego play stations. I know the Hon. Mick Veitch would like to see them around these corridors.

The Hon. Mick Veitch: I do not know. We play it all the time if I go to your office.

The Hon. PAUL GREEN: They also have scavenger hunts. I can see members having a scavenger hunt on level 9 or finding treasure down at the café on level 6. Our days would be a little more enjoyable if we could alleviate the great stresses and the responsibility that come with being a member of Parliament as we work the hard yards for our constituents. Google also allows pets in the workplace. Who has a dog? Who has a cat? Just imagine us having a pet day and me bringing my budgerigar in. Generation Z engage with pets. Most people have a dog. Max is our dog. We also have a beautiful pussy cat called Ella, an orphan kangaroo we are looking after at the moment that we call Banjo, and a wombat called Bertram. It would be lovely if we could have a pet day here at Parliament and everyone could bring in their animals. I do not know which one the Hon. Trevor Khan would bring in. Does he have a dog?

The Hon. Mick Veitch: Probably a gang-gang cockatoo. He talks perfect gang-gang.

The Hon. PAUL GREEN: Despite us having a bit of a play, this is a very serious issue. This is the current lateral thinking about flexibility in our workplaces and how it has changed over the years. We would never have talked about these things a few years ago, but these are the sorts of initiatives that many big companies are implementing. The article also said that employees at Google are designing their own desks or work stations, all in the attempt "to create the happiest, most productive workplace in the world". An article on *www.forbes.com* stated:

When you work with people to customize their work-life fit, you aren't imposing anything on them. You're treating them with respect and trust. Which will be returned. And when talented employees decide to work from home three days a week, they are making a serious commitment to the organization. Instead of working for you, they are working with you. This builds enormous buy-in and a better workplace culture.

I thank the Hon. Courtney Houssos for moving this motion. It is a good motion. We need to be mindful of workplace flexibility. Times are changing. For example, we now have hot-desking—multiple workers use a single workstation for the time they need it and then someone else jumps in. In the mining industry they have hot-bedding—someone is in a bed for eight hours, they get up, the sheets are changed and someone else gets in. We need to be flexible and adaptable. I urge members to support this motion.

The Hon. Dr PETER PHELPS [12.47 p.m.]: I am pleased to support this motion. The flexibility of labour in the current situation is not just a woman's issue; it is an issue for all of us. For those of us who are country MLCs flexibility of labour is an integral fact of our own lives. As every member here would know, but very few people outside this Parliament would know—and, in fact, few people in the lower House would actually know—we have no electorate offices. So it is necessary for us to have very flexible working arrangements. For myself, I have a room at my house. That is where I conduct my normal business from.

People in the city can come into Parliament House and operate from their offices here. By the very nature of our existence we are forced into very flexible working arrangements. Thus with a car and an iPad I can basically work from anywhere in the State doing my usual daily job of mocking the platitudinous imbecility of the bourgeois left. I do not have to be in Parliament to do that. I can be at home; I can be at the beach or taking my kids to school. The simple fact of the matter is that the flexibility of

labour and working arrangements is absolutely a function of the mobility of the capital required to do our job.

Flexible working arrangements for steel workers are difficult because workers cannot take the iron furnace home with them. For someone working in information technology or capital markets, or for a member of Parliament, flexible work is far easier. Technology has made our lives easier. The physical location in which to perform a particular task is far less important than it has been in the past. Some in this Chamber may remember the existence of typing pools, where large numbers of people typed because there was no word processing then. If multiple copies were needed, in the absence of a very expensive Photostat machine, the typing pool would handle large amounts of work.

The Hon. Bronnie Taylor: They used carbon paper.

The Hon. Dr PETER PHELPS: Yes. Carbon paper has gone the way of the dinosaur, as has liquid paper. I will get a little more political here, as members would expect. The Hon. Sophie Cotsis spoke about formal barriers to flexibility of labour for women. I note, with the deepest possible sense of irony, that the Hon. Courtney Houssos added paragraph 1 (b) to the motion. It says:

- (b) the concept of a balance between working life and other responsibilities has been championed by the trade union movement since the 19th century, including through the eight hours work, eight hours recreation and eight hours rest campaign ...

The truth is that the most significant formal barrier to women in Australian workplace relations has been the existence and attitude of the trade union movement. For most of its history it has been strongly antithetical to women being in the workplace in the first place. Once women joined the workforce, the trade union movement was resolute in its demand that women receive half, one-quarter or two-thirds the wages for doing the same job as their male counterparts. There is a history of blocking, all the way through from the original basic wage case. Representatives of the trade union movement argued that the basic wage, as ultimately confirmed by the High Court, should be enough for a man to feed his family of a wife and three children. Let us be clear about this: the largest single formal barrier to women's participation in the workforce for most of Australia's history has been the trade union movement. That attitude continued into the 1970s. This is a direct quote:

It is bad enough for the working man to be dragged away from his home at night when he should be with his wife and family but it is even worse when he has to send his wife out to work in order to make ends meet ... Husbands have been forced to send their wives to work in order to provide the necessities of life ... We must not forget that this Government has been in office for 20 years—

in other words, the Liberal Government—

It has had the duty and the opportunity to rectify the present situation. Family life is the very basis of our nationhood. In the last couple of years the [Liberal] Government has boasted about the increasing number of women in the work force. Rather than something to be proud of I feel that this is something of which we should be ashamed.

Who said that? It was Paul Keating, in his maiden speech. He accurately set forth the world view of the trade union movement and the Labor Party at that time and for the previous 80 years of their existence. It may well be that he was the last dinosaur, but the fact is that for the previous 80 years that had been the common attitude of the Labor Party and the trade union movement. Work-life balance is influenced by a range of factors. It is not due merely to the additional mobility that is available through the use of modern technology and the relative mobility of capital required to do one's work. I put it to members that people might be working longer because they like their jobs. They no longer have to spend hours in a hot, steamy environment or muck out thunderboxes. People do not have to engage in dirty, heavy manual

labour in the way that they used to. They might enjoy their job.

The Hon. Lynda Voltz talked about changes to opening times when she was younger and how she hoped that people would work fewer hours. She did not answer the question of why people are working longer. For the most part, people are working longer because they choose to do so. They enjoy the job that they are doing. They are not usually compelled by circumstance to do a job that they actively dislike. Another important reason for people working longer is that they are now being properly remunerated for that effort. The ridiculously high confiscatory tax rates, instituted by socialist governments in the past and maintained, sadly, by Coalition governments for many years, have been abolished. Now there is a more effective trade-off for working longer hours. People might have a greater number of recreation days, which they would take if they knew that 95 cents in the dollar would be taken from their wages if they decided to work instead. When people know they will get a much better return on their labour, there is more of a balancing act.

The perfect example of that comes from the United Kingdom. Members who are not fans of the Beatles might not remember a song called *Taxman*. It contains the wonderful line: "One for you, 19 for me." It was talking about the top marginal tax rate at that time, which was 95 per cent. I am sure The Greens, who are no doubt watching me, will be thinking: "What a nirvana that would be. If only we could institute a 95 per cent tax rate. Think of all the money we could raise." That tax rate did not raise a lot of money because people did not bother to work. I spoke to a barrister who worked in the United Kingdom at the time. He said, "We came into work at 10.30 a.m. or 11.00 a.m. and we left at 2.30 p.m. or 3.00 p.m. The simple reason was that there was no material benefit to us working any longer than that because we would have been working for the state at that point."

In contemporary arrangements people have chosen to accept a work-life balance where there might be a little more work. Why? Because they like the work they are doing and because they are accurately and properly remunerated for the effort they put in. We should remember that not all government interventions are useful in helping the mobility of labour or capital or providing flexibility in the way people want to work. We have to ask: Is our system good enough? In many cases it is not. I am reminded of the story of a woman who contacted Joe Hockey during the campaign against WorkChoices in 2007. She lived in Queensland. She wanted to be engaged in employment but she wanted to work only from 10.00 a.m. to 2.00 p.m. She was not able to do so because the award did not provide for that level of flexibility. She wanted to have a job but still be able to take care of her children before and after school. Because of the gross inflexibility of the labour market and the bloody-mindedness of the trade union movement, which refused to amend the award conditions to allow her to balance work and home life as she saw fit, she was excluded from the labour market.

Let us not pretend for one moment that the inefficiencies of trade union domination and inflexibility in the workplace have gone. Let us not fool ourselves that the old attitudes held by people like Paul Keating and the trade union movement and the Labor Party in the 80 years before the 1970s have completely disappeared. Even as late as 2007, the inability of that woman to obtain a job that suited her lifestyle was a direct cause of their bloody-mindedness and inability to change with the times. I support the motion.

[Deputy-President (The Hon. Natasha Maclaren-Jones) left the chair at 1.00 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.

REPRESENTATION OF MINISTER ABSENT DURING QUESTIONS

The Hon. JOHN AJAKA: I advise honourable members that during the absence from the

Chamber today of the Minister for Roads, Maritime and Freight I will answer questions relating to his portfolio and the portfolios he represents in this Chamber.

QUESTIONS WITHOUT NOTICE

CALoola ROAD RESERVE

The Hon. ADAM SEARLE: My question without notice is directed to the Minister for Primary Industries, and Minister for Lands and Water.

The Hon. John Ajaka: Thank you.

The Hon. ADAM SEARLE: I acknowledge that interjection. Given that Sydney Water has informed Parramatta council that it is planning to sell Caloola Road Reserve, which carries a commemorative plaque and the Tree of Liberty marking it as the assembly point for the 1804 Irish uprising and subsequent Battle of Vinegar Hill, will the Minister now intervene to stop the sale of this important historical site?

The Hon. NIAL BLAIR: Yesterday I spoke in the Chamber about National Water Week and the role that Sydney Water plays in promoting the consumption of the quality product that it has. Sydney Water has a large number of landholdings across its area of operations that are used for varying purposes. Sydney Water constantly reviews its property portfolio with a view to disposing of surplus land in order to continue placing downward pressure on customer bills.

In relation to 21a Caloola Road, Mount Dorothy—Constitution Hill—Sydney Water is aware of a statement made in 2004 by the then member for Wentworth regarding a 40-year lease at Constitution Hill. Sydney Water will be investigating this further prior to making any decision about the future of this site. As operational requirements change and as technologies improve, Sydney Water is able to use other mechanisms for asset maintenance, such as closed-circuit television. This means that Sydney Water does not require ownership of land over underground assets for maintenance purposes. Sydney Water appreciates that some parcels of land have typically been made available for community use. It is important that Sydney Water acts in the best interests of all of its 1.8 million customers, not just those in close vicinity to a particular parcel of land.

DEAF COMMUNITY SERVICES

The Hon. SCOTT FARLOW: My question is directed to the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism. What is the New South Wales Government doing to support people who are deaf or have a hearing impairment, and their families?

The Hon. JOHN AJAKA: The Baird Government is strongly committed to supporting individuals who are deaf or hard of hearing to live full lives and to enjoy social and community participation as valued members of the community. Nowhere was this more clearly demonstrated than by the Government's election commitment to provide one-off funding of \$250,000 to the Shepherd Centre. This funding will support the Shepherd Centre in reaching more children in New South Wales, supporting them in their natural environment and assisting in the development of support packages that can be tailored to their needs. It was my great pleasure to visit the Shepherd Centre in Casula, in the company of the member for Holsworthy, Melanie Gibbons, to deliver that funding earlier this year.

This week is the National Week of Deaf People, a national celebration of the deaf Australian community. The New South Wales Government looks forward to being a part of this celebration each year. Earlier this week I had the pleasure of welcoming a number of deaf school students of all ages, their teachers and representatives of deaf advocacy organisations to Parliament House. It was a delight to

meet such bright and happy students and the dedicated people who work with them. The students, their parents and carers, and the organisations share our commitment to celebrating their community, language, culture and history, and to recognising their achievements.

In 2015-16 the New South Wales Government will provide an estimated \$17.5 million to support people across New South Wales who have a sensory impairment, including those who are deaf or have hearing impairment, and their families. This funding will provide a wide range of services including translation and accessible information, case management, supported living packages, therapy, behaviour support, early childhood intervention, community support, and campaigns to raise awareness and improve safety. Enabling the development of support packages that enhance access to the range and quality of services for an individual will play a key role in supporting families and services in the transition to the National Disability Insurance Scheme.

The New South Wales Government also acknowledges the importance of access to information, services and supports, including technical support, as essential elements for equality, inclusion and community participation for deaf individuals. This Government's policy states that agencies, including my Department of Family and Community Services, must fund the provision of interpreters, including Auslan interpreters and translated materials, to facilitate access to government services. The NSW Government "agency guide for effective communication for people with a sensory disability" is a resource developed to support workers in communicating with the public and their colleagues who are deaf or hard of hearing.

The National Disability Strategy NSW Implementation Plan further demonstrates the commitments across government to remove barriers for people with disability. This plan promotes the work we do together to raise awareness and to deliver support and planning for inclusive and accessible communities across New South Wales, including the deaf community.

DUTCH MEMBER OF PARLIAMENT GEERT WILDERS

The Hon. WALT SECORD: My question without notice is directed to the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism. Given that yesterday in this House the Minister described Dutch member of Parliament Geert Wilders as "a buffoon" and "an utter moron", what is his response, as Minister for Multiculturalism, to Coalition parliamentarians who have endorsed and supported his views publicly?

The Hon. JOHN AJAKA: I expressed my views very clearly; they have been quoted and they are the views that I will maintain. I am well aware of the controversy surrounding Mr Wilders' recent visit to Perth. Many quotes attributed to Mr Wilders contravene our State's long and proud history of championing multicultural policy and welcoming successive waves of migration. Our migrants have contributed significantly to the economic and cultural success and harmony of life in New South Wales. Indeed, the Multicultural NSW Act 2000 specifically states that the people of New South Wales are of different linguistic, religious and ancestral backgrounds and are free to profess, practise and maintain their own linguistic, religious and ancestral heritage. The Act says that all individuals and institutions should respect and make provision for the culture, language and religion of others within an Australian legal and institutional framework. The Act also clarifies our common commitment to Australia and its future.

I was pleased to see that Western Australian Premier Colin Barnett insisted that no government-owned venue would be available for any meetings during Mr Wilders' visit. These fringe elements do not represent the Australia that I know and love, and Australians have demonstrated again and again that we reject hateful and divisive rhetoric. As Minister for Multiculturalism, I am proud of the community harmony and cohesion that we have worked so hard to maintain in New South Wales. This Government will continue to tackle hate, racism and bigotry, and to uphold our multicultural policy that gives us all the right to practise our religion and celebrate our culture in freedom. As the Minister for Multiculturalism, that is exactly what I intend to continue to do.

CHILD SEX OFFENCES

Reverend the Hon. FRED NILE: I direct my question to the Minister for Ageing, who today is representing the Minister for Roads, Maritime and Freight, in his capacity as the Minister representing the Premier. Is it a fact that an esteemed Australian Senator, Bill Heffernan, has named a disturbing New South Wales police file on 28 suspected paedophiles during the Federal Parliament's estimates committee inquiry? Is it a fact that Senator Heffernan claimed this police file contains the name of a former Prime Minister and practising members of the judiciary? In view of these various serious allegations, will the Premier instruct the Attorney General to investigate Senator Heffernan's claims where they have implications for New South Wales?

The Hon. JOHN AJAKA: I thank the honourable member for his question. Child sex assault offences are completely abhorrent. Information about such offences should be treated with the utmost seriousness. There are multiple ways individuals can interact with New South Wales police. Obviously if someone is in immediate danger they should call 000. Alternatively they can report matters to the NSW Police Force by way of the Police Assistance Line on telephone number 131 444. Crime can also be reported anonymously by contacting Crime Stoppers on telephone number 1800 333 000 or online at www.crimestoppers.com.au. I note in this regard that section 316 of the New South Wales Crimes Act states:

If a person has committed a serious indictable offence and another person who knows or believes that the offence has been committed and that he or she has information which might be of material assistance in securing the apprehension of the offender or the prosecution or conviction of the offender for it fails without reasonable excuse to bring that information to the attention of a member of the Police Force or other appropriate authority, that other person is liable to imprisonment for 2 years.

In other words, if someone has information about a serious indictable offence, which is an offence that has a maximum penalty of five years or more, that person must report the information to the proper authorities unless that person has a reasonable excuse. I do not know what contact Senator the Hon. Bill Heffernan has had with the NSW Police Force. However, should anyone have information about child sex assault offences they should report this information to the proper authorities. I am happy to refer the balance of the question to the Premier and to the Deputy Premier, the Minister for Police.

BIODIVERSITY LEGISLATION REVIEW

The Hon. TREVOR KHAN: My question is addressed to the Minister for Primary Industries, and Minister for Lands and Water. Will the Minister update the House on how the New South Wales Government is reforming biodiversity legislation in New South Wales?

The Hon. NIAL BLAIR: The New South Wales Liberals-Nationals Government's commitments are non-negotiable. Prior to the election we said that we would implement all 43 of the Independent Expert Biodiversity Legislation Review Panel's evidence-based and balanced recommendations and that we would repeal Labor's broken Native Vegetation Act. We clearly stated that commitment as part of our historic memorandum of understanding with NSW Farmers. I am pleased to inform the House that we are fully delivering on those commitments.

These reforms truly are a once-in-a-generation opportunity to modify and simplify an outdated and ineffective set of biodiversity laws to improve our land's productivity, the strength of our ecosystems and conservation outcomes across New South Wales. For two decades these laws have unfairly placed the burden of biodiversity protection predominately on the shoulders of our farming community. We are implementing the independent expert panel's recommendations as an integrated package of biodiversity reforms, which will deliver an enhanced overall environmental outcome that is fairer for our farmers.

Drafting of the new Biodiversity Conservation Bill is now well underway. When the bill is drafted in November, as per the Government's original commitment, we will undertake targeted consultation with NSW Farmers, Local Government NSW and the Environment Liaison Office. We will then take the time to carefully consider the outcomes of that targeted consultation and make any amendments to the draft bill as required. Following this process the draft bill and a range of materials to implement the reforms will be released publicly as soon as possible in 2016 before being introduced into the Parliament.

Critical throughout this process will be ensuring that the package of reforms remains true to the intent of the independent expert panel's recommendations to the New South Wales Government. To ensure this, the independent expert panel will continue to play a key role throughout the development of the reform package. I have been in constant discussions with NSW Farmers. I am pleased to inform the House that they fully support the consultation process that we are about to undertake and the associated time frames. I am continuing to work closely with the Minister for the Environment and the Minister for Planning to fully implement our biodiversity reforms.

I reiterate that the final package of reforms will still be implemented as per the New South Wales Government's original timetable. We are taking a whole-of-government approach to protecting biodiversity on a regional scale while ensuring all forms of land use are assessed in a fair and transparent manner. These reforms will end the site-by-site incremental erosion of biodiversity overseen by Labor and will apply consistently to all landholders, ensuring the whole community is responsible for biodiversity protection. The reforms will also allow farmers to access funding for stewardship activities on their land, to provide an incentive for conservation outcomes and promote a fair reward for conservation at a site level.

The New South Wales Government knows farmers and primary producers are the environmental custodians of the majority of private land in New South Wales and we are determined to make sure they are do not face the challenge of protecting our biodiversity on their own. This is a complex reform—unpicking the mess that Labor left behind has not been easy. It is important that as a government we take the time to consult with stakeholders to get this reform right and to ensure that the new legislative framework truly delivers upon our steadfast commitment to implement all 43 of the independent expert panel's recommendations. We are determined that this will be an evidence-based and lasting reform which leaves our farmers and our environment better off.

ANIMAL WELFARE ADVISORY COMMITTEE

The Hon. MARK PEARSON: My question without notice is directed to the Minister for Primary Industries, and Minister for Lands and Water. The Animal Welfare Advisory Committee [AWAC] was established more than 20 years ago by the Minister for Agriculture of the time, the Hon. Ian Armstrong. It was established to ensure input into primary industry practices by a broad range of animal protection groups. Since its inception AWAC membership has included representation from the RSPCA, the Animal Welfare League and the Animal Societies Federation. I ask, first, can the Minister confirm that his predecessor did not advise the Animal Societies Federation to nominate for a position on AWAC when the previous committee term expired more than 12 months ago? Second, given that the Animal Societies Federation represents the majority of animal protection groups in New South Wales, can the Minister advise— *[Time expired.]*

The PRESIDENT: Order! I point out to the Hon. Mark Pearson that a large amount of his question was not interrogatory by nature, which is how question time should be conducted. It is possible for members to provide some background material to render a question intelligible. However, for a question to comply with the standing orders a member should not include too much background material. While I will allow the question on this occasion, I ask the member to bear that in mind in future. I remind other members of the standing orders in this regard as they, too, are inclined to forget on occasion.

The Hon. NIALL BLAIR: Obviously it is difficult to answer an incomplete question. The Animal Welfare Advisory Council [AWAC] is an important tool that this Government appreciates. Since becoming

Minister I have taken the necessary steps through my department to reconstitute that committee. I look forward to the meetings of the newly formed AWAC about the types of issues it will be challenging and about which it will provide advice to me and the Government in the future.

The Hon. MARK PEARSON: I ask a supplementary question. Will the Minister seek nomination from the Animal Societies Federation (New South Wales) for the Animal Welfare Advisory Council?

The Hon. Rick Colless: Point of order: I submit that that is a completely new question. Therefore, it is out of order.

The PRESIDENT: Order! It is necessary for members to seek an elucidation of an answer given in their supplementary questions. As I was distracted by another matter and did not hear the whole question, I will give the member the benefit of the doubt on this occasion only.

The Hon. NIAL BLAIR: The Animal Welfare Advisory Council has been reconstituted. As Minister I have confidence that the members of the council are able to provide the right advice to me and bring expertise from the different stakeholder groups on issues of animal welfare. I look forward to their advice on particular issues. I will continue to do what is prudent and monitor the make-up of that council to make sure that it is reflective and responsive to the issues that it looks into. I will keep a watching eye over the council. If issues need to be tackled I am sure the council members who are representative of the relevant organisations are more than capable of doing so.

BROKEN HILL WATER SUPPLY

The Hon. MICK VEITCH: My question is directed to the Minister for Lands and Water. Yesterday spokesperson Darren Clifton from We Want Action in Water at Broken Hill described the Minister's facts sheet on Broken Hill Water by saying:

I still can't understand why they've invented these other suggestions which have got no merit, would never get off the ground but they have thrown them in there to make something else look good. They're playing games in my view.

Would the Minister clarify for Broken Hill residents which long-term water options are on the table?

The Hon. NIAL BLAIR: The options that are on the table were clearly discussed at the open community meeting at Broken Hill two weeks ago. I have discussed in this House what occurred at that meeting. In relation to the make-up of the facts sheet, clearly the list to which the member refers are options that are not going to be the forward options for long-term solutions. The main ones we spoke about on that day were the combination of a couple of different types of pipelines, or the existing use of the lakes with some back-up provisions in relation to some of the existing bores on the site.

The consultative committee was originally established for emergency supply measures, and discussion around that has played a pivotal role in that area. There have been ongoing discussions with people involved in that group, including members of the community with whom Mr Clifton is associated and with the Department of Primary Industries water staff as late as last week, I think. Anyone could have attended that community meeting and discussed this matter. The department is not hiding anything from the community and that is why it handed out an information sheet to those in attendance. The sheet contained a range of information and measures, a lot of which were put to us by the community. We wanted to demonstrate to the community that we took the issues they put forward for consideration seriously, and that is why a lot of them were on that sheet.

Mr Jeremy Buckingham: You are not considering them?

The Hon. NIAL BLAIR: They have been considered and ruled out. You should step out of the

way and let us fix the problem because you have no solutions. You stood in the way of the funding that will enable us to address this into the future.

Mr David Shoebridge: Point of order: An answer to a question must be addressed through the Chair and not across the Chamber.

The PRESIDENT: Order! I uphold the point of order.

The Hon. NIALL BLAIR: Members opposite need to step away and allow the Government to continue to do what it is doing. We are providing record funding for a long-term and short-term water solution for the people of Broken Hill and Menindee. This is not about going to that community and whipping up a frenzy and throwing their water security issue around this Chamber. We had a sensible conversation with the community because we have got the money to do so, which those opposite stood in the way of. We were very clear that if the leasing of the poles and wires legislation went through this House some of proceeds would be unlocked and spent on the people of Broken Hill and Menindee to address something that has been a concern for that community for some time. We are getting on with job. We will provide the economic, environmental and social benefits for that community into the future by providing short- and long-term solutions.

Mr Jeremy Buckingham: What are the options?

The Hon. NIALL BLAIR: If you had come to the meeting you would have heard the options.

TARRO DISABILITY ACCOMMODATION

The Hon. NATASHA MACLAREN-JONES: My question is addressed to the Minister for Disability Services. Will the Minister inform the House about his visit to the new purpose-built villas at Tarro?

The Hon. JOHN AJAKA: Recently I visited the Tarro villas—six single-bedroom purpose-built units that have been designed to support young people with disability. The young adults living there are currently in the Leaving Care Program, and many of them have complex support needs and challenging behaviours. Reducing the incidence of young people with disability being homeless, or being involved in the criminal justice system, are major goals of the program. The Government provided more than \$2 million to build the villas from the Supported Accommodation Program.

Allambi Care, which has a strong history of supporting people with complex care needs and challenging behaviours, has been operating the villas since July, providing 24/7 support to the new residents. Allambi provides a range of disability services and has been working with Ageing, Disability and Home Care and the National Disability Insurance Agency to support people within the trial site. Allambi also provides services for people who require emergency and crisis support, and services for a significant number of young people with disability after they have left the care of the Minister for Family and Community Services.

The Tarro villas are located within a community setting and were specifically designed to create an environment that builds independence and active participation in the community. Building personal autonomy and independent living skills is vital to the wellbeing and future success of these individuals, and it contributes to the community as a whole. Choice and control for people living in these villas prepares them for their transition to the NDIS, which the New South Wales Government is fully supporting.

The accommodation has been built using adaptable housing design principles and features. Each resident has their own villa with a living and dining space, kitchenette, laundry facilities, large bathroom and toilet, and a private outdoor sitting area. There is also a common recreation room, which includes a

kitchen that is spacious enough to allow residents to assist in meal preparation. It also includes a combined lounge-dining room with plenty of room for residents to spend time with each other and for families and friends to visit. Outside there is a large shared courtyard, gazebo and covered outdoor area with a barbecue.

When I met with the staff who are supporting the residents it was clear there was a strong focus on building independence through individual support programs. This includes building the residents' individual skills in all areas from cooking, cleaning and maintaining their own villas to travel, training and accessing the community both individually and within a group. I was also fortunate to meet with the residents. It was clear that they were proud of their accommodation and welcomed the opportunity to live independently.

They told me that it was their choice to live in the villas and they were also able to choose their rooms. All of the residents were also given the opportunity to personalise their villa with their own choice of furniture, colour schemes and artwork. It was a pleasure to visit the residents in the complex and recognise the potential it provides for building their independence. Young people have the right to live in a home of their choice within their community, which gives them an opportunity to participate in life with their family and friends. The Government will continue to support that aim.

ROADSIDE DRUG TESTING

Mr DAVID SHOEBRIDGE: My question without notice is directed to the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism, representing the Minister for Justice and Police. Why is the Government funding the rollout of 100 roadside saliva drug testing kits each year when these kits test for the presence of ecstasy, cannabis and amphetamines rather than people's impairment levels and do not test for some of the most commonly used drugs that impair driving such as benzodiazepines?

The Hon. JOHN AJAKA: I will refer the member's question to the Minister for Justice and Police and come back with an answer.

NATIONAL DISABILITY INSURANCE SCHEME AND LOCAL GOVERNMENT

The Hon. PETER PRIMROSE: My question without notice is directed to the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism. Given that current local government boundaries are integral to the rollout of the National Disability Insurance Scheme [NDIS], what advice has his department provided on proposed council amalgamations and their impact on the rollout?

The Hon. JOHN AJAKA: As the Hon. Peter Primrose knows, the transition to the National Disability Insurance Scheme [NDIS] is a joint State and Commonwealth government initiative. Once all transitioning has occurred in New South Wales by 30 June 2018 it will be managed and operated through the National Disability Insurance Agency. The member also knows that the aim of the NDIS is to give people with a disability choice and control over the services they want, when they want them, how they receive them and from whom they receive them. They will get to choose where they receive the services. As a national scheme it will be irrelevant where a person lives when they receive their NDIS package; the package transfers with them. That means that a person living in any part of New South Wales who receives their package can take that package with them to any other part of New South Wales or interstate. That is what occurs under the NDIS.

The Hon. Walt Secord: No idea.

The Hon. JOHN AJAKA: Talk a little bit louder, I might be able to actually hear you.

The Hon. Walt Secord: I said you have no idea.

The Hon. JOHN AJAKA: Thank you. It is absolutely clear that a person with a disability receiving an NDIS package will have choice and control. It will not be a matter dictated by local government or the boundaries of local government. It will be a matter dictated by the person with a disability who is receiving the package. They will determine these things. That is what will occur. We will continue to work and deliver the NDIS. Notwithstanding the fact that members opposite are not going to assist but are going to interfere in the transitioning to the NDIS, this Government will—

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

The Hon. JOHN AJAKA: This Government will continue to deliver the NDIS to people with a disability because that is what people want, that is what they expect from us and that is what we are doing.

The Hon. PETER PRIMROSE: I ask a supplementary question. I thank the Minister for his answer. Will the Minister please elucidate on the role of local government boundaries in the rollout of the NDIS?

The Hon. JOHN AJAKA: If members opposite did their homework they would see that it is clear that the rollout occurs from 1 July 2016.

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

The Hon. JOHN AJAKA: It is clear that the rollout will occur from 1 July 2016 in the areas clearly designated in the bilateral agreement between New South Wales and—

The Hon. Sophie Cotsis: Local government areas.

The Hon. JOHN AJAKA: The member is holding the document. She is trying to flash the document.

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

The Hon. JOHN AJAKA: It is also clear that the second half of the rollout out in New South Wales will commence on 1 July 2017. I have made that clear. The bilateral agreement between the State and the Commonwealth has made that clear. That is what will continue to occur.

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

The Hon. JOHN AJAKA: If members opposite do not want to assist as all other organisations are assisting, I strongly suggest that they remain sitting where they are. This Government is delivering the NDIS. That is what upsets them. They are upset by the fact that the Government is delivering the NDIS. The number one State is delivering the NDIS—

The PRESIDENT: Order! The Hon. Sophie Cotsis has received her last warning.

The Hon. JOHN AJAKA: —but members opposite continue to oppose it. It is shameful that members opposite want to criticise all of the great work being undertaken by not only the Government but also the whole non-government sector in delivering the NDIS. [*Time expired.*]

WHEAT GROWERS

The Hon. DAVID CLARKE: My question is addressed to the Minister for Primary Industries, and

Minister for Lands and Water. Will the Minister update the House on what the New South Wales Government is doing to support the State's wheat growers?

The Hon. NIALL BLAIR: It is a pleasure to update the House on how the New South Wales Government is supporting our wheat growers. Last month I opened the 2015 Borlaug Global Rust Initiative technical workshop. I will share with the House why that was such an honour. I expect that few people in this House would know much about Norman Borlaug—except maybe *West Wing* fans, who might remember him as a pivotal point of conversation between President Bartlett and President Nimbala from the fictional Republic of Equatorial Kundu in episode four of season two. It might surprise all others to learn that Norman Borlaug is credited with saving more lives than anyone else who has walked on the face of the Earth.

Norman Borlaug devoted his life to agricultural science in order to feed a hungry world and he became widely known as the Father of the Green Revolution. Using his extensive knowledge of plant pathology and genetics, Norman Borlaug developed new wheat varieties that were high yielding and disease resistant and he introduced them to Mexico, Pakistan and India. Such was the level of Norman Borlaug's success that Mexico quickly became a net exporter of wheat, and yields in Pakistan and India nearly doubled. The introduction of Dr Borlaug's new wheat variety into India took the country from the imminent mass starvation of millions to self-sufficiency.

Borlaug was awarded the Nobel Peace Prize in 1970 for his contribution to global food security. As Borlaug said himself, "You can't build a peaceful world on empty stomachs and human misery". It is often considered that Borlaug's lifetime work saved more than a billion lives. I am sure the House can now understand why it was such an honour to speak at the opening of the Borlaug Global Rust Initiative 2015 Technical Workshop in Sydney last month. The initiative is chaired by Norman Borlaug's daughter Jeanie. Australia has all three wheat rust diseases: stripe rust, stem rust and leaf rust. One of the groundbreaking projects currently underway with the Department of Primary Industries, in partnership with the University of Sydney, is a comprehensive survey into wheat rust, in particular, stripe rust.

The New South Wales Government's continued commitment to agricultural research and development is demonstrated through the New South Wales Department of Primary Industries \$140 million portfolio of projects across New South Wales in the grains area alone, as part of a strategic partnership with the Grains Research and Development Corporation. The Government has further bolstered investment in the grains sector through a \$16 million investment package of specific cropping research programs and the creation of 18 new research officer positions in key cropping areas. I will continue to advocate passionately for investment in agricultural research and development to grow our regional economies and to do our bit to contribute to global food security. Perhaps one day New South Wales will be home to the next Norman Borlaug.

In conclusion, I would like to share with the House a conversation I had with Jeanie Borlaug at the workshop last month. Just prior to Dr Borlaug's death, a new device for soil health measurement was shown to him by a scientist from the Texas A&M University. In recognition of the need to bring scientific innovation and agricultural production closer together, Dr Borlaug said to his daughter Jeanie, upon finding out about this new device, "That's great; now take it to the farmer." This was a truly inspirational conference, and I was honoured to attend and to meet Jeanie Borlaug. The first wheat grown in Australia was grown not far from where we are standing today, on the site of the Royal Botanic Gardens. Those first crops of the colony were devastated by wheat rust. So this goes all the way back to colonisation in this country. [*Time expired.*]

MOUNT THORLEY WARKWORTH COALMINE

Mr JEREMY BUCKINGHAM: My question is directed to the Minister for Primary Industries, and Minister for Lands and Water, representing the Minister for Industry, Resources and Energy. What does the Government have to say to the people of Bulga, whose village was sentenced to death today

following the recommendation for approval of the Mount Thorley Warkworth coalmine?

The Hon. Dr Peter Phelps: Point of order: The question contains both argument and extreme levels of hyberbole. It should be ruled out of order.

Mr Jeremy Buckingham: To the point of order: If the Hon. Dr Peter Phelps was acquainted with the NSW Planning Assessment Commission report, he would know that my question was a statement of fact.

The PRESIDENT: Order! I have been generally tolerant when members have included argument within their question for dramatic effect or some other reason. Generally I allow Ministers to answer that part of the question that does not contain argument. I intend to do so again today. However, I am not sure that I will continue to do so in the future. I ask all members to stop putting argument in their questions.

The Hon. NIALL BLAIR: I will refer Mr Jeremy Buckingham's question to the Minister responsible and obtain a response.

STATE DISABILITY INCLUSION PLAN

The Hon. ERNEST WONG: My question is directed to Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism. Has your Government fully complied with its obligations under section 10 of the Disability Inclusion Act 2014?

The Hon. JOHN AJAKA: I am certain that this Government is complying with all aspects of all provisions of the Disability Inclusion Act.

The Hon. ERNEST WONG: I ask a supplementary question. Will the Minister elucidate his answer by informing the House of exactly what the Government has done in accordance with the requirements in section 10 of the Disability Inclusion Act 2014?

The Hon. JOHN AJAKA: I am more than happy to continue to answer that question for the Hon. Ernest Wong. The Disability Inclusion Act 2014 commenced on 3 December 2014, the International Day of People with Disability. The Act makes it clear that people with disability have the same human rights as others and promotes the inclusion of people with disability in the community. There is a strong emphasis in the Act on people with disability taking control and making their own decisions regarding their supports and services. The Act also includes measures to improve the access of people with disability to mainstream services to ensure their inclusion in the community. These measures will continue beyond the full implementation of the National Disability Insurance Scheme [NDIS].

The new law improves safeguards for people accessing disability supports and services that are provided and funded by the Family and Community Services [FACS], including new employment-screening requirements for people working directly with people with disability. Disability accommodation providers are also required to report the abuse or neglect of people with disability to the New South Wales Ombudsman. The Act also requires that the Government has a State Disability Inclusion Plan, providing for a coordinated whole-of-government approach to creating a more inclusive community for people with disability. The State plan was launched on 26 February 2015.

Under the Disability Inclusion Act 2014 all New South Wales Government departments and local councils must develop a Disability Inclusion Action Plan. These plans must set out the steps they will take so that people with disability have access to general supports and available mainstream services and can participate fully in the community. Action plans will focus on issues such as access to buildings, facilities and information, supporting specific needs of people with disability— [*Time expired.*]

NATIONAL DISABILITY INSURANCE SCHEME

The Hon. SHAYNE MALLARD: My question is addressed to the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism. Will the Minister outline what the New South Wales Government is doing to assist people with disability to prepare for individualised funding and the National Disability Insurance Scheme [NDIS].

The Hon. JOHN AJAKA: As members of this House are aware, disability services in New South Wales are on the verge of the greatest reform in a generation, as we prepare for the transition to the National Disability Insurance Scheme. Repeatedly, consultations have highlighted the importance of investing in strategies to build the confidence and skills of individuals, their families and carers and to support the expansion of individualised arrangements as this important transition takes place. This Government has responded by investing significantly in capacity-building measures to increase the readiness of people with disability, their families and carers. This investment is aimed at giving people more choice, voice and control over their lives to participate confidently in a disability system based on self-directed supports and individualised budgets.

The flagship of these projects is My Choice Matters and the NSW Consumer Development Fund. My Choice Matters provides information, workshops, resources and other opportunities to assist people with disability, their families and carers to participate confidently in their communities and make choices about how they want to live their lives. To date, My Choice Matters has engaged with and supported more than 3,000 people at various workshops, seminars and events and through individual projects run by people with disability and their families. Last year, My Choice Matters won the People's Choice Award in the National Disability Services Disability Innovation Awards.

There are four key initiatives in the My Choice Matters project: Get More Skills workshops, which give people the opportunity to practice and develop confidence in thinking about new ideas as well as to hear from people with disability who are exercising choice and control in their lives; Run Projects, which supports more than 240 people through small grants to develop their projects to suit their own development needs; Share Stories, which promotes sharing ideas, stories and learning from peers and others as a way to learn new things; and Become a Leader program, which increases the leadership skills and abilities of people with disability across New South Wales by providing opportunities to learn and share with each other about how they have been leaders in their own lives or in their communities.

Recently, I had the pleasure of attending the graduation ceremony of the first group of participants to complete the eight-month Become a Leader program. The invitation came to me from a young woman with disability who acts as a mentor to others undertaking the course. This groundbreaking program aims to develop new leaders who will go on to inspire and change their communities. At the graduation I had the privilege of hearing about the many program participants who have started to do this as well, as their leadership aspirations for the future. One particular graduate told me that before she started the course she did not feel confident about going out in her community but by the end of it her confidence had significantly grown. In fact, in speaking to her, I could not believe she had ever lacked confidence. This was the same woman who, when giving her speech in front of many, announced that she wanted to take my job as Minister for Disability Services.

The Hon. Walt Secord: No, that was Sophie.

The Hon. JOHN AJAKA: I note the interjection. The Hon. Sophie Cotsis has a much better chance than you do. Indeed, with the skills that she and her fellow graduates have learned in the leadership course, they are a force to be reckoned with. One group's project sought local employers to "take a chance on people with disability" so that they could contribute to and live like others in the community. Another group's project sought to find creative ways to help people with disability think about and articulate their goals. [*Time expired.*]

SPECIAL CONSTABLES

The Hon. ROBERT BORSAK: I direct my question to the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism, today representing the Deputy Premier and Minister for Justice and Police. Why do New South Wales special constables receive no recognition for their service but are good enough to wear the police uniform and have the same authority and powers as a serving police officer of the rank of constable, in line with the NSW Police Force, Fire and Rescue NSW, Corrective Services NSW, Ambulance Service of NSW, NSW Rural Fire Service and NSW State Emergency Service members, who all receive the National Medal after 15 years service? Given the daily dangers that New South Wales special constables face, as evidenced by the terrorist shooting outside Parramatta police station earlier this month in which New South Wales special constables were first on the scene, when can New South Wales special constables expect to receive the same recognition of service after 15 years?

The Hon. JOHN AJAKA: I begin by indicating my great support, admiration and thanks to not only our serving police officers and our special constables but also all the men and women who work for the NSW Police Force. They do an extraordinary job. There is no doubt, as we saw recently, that each and every day they put their lives on the line for us. I will refer the question to the Minister for Justice and Police and come back to the member with an answer.

FORENSIC PATIENTS WITH DISABILITY

The Hon. PENNY SHARPE: I direct my question without notice to the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism. As part of the rollout of the National Disability Insurance Scheme [NDIS], what procedures and guidelines has the Minister put in place for forensic patients with disabilities who are detained under the Mental Health (Forensic Provisions) Act?

The Hon. JOHN AJAKA: I can inform the Hon. Penny Sharpe that extensive work is being done at a State level not only by Ageing, Disability and Home Care and the Department of Family and Community Services but also by other State departments, whether in health, mental health or any area that relates to people with disability. Extensive work is being undertaken between all States and Territories and the Commonwealth to ensure that these areas are covered at a national level. At the same time, we are continuing to provide these services in health, mental health and justice. I can also indicate to the honourable member that the New South Wales Government, through the Community Justice Program, provides support to people across New South Wales with an intellectual disability exiting custody with a high risk of reoffending. The Community Justice Program, which was established in 2006—

The Hon. Penny Sharpe: Point of order: My point order is relevance. I have listened carefully to the Minister's answer. This is a very specific question about what is happening with forensic patients with disabilities who are detained under the Mental Health (Forensic Provisions) Act. It has nothing to do with those leaving custody nor has it anything to do with general platitudes about what is happening at State and Federal government levels.

The PRESIDENT: Order! It is understood that there will be some degree of generality in remarks made by a Minister in response to a question but that, by and large, most of the remarks should be directly relevant. It would be appreciated if the Minister would do so in the balance of his answer.

The Hon. JOHN AJAKA: Strong relationships currently exist between Ageing, Disability and Home Care and the Ministry of Health. The Secretary of the Department of Family and Community Services [FACS] chairs the New South Wales National Disability Insurance Scheme [NDIS] board, working alongside the secretaries of key agencies, including NSW Health, which is responsible for delivering the New South Wales reforms. NSW Health, Family and Community Services and the Department of Premier and Cabinet are working together to establish a transition plan that will enable early identification of people accessing NSW Health to facilitate a streamlined intake to the NDIS. Early

data linkage work has identified there are already a significant number of people who access both NSW Health and FACS services and are therefore already identified for phasing into the scheme.

The Hon. Penny Sharpe: Point of order: My point of order is relevance. This is a very specific question. It was very narrowly cast in order to seek a proper answer in relation to the status of forensic patients with disabilities in this State. The Minister is generally raving on about what might or might not be happening through coordination across departments. He has not even referred to forensic patients. He is being completely irrelevant to the question.

The PRESIDENT: Order! I was struggling to find the direct relevance of the Minister's comments. If the Minister has anything else that is directly relevant to contribute he should do so in the time remaining.

The Hon. JOHN AJAKA: People with substantially reduced functional capacity as a result of a mental health issue may be determined eligible for the NDIS subject to age and residency criteria.

The Hon. Penny Sharpe: Point of order: Mr President, the Minister is now flouting your ruling. He is continuing to give an answer that is irrelevant to the question. The Minister has not taken note of your direction to be relevant to the question.

The PRESIDENT: Order! It was too soon for me to form that conclusion, but I was listening very carefully to what the Minister had to say. I refer the Minister to my earlier ruling. Does the Minister have anything else to add?

The Hon. JOHN AJAKA: I have finished my answer.

AGRICULTURAL EDUCATION COURSES

The Hon. LOU AMATO: I address my question to the Minister for Primary Industries, and Minister for Lands and Water. Can the Minister update the House on how the New South Wales Government is building for the future of the State's primary industries through its agricultural program for schools?

The Hon. NIALL BLAIR: I thank the member for his outstanding question. The Government is committed to educating our children and helping them to understand the important primary industries sector, which contributes about \$12 billion to the New South Wales economy each year. To make sure that we build for the future of the sector, the Government has established a school program and a dedicated team to increase the profile in schools of agriculture and biosecurity, and careers in those industries. As the Minister for Primary Industries I am excited that our future generations will be learning all about farming and production, as well as food and animal safety procedures and biosecurity.

The new program will put agriculture and biosecurity on the learning agenda for the State's primary and secondary school students. It was developed in response to a review of agricultural education and training conducted by Professor Jim Pratley. Three education officers from the Department of Primary Industries have been appointed under the program. They are all former schoolteachers and bring with them a wealth of experience in education and primary industries. Michelle Fifield and Jess Fedorow, based in Orange, and Jo Hathway, in Tocal, are developing high-quality teaching materials and professional development opportunities for New South Wales teachers.

Educating students about the whole food and fibre value chain, from the pre-farm-gate supply sector to post-farm-gate processing and marketing, is an important initiative to build for the future of New South Wales primary industries. Importantly, the program is also helping students to consider a future career in agriculture, whether as a vet, a farm manager, a plant pathologist or a marine biologist. The sector has so many opportunities on offer.

Current initiatives include the development of teaching units and classroom resources, teacher professional development and on-site educational experiences at Department of Primary Industries facilities. As part of the program, New South Wales school students will be able to participate in a range of competitions and activities. Some wonderful examples include the development of a biosecurity planning unit for schools, which has been initially run through the Archibull Prize program and will be released to all schools in November. This exciting addition to the Archibull Prize program will help students to understand biosecurity practices and the cascading impact they can have on our everyday lives.

The schools program is also promoting careers within the food and fibre industries through participation in the successful AgVision careers events, the development of promotional material and collaboration with tertiary education providers to increase distribution channels to teachers, students, careers advisers and parents. Another example is the Investigate: Fire Ants competition, which is a science and technology competition currently open to all upper primary school students to use their science and technology skills to investigate whether there are fire ants in their school. They will create a communication product to inform their community about fire ants and their investigation findings.

Consultation with agriculture teachers is also one of the ways the Government has been able to identify educational resource gaps and subsequently develop teaching units to address them. I am proud that the Government is building for the future of our primary industry sector and I am proud that it is investing in our kids, who will be the leaders of the sector for the future. We need to do everything we can to encourage the next generation of farmers, irrigators and scientists to continue to be among the world's best. Investing in our kids and in the future of primary industries gets a big tick in my book.

The Hon. JOHN AJAKA: The time for questions has expired. If members have any further questions, I suggest they place them on notice.

The PRESIDENT: Order! I call the Hon. Walt Secord to order for the second time.

FOOD LABELLING

The Hon. NIALL BLAIR: I provide further information to an answer that I gave yesterday to a question without notice from the Hon. Mick Veitch, regarding food labelling in New South Wales. Statutory requirements for food labelling in New South Wales fall under both Australian Consumer Law and food legislation—namely, the Australia New Zealand Food Standards Code. To avoid duplication of regulatory activity and to minimise the burden on industry, the NSW Food Authority, within the Primary Industries portfolio, currently assumes the lead responsibility for monitoring and enforcing compliance with food labelling requirements in New South Wales.

Ensuring compliance with allergen labelling requirements is a key focus of the Food Authority. It is essential that food products are correctly labelled to ensure that food ingredients that cause allergies are declared on the label. This labelling requirement allows consumers who are allergic to those ingredients to make an informed choice. The authority takes a hard line where businesses do not comply with food allergen labelling requirements. In those cases, the authority can escalate its enforcement action by issuing on-the-spot fines or by pursuing prosecution in more serious cases.

I note that the Commonwealth Government has proposed that responsibility for ensuring compliance with country of origin labelling requirements for food be transferred to the States, under the Australian Consumer Law. Pending the agreement of jurisdictions to the proposal, this would mean that NSW Fair Trading would assume responsibility for monitoring and enforcing country of origin labelling requirements for food sold in New South Wales. Companies importing food products into Australia are responsible for ensuring that those products comply with statutory food labelling requirements. The Commonwealth Department of Agriculture and Water Resources is responsible for monitoring the

compliance of imported food products with labelling requirements at the border.

GUN BUYBACK

The Hon. NIALL BLAIR: On 17 September 2015 the Hon. Duncan Gay was asked a question by the Hon. Robert Borsak about gun buyback. The Minister for Justice and Police has provided the following response:

I am advised:

Commonwealth and State Governments are committed to updating the technical elements of the National Firearms Agreement.

New South Wales is working with other jurisdictions on a range of potential firearms reforms through the Council of Australian Governments [COAG] and any buyback scheme would need to be considered as part of this process.

The New South Wales Government expects that any proposals to deal with illegal firearms would be rigorously justified, fully costed and the impacts on existing firearms owners fully considered before any such proposals are submitted to Ministers for their consideration.

DRIVE-BY SHOOTINGS

The Hon. NIALL BLAIR: On 17 September 2015 the Hon. Duncan Gay was asked a question by the Hon. Robert Brown about drive-by shootings. The Minister for Justice and Police has provided the following response:

The Bureau of Crime Statistics and Research [BOCSAR] is the official source of crime statistics in New South Wales.

SYDNEY TRAINS UNUSED RAIL PLATFORMS

The Hon. NIALL BLAIR: On 17 September 2015 the Hon. Duncan Gay was asked a question by the Hon. Paul Green about Sydney Trains unused rail platforms. The Minister for Transport and Infrastructure has provided the following response:

I am advised:

The Central Station platforms and St James Station tunnels do not meet the needs for the Sydney Metro as the tunnels do not match the proposed alignment of the second harbour crossing and do not enter the heart of the Sydney central business district [CBD]. Redfern Station is fully utilised. Platform nine provides an important operational function during shunting, track work and incident management.

Sydney Trains will be opening St James Air Raid Bunker Tunnel, Central Clock Tower, Central Station's "Ghost Platforms" 26 and 27 and Mortuary Station for guided tours in November 2015 as part of the Sydney Open 2015. Sydney Trains is pleased to be able to share the exciting history of the Sydney railways during this public event.

F3 MERGING LANES

The Hon. NIALL BLAIR: On 17 September 2015 the Hon. Duncan Gay was asked a question by the Hon. Lynda Voltz about F3 merging lanes. The Hon. Duncan Gay has provided the following response:

I am advised:

Recent traffic data on the M1 indicates that the current volume of traffic on this section is between 45,000 and 55,000 vehicles per day. Given the likely land use change in the corridor, it is unlikely that traffic volumes will increase to 100,000 per day by 2021.

The concerns raised will be specifically addressed in an upcoming corridor strategy. The interchanges on the M1, including the one at Morisset, and the merging configuration will be included in a corridor strategy for the entire length of the M1 Pacific Motorway between Wahroonga and Beresfield, which is currently being planned by Transport for NSW in conjunction with Roads and Maritime Services.

In addition, Roads and Maritime Services will investigate the provision of a managed motorway scheme involving the use of technology to improve traffic efficiency along the M1 route.

NELSON BAY ROAD, PORT STEPHENS, HEAVY VEHICLE TRAFFIC

The Hon. NIALL BLAIR: On 17 September 2015 the Hon. Duncan Gay was asked a question by the Hon. Ernest Wong about a proposed increase in truck movements in the Port Stephens area. The Minister has provided the following response:

I am advised:

Roads and Maritime Services reviewed the S75W Modification of access to the Macka's Sand project, including a Traffic Impact Assessment, and made a submission to the Department of Planning and Environment. Salt Ash Public School Parents and Citizens Association have also made a submission to the project.

These submissions will be considered by that department and are available on its website.

COAL SEAM GAS

The Hon. NIALL BLAIR: On 17 September 2015 Mr Jeremy Buckingham asked me a question about coal seam gas legislation. The Minister for Industry, Resources and Energy has provided the following response:

The New South Wales Government accepted all recommendations of the NSW Chief Scientist and Engineer's Independent Review of Coal Seam Gas Activities in NSW when it released the NSW Gas Plan in November 2014.

In response to recommendation 6 of the Chief Scientist and Engineer's report, the Government agreed that there is merit in a fair, consistent and transparent approach to the State's management of all its subsurface resources. The Government will consider the best legislative approach to make this happen, recognising that this will take time.

As an initial step, on 1 July 2015 the Government commenced the Improved Management of Exploration Regulation [IMER]. IMER overhauls New South Wales exploration regulation, with tough new streamlined rules, consistent across all onshore exploration activities. Key elements of IMER include:

- some 13 standard conditions now apply across all onshore subsurface resources;

- new Codes of Practice and Work Program requirements apply across all onshore subsurface resources; and
- new streamlined, consistent reporting requirements apply across all onshore subsurface resources.

We will continue to work with industry and the broader community to consider the best approaches to harmonising the treatment of all onshore subsurface resources.

The Gas Plan legislation package including a bill to harmonise the State's resources Acts, has been introduced to the New South Wales Parliament following extensive consultation with industry and community stakeholders.

SMART AND SKILLED

The Hon. NIALL BLAIR: On 17 September 2015 Dr John Kaye asked me a question about the Smart and Skilled program. The Minister for Regional Development, Minister for Skills, and Minister for Small Business has provided the following response:

I am advised that:

The New South Wales Government will report on Smart and Skilled payments to providers, including TAFE NSW, as part of its annual reporting process.

Questions without notice concluded.

ASSENT TO BILLS

Assent to the following bills was reported:

Fair Trading Amendment (Information About Complaints) Bill 2015
 Property, Stock and Business Agents Amendment (Underquoting Prohibition) Bill 2015
 Transport Administration Amendment (Closure of Railway Line at Newcastle) Bill 2015
 State Arms, Symbols and Emblems Amendment (Fossil Emblem) Bill 2015
 Residential Tenancies and Housing Legislation Amendment (Public Housing—Antisocial Behaviour Bill) 2015

FLEXIBLE WORKING ARRANGEMENTS

Debate resumed from an earlier hour.

The Hon. MICK VEITCH [3.35 p.m.]: I associate myself with the motion moved by the Hon. Courtney Houssos. I draw on comments made earlier by the Government Whip. The Hon. Dr Peter Phelps said that regional members of Parliament spend a lot of time away from home. All regional members would agree with that comment. We spend an inordinate amount of time away from home, and travelling. At the end of a long sitting week we have to drive or fly somewhere. People often wonder what we do; we spend a lot of time away from our homes.

Long sitting days, such as those we have had this week, affect not only members of Parliament. Those sorts of work arrangements affect the Clerks at the Table. They affect the attendants, the Hansard staff and the people who serve us our endless stream of coffee on level 6 in the cafeteria. Those people have to work those hours as well and they are back here the next day when we come back in and resume our activities in this Chamber. That takes them away from their families. It takes time to recover from working long hours. It usually takes one or two days to catch up on sleep, and that has an impact on the

family. One cannot spend the quality time with one's children that they expect. We should reflect on what our long hours mean for everyone else who works in the building.

Technology affects work-life balance. Members of Parliament are not the only people who suffer from this, but smart phones mean that some of us receive more than 500 emails a day. People expect an immediate response. Smart phones make us very accessible. If one wanted to, one could spend all day working through emails on the smart phone, particularly when there is an email campaign underway—as there is at the moment—and people flood members' accounts. The intrusion of technology into everyone's lives also has an effect on the family when one is at home. My children often say to me, "Dad, can you put the phone away for an hour so that we can spend some time together?" It is important that we spend that quality time with them, because we are away so much. People in other occupations also have the same issues and have to spend a lot of time away from their families.

In the modern workforce, the work-life balance is struck by using grandparents as the default babysitters. Grandparents assist when parents are unable to pick up children from school or courier them to sporting activities. A motion such as this provides an opportunity for us to reflect on the role that grandparents play in helping us to maintain a work-life balance. That happened in my family when my children were growing up. As a grandparent now, that is the role I play whenever I can, to assist my children with their children. Work-life balance is very critical, but I have always struggled with it. I have never been able to get a decent work-life balance. I freely admit that I get it wrong a lot, I freely admit that I spend more time at work than I should and I freely admit that the time my kids deserved to have with me when I was with them was often taken away by the distractions of my job. Work-life balance is very difficult for a lot of people to achieve, but it is important that we get it right for our kids. I appreciate having my mum around at times to help us with our kids.

Another aspect of work-life balance is that it is particularly difficult for people living in rural and remote communities because there is the added issue of distance and the necessity to drive everywhere. That makes the work-life balance even harder to achieve. In wrapping up my remarks in support of this motion, I will just say that I know a number of us are now about to hop in a car after a very long sitting week and I know a number of us are very tired. Just drive safely, because your kids deserve to see you when you get home.

Mr SCOT MacDONALD (Parliamentary Secretary) [3.40 p.m.]: I thought I would give a slightly different perspective on this motion. We have been looking at this issue of flexible working hours for decades. It is bedevilling all of us and, as the Hon. Mick Veitch said, it probably bedevils people living in regional areas in other ways. But I wonder whether we are looking at a prescription for industrial relations and paid parental leave and all that sort of injection of public money to fix a social problem. Yes, we are wrestling with busy lives, busy careers and many commitments, but is the answer to have a government dictate and say that parents must have so much paid parental leave of one sort or another and must have financial support, and then inject endless amounts of taxpayers' money into caregiving?

Some 25 years ago my wife and I were heading down this path. We both had busy careers and we wondered how we were going to manage. One way could have been to stay in the workforce and expect my employer at the time to provide whatever was needed in terms of money, time, et cetera. But we chose to be responsible for our own future: we went into small business and we took on the load. We did not have our hand out to our employer and the Government.

The Hon. Penny Sharpe: So paid parental leave is a handout, is it?

Mr SCOT MacDONALD: Once again, here we go—listen to the interjection: The Government will fix everything; the Government is responsible for child-rearing; the Government has an endless pot of money for people's social choices. As I started to say before I was interrupted, my wife and I made a conscious financial decision: We bought a business and took on the risks associated with all that. We knew part of that package was having the ability to raise kids because of the flexibility that small business

can offer. Small business has its own pressures: You work long hours and very often you work with fewer resources in terms of capital, et cetera, and you are chasing your tail day in, day out. But we were able to raise our kids and they hung around our workplace. I spoke to the Deputy-President earlier and he said that he had his children under his feet at his desk in his solicitor's office. I had my children under my feet at our produce business driving forklifts at five and six years of age.

The Hon. Dr Peter Phelps: Child labour. Labor was right all along.

Mr SCOT MacDONALD: Child labour. But my children grew up in that environment. Yes, we paid for and used a little bit of child care; we did not expect anybody to subsidise us. But many parents have the attitude that it is the Government's responsibility, it is the employer's responsibility—it is everybody else's responsibility but theirs. We did not take that view; we believed it was our responsibility.

The Hon. Adam Searle: That's not what everyone says.

Mr SCOT MacDONALD: Maybe, but look at the tenor of the motion. It says that for the first time in human history we are busy and we are trying to share commitments and, by the way, we need the employer of the day, preferably with a lot of government backing, to come to the rescue.

The Hon. Penny Sharpe: It's also about equality for women, you know.

Mr SCOT MacDONALD: We achieved that equality for women by jumping into small business.

The Hon. Penny Sharpe: Well, with the numbers of women you've got in this place it's going well for you, isn't it.

Mr SCOT MacDONALD: You make that choice of career and that work commitment knowing that it is not going to be easy. This place is not an easy place in which to carry out our duty. I am in awe of members such as the Hon. Sarah Mitchell and the Hon. Courtney Houssos who manage to juggle their responsibilities. But members come into this place knowing that that will be the load they will be carrying, and saying, after being here for a few months, "We are working long hours" or "We have heavy commitments with committees" or "We have a lot of constituent responsibility" and "Gee, this is tough and, by the way, I think I might need a change of hours to suit me", sorry, but that is Parliament—that is government. Members are accepting a very responsible position here.

I implore all of us to think about this and take responsibility for our decisions and our choices; accept that there are combinations, that sacrifices have to be made and that the solution is not always the Government and that endless pot of money. I love these motions; it is a little bit "woe is me" and "the Government is going to come to the rescue and rescue me" and the trade union movement will once again find accommodations. But at the end of the day, who pays for those things? It is the consumer and the businesses, and the costs are passed on to all of us.

The union movement is now a very, very small part of our society; it is about 15 per cent—a little bit more in the private sector. That is because, essentially, unions get it wrong, and they get it wrong time and again. There are now more people in self-employment than there are in the union workforce. The reason for that—if it is not hitting the union movement between the eyes—is that people are prepared to take responsibility for their own actions, to make sacrifices and carry the load for themselves. I look forward to the rest of the debate, but it is more of the same old, same old from what I can see.

The Hon. ADAM SEARLE (Leader of the Opposition) [3.47 p.m.]: I wholeheartedly support the motion on flexible working arrangements brought to the Chamber by my colleague the Hon. Courtney Houssos, and I congratulate her. As outlined in the motion, the trade union movement was responsible, through its long-term campaign, for securing what used to be the eight-hour day. I must say I have never worked only an eight-hour day, but the point is that the campaign started on 18 August 1855 in this State

with the Stonemasons Society in Sydney issuing an ultimatum to employers that they wished to work an eight-hour day. The campaign culminated in a victory dinner on 1 October 1855 in this State, which is celebrated as Labour Day and is now a holiday in New South Wales.

However, when the ultimatum expired in 1856 there was general agitation and more industrial action, and by early March 1856 an eight-hour day was secured in that industry more generally, but it was paid for by a reduction in wages. It took a long time for the eight-hour day to be achieved nationally. This did not occur in Australia until the 1920s via an award of the Commonwealth Arbitration Court when it approved the 40-hour, five-day working week, which began on 1 January 1948. This achievement was described by historian Rowan Cahill as:

... one of the great successes of the Australian working class during the nineteenth century, demonstrating to Australian workers that it was possible to successfully organise, mobilise, agitate and exercise significant control over working conditions and quality of life. The Australian trade union movement grew out of the eight-hour campaigning and the movement that developed to promote that principle.

Of course, moving forward, economics changed from the early 1980s and onwards. The advent of technological change, also mentioned in the motion, has led to a significant erosion of that principle. In fact, there has always been a difference between waged workers and salaried workers. Waged workers were paid strictly for their time and when required to work overtime were paid overtime, often at penalty rates. Salaried workers were paid a set rate—and were often in the professions—and were just expected to work as much as necessary to get the job done. I know that applies to members of Parliament and often their staff also.

From the mid-1980s to the present there has been ongoing pressure on people to work as many hours as needed to do the job. I was briefly a public servant and even in the public sector one was expected to just get the job done. No overtime was paid unless one was specifically directed to work overtime—indeed, there was never a specific direction. Workers were just expected to deliver. I know that in the public sector today those pressures are much, much worse. The idea that Australians are fairly relaxed when it comes to the world of work is not true. As a young person a number of years ago I was surprised to read a report from the Australian Centre for Industrial Relations Research and Teaching that showed Australians work some of the longest hours in the OECD bracket of nations. It did not fit with the proper conception of Australians. We work very long, hard hours and we do so largely without complaint.

In September 2014 the average full-time worker worked on average 39 hours and 13 minutes per week. That total is now 39 hours and 29 minutes—a jump of 16 minutes. It does not sound like very much on an individual level but when that is aggregated across a workforce of more than 12 million people, it is an awful lot of additional time being worked. The average part-time worker put in 16 hours and 42 minutes per week; that has now increased to 16 hours and 56 minutes, a jump of 14 minutes. Aggregating that across all industries and sectors means that is a very significant uplift. Of course, it only measures work in the workplace.

The motion refers to technological change. With the advent of iPads, computers, remote access and mobile phones there has been an expectation that workers—either management or those at the coalface—will be available to take phone calls or answer emails. There is an expectation that workers will respond outside work hours. That is fine, particularly when there are peaks in workloads or deadlines, but it has gone from being the exception to the norm. Employers still expect workers to do the set office hours but in addition to be available to answer phone calls and emails.

Some newspaper articles have suggested we are now spending 15 to 30 minutes a day responding to these out-of-hours work engagements. On 2 October 2015 Jessica Irvine wrote a very interesting article in the *Sydney Morning Herald* in which she referred to a recent Productivity Commission draft report on the workplace relations system that found weekend work is now common, with some four

million Australians regularly working at least a Saturday or a Sunday. While Monday to Friday nine to five is not dead, it is being seriously eroded. She also referred to the difficulty in securing work-life balance through technology eroding the barriers between working life and personal, family and community life.

We are seeing not necessarily mutually beneficial flexibility, with employers now expecting people to be present at work for the said contracted hours and, in addition, to be available for those out-of-hours connections—and this is becoming the norm. Ms Irvine estimated that Australians were donating about one week of their life per year unpaid to their workplace or job. That is a very significant commitment. Although I indicated that for salaried workers or some professions such as politicians there has always been a lack of connection between remuneration and hours worked, we are increasingly seeing a disconnect between the hours people are being expected to work, whether paid or unpaid, and the leave time they are accruing. It is my firm belief that this connection needs to be re-made. There needs to be a relationship between hours worked and paid time away from work that people accrue through working those hours.

Nowhere is the problem of work-life balance more apparent than around childbirth, child rearing and other carer responsibilities, particularly pregnancy and return to work issues, predominantly for women, because in our society more often than not women are still the primary care givers. However, there is emerging a difficulty for male workers as well. In 1999 the Human Rights and Equal Opportunities Commission [HREOC] inquiry into pregnancy discrimination in the workplace "Pregnant and Productive: It's a right not a privilege to work while pregnant" revealed widespread discrimination towards pregnant women and the need to re-examine discrimination in the workplace after pregnancy, including women's experiences while on parental leave and on returning to the workplace.

In July 2014 HREOC did a second review entitled "Supporting Working Parents: Pregnancy and Return to Work", which revealed that a serious and systematic pattern of discrimination continues to this day, one that has a significant cost to women, working parents, their families, workplaces and the national economy. The review was a collaboration between small and large business, industry, peak groups, unions, working women's centres and academics. The inquiry found that discrimination ranging from negative attitudes and inappropriate comments through to threats to employment and even the termination of employment was occurring regularly to people seeking to return to work after having a child.

This was having an impact on the physical and mental health of individuals, careers, family, job opportunities and financial situations. It has consequences also for the workplace, including higher absenteeism, lower productivity, higher staff turnover, recruitment and training costs as well as reputational damage. In this the consequences are similar to workplace bullying. The HREOC inquiry found a number of things that I will not go into. However, HREOC found:

- 49% of mothers reported experiencing at least one form of discrimination in the workplace at some point during pregnancy, parental leave or on return to work ...
- 36% reported experiencing discrimination when returning to work after parental leave, with the bulk of this relating to negative attitudes from colleagues or supervisors (63%), when they requested flexible work (50%) or pay, conditions and duties (38%).
- 18% were made redundant or had their work restructured, were dismissed or did not have their work contract renewed either during pregnancy, when they requested/took maternity leave or when they returned to work ...
- Discrimination on return to work is more likely to be experienced by mothers who return to work in a large organisation (40%) compared to those who return to work in a small (22%) or medium sized (31%) organisation.

The inquiry also found that working fathers suffered significant discrimination, with 27 per cent of them reporting discrimination on at least one occasion, 35 per cent experiencing discrimination relating to flexible work, including being denied leave and flexible work patterns, and having changes made to rosters, hours of work and duties against their wishes. The report found that while most employers did not set out to discriminate, they struggle to balance their legal obligations with the pressures of running a business. They told the inquiry that they experienced a lack of clear, easily accessible information as well as tailored advice.

Whilst some employers claimed they had no problem with supporting pregnant workers and providing flexible work, it emerged that they felt their clients might not be as comfortable, and there was significant employer uncertainty about their own legal obligations and the rights of staff. As a result, many employers used redundancies and restructures as a pretext for removing employees who were pregnant, on parental leave or had family and caring responsibilities—that is clearly not good enough.

A review of the laws at State and Federal levels revealed that there were significant gaps in coverage, particularly in the area of indirect discrimination under Commonwealth sex discrimination laws, and there were also other gaps in State laws, including New South Wales. The biggest gap in the adequacy of the existing legal and policy work, however, was in implementation—that is, on-the-ground implementation of existing laws by employers. The situation in New South Wales was hardly rosier. The Public Service Association submission to the inquiry revealed that there was a widespread inability to access the appropriate flexible working arrangements that already existed when people returned to work from having children, harassment while on maternity leave and on return to work connected to absences from the workplace, and also harassment while negotiating return to work days and hours in the form of managerial bullying. Unprofessional behaviours were also widespread.

Last year at budget estimates then Baird Government Minister, Andrew Constance, was wholly and completely unaware of this report and so was his agency, the Office of Industrial Relations. The answer to questions on notice about whether they were aware of the report and what they were going to do was, "The Office of Industrial Relations does not hold this information." At this year's budget estimates the current Minister for Industrial Relations, and Treasurer, Ms Gladys Berejiklian, said that her agency was now aware of the report, but what it was doing about it was not readily apparent. The commitment of this Government to meaningfully engage with the difficulties being experienced by men and women with parental responsibilities returning to work, needing mutually beneficial, flexible workplace practices was lacking.

I return to what Mr Scot MacDonald said: This is not about government money, government handouts or the nanny State; this is simply about a recognition that because people have other things going on in their life, other than work, they need more flexibility to be applied. This is not to say that they want to work less; it is merely that sometimes the hours they perform work need to be flexibly applied. For example, instead of just 9.00 a.m. to 5.00 p.m. they could do 8.00 a.m. to 10.00 a.m. over a different spread of days, or maybe they could do more hours one week and fewer hours another week.

In addition, missing in this dialogue is the work that people perform unpaid outside of the workplace on their computer, iPad or phone. That work is not being recognised on a systematic basis by the industrial relations systems, State or Federal, or in a wider capacity by employers as a wider class. It is not to say that individual employers do not do this. I know often employers say, "If you work extra hours, you can have some time off in lieu". It can be flexibly done, but this is not put on a proper or systematic basis and it must be. [*Time expired.*]

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

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

ADJOURNMENT

The Hon. JOHN AJAKA: [4.03 p.m.]: I move:

That this House do now adjourn.

DECRIMINALISATION OF BROTHELS

The Hon. PENNY SHARPE [4.03 p.m.]: How often can we point to legal reform and policy change in New South Wales that has saved lives, improved public health, improved the safety of workers, reduced corruption and is a model considered world's best practice? The reform I am talking about is the decriminalisation of brothels in New South Wales. The world's oldest profession has existed in New South Wales since colonisation. Our Parliaments have been trying to regulate, legislate and control sex workers and their work environment ever since, mostly with little or no success. In 1835 the Prevention of Vagrancy Act was introduced to criminalise prostitutes and enable the arrest of prostitutes. During World War II these laws were strengthened by the Disorderly Houses Act 1943, which allowed police to close down houses suspected of being brothels. And so began decades of corruption and conspiracy between police, organised crime and those who sought to control this illegal industry.

It took until the 1990s and the advent of the Wood Royal Commission into the New South Wales Police Service before the extensive corrupt links between police and brothel operators were exposed. The royal commission made it clear that in a criminalised sex work environment there is a strong incentive for police corruption and greater potential link with organised crime. The 1980s and 1990s in Sydney were also a time of rising levels of HIV and AIDS infections. The Government had a clear choice about how to respond. It could crack down on this industry with the heavy hand of the law, knowing full well that the industry was riddled with corruption and would never be able to be abolished, or it could listen to health experts and to sex workers about how best to curb the threat of the spread of this terrible disease.

The health experts had a very clear message: In a criminalised sex work environment access by sex workers to appropriate health information to contain the spread of HIV was nearly impossible. As part of the revelations in the Wood royal commission and the desire to decrease the risk of the spread of HIV-AIDS the New South Wales Government passed the Disorderly Houses Amendment Act 1995.

This groundbreaking legislation decriminalised brothels and abolished the offence of keeping a brothel or living off the earnings of prostitution—a bill that was ultimately supported by the Liberal Party and the National Party. As a former member of this House, Ann Symonds—a champion for sensible law reform in this area—said at the time.

The goals of the legislation ... are to provide an environment that is basically supportive of public health and that will reduce the opportunities for police corruption, to allow the industry to operate with minimal impact on the broader community and to remove some of the stigma surrounding sex industry workers. The legislation is long overdue.

Importantly decriminalisation did not, however, mean that brothels became unregulated. Brothels became regulated as a land use under the Environmental Planning and Assessment Act 1979, requiring local council approval. In practice, the reform means that New South Wales councils are responsible for the regulation of zoning, planning and location controls for brothels as well as environmental health. The Disorderly Houses Amendment Act 1995 also provided a mechanism for local councils to apply to the Land and Environment Court to close a brothel. There are no illegal brothels in New South Wales, just those that operate with consent or without consent. Those provisions were strengthened in 2007 to include the power for council to disconnect utilities for those operating without consent. There are significant powers in this area.

Decriminalisation is a sophisticated policy that seeks not to make moral judgements about sex

work and those who work in the industry. Decriminalisation instead treats sex work and brothels the same way as other businesses, subject to the rules and regulations that govern other businesses. This policy seeks to protect the safety of sex workers while also ensuring that the operation of brothels is open, transparent and follows regulations set out by local councils. In New South Wales decriminalisation has meant reduced levels of police corruption and little evidence of organised crime in the New South Wales sex industry. The same cannot be said in other jurisdictions.

Decriminalisation has also meant extremely low rates of sexually transmitted infections and HIV. Rates of sexually transmitted infections among female sex workers in New South Wales are lower than in the general population and some of the lowest in the world. There has been not one recorded case of HIV transmission due to commercial sex work in New South Wales. There has not been an increase in the number of brothels across New South Wales. Currently there is discussion about moving New South Wales away from our decriminalised model. New South Wales is contemplating a licencing model. We should be very careful about a change to this successful, evidence-based policy. Based on the experience of other jurisdictions in Australia, changing the model would be costly, underutilised, and will not produce the same level of public health outcomes or safety to sex workers.

Licensing brothels would not replace the current regulatory work councils are required to do—that is a myth. It would add an extra layer of bureaucracy and drive up non-compliance. New South Wales has a high level of compliance and, therefore, it has a high level of transparency and monitoring of brothels. According to the Kirby Institute, 90 per cent of the industry continues to operate illegally in Queensland—only 24 brothels have been registered in the past 14 years. In Victoria, where a licencing scheme also operates, it is estimated that 50 per cent of the industry operates illegally. Licencing has cost the Queensland Government about \$7 million over 10 years. This is in addition to the cost of operating a specialised Prostitution Enforcement Taskforce. We need to be careful and we need to proceed with care. This model works.

TRIBUTE TO THE HON. JOE HOCKEY

The Hon. SHAYNE MALLARD [4.08 p.m.]: I pay tribute to my friend the Hon. Joe Hockey, MP, who is retiring from the Commonwealth Parliament after 20 years, representing the Federal seat of North Sydney. I do so wanting to reflect upon his contribution to our State and our nation, and also his lasting contribution to the Liberal Party and liberalism. Joe Hockey has been a friend of mine since our early years in the New South Wales Young Liberals movement in the mid-1990s. Joe was the State President of the Young Liberals. The Hon. Don Harwin, the President, the Hon. Catherine Cusack and I were contemporaries of his time in the movement.

Joe Hockey leaves politics after 17½ years on the front bench in either opposition or in the Howard and Abbott governments. During his career he did much of the heavy lifting for the government of the day. As a young Minister for Financial Services and Regulation in the Howard Government, Joe had to deal with the aftermath of the collapse of HIH Insurance. Later, as the Minister for Small Business and Tourism, he also had to deal with the collapse of Ansett Australia and its devastating impact on the tourism sector. In the years of opposition Joe was shadow Treasurer, holding the big-spending Rudd-Gillard-Rudd governments to account. As Treasurer, Joe would ultimately be saddled with some hard decisions to address the budget situation Labor left for the Coalition.

I now turn to Joe the communicator. We all remember him on the Seven Network's *Sunrise* program, usually opposite an ambitious Labor MP named Kevin Rudd. He climbed Mount Kilimanjaro and trekked Kokoda, all for charity. It is reported that the segment drew an extra 20,000 to 30,000 viewers who tuned in specifically for that segment. Hockey credits it with introducing him to a whole new audience that had no prior interest in politics. Prior to Joe becoming shadow Treasurer there were rumours afoot that he was being drafted to become the New South Wales Liberal Leader of the Opposition. Whilst I can add no veracity to those rumours, it is mind-boggling to think what could have been in this Parliament.

Joe, of course, was always marked for greatness in the Liberal Party and Parliament. It was no surprise that he contested the leadership in opposition in a three-way vote with two other political giants of our times, Malcolm Turnbull and Tony Abbott—both destined to be Prime Ministers of Australia. But Joe had no regrets, telling anyone who asked, "I didn't want be left wondering what if?" Joe was and is a true liberal with clearly explored and defined understandings of modern liberalism. In his maiden speech to Parliament on 10 September 1996 he defined modern liberalism as "protection of individual rights, defence of parliamentary democracy, a commitment to positive reforms and equality of opportunity". He delivered some key leading thoughts throughout his career. In his "In Defence of God" speech he said:

Australia has embraced religious diversity. It must always remain so, and as a member of parliament I am custodian of that principle of tolerance. That is why it is disturbing to hear people rail against Muslims and Jews, or Pentecostals and Catholics. Australia must continue, without fear, to embrace diversity of faith provided that those Gods are loving, compassionate and just.

In April 2012 Joe gave a speech entitled "The Future of Australian Diversity" at the Islamic Council of Victoria in which he said:

To judge Islam based on the actions of extremists and terrorists would be no different than judging Christianity on the actions of those who have over the centuries committed atrocities in the name of Christianity.

That speech was relevant then and more relevant today with the disturbing launch of an anti-Muslim party this week. His most controversial speech was, of course, "The End of Entitlement". Some say that marked the turning point when Jovial Joe became Tough Joe. But again he saw ahead of the curve to the great challenges confronting our nation. He saw that we were living beyond our means—living on debt that our children will have to pay. Whilst it is often interpreted as reform of welfare, it was also an end to corporate entitlement. In 2014 he used the principle to oppose financial bailouts for Holden and SPC Ardmona. What did not surprise me was Joe Hockey choosing his time to leave. Whilst he had setbacks and successes, after 20 years he chose his time to say farewell. He was, as always, in control of his destiny and had his integrity intact. I conclude with one of his favourite quotes from Theodore Roosevelt, which he paraphrased at the conclusion of his valedictory speech yesterday in Federal Parliament by saying:

It is far better to dream mighty things, to seek glorious triumphs and even though chequered by failure, than to be amongst those poor souls who neither suffer much nor enjoy much because they live in the great twilight that knows neither victory nor defeat.

I thank you, Joe Hockey—son of migrants, son of our State—for your contribution to the people of Australia. I am sure there is more to come.

HATE SPEECH

The Hon. ROBERT BORSAK [4.13 p.m.]: This week's announcement by the Attorney General that the New South Wales Government will toughen up hate speech laws following the Parramatta terrorist shooting is welcomed by the Shooters and Fishers Party. Law-abiding firearm owners, like all civilised persons, were extremely angered by the barbaric violence committed in Parramatta by pawns of extremist ideology. Lurking in the shadow of these violent acts is an undercurrent of insidious and pervasive hate speech that undermines the very fabric of a cohesive society. As Attorney General Gabrielle Upton said, "Words are dangerous weapons". Nowhere is this more apparent than in New South Wales where loopholes in the Anti-Discrimination Act 1977 still allow cultural vilification and discrimination to this day. The New South Wales Charter of Principles for a Culturally Diverse Society, signed in 1993 by then Premier John Fahey, enshrined the following principle:

All individuals and public institutions should respect and accommodate the culture, language and religion of others ...

Yet, despite the obligations espoused by this charter, hate speech continues to be directed at cultural minorities such as recreational hunters every day. My colleague the Hon. Robert Brown and I arguably receive more hate mail, including death threats, than anyone else in this State simply because we have chosen to embrace a lifelong interest in firearms and the hunting culture. In April 2013 I received a handwritten note stating:

I have quite reliably found out that some person is planning to shoot you sometime in the next few weeks. Watch out!!

Barely a month later, my colleague and fellow hunter the Hon. Robert Brown received an anonymous and cowardly note that said:

You want to hope I never get terminal cancer because if I do I will shoot you preferably with one of your own guns ... promise!

That type of vicious and gutless vilification of hunters and hunting culture has continued to flourish under the Anti-Discrimination Act 1997. The Act prohibits discrimination on the basis of race, but rather perversely continues to allow discrimination on the basis of culture. Why? Of course, cultural vilification is anathema to the United Nations Convention on the Protection and Promotion of the Diversity of Cultural Expressions, which regards culture in a broad sense and includes the set of distinctive spiritual, material, intellectual and emotional features of a social group and encompasses lifestyles, value systems, traditions and beliefs. Society in general—and even The Greens—would do well to adopt some of the spiritual values embodied in the hunting culture such as integrity, self-reliance and compassion.

As the Attorney General has heard, community groups are saying that the law needs to change because it has no teeth to address hate speech. Minister Upton also said that this is not a law for one community over another community. So I assume culture, and particularly hunting culture, will not be excluded when this Government is considering changes to the Anti-Discrimination Act next year. The Shooters and Fishers Party members look forward to representing all hunters in New South Wales and contributing to the discussion regarding the proposed changes to the Anti-Discrimination Act to ensure that cultural vilification is prohibited once and for all in this State.

CENTRAL COAST HIGHER EDUCATION SUMMIT

Mr SCOT MacDONALD (Parliamentary Secretary) [4.16 p.m.]: On Monday 19 October I had the honour of joining Federal member for Robertson Lucy Wicks, MP, and Vice-Chancellor Professor Caroline McMillen in welcoming attendees to the Central Coast Higher Education Summit. It was an important forum. Like the rest of the country, the Central Coast is transforming. Our economy is witnessing the rise of the services sector. Economic growth has moderated, Asia is growing at nearly double the rate of America and Europe, the Sydney Basin is growing rapidly and the Central Coast is confronting a youth unemployment rate of 15 per cent. In addition, rapid development on the coast is presenting planning and environmental challenges.

The Central Coast has some unique characteristics. The Parliamentary Research Service reports that the region is expected to have an additional 64,000 people by 2031. It has a high proportion of children and those aged over 65. There are pockets of high wealth and concentrations of socio-economic disadvantage. The education profile of the coast shows lower levels relative to the rest of the State. Thirty-two per cent of its residents finish their education at year 10 compared with 24 per cent across the State. Nineteen per cent of people there have a tertiary education, which is 0.9 per cent lower than the State figure. Paradoxically, 23 per cent of residents aged over 15 have a trade qualification compared with 17.7 per cent across New South Wales. It has higher proportions of its workforce in the health care, social assistance, retail trade and construction industries.

The reasons for these demographics are historical, diverse and complex. There have been calls for a greater higher education presence and a higher participation level on the Central Coast. Some in the community have promoted the concept of a stand-alone university. These factors and pressures led to the Central Coast Higher Education Summit earlier this week. The essence of my introductory remarks was directed at the question of whether there should be a new university developed on the Central Coast. I said we should draw on the evidence from the New South Wales Auditor-General's report into New South Wales universities. Those reviews into our State's institutions have consistently shown that smaller universities are challenged on a range of indicators.

The current ratio for the University of Newcastle as at 31 December 2014 was 2.3. The three smaller regional universities ranged from negative 3.7 to 1.5. Newcastle's operating margin was 5.4 per cent. The State average was 6.6 per cent. The country universities recorded margins between negative 4.7 per cent and 5.8 per cent. The auditor tracked the "earnings gap" of the universities. This is a comparison of the growth in earnings relative to the growth in expenses. The university of Newcastle had an earnings gap of 0.6, but two of the three smaller universities are in negative territory.

Research capacity is a key indicator of the health, reputation and prospects of a university. I pointed out that the University of Newcastle has 90 per cent of its research at or above world standard. The small universities have 30 to 70 per cent of their research below world standard. The University of Newcastle has a Times Higher Education World University Ranking in the mid-200s, and it is improving. The three country universities are not rated. The five metro universities will benefit from \$954 million of capital expenditure in 2015. The University of Newcastle will spend \$133 million, but the country universities have only been able to secure \$153 million across the three institutions.

I am not denigrating our smaller universities. I am a product of one of the country universities. I very much enjoyed my experience, and am forever grateful to the University of New England. They perform a crucial role in the regions and they rank very well on some indicators, including operating cost per equivalent full-time student and improving net asset positions. However, it would be a denial of reality to ignore these financial challenges and the evolving higher education landscape. Online delivery, blended learning, asynchronous learning, "flipping the classroom", Massive Online Open Courses [MOOCs], deregulation, a greater propensity to work and study, a rapid expansion of domestic and international tertiary education providers, and the mobility and discernment of students means the prospects for a greenfield sub-scale university are weak.

The Ourimbah campus of the University of Newcastle currently services 4,500 students. It has strong linkages with Hunter TAFE. There are advanced proposals for a University of Newcastle medical school based at Gosford Hospital, and possibly a Central Coast medical research institute. To duplicate this infrastructure, research, course delivery, academic staffing and administration would only serve to dilute the capacity, reputation and financial sustainability of all Central Coast higher education institutions. I commend the University of Newcastle for holding the Central Coast Higher Education Summit earlier this week. It was valuable to canvass the future for tertiary education as it is incredibly important for the prospects and development of the region. I may have been a bit blunt in my opinion of the proposal for a new stand-alone coast university. But we must not let parochialism override what is best for students, industry and community.

NATIONAL INDIGENOUS HUMAN RIGHTS AWARDS

The Hon. SHAOQUETT MOSELMANE [4.21 p.m.]: Last night I had the honour of hosting the second annual National Indigenous Human Rights Awards. I felt a great sense of pride to be in the presence of so many Indigenous Australians. They included the Hon. Linda Burney, the shadow Minister for Aboriginal Affairs and Deputy Leader of the Opposition; our keynote speaker, Mr Tauto Sansbury; Ms Gail Mabo; Mr Anthony Mundine; Mr Nathan Merritt; Aunty Joan Tranter; Aunty Barbara McGrady; Aunty Norma Ingram; Professor Gerry Georgatos; Geoff McMullan; judges Alvina Yuri, Aunty Barbara McGrady and Dr Marcus Waters; master of ceremonies Karla Grant; Jenny Munro; Aboriginal and Torres Strait

Islander media outlet National Indigenous Television [NITV]; and many other Indigenous and multicultural community leaders.

Parliamentary colleagues present included the Hon. Leslie Williams, Minister for Aboriginal Affairs, and the Hon. Trevor Khan, chair of the Parliamentary Friends of Reconciliation. Federal colleagues present were the Hon. Shayne Neumann, MP, shadow Minister for Indigenous Affairs, and the Hon. Warren Snowdon, MP, shadow Parliamentary Secretary for Indigenous Affairs. The key sponsors were the National Rugby League, THF Wines, Coverforce and others. Without them, the presentation dinner could not have happened.

As convenor of the National Indigenous Human Rights Awards, I feel proud to have founded and launched these all-Indigenous awards. They are dedicated exclusively to the First Peoples of this nation, who have given their best in their struggle for social justice and human rights. These awards are unique because they are all-Indigenous. The nominators and nominees as well as the judging panel, the award presenters, the emcees and the awards recipients are all Aboriginal and Torres Strait Islander persons who have made significant contributions to the advancement of human rights and social justice for Aboriginal and Torres Strait Islander people.

There is no greater rights struggle on this continent than that of the Aboriginal and Torres Strait Islanders. Aboriginal people have suffered and continue to suffer poverty, homelessness and early death. Aboriginal and Torres Strait Islander poverty is widespread and disproportionate to the rest of this nation's population. More than one-quarter of this nation's homeless are Aboriginal and Torres Strait Islander people, despite Aboriginal and Torres Strait Islanders comprising less than 3 per cent of the nation's total population. In 2015, there is no excuse for our nation to have failed to address this humanitarian crisis.

Indigenous unemployment is at deplorable levels in remote areas and in the regions and high levels of unemployment also prevail in the cities—continuing at disproportionate levels to non-Indigenous residents. What future can young people hope for when there is no prospect of employment or when they are denied the opportunity in their hometowns to be gainfully employed? Providing adequate and quality housing in the regions and remote areas continues to be one of the major failures of this nation. Providing adequate infrastructure as a natural right in communities continues as another major failure of this nation.

All this leads to an ongoing sorry tale of deprivation and inequality—a sorry tale that, according to Professor Gerry Georgatos, has meant the widest divide of any nation globally on all measurable indicators between its First Peoples and the rest of its population. And yet we are one of the world's wealthiest nations. According to Professor Georgatos, this sorry tale has culminated in the diabolical tragedy that our Aboriginal and Torres Strait Islanders have one of the world's highest incarceration rates, with up to one in six living Aboriginal and Torres Strait Islanders having been jailed. And then there are the suicide rates. According to the Australian Bureau of Statistics there is one suicide in every 19 deaths of Aboriginal and Torres Strait Islander persons; but according to research undertaken by Professor Georgatos it is actually one suicide in every 12 deaths.

We should invest in Aboriginal and Torres Strait Islander health, education, housing and welfare reform. We should recognise and support advocates who work hard for the wellbeing of Aboriginal and Torres Strait Islander people. Witnessing the work of dedicated individuals who are committed to improving access to justice for social and economically disadvantaged people is an uplifting experience, and one cannot but feel inspired by what they do. For that, we honour and recognise them. The award recipients this year are: Tauto Sansbury, recipient of the Dr Yunupingu Human Rights Award; Jenny Munro, recipient of the Eddie Mabo Social Justice Award; and Adam Goodes, recipient of the Anthony Mundine Courage Award. I look forward to a better, fairer and more just future for our Indigenous Australians.

FAR NORTH COAST BIODIVERSITY

Ms JAN BARHAM [4.26 p.m.]: I speak today about the beautiful far North Coast of New South Wales, one of the three top biodiversity hotspots in Australia and the area with the highest biodiversity in New South Wales. Unfortunately, I have some sad news for the House—this beautiful part of the world and its important ecological areas will not be adequately protected under the current Government's rules concerning environmental zones. Environmental zones have been in place since 1988 in the Byron Shire Council area. It was the first council to implement what were then known as "seven zones" or environmental zones over recognised ecological areas. For the past 25 years they have served the far North Coast very well in protecting and preserving some of the most ecologically significant areas in the country.

In September 2012 the State Government acted to exclude environmental zones from the new local environment plans being undertaken at that time. The then Minister for Planning and Infrastructure, Brad Hazzard, announced that the State Government would not allow councils to create E2 and E3 environmental zones on land that is clearly rural in council local environmental plans on the far North Coast. The announcement followed a meeting between Minister Hazzard and local members of Parliament Don Page and Thomas George, held in the week of 21 September 2012 to discuss the issue.

I was fortunate—or perhaps not—to be at a meeting convened by Mr George with North Coast residents, North Coast mayors and council staff. It resulted in me, along with other mayors, being abused by some residents who did not understand the planning instruments and how they applied over their land under changes made by the previous State Government, and poorly implemented by this Government, to planning rules. What happened in that process resulted in a delay to environmental protection in the areas of the Ballina, Byron, Lismore, Kyogle and Tweed shires. The Minister at the time, the Hon. Brad Hazzard, said that there would be a review of this important issue. He said in a statement that areas proposed to be covered by these zones would now be "excised from the plans while the Department of Planning and Infrastructure reviews the use of these controls in consultation with other government agencies and stakeholders".

We waited. In March 2014 I asked, "Where is the review?" We finally received it in May 2014 and the Government accepted submissions until 5 June 2014. That was World Environment Day. This was a bit of a wound for those in the environment movement because we had to defend ecological values and the need for them to be protected by planning instruments knowing full well that that was not the intention. That was a long time ago but I have continued to ask questions. On 20 October 2015 we received an outcome from the Minister for Planning, which I do not think will really please anyone. We no longer have strong support via planning instruments for our environmental zone. Minister Stokes said:

We've been very careful to make sure the primary use of the land, whether it's for conservation or agriculture, is the key driver behind the zoning decision so farmers and the community can proceed with confidence.

This has not been well received by the conservation community. The North East Forest Alliance [NEFA] has condemned the Minister. NEFA spokesperson, Dailan Pugh, who has something like 40 years of expertise in this area, said:

It is outrageous that Minister Stokes has chosen an area with the highest biodiversity, and most threatened species, in NSW as the first victim of his wind back of environmental protections.

This is both sad and unfortunate for New South Wales and the biodiversity of this State.

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

Motion agreed to.

The House adjourned at 4.31 p.m. until Tuesday 27 October 2015 at 2.30 p.m.
