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LEGISLATIVE COUNCIL

Wednesday 9 September 2015

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

The President read the Prayers.

JOBS FOR NSW BILL 2015

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

Motion by the Hon. Duncan Gay, on behalf of the Hon. Niall Blair, agreed to:

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

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

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

HER ROYAL HIGHNESS PRINCESS OF CAMBRIDGE

Motion by the Hon. Dr PETER PHELPS agreed to:

That this House notes with much happiness the birth of Her Royal Highness, Princess Charlotte Elizabeth Diana of Cambridge, and sends its best wishes on this joyous occasion to their Royal Highnesses, the Duke and Duchess of Cambridge.

BALLINA SPORTS AND EVENTS CENTRE

Motion by Mr JEREMY BUCKINGHAM agreed to:

That this House calls on the New South Wales Government to:

- (a) support the construction of an indoor multipurpose sports and events centre for Ballina; and
- (b) work collaboratively with the Ballina Shire Council to find an appropriate location for the centre.

BUSINESS OF THE HOUSE

Formal Business Notices of Motions

Private Members' Business item No. 296 outside the Order of Precedence objected to as being taken as formal business.

DEMENTIA AWARENESS MONTH

Motion by Ms JAN BARHAM agreed to:

- (1) That this House notes that:
 - (a) September 2015 is Dementia Awareness Month, an awareness-raising period supported by Alzheimer's Australia and community organisations;
 - (b) the theme for Dementia Awareness Month is "Creating a dementia-friendly nation", where people with dementia are able to maintain a good quality of life following a dementia diagnosis;
 - (c) activities and public events across the State will raise a range of issues relating to dementia and the lives of people with dementia, including stigma and social isolation, homelessness, sexual intimacy, diversity and dementia-friendly buildings; and
 - (d) World Alzheimer's Day coincides with Dementia Awareness Month on 21 September 2015.

- (2) That this House notes that:
 - (a) research is progressing in the areas of the genetics of dementia and the causes of the various forms of dementia, as well as tests to detect Alzheimer's disease before symptoms appear;
 - (b) multiple strategies and programs are being developed for reducing risk of dementia by early detection;
 - (c) support, counselling, education and early intervention programs are increasingly available for people with a recent diagnosis of dementia;
 - (d) behavioural intervention services support carers and families of people with dementia who can suffer depression and anxiety; and
 - (e) there is agreement among the dementia research community that without appropriate strategies in place, the global epidemic of Alzheimer's disease and other types of dementia will continue to grow.

- (3) That this House congratulates all people and organisations involved in supporting Dementia Awareness Month and attempting to make our society and communities more dementia-friendly.

LIVERPOOL PLAINS YOUTH

Motion by Mr JEREMY BUCKINGHAM agreed to:

That this House congratulates Liverpool Plains youth on their efforts to protect the agricultural productivity of New South Wales.

CANNED HUNTING

Motion by the Hon. MARK PEARSON agreed to:

- (1) That this House congratulates the Hon. Greg Hunt, MP, Federal Minister for the Environment, for retaining the Federal prohibition on the importation of lion products and other species that are endangered or at risk of becoming endangered, under section

303CA (1) of the Environment Protection Biodiversity Conservation Act 1999 (Cth).

- (2) That this House commends the Hon. Greg Hunt's statement that "The process of really capturing or raising animals and then having them in a compound where they can't run they can't hide, they don't have a fair chance, doesn't really fit with the fair go ethos of this country let alone the broader issues of humane treatment of animals".
- (3) That this House condemns the practice of "canned hunting" whereby animals are confined, abused and drugged prior to being released into a restricted area to be shot dead by tourists for the purpose of posing for photographs with the deceased animal and the harvesting of their body parts to be kept as trophies.
- (4) That this House notes that:
 - (a) the Hon. Mark Pearson, MLC, has seen documentary evidence showing lions kept in conditions that resemble factory farms and that these confined animals, once released, are in no condition to be anything other than helpless victims of cowards with guns; and
 - (b) the killing of these defenceless animals does not in any way resemble hunting as it is understood by professional hunters.

SHOCK CONCERT BAND *MUSIC FROM TAIWAN*

Motion by the Hon. DAVID CLARKE agreed to:

- (1) That this House notes that:
 - (a) on Tuesday 1 September 2015, a "Music from Taiwan" Concert by the Shock Concert Band, followed by a reception was held at the Sydney Opera House and attended by members and friends of the Taiwanese-Australian community;
 - (b) the Shock Concert Band, which was established in Taiwan in 1986, is composed entirely of volunteers and is on its first tour of Australia to promote music unique to Taiwan;
 - (c) the tour is promoted and hosted by:
 - (i) the Friends of Taiwan in Australia;
 - (ii) the Taiwan Collection Association; and
 - (iii) the Taipei Economic and Cultural Office in Sydney.
 - (d) those who attended the concert as guests included:
 - (i) the Hon. David Clarke, MLC, Parliamentary Secretary for Justice, representing the Hon. Troy Grant, MP, Deputy Premier of New South Wales, Minister for Justice and Police, Minister for the Arts and Minister for Racing;
 - (ii) Mr Andrew Fraser, member for Coffs Harbour, Assistant Speaker of the New South Wales Legislative Assembly,
 - (iii) the Hon. Ernest Wong, MLC;

- (iv) Councillor Wendy Norton, Willoughby City Council;
 - (v) Councillor John Hugh, Parramatta City Council;
 - (vi) Councillor Christina Wu, Hurstville City Council;
 - (vii) Mrs Ching-Mei Maddock, President of the Friends of Taiwan in Australia;
 - (viii) Mr Ken Tsai, President of the Taiwan Collection Association;
 - (ix) Mr Douglas Shen, Director General of the Taipei Economic and Cultural Office in NSW; and
 - (x) various leaders and representatives of the Taiwanese-Australian community.
- (2) That this House:
- (a) welcomes to Sydney the Shock Concert Band of Taiwan on the occasion of its first visit and tour of Australia;
 - (b) commends the Friends of Taiwan in Australia, the Taiwan Collection Association and the Taipei Economic and Cultural Office in Sydney for their organising and hosting of the tour; and
 - (c) extends its greetings and best wishes to the Taiwanese–Australian community.

MIDDLE EAST REFUGEE CRISIS

Motion by the Hon. SHAOQUETT MOSELMANE agreed to:

- (1) That this House notes that:
- (a) more than 300,000 refugees from the Middle East have fled to Europe to escape violence, persecution and war in their home countries;
 - (b) these refugees are seeking safety after the continued destabilisation of the region by political unrest and acts of terrorism;
 - (c) hundreds of refugees have tragically lost their lives as they flee their home nations; and
 - (d) the loss of the life of a Syrian toddler, Aylan Kurdi, whose photograph was beamed right around the world as his body washed up on Turkish shores, shows the tragic plight of the refugees.
- (2) That this House:
- (a) notes the work of the Office of the United Nations High Commission for Refugees in its efforts to support the hundreds of thousands seeking refuge;
 - (b) notes the overwhelming compassion shown by European citizens; and
 - (c) calls upon European Governments to work together to ensure no further loss of life.

SYRIAN REFUGEE CRISIS

Dr MEHREEN FARUQI [11.07 a.m.]: I seek leave to amend Private Members' Business item No. 361 in the Order of Precedence for today of which I have given notice by omitting paragraph (2) and inserting instead:

- (2) That this House calls upon the Australian Government to significantly expand the intake of refugees to Australia.

Leave granted.

Motion by Dr MEHREEN FARUQI agreed to:

- (1) That this House notes that:
 - (a) on 7 September 2015, over 30,000 Australians gathered in cities and towns across the country to "light the dark" and welcome refugees to our shores;
 - (b) the current humanitarian crisis in Syria involves millions of people fleeing violence and war, including millions of children;
 - (c) European countries, including Germany and Austria, have stepped up and are accepting hundreds of thousands of refugees this year;
 - (d) in the past Australia has established additional programs to resettle refugees fleeing violence and war, for example, from Kosovo and Vietnam;
 - (e) as a wealthy and prosperous country, Australia is in a prime position to welcome thousands of refugees who are in desperate need of a safe haven; and
 - (f) the Refugee Council of Australia has called on the Australian Government to provide refuge to 20,000 refugees from Syria in addition to the regular intake through the refugee and humanitarian program.
- (2) That this House calls upon the Australian Government to significantly expand the intake of refugees to Australia.
- (3) That this House welcomes refugees to New South Wales.

GLOBAL TUBERCULOSIS CAUCUS

Motion by the Hon. SHAYNE MALLARD agreed to:

- (1) That this House notes that:
 - (a) the Global Tuberculosis Caucus is an international network of parliamentarians who are committed to the fight against tuberculosis [TB];
 - (b) parliamentarians from nine countries participated in the Asia Pacific TB Parliamentary Caucus on 31 August 2015 in Sydney to consider how best to build regional support for addressing tuberculosis;
 - (c) the Asia Pacific Parliamentary Caucus was held in conjunction with the fifth

conference of the International Union Against TB and Lung Disease;

- (d) the meeting was attended by representatives of Australia, the United Kingdom, India, Cambodia, the Philippines, Vietnam, Indonesia, Papua New Guinea and New Zealand;
 - (e) of the nine million new cases of TB recorded in 2013, more than half were in the Asia Pacific Region;
 - (f) tuberculosis is a preventable disease which is on the increase; and
 - (g) those at particular risk in Australia include migrants, refugees, Indigenous Australians, and immunocompromised people including those with HIV.
- (2) That this House congratulates:
- (a) the co-chairs of the Global Tuberculosis Caucus, Dr Aaron Motsoaledi, Health Minister of South Africa, and the Right Hon. Nick Herbert, a member of the British House of Commons, on their inaugural meeting; and
 - (b) the Federal member for Leichardt, Mr Warren Entsch, MP, for hosting and representing Australia at the Caucus meeting.

AFFINITY FRIENDSHIP AND DIALOGUE RAMADAN IFTAR DINNER 2015

Motion by the Hon. DAVID CLARKE agreed to:

- (1) That this House notes that:
- (a) on 29 June 2015, the eighth Annual Friendship and Dialogue Ramadan Iftar Dinner was held at the Parliament of New South Wales to celebrate the Muslim month of Ramadan and the ending of the day's fast;
 - (b) the event was jointly hosted by:
 - (i) Affinity Intercultural Foundation, represented by Mr Ahmet Orhan Polat, the foundation's Executive Director;
 - (ii) the Hon. John Ajaka, MLC, Minister for Ageing, Minister for Disability Services and Minister for Multiculturalism; and
 - (iii) the Hon. Sophie Cotsis, MLC, shadow Minister for Ageing, shadow Minister for Disability Services, and shadow Minister for Multiculturalism.
 - (c) the core value promoted by Affinity Intercultural Foundation is "to create and sustain enduring affinity and relationships with people through inter-cultural and inter-faith dialogue and understanding and acceptance"; and
 - (d) those who attended as guests included:
 - (i) Dr Gorur Krishna [Harry] Harinath, OAM, Chairperson, Multicultural NSW;
 - (ii) Hakan Harman, Chief Executive Officer, Multicultural NSW;

- (iii) Mr Stepan Kerkyasharian, President of the Anti-Discrimination Board of NSW;
- (iv) Tim Wilson, Australia's Human Rights Commissioner;
- (v) Mr Luke Foley, MP, Leader of the New South Wales Opposition;
- (vi) the Hon. David Clarke, MLC, Parliamentary Secretary for Justice;
- (vii) Dr Geoff Lee, MP, member for Parramatta, Parliamentary Secretary for Multiculturalism;
- (viii) the Hon. Shayne Mallard, MLC;
- (ix) the Hon. Ben Franklin, MLC;
- (x) the Hon. Barrie Unsworth, former Premier of New South Wales;
- (xi) Judge Dale Kemp, Federal Circuit Court of Australia;
- (xii) the Hon. Justice Joanne Harris, Supreme Court of New South Wales;
- (xiii) Judge John Hatzistergos, District Court of New South Wales;
- (xiv) Peter Doukas, Chair, Ethnic Communities' Council NSW;
- (xv) Catherine Burn, Acting Commissioner, NSW Police Force;
- (xvi) Nick Kaldas, Deputy Commissioner, NSW Police Force;
- (xvii) Max Mitchell, Acting Deputy Commissioner, NSW Police Force;
- (xviii) Peter Cotter, APM, Assistance Commissioner NSW Police Force;
- (xix) Professor Anne Cummins, Deputy Vice-Chancellor, Australian Catholic University;
- (xx) Professor Glenn Wightwick, Deputy Vice Chancellor and Vice President [Research], University of Technology, Sydney;
- (xxi) Associate Professor Mehmet Ozalp, Islamic Sciences and Research Academy of Australia;
- (xxii) Councillor Fadwa Kebbe, Deputy Mayor, Canterbury City Council; and
- (xxiii) representatives of numerous ethnic, community and religious faith organisations.

(2) That this House:

- (a) congratulates the co-hosts of the eighth Annual Friendship and Dialogue Ramadan Iftar Dinner held at the Parliament of New South Wales on 29 June 2015 for a successful event;
- (b) commends the Affinity Intercultural Foundation for its ongoing work to create and

sustain enduring affinity and relationships with people through intercultural and interfaith dialogue, understanding and acceptance; and

- (c) extends its greetings to the Australian Muslim community on the occasion of its celebration of Ramadan for 2015.

INDIGENOUS LITERACY DAY 2015

Motion by Ms JAN BARHAM agreed to:

- (1) That this House notes that 2 September 2015 was Indigenous Literacy Day, an annual day of events and fundraising activities coordinated by the Indigenous Literacy Foundation with the aim of improving literacy levels and opportunities for children living in remote Aboriginal and Torres Strait Islander communities.
- (2) That this House notes that Indigenous Literacy Day 2015 involved major events and community activities across New South Wales, including:
 - (a) an Indigenous Literacy Day celebration at the Sydney Opera House that featured readings and performances from Indigenous Literacy Day ambassadors, as well as four students from Milikapiti Remote School on Melville Island, 80 kilometres off the coast of Darwin;
 - (b) a great book swap at the Museum of Contemporary Art in Sydney, along with other great book swaps arranged by schools, business, clubs and community organisations across the State; and
 - (c) book-themed fundraising events held by libraries and other organisations.
- (3) That this House notes that the Indigenous Literacy Foundation has raised \$665,000 in 2015 and the foundation has supplied 140,000 books to 230 remote communities, and that the foundation aimed to raise \$150,000 on Indigenous Literacy Day, which would buy at least 10,000 books.
- (4) That this House congratulates the Indigenous Literacy Foundation and the publisher, booksellers, authors, schools, libraries, businesses and community organisations and individuals who have contributed to improving literacy and opportunity for Aboriginal and Torres Strait Islander children.

AUSTRALIAN MIDDLE EAST MEDIA GALA DINNER

Motion by the Hon. DAVID CLARKE agreed to:

- (1) That this House notes that:
 - (a) on Friday 19 June, 2015 the fourth annual Gala Dinner of Australian Middle East Media was held at Bankstown and attended by over 600 participants;
 - (b) Australian Middle East Media is Australia's major Middle Eastern ethnic media provider publishing the daily *El-Telegraph*, and weekly *Al-anwar* newspapers, the monthly *Anoujoum* magazine and various online publications;
 - (c) those who attended as guests included:

- (i) Senator the Hon. Concetta Fierravanti-Wells, Parliamentary Secretary to the Attorney General, Parliamentary Secretary to the Minister for Social Services, representing the Hon. Tony Abbott, MP, Prime Minister of Australia;
- (ii) the Hon. Bill Shorten, MP, Leader of the Federal Opposition;
- (iii) Dr Geoff Lee, MP, member for Parramatta, Parliamentary Secretary for Multiculturalism, representing the Hon. Mike Baird, MP, Premier of New South Wales;
- (iv) the Hon. Shaoquett Moselmane, MLC, Opposition Whip in the Legislative Council, representing Mr Luke Foley, MP, Leader of the New South Wales Opposition;
- (v) His Excellency Dr Hassan El-Laithy, Ambassador for the Arab Republic of Egypt;
- (vi) Mr Milad Raad, Charge D'Affaires of the Embassy of Lebanon in Australia, representing the Arabic Ambassadors Council in Australia;
- (vii) the Representative of His Excellency, Mohamad Mael-Ainin, Ambassador of the Kingdom of Morocco;
- (viii) the Hon. John Ajaka, MLC, Minister for Ageing, Minister for Disability Services and Minister for Multiculturalism;
- (ix) Mr John Sidoti, MP, member for Drummoyne, Parliamentary Secretary for Transport, Roads, Industry, Resources and Energy;
- (x) the Hon. David Clarke, MLC, Parliamentary Secretary for Justice, and Mrs Marisa Clarke;
- (xi) Ms Tania Mihailuk, MP, member for Bankstown, shadow Minister for Family and Community Services, shadow Minister for Social Housing, shadow Minister for Mental Health, and shadow Minister for Medical Research;
- (xii) Mr Guy Zangari, MP, member for Fairfield, shadow Minister for Trade, Tourism and Major Events, shadow Minister for Sport, shadow Minister for Corrections, shadow Minister for Emergency Services and shadow Minister for Veterans Affairs;
- (xiii) Senator Sam Dastyari;
- (xiv) the Hon. Lynda Voltz, MLC;
- (xv) Mr Glenn Brookes, MP, member for East Hills;
- (xvi) Mr Mark Coure, MP, member for Oatley, Deputy Government Whip in the Legislative Assembly;
- (xvii) Dr Hugh McDermott, MP, member for Prospect;
- (xviii) Mr Chris Minns, MP, member for Kogarah;

- (xix) Mr Jihad Dib, MP, member for Lakemba;
 - (xx) Councillor Linda Downey, Mayor of Bankstown;
 - (xxi) local councillors; and
 - (xxii) religious and community leaders representing communities of Middle Eastern heritage.
- (2) That this House congratulates the Chairman, Mr Wally Wehbe, and staff of Australian Middle East Media on the occasion of their fourth annual gala dinner and for ongoing achievements in the fields of media and publishing.

BUSINESS OF THE HOUSE

Formal Business Notices of Motions

Private Members' Business item No. 370 outside the Order of Precedence objected to as being taken as formal business.

NORTHERN BEACHES LOCAL AREA COMMAND AWARDS

Motion by the Hon. DAVID CLARKE agreed to:

- (1) That this House notes that:
- (a) on Wednesday 27 May 2015, the annual NSW Police Force Northern Beaches Local Area Command Awards ceremony was held at Dee Why RSL Club;
 - (b) the awards were presented to police officers in the local area command as well as local citizens in recognition of conspicuous service to the local community;
 - (c) those who were presented with an award comprised:
 - (i) National Police Service Medal:
 - Superintendent David Darcy;
 - Inspector Graeme Pickering;
 - Inspector Nigel Taylor;
 - Detective Inspector Craig Wonders;
 - Sergeant Nino Jelovic;
 - Sergeant Judith Jones;
 - Sergeant Alan Le Surf;
 - Sergeant Christopher Papollo;
 - Sergeant Vanessa Robinson;
 - Senior Constable Sandra Farwell;
 - Senior Constable Kelly McNeill;
 - Mr Stephen Pollard;
 - (ii) National Medal:
 - Inspector Stephen McCormack;
 - Sergeant Samuel Bartlett;
 - Sergeant Adrian De Visser;

- Sergeant Damon Flakelar;
- Detective Sergeant Michael McGeachie;
- Sergeant Thomas Perrett;
- Detective Sergeant Alan Walsh;
- Senior Constable Sarah Batchelor;
- Leading Senior Constable Lisa Berry;
- Senior Constable Rochelle Bird;
- Senior Constable Kylie Boss;
- Senior Constable Susan Carter;
- Detective Senior Constable Jennifer Morris;
- Senior Constable Michelle Tanner;

(iii) NSW Police Medal:

- Sergeant Alison Dixon;
- Leading Senior Constable Richard Brown;
- Leading Senior Constable Robert Suthons;
- Detective Senior Constable Jessica Tyrrell;
- Senior Constable Robyn Jennings;

(iv) NSW Police Medal [30-year clasp]:

- Inspector Graeme Pickering;
- Inspector Nigel Taylor;
- Senior Constable Sandra Farwell;

(v) NSW Police Medal [20-year clasp]:

- Sergeant Susan Gill;
- Sergeant Gillian Hough;

(vi) NSW Police Medal [15-year clasp]

- Sergeant Adrian De Visser;
- Sergeant Damon Flakelar;
- Detective Sergeant Michael McGeachie;
- Sergeant Thomas Perrett;
- Detective Sergeant Alan Walsh;
- Senior Constable Sarah Batchelor;
- Leading Senior Constable Lisa Berry;
- Senior Constable Rochelle Bird;
- Senior Constable Kylie Boss;
- Senior Constable Susan Carter;
- Senior Constable Michelle Tanner;

(vii) NSW Police Medallion:

- Amanda Lehmann;

(viii) Warrant of Appointment:

- Detective Sergeant Guy Magee;
- Sergeant Christopher Papollo;
- Sergeant Ryan Tillock;

- (ix) Region Commander's certificate of Merit:
 - Ms Deborah Fisk;
- (x) Local Area Commander's Commendation:
 - Probationary Constable Andrew Nardi;
 - Mr Angus Clarebrough;
 - Ms Andrea Putzolu;
- (xi) Local Area Commander's Certificate of Merit:
 - Senior Constable Ryan Godfrey;
 - Plainclothes Senior Constable Daniel Ayling;
 - Constable Dwayne De Vries;
- (xii) Local Area Commanders Certificate of Appreciation:
 - Superintendent Kel McNamara [NSW Fire Brigade];
 - Superintendent Craig Geddes [NSW Rural Fire Service];
 - Controller Wayne Lyne [NSW State Emergency Services];
 - Controller Mark Simpson [NSW State Emergency Services];
 - Operations Manager Nic Aisake, NSW State Emergency Services;
 - Zone Manager Jonathon Tunhavasana [Ambulance Service NSW];
 - Mr Martin Dwyer, Civil Engineer, Public Works;
 - Mr Bronson McPherson, Civil Engineer, Public Works; and
 - Senior Sergeant Rick Janssen, Traffic and Highway Patrol, Northern Beaches.
- (d) those who attended as guests included:
 - (i) the Hon. Mike Baird, MP, Premier of New South Wales;
 - (ii) Mr Andrew Scipione, APM, NSW Commissioner for Police;
 - (iii) Acting Assistant Commissioner Darryl Jobson, North Western Metropolitan Region;
 - (iv) Superintendent Doreen Cruickshank, APM;
 - (v) the Hon. David Clarke, MLC, Parliamentary Secretary for Justice, representing the Hon. Troy Grant, MP, Deputy Premier of New South Wales and Minister for Justice and Police;
 - (vi) the Hon. Robert Stokes, MP, Minister for Planning and member for Pittwater;
 - (vii) the Hon. Brad Hazzard, MP, Minister for Family and Community Service, Minister for Social Housing and member for Wakehurst;
 - (viii) Mr Jonathan O'Dea, MP, Parliamentary Secretary for Major Events and Tourism and member for Davidson;
 - (ix) Reverend Derek Bullen, Police Chaplin;

- (x) Councillor Steve Pickering, Deputy Mayor, Manly Council;
 - (xi) Councillor Michael Regan, Mayor, Warringah Council; and
 - (xii) Councillor Jacqueline Townsend, Mayor, Pittwater Council.
- (2) That this House:
- (a) congratulates and commends all those who were recipients of awards at the 2015 NSW Police Force Northern Beaches Awards ceremony; and
 - (b) commends all police officers of the Northern Beaches Local Area Command for their ongoing service to the people of New South Wales.

HUNGRY GHOST FESTIVAL

Motion by the Hon. SHAOQUETT MOSELMANE agreed to:

- (1) That this House notes that:
- (a) the Hungry Ghost Festival of the Buddhist and Taoist religions recently concluded, having commenced on the fifteenth day of the seventh month of the lunar calendar;
 - (b) devotees of the Buddhist and Taoist religions celebrate the Hungry Ghost Festival by praying to deceased relatives and family members, burning incense in their memory, making food offerings, and burning paper clothes and paper money for use in the after-life; and
 - (c) temples such as the Ming Yue Lay Temple in Bonnyrigg cater for thousands of families during this period, requiring hundreds of volunteers.
- (2) That this House notes the efforts of Chairman James Chan and President Vincent Kong of the Executive and Management Committee of the Australian Chinese Buddhist Society, as well as volunteers who administer the Ming Yue Lay Temple.

MOST REVEREND ANTHONY FISHER, OP, NINTH ARCHBISHOP OF SYDNEY

Motion by the Hon. DAVID CLARKE agreed to:

- (1) That this House notes that on Saturday 25 July 2015, the investiture with the pallium as the ninth metropolitan Archbishop of Sydney of the Most Reverend Anthony Fisher, OP, was held at St Mary's Cathedral, Sydney and attended by 1,500 participants including government, religious and community dignitaries and representatives.
- (2) That this House:
- (a) congratulates the Most Reverend Anthony Fisher, OP, on the occasion of his Investiture with the pallium as the ninth metropolitan Archbishop of Sydney; and
 - (b) extends its best wishes to the Catholic community of New South Wales.

GREYHOUND RACING INDUSTRY

Production of Documents: Order

Motion by Dr JOHN KAYE agreed to:

That, under Standing Order 52, there be laid upon the table of the House within 28 days of the date of passing of this resolution the following documents created since 1 January 2013 in the possession, custody or control of Greyhound Racing NSW [GRNSW] relating to:

- (a) alleged incidences or prevalence of the practice of using live animals for the purpose of training dogs, known as "live baiting", including but not limited to documents held by the former GRNSW Integrity Department and the Welfare and Veterinary Services Unit and the current Education, Welfare and Veterinary Services Unit;
- (b) the provision of advanced warning of random inspections to trainers in the greyhound racing industry;
- (c) correspondence with RSPCA NSW representatives or employees regarding possible animal cruelty incidences and offences;
- (d) the number of dogs that are considered surplus to the industry's needs;
- (e) the number of dogs that are killed or surrendered;
- (f) allegations and or incidences of dogs being given alcohol prior to being raced; and
- (g) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

UNPROCLAIMED LEGISLATION

The Hon. Niall Blair tabled a list detailing all legislation unproclaimed 90 calendar days after assent as at 8 September 2015.

AUDITOR-GENERAL'S REPORT

The Clerk announced the receipt, pursuant to the Public Finance and Audit Act 1983, of a performance audit report of the Acting Auditor-General entitled "Sydney Metropolitan Bus Contracts: Transport for NSW", dated September 2015, received out of session and authorised to be printed this day.

VISITORS

The PRESIDENT: I welcome to the gallery members of the student representative council of Mount Brown Public School and their teachers, who are here as guests of the member for Shellharbour. Welcome to the Legislative Council. I hope you enjoy your visit to Parliament House today.

BUSINESS OF THE HOUSE

Postponement of Business

Government Business Order of the Day No. 1 postponed on motion by the Hon. Duncan Gay and set down as an order of the day for a later hour.

ADDRESS TO HER MAJESTY QUEEN ELIZABETH II

The Hon. DUNCAN GAY (Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council) [11.24 a.m.]: I move:

That this House agrees to the following address to Her Majesty the Queen conveying the congratulations of the Parliament to Her Majesty on this day becoming the longest serving monarch of the United Kingdom and Australia, and authorises the President to sign such address, on behalf of the Legislative Council, in conjunction with the Speaker of the Legislative Assembly, on behalf of the Legislative Assembly:

TO HER MAJESTY ELIZABETH THE SECOND, QUEEN OF AUSTRALIA

MAY IT PLEASE YOUR MAJESTY—

We, the Members of the Legislative Council of New South Wales, in Parliament assembled, desire to offer to Your Majesty our sincere congratulations on this day becoming the longest serving monarch of the United Kingdom and Australia. We assure Your Majesty of our loyalty and extend to you and His Royal Highness Prince Philip, Duke of Edinburgh, our good wishes for continued health and well-being.

GOD SAVE THE QUEEN!

The Hon. Daniel Mookhey: Sir Prince Philip—why don't you say his proper title, please?

The Hon. DUNCAN GAY: Silence from Her Majesty's loyal Opposition. Today, Wednesday 9 September 2015, Her Majesty Queen Elizabeth II becomes the longest reigning monarch of the United Kingdom and Australia. I am pleased to move this motion on behalf of the Government to congratulate the Queen on 63 years of service to the people of her Commonwealth. This is a remarkable feat. Sixty-three years in any job is a tough ask, but more than 63 years in public life, conducting official duties and overseeing a Commonwealth, is an extraordinary achievement. I am sure members of Her Majesty's loyal Opposition, those opposite, would support such a sentiment.

During her time as our head of state and the Queen of Australia, Her Majesty has observed 17 Premiers of New South Wales and 13 Australian Prime Ministers in office. She has also outlasted seven popes and visited 116 countries on official trips. Her Majesty became Queen at the age of 25 in 1952. On this day at the age of 89 her reign has surpassed that of her great-great-grandmother, Queen Victoria. The Queen has been devoted to her subjects her whole life. Indeed, in 1947 Her Majesty used the occasion of her twenty-first birthday to pledge her life to the Commonwealth and its people several years before she ascended to the throne. On that occasion she said:

I declare before you all that my whole life, whether it be long or short, shall be devoted to your service and to the service of our great imperial family to which we all belong.

She has certainly done that. Today the world is a very different place to the one it was when she was crowned. The Queen is head of state of the United Kingdom and 15 Commonwealth realms, with a combined population of about 139 million people. And yet while much has changed, she remains a steadfast constant in the lives of her subjects. Born in 1926, Her Majesty has been witness to terrible events like the Second World War—the carnage—her service and the fact that her own father took a job that he was not expecting to do that certainly influenced his life and, most would agree, shortened it considerably.

There was also the Great Depression and the atomic bomb. She has seen also some of humanity's greatest achievements such as the first moon landing, the fall of the Berlin Wall, the birth of the internet, the advent of rock and roll, and television—black and white and colour. The Queen was the

first British monarch to address a joint session of the United States Congress, to celebrate a diamond wedding anniversary, and to visit the Republic of Ireland. Her Majesty is an integral part of the lives of many ordinary Australians. Sir Robert Menzies was prompted to declare his undying affection for Her Majesty in this oft-quoted line:

I did but see her passing by and yet I love her till I die.

That feeling which was so well put by Sir Robert Menzies at the time has been echoed by many Australians who have admired the way in which Her Majesty has fulfilled her role for our country. She first visited Australia in 1954, two years after being crowned. I was fortunate as a young boy in Canberra to welcome her, along with many other Australians. While here, she made more than 33 flights and 207 car trips and visited every capital except Darwin and 70 country towns. It is said that 75 per cent of the Australian population saw the Queen at least once during that tour. On that tour she also opened the Parliament of Australia, an occasion that can be remembered through the portraits of the Queen and Prince Philip outside the Legislative Assembly Chamber. The Queen has made 16 trips to Australia. She opened the New South Wales Parliament in 1992. I note that as we are ahead of European time zones, we are marking this occasion before the British. That is fitting: the first Parliament in Australia celebrating the reign of Her Majesty first.

I was surprised to discover that the Queen is the only person in Britain who can drive without a licence or a number plate on her State car. Her Majesty learned to drive in 1945 when she joined the women's branch of the British Army, the Auxiliary Territorial Service, and she still drives today. Throughout the years the Queen has conducted her duties while demonstrating those very British traits of restraint, dignity and a life devoted to duty. It is telling that she does not want any fuss made over this momentous occasion. She is the patron of more than 600 charities and organisations and at 89 years of age she still carries out more than 400 official engagements each year. I mirror the hope of the royal member of the stage Dame Helen Mirren, that is, to see Charles become King one day. Dame Helen Mirren said:

He will make a very good monarch. If you have a good and sensible person in that role, it's a good thing. And I firmly believe that Charles is a sensible, decent person.

I am sure Prince Charles will continue Her Majesty's great tradition of service and loyalty. As a loyal subject of her Commonwealth, I salute this extraordinary woman who has done an extraordinary job. I look forward to many more years with Queen Elizabeth II as monarch of Australia.

The Hon. ADAM SEARLE (Leader of the Opposition) [11.33 a.m.]: As the Leader of the Opposition in this place I second the motion. On this side of the House, we are not monarchists but republicans. We believe the institution of the monarchy is antiquated. We believe that the institutional arrangements regarding our head of state should and in time will be changed to reflect the reality of Australia's position as an independent nation among the community of nations. However, until that happens we also recognise that the Queen is the legal head of state of the Commonwealth of Australia. We also recognise and honour the diligent way in which the Queen has, for more than six decades, applied herself to her role and her duties here in Australia, in her home Great Britain and across what has become the Commonwealth of Nations, of which she is the titular head.

We recognise the high esteem in which many people of Australia hold the present monarch, even those who were not born here but who have chosen Australia to be their home. Many of those people come from non-English speaking backgrounds. Today we honour the present monarch for her personal contribution to public and community life. Today she surpasses her great-great-grandmother Victoria to become Great Britain's longest-reigning monarch. It is worth reflecting on what has happened in that time. In 1952 when her reign began, Winston Churchill was Great Britain's Prime Minister, Joseph Stalin led what was then the Union of Soviet Socialist Republics, and Robert Menzies was in his second term of government. She came to power in the aftermath of the Second World War when for a second time in a

generation Europe had been devastated by conflict.

In the more than six decades since, the monarch has experienced immense change, for her personally, for her family, for the nation and for the world. She has watched as her empire became a Commonwealth. She has watched as the world's cultures and creativity have been connected by technological advances created by the digital age. She has also watched as society's expectations have changed, including the expectations of her office and of what a head of state should be. Even her family has had to adapt to change. Of course, in the 1960s and 1970s it was the advent of television and being available for photo opportunities and interviews. That led to a blurring of the lines between public and private spaces. Stage-managed official addresses and family portraits have been added to by Twitter accounts, Facebook posts and other innovations afforded by the modern age.

A decade or two ago it would have been difficult to imagine the head of a Commonwealth jumping from a plane with James Bond at the opening ceremony of the 2012 Olympics. The fact that she agreed to such a thing, and the style and aplomb with which she executed it, speaks to her good sense of humour as well as a recognition that the institution for which she is the present custodian needs to continue to adapt so that it remains, at least in some way, connected to the society in which it is rooted.

The decades in which she has served have not always been easy and the difficulties experienced by her and her family, arising in part from the harsh scrutiny by the media and its insatiable appetite for sensation, have taken their toll. We recognise that the service that she has given has come at a personal cost. Today we celebrate her achievements as a person and the contribution that she has made in carrying out the duties that came to her by birth rather than by her seeking them out. As I indicated earlier, members on this side of the House also have a dedication to an Australian republic in time.

We believe we can honour the achievements of the individual but also see the need for a change in the institution of the head of state. We believe it is not beyond our country's capacity to eventually have an Australian as our head of state. To strike a phrase: A resident, a President. This is more than mere symbolism, as it speaks to the most fundamental of political philosophies, namely, that we are, in the words of Thomas Jefferson, all created equal. We believe that meritocracy, not monarchy, should be the foundation of a just society, and that effort and energy should determine one's position, not the mere chance of birth. However, we do recognise and honour the contribution made by the present monarch, and we wish her well.

The Hon. DAVID CLARKE (Parliamentary Secretary) [11.39 a.m.]: It gives me great pleasure to speak briefly in support of this fine motion moved by the Hon. Duncan Gay, and I congratulate him for bringing it forward. As a lifelong, committed constitutional monarchist, I believe, heart and soul, that the institution of constitutional monarch is a fundamental and pivotal part of why Australia is a nation of peace, freedom and democracy, where human rights are enshrined in our makeup and where tyranny, oppression and dictatorship have never been able to gain a foothold. However, I do not propose to use the occasion of this motion of congratulations to Her Majesty Queen Elizabeth II to extol the many reasons that lead me to that belief. I hope that today all members of this House, whether monarchist or republican, find it possible to join in support of this motion.

I would hope that all members, regardless of individual views, could agree that Her Majesty Queen Elizabeth II, Queen of Australia, Queen of the United Kingdom, and Head of the Commonwealth of Nations has done the job and continues to do the job that she was born to do with stoicism, devotion and dignity and free from any blemish of controversy on her part. I hope that we could all agree that her life of public service these past 63 years, seven months and three days as Queen—thus making her today the longest ever serving monarch of the United Kingdom and Australia—has earned the fulsome esteem, respect, congratulations and best wishes for the future from all in this House.

The Hon. WALT SECORD (Deputy Leader of the Opposition) [11.41 a.m.]: As Deputy Leader of the Opposition, I make a contribution to the motion moved by the Leader of the Government, the Hon.

Duncan Gay, congratulating Her Majesty Queen Elizabeth II. I note that the motion recognises the contribution of Her Majesty Queen Elizabeth II, Queen of Australia, to public life and the Commonwealth and her becoming the longest-serving monarch of the United Kingdom and Australia. For the record, as of today the Queen, now 89, will surpass the record of her great-great-grandmother Queen Victoria, who served as monarch for 63 years and 216 days. This will make her Britain's longest reigning monarch. That is quite an achievement.

I note that the leader of the Christian Democratic Party, Reverend the Hon. Fred Nile, looks as if he is trying to emulate her stamina, as he approaches his thirty-third year in this Chamber. As for the Leader of the Government in this House, the Hon. Duncan Gay, he is trying a similar feat. He has clocked up 27 years in this Chamber—another considerable achievement. I could be corrected but I think the Hon. Duncan Gay is the only person in this Chamber who has seen Halley's comet twice. I also support and share the views expressed by my colleague the Hon. Adam Searle, as Leader of the Opposition in the Legislative Council. We are both republicans. Our views differ from those of the Baird Government on the monarchy and Australia's future, but this does not detract from recognising the respect and admiration held by many in the Australian community for Queen Elizabeth II.

I, of course, recognise the esteem in which Queen Elizabeth II is held in many parts of the Australian community and the fondness for her in the British Commonwealth. This distinction is something that many monarchists fail, in my experience, to understand. That is to say, they argue that any discussion of an Australian head of state is somehow a slight against the current head of state. That is not true, and it is a false correlation to suggest it. As legislators, we can argue the merits of how any particular governance office is structured without casting an aspersion on the current officeholder. This is clearly the case with the Australian republican movement and Queen Elizabeth II. While many Australians support the proposition that Australia should move towards an Australian citizen as our head of state, they have, in my experience, high regard for how the current head of state has executed her role. It is not how the Queen has performed her role that is at issue; at issue is how she came to that role and the exclusion of that opportunity to myriad fine Australians who might have made equally great contributions. It does not escape me that this motion before us is an anachronism and antiquated, even in our nation's oldest parliamentary Chamber.

Indeed, it is apt to reflect that we are members of the New South Wales Legislative Council because, at the outset of this Chamber, it was an unelected council of advisors to the Governor. It was modelled, initially, not on a robust democratic model but on the Privy Council model in England. At that time the other place, the Legislative Assembly, did not even exist. That model must seem remarkably undemocratic by today's standards. People then accepted that times change and institutions change with the times. It is timely that as we debate this motion today the New South Wales Parliamentary Friends of an Australian Head of State is being established in this very building at 12.30 p.m. in the Speaker's Garden. It is being instigated by our Labor colleague in the other place the member for Lakemba, Jihad Dib, and the Liberal member for Hornsby, Matt Kean.

While happily acknowledging the exceptional service of Her Majesty, I restate my views on Australia becoming a republic and how I hope that one day we have an Australian as head of state. Members will recall from my inaugural speech in June 2011 and the special motion on February 2012 marking Her Majesty's Diamond Jubilee that this is a longstanding position of mine. Growing up in Canada, my republican views put me in the minority. My Native American Mohawk Ojibway ancestors considered themselves staunch allies of the British and fought for the monarch against the Americans in the American War of Independence and during the War of 1812. They were what we would today describe as guerrillas.

The Hon. Dr Peter Phelps: And against the French earlier than that.

The Hon. WALT SECORD: Yes, that is true. As a republican I am the only member of my family who supports Canada and Australia becoming republics. When I migrated to Australia in 1988, I brought

those republican views with me. But views can mature and mellow over the years. I maintain that Australia should become a republic, but I now consider that Australia should consider its position on this important question when Her Majesty's reign comes to an end. I note that I share this position with former Prime Minister Julia Gillard. I think many Australians quietly share this view, favouring a change but equally accepting that perhaps the end of Her Majesty's reign is the best time to revisit the issue. I thank the House for its consideration.

The Hon. RICK COLLESS (Parliamentary Secretary) [11.46 a.m.]: I congratulate the Hon. Duncan Gay on moving this motion. It is a very important motion that relates to the longevity of Her Majesty's reign. I want to add a human perspective to debate on this motion about the reign of Queen Elizabeth. As other speakers have mentioned, she has been to Australia on a number of occasions. The first occasion on which she came to Australia was in 1954, just after her coronation. During her tour in 1954 she visited the major capital cities in Australia and also regional centres. One of the regional centres she went to was the city of Dubbo.

It was a great event for many people who lived in regional New South Wales in those days because Sydney was not an easy place to get to as travel was difficult for country people. The visit by Her Majesty to regional New South Wales meant that country people were able to see her. At that time my family lived on Bendemeer Station, just to the north of Tamworth. My mother and father decided that they would make the journey to Dubbo to see Her Majesty. My dad at that time owned a 1948 Humber Super Snipe. Any car buffs, including the Hon. Duncan Gay, would know the type of vehicle I am talking about.

The Hon. Duncan Gay: It looked like a hearse.

The Hon. RICK COLLESS: It did look a bit like a hearse. It was a very big car with lots of room. In that Humber Super Snipe were my mum and dad, my grandmother and grandfather, my sister and me, and my mother's sister and her husband. So there were eight people in the car. I do not recall because I was very young, but apparently we fitted in quite comfortably. The family decided to leave Bendemeer very early in the morning and drive straight through to Dubbo in order to get a spot on the route that would give us a good view of Her Majesty.

We left Bendemeer very early in the morning and drove for an hour a half to pick up my mother's sister and her husband in Tamworth. After that we went on to Gunnedah where we stopped for breakfast. We pulled up at a café, the Acropolis Café, in Gunnedah. The café was sporting an Australian flag, the Union Jack and a very complimentary photograph of Her Majesty displayed in a prominent place. The Acropolis Café was owned by Theo and Kanella Souris. On that morning I believe I played for a while with a very young Greek kid named George. Of course, George Souris later represented the electorate of Upper Hunter in the Legislative Assembly for more than 25 years. I mention in passing that Theo and Kanella Souris are interred in the Gunnedah cemetery where many of the members of my family also are interred.

We arrived in Dubbo and waited for many hours along the route that would be taken by Her Majesty. Dad was armed with his trusty little manual camera, which was very difficult to use—especially compared to the fully automatic cameras that we have today. Finally, as the royal entourage moved along the route, my Dad turned to take a nice photograph of the Queen as she walked past him. He was standing with the camera ready to go when the Queen looked him directly in the eye and smiled at him. Of course, the photograph was never taken.

The Hon. Duncan Gay: It was a Bob Menzies photo.

The Hon. RICK COLLESS: It was a Bob Menzies moment. It is a story my Dad has told many times. With those few words and family stories—I am sure many other Australian families could relate similar experiences when they made the effort to see Her Majesty as she toured throughout Australia—I confirm that I am very pleased to be able to participate in this discussion and offer Her Majesty our

sincere congratulations on her becoming this day the longest-serving monarch of the United Kingdom and Australia. I commend the motion to the House.

The Hon. SCOTT FARLOW [11.52 a.m.]: No doubt it will surprise members that I support the fantastic motion moved by the Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council. It is fitting to recognise in this Chamber that during Her Majesty's first trip to Australia in 1954 she opened our Parliament and that she opened Parliament in 1992 as well. Members should be grateful that we have such a wonderful monarch who has provided great certainty and stability for the people of Australia and for people throughout the Commonwealth. Her Majesty today will surpass Queen Victoria for having the longest reign of any British or Australian monarch.

I am sure it will please the President to authorise the address of this Parliament to Her Majesty to congratulate her. As the Minister for Roads, Maritime and Freight, has remarked, this is not a day that Her Majesty, in her usual style, wanted to be celebrated; it is a day that is business as usual for her. However, I have no doubt that her loyal subjects could not but revel in the knowledge that she has provided such strong and stable government for so long and has been a great compass for all of us throughout the realm.

One of the great achievements of Her Majesty's reign is ensuring that the monarchy and our system of government have been preserved. When we think of the time that Her Majesty ascended the throne, she was a 25-year-old female. She ascended the throne on the passing of her father, George VI, a short time after Edward VIII abdicated. That was not a time when the monarchy was necessarily strong; indeed, it was a time of turbulence. But through the wonderful work of this amazing woman, the monarchy has been preserved as well as strengthened and it has endeared itself to the hearts of subjects throughout the Commonwealth, particularly in Australia.

Members who preceded me referred to Australia becoming a republic and the winds of change. I thank Opposition members for their support of the motion despite their views on Australia's constitutional arrangements and for the respect they have shown to Her Majesty. However, I note that it is somewhat disrespectful that on this day, when Her Majesty surpasses Queen Victoria as the longest reigning monarch, members of this Parliament would choose to set up a Parliamentary Friends of an Australian Head of State. I think that is unfortunate and disrespectful.

I know that the republican movement wants to grab hold of this special day and use it as a springboard to reignite the flame of republicanism in this country. Let that be so because I do not think that Australia is moving at any time in the near future towards becoming a republic. A February 2014 poll showed that support for Australia becoming a republic reached a 20 year low and, funnily enough, that support is lowest among not only the oldest members of our community but also those aged between 18 and 35 years. Only 35.6 per cent in that age group support Australia becoming a republic, which is heartening. Part of the reason is that people are appreciating more how our system of government based on constitutional monarchy works. It is not about pageantry or a yearning for a mother country in England; it is a celebration of a unique Australian democracy which has a constitutional monarch at its heart and the stability that that has provided and will continue to provide for our country.

Other members have referred to the changes that have occurred throughout Her Majesty's reign, but it is appropriate to consider how Her Majesty has touched our lives. Her Majesty ascended the throne on 2 June 1953, which is the date of her coronation, when she was 25 years of age. At that time, Australia, the United Kingdom and the rest of the world were very different from the way they are now. Throughout the period of Her Majesty's reign, she has dealt with 12 British prime ministers from Churchill to Cameron and 13 Australian prime ministers from Menzies to Abbott. Throughout that period, Her Majesty's role has remained constant. The Minister for Roads, Maritime and Freight remarked on Her Majesty's twenty-first birthday broadcast to the Commonwealth, in which she memorably promised:

I declare before you all that my whole life, whether it be long or short, shall be devoted to your

service ...

I have no doubt that Her Majesty has lived up to her promise. One of the great enduring successes of Her Majesty's reign has been the Commonwealth which, she has publicly remarked, is the source of a great sense of pride in her reign. When Her Majesty ascended the throne, the Commonwealth comprised eight members; it now has 53. Her Majesty's coronation speech provides a great insight into the approach she has adopted:

I have in sincerity pledged myself to your service, as so many of you are pledged to mine. Throughout all my life and with all my heart I shall strive to be worthy of your trust.

In this resolve I have my husband to support me. He shares all my ideals and all my affection for you. Then, although my experience is so short and my task so new, I have in my parents and grandparents an example which I can follow with certainty and with confidence.

There is also this. I have behind me not only the splendid traditions and the annals of more than a thousand years but the living strength and majesty of the Commonwealth and Empire; of societies old and new; of lands and races different in history and origins but all, by God's Will, united in spirit and in aim.

Therefore I am sure that this, my Coronation, is not the symbol of a power and splendour that are gone but a declaration of our hopes for the future, and for the years I may, by God's Grace and Mercy, be given to reign and serve you as your Queen.

It is that spirit that has kept the monarchy alive and the Commonwealth strong and helped it to grow. Our Queen, Her Majesty, is not somebody who seeks only to represent the United Kingdom; she is committed to all her subjects throughout the Commonwealth, particularly those in Australia. It is not only that commitment and vibrancy to the history of our monarchy but also a renewed commitment to a future living monarchy and the role it plays in our lives that Her Majesty's reign has been so successful. Her Majesty's reign will be remembered for time immemorial. I reiterate my thanks to the Minister for Roads, Maritime and Freight for moving this motion. God Save the Queen.

Reverend the Hon. FRED NILE [11.59 a.m.]: As Leader of the Christian Democratic Party I am pleased to support the motion moved by the Leader of the Government, the Hon. Duncan Gay, which states:

That this House agrees to the following Address to Her Majesty The Queen conveying the congratulations of the Parliament to Her Majesty on this day becoming the longest serving monarch of the United Kingdom and Australia, and authorises the President to sign such Address, on behalf of the Legislative Council, in conjunction with the Speaker of the Legislative Assembly, on behalf of the Legislative Assembly:

TO HER MAJESTY ELIZABETH THE SECOND, QUEEN OF AUSTRALIA

MAY IT PLEASE YOUR MAJESTY—

We, the Members of the Legislative Council of New South Wales, in Parliament assembled, desire to offer to Your Majesty our sincere congratulations on this day becoming the longest serving monarch of the United Kingdom and Australia. We assure Your Majesty of our loyalty and extend to you and His Royal Highness Prince Philip, Duke of Edinburgh, our good wishes for continued health and well-being.

GOD SAVE THE QUEEN!

On behalf of the Christian Democratic Party I am pleased to congratulate Queen Elizabeth II on the achievement of becoming the longest-serving monarch in Australian and British history. The Queen is head of state of the United Kingdom and 15 other Commonwealth realms. The elder daughter of King George VI and Queen Elizabeth, she was born in 1926 and became Queen at the age of 25, and she has reigned through more than five decades of enormous social change and development. On Wednesday 6 February 1952, Princess Elizabeth received the news of her father's death and her own accession to the throne while staying in a remote part of Kenya. The tour had to be abandoned, and the young Princess flew back to Britain as Queen. She was greeted by the Prime Minister, Winston Churchill, and other officials at the airport.

Queen Elizabeth II's coronation took place in front of 7,000 people in Westminster Abbey on 2 June 1953. It was an event of deep spiritual significance to both the Queen and her peoples. A solemn ceremony was conducted in the traditions of a thousand years by Dr Geoffrey Fisher, Archbishop of Canterbury. It was a commitment between the Queen and her subjects until death. Queen Elizabeth II's great-great-grandmother, Queen Victoria, who became known as Empress of India during her lifetime, reigned for 23,226 days, 16 hours and 23 minutes, and died in 1901 aged 81, having taken the throne at 18 years of age in June 1837. On this day, 9 September 2015, Queen Elizabeth II passes the record of the longest-serving monarch of 63 years, 216 days. We also pay tribute to Prince Philip, the Duke of Edinburgh, a distinguished navy man who married our Queen in Westminster Abbey on 20 November 1947.

Prince Philip gave up his active naval career in June 1951, and to this day remains closely connected to and actively interested in every branch of service life. The Queen and Prince Philip had four children: two before the Queen ascended to the throne, Prince Charles and Princess Anne, and two after she ascended, Prince Andrew and Prince Edward. Queen Elizabeth II is the present sovereign and her heir apparent is her oldest son, Charles, Prince of Wales. Second in line is Prince William, Duke of Cambridge, the eldest son of the Prince of Wales. Third in line is Prince George of Cambridge, the son of the Duke of Cambridge, followed by his sister, Princess Charlotte of Cambridge in fourth place. Fifth in line is Prince Harry—Prince Henry of Wales—who is the younger son of the Prince of Wales.

The United Kingdom is one of 16 Commonwealth realms. Each of these countries has the same person as monarch and the same order of succession. In 2011 the Prime Ministers of the realms agreed unanimously to adopt a common approach to amending the rules on the succession to their respective Crowns so that absolute primogeniture would apply for persons born after the date of the agreement, instead of the male-preference primogeniture, and the ban on spouses being Roman Catholics would be lifted. The ban on Catholics themselves was retained so that the monarch would be in communion with the Church of England. After the necessary legislation had been enacted in accordance with each realm's constitution, the changes took effect on 26 March 2015. In Australia in more recent times there has been a republican movement, which I am glad to say has never involved more than a few idealists.

A referendum to decide whether Australia would remain a constitutional monarchy or become a republic headed by a president was held in 1999 and failed dismally. A majority of voters expressed a preference to retain the monarchy. Prior to that, in 1986, the Australia Act removed the residual powers of the British Government to intervene in the government of Australia or the individual States. The Queen has been a regular visitor to Australia throughout her reign. When the Queen visits Australia she speaks and acts as Queen of Australia, not as Queen of the United Kingdom. In 16 visits the Queen has celebrated all aspects of Australian culture and life, from sheep farms to natural wonders such as the Great Barrier Reef, and from the triumph of the Olympic Games and Commonwealth sporting meetings to Aboriginal and Torres Strait Islander art and tradition.

Many people associated with the royal family have visited Australia. The first royal visitor to Australia was Prince Alfred, the second son of Queen Victoria, and later Duke of Edinburgh. A captain of the Royal Navy, he visited Adelaide, Melbourne, Sydney and Brisbane in 1867-68 during a world tour on board HMS *Galatea*, and was met with enormous warmth. But all did not go entirely smoothly. On 12

March 1868, an Irishman named Henry James O'Farrell shot the Prince at a picnic in Sydney. Fortunately the Prince made a quick recovery and was able to leave Australia by early April. As members know, a hospital was founded in his name. Other members of the royal family have visited Australia and they have always received a gracious welcome. In 1927, the Queen's parents, as Duke and Duchess of York, arrived in Sydney Harbour, attracting a crowd of more than one million people. Prince Henry, Duke of Gloucester, the third son of King George V, served as Governor-General and lived here with Princess Alice from 1945 to 1947. He was Australia's first royal Governor-General.

The Queen's first visit to Australia, which was the first visit by a reigning monarch, took place on 3 February 1954. The Queen and the Duke of Edinburgh undertook a tour of the Australian Capital Territory, New South Wales, Tasmania, Victoria, Queensland, South Australia and Western Australia. On that occasion I was pleased, as a young sergeant in the Army Reserve Citizen Military Forces [CMF], to be a member of the Queen's guard of honour and to mount that guard near Sydney University. It was a privilege to be in that role. Later I was pleased to receive the Queen's commission as a lieutenant in the Army Reserve CMF, and I continued to be in the service of the Queen and our nation for nearly 22 years.

During her 1963 visit the Queen made a unique broadcast to people in remote communities over the Flying Doctor network in Alice Springs. In 1970 the Queen and the Duke of Edinburgh joined in the celebrations marking Lieutenant James Cook's discovery of Australia 200 years earlier. They were accompanied on that occasion by Princess Anne and, for part of the time, the Prince of Wales. In 1973 the Queen opened the landmark Sydney Opera House—an event that attracted worldwide attention. Australia also figured prominently in the Queen's silver jubilee celebrations in 1977, during which she visited every State during a three-week tour. The Queen and Duke toured Australia again in 1980 and 1981, to coincide with the Commonwealth Heads of Government meeting in Melbourne. In 1982 they attended the Commonwealth Games in Brisbane.

In 1988 the Queen took part in Australia's bicentenary celebrations, travelling extensively across the nation and opening the new Parliament House in Canberra. The same year there were also a tour by the Prince and Princess of Wales, during January and February, and a visit by the Princess Royal. The Queen has visited Australia on 16 occasions: in 1954, 1963, 1970, 1973, 1974, 1977, 1980, 1981, 1982, 1986, 1988, 1992, 2000, 2002, 2006 and 2011. She has not been a remote Queen but someone who has been very close to the people of Australia.

We thank Queen Elizabeth II for her stability and her sovereignty. We owe her a great debt. Today our Queen, ever serving the people, will spend the milestone completing a series of engagements in Scotland with the Duke of Edinburgh. The monarchy is enshrined in the hearts of her people. It is also enshrined in the Christian Democratic Party, which has a fundamental policy to support the constitutional monarchy in Australia and to oppose any move to a republic. At the referendum in 1999, Christian Democratic Party members across Australia manned the polling booths as if it were an election, handing out thousands of how-to-vote cards to vote no to a republic. We thank God the no vote was successful and we believe our involvement played a role in the referendum because the Labor Party supported the move to a republic and, from memory, the Coalition did not take a clear stand on it. The Christian Democratic Party did take a clear stand. God bless the Queen; long may she reign.

Mr DAVID SHOEBRIDGE [12.11 p.m.]: When I entered this House I took a pledge of loyalty to Australia and the people of New South Wales. That is the loyalty that guides my work in this Chamber. For that reason, I move:

That the question be amended by inserting "to Australia and the people of New South Wales" after "loyalty".

The Hon. DANIEL MOOKHEY [12.11 p.m.]: I make a brief contribution to the debate on the motion moved by the Hon. Duncan Gay on Her Majesty Queen Elizabeth II. I join all other honourable members in recognising the stately length of Her Majesty's reign—63 years, seven months and two days

on the British throne and an equivalent period of service as the Queen of Australia. Throughout her long tenure, a constant display of suppleness in dealing with her subjects, dexterity in dealing with her governments and humour in dealing with her Prime Ministers have marked the Queen's reign. Winston Churchill headed one of Her Majesty's governments and Billy McMahon headed another—great patience is needed in traversing the distance between those two and Her Majesty has the patience she has needed.

There are monarchists among us; most sit on Government benches and none are amongst Her Majesty's loyal Opposition. For the monarchists, Her Majesty is their best asset. For 63 years her personal qualities have compensated for the monarchy's manifest failures, some of which I will talk about. The monarchy remains a hereditary institution, a relic from the time when state power belonged to a parcel of elite families sitting atop a feudal hierarchy. It is an institution inextricably entwined with imperialism, the idea that the Westphalian system is best organised through empires and those empires should be controlled by an elite whose members' ultimate loyalty is to each other and not their subjects. Under such elites, when there is a revolt—like the revolt of 1848—the elites band together to suppress the uprising.

Finally, the monarchy is inextricably linked to revolution, such as the English and Scottish revolts throughout the Middle Ages and, arguably, the Scottish revolt occurring now. More consequentially, I refer to the American Revolution, to the struggle for Ireland, and to the mother of all revolutions, the decolonisation movement that swept the Indian subcontinent and then Africa following the Second World War. In the American Revolution, Thomas Paine published a pamphlet entitled *Common Sense*. In it he said:

In England a king hath little more to do than to make war and give away places; which in plain terms, is to impoverish the nation and set it together by the ears. A pretty business indeed for a man to be allowed eight hundred thousand sterling a year for, and worshipped into the bargain! Of more worth is one honest man to society and in the sight of God, than all the crowned ruffians that ever lived.

This sentiment impelled forward the American Revolution. Later Thomas Jefferson expressed the cause of Republicans in slightly more positive terms when he declared self-evident truths about life, liberty and the pursuit of happiness. The revolutions led by Jefferson, Paine, Collins, Gandhi and Nehru were based on the idea that political power, the power of the State, ultimately belongs to the people subject to it and the people should choose their head of state. Australians deserve the same right, the sense that the state ultimately belongs to the people. That is the cause of republicanism and I am a proud republican. I sincerely hope that Her Majesty's record as the monarch of Australia is never surpassed because I hope she is the last Queen of Australia.

The Hon. NATASHA MACLAREN-JONES [12.15 p.m.]: I am pleased to support the motion moved by the Hon. Duncan Gay to mark this important occasion where we can all join in celebrating and acknowledging our longest-serving monarch, the Queen. It is fair to say that Her Majesty's service has been impeccable; for 63 years, seven months and two days she has executed the pledge with dedication and dignity. Australians are fortunate to have Queen Elizabeth II as their monarch. I apologise on behalf of this Chamber for the comments made by the previous speaker about the monarchy and the Queen's reign. The Queen has lived every day of her life with selfless devotion to service and, in doing so, has the admiration of the people of Australia. In 1947, on her twenty-first birthday, the then Princess Elizabeth gave an address in which she stated:

I declare before you that my whole life, whether it be long or short, shall be devoted to your service.

Five years later, in February 1952, just a few days after the King's death, in her accession speech to the Privy Council, the Queen renewed her pledge of service when she said:

By the sudden death of my dear father I am called to assume the duties and responsibilities of sovereignty ... My heart is too full for me to say more to you today than that I shall always work, as my Father did throughout his reign, to uphold the constitutional government and to advance the happiness and prosperity of my peoples, spread as they are all the world over.

I know that in my resolve to follow his shining example of service and devotion, I shall be inspired by the loyalty and affection of those whose Queen I have been called to be, and by the counsel of their elected parliaments.

I pray God will help me to discharge worthily this heavy task that has been laid upon me so early in my life.

At her coronation in 1953 the Queen made four commitments—to God, to the service of others, to responsibility and to showing respect for her people. During a radio broadcast following her coronation the Queen declared:

... my Coronation is not the symbol of a power and a splendour that are gone but a declaration of our hopes for the future, and for the years I may, by God's Grace and Mercy, be given to reign and serve you.

For more than 63 years Her Majesty has served the people of all Commonwealth nations, including Australia, and it is now an opportunity for us to celebrate a remarkable historical achievement. After the death of her father, the new Queen took up her duties with passion and determination and visited parts of the Commonwealth never visited by her predecessors. As the Princess, she planned that as Queen she would accomplish a Commonwealth tour. In winter 1953, soon after her ascension to the throne, she visited Bermuda, Jamaica, Fiji, Tonga, New Zealand, Australia, Ceylon, Uganda, Malta and Gibraltar with her husband, the Duke of Edinburgh. It was during that year that Her Majesty delivered her Christmas broadcast from New Zealand.

The Queen and the Duke of Edinburgh initiated a new royal practice during their visit to Australia and New Zealand in 1972. The "walkabout" tour allowed them to meet as many people as possible during their visit, and this has become a standard royal practice since it was first done in Australia. The Queen has made many other historic overseas visits. In 1955 Queen Elizabeth II became the first British monarch to visit Germany after 52 years, on a historic 11 day visit. Later in 1971, Her Majesty received the Emperor of Japan on his visit to Britain, the first since the Second World War. In 1972 she visited communist Yugoslavia and in 1976 she became the first British sovereign to travel to the Middle East.

When I was about 20 years old, I had the pleasure of meeting Her Majesty at Government House. She commented on my hat. I was impressed with her ability to meet and speak with people with warmth and confidence. She is loved and admired by many people, as was her great-great-grandmother, Queen Victoria. Queen Elizabeth now surpasses Queen Victoria as the longest-serving monarch. Queen Victoria served for 63 years seven months and two days. It is good to see that both the longest-serving monarchs are women. Much of Australia's success as one of the oldest democracies in the world can be attributed to the fact that it is a constitutional monarchy. Our system has been tested many times and has not broken. We have not suffered civil wars or unresolved constitutional crises. We have been fortunate that Her Majesty's reign has been marked by political neutrality and strength.

It is unfortunate that some members have used this debate as an opportunity to criticise the monarchy and to advocate for a republic and an Australian head of state. This is not the time for that debate. However, some of those comments cannot be left unrefuted. The case against that particular form of republic is a strong one, as was demonstrated by the 1999 referendum result. I put on record my appreciation for the work done by so many people during the "No Republic" campaign. I note that a number of the volunteers, particularly the people who manned booths and helped across the country,

were members of the Australian Labor Party. I do not believe Australians want to have another referendum on a republic.

The primary role of the monarch in Commonwealth nations is to be above and beyond politics. In Australia this role is carried out by the Governor-General and the method of appointing a Governor-General is simple and non-controversial. We have an Australian head of state: the Governor-General. I find it hard to believe that a popularly elected President or one appointed by politicians would or could remain impartial, as the checks and balances afforded under our Constitution would no longer exist. I thank the Hon. Duncan Gay for moving this motion. God save the Queen.

The Hon. SHAOQUETT MOSELMANE [12.21 p.m.]: I join my Labor republican colleagues in offering Her Majesty congratulations on this day on becoming the longest-serving monarch of the United Kingdom and Australia. We assure Her Majesty of our respect and we extend to her and His Royal Highness Prince Philip, Duke of Edinburgh, our good wishes for their continued good health and wellbeing. However, as republicans, we want our own national identity. This debate relates to our own nation and our own people. As a democratic nation in the twenty-first century, it is time that Australians pledged loyalty to our own Australian head of state. I congratulate Her Majesty but I look forward to Australia becoming an independent republic soon.

The Hon. ROBERT BROWN [12.22 p.m.]: I add my voice to the members of this House who have spoken. I thank the Hon. Duncan Gay for moving this motion congratulating Her Majesty Queen Elizabeth II on the length of her reign. It is an outstanding example of public service. The Shooters and Fishers Party and our constituents note that when the unfortunate news came of the death of the King, Princess Elizabeth was hunting. To the best of my knowledge, the Queen probably still takes part in hunting and therefore I wish to place on record our constituents' thanks for maintaining tradition. This country was born on an Anglo-Celt tradition, but we have embraced people from all over the Earth since settlement. For those who wish to take this joyous occasion and celebration of her long public service and turn it into a constitutional debate, the message from the Shooters and Fishers Party is: Do not fix what works so very well. We wish Her Majesty good luck. Long may she reign.

Dr JOHN KAYE [12.24 p.m.]: I support the amendment of Mr David Shoebridge to this motion. I do not seek in any way to interfere with or to minimise the warm regard that members of this Parliament—indeed, members of the community—hold for Queen Elizabeth or her husband and family. That is clearly something that is felt strongly in this Chamber. However, I direct members' attention to the statement in the motion, "We assure your Majesty of our loyalty". That statement is ambiguous—loyalty to whom and to what? Mr David Shoebridge's amendment seeks to remove that ambiguity by making it clear that that loyalty is loyalty to Australia and to the people of New South Wales. It would be good if Her Majesty and indeed everybody else around Australia and the world was aware of that loyalty. If the intention of the motion is to assure Elizabeth Windsor of our loyalty to her and her institution, then I could not vote for it because I do not feel loyalty to the Queen or to the institution. Without seeking to in any way cast aspersions on the Queen personally—

The Hon. Duncan Gay: You are doing it deliberately.

Dr JOHN KAYE: I am not doing that; the Minister's interjection is inaccurate and I object to it. I am not casting aspersions on Elizabeth Windsor or on her family. I do not seek to minimise the regard in which she is held by people in this Chamber. However, my party, our members in this Parliament and a large number of Australians are not loyal to the concept of a foreign monarch. We do not understand why Australia still has a foreign monarch. The origins of that monarch are found in elitism and in a class structure entirely alien to an egalitarian society—a society that was built on a monarchy that was forged in repression and out of autocracy. Admittedly, it has evolved into a democracy, but it is well past the time that Australia grew up and had its own head of state.

I have listened to members speaking about interacting with the Queen when they were young. I

remember being excited about a visit by the Queen in the 1960s when I was six or seven years old. As one grows up I think one ought to lose one's affections for the idea of a foreign monarch and recognise that, as a sovereign nation, we should have our own head of state, chosen by Australians for Australians. I also have fundamental objections to hereditary offices. They might have worked well, in an evolutionary sense, in the thirteenth and fourteenth centuries to create a sense of stability in northern Europe, but surely we have moved beyond the idea of heredity as a way of choosing heads of state. Surely we have moved to the stage of democracy where the head of state should be democratically chosen and should represent the people over whom that person holds headship. In our case that is the people of Australia and it should be an Australian.

The Hon. ADAM SEARLE (Leader of the Opposition) [12.27 p.m.]: As I indicated in my contribution on the substantive motion, the Labor Opposition does support the recognition and honouring of the individual, the Queen, the current holder of the position of monarch. We also indicated our views about the institution and the hope that, over time, the monarch would be replaced by an Australian head of state. The amendment moved by Mr David Shoebridge makes it clear that, in honouring the present monarch, we do so not because she is the Queen of Britain but because, in a formal, legal and constitutional sense, she is the Queen of Australia.

The amendment does not take anything out of the motion that is before the House. It simply adds additional words that would make the motion more properly reflect the appropriateness of the honour being accorded to the present monarch because she is the monarch of this country under the present legal and constitutional arrangements, and not because she is the monarch of a foreign country. For those reasons, the Labor Opposition will support Mr David Shoebridge's amendment.

Mr JEREMY BUCKINGHAM [12.29 p.m.]: This afternoon I address the motion moved by the Leader of the Government. I start by stating that I concur with my colleague, Mr David Shoebridge, that the amendment he has proposed is reasonable and, as the Hon. Adam Searle said, is not actually counter to the intention of and does not lessen the original motion. That said, as a republican I still think that it is important to put on record my feelings—feelings that I think are shared by many people—about the fact that we are still a constitutional monarchy with a foreign head of state.

As someone who grew up with English grandparents who were fiercely loyal to the Queen, I acknowledge that there has been a long tradition in Australia, but it is an anachronism. It is time to move on. I remember as a child in Tasmania waiting for the Queen to get off the *Queen Elizabeth 2*, or QE2. I was waiting there to welcome her. I was very excited to see the Queen go by, but I was very disappointed that I had fallen over and got a grass stain on my white trousers. I thought the Queen would be very disappointed with me, but she just flew past.

Dr John Kaye: And she was.

Mr JEREMY BUCKINGHAM: And she was very disappointed—she did get out and tick me off. And it is not the first time I have been ticked off by a queen. I did but see her passing by but I will not love her till the day I die. It occurred to me that it was a strange state of affairs that this person who was the Queen of Australia would be arriving in a boat from another country. As so many people here do, I have ancestors that fought for king and country in the First World War and who participated in Second World War. I have ancestors who fought for the 16th Queens Lancers, the Queen's very own cavalry brigade, in the Punjab and other places. But the time has come. We are a modern nation. At the National Press Club, Mr Peter FitzSimons from the recently reinvigorated republican movement said:

In the 21st century it is against the natural order of things that a mature and sophisticated, multicultural and independent nation like Australia, proud of our egalitarianism, more than ever aware of our Indigenous heritage, should still be finding our head of state from one family of English aristocrats, living in a palace in England. Please. It is out of kilter.

No matter how many of us might admire many members of that family, including her majesty Queen Elizabeth II. We offer sincere congratulations on the fact that her majesty will shortly pass Queen Victoria as the longest-reigning British Monarch and wish her many years of reign ahead, in Britain. Britain needs reign. We do not.

...

There are more and more Republicans across the spectrum, politically, in the media, among the public, and not just in the so-called elites, but everywhere—rich man, poor man, beggar-man, thief, tinker, tailor, soldier, spy, settler, farmer's wife, on a dry and barren run, as the song goes.

... how exciting it could be, to be part of it, to have done your bit to, ten years from now, 20 years from now, 50 years from now look back upon the time when we became the Republic of Australia, and say, "I was there, I did my bit, I put my shoulder to the wheel on that historic moment in the nation's history, and helped turn that wheel forward".

Today's motion gives us an opportunity to consider that. I hope that as a nation we will become a republic with an Australian head of state. I join with the former leader of the Australian Greens, Bob Brown, in the hope that we develop our own flag to fly over the nation and do as New Zealand is doing and as Canada has done—we recognise our history but we move on and become a nation in our own right. Most Australians accept that. As we become even more a part of Asia, as we have more and more immigration derived from areas beyond Europe, I think it is important that we do that, because it will only become a more and more distant part of our history. I join with my colleagues in this and other Parliaments and say: "It is time to move to a republic. It is time to become a mature nation." I wish Liz all the best and good luck on passing the record of Queen Victoria, but I certainly hope that Australia does become a republic and becomes one soon.

The Hon. DUNCAN GAY (Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council) [12.35 p.m.], in reply: I thank all members, including those who spoke to the amendment, because I think the spirit of goodwill—with the exception of that stunt—has been evident in this Chamber. I congratulate all members. I think it is a clear acknowledgement of a respect for this woman who is the Queen of the United Kingdom and of Australia under our Constitution. I wish the amendment had not been moved, but it has. It will be defeated on the numbers. I personally requested the honourable members not to proceed with it because the motion covers their concerns.

Whether you are a republican or not, our Constitution was tested recently, and it indicated that this country believes that we should retain Queen Elizabeth as Queen of Australia. In having our loyalty to her, there is no problem—that is what we do. Moving this amendment is, frankly, just a stunt by two people who want to get their names in lights rather than acknowledge the work of someone who has given her life to the service of the Commonwealth, of which we are part, and certainly in her role as Queen of Australia. I commend the motion to the House. I indicate that the amendment will be opposed and defeated. I once again ask in decency that The Greens and the Opposition do not fall into this folly of a stunt when so many comments have been so good, as they should be, for this worthy woman.

Question—That the amendment of Mr David Shoebridge be agreed to—put.

The House divided.

Ayes, 16

Ms Barham
Mr Buckingham
Ms Cotsis

Mr Mookhey
Mr Primrose
Mr Searle

Mr Veitch
Mr Wong

Dr Faruqi
Mrs Houssos
Dr Kaye

Mr Secord
Ms Sharpe
Mr Shoebridge

Tellers,
Mr Donnelly
Mr Moselmane

Noes, 21

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

Mr Farlow
Mr Gallacher
Mr Gay
Mr Green
Mr Khan
Mr MacDonald
Mrs Maclaren-Jones
Mrs Mitchell

Reverend Nile
Mr Pearce
Mrs Taylor

Tellers,
Mr Franklin
Dr Phelps

Pair

Ms Voltz

Mr Mason-Cox

Question resolved in the negative.

Amendment of Mr David Shoebridge negatived.

Question—That the motion be agreed to—put.

The House divided.

Ayes, 34

Mr Ajaka
Mr Amato
Mr Blair
Mr Borsak
Mr Brown
Mr Clarke
Mr Colless
Ms Cotsis
Ms Cusack
Mr Donnelly
Mr Farlow
Mr Franklin

Mr Gallacher
Mr Gay
Mr Green
Mrs Houssos
Mr Khan
Mr MacDonald
Mrs Maclaren-Jones
Mr Mallard
Mrs Mitchell
Mr Mookhey
Reverend Nile
Mr Pearce

Mr Pearson
Mr Primrose
Mr Searle
Mr Secord
Ms Sharpe
Mrs Taylor
Mr Veitch
Mr Wong

Tellers,
Mr Moselmane
Dr Phelps

Noes, 5

Dr Faruqi
Dr Kaye

Mr Shoebridge
Tellers,
Ms Barham
Mr Buckingham

Question resolved in the affirmative.

Motion agreed to.

DAMS SAFETY BILL 2015

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

Motion by the Hon. Duncan Gay, on behalf of the Hon. Niall Blair, agreed to:

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

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

REAL PROPERTY AMENDMENT (ELECTRONIC CONVEYANCING) BILL 2015

Second Reading

The Hon. CATHERINE CUSACK (Parliamentary Secretary) [12.57 p.m.], on behalf of the Hon. Niall Blair: I move:

That this bill be now read a second time.

I seek leave to have the second reading speech incorporated in *Hansard*.

Leave granted.

The Real Property Amendment (Electronic Conveyancing) Bill 2015 will allow a number of important reforms in conveyancing. It will implement enhanced risk mitigation arrangements in conveyancing by introducing standard verification of identity arrangements across all conveyancing, closing the gap that currently exists for paper conveyancing. The bill will also introduce a nationally agreed priority notice as a further risk mitigation tool for the conveyancing industry.

The bill will also provide for the alignment of paper and electronic conveyancing processes allowing a single conveyancing process regardless of whether a transaction proceeds electronically or in paper. These reforms in the bill will facilitate a smooth transition between the two mediums, paper and electronic, deliver efficiency savings, and avoid additional complexity and costs to the conveyancing industry.

National electronic conveyancing commenced in New South Wales on 8 October 2013 on a limited basis, with mortgage only transactions being lodged by a few banks.

A major expansion of electronic conveyancing began on 10 November 2014 with the introduction of transfers, caveats and withdrawals of caveat to the electronic system. Adding this functionality to the system opens electronic conveyancing to solicitors and licensed conveyancers and to

additional financial institutions. Importantly, it also introduces real time electronic settlement functionality through the Reserve Bank, a world first for conveyancing systems.

Over 13,000 dealings have been successfully lodged electronically since the system commenced and its usage continues to grow steadily. There are now over 500 users registered to lodge documents electronically in New South Wales.

National electronic conveyancing introduces a number of new practices that are different to those that currently apply in paper conveyancing.

The cost and the complexity of conveyancing would increase as a result of the necessity of operating with two different processes, especially with the possibility of a solicitor or conveyancer needing to backtrack and take different steps if a transaction has to change from electronic to paper or from paper to electronic.

The need to be able to change between media will likely be common in the first few years until electronic conveyancing is widely adopted. This is because all four parties in a typical conveyancing transaction, the discharging mortgagee, vendor, purchaser and incoming mortgagee, all need to be agree and be on the electronic system for the transaction to proceed electronically.

The key reforms in this bill allow the adoption of a single conveyancing process, regardless of whether a transaction is electronic or paper or changes mid transaction. This will be achieved by introducing to paper conveyancing new practices such as verification of identity, client authorisations and standardised certifications to align with the new requirements for electronic conveyancing.

These reforms, together with the introduction of priority notices, also provide an enhanced risk mitigation framework for conveyancing generally that will benefit everyone in conveyancing. It will also facilitate the phasing out of paper certificates of title, which will become an anachronism as electronic conveyancing is adopted over the coming years.

The bill introduces a new section 12E into the Real Property Act to allow the Registrar General to make conveyancing rules that will parallel the participation rules for electronic conveyancing and apply the new practices in paper conveyancing. Those participation rules are established nationally under the Electronic Conveyancing National Law and applied consistently in each jurisdiction. The conveyancing rules will deal with matters such as the requirements for identification of clients, the use of client authorisations and standardisation of the certifications that are required on documents lodged for registration with the Registrar General.

At present in New South Wales we have formal requirements for verification of identity that apply in electronic conveyancing, we have formal requirements for a mortgagee to identify the borrower before registering a mortgage and we have formal requirements for a witness to a document identify the party whose signature is being witnessed if they have not known that person for more than 12 months.

In addition to those formal requirements, solicitors and licensed conveyancers have an informal requirement to know their client as part of professional due diligence. Under the reforms to be introduced by this bill, a single verification of identity framework will be introduced to apply the same risk mitigation practices to conveyancing generally. It is intended that the same requirements will also apply in conveyancing nationally.

As a result, practitioners will know what requirements apply regardless of the type or location of the conveyancing transaction. This standardisation of verification of identity frameworks will assist

practitioners who will have only one process to comply with. It will make conveyancing more secure for all participants, whether it is an electronic or a paper transaction, with everyone knowing what is expected of them and of the other parties.

The verification of identity requirement is for solicitors and conveyancers to take reasonable steps to verify the identity of their client. The reasonable steps regime allows practitioners the flexibility to adapt to different circumstances. What constitutes reasonable steps may vary according to the circumstances and may require the exercise of some professional judgment by practitioners.

However, if a practitioner wants to have more certainty about compliance with the requirement, there is a verification of identity standard, developed and agreed with stakeholders nationally, and anyone following that national standard is deemed to have taken reasonable steps for the purposes of complying with the verification of identity requirements.

The second of the electronic conveyancing practices to be introduced to paper conveyancing is the use of client authorisations.

A client authorisation is a document signed by the client to authorise their solicitor or conveyancer to sign conveyancing documents on their behalf. It was introduced in electronic conveyancing to allow a solicitor or conveyancer to digitally sign an electronic document on the client's behalf because it is not economical or practical for every party to a conveyancing transaction to be required to obtain digital signing credentials to sign electronic documents.

In some respects a client authorisation is similar to a power of attorney, but it is specifically distinguished from a power of attorney so that, unlike a power of attorney, it is not required to be registered prior to dealing with the land.

Accordingly, obtaining a client authorisation is an essential step in the lead up to effecting an electronic conveyancing transaction. However, particularly in the early days of electronic conveyancing, parties are unlikely to know whether all parties are participants in the electronic system so as to allow the transaction to be completed electronically.

The introduction of client authorisations in the paper, as well as the electronic environment, will allow a smooth transition between the two lodgement mediums. If a transaction has been prepared with the intention that it proceed electronically and it is subsequently discovered that it cannot, the solicitor or conveyancer will be able to rely on the existing client authorisation to proceed in the paper environment without needing to have the client come in and sign a new set of documents.

It is important to note that the client authorisation does not replace any retainer or other agreement between the solicitor or conveyancer and their client.

New sections 107 and 108 are introduced into the Real Property Act that parallel existing provisions in the Electronic Conveyancing National Law providing for the nature and effect of client authorisations as they apply in paper. Importantly, the bill also provides that a client authorisation made under the Electronic Conveyancing National Law (NSW) is effective under the Real Property Act.

The next component of the reforms contained in the bill relates to the standardisation of the certifications that are required on dealings lodged for registration under the Real Property Act, whether the dealings lodged electronically or in paper.

Currently in paper documents certifications are required by the parties as to the correctness of the transaction and by witnesses as to the identity of the person whose signature they have

witnessed.

Expanded certifications are required in electronic conveyancing relating to verification of identity having been undertaken and to the holding of a client authorisation and any other evidence required to support the transaction. These are in addition to the normal certification is to correctness.

With the introduction of verification of identity and client authorisations into paper conveyancing, the certifications will be standardised based on the national model using the certifications that are set out in the participation rules for electronic conveyancing.

The final significant reform in the bill is introduction to New South Wales of priority notices. A priority notice is a notification lodged with the Registrar General of the intended registration of specified dealings in respect of the land. The priority notice reserves the priority of the dealings set out in the notice and to that end will temporarily prevent the registration of other dealings with the subject land in order to preserve the priority of the dealings listed in the notice.

Priority notices will protect the priority of the subject dealings for a period of 60 days with a once only option of extending priority for a further 30 days should there be unexpected delays in lodging the protected dealings.

The objectives for introducing priority notices include:

- providing greater certainty to the transaction for which priority is reserved;
- alerting interested parties who search the register to the fact that an intended dealing or transaction is pending; and
- assisting in fraud prevention because details of a pending transaction will appear on a search of the register and thus increase the likelihood of a fraud being detected.

Also, while priority notices are a useful tool for conveyancing practitioners, they are also being introduced as an added safeguard that will assist in protecting parties' interests when moving towards an electronic environment and the removal of paper certificates of title.

A priority notice provides the confidence incoming parties at a settlement need to assure them that they are protected prior to registration of the transaction. This confidence is currently provided by taking possession of the certificate of title at a physical settlement.

While the lodgement of a priority notice will be optional, it is expected that parties buying a property will seek to protect their interests to the full extent possible by lodging a priority notice. Therefore the use of priority notices will become an integral consideration in prudent conveyancing practice.

The bill also includes some minor amendments including providing for the appointment and functions of a Deputy Registrar General and, for the sake of continuity, to allow a Deputy Registrar General to act in the place of the Registrar General when he or she is absent from duty.

I am pleased to support this bill and its facilitation of beneficial changes to promote efficiencies in the conveyancing industry and I commend it to the House.

[The President left the chair at 12.59 p.m. The House resumed at 2.30 p.m.]

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

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

QUESTIONS WITHOUT NOTICE

ALBERT TIBBY COTTER BRIDGE

The Hon. ADAM SEARLE: My question without notice is directed to Minister for Roads, Maritime and Freight in his own capacity and representing the Minister for Transport, the Premier and the Leader of the Government. Given that on 11 September 2013 the Minister reported to the House that the Albert Tibby Cotter walkway met all probity requirements, does he still stand by those comments? Will the Government cooperate with the Audit Office, which has indicated that it is investigating the construction costs of the structure?

The Hon. DUNCAN GAY: The answer to the first part is yes and the answer to the second part is yes, as we should.

WESTCONNEX

The Hon. GREG PEARCE: My question without notice is addressed to the Minister for Roads, Maritime and Freight. Will the Minister update the House on the major WestConnex milestone reached today?

The Hon. DUNCAN GAY: I am pleased to advise the House that the environmental impact statement [EIS] for the M4 East is now on public display and we want the community to give us feedback. Indeed, we are begging for feedback. I can also advise the House that the EIS exhibition period has been extended from 30 days to 45 days—a huge 50 per cent increase on the standard display time. Community consultation is a critical stage in the planning process and we are making the EIS as accessible as possible. It is on the Planning website and the WestConnex website. It is available at 18 different locations, particularly in the inner west, such as Ashfield, Auburn, Burwood and Strathfield. We have eight community information sessions with project experts on hand to answer any questions from the community.

We told the community that it would have a comprehensive EIS to comment on and WestConnex would undergo a robust EIS process, and that is exactly what we are doing. We are preparing supporting material to assist community members in understanding key aspects of the project and the impacts addressed in the EIS. Instead of creating hysteria over the release of the EIS, the Labor-Greens alliance would have been better off doing its homework and understanding the benefits of the project, which they supported with their election manifestos. Members opposite who are making all the noise went to the State election pledging that they would do the same as us. Let us look at the benefits. The M4 East is the first underground section of WestConnex—in fact, two-thirds of WestConnex will be built underground because we are committed to minimising land acquisitions. The M4 East will connect to a widened M4 at Homebush and extend underground in twin tunnels with three lanes in each direction for 5.5 kilometres.

The EIS shows that in 2021 traffic volumes on sections of Parramatta Road are expected to be cut by up to 53 per cent as a result of WestConnex—compared to the do-nothing scenario of The Greens. A 53 per cent reduction in traffic on what is considered the worst road in Sydney is fantastic. I wait for the applause. I am looking for Gregorian chants for a deity from members opposite. What is more, motorists will bypass 22 sets of traffic lights and, importantly, air quality assessments detailed in the EIS found that air quality will generally improve along the Parramatta Road corridor. We are building WestConnex because we know it will make Sydney a better place to live and do business. But now it is over to the community. We want the community to engage, ask plenty of questions and let us know what it thinks; and if it has legitimate concerns we are more than prepared to take them on board. [*Time expired.*]

M4 CONSTRUCTION NOISE

The Hon. WALT SECORD: My question without notice is directed to the Minister for Roads, Maritime and Freight. Given that Granville and Rosehill residents were awakened this morning at 2.00 a.m. to the loud buzz of chainsaws chopping down trees as part of the M4 project, will the Minister investigate whether the restrictions on the hours of operation and noise emissions for construction activity were adhered to?

The Hon. DUNCAN GAY: There are a few simple rules when members enter this Parliament. The first rule is not to take for granted what the Hon. Walt Secord says in the Chamber. We will check the veracity of his comments. That is the first thing to do because the member is lazy and loose with the truth, as we have seen on numerous occasions.

The Hon. Penny Sharpe: Point of order: The Leader of the Government knows full well that if he wishes to make statements about another member he should do so by way of formal notice and not take the opportunity to attack them during question time.

The PRESIDENT: Order! The remarks of the Leader of the Government were disorderly because they were reflections. I call the Leader of the Government to order for the first time.

The Hon. DUNCAN GAY: Certainly there are rules on times that construction should take place. If the community rules have been breached, we will follow up quite severely on that. We will certainly check what the situation is, but first we need to make sure of the veracity of the comments made.

The Hon. WALT SECORD: I ask a supplementary question. Will the Minister elucidate his answer in regard to the penalties for breaches of those measures?

The Hon. DUNCAN GAY: The penalties are severe and if they have been breached they will be used.

TECH SAVVY SENIORS PROGRAM

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 Government is doing to ensure more seniors are tech savvy?

The Hon. JOHN AJAKA: I thank the honourable member for his question. As members may have seen during the news last night, technology presents a whole world of opportunities for seniors. I was delighted to announce that the Baird Government has delivered another election commitment. We have signed the agreement that we will invest \$2 million over four years to turbocharge the Tech Savvy Seniors program. This expansion will see an additional 3,500 places each year added to the program.

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

The Hon. JOHN AJAKA: This increase, to be delivered in partnership with local libraries, community colleges and Telstra, will ensure that over the next four years 38,000 seniors will have access to Tech Savvy Seniors training—in other words, this Government will ensure that tens of thousands of seniors will, for the first time, be able to Skype their grandchildren, pay bills online, share photos, make purchases and even do training courses to re-enter the workforce or to learn new hobbies.

Tech Savvy Seniors is a very successful program under the Ageing Strategy. The program provides free or low-cost training through a network of community colleges and libraries to older people to become more familiar and confident with smartphones, tablets, computers and social media. I am proud

that this Government has put in place a program that has, since 2012, assisted almost 23,000 seniors to stay active and connected with their friends, their families and the community. Every time I meet students who have taken the leap of faith and started taking lessons in how to use new technology, they share with me stories of amazement and joy and tell me how the world has opened up so much thanks to these classes.

I am pleased that as part of this expansion additional culturally and linguistically diverse [CALD] courses will be offered, with new languages to be added. Also, training will be available through a number of aged care facilities, delivered directly to residents. There will be partnerships with organisations such as the Deaf Society of NSW to continue to enable more seniors to use technology in a range of ways that are accessible and increase their independence. Courses will provide trainees with the necessary skills to access online banking, and enable them to pay bills online and to buy online with confidence.

Boosting the online skills of seniors has been shown to deliver real health, social, economic and community benefit, especially for those in rural and remote areas and those from CALD communities. As members would know, until the launch of this Government's Ageing Strategy in 2012, little attention had been paid to the issue of older people and access to technology. Today things are different. This Government, together with the business community, is now devoting significant resources to digital participation initiatives for our seniors. The growing number of healthy, active and tech savvy seniors is a powerful force. Older people are a source of knowledge and expertise that, when shared, assist the social and economic development of communities.

The Government acknowledges and appreciates the contributions seniors make and is committed to doing whatever it can to remove any barriers to digital participation by older members of the community. Should people wish to enrol in a tech savvy course, I would encourage them to contact their local community college or library or visit www.telstra.com/seniors.

SYDNEY DESALINATION PLANT

Dr JOHN KAYE: My question without notice is directed to the Minister for Primary Industries, and Minister for Lands and Water. Can the Minister tell the House, given that the recent overflow event at Warragamba Dam came after a 400 gigalitre net increase in Sydney storage levels in less than three months, whether he will now review the levels of Sydney storages at which the Sydney Desalination Plant is switched on and off to avoid overflows containing water that has been pumped through the desalination plant?

The Hon. NIALL BLAIR: I thank the member for his question. It is important to understand that the rules in relation to switching on the desalination plant are covered in the Metropolitan Water Plan. A body of work is being undertaken in relation to the Hawkesbury-Nepean flood mitigation strategy, with a review underway at the moment. In relation to the review, the first stage was undertaken in 2013.

Dr John Kaye: Which review was that?

The Hon. NIALL BLAIR: The Hawkesbury-Nepean Valley flood review, which has a direct impact on the levels within Warragamba Dam. The review was undertaken in response to the New South Wales Government's first State infrastructure strategy released in December 2012 and ongoing community concerns about the flood risk. In 2014 the New South Wales Government endorsed the findings and recommendations of the 2013 Hawkesbury-Nepean Valley Flood Management Review. The Government subsequently established a task force, headed by independent chair Mark Bethwaite, to lead the next stage of the work to improve flood management and preparedness in the Hawkesbury-Nepean Valley.

The 2013 review found that the best response to flood management in the Hawkesbury-Nepean Valley will require an integrated and well-coordinated approach. There is no single option to address all of the high flood risk in this valley. The key flood issue is the ongoing management of population growth on

road evacuation capacity. The task force is developing a strategy to build the Hawkesbury-Nepean Valley community's resilience to flood risk and will report to the Government later this year. In relation to the desalination plant, the levels at which the plant is switched on are in the Metropolitan Water Plan. Dr John Kaye would know that the plant is currently shut down and is costing the Government the minimum amount possible as per the pricing structure that is independently set by the Independent Pricing and Regulatory Tribunal of New South Wales.

Dr JOHN KAYE: I ask a supplementary question. Will the Minister elucidate his answer by telling the House when the Metropolitan Water Plan will next be reviewed?

The Hon. NIALL BLAIR: I will take the question on notice and come back with an exact date rather than speculate. I do not have that information off the top of my head.

VIOLENCE AGAINST PEOPLE WITH DISABILITY

Ms JAN BARHAM: My question without notice is directed to the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism. With regard to evidence presented to the Senate inquiry into violence against people with disability in institutional settings, does the Government support the call made by people with disability, their representative organisations and advocates for a royal commission into violence against, abuse of and neglect of people with disability in Australia, an overhaul of the criminal justice system to ensure people with disability are supported in accessing the same legal protections and redress as the rest of the community, and the establishment of an independent national statutory watchdog to protect, investigate and enforce findings regarding violence against, abuse of and neglect of people with disability?

The Hon. JOHN AJAKA: I thank the member for her question. I state at the outset that there would not be a single member of this House or anyone in Australia who would condone violence against people with disability, let alone violence against any person. I cannot think of a more abhorrent act than abusing or being violent towards a person with disability. Such acts are clearly outrageous. I assure the member that much work is being undertaken in this State as well as in other States and by our Federal Government to ensure that, through the Council of Australian Governments process, safeguards are being created for all people with disability as we transition to the National Disability Insurance Scheme. Those safeguards, whether by way of advocacy services or additional resources, are imperative and will be made available.

In the meantime, Action on Disability within Ethnic Communities is ensuring that there are substantial safeguards for people with disability, in particular in the area of preventing violence. It is for this reason we have the official visitors, and it is for this reason we have the Ombudsman and the powers of the Ombudsman. If there is a report of violence towards a person with disability, made through the official visitors, the Ombudsman, the police or the other resources of the Government, it will be immediately acted upon. We will continue to work with the Federal Government and our State colleagues to ensure that appropriate safeguards are always implemented and maintained to protect people with disability.

Ms JAN BARHAM: I ask a supplementary question. Will the New South Wales Government and the Minister advocate to the Federal Government for a royal commission?

The Hon. JOHN AJAKA: I thank the honourable member for her question. I repeat that the Government and I, as Minister, will continue to work with all the States and with the Federal Government to ensure the appropriate safeguards for people with disability. If one of those measures is a royal commission, I will examine it with the other State Ministers and with the Federal Government and give it proper consideration.

COMMUNITY LANGUAGE ALLOWANCE SCHEME

The Hon. SOPHIE COTSIS: My question without notice is directed to the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism. Last week during budget estimates he said that the Community Language Allowance Scheme is under review. Who is conducting the review? Will the Minister rule out scrapping this vital program?

The Hon. Walt Secord: She's got you on the run, John.

The Hon. JOHN AJAKA: Not at all. I thank the honourable member for her question. The Government has continued funding for this vital service that is being undertaken in relation to the community language schools and as Minister I have been thanked on numerous occasions for working with them closely and for extending funding. As Minister I intend to ensure that all appropriate resources are maintained. The Government is undertaking great work in this area, providing great results and a great situation for the people of New South Wales.

PEST ANIMALS CONTROL

The Hon. RICK COLLESS: My question is addressed to the Minister for Primary Industries, and Minister for Lands and Water. Will the Minister update the House on what steps the Government is taking to manage pest animals in New South Wales?

The Hon. NIALL BLAIR: I thank the honourable member for his question. Pest animals can have a devastating impact across our State, particularly to the \$12 billion primary industries sector. Their impact can extend far beyond our agricultural sector to our rich natural environment, our communities and ultimately our State's economy. Wild dogs, feral pigs, rabbits, foxes, feral cats, carp, feral camels, wild deer and cane toads are estimated to cost Australia more than \$1 billion annually.

The New South Wales Liberal-Nationals Government is taking a far more strategic and coordinated approach towards pest animal control on both public and private land than ever before. Last week I was pleased to announce that the Natural Resources Commission [NRC] will lead an independent review to better deliver management of pest animals in New South Wales. This review will deliver on a key election commitment as part of our historic memorandum of understanding with NSW Farmers, which we signed in March this year. The review will identify future opportunities to assist and improve pest animal management across all land tenures, public and private. The NRC will travel across the State to gather on-the-ground information, which will inform recommendations to government. The review will bring together key stakeholders, technical specialists and community members to identify priority issues and any potential reforms.

The commission will identify priority pest animal issues and emerging risks, consider examples of best practice and the barriers to more effective pest animal management, evaluate opportunities to better coordinate, redirect or grow investment and management across different pest species, identify priority research needs and investigate ways to promote community ownership in pest animal management. The public will be invited to comment on an issues paper and a draft report, which are expected to be released in early 2016. This too will inform the NRC's final report and recommendations to the Government in June 2016.

The Government is also tackling the problem of pest animals on other fronts. An updated New South Wales Invasive Species Plan 2015-2022 has been released and is open for public consultation until 2 October 2015. The Government introduced a pest control order for foxes in December 2012, bringing New South Wales into line with all other States in ensuring that foxes must be controlled by landholders on their properties. Vertebrate pest research is a priority for the Government and the Department of Primary Industries [DPI] has maintained an outstanding reputation for delivering practical applied research on vertebrate pests for over 40 years. The DPI Vertebrate Pest Research Unit currently works alongside other scientists at DPI's Elizabeth Macarthur Agricultural Institute and their peers in the

Invasive Animals Cooperative Research Centre to develop smarter tools to prevent and detect new invasions of vertebrate pests.

An example of our great collaborative research is their work leading the national program to develop a new biological control for rabbits. A new strain of rabbit haemorrhagic disease virus, or calicivirus, is in the final stages of regulatory approval. Release of this new calicivirus strain will build on Australia's impressive record that began with the release of the myxomatosis virus in 1950 and was followed up with the first calicivirus release in 1995, which has delivered \$70 billion of increased agricultural productivity over the last 60 years. The Government is doing everything possible to strategically manage invasive species across our State. It is a serious issue that affects all of us—government, industry, landholders and the community.

RECREATIONAL ACTIVITIES AND HOSPITALISATION RATES

The Hon. ROBERT BORSAK: My question is directed to the Minister for Ageing, representing the Minister for Health. How many people have been admitted to hospital in the last five years for injuries sustained during or as a result of target shooting, recreational hunting, fishing, abseiling, rock climbing and bushwalking activities?

The Hon. JOHN AJAKA: I thank the honourable member for his question. He may be surprised that I do not have those exact figures to hand at the moment. As he is seeking specific facts in a range of areas, I will refer the question to the Minister for Health and come back to him.

WILLIAMTOWN LAND CONTAMINATION

The Hon. MICK VEITCH: My question without notice is directed to the Minister for Primary Industries, and Minister for Land and Water. In light of his comments yesterday that "the bores that Hunter Water uses for its water supply were not shut down because of contamination", why then were the bores shut down by Hunter Water?

The Hon. NIALL BLAIR: I thank the honourable member for his question. One of the things that we need to keep in mind is that the issue in relation to Williamtown is something that is evolving. Let me reiterate that Hunter Water, the NSW Food Authority and the Department of Primary Industries are participating in a whole-of-government response to this matter, led by the NSW Environment Protection Authority [EPA]. In the other place yesterday the Hon. Mark Speakman, the Minister for the Environment, outlined that the Government will establish, via the EPA, an expert panel chaired by the independent NSW Chief Scientist and Engineer, Professor Mary O'Kane. The expert panel will include toxicologists, a hydrologist, a science expert in lab protocols and a representative from EPA contaminated sites.

This expert panel will work with New South Wales agencies to guide project scope for further testing of risks associated with this legacy of contamination and assess advice received from the Department of Defence. It is also quite important to understand that it is an issue on which we have staff from those agencies on the ground as we speak confirming information and looking at any of those issues. As I said, this is a government response. The information at hand is something that is being confirmed at the moment. So I will take the question on notice rather than speculate and come back to the member with those reasons in relation to the bore once that information is available.

GOCUP ROAD UPGRADE

The Hon. SARAH MITCHELL: My question is addressed to the Minister for Roads, Maritime and Freight. Will the Minister update the House on the major upgrades to Gocup Road?

The Hon. DUNCAN GAY: This is an important question from a Parliamentary Secretary who represents a large part of regional New South Wales. Gocup Road is a 31-kilometre, two-lane road from

the Snowy Mountains Highway at Tumut to the Hume Highway at Gundagai. It is a key link for freight operators and motorists who are either transporting goods or travelling to Sydney and the Illawarra from the Tumut area. We are investing a whopping \$70 million into upgrading this stretch of road to improve road safety for all road users, to meet the needs of existing and future freight and to minimise future maintenance costs on this road. The road carries a large number of heavy vehicles transporting goods, mainly timber and paper products, from the Visy pulp and paper mill near Tumut to ports and metropolitan hubs such as Sydney. Upgrading this road is a necessity, not an option. The former Government failed to provide appropriate funding to upgrade this stretch—another example of Country Labor's neglect of country communities.

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

The Hon. DUNCAN GAY: Unlike Country Labor, the New South Wales Government understands that a safer road contributes to the economic and social fabric of many rural and regional communities. Freight movements become more efficient, cutting costs for local businesses and freight operators, with farmers and local residents also enjoying the flow-on benefits. Motorists can also travel with ease as a safer road means improved and more enjoyable travel. So far we have already completed road widening, realignment and intersection improvement works on two sections of Gocup Road at Minjary Creek, north of Tumut, and near the abattoir three kilometres south of Gundagai.

We have also completed the \$2.5 million works to widen the road at Meadow Creek, eight kilometres north of Tumut; the \$1.3 million works to widen and rebuild a 660 metre section south of Meadow Creek; and the \$2.1 million works to improve six kilometres of road shoulders and road alignment at Minjary Creek. In addition to what we have already completed, further widening and pavement improvement works, as well as straightening curves and improving drainage, will start next month at Quidong Corner, Smarts Road and Stuckey Creek and are expected to be completed within this financial year.

Environmental assessments and design work are progressing for the remaining sections of Gocup Road with two overtaking lanes currently in planning. Upgrading Gocup Road is vital to the expansion of the local timber industry, the growth of the local economy and improving road safety for all road users in that region. It benefits everyone, from local councils, truckies and residents to local farmers and businesses—tourists that travel in and out of that area as well. Everyone is a winner when it comes to these upgrades and in particular this road. It is a pity that it had to wait until an enlightened government for it to happen.

RURAL AND REGIONAL MENTAL HEALTH

The Hon. ROBERT BROWN: My question without notice is directed to the Minister for Ageing, representing the Minister for Health. How many suicides have there been in the last five years in rural and regional New South Wales and how does this compare with the suicide rate in metropolitan Sydney, Newcastle and Wollongong? What is the Government currently doing to address suicide and mental illness specifically in rural and regional New South Wales? What is the amount of mental health funding per capita in rural and regional New South Wales compared with that of metropolitan Sydney, Newcastle and Wollongong?

The Hon. JOHN AJAKA: I thank the honourable member for his question. It is a very good question. I will refer it to the Minister for Health. I will also seek information from the Minister for Mental Health. I will come back to the member when answers have been received from both Ministers.

WILLIAMTOWN LAND CONTAMINATION

The Hon. PENNY SHARPE: My question without notice is directed to the Minister for Primary Industries, and Minister for Lands and Water. In light of the Minister's comments yesterday that the

Government had initiated "closures of commercial fisheries, recreational fisheries and oyster harvest areas" near the Williamstown Royal Australian Air Force [RAAF] base, will you guarantee that no contaminated seafood has entered the New South Wales market?

The Hon. NIALL BLAIR: I thank the honourable member for her question. I must reiterate that the contamination at Williamstown RAAF base is a legacy contamination issue. The advice from the Environment Protection Authority [EPA] is that there are no acute toxicity issues with this contamination. The EPA is leading the New South Wales response to this issue, but the response involves input from a broad range of New South Wales Government agencies and the Department of Defence. The New South Wales Government is continuing to work constructively with all stakeholders to understand and respond to the contamination history and issues at the site.

From the outset the New South Wales Government has taken a precautionary approach to Commonwealth revelations about this contamination and has advised potentially impacted residents not to drink bore water, not to eat fish caught in the nearby area and not to eat eggs from backyard chickens that have been drinking bore water in the area. A map has been provided to inform Williamstown residents of the areas in which New South Wales Government warnings in relation to this site apply. As I outlined yesterday, staff from a number of New South Wales government agencies have also been on the ground to listen and respond to residents' concerns.

As I indicated in my earlier answer to the Hon. Mick Veitch, this is an issue that is live at the moment. There is information being gathered by our experts. I was open with that information at budget estimates last week and I will continue to be open with the information as it comes to hand from my agencies. Again, it is probably safer that I take the question on notice because there is new information coming to hand by the hour while staff are out there confirming information. I will take the specifics of the question on notice and come back once we can confirm the relevant information.

STUDENT VOLUNTEERING

The Hon. SCOTT FARLOW: My question is directed 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 promote volunteering to students?

The Hon. JOHN AJAKA: I thank the honourable member for his question. Shape Your Future NSW, an initiative of the NSW Volunteering Strategy, is a campaign that specifically recognises and celebrates volunteering of young people and encourages more students to volunteer. We know that in Australia young people who volunteer are more likely to be happy and have a greater connection to their community. Many students and young people participate in their community as volunteers, especially in their early high school years. I learned firsthand from students about the benefits of participation through volunteering at two events I attended recently. In July I visited Kirrawee High School to hear from the students about their volunteering endeavours. The children I spoke to were a credit to their school, demonstrating intelligence and integrity far beyond their years.

From an early age they recognised the benefits of volunteering not only to their community but also to their individual personal growth. Last week I visited Western Sydney University to learn more about the voluntary work of medical students. I was deeply impressed by the contribution these magnificent young people are making in our community. One of the students informed me that he had migrated recently from Lebanon, and although he was working hard after gaining access to medical school he saw the need to give back to the community and State that he has grown to love. This is the value of true volunteering. Putting aside the estimated \$5 billion worth of savings that the State economy benefits from as a result of volunteering each year, volunteering fosters a sense of community. It breaks down barriers and brings people together.

The New South Wales Government recognises the contribution that every volunteer makes

towards strengthening our society. We are especially proud of our young people who take the time to get involved in their communities in any way possible. That is why I have launched new resources to enable students to record their volunteering achievements as part of the Shape Your Future NSW campaign. I have implemented an online tool through the Board of Studies NSW for students to record and demonstrate their volunteering experience to employers. This will help students to find gainful employment after completing their schooling. This point was raised only yesterday when I attended a volunteering consultation session in Parramatta with the Parliamentary Secretary for Multiculturalism, Dr Geoff Lee, the member for Parramatta.

In addition, last week I launched a celebrating student volunteering competition in Campbelltown to encourage student volunteers to share their positive experiences through social media. I am pleased with the success of the Shape Your Future NSW program to date. By the end of August 2015, more than 4,000 students in 970 schools were involved. Students who log their volunteering time will receive a Premier's Volunteer Recognition Program certificate at the end of years 9, 10 and 11, which they can proudly promote in their curriculum vitae for the future. This campaign, as well as the contributions of those who participate in the selfless act of volunteering, will help to shape the future of New South Wales, reflecting the values and aspirations of its young citizens. I am sure every member in this Chamber is proud of these young people.

MR LARRY ANTHONY AND MINISTERIAL MEETINGS

Mr JEREMY BUCKINGHAM: My question is directed to the Minister for Roads, Maritime and Freight, representing the Premier. How many times have Ministers in this Government met with Mr Larry Anthony of SAS Consulting, whose clients include Shenhua Australia Holdings, to discuss the Watermark coalmine in the heart of the Liverpool Plains?

The Hon. DUNCAN GAY: I thank the honourable member for his question. I am disappointed slightly that a Green would try to slur a former Federal member of the Australian Parliament who served this country.

Mr Jeremy Buckingham: You are not surprised, though.

The Hon. DUNCAN GAY: Of course I am not surprised. It is the sort of low act that you perform every day. You are famous for it. You slur people's reputations in this place every day.

The PRESIDENT: Order! Mr Jeremy Buckingham will cease interjecting and the Hon. Duncan Gay will not respond to the interjections. The Minister has the call.

The Hon. DUNCAN GAY: Larry Anthony is an honourable citizen of this country who is once again, under parliamentary privilege, copping it from The Greens.

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

The Hon. DUNCAN GAY: Larry Anthony is a former Minister of this country. He is the son of a former Deputy Prime Minister. Members opposite would not know anything about this.

Mr Jeremy Buckingham: Point of order: It is relevance. My specific question was how many times Ministers had met. That is all I asked.

The Hon. Catherine Cusack: To the point of order: The member asked specifically about Larry Anthony, who is the person that the Hon. Duncan Gay is discussing. It is directly relevant. The member knows that is not a point of order. He has been pulled up for interjecting and now he is finding a different way of interrupting the Minister's answer.

The PRESIDENT: Order! The contribution by the Hon. Catherine Cusack on the point of order is in fact correct. The Minister was in order.

The Hon. DUNCAN GAY: Further to my answer, the Hon. Larry Anthony is a member of The Nationals.

The PRESIDENT: Order!

The Hon. DUNCAN GAY: The Labor Party would say, "Shame it is not Ian Macdonald or Joe Tripodi." Do not try that, fellows.

The Hon. Walt Secord: Point of order—

The PRESIDENT: Order! Is the Hon. Walt Secord seeking to take a point of order?

The Hon. Walt Secord: I was going to remind the member of Andrew Stoner.

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

The Hon. DUNCAN GAY: The Hon. Larry Anthony is a member of The Nationals. He attends National Party functions as a former member. He has been a friend to many of us over the years. We would have had numerous meetings with Larry. The Anthony family are proud sponsors of the Tweed Regional Gallery. They are patrons to their community. Ministerial diaries are published routinely and if The Greens care to have a look—

The Hon. Dr Peter Phelps: They cannot read.

The Hon. DUNCAN GAY: I doubt they can read. The diaries of members of the Opposition front bench and members of The Greens are not published so we have no idea who they have been meeting. That would be a better question.

The Hon. Penny Sharpe: Point of order: It is relevance. The specific question asked by Mr Jeremy Buckingham to the Minister was about meetings that his Government has had with the Hon. Larry Anthony, not the meetings that members of the Opposition have had.

The PRESIDENT: Order! The Minister was in order. The Minister has the call.

The Hon. DUNCAN GAY: The short answer is our diaries are published for everyone to see. Where is your diary? Who has the Hon. Peter Primrose been meeting? Who has the Hon. Walt Secord been meeting? And we would like to know who the Hon. Adam Searle has been meeting. Nobody knows. Probably no-one—and that is the problem.

The PRESIDENT: Order! The Minister will resume his seat.

The Hon. Shaoquett Moselmane: Point of order: The Minister has made a reflection on the Hon. Adam Searle, which is unparliamentary.

The PRESIDENT: Order! If a reflection was made, it was extremely mild.

The Hon. DUNCAN GAY: If I offended the Hon. Adam Searle by implying that he had not met with anyone, I am more than happy to withdraw my comment. I find it strange that The Greens would find a world renowned company such as Shenhua so offensive. They certainly did not find it offensive during the former Government when The Greens-Labor Coalition— [*Time expired.*]

Mr JEREMY BUCKINGHAM: I ask a supplementary question. Could the Minister please elucidate us about his previous answer, in which he indicated that he—or Government ministers—had had many meetings with Mr Anthony? Were those meetings in Mr Anthony's capacity as a lobbyist for Shenhua?

The Hon. DUNCAN GAY: That question is almost in order; I am happy to answer it. Indeed, it is as close as Mr Buckingham has ever got to asking an appropriate question. Had we had any meetings of the kind Mr Buckingham described they would be in our diaries, as I said earlier. Mr Buckingham probably had meetings himself, when The Greens were in coalition with the Labor Party during the last Government, when Ian Macdonald and his friends were in Cabinet and when the leader who is sitting opposite signed off on these deals. I want to see the paperwork. I want to see the diaries.

The PRESIDENT: Order! I call the Hon. Dr Peter Phelps to order for the first time. I call Mr Jeremy Buckingham to order for the first time.

WILLIAMTOWN LAND CONTAMINATION

The Hon. COURTNEY HOUSSOS: My question without notice is directed to the Minister for Primary Industries, and Minister for Lands and Water. Is the State Government considering compensation for local oyster producers whose leases have been closed due to the Government's handling of the contamination?

The Hon. NIALL BLAIR: It is very difficult to answer a question that says "due to contamination". We have oyster growers up and down this State. The question is very specific. We have had questions from Hon. Mick Veitch in relation to an incident in Botany Bay. There have been questions this week in relation to what is happening in Williamtown. I have already said that we will take it on notice and find out what is going on.

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

The Hon. NIALL BLAIR: It is difficult to answer a question without those specifics. However, if it is in relation to the matters that I have been speaking about today—similar to the question from the Hon. Penny Sharpe—I have already indicated that I will take that question on notice and come back to the House with the relevant information. The first thing we need to do is to confirm the information at hand. We have taken a precautionary approach at this stage.

The Department of Primary Industries and Fisheries are working with the oyster growers and the commercial and recreational fishers in the area, and consulting with the community to provide the relevant information. Once we confirm that information and once we understand the issue at hand, through the Environment Protection Agency [EPA] as the lead agency, the Government will provide the appropriate responses to the matter. I am not going to speculate on what those outcomes may be. That is why I am happy to take that question on notice. I also point out that it may be too early to indicate what the response may be but, as I said, I will take the question on notice.

SHARK MESHING PROGRAM

The Hon. TREVOR KHAN: My question is directed to the Minister for Primary Industries, and Minister for Lands and Water. Could the Minister update the House on how the New South Wales Government is protecting bathers at the State's most popular beaches?

The Hon. NIALL BLAIR: As the weather heats up and we all head to the beaches to cool off, the New South Wales Government has kicked off its shark-meshing program for the coming spring and summer. This program is one of the New South Wales Government's public safety measures, first introduced in 1937, to reduce the risk of shark attack at the State's most popular public bathing beaches.

Under the program, 51 beaches between Newcastle and Wollongong are netted by contractors using specially designed meshing nets to reduce the chances of shark encounters. The important program extends from 1 September to 30 April each year. While the nets cannot provide a guarantee that a shark bite will never happen they have been effective in greatly reducing the number of attacks.

The New South Wales Department of Primary Industries manages the New South Wales shark-meshing program in accordance with joint management agreements with the Office of Environment and Heritage and an associated management plan, and specialist contractors carry out the shark-meshing operations. While the New South Wales Government remains committed to its shark-meshing program we are looking at ways to reduce the impact the nets may have on other marine life. The nets are checked regularly by contractors for maintenance purposes and to see if there is any marine life—such as seals or dolphins—caught in the nets. Importantly, the nets are not in place during the majority of the whale migration season from May to August.

A number of devices are also in place on the nets to help reduce potential impacts on marine mammals. These include acoustic devices that use high-pitched sonar, known as pingers, to alert dolphins. Similarly, whale alarms specifically designed to alert whales, which respond to a lower frequency than dolphins, have also been fitted to all nets. Our beaches are amongst the safest in the world but we can always do more. That is why last month we introduced a suite of measures in response to a number of recent shark attacks along the New South Wales North Coast to help reduce the risk of further attacks. Let us not forget: the ocean is the domain of the shark. However, this Government is taking action to gain a better understanding of the local risks and how they can be reduced to help inform and protect the public.

We have committed \$250,000 for a range of activities to help reduce the risk of shark attacks, including the North Coast Local Waters Shark Tagging Project. This is in addition to the \$100,000 for an independent review to properly consider all emerging shark detection and deterrent technology. I am looking forward to learning the outcomes of the review later this month at the New South Wales shark summit, which we will be hosting here in Sydney. I am advised that the North Coast tagging program, which the Department of Primary Industries is conducting in conjunction with the CSIRO, is progressing well. In the first round of tagging, researchers have successfully tagged and released five white sharks.

I encourage all beach goers to be aware of the risks and to be shark smart. As we head into the warmer months I take the opportunity to remind everyone that people can follow some simple precautions to minimise their risks of a shark encounter. The precautions include swimming in groups; swimming between the red-and-yellow flags at patrolled beaches; telling a surf lifesaver or lifeguard if you see a shark; avoiding swimming at dawn or dusk; leaving the water if you hear the shark alarm; and watching for diving seabirds and feeding dolphins. We can continue to invest in research and learn more about this issue, and that is something this Government will continue to do.

NEWCASTLE RAIL LINE

Dr MEHREEN FARUQI: My question is directed to the Minister for Roads, Maritime and Freight, representing the Minister for Transport. My question relates to the cutting of the Newcastle rail line. Today's *Newcastle Herald* states that the Government believes the new legislation is necessary to avert a cost blow-out. Given it has been nine months since the last train service to Newcastle station, how much has the Government wasted in cost blowouts? And what are they for?

The Hon. DUNCAN GAY: I love The Greens; they lead into the question by saying "wasted in cost blowouts". The cost blowout is because we cannot start. Who is responsible for that? The Greens and Labor Party are deserting the people of Newcastle. We want to work. We want to get things happening. We put the money aside but this has been stopped, again, by The Greens. That is a simple fact. For 16 years—those opposite know what I am going to say because they know it is true—Labor were happy to do absolutely nothing for the people of Newcastle. It was the greatest rust belt ever

because the Labor Party deserted those people. Members of the Labor Party took their votes and gave them nothing. Since the early 1990s there have been more than 55 studies and reports into Newcastle transport. After years and years and dozens of reviews, as well as millions of dollars down the drain, Labor's "decisive action" was more delay, more indecision and more inaction.

In contrast, this Government actually has a vision for Newcastle and the Hunter region. Light rail is at the centre of our plan to revitalise the city, encourage development and improve urban amenity in the heart of Newcastle. The Government will be reconnecting the city to its foreshore. The city has waited long enough. We always said that we wanted to deliver the rejuvenation of the State's second city and we cannot dither around anymore. Inaction now will prevent this once-in-a-generation revitalisation from proceeding as it should. The Government is introducing this legislation to crack on with the project, which will be a game changer for Newcastle. We understand that a decision by the Supreme Court is pending, but the longer that runs the more expensive it is likely to be and the project is also likely to be delayed.

The PRESIDENT: Order! I call the Hon. Lynda Voltz to order for the first time.

The Hon. DUNCAN GAY: Without in any way intending to prejudice the decision by the Court of Appeal, this bill seeks to end the current uncertainty and ensure that the project to remove heavy rail infrastructure in Newcastle can proceed without obstacle, when required. The revitalisation of Newcastle includes a total project investment of \$460 million. The 2015-16 budget includes funding of \$103 million to continue this important project. Revitalisation will be supported through truncation of the Newcastle rail line, construction of a new transport interchange at Wickham, and delivery of light rail in the city centre. Light rail will run along the heavy rail corridor from Wickham and then shift to Hunter and Scott streets, to arrive near the beach at Pacific Park under a hybrid route. Newcastle residents and businesses said they wanted access to the waterfront, more public domain, and the option to extend light rail in the future, and the Government is giving it to them.

Dr MEHREEN FARUQI: I ask a supplementary question: Could the Minister elucidate his response and indicate to the Chamber how many of the 55 studies to which he referred recommended cutting the Newcastle rail line?

The Hon. DUNCAN GAY: There were 55 studies and as good as I am I do not have that information in front of me. But I am sure if those studies are examined in detail—the bulk of them were done by the Labor Party—they will be glossy and include at least one photograph of the then Premier, as well as one or two of his key advisers. After 16 years of glossy brochures and odd reports, nothing was done.

The Hon. Catherine Cusack: Point of order: I honestly cannot hear a word the Minister is saying because of the level of interjections.

The PRESIDENT: Order! I thank the Hon. Catherine Cusack for her point of order. The level of noise was far too high. The Minister has the call. The Minister has concluded his answer.

The Hon. DUNCAN GAY: With great regret, I indicate that the time for questions has expired. I suggest that if members have further questions, they place them on notice.

M4 CONSTRUCTION NOISE

The Hon. DUNCAN GAY: Earlier in question time I was asked a question by the Hon. Walt Secord relating to construction work on the M4. I am advised that work took place in the early hours of this morning at Martha Street, Granville, and involved tree removal as part of the M4 widening project. I am further advised that this work met the requirements under the Environment Protection Authority [EPA] licence granted and took place in an industrial area, with the nearest residential property being several hundred metres away. The work was carried out at night for the safety of workers and to reduce the

impact on commuters and road users.

As the Government has always said, as we embark on the biggest infrastructure construction program the State has ever seen, there will be periods of inconvenience for residents and road users. The Government has made no attempt to hide that. The community understands that. I understand that other night work is taking place along the corridor. Wherever there are residential properties nearby, community notifications are and should be delivered regarding the work. I also was asked by the Hon. Walt Secord about penalties that might apply, if there had been a breach of regulations. I am advised that relevant penalty details are available to the member online.

The Hon. Walt Secord: What about an apology for those slurs?

The Hon. DUNCAN GAY: The Hon. Walt Secord is a diligent local member.

The Hon. Walt Secord: The Minister should be a big man and apologise.

The Hon. DUNCAN GAY: I congratulate the Hon. Walt Secord on one of the rare occasions on which his allegation was actually true.

The Hon. Walt Secord: I will take that.

SYDNEY DESALINATION PLANT

The Hon. NIALL BLAIR: Earlier in question time Dr John Kaye asked a supplementary question in relation to when the revised Metropolitan Water Plan is due. I advise the member that the plan is due towards the end of this year.

Questions without notice concluded.

STATE ARMS, SYMBOLS AND EMBLEMS AMENDMENT (FOSSIL EMBLEM) BILL 2015

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

Motion by the Hon. Duncan Gay agreed to:

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

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

REAL PROPERTY AMENDMENT (ELECTRONIC CONVEYANCING) BILL 2015

Second Reading

Debate resumed from an earlier hour.

The Hon. PETER PRIMROSE [3.38 p.m.]: I lead on behalf of the Opposition in debate on the Real Property Amendment (Electronic Conveyancing) Bill 2015. I confirm that the Opposition will not oppose the bill and I will outline the reasons for that. Electronic conveyancing has had bipartisan support not only in New South Wales but in all jurisdictions in Australia since the 2008 Council of Australian Governments agreement that there needed to be a national e-conveyancing process. A national partnership agreement was put in place at that time. It was decided that New South Wales would take the lead in this process to establish a national standard and a national platform. Consequently, in 2010 New

South Wales collaborated with both Victoria and Queensland to form National E-Conveyancing Development Limited to develop the online platform required to deliver national e-conveyancing. That in turn led to the development of Property Exchange Australia.

Property Exchange Australia was established to help to reduce the time required to prepare instruments for lodgement, remove the need to attend settlement in person, and employ technology to greatly reduce the incidence of errors and failures in land transactions. It enabled online lodgements and property settlements in a simple, single transaction, including new mortgages, mortgage discharges, transfer of ownership, settlements, caveats and notices. When it was established it was limited to only the four major banks—initially it was only the Commonwealth Bank; then the National Australia Bank and the ANZ signed up; and Westpac jointly shortly after. The Real Property Amendment (Electronic Conveyancing) Bill 2013 allowed other industry players to come on board and participate in that process. As a result, in 2013 Property Exchange Australia began processing transfers of land and caveats as well as mortgages, including an allowance for land titles offices and registries, other banks and financial institutions, including credit unions, solicitors and conveyancers, State revenue offices and peak industry bodies such as the Australian Institute of Conveyancers and the Law Council of Australia.

As my colleague Clayton Barr, MP, raised in the other place, the only criticism we have of the current bill is: What took so long? The process has bipartisan support in every State and at the Federal level. It took 18 months for the introduction of the initial Electronic Conveyancing Adoption of National Law Bill 2012; it took another 12 months for the Real Property Amendment (Electronic Conveyancing) Bill 2013; and it took a further two years for this bill to come before the Parliament. There are nine important elements in the bill, which in essence will amend the Real Property Act 1900. The objects of the bill are:

- (i) to enable the Registrar-General to make rules (called the **conveyancing rules**) for or with respect to the preparation and lodgement of paper documents to give effect to conveyancing transactions under the Act;
- (ii) to enable a person who is involved in a conveyancing transaction under the Act to give a client authorisation to a representative to enable the representative to do things on the person's behalf in connection with the transaction;
- (iii) to consolidate and standardise the provisions of the Act concerning the certification of the correctness of certain conveyancing transactions (whether conducted in paper or electronic form);
- (iv) to provide that certain paper conveyancing documents that are required under the Act to be executed or witnessed can be certified or authenticated by such other means as may be provided by the conveyancing rules;
- (v) to enable a person who intends to lodge a dealing to give effect to a legal or equitable interest in land claimed by the person to lodge a priority notice to prevent the Registrar-General from recording certain other dealings concerning the land for a limited period pending the lodgement of the proposed dealing for registration;
- (vi) to enable the Registrar-General to cease to issue certificates of title on and from a day to be declared by the Registrar-General by order published in the Gazette and to confirm that, before that day, the Registrar-General may cease to issue certificates of title on a staged basis;
- (vii) to provide that, after certificates of title are no longer issued, the Registrar-General may rely on either paper or electronic consents for certain conveyancing transactions given by the person who is recorded in the Register as having control of the right to deal in the land concerned;

- (viii) to enable the Registrar-General to designate certain persons employed in the Public Service to be Deputy Registrars-General and to provide for their functions; and
- (ix) to enable an Australian address to be specified as an address for service in a caveat lodged under the Act.

[Interruption]

The DEPUTY-PRESIDENT (The Hon. Trevor Khan): Order! There appears to be a technical difficulty. We will stop the clock until the matter is resolved.

The Hon. PETER PRIMROSE: The Labor Opposition recognises the importance of this bill. Its content may seem to be as dry as dust, but it is a significant advance in the nature of conveyancing in New South Wales and Australia. The legislation will be beneficial. It is a great innovation in reducing red tape and, indeed, making life much easier for everyone involved in what can be a difficult and often complex time. I commend everyone involved in developing this legislation; I simply urge them to move more swiftly to implement this important initiative.

Dr JOHN KAYE [3.45 p.m.]: On behalf of The Greens I make a contribution to debate on the Real Property Amendment (Electronic Conveyancing) Bill 2015. I am sure the Parliamentary Secretary will be thrilled to know that The Greens also do not oppose the legislation. As the Hon. Peter Primrose said, this bill is the next step towards a fully electronic form of conveyancing, which got underway in 2013 with only mortgagee transactions; since then it has slowly spread towards the ultimate goal of eliminating paper certificates of title and allowing transactions to happen electronically. There are economic, social, individual and environmental benefits to moving away from paper transactions and towards electronic transactions. The environmental benefits are clear—reducing the use of paper will have a long-term benefit on reducing the use of native forests and the amount of waste that is generated.

The bill allows for a smooth transition from paper to electronic and then electronic back to paper. It will align current paper transactions to better fit electronic transactions and is a critical step in the transition to completely electronic transactions. It reduces the need to go back to the beginning and increase costs on conveyancers who find that for some reason they need to change from one mode to another. The specifics of the legislation were ably outlined in the Minister's second reading speech and also by the Hon. Peter Primrose. To a person not transacting a property conveyance the bill will seem boring and irrelevant. But the minute one gets involved in transacting property one understands the enormous amount of paperwork involved, so making it possible to do everything online is a great advance.

The Hon. Peter Primrose raised the issue of the bill having taken too long to come before Parliament. There may be some truth in what he says. On the other hand—and I imagine the Parliamentary Secretary will address this in her reply—it is critical that any changes are well tested and appropriate to the task. The consequences of an error in this legislation would be widespread and expensive—both in transactions and potentially for individuals. We all want this to happen quickly, we all want the conveyancing system to join the twenty-first century and, more importantly, we all want this to lead to other transactions being done in a paperless fashion, but we do not want to get it wrong. Indeed, the penalties for getting it wrong are so great that I do not think it appropriate to put pressure on the Government over time. It would be good if the Parliamentary Secretary could give us an indication of the timetable from November 2014 onwards. And is there any anticipation of what the next step may be?

When I was a young man I went to the bank twice a month to cash my salary. I was very excited when I got my first cheque account. I have not written a cheque for five years, and probably will never write one again. I have not been inside a bank for about three years, and doubt I will need to do so for many years to come. I regret the impact that this will have on employment in the banking sector but I

recognise that this is the twenty-first century. We need to generate jobs in new areas to compensate for those areas being supplanted by automation and information and communication technology. We would be foolish not to move rapidly towards streamlining all commercial and legal processes via the electronic world to reduce costs and the burden on the environment, and to expedite processes and create export opportunities by being a leading jurisdiction in the world.

The DEPUTY-PRESIDENT (The Hon. Trevor Khan): I inform the House that advice has been received that due to a technical abnormality feedback was broadcast through the emergency warning intercommunication system, which caused the earlier interruption to debate.

The Hon. PAUL GREEN [3.51 p.m.]: I speak in debate on the Real Property Amendment (Electronic Conveyancing) Bill 2015. This bill will facilitate the implementation of electronic conveyancing by aligning paper and electronic conveyancing processes. The alignment of paper and electronic conveyancing processes will facilitate a smooth transition between the two mediums, deliver efficiency savings and avoid complexity and costs to the conveyancing industry. The bill builds on e-conveyancing reforms legislated in New South Wales in 2013 and 2014. I acknowledge the Hon. Greg Pearce who played a major part in this. On 8 October 2013 national electronic conveyancing [NEC] commenced in New South Wales, conducting mortgage only transactions. On 10 November 2014 the second release of electronic conveyancing expanded the range of functions to include transfers, caveats and withdrawals of caveat and opened electronic conveyancing to solicitors, conveyancers and additional financial institutions.

National electronic conveyancing introduces a number of new national practices which are different to those that currently apply in paper conveyancing and those differences may impede adoption of electronic conveyancing due to the costs and inefficiencies inherent in operating with two different processes. The bill introduces a number of significant reforms, including the alignment of electronic and paper conveyancing processes, thus reducing the complexity of dealing with concurrent paper and electronic systems; standardised identity verification measures in line with uniform national standards, to strengthen fraud prevention and minimise inconsistencies between state jurisdictions; and optional priority notices, which transacting parties can lodge to temporarily prevent registration of other dealings and notify interested third parties searching the register of a pending dealing or transaction. The proposals are being introduced with broad industry support following a public consultation process. This bill will help to bring conveyancing in New South Wales into the digital age. I note the comments of Minister Perrottet that:

Over 13,000 dealings have been successfully lodged electronically since the e-conveyancing system commenced in New South Wales and its usage continues to grow. These additional reforms will deliver efficiency savings for conveyancers, further reduce the complexity of the conveyancing process, and provide better fraud-mitigation protections for the people of New South Wales.

The bill also supports the long-term goal of phasing out paper certificates of title in New South Wales. These proposals were the subject of public consultation, with a paper released on 22 May 2014. Responses were received from major stakeholders in the conveyancing industry, including the Law Society of NSW, the Australian Institute of Conveyancers NSW Division, the Australian Bankers' Association, the Mortgage and Finance Association of Australia, and the Australian Finance Conference. All stakeholders supported the proposals; no respondent to the consultation objected to them.

The Christian Democratic Party understands that a staged implementation timeline is to be developed with industry representative bodies, and we will be following the feedback on this process. Concerns were raised about the costs, fees and charges of electronic conveyancing. It is our hope that there will be downward pressure on fees. The issue of fraud was also raised. We note methods such as target hardening, which makes it harder to defraud the system. The Christian Democratic Party commends the bill to the House.

The Hon. GREG PEARCE [3.55 p.m.]: I support the Real Property Amendment (Electronic Conveyancing) Bill 2015. As other members have noted, including the Hon. Peter Primrose, this has been quite a long process but is a bipartisan one. As a federation we occasionally need to deal with change to pursue productivity gains, make cost savings and improve the nation's competitiveness. The reforms in this bill are designed to give security to our property ownership, transfer and mortgage system, which is vital to our economy and home ownership. It is also vital to ensuring that we have as foolproof a system as is possible. It is therefore no surprise that this legislation is being implemented with the utmost care and precision.

I had the privilege of introducing the adoption of the Electronic Conveyancing National Law in October 2012. In that process New South Wales took the lead by introducing legislation which allowed electronic conveyancing. The legislation being considered today is part of the process of implementing a very complex and important set of reforms. When complex legislation such as this is brought before the House it is often the case that some fine-tuning is required. That is partly what we are doing today—as we did with the workers compensation reform a couple of weeks ago. It is important to see this bill in the context of our federation; it is not just a question of individual property ownership. When I introduced the national law it was just over 150 years since the last enormous property law change—namely, the introduction of the Torrens law system, one of the great contributions of South Australia.

The Hon. Dr Peter Phelps: One of the few great contributions of South Australia.

The Hon. GREG PEARCE: I was not going to say that. It was an important change, and it was 150 years later that we came to make a further momentous change. That emphasises the importance of our property ownership system. We are a federation and we have to recognise that from time to time we need to make changes that reflect modernisation and contribute to our competitiveness as a nation and to productivity and innovation. Other issues are being looked at, one of which is tax reform and in that context the GST. The Premier, the Hon. Mike Baird, has been brave in moving forward and raising the issue of GST and tax reform. Other issues that continue to be important in terms of the reform agenda include workplace relations. In the context of both our own State security and leadership in reform, New South Wales led the reform processes with the introduction of legislation in 2012 to allow for a national system in electronic conveyancing. New South Wales is also a leader in other areas, such as the debate on changes to the GST and taxation. This legislation is a good step for New South Wales to take and I support it enthusiastically.

The Hon. CATHERINE CUSACK (Parliamentary Secretary) [4.01 p.m.], on behalf of the Hon. Niall Blair, in reply: I thank the Hon. Peter Primrose, Dr John Kaye, the Hon. Paul Green and the Hon. Greg Pearce for their contributions and I commend the Real Property Amendment (Electronic Conveyancing) Bill 2015 to the House.

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

Motion agreed to.

Bill read a second time.

Leave granted to proceed to third reading of the bill forthwith.

Third Reading

Motion by the Hon. Catherine Cusack, on behalf of the Hon. Niall Blair, agreed to:

That this bill be now read a third time.

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

HEALTH SERVICES AMENDMENT (AMBULANCE SERVICES) BILL 2015

Second Reading

The Hon. SARAH MITCHELL (Parliamentary Secretary) [4.02 p.m.], on behalf of the Hon. John Ajaka: I move:

That this bill be now read a second time.

I seek leave to have the second reading speech incorporated in *Hansard*.

Leave granted.

I am pleased to bring before the House the Health Services Amendment (Ambulance Services) Bill 2015. The bill makes amendments to the Health Services Act 1997 to better delineate emergency services provided by the Ambulance Service of NSW, as well as recognising a role for private sector and non-government organisations in providing non-emergency transport for patients.

Supported non-emergency transport [SNET] arises outside of emergency situations. It is required where a patient needs medical or other clinical oversight or monitoring during their transportation but does not require urgent transport to a health facility. This can arise in transfers between hospitals and transport to or from a hospital for particular procedures or tests.

Use of ambulance services and vehicles designed to respond to emergency situations is an inefficient use of high cost specialist emergency services, which can in turn impact on the efficiency of the service.

Levels of training and equipment and other vehicle requirements will also be different when responding to an emergency. This also highlights the inefficiency of using emergency vehicles in non-emergency situations.

At present, however, there is no distinction in the legislation between emergency transport and non-emergency transport that simply requires clinical support. This bill is designed to address these issues.

The changes proposed, which support a better delineation of services, are not new. They follow on from the strategic review of the Ambulance Service of NSW, conducted by Mr Brendan O'Reilly.

They also reflect the 2012 Ambulance Reform Plan, which included utilising private providers for existing and future non-emergency transportation, requiring revision of the current legislative prohibition.

Two of the key objectives of the plan were:

- Establishing non-emergency patient transport as a separate service from the urgent, emergency service provided by the NSW Ambulance Service; and
- Engaging a range of providers including community, existing ambulance green fleet, local health district transport services and private providers to provide existing and future non-emergency patient transport services.

This bill makes changes to support both of those objectives.

At present, the Health Services Act contains no definition of "emergency" or "supported transport". It simply sets out a prohibition for any person other than the NSW Ambulance Service to provide transport for sick or injured persons for fee or reward.

Providers can only do so if they are recognised in the Act or in regulations under the Act, or where the Secretary has given a specific approval.

The amendments in the bill will retain this prohibition, but confine it to emergency services.

To this end, the bill contains a new definition of "emergency ambulance services" that is focussed on urgent situations where immediate medical attention is required. Under the changes, the restrictions outlined above will continue to apply to these critical situations and support the NSW Ambulance Service's essential emergency role.

The bill will also introduce a definition of "supported non-emergency transport". The definition of "supported transport" covers situations where there is no urgent need for medical assistance but where a person or patient requires transport that includes clinical monitoring or oversight due to their illness or other condition.

These services will no longer be covered by the prohibition but will be subject to legislative oversight to support safe and appropriate care, as necessary.

In addition, by clearly defining these two types of services where medical, paramedical or other clinical oversight is required, the changes to the Act will also make clear that that other forms of more generic transport—such as community transport services—will not be caught by the prohibitions or requirements of the Health Services Act.

The definitions have been carefully developed to ensure they reflect appropriate levels of regulation between emergency, supported and general community transport and are based on legislation already in place in Victoria.

In this regard, the bill adds new sections designed to provide light touch regulation of supported transport.

Substantial patient protections for non-emergency transport are already in place in New South Wales. These robust minimum requirements for current providers are set out in a public policy directive. Compliance with the policy directive is mandatory for NSW Health agencies and organisations and is a component of contractual arrangements with providers.

The policy directive is publicly available on the internet and it details the care required to be provided for the different types of patients being transported.

These requirements will apply to future providers engaged by NSW Health.

Organisations providing supported transport will be obliged to ensure vehicles are equipped appropriately to provide safe transport for the different types of patients being transported.

They will also be required to ensure that clinical care and monitoring is provided in a manner that ensures patient safety.

Similarly, hospitals, aged-care facilities or other organisations which contract or engage service

providers to supply supported transport will also be obliged to assure themselves the transport provided is safe and appropriate in order to meet their contractual arrangements.

The legislation is also designed to rely, where possible, on existing processes and requirements that are already in place to maintain appropriate standards for supported transport.

These include general transport safety standards and requirements under State and Commonwealth law and, where the service is being provided under arrangements with NSW Health, detailed standards and specifications are set contractually.

It is important to note, however, that New South Wales does not currently have a well-established market for supported transport, and so the bill anticipates standards being assured through other mechanisms.

These will be developed through further consultation with the community, health service providers, aged-care providers and supported transport providers. This will include, for example, consulting with private health facilities on existing standards under the Private Health Facilities Act to determine if additional safeguards are required or if current standards need revision.

Consultation will also occur on whether more specific regulations are needed, for example, in respect of maintenance of vehicles, equipment, or training and accreditation of staff.

In keeping with the light touch approach adopted in the bill, while the Ministry of Health will consult on the need for additional regulations, these will only be adopted if a regulatory gap is identified.

The bill includes strong new enforcement powers. The health secretary will be able to make an order prohibiting providers who breach statutory requirements from continuing to provide such services. The Secretary will also be able to place conditions on such service providers. It will be an offence for a person to provide SNET in contravention of the prohibition order.

I commend the bill to the House.

The Hon. WALT SECORD (Deputy Leader of the Opposition) [4.03 p.m.]: As the Deputy Leader of the Opposition and shadow Minister for Health I lead for Labor on the Health Services Amendment (Ambulance Services) Bill 2015. This bill does nothing to fix the crisis engulfing the New South Wales health and hospital system. It does nothing to fix the bed block crisis or the lengthy blowout in elective surgery waiting times. It does nothing to help the 83-year-old pensioner at Abbotsford lying on the pavement in the baking sun, waiting for an ambulance for almost three hours. This bill does nothing to fix ambulances lined up at Liverpool, Gosford and Wyong hospitals unable to dispatch patients. It does nothing to support doctors, nurses or paramedics struggling with a record 628,525 patients who presented at the State's 85 emergency departments during the months of April to June 2015. It does nothing to support the 27 per cent of patients who waited for more than four hours in our emergency departments during that period. It does nothing to support the 31,426 patients who waited up to 12 hours in emergency departments in that period.

These are not my figures; they are from the independent Bureau of Health Information. The bill does nothing to help almost half of all emergency patients at the Nepean, Blacktown, Westmead, Liverpool and Wollongong hospitals who waited more than four hours for treatment. It does nothing to help the police officers who are forced to look after sick patients during periods of resource shortages. Police are reporting that the NSW Ambulance Service is decreasing priority of calls where police are at the scene, leaving police officers to attend to gravely ill patients or attempting to restrain mentally ill unwell patients for long periods. I will now turn to the specifics of the bill before the House.

The DEPUTY-PRESIDENT (The Hon. Trevor Khan): Order! I have obtained a copy of the bill and looked at the long title. I recognise that wide latitude is extended during a second reading debate.

The Hon. WALT SECORD: I was giving context.

The DEPUTY-PRESIDENT (The Hon. Trevor Khan): I understand that, but I observe that the member has gone outside the long title of the bill.

The Hon. WALT SECORD: To the specifics of the bill before the House, Labor will be taking a two-pronged approach to the bill. Labor will be opposing the Health Services Amendment (Ambulance Services) Bill 2015. However, as we believe the Government will be pushing through with the legislation, we will be moving amendments to try to introduce clinical standards and protocols that will protect patients. We will be opposing the bill because it opens our ambulance services to privatisation by the Liberal-Nationals Government.

On 27 August, after weeks of denials, the health Minister, when speaking at the Committee for Economic Development of Australia in Sydney, conceded that privatisation of ambulance services was being considered. That was the first time the Minister acknowledged that this bill was a precursor to the Baird Government privatising patient transfers. Those opposite claim that our opposition to this bill is based on ideology but there are many reasons to oppose the bill. The bill is silent on the safeguards and standards of patients or clinical protocols for private operators. Let us be clear, this bill allows for the privatised transport of ambulance patients but at no point does it specifically set out any standards for patient care during the privatised transport. Any patient, any parent or member of our community can understand the risks that play in that equation.

Governments in Victoria certainly understood this. In Victoria the service was privatised, which saw widespread community concern about patient safety during the Kennett era in the late 1990s. A royal commission was established into the botched privatisation of ambulance services in Victoria. The royal commission found that an ambulance dispatch company was guilty of illegal activity and even breached the Trade Practices Act. The private company had fudged response times to ensure that the public never knew the bad state of its delivery service. It was a sad case of profits before patients. Yet this is the model that the health Minister, the Hon. Jillian Skinner, wants to emulate in New South Wales.

This House has spent a lot of time and energy on the plight of the Ambulance Service of NSW—at least this side of the House has. It seems that all we have been doing in the past 10 months is debating the Baird Government's failures and policies on the ambulance service. That being said, I will not re-cavass the Government's failures involving the ambulance service. They are on the public record and are stated every day. On 26 August the Health Services Amendment (Paramedics) Bill 2015 was debated in this place. On 1 September at budget estimates the health Minister admitted that the Government is now reviewing the triage system of the Ambulance Service of NSW. That was after the 21 August incident involving the 83-year-old pensioner who laid in the baking sun at Abbotsford.

Also at budget estimates Dr Kerry Chant, Chief Health Officer and Deputy Secretary, Population and Public Health, NSW Ministry of Health, gave an extensive response about the review process and the workings of the reference group that the Minister was forced to convene. I eagerly await the recommendations. The bill before us today arrives with some context and we should briefly touch on what the Government describes as "reform." In October 2014 the Baird Government passed bills to put draconian debt collection measures on the tiny 3 per cent of people who were unable to pay ambulance fees. It set up a system for unpaid ambulance debts by transferring the responsibility of collecting outstanding fees to the Office of State Revenue and the State Debt Recovery Office.

The Hon. John Ajaka: Point of order: I understand that wide latitude is granted in a second reading debate but the honourable member is now going well outside the long title of the bill. I ask that he return to the leave of the bill. The member was given latitude at the beginning of his speech but I ask that

he now move to the specifics of the long title of the bill.

The DEPUTY-PRESIDENT (The Hon. Trevor Khan): Order! I have a copy of the bill and I have been listening to the Hon. Walt Secord. The member can proceed at this stage. However, I note that he is sailing close to the wind.

The Hon. WALT SECORD: I could speak for hours on the plight of ambulance services, paramedics, bed block and patients under this Minister, but I will return to the bill. The Health Services Amendment (Ambulance Services) Bill 2015 makes amendments to the Health Services Act 1997 to separate emergency services provided by the Ambulance Service of NSW. It also claims to create a new role for private sector and non-government organisations to provide non-emergency transport for patients between hospitals. The Minister stated that the objects of the Health Services Amendment (Ambulance Services) Bill 2015 are:

- (a) to make it lawful for non-government organisations and private operators to provide supported non-emergency transport (that is, transport for sick and injured persons to or from hospitals or other places where those persons can obtain medical services) for fee or reward without the consent of the Secretary of the Ministry of Health, subject to certain requirements, and
- (b) to prohibit emergency ambulance services (rather than all transport for sick or injured persons, as at present) from being provided by non-government organisations and private operators for fee or reward without the consent of the health secretary.

It all sounds benign, but behind this Orwellian doublespeak on 5 August the Health Minister detailed her map for sending the ambulance service down the road of privatisation. We know it is on the cards. A number of private companies already have expressed their desire to get into this market. They are circling. I will have more to say on that later. To assist them, the Minister's bill conveniently establishes non-emergency patient transport as a separate service to engage a range of providers, including community transport services, the existing ambulance green fleet, local health district transport services and private operators to provide existing and future non-emergency patient transport services.

As it currently stands, the Health Services Act does not contain a definition of "emergency" or "supported transport". It simply imposes a prohibition on any operator other than the Ambulance Service of NSW providing transport for sick or injured persons for fee or reward. Providers can do so only if they are recognised in the Act or in regulations under the Act, or where the Secretary of the Ministry of Health has given a specific approval. The amendments in the bill retain this prohibition but confine it to emergency services. To achieve this, the bill contains a new definition of "emergency ambulance services", which focuses on urgent situations where immediate medical attention is required.

The bill also introduces a new definition of "supported non-emergency transport". The definition of "supported transport" covers situations where there is no urgent need for medical assistance but where a person or patient requires transport that includes clinical monitoring or oversight due to their illness or other condition. These services will no longer be covered by the prohibition. When we look at why such a prohibition exists and has existed for generations, we see the risk that the Minister is taking with patient care. Why does any government start its ambulance regulations by prohibiting at law the private transport of sick or injured persons? The answer is clear: Because such a practice would be, and has proved to be in the past, rank with exploitation and risk to the most vulnerable in our community.

The unique needs and risks of the situations in which such transport occurs mean that letting the free market run was never an option. Generations of governments of both persuasions have understood this. They have understood that the protection of vulnerable patients must trump all other concerns in regards to ambulance management—until now. For the first time in generations, the Minister wants to define some ill and vulnerable patients out of that very protection. Let us be clear, this loss of protection is

not based on how sick or injured the patient is, but on how fast the ambulance is moving. In her second reading speech, the Minister claimed that the new stream of "supported non-emergency transport" would be "subject to legislative oversight to support safe and appropriate care", but nowhere in her speech did she detail it or spell it out. Therefore, I seek clarification from the Parliamentary Secretary representing the Minister in this Chamber in her reply speech.

Given the matters I have raised, it is no surprise that there has been no consultation on the bill with the various health sector bodies. The Health Services Union [HSU] advised that they were briefed on the bill after the second reading by the health Minister. The surprise nature of the bill and the lack of consultation give rise to further concerns about the Government's motives. If this is real reform that will make services better for families and communities, then the Government should state the case. It has not, then that is very telling. I will now place on record the HSU's concerns about the bill. On 6 August the union wrote:

Firstly, that the standards required of private patient transport providers mentioned in the Minister's Second Reading speech are yet to be formulated ...

Secondly, they have concerns about Section 67FA which allows for the private provider and the entity seeking their services to assess and determine whether they meet the regulatory standard (whatever it may be). Only once an operator has been proven to breach regulatory requirements may the health secretary disallow them from providing the service.

Any operator who wishes to provide private patient transport should be assessed by the Health Department first and then regularly monitored by a compliance system.

This is particularly important because not all private operators will necessarily interact with the Public Health System.

Thirdly, section 67FB allows the Health department an exemption from the regulatory standards imposed by the amendment bill which would in theory allow the public health system to ignore the Government's regulation.

And finally, the bill is silent on the issue of the provision of Clinical support in patient transport. The HSU has serious concerns about the standard of clinical staff who might be employed to undertake transport only as opposed to the hospital trained clinical staff, who now accompany those in supported patient transport.

The amendment bill or regulation should require clinical transport to be undertaken by hospital staff accompanying the patient.

I concur with these concerns mainly because they would have been self-evident to the Minister in drawing up the bill. Even our health Minister would understand that this is a fundamental change to the protection that is currently afforded our ambulance patients. Even she would understand that deleting this protection, based on how fast the ambulance is moving, is a huge risk to patients, families and communities. The fact that she has failed to address those risks in the bill shows that this is yet another example of failed reform by a government more concerned about private contractors than patient care. Accordingly, Labor will be moving amendments and if they are unsuccessful we will be opposing the Health Services Amendment (Ambulance Services) Bill 2015. I thank the House for its consideration.

The Hon. PAUL GREEN [4.17 p.m.]: On behalf of the Christian Democratic Party I speak to the Health Services Amendment (Ambulance Services) Bill 2015. The bill proposes to amend the Health Services Act to make it lawful for non-NSW Health organisations to provide supported non-emergency transport [SNET] for fee or reward without the consent of the Secretary of the Ministry of Health. The Health Services Act prevents private ambulance providers transporting sick or injured persons for fee or

reward without the Secretary's consent. Under the proposal, this prohibition will be limited to emergency ambulance services, thereby allowing private operators to provide SNET services. The bill separates the provisions for emergency ambulance services and supported non-emergency transport. Supported non-emergency transport is defined as:

... a service (other than an emergency ambulance service) that provides transport to sick and injured persons to or from hospitals or other places where those persons can obtain medical services ...

Under the bill, the SNET providers and people who engage those providers to transport patients are obliged to ensure that the vehicles used to provide the transport are equipped in a manner that ensures patient safety. Providers must also ensure clinical care or monitoring is undertaken during patient transport. Penalties are included in the bill to protect the public from providers who do not meet those standards.

A number of patient deterioration protocols are associated with the bill. The NSW Health Services specifications state that a medical practitioner or a registered nurse must assess a patient as being clinically stable for transfer and at low risk of deterioration during transfer. Any public or private provider engaged through the centralised booking service must have protocols in place to escalate to an emergency ambulance in the event of patient deterioration. The bill also contains a prohibition power whereby the health secretary can prohibit a person from providing supported transport or put in place such conditions as required to ensure public safety if a provider breaches the requirements under the Act. I understand that similar legislation for a supported non-emergency transport scheme has existed in Victoria for several years. The Minister for Health stated in the other place:

The bill also introduces a definition of "supported non-emergency transport". The definition of "supported transport" covers situations where there is no urgent need for medical assistance but where a person or a patient requires transport that includes clinical monitoring or oversight due to their illness or other condition. These services will no longer be covered by the prohibition but will be subject to legislative oversight to support safe and appropriate care, as necessary.

The Minister further stated:

In addition, by clearly defining these two types of services where medical, paramedical or other clinical oversight are required, the amendments also make clear that other forms of more generic transport—such as community transport services—will not be caught up by the prohibitions or requirements of the Health Services Act.

The Hon. Walt Secord has mentioned the serious concerns of the Health Services Union, including profit-driven outcomes. The Health Services Union feels that the bill will pave the way for larger portions of the system being provided by private for-profit operators. The union also suggests that any operator who wishes to provide patient transport should first be assessed by the Health department and then regularly monitored by a compliance system. This is particularly important because not all private operators will interact with the public health system. Another concern listed by the union is the standard of clinical support in patient transport. The bill should require clinical transport to be undertaken by hospital staff accompanying the patient.

Another concern was that it was not able to see the regulations that show how the system works, such as certification of the driver and those looking after the care of patients and policing or compliance issues surrounding fixed-wing aircraft, pilots, nurses and doctors, et cetera. We have asked the Minister to provide answers to those concerns. My office has received information from the Minister's policy adviser stating that a claim was made by us on behalf of the union about the Health Services Amendment (Ambulance Services) Bill and patient safety. One incorrect claim is that there are no protocols in place to protect patients. This was addressed in addition to the requirements outlined in the NSW Health policy

directive for supported non-emergency transport providers and engagers.

The regime leverages off existing regulatory frameworks to ensure patient safety, such as supported non-emergency transport operators that contract with a public health organisation or the health secretary are required to comply with vehicle and patient safety standards as part of that arrangement; the private health facility licensing scheme has existing requirements relating to appropriate discharge and patient transfer policies; and operators are subject to existing requirements relating to the transportation of passengers, including vehicle maintenance and driver accreditation.

In addition, the bill contains a regulation-making power whereby the health secretary can impose further standards, known as prescribed standards, with which supported non-emergency transport operators must comply. As is currently the case, a medical practitioner or a registered nurse must assess a patient as being clinically stable for transfer and at low risk of deterioration during such transfers. The Christian Democratic Party is content that the Government has answered its concerns and those of the Health Services Union. We commend the bill to the House.

The DEPUTY-PRESIDENT (The Hon. Trevor Khan): Order! I remind the Hon. Walt Secord that he is already on two calls to order.

The Hon. SOPHIE COTSIS [4.26 p.m.]: I speak in opposition to the Health Services Amendment (Ambulance Services) Bill 2015. The bill allows for non-government organisations to provide non-emergency patient transport services. We have heard from our hardworking shadow Minister for Health, the Hon. Walt Secord, who has the Minister for Health on the run on this issue and many others. Not only is he relentless, he is holding the Government to account every day.

The Hon. John Ajaka: Point of order: My point of order is relevance. The Hon. Sophie Cotsis is not addressing the long title of the bill. Also, if the member wants to make imputations against a Minister in the other House she can do so by way of substantive motion.

The DEPUTY-PRESIDENT (The Hon. Trevor Khan): Order! I uphold the point of order.

The Hon. SOPHIE COTSIS: The Hon. Walt Secord is doing a fantastic job, with many members of the Labor Party in this place—

The DEPUTY-PRESIDENT (The Hon. Trevor Khan): Order! The Hon. Sophie Cotsis is now cavilling with my ruling. The member will debate the bill before the House, not give a reference for the Hon. Walt Secord.

The Hon. SOPHIE COTSIS: This is an important debate because we have a crisis. The bill allows for non-government organisations to provide non-emergency patient transport services. We know what happened in Victoria. The bill creates two definitions: one for "emergency ambulance services" and one for "supported non-emergency transport". The bill enables the emergency ambulance services to be undertaken by a non-government organisation if consent is given by the health secretary. The bill allows for the private provision of transport services in New South Wales between hospitals. This is an ideological decision being driven by the Coalition, which is determined to privatise key aspects of our health system. The bill creates the opportunity for the Ambulance Service to be open to privatisation. Currently, patient transport services are run under NSW Health by non-emergency patient transport, which works in collaboration with the Ambulance Service of NSW. This service was privatised in Victoria but in the long term has been found to be more expensive.

In New South Wales non-emergency patient transport services run a centralised booking and dispatch service for the transportation of patients between hospitals, rehabilitation services and other healthcare providers. Some non-emergency transport services are provided by the non-government sector such as the Royal Flying Doctors, but they are operated on a non-profit basis. The overwhelming

bulk of patient transport in New South Wales is government run. The Minister for Health, in her second reading speech in the other place, went to great lengths to say that regulations would be put in place to ensure that the standards are met by private patient transport providers. However, the Minister did not reveal them. There has been no consultation with stakeholders. One of the key stakeholders is the Health Services Union, which covers paramedics. That union was told about the bill after its introduction.

This bill will do nothing to address the pressure that ambulance services are under because of the Coalition budget cuts. We see this pressure every single day under this Government. There are stories every day about people having to wait—and it is getting worse, particularly in some of our regional and rural areas. Across the State, the Liberals' health budget cuts are putting paramedics under strain and patients at risk. With a shortage of beds in hospitals, ambulances get stuck waiting to drop off their patients, potentially delaying their ability to get to the next emergency.

Recently an 83-year-old woman waited more than three hours for assistance in Sydney. That incident followed a number of other major disruptions involving ambulance services, including ambulances waiting 13 deep at Liverpool Hospital; ambulances waiting 11 deep at Wyong and Gosford hospitals; St George Hospital placed on bypass due to bed block; 9 May, a 43-minute delay for a two-year-old from Bobs Farm near Newcastle—almost four times the acceptable time limit; 9 July, death of a 70-year-old Hurstville man following a 31-minute delay in responding to the emergency; the 21 July resignation of the Ambulance Service of NSW chief executive officer Ray Creen, who had been head of the service for only two years and returning to South Australia; widespread bed block in Sydney and Central West hospitals, where ambulances were lined up in emergency departments to dispatch patients; and an increase in medium ambulance response times in New South Wales from 9.5 minutes in 2005-06 to almost 11 minutes in 2014—two minutes longer than in Queensland, Australian Capital Territory, Northern Territory, Western Australia and South Australia.

I note a report from ABC Central West NSW on 23 July 2015 in which the HSU's western councillor Craig Parsons stated that most ambulance officers in the State's Central West are working up to 12 hours straight without meal breaks. I am the duty member for the electorates of Bathurst, Orange and Dubbo. I am extremely concerned to hear these reports from the Central West. Mr Parsons told the ABC that up to six ambulances at a time had been lining up at Bathurst hospital's emergency department. He correctly noted:

It's a bit hard when you have five or six ambulances lined up at a hospital and three of them are from outlying centres waiting to offload patients and then three of them are from the local station such as Bathurst, waiting to offload the patients.

He said further:

It means there's no ambulances around in Bathurst to back up the smaller centres, and those smaller centres get left uncovered because of it.

If the Government is serious about this it should support the shadow Minister's amendments. Members should read some of the history of this issue and look at what happened in Victoria. According to the shadow Minister's press release of 12 July, the privatisation of the ambulance service in Victoria under Liberal Premier Jeff Kennett in the 1990s resulted in patient safety problems. It states:

Subsequently, a Royal Commission into the ambulance service was held and found the widespread manipulation of response times.

Furthermore, we are concerned about the lack of detail in this bill on the safety or clinical protocols for private operators. We do not support this bill and urge members to support our proposed amendments. This is critical, particularly at a time when the Government has cut \$3 billion from the Health budget. It is particularly critical, in the Central West and other regional and rural areas.

The Hon. ERNEST WONG [4.33 p.m.]: I join my Labor colleagues in opposing the Health Services Amendment (Ambulance Services) Bill 2015. The bill amends the Health Services Act 1997 to separate emergency services provided by the Ambulance Service of NSW and creates a new role for private sector and non-government organisations to provide non-emergency transport for patients between hospitals. The objects of the Health Services Amendment (Ambulance Services) Bill 2015 are to make it lawful for non-government organisations and private operators to provide supported non-emergency transport—transport for sick and injured persons to or from hospitals and other places where those persons can obtain medical services—for fee or reward without the consent of the Secretary of the Ministry of Health, subject to certain requirements; and to prohibit emergency ambulance services—rather than all transport for sick or injured persons—from being provided by non-government organisations and private operators for fee or reward without the consent of the health secretary.

As my colleague the Hon. Walt Secord has noted, Labor will be opposing the bill. Having listened to the arguments he has presented, the Opposition case is abundantly clear. This bill proposes changes to longstanding principles and practices regarding transport and treatment of patients. Those changes are fraught with risk in the short term and present even greater risk in the long term, by opening the door to wholesale privatisation of our ambulance services. Members opposite—and, indeed, many members of the community—at first glance may say so what? They could point out that in the past three decades governments of all persuasions have privatised many services previously thought to be the province of government. That is true. But rather than strengthen the argument for privatisation of ambulance services, this fact only highlights the good reasons why both sides of politics to date have ruled such privatisation out.

From banks to airlines, hospitals and lotteries, governments in Australia and across the world have embraced privatisation of many public services. But exceptions remain and those exceptions occur where there is a critical public health or safety reason. Transport of sick and vulnerable patients is one of those exceptions. Why is that? As the Hon. Walt Secord said, it is to prevent commercial exploitation of sick or injured people. Generations of governments of both sides of politics have understood this. The current Act imposes a prohibition on any operator other than the Ambulance Service of NSW providing transport for sick or injured persons for fee or reward. The longstanding precedence of this is clearly the result of a continuous desire for patient protection above all else. The bill wants to put a loophole in that protection. It seeks to establish non-emergency patient transport as a separate service.

Transporting the sick or injured in a less urgent manner is not an ambulance service, yet the bill acknowledges that these patients will still require clinical monitoring or oversight. Let us be clear. The loophole that this House is being asked to pass, against longstanding precedent, is not based on the fact that the patients are less sick, that their care needs are less critical or that carers are less specialised in their knowledge and skill; it is based on the fact that their vehicle does not need to travel as fast. As the Hon. Walt Secord said, the dividing line between patients who are still protected by the prohibition in this Act, versus those who will no longer be, is not based on how sick or injured the patients are, but on how fast the ambulance moves.

Many families and communities will regard that sort of "reform" with great scepticism, and as the bill is silent on the safeguards and standards for patients that scepticism will turn to outright concern. Any member of our community can understand that. Families in Victoria do. We have the benefit of their experience on this issue, yet this Government seems determined not to heed it. It is not surprising then that health, ambulance and carer support bodies are concerned about the bill. The Health Services Union was briefed only after the bill's first reading, which shows just how little coal-face input the Government sought. Basically, it sought none. That should give families and communities even more to be sceptical of.

Our paramedics are consistently voted the most trusted profession in the country. If there was one profession where the Government should seek on-the-ground feedback on its proposed reforms then

surely this is it. The fact that the Government did not trust the views of this most trusted profession really raises questions about its motive. If creating a better ambulance service was the real aim, then the Government would work with paramedics and make its case to New South Wales communities. The Government has not done that. The Government's case is based on ideology, not solid policy argument. Labor will not take away longstanding patient protections simply for the sake of ideology or a Minister's whim. Accordingly, Labor will oppose the Health Services Amendment (Ambulance Services) Bill 2015. I thank the House for its consideration.

The Hon. DANIEL MOOKHEY [4.39 p.m.]: Labor's shadow Minister for Health, the Hon. Walt Secord, has explained Labor's opposition to the Health Services Amendment (Ambulance Services) Bill 2015. His contribution to this debate was as erudite as we have come to expect from him. I commend him for his contribution. I pay tribute to my Labor colleagues who also spoke during the debate, the Hon. Ernest Wong and the Hon. Sophie Cotsis, both of whom set out in detail the reasons for Labor's opposition to the bill. Against that background, I will keep my contribution to this debate brief. The Hon. Walt Secord said that this bill is the likely first step in the Government's plan to privatise the Ambulance Service of NSW and referred to the deleterious effect that will have on ambulance services in New South Wales. The Hon. Walt Secord explained why the current New South Wales Government—or any New South Wales government—would be wise to avoid those effects.

Members who doubt the contentions advanced by the Hon. Walt Secord should read the bill. It has a clear and transparent regulatory framework that permits letting work currently provided by the green ambulance service, such as inter-hospital patient transport as well as blood and medical equipment transport, to private for-profit providers. The bill also has an opaque regulatory framework that allows the Minister for Health to go further. The framework allows the Government to privatise large swathes of the health transport task, including many of the trips currently undertaken by the ambulance service such as the non-emergency trips that it currently undertakes. Absent from the bill is any guidance in relation to standards to which private operators should be subject, if any, and what standards, if any, private operators should pass. What public interest requirements must be satisfied before private operators can do the work that currently is done by the green ambulance branch of the Ambulance Service of NSW?

The bill leaves it to the Minister to set those standards by regulation. But then, bizarrely, new sections 67FA and 67FB in item [4] of schedule 1 to the bill leave it to the operators to assess for themselves whether the standard set by the Minister has indeed been passed. Other parts of the bill provide that it is only after an operator has been proven to have breached regulatory requirements that the health secretary may disallow that operator from continuing to provide a service. Other jurisdictions have experimented with similar sieve-type regulatory frameworks that are replete with loopholes through which public standards leak. Members have referred to the Victorian experience during the Kennett era. The Kennett Government privatised Victoria's ambulance service and let to the market. The very same transport task as the one contemplated by this bill, with the same lack of regulatory safeguards. It was a leave-it-to-the-market, leave-it-to-the-operator approach. The result was a rolling crisis replete with media stories, whistleblower accounts and cover-ups that cumulatively created a crisis of confidence in the Victorian ambulance service.

The end result was a royal commission undertaken by the Bracks Labor Government, chaired by Mr Lex Lasry, QC. In the 2001 "Report of the Metropolitan Ambulance Service Royal Commission" the commission found that a combination of bad laws and bad contracts, which were not able to be scrutinised at law, created an environment in which a private operator had enough incentives to game the system by fraudulently distorting the measurement of response times and by faking and answering distress calls to trigger higher payments that were available under their contract. The royal commission also found that the applicable supervisory structure, which is similar to the supervisory structure contemplated by this bill, was not adequate to, firstly, prevent wrongdoing and, secondly, detect wrongdoing—let alone punish wrongdoing—so that wrongdoing does not happen again

The Government may well say, "That was then and this is now." The Government may well say,

"We will write a better contract." The Government might even say that the level of experience of private operators is greater now than it was in 2001, as is the level of public scrutiny. But those reasons are not sufficiently persuasive, let alone sufficiently sophisticated, to oust the formulation of regulatory safeguards. If the New South Wales Parliament passes this bill without those safeguards, the New South Wales Parliament is deliberately choosing to ignore the Victorian experience, to ignore the royal commission of inquiry into the Victorian experience, and to ignore common sense. This Parliament should be wiser than that.

The Hon. SHAOQUETT MOSELMANE [4.44 p.m.]: As has been well articulated by the Deputy Leader of the Opposition in the Legislative Council and shadow Minister for Health, the Hon. Walt Secord, Labor will oppose the Health Services Amendment (Ambulance Services) Bill 2015. It is clear that the Baird Government is continuing its ideologically driven privatisation policy by allowing for private transport services between hospitals in New South Wales to be privatised. This legislation is the first step in this Government's agenda of continued privatisation of public sector services. The Government needs to get on with the job of strengthening the health sector by increased investment in infrastructure and minimisation of the risk of tragedy befalling the State's most sick and vulnerable people.

New South Wales experienced a bed-block crisis with ambulances and paramedics lined up outside hospital emergency departments. That was a real shame for this Government as well as a sad day for the people of New South Wales. It is completely outrageous for the number one State to be failing to provide its citizens with the most basic services. Who would have thought there could be an ambulance crisis in New South Wales? Who would have thought that the New South Wales health system would falter and reach crisis point? It is time for the Baird Government to accept the existence of a crisis—a crisis that the Government should move to address immediately. If the Government cannot fix the problem, it is time for the Minister for Health to go. The Government cannot blame the patients and the paramedics. The Government has accused patients of presenting at hospitals with ingrown toenails, which is desperation stakes. How ridiculous has this Government become?

As the shadow Minister for Health has said, the Baird Government also resorts to trickery by changing ambulance response times and categories. The Government cannot get away with that. During question time, the Leader of the Opposition in the Legislative Assembly raised Labor's concerns about category 1 responses to emergencies by ambulances. The response by the Minister for Health confirmed that the Government is reviewing its category 1 classifications. The Premier must intervene and overturn the reclassification by the Minister for Health of those serious emergencies. The system needs support, not empty ideologically driven changes that do nothing to help the people of New South Wales. It is time the Baird Government stopped blaming patients and instead got to the source of the problems within the health and hospital systems. Sadly, the crisis persists while the Government continues to fail the people of New South Wales.

I pay tribute to our State ambulance workers for their tireless commitment to the people of New South Wales. Our Ambulance Service personnel are highly skilled health professionals who provide emergency health services to sick and injured people with utmost care. They are often called upon to perform complex health procedures and interventions, including emergency medical assessments, lifesaving resuscitation and defibrillation, the administration of drugs of addiction such as morphine, and manage complex burns or spinal injuries. Furthermore they put their lives at risk with the perils of driving gigantic vehicles at high speeds as they try to save lives while consoling friends, relatives and loved ones of the patient. We can see the hectic workplace environment in which ambulance workers routinely find themselves.

Instead of introducing private vehicles into the ambulance fleet in the hope that things will improve, the Government should invest in the purchase of more ambulances. Keeping our health assets in public hands is a must. The systematic plan of privatisation of all things public is short-sighted and foolish. Once a public sector service is gone, it is gone for good.

The Hon. COURTNEY HOUSSOS [4.48 p.m.]: I begin my contribution to debate on the Health Services Amendment (Ambulance Services) Bill 2015 by commending my colleague the shadow Minister for Health, the Hon. Walt Secord, for his unrelenting advocacy for the people of New South Wales. His work, which has highlighted the neglect of the New South Wales health system by this Government—in spite of the best efforts of our State's healthcare professionals—shows that he would be a very capable and diligent health Minister. As the Hon. Sophie Cotsis observed earlier, he certainly has the current Minister on the run.

But I turn my attention to the bill at hand. The Health Services Amendment (Ambulance Services) Bill 2015 seeks to split patient transport services into two categories, paving the way for the partial privatisation of our State's ambulances. This bill should be seen as yet another iteration of this Government's obsessive preoccupation with selling off well-run State services and transferring them to profit-seeking corporations. It is a glimpse of the health Minister's privatisation agenda for health care in this State. This bill effectively separates emergency and non-emergency patient transport services and invites private companies to profit from the non-emergency services, which are currently State-run. At present the NSW Health Department's Non-Emergency Patient Transport, or NEPT, service operates the State's commonly sighted green ambulances that transport patients between hospitals, rehabilitation services or other healthcare providers.

This bill puts those services up for sale, and further bestows upon the Secretary of NSW Health the power to approve emergency ambulance services to be undertaken by private operators. It is yet another illustration of the Government putting profits and its bottom line ahead of the health needs of this State. In this debate I am reminded of the many contributions made just a few weeks ago in this Chamber during debate on the Health Services Amendment (Paramedics) Bill 2015. We heard of shocking ambulance response times throughout the State, upwards of half an hour, largely because of the bed-block crisis brought about by this Government. And instead of addressing the issue of bed block, where paramedics are forced to queue outside hospital emergency rooms sometimes for hours with sick patients, the Government offers up a bill to privatise ambulances. Instead of focusing on the calls for more funding for our hospitals, it has offered up a bill to transfer our ambulances to profit-seeking companies.

It is an illustration of the Government's contempt when it comes to health spending and, as I said before, its preoccupation with privatisation for privatisation's sake. The Minister for Health in her second reading speech spent some time saying that there would be regulations around this privatisation plan to ensure that standards were maintained by private patient transport providers. But, of course, no details of these regulations have been released so we are just meant to hope and trust that that is the case. When it comes to ambulance services in this State—transporting patients in need of health care—we in the Labor Party are not satisfied with leaving proper standards to hope and trust. Indeed, if the intended regulatory standards were considered satisfactory by the Government, I am sure we would have heard much more about them by now.

But, more broadly, I am concerned that this bill is the start of an agenda that would see the universality of our health system watered down. Of course, we know that one of the cornerstones of our healthcare system is free admission to hospitals and the health system. As the cornerstone, this allows everyone in New South Wales, and indeed Australia, to have their health needs attended to without being worried about how much money they have in their back pocket. And we should remember free universal health care is a gift from the Labor Party that is always under threat from Coalition governments, which, just like in this bill, have an obsession with privatising health services, making it harder for people to access the health care they need.

And it is not just Labor members who oppose these changes, which is no surprise, considering the Government did not even bother consulting stakeholders before drawing up the bill. The Health Services Union, which represents the tireless and dedicated workers who will be affected by this change, strongly opposes these profit-driven outcomes. I will proudly be voting against this bill and supporting our

State's fantastic healthcare workers.

Mr JEREMY BUCKINGHAM [4.53 p.m.]: This afternoon I speak on the Health Services Amendment (Ambulance Services) Bill 2015, and state at the outset that The Greens cannot support this bill.

The Hon. Dr Peter Phelps: Yes, you can.

Mr JEREMY BUCKINGHAM: We cannot and will not support the bill because we believe it is an erosion of a fundamental duty of the State to provide adequate health care to the people of New South Wales. A policy of privatising core services in the health sector was not taken to the people of New South Wales at the State election. Nothing is more fundamental to the people of New South Wales than that they will receive the best possible care when they are transferred between healthcare facilities, regardless of whether it is an emergency, the patient is critical or the patient has another category of ailment. The object of the bill is:

... to make it lawful for non-government organisations and private operators to provide supported non-emergency transport (that is, transport for sick and injured persons, to or from hospitals or other places where those persons can obtain medical services) for fee or reward without the consent of the Secretary of the Ministry of Health, subject to certain requirements.

The words "for fee" are the problem. The principal concern of a private operator will undoubtedly be the profit they will make from providing the service, and in terms of providing that service a private operator will have all kinds of competing interests—for example, maintaining a contract. Who will ensure that at all times during the transfer the patient in the ambulance is getting the best possible care? Most people do not know what standards of care they should be receiving; there is nothing in the bill about oversight and accountability. Even if the bill did contain provisions relating to oversight and accountability, The Greens do not believe it is necessary. I am concerned about the patient deterioration protocols contained in the bill. This is a fundamental point. The Minister's briefing note states:

The NSW health services specifications state that a medical practitioner or registered nurse must assess a patient as being clinically stable for transfer and at low risk of deterioration during transfer.

We already know that the NSW Ambulance Service is under enormous pressure. A medical person may decide that a patient must be transferred immediately, although they may or may not be low risk, simply because the service is under pressure. That could be significant because the bill acknowledges that a patient could deteriorate.

Any public or private provider engaged through the centralised booking service must have protocols in place to escalate to an emergency ambulance in the event of patient deterioration.

The key point is that that will happen. In the coming hours, days, weeks or months, a patient in a green ambulance will deteriorate and potentially die; or his situation will become much worse and the level of care provided in the green ambulance is not as good as that in the red ambulance, as it were. Patients will not receive the necessary care simply because the Government is looking to cut corners, privatise the health system and introduce an ideological view that it should not be providing these core services. It is a creeping death in this sector.

I join with Labor members in voicing concern that this is a creep of privatisation of core services that the Government did not take to the election. Inevitably, a patient assessed as low risk and being transferred in a green ambulance will deteriorate, perhaps because they were misdiagnosed. Because the level of care is not up to standard they may have an adverse health outcome, and that is utterly unnecessary. This has not been taken to the community and when things go bad—as inevitably they will

because they are in a terrible state now—the Minister will have to wear it.

The Hon. Walt Secord: It will be worse.

Mr JEREMY BUCKINGHAM: It will be worse. Just this week the Premier announced \$1.6 billion for a back-of-a-coaster upgrade of some sports stadiums—pull some down, put a roof on some et cetera—from the funds realised from the electricity privatisation. This money will be thrown at the big end of town—the National Rugby League, News Limited, the Sydney Cricket and Sports Ground Trust—while the Ambulance Service is in crisis. We will see a deterioration of services and creeping privatisation in this sector. The Greens utterly oppose this. As other members have said, this neoliberal agenda is creeping into an area that does not deserve it. We believe The Greens must accept responsibility for providing quality public healthcare services.

Dr John Kaye: The Government, not The Greens.

Mr JEREMY BUCKINGHAM: I acknowledge the interjection of Dr John Kaye. We would take responsibility; the Government must take responsibility. This legislation is a retrograde step. We will support all the Labor amendments that put in place—

The Hon. Ben Franklin: There's a shock.

Mr JEREMY BUCKINGHAM: No, it is not. Amendments that put in place reasonable safeguards. I believe this legislation, if it passes, could lead to the downfall of the Minister for Health because private providers will quickly cut corners to turn a profit at the expense of patients in a healthcare system that is already under pressure. Patient deterioration protocols acknowledge that there must be protocols for transferring a patient to a red ambulance when patients should have been in a red ambulance from the get-go. The Greens utterly oppose this bill and will support Labor's amendments.

The Hon. CATHERINE CUSACK (Parliamentary Secretary) [5.02 p.m.]: I was told time and again by voters when I was doorknocking in the recent election campaign that Labor is not ready. Labor has not done its homework. Labor does not understand the concept of other people's money. They said there is no way they would support the Labor Party, much less the reckless Greens.

The Hon. Shaoquett Moselmane: Point of order: I know the member has latitude, but she is not speaking to the long title of the bill.

DEPUTY-PRESIDENT (The Hon. Paul Green): Order! There is no point of order.

The Hon. CATHERINE CUSACK: Anybody in doubt as to whether voters got it right at the last election ought to read the *Hansard* of this debate. It is a long time since I have heard such arrant nonsense, rubbish and pig stupidity as has been apparent in many of the statements made today by those opposite. I will come back to some of those flaws later. I remind members of the objects of the Health Services Amendment (Ambulance Services) Bill 2015. It amends the Health Services Act 1997 to better define the emergency services provided by the Ambulance Service of NSW and to recognise a role for private sector and non-government organisations in providing non-emergency transport for patients. Nowhere in the comments of those opposite was there recognition that this legislation is about preserving and protecting the emergency role of our ambulances by dealing differently with non-emergencies.

Mr Jeremy Buckingham: What happens to non-emergencies?

The Hon. CATHERINE CUSACK: I will come to you. These amendments support the essential emergency response role of the Ambulance Service of NSW by providing a distinction between emergency services and non-emergency transport services. Those opposite whinge about things like bed block, which concerns everybody greatly. Bed block is when ambulances queue up for hours trying to get

patients into hospital. Why can patients not get into hospital? It is because beds need to be freed up before patients can be admitted. Why can we not free up beds? It is because there are no ambulances to take patients home as they are queued up at the hospital. What is the solution?

Mr Jeremy Buckingham: Get rid of your Government.

The Hon. CATHERINE CUSACK: The Government is giving the solution to that problem. Those opposite say they want to reduce bed block; this legislation will help to reduce bed block. They say they want ambulances available more quickly in emergencies; this legislation will preserve and enhance the role of ambulances. Last weekend a footballer waited 38 minutes for an ambulance. Why did he wait so long? It is because that ambulance was conducting out-of-area non-essential services. This Government is trying to put in place a system that enables non-emergency services to be addressed differently so ambulances are available for emergency services. Those opposite have no concept of other people's money. They do not realise that if resources are managed better that frees up money needed to be put into more services and better delivery of services. They say this policy was not taken to the election. This is exactly the policy we took to the election and it is being delivered in legislation like this.

A few years ago, when my oldest son, Josh, was quite young he was attending school mass in a church across the road from Ballina hospital. The boys came out of church and discovered a hornets' nest in the garden, which they poked with a stick. Inevitably, Josh was stung and then went into anaphylactic shock. It was very fortunate that there was a doctor at the church to assist my son. She rang for an ambulance. The ambulance attended and took him over the road to the hospital. It was interesting that we received a bill for that service of more than \$900. That hit home for us how expensive this standing capacity is. Of course it costs money, because these vehicles are manned by highly specialised people and are fitted out with equipment to meet all different emergencies.

Mr Jeremy Buckingham: Except when they are not.

The Hon. CATHERINE CUSACK: That is why they are so expensive. That capability is not needed to transport a patient from Byron Bay to Lismore to attend a doctor's appointment. That level of capital cost and expertise should not be detained at the expense of emergencies. This legislation provides a framework for better servicing emergency services and patients. Nothing could be more logical and rational than to free up funds to reinvest in better services. That is exactly the policy this Government took to the last election and that we are delivering on in this legislation.

The bill defines "supported non-emergency transport" and "emergency ambulance services". Supported non-emergency transport occurs when a patient needs medical or other clinical oversight or monitoring during their transportation but does not require urgent transport to a health facility. I remind the House that these services are scheduled patient transport services, not emergency services prompted by a 000 telephone call. Examples of this may include transfers between hospitals, and transport to or from a hospital for particular procedures or tests. In the Northern Rivers region, a reasonably diverse area of hamlet-type dwellings and very poor public transport, we are spending too much money on this type of transport. This kind of reform is needed in the interest of providing better service and freeing up more resources for more services.

The reforms introduced by this bill are necessary to recognise the role of private and community operators in the supported transport market in New South Wales. The amendments also make clear that other forms of more generic transport—such as community transport services—will not be caught by the prohibitions or requirements of the Health Services Act. Under the existing provisions of the Health Services Act, it is prohibited to transport sick or injured persons for fee or reward without the consent of the Health secretary. The bill retains the prohibition on transporting sick or injured persons for fee or reward but limits it to emergency ambulance services. This, in effect, will mean that the Ambulance Service of NSW will continue to be responsible for the vast majority of urgent patient transport and the Health secretary will retain a capacity to approve other emergency ambulance services as appropriate.

Under the bill, both supported transport providers and those who engage supported transport providers must ensure that vehicles or other methods of transportation used to provide supported transport are equipped in a manner that ensures patient safety. Additionally, all supported transport providers must comply with the relevant passenger transport requirements for vehicle maintenance and road rules. It is nonsense to say that nobody has been consulted. That is a downright lie. Those opposite are placing absolute rubbish on the record.

The Government is engaging in a targeted consultation process with relevant stakeholders, including primary health service providers, aged-care providers, private health facilities, paramedic associations and supported transport providers, to understand the need for and scope of any prescribed supported transport standards, as provided for in the regulation-making power of the bill. The idea that this legislation has somehow popped out of the sky and shocked and amazed everybody is an absolute fiction and fantasy. It must be remembered that supported transport providers have always had the opportunity to apply for the Health secretary's consent to provide transport of sick or injured persons for fee or reward. Over the years these applications have been few and, consequently, the market for supported transport in New South Wales has not been established.

New South Wales is not the first State to enact such legislation. Victoria has had similar legislation for supported non-emergency transport for several years and it is not in the process of reversing that legislation. I note that, for all the pompous, pious, misleading statements and scare campaigns seeking to be run, those opposite have not said they are going to reverse this reform. They are so irresponsible in the way they attempt to scare people and the way they propose no alternatives. Those opposite do not have any suggestions as to how to address the bed block and delays. The Government has come forward with an eminently sensible, funded proposal. Members opposite criticise it as a dreadful proposal but they do not say what they are going to do.

The Hon. Walt Secord: What about the poor man who waited 38 minutes at Murwillumbah?

The Hon. CATHERINE CUSACK: I ask the member opposite: Are you going reverse this policy?

The Hon. Sarah Mitchell: Point of order: I am having difficulty hearing the contribution from the Hon. Catherine Cusack because of the large number of interjections.

DEPUTY-PRESIDENT (The Hon. Paul Green): Order! The member will be heard in silence.

The Hon. CATHERINE CUSACK: Having listened to this appalling drivel, I have not heard one word about what Labor is going to do if, God forbid, it is elected to government. I challenge Labor members opposite to say whether they will reverse this reform. Unless they are willing to stand up and say they are going to reverse this reform, everything else they have said about this is disingenuous. They do not mean it. They know it is nonsense. There is an element of irresponsibility and silliness in this, but at the end of the day those opposite know that it is the right thing for the Government to do. They are making it as hard as they possibly can for the Government to do the right thing but they are not willing to back up their statements by saying they will reverse this policy if elected. They will not say that because they are not genuine on this issue.

Dr JOHN KAYE [5.12 p.m.]: I support the remarks of Mr Jeremy Buckingham on the Health Services Amendment (Ambulance Services) Bill 2015. This legislation is based on a series of logical flaws. It is supported by a barrage of propaganda and it is doomed to deliver, in the long run, reduced quality health care to the people of the New South Wales. There is nothing desirable about this legislation. Further, it is a breach of an election promise because, put simply, the Minister was asked time and again: Will you privatise the health service? And she answered no. This, along with the Northern Beaches Hospital—

The Hon. Walt Secord: And Rouse Hill.

Dr JOHN KAYE: Rouse Hill, the Lower Hunter and Byron Central. This is the next step on from hospitals and into ambulance care for the neoliberal ideology of the Liberal-Nationals in their desire to drive the public sector into the ground and to bring their mates in the private sector in to make a killing at the expense of low-income households across New South Wales. It is a dystopic view of New South Wales and should not be allowed to go ahead. Previous speakers have used language that is soothing and calming—this is only about freeing up resources, it is about better allocating existing ambulances, and it is about looking after other people's money.

The Hon. Walt Secord: That was not us.

Dr JOHN KAYE: No, it was not.

The Hon. Shaoquett Moselmane: I was asleep.

Dr JOHN KAYE: I note the interjection of the Opposition Whip that he was asleep and he has saved himself an injury by being so. All those terms are pure propaganda and spin to disguise the real intent of this bill, which is to make the poor people who end up paying ambulance fees—in the first instance for non-emergency transport but in the long run for emergencies—to pay for the profits of the Government's mates. They will move in like vultures and take over the Ambulance Service and run it at a great profit, at the expense—

The Hon. Dr Peter Phelps: Why do you hate profit?

Dr JOHN KAYE: I do hate profit when it comes out of the pockets of people who have to use these services. The Government Whip should know that when government starts putting its hands in the back pockets of those people who can least afford it in order to prop up the profits of its mates, then we have truly hit rock bottom. This legislation comes dangerously close to the very bottom level of legislation ever seen in this Chamber. It is very clear what this legislation is about. It is not about freeing up resources. It is about reducing the size of the public sector and handing over critical, non-avoidable functions to the private sector. It is about forcing people who need to be transported between healthcare facilities, in a non-emergency fashion at first instance, into the hands of the profit-making private sector. It is about privatisation of the worst kind; it is about forcing people out of the public sector.

The Hon. Dr Peter Phelps: What is privatisation of the best kind?

Dr JOHN KAYE: I acknowledge the interjection. Privatisation of the best kind would be to see the Government Whip moved off the public purse and into the private purse. The logical flaw in the arguments supporting this legislation is that, in some way, it is going to free up ambulances to do more emergency work. That seems to be the underlying spin behind this. It will not do that. We know from every other privatisation service that happens that it will be a transfer of function out of the public sector into the private sector, with no compensatory increase in emergency use in the public sector. It will simply be a run-down of ambulance services that are provided by the public sector. The Government says it is about better use of resources but in reality it is about taking money out of the pockets of those who can least afford to pay.

The Hon. Catherine Cusack spoke about not having a good understanding of other people's money. Those of us who support strong public sector provision have a very fine grasp of what is other people's money. We know that handing over critical services, such as non-emergency patient transport in the first instance and in the longer run all ambulance services, will not put the hands of government into the back pockets of low-income households but the hands of the private sector. There will be no more rapacious usurer of people without the capacity to pay than those who come from the private sector, driven by a huge profit motive.

This legislation has no redeeming features. I note the Opposition's amendments to the bill. As the Opposition spokesperson said on radio this morning, and as Mr Jeremy Buckingham has said this afternoon, they are purely a fall-back measure. The far preferable outcome would be that this legislation is sent where it belongs—into the recycling bin. It has no useful purpose. If the Government wanted to fix bed block, the under-capacity of ambulances and the appallingly long periods that people wait to get into ambulances it would do the one thing that is needed: put real money back into the Ambulance Service. The Government must recognise that our emergency services workers, our responders, our ambulance drivers and operators are genuine, quality professionals, who are highly trained, highly educated and unbelievably dedicated to the work they do.

But every single time governments deny them the resources and the time to do the work that they are committed to doing. Before coming to this place the Deputy-President worked as a nurse in a public hospital so he knows well what I am talking about. Indeed, everyone who has been to a public hospital knows well the dedication of our professionals—ambulance drivers, doctors, nurses or ward staff—and their collective sense of commitment. But it is critical for that commitment to be translated into reducing bed block and waiting times for ambulances. We need more ambulances, more employees, better rostering, fairer shiftwork and a fairer application of resources to ensure that there are enough people, machines and appliances to be there when they are needed. There is no other solution. Privatising part of the service will not help; it will make matters worse. This legislation is beneath contempt. It should be defeated.

The Hon. SARAH MITCHELL (Parliamentary Secretary) [5.20 p.m.], on behalf of the Hon. John Ajaka, in reply: I thank all members who have made a contribution to debate on the Health Services Amendment (Ambulance Services) Bill 2015. The bill will amend the Health Services Act to remove the prohibition on transporting sick or injured patients for fee or reward without the secretary's consent for supported non-emergency transport. In accordance with the strategic direction identified by the 2012 ambulance reform, the bill makes it lawful for private and non-government supported non-emergency transport providers to meet the ever-increasing demand for non-emergency patient transport—work that historically has been provided by our New South Wales green fleet and local health district patient transport units, but also our emergency ambulance red fleet. This bill is designed to free up the capacity of our emergency fleet to respond to critically ill patients.

Supported non-emergency transport is required when a patient needs clinical oversight or monitoring during their transportation but does not require urgent transport to a health facility. Use of ambulance red fleet vehicles and resources in non-emergency situations is an inefficient use of high-cost specialist services. These reforms are necessary to ensure that our emergency paramedics can focus on responding to life-threatening situations. The bill clearly delineates between emergency and supported non-emergency transports. To that end, the bill introduces a new definition of "emergency ambulance services" and "supported non-emergency transport". These definitions are consistent with legislation already in place in Victoria.

The bill obliges both supported transport providers and those who engage providers to ensure that the vehicle is equipped in a manner that ensures patient safety. Similarly, the bill will require providers and those who engage providers to ensure that clinical care and monitoring provided during the transport ensures patient safety. There is a range of existing regulatory frameworks that will apply to supported non-emergency patient transport, including vehicle maintenance and registration requirements in passenger transport legislation and driver licensing requirements. Any supported transport provider who engages with the NSW Health hubs will have to comply with detailed service specifications, which are to be enforced through contractual arrangements.

Further, the bill provides a regulation-making power so that any additional safety standards can be made easily. In this regard, the Ministry of Health has commenced a targeted consultation process with key stakeholders, including private health facilities, the aged-care sector, industrial associations and

supported transport providers to identify the need for and scope of any such regulations. The bill provides that the secretary can issue a prohibition order to prevent any provider who breaches the statutory requirements from providing such services or can place conditions on such service providers. It will be an offence for a person to provide supported transport in contravention of the prohibition order. This bill is designed to enable a model of supported non-emergency transport in line with that already operating in other jurisdictions, including Victoria. I commend the bill to the House.

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

The House divided.

Ayes, 21

Mr Amato	Mr Gallacher	Reverend Nile
Mr Blair	Mr Gay	Mr Pearce
Mr Borsak	Mr Green	Mrs Taylor
Mr Brown	Mr Khan	
Mr Clarke	Mr MacDonald	
Mr Colless	Mrs Maclaren-Jones	<i>Tellers,</i>
Ms Cusack	Mr Mallard	Mr Franklin
Mr Farlow	Mrs Mitchell	Dr Phelps

Noes, 16

Ms Barham	Mr Pearson	Mr Veitch
Mr Buckingham	Mr Primrose	Mr Wong
Dr Faruqi	Mr Searle	
Mrs Houssos	Mr Secord	<i>Tellers,</i>
Dr Kaye	Ms Sharpe	Mr Donnelly
Mr Mookhey	Mr Shoebridge	Mr Moselmane

Pairs

Mr Ajaka	Ms Cotsis
Mr Mason-Cox	Ms Voltz

Question resolved in the affirmative.

Motion agreed to.

Bill read a second time.

In Committee

TEMPORARY CHAIR (The Hon. Natasha Maclaren-Jones): If there is no objection, the Committee will deal with the bill as a whole.

The Hon. WALT SECORD (Deputy Leader of the Opposition) [5.32 p.m.], by leave: I move

Opposition amendments Nos 1 to 8 on sheet C2015-050B in globo:

No. 1 Requirement to be assessed, and obtain consent, before providing supported non-emergency transport

Page 3, schedule 1 [4]. Insert after line 20:

67FA Unauthorised provision of supported non-emergency transport

- (1) A person must not directly or indirectly provide or take part in the provision of supported non-emergency transport for fee or reward unless the person has the consent of the Health Secretary and acts in accordance with such conditions (if any) as the Health Secretary may from time to time impose on that consent. Maximum penalty: 200 penalty units.
- (2) The Health Secretary must not give consent under this section unless:
 - (a) regulations setting out prescribed standards are in force under section 67FB (Regulation of supported non-emergency transport), and
 - (b) the Health Secretary is satisfied that:
 - (i) any vehicles or other methods of transportation proposed to be used to provide the supported non-emergency transport are equipped in a manner that ensures patient safety, and
 - (ii) clinical care or monitoring proposed to be provided as part of that transport will be provided in a manner that ensures patient safety, and
 - (iii) all aspects of the supported non-emergency transport will meet the prescribed standards under section 67FB.
- (3) The consent of the Health Secretary under this section has effect for the period specified in the consent, which must not be more than 2 years.

No. 2 Obligation on Minister to ensure regulations are made prescribing standards to be complied with

Page 4, schedule 1 [4]. Insert after line 3:

- (4) The Minister must consult with such persons as the Minister considers represent the interests of providers of health services, health academics and employees of public health organisations about the making of initial regulations providing for prescribed standards under this section.

No. 3 Requirement to be assessed, and obtain consent, before providing supported non-emergency transport

Page 4, schedule 1 [4]. Insert after line 35:

- (a) the service provider holds a consent under section 67FA (Unauthorised provision of supported non-emergency transport) and is complying with any conditions of the consent, and

No. 4 Removal of exemptions

Page 5, schedule 1 [4], lines 1–10. Omit all words on those lines.

No. 5 Requirement to be assessed, and obtain consent, before providing supported non-emergency transport

Page 5, schedule 1 [4], line 11. Omit "**Prohibition orders**". Insert instead "**Revocation or modification of consent**".

No. 6 Requirement to be assessed, and obtain consent, before providing supported non-emergency transport

Page 5, schedule 1 [4], lines 12–17. Omit all words on those lines. Insert instead:

- (1) The Health Secretary may, by order in writing served on a person:
 - (a) revoke any consent given to the person under section 67FA (Unauthorised provision of supported non-emergency transport), or
 - (b) revoke or vary any condition imposed on any consent given to the person under section 67FA, or
 - (c) impose an additional condition on any consent given to the person under section 67FA.

No. 7 Requirement to be assessed, and obtain consent, before providing supported non-emergency transport

Page 5, schedule 1 [4]. Insert after line 26:

- (a) a requirement imposed by or under section 67FA (Unauthorised provision of supported non-emergency transport), or

No. 8 Requirement to be assessed, and obtain consent, before providing supported non-emergency transport

Page 5, schedule 1 [4], lines 43–46. Omit all words on those lines.

The primary purpose of these amendments is to ensure the safety of patients across New South Wales. When people use our ambulance services they must have confidence that they are receiving the best possible care. A community needs to be sure that the Government has not put profits before patients. The Opposition's amendments achieve two key objectives. First, the amendments provide a future framework for developing regulations that will protect patients and ensure that we have an efficient and safe ambulance service. Under the legislation we know cases will occur when patients will deteriorate during transportation and this may result in a misdiagnosis. This framework is outlined in amendment No. 1. Sadly, the legislation is silent on the framework. The amendments will allow for a course, and spells it out.

Secondly, the amendments remove exemptions for certain providers to be excluded from those

provisions. The Opposition's amendment No. 2 will ensure that health service providers, health academics, employees of public health organisations and their representatives will be consulted on the proposed regulations. Frontline workers have the best understanding of what is needed to ensure patient safety and it is important that they are consulted and that these regulations are not completed in a bureaucratic vacuum. The bill does not avoid the possibility for the health bureaucracy to present weak regulations or for no regulation to be developed at the exclusion of key stakeholders. Labor's amendments ensure that ambulance service operators are entitled to supply services only when they have been given express authorisation to do so and after they have met the said regulations.

A worrying possibility is that the current bill does not avoid for-profit providers delivering services prior to the regulations being established. Labor's amendments address this concern by ensuring that ambulance services can be provided only when the regulations have been established and met by the provider. In addressing our key concerns with the Government bill, we have sought to remove the possibility of providers being exempt from ambulance regulations. While the Government does not have an issue with undermining its own bill by providing for a series of exemptions, Labor does. Our amendments will remove the possible exemptions as outlined in the bill. The amendments will ensure that all patients are protected by the regulatory framework and they avoid the possibility of patients being exposed to an unregulated ambulance service. I commend the Opposition's amendments to the House.

Mr JEREMY BUCKINGHAM [5.38 p.m.]: I speak on behalf of The Greens in support of the Opposition's amendments, but they are a wafer-thin safety net for a plummeting level of service for the people of New South Wales. I would have thought the Government would support a system that removes exemptions, as outlined in the Opposition's amendments, so as to ensure that the regulations maintain a level of care. Opposition amendment No. 2 is a reasonable and modest amendment. It states:

- (4) The Minister must consult with such persons as the Minister considers represent the interests of providers of health services, health academics and employees of public health organisations about the making of initial regulations providing for prescribed standards ...

Opposition amendment No. 2 ensures that the Government has prescribed standards in place so that service providers can be held accountable in the future. I outlined my gravest concern in my contribution to the second reading debate, which relates to patients who are being transferred then deteriorating during transportation. Patients are being transferred from Lismore to Murwillumbah.

TEMPORARY CHAIR (The Hon. Natasha Maclaren-Jones): Order! There is too much audible conversation in the Chamber. Members who wish to have a conversation will do so outside the Chamber.

Mr JEREMY BUCKINGHAM: Forty minutes may not sound like a long time, but 40 minutes in an ambulance is a long time. No-one knows the situation on the roads, especially at night in poor weather conditions. In some parts of the State the distance to a hospital is a lot further and patient transfers can take many hours. In the western area of the State, people who are being transferred to Dubbo and such places travel routinely for two or three hours. The putting in place of prescribed standards is a reasonable and modest response. The Greens support the Opposition's amendments.

The Hon. PAUL GREEN [5.39 p.m.]: The Christian Democratic Party has already put its position on record but I want to respond to some comments that have been made by members. Mr Jeremy Buckingham's contribution reminded me of an occasion when I travelled from down south to St George Hospital with a patient who had an aortic issue. His health issue was a time bomb. It would constitute negligence of duty if a healthcare provider put a person in an ambulance who was not up to making the trip. That is the baseline.

The Hon. Walt Secord: You are supporting the amendments?

The Hon. PAUL GREEN: No. As I mentioned previously, I am convinced that the standards are

in the bill or the regulations—that is, in the secretary's jurisdiction. The Christian Democratic Party will not be supporting the amendments. As helpful as they may seem, we believe the issues covered in the amendments are already addressed in the bill.

The Hon. CATHERINE CUSACK (Parliamentary Secretary) [5.40 p.m.]: I would like to comment on the contribution made to this debate by the Hon. Paul Green and perhaps to educate Mr Jeremy Buckingham, who appears to be absolutely clueless about how the health department operates, particularly in relation to the transport services and the rules and regulations that are already in place. When contributing to the debate, he just says whatever comes out of his mouth, without thinking and without knowing. After just five seconds of research he would have discovered that published on the Department of Health's website is "Service Specifications for Transport Providers—NEPT", which indicates under the "Functional Sub Group: Clinical/Patient Services—Transport":

The purpose of this policy is to outline the minimum Service Specifications (safe and reliable) to be adhered to by Non-Emergency Patient Transport (NEPT) providers operating for NSW Health.

The "Service Specifications for Transport Providers—NEPT" is a rather thick policy document.

The Hon. Walt Secord: Table it.

The Hon. CATHERINE CUSACK: I will definitely table it to assist the shadow Minister, who has never heard of or seen such a document in his life and who is unable to operate a computer to find it. He would have this House believe the only service standards and safety protections lie in these ridiculous amendments that he has moved. There is no way that patients need to rely on this sort of nonsense. As to the diatribe that has come from those opposite, we have a fantastic system. The Government has consulted with the people at the coalface who deliver these services. They operate to the highest standards, as do many non-government service providers such as the St John's Ambulance—which, most disgracefully, has been described by The Greens today as a rapacious organisation.

Members of The Greens have directed insults and offensive remarks at these fantastic volunteers and the services they provide. We rely on them so that our ambulance and emergency vehicles are able to provide emergency services. The scheduled services can be provided by other operators. I table the document and again reassure the House. I note that the Hon. Walt Secord has continually refused to say, "We will reverse this policy", because he is a hypocrite. He knows that this is good policy. I congratulate the Minister on this initiative. I cannot wait until it is implemented and see the improvements in the health services and patient transport for all.

The Hon. SARAH MITCHELL (Parliamentary Secretary) [5.43 p.m.]: The Government opposes the Opposition's amendments. The amendments do not improve patient safety and would result in a number of unintended consequences. Opposition amendment No. 1 proposes to insert a new section 67FA in the Health Services Act to prohibit supported non-emergency transport by a private or non-government organisation operator without the consent of the health secretary. This amendment is redundant and has unclear intent, as the current section 67E (1) of the Act already prohibits supported non-emergency transport without the consent of the health secretary.

The Opposition amendment to section 67FA (2) sets out a number of matters the health secretary must be satisfied of prior to giving consent to supported non-emergency transport. These requirements go beyond what is required under the current Act in section 67E (1) for consent to provide a supported non-emergency transport service. Under the Opposition amendment, where consent is given by the health secretary to a person providing supported non-emergency transport a period of time must be specified in the consent, and that period must not exceed two years. This is another example where the Opposition amendments would require a greater level of regulation of supported non-emergency transport services than currently exist for emergency ambulance services. The amendments would inevitably increase the cost of supported non-emergency transport.

Opposition amendment No. 2 requires the Minister to consult with certain interests prior to making the initial regulation. The amendment is redundant, as the Ministry of Health has already commenced the consultation process with stakeholders. The group of stakeholders the Government is consulting with is considerably broader than that proposed in the amendment and includes representatives from a range of critical stakeholders not mentioned in the Opposition amendment, including the aged-care sector and consumer representatives.

Opposition amendment No. 4 proposes to omit section 67FB (2) in its entirety. New section 67FB (1) imposes an obligation on a person who engages a supported non-emergency transport service to take all reasonable steps to ensure three things. First, it requires that person to ensure that the vehicles are equipped in a manner that ensures patient safety. Secondly, it requires that clinical care or monitoring is provided in a manner that ensures patient safety and complies with any prescribed standards. Thirdly, it requires that the provider has obtained any necessary accreditation or authorisation under State or Commonwealth transport law.

New section 67FB (2) proposes to exclude certain categories of persons engaging supported non-emergency transport from these requirements. The first category of exclusions covers the patient who is to be transported. Accordingly, the effect of the Opposition amendment is that a patient may now be subject to the obligations in new section 67FB (1) to ensure that vehicles are equipped properly and appropriate clinical care or monitoring is provided. With this amendment, the Opposition expects patients to be responsible for checking before they are transported that providers have met standards.

The bill is designed to adopt a light-touch approach and to avoid unnecessary duplication of regulation. Contracts or arrangements to engage supported non-emergency transport under the NSW Health hub arrangements are already subject to effective regulation via these contractual requirements. It is therefore appropriate to exclude such arrangements from the additional requirement to comply with new section 67FB (1). In summary, omitting these sections, as amendment No. 4 proposes, would duplicate regulation on a range of persons who will be engaging supported non-emergency transport services.

Finally, Opposition amendments Nos 4 and 6 require health secretary consent for the provision of supported non-emergency transport. They also propose to remove the power of the health secretary to make a prohibition order. Instead, they replace it with a power for the health secretary to revoke consent, vary conditions or impose additional conditions. However, the Opposition amendments retain the provisions in new section 67FC (2). Under this section the health secretary may make an order to revoke consent, vary conditions, or impose additional conditions only if three things are satisfied. Those are that, first, the person has provided or taken part in supported non-emergency transport; secondly, that the transport has been provided in contravention of a relevant requirement under legislation or regulations; and, thirdly, the order is necessary to protect the health or safety of members of the public.

The effect of the Opposition amendment is that once consent has been given by the health secretary it can be revoked or modified only in these narrow circumstances. Further, the Opposition amendment retains the show-cause requirements set out in section new 67FC subsections (4) and (5). These requirements do not apply under the bill if the health secretary wishes to revoke a consent given to provide emergency ambulance services, or to vary conditions or impose additional conditions in respect of emergency ambulance services. This reinforces the point made earlier that the Opposition amendments impose a higher level of regulation on supported non-emergency patient transport than applies under the current legislation, or that applies under the bill to emergency ambulance services.

TEMPORARY CHAIR (The Hon. Natasha Maclaren-Jones): Order! I advise members that the standing orders do not allow for the tabling of a document during the Committee stage. The document referred to by the Hon. Catherine Cusack is not tabled. However, as it is a public document it is available to be accessed by members.

The Hon. WALT SECORD (Deputy Leader of the Opposition) [5.48 p.m.]: I thank the Hon. Sarah Mitchell, Mr Jeremy Buckingham, and the Hon. Catherine Cusack for their contributions.

The Hon. Catherine Cusack: It is a pleasure, Walt.

The Hon. WALT SECORD: Welcome back, Catherine. While Labor opposes the Health Services Amendment (Ambulance Services) Bill 2015, we believe the amendments will provide some protection for the community and will provide minimal clinical protocol and framework. I commend the amendments to the Committee.

Question—That Opposition amendments Nos 1 to 8 [C2015-050B] be agreed to—put.

The Committee divided.

Ayes, 15

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

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

Mr Wong

Tellers,
Mr Donnelly
Mr Moselmane

Noes, 22

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

Mr Gallacher
Mr Gay
Mr Green
Mr Harwin
Mr Khan
Mr MacDonald
Mr Mallard
Mrs Mitchell

Reverend Nile
Mr Pearce
Mr Pearson
Mrs Taylor

Tellers,
Mr Franklin
Dr Phelps

Pairs

Ms Cotsis
Ms Voltz

Mr Ajaka
Mr Mason-Cox

Question resolved in the negative.

Opposition amendments Nos 1 to 8 [C2015-050B] negatived.

Bill reported from Committee without amendment.

Adoption of Report

Motion by the Hon. Sarah Mitchell, on behalf of the Hon. John Ajaka, agreed to:

That the report be adopted.

Report adopted.

Third Reading

Motion by the Hon. Sarah Mitchell, on behalf of the Hon. John Ajaka, agreed to:

That this bill be now read a third time.

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

AUDITOR-GENERAL'S REPORT

The Deputy-President (The Hon. Paul Green) announced the receipt, pursuant to the Public Finance and Audit Act 1983, of erratum to the performance audit report of the Acting Auditor-General entitled, "Sydney Metropolitan Bus Contracts: Transport for NSW", dated September 2015.

Ordered to be printed on motion by the Hon. Duncan Gay.

JOBS FOR NSW BILL 2015

Second Reading

The Hon. RICK COLLESS (Parliamentary Secretary) [6.00 p.m.], on behalf of the Hon. Niall Blair: I move:

That this bill be now read a second time.

I seek leave to incorporate the second reading speech in *Hansard*.

Leave granted.

New South Wales is the engine room of the national economy. Since the Liberals and Nationals Government came to office in 2011, over 250,000 new jobs have been created in New South Wales. This is around 100,000 more jobs than were created in Victoria over the same period.

We have come from ranking last among the States and Territories in economic performance, thanks to those opposite, to again leading the nation on the key indicators.

The latest figures from the Australian Bureau of Statistics show that New South Wales has the lowest unemployment rate and the strongest monthly jobs growth of any state in Australia.

In July alone, 29,500 jobs were created in New South Wales—four times the amount of the next highest State.

This success is no accident. We have taken the necessary steps to provide the economic policy settings to allow businesses to invest and create jobs.

We have cut expenses growth, running rampant under Labor, and brought our budget back under control.

We have had our triple-A credit rating reaffirmed by Moody's and Standard and Poor's.

And we have allocated \$68.6 billion over the next four years for unprecedented investment in infrastructure—spreading new economic opportunities throughout the State.

This position of strength builds confidence for businesses to invest in the strongest economy in the nation and provides the platform for a strong economic outlook for our future.

The New South Wales Government has set a target of creating 150,000 jobs within four years. We have worked hard to improve the broader economic investment environment and we now turn to modernise our approach to incentivising economic development so that commercial innovation and entrepreneurship can come to the fore.

New South Wales is the leading State in the Australian economy but for the State to remain strong and prosperous, it needs to prepare for the future and embrace innovation and rapid workplace change.

The Jobs for NSW Bill 2015 is a bill to establish a new body, known as Jobs for NSW, that will leverage private sector expertise to provide strategic advice to government for the purpose of creating jobs and driving investment in New South Wales.

The world we live in is changing rapidly. New technologies and business models are bringing about fundamental change in supply chains, industry structures and the nature of work.

In a globalised world, we need to innovate to compete.

We need to welcome disruption in order to grow the economy. We need to focus more on the new and emerging growth opportunities.

We need to change, as the old models of industry assistance do not deliver best value to New South Wales taxpayers.

Jobs for NSW will provide the foundation for change, innovation and focus. It is a new and strategic approach.

Rather than the old, reactive approach of responding to economic issues as they arise, Jobs for NSW will be charged with taking a strategic approach to identifying the competitive advantages of the New South Wales economy and then attracting, developing and consolidating new and existing businesses in New South Wales to strengthen our economic leadership.

To ensure that the advice to Government reflects the needs of investors and job creators from the business community, Jobs for NSW Board members will largely be drawn from the private sector and will include some of Australia's pre-eminent business leaders.

We are determined to leverage the expertise of some of the best business minds in the nation to help drive investment and create jobs across New South Wales. Jobs for NSW gathers together substantial commercial acumen, and extensive knowledge and experience in growing jobs and improving industry competitiveness.

We are delighted that Mr David Thodey has agreed to be the Chairperson for Jobs for NSW. Mr Thodey brings a wealth of experience to the role that New South Wales will draw on and benefit from.

Jobs for NSW is different from other jobs creation advisory boards. It is not just an advisory

board. It will be held accountable and required to report on its operations, jobs creation incentives, and other measures to demonstrate the success of its strategies.

Jobs for NSW will provide advice to Government on how to improve New South Wales and its regions' competitive advantage, and how to make New South Wales a place where businesses want to come and grow. Jobs for NSW will work with all key stakeholders to develop and implement strategies that ensure the Government's legacy is meaningful, long-term job creation for generations to come.

The bill also establishes the Jobs for NSW Fund that will be used to fund innovative and strategically targeted incentives for economic development in New South Wales.

The Jobs for NSW Fund will be a dedicated funding pool, to ensure that priority actions, as identified by the board, will have access to a ready source of funding.

This bill delivers on the Government's election commitment to boost the State investment attraction schemes to \$190 million over four years.

Initial funding for the Jobs for NSW Fund will include existing funds from the now-ceased State Investment Attraction Scheme [SIAS] and the Regional Industries Investment Fund [RIIF]. Payments that were to be paid out of the now-ceased SIAS and RIFF under existing contracts will now be paid out of the Jobs for NSW Fund.

Jobs for NSW will recommend for approval by the Minister robust eligibility and assessment criteria for proposals for jobs creation incentives from the Jobs for NSW Fund. These criteria will consider where New South Wales Government funding can best add value, that is, where it will have the biggest impact, both now and in the future in growing employment and the economy.

The eligibility and assessment criteria will be reviewed annually. This will ensure the criteria reflect contemporary priorities as the economy grows and transforms.

In addition to recommending criteria, Jobs for NSW will call for, assess and make recommendations to the Minister on funding proposals for jobs creation incentives to be paid out of the fund.

Through Jobs for NSW, we are raising the bar for New South Wales Government support to ensure a more robust, systematic and transparent approach to assessing, and reporting on, jobs creation incentives.

The bill gives the Minister the power to appoint advisory committees to assist the Jobs for NSW Board. As an example, these advisory committees may consider issues relating to innovation, skills and regional development, and may provide specialist advice to Jobs for NSW. The bill provides New South Wales with an opportunity to enlist the brightest and most engaged minds allowing us to do the most good and unleash the most potential.

The bill contains robust transparency arrangements for Jobs for NSW. Jobs for NSW will submit an annual report outlining the particulars of all jobs creation incentives paid for from the fund during the year. The annual report will also include particulars of the total amount of payments made from the fund for proposals in rural and regional New South Wales outside the metropolitan areas of Sydney, Wollongong and Newcastle, including whether that amount is at least 30 per cent of the total payments made from the fund. It will be clear to all where New South Wales Government funding for job creation incentives is being directed and for what purpose.

Jobs for NSW will complement other NSW Government economic development initiatives

benefiting New South Wales businesses including:

- the Jobs Action Plan which has been extended until 2019 and provides \$5,000 payroll tax rebates to employers to take on additional employees
- the Small Business Employment incentive which provides \$2,000 grants to small businesses that do not pay payroll tax for additional employees they take on
- the \$25 million Jobs of Tomorrow Scholarship Fund which provides scholarships for students undertaking qualifications in technology and growth jobs.

These are real initiatives and real support that help New South Wales businesses create jobs, grow and contribute to the State's economic success. They are achieving real results.

To build on this success, the Government has established the Department of Industry, Skills and Regional Development to lead a bold policy agenda targeted at jobs creation—real, long-term sustainable jobs for all of us.

The Department of Industry, Skills and Regional Development is a mix of old and new. It will ensure that we maintain, regulate, develop and protect our natural resources so they continue to provide ongoing wealth and jobs for our State for generations to come.

Through Jobs for NSW, we will also ensure that government assistance to industry is targeted, and that New South Wales leads the charge across both State and Federal Government to bring policy change to drive jobs growth.

The Government and Jobs for NSW will build on the work from the previous term of government, in particular the initiatives identified in the Industry Action Plans. The industry-led Knowledge Hubs are proving to be an exciting way to harness the collaborative spirit between industry, big and small businesses, researchers and educational institutions. Jobs for NSW will also build on the Government's efforts to grow regional New South Wales, including through Restart NSW programs such as Resources for Regions and Water Security for Regions, and through a network of advisers working across the State to ensure regional New South Wales benefits from targeted Government support. A strong New South Wales requires a diverse, productive and thriving regional New South Wales. Jobs for NSW provides an opportunity for Government to capitalise on the body's expertise, and support fresh initiatives that will create jobs, drive economic growth and unleash the economic potential of regional New South Wales.

The addition of Skills and TAFE to the department will ensure Industry and business can work with Government to identify New South Wales's skills needs as our economy continues to grow. It will also ensure that service providers deliver graduates with the skills that business needs.

A strong economy supports a strong State where people and businesses can thrive and prosper. The New South Wales Government has committed to deliver 150,000 new jobs over four years. This bill and Jobs for NSW will help us achieve this goal and strengthen our position as Australia's economic powerhouse.

I commend this bill to the House.

The Hon. ADAM SEARLE (Leader of the Opposition) [6.01 p.m.]: I lead for the Opposition in debate on the Jobs for NSW Bill 2015. The Opposition will not be opposing the bill.

The Hon. Dr Peter Phelps: Hear, hear!

The Hon. ADAM SEARLE: Yes, we support jobs. However, we will be moving some amendments, which have been lodged with the Clerk, to try to improve the bill. A few things about the bill need to be noted. I refer to the second reading contribution of the Minister in the other place, and I assume it is the same in the Parliamentary Secretary's speech that was incorporated. The Government said that it "established the Department of Industry, Skills and Regional Development to lead a bold policy agenda targeted at jobs creation". It is a matter of record that the Department of Trade and Industry was replaced by the Department of Industry, Skills and Regional Development. However, no real flesh has been put on the bone of "Industry" in the department's title. Looking at the remit to be given to Jobs for NSW and its board, which I will not enumerate, it is clear that the Government is seeking to outsource to this quango the policy formulation process or the provision of policy content.

The Hon. Duncan Gay: It's a half-breed.

The Hon. ADAM SEARLE: I acknowledge that interjection. We think that is short sighted. Career public servants in this newly created department should be charged with the task of developing the policy content if the Government is serious about growing jobs in this State. The Minister claimed that since this Government came to office more than 750,000 new jobs have been created in New South Wales. But, bizarrely, the Government is pinning all its hopes on this new body to generate only 150,000 jobs in the next four years. If the Government has been so successful without the assistance of Jobs for NSW, this souped-up organisation will underperform. In fact, the Bureau of Statistics provides a different picture. The jobs picture across the whole of New South Wales since 2011 shows only a net 166,000 jobs were created; and for the greater metropolitan Sydney region only a net 132,000 jobs were created.

The Hon. Duncan Gay: Only?

The Hon. ADAM SEARLE: This is significantly below the inflated claims made by the Minister and the Government. In regional New South Wales fewer than 39,000 jobs have been created on the Government's watch. The statistics on which the Government relied to support the legislation are suspect. I return to the point that if the Government was so successful without the support of this organisation—

The Hon. Ben Franklin: Even more successful.

The Hon. ADAM SEARLE: Except the Government is promising to create fewer jobs than it claims to have created in the past four years. The Government is trying to soften people up for disappointment. For example, my colleague Ryan Park, MP, the shadow Minister for the Illawarra, and shadow Minister for Transport in the other place, made the point that only two years ago the \$100 million Illawarra Infrastructure Fund was announced and projects were said to be approved, but to date very little of that money has gone out the door. Again, that is the Government underperforming. It talks big and makes announcements but there is a delivery issue.

I acknowledge the contributions of Yasmin Catley, MP, the member for Swansea, and David Harris, MP, member for Wyong, in which they make the point that the Jobs for NSW Board and the fund it will have are not a step forward but a step backwards. The Minister in his second reading speech said that the fund that will be overseen by the board will boost the State's Infrastructure Attraction schemes to \$190 million over four years. That sounds impressive. But in the 2015-16 budget \$32 million was allocated to the State Investment Attraction Scheme and \$22 million was allocated to the Regional Industries Investment Fund. Adding those figures together, the total funds available to regional areas is \$54 million. If we multiply that by four we get a figure of \$216 million. So under the existing schemes \$216 million over four years was allocated. Now the Government has recycled it and rebadged it with a new logo, "Jobs for NSW". And—hey presto—the \$216 million over four years becomes \$190 million over four years. That is a big reduction.

The Jobs for NSW Fund is supposed to provide \$190 million over four years, which is \$47.5 million a year. Even if the full 30 per cent that is said to be available to regional areas is only \$14.25

million, the Regional Industries Investment Fund is \$22 million for just this year. So if the legislation is enacted, under this program regional New South Wales will get \$7 million a year less than it would receive under the existing arrangements. The Government is taking money that was quarantined for the regions and opening it up to the whole State. But according to the Government that is good for the regions and a step forward. Once again, The Nationals, who are supposed to be the guarantors of the interests of the regions, have sold out to their city paymasters.

The Hon. Duncan Gay: Point of order: I take offence at those comments. The Hon. Adam Searle has a habit of making comments about The Nationals. He makes comments outside the House but he does not have the guts to take it to us one on one in the House.

The Hon. ADAM SEARLE: To the point of order—

DEPUTY-PRESIDENT (The Hon. Paul Green): Order! There is no point of order. The Hon. Adam Searle has the call.

The Hon. ADAM SEARLE: The Government is trying to make out that this is innovative, that it is providing more resources to the regions. But it is not. This is simply the stock in trade of this Government because it is of a piece with its actions relating to TAFE, with massive cuts particularly in regional areas. The nine regional directors engaged in the Department of Industry, Skills and Regional Development to facilitate business in regional areas will lose their power to make decisions about the allocation of grant money. People in the central organisation will now make those decisions and give the tick that regional managers will no longer be able to give. Business development managers in regional areas and those who travel throughout regional areas talking to businesses and working out ways to help people will have their authority taken away. It will all be centralised in the city. I note that of the seven-person board only one appointment will be made by the Minister for Regional Development. We can therefore apprehend that only one of the seven will have a regional focus.

The Hon. Ben Franklin: At least one.

The Hon. ADAM SEARLE: At least one. The Labor Opposition will seek to increase that to at least two in our amendments. It is quite clear that this process is about rebranding, throwing in less money and telling everyone this is a great thing for regional New South Wales. Of course, it simply is not. We propose some amendments. One is to improve the composition of the board, to have at least three women members of the seven board members. We think there should be at least two persons on the board who are ordinarily resident outside the metropolitan areas of Newcastle, Sydney and Wollongong. There should be at least one person on the board with expert knowledge of disability employment because engaging persons with disability in the world of work is an area in which New South Wales and Australia lag behind the rest of the world in many respects. We also want to ensure that the legislation has a greater regional focus, and we have amendments to address that.

I will address one other point. A couple of Coalition members in the other place, Mr Kevin Anderson and Ms Katrina Hodgkinson, promoted the notion that the Jobs for NSW Fund will guarantee regional New South Wales at least 30 per cent of the funds expended. However, the Minister's second reading speech and, perhaps more importantly, the legislation give no guarantee that regional New South Wales will get any money. Clause 8 (1) (b) of bill relates to the annual report. What must be reported on are "particulars of the total amount of payments made from the Fund for jobs creation incentives for proposals in rural and regional areas outside the metropolitan areas of Sydney, Wollongong and Newcastle, including whether that amount is at least 30% of the total payments made from the Fund for jobs creation incentives". It does not guarantee the 30 per cent.

The Hon. Greg Pearce: The Government has announced it as its policy.

The Hon. ADAM SEARLE: I acknowledge that interjection and we will see. If it is the

Government's policy, it will have no problem with Opposition amendment No. 4, which simply seeks to put a guarantee where the Government's mouth is. If the Government has a real intention to deliver for regional New South Wales at least 30 per cent of the funds being disbursed then it will have no problem with this amendment. Labor does not oppose the legislation. We will seek to improve it in some way, but it is simply a rebadging and recycling exercise with the Government hoping that a new title and a new body will distract people from the fact that fewer resources are being invested for the benefit of rural and regional New South Wales. We will not let up from drawing people's attention to that because we think it is important that there is some ground truth in this area. The Government has talked a pretty tough game on delivering for regional New South Wales but, as I have indicated, it has not delivered and will not deliver through this process unless it is kept up to the mark. I will reserve further comments for the Committee stage.

Reverend the Hon. FRED NILE [6.13 p.m.]: On behalf of the Christian Democratic Party I speak in debate on the Jobs for NSW Bill 2015. The Christian Democratic Party supports this bill. I congratulate the Minister for Industry, Resources and Energy, the Hon. Anthony Roberts, on his work in preparing and introducing this bill. Everyone in this place is keen to see jobs growth in New South Wales. The Government has been very successful in increasing the prosperity of the State and therefore the number of jobs. We will have to see whether the Government can maintain that momentum into the future and this bill is designed to help bring that about. Obviously, a new government has a burst of business activity and the result is an improved economy leading to jobs growth, for which we are very grateful.

The Jobs for NSW Bill 2015 will establish Jobs for NSW, a new private sector led organisation charged with taking a strategic approach to developing the competitive advantages of the New South Wales economy and then attracting, developing, and consolidating new and existing businesses in New South Wales, and strengthening our economic leadership and competitive advantage. That has happened since the election and the new private sector led organisation is designed to ensure that board members have a proven record of success in business with experience, practical knowledge and successful results. It is a good proposition to have successful private sector businesspeople guiding and leading the next stage of this State's development, with an emphasis on jobs growth. People want jobs. New South Wales has a low proportion of unemployed people—in fact, New South Wales leads the States and Territories in employment growth. I believe this bill will help New South Wales maintain its leadership.

The bill will establish Jobs for NSW, a new statutory body that will provide expert advice to the New South Wales Government on how to grow jobs and build competitiveness in New South Wales. Under the bill, the key functions of Jobs for NSW include advising the New South Wales Government on opportunities to develop the economy and attract new businesses, and advising the Government on impediments to and opportunities for improving and expanding competitive advantage in New South Wales. I hope that will include some of the taxes in this State that discourage businesses. I am sure this new body will focus on this area to encourage job development in this State. Other key functions include developing a strategy to deliver cost-effective and strategically targeted support for economic development in New South Wales and calling for proposals for job creation incentives and making recommendations to the Government about these proposals.

There has been some criticism of the proposed Jobs for NSW Board, but I believe it should be made up of eminent business leaders with substantial commercial experience and success. One of Australia's most successful business leaders, Mr David Thodey, will be the Jobs for NSW chairperson. I believe we do not need to have some token women or New South Wales union representatives on the board. The board should consist of people who create jobs, not those who fight over jobs, organise protests or create problems in the employment area.

The bill establishes the Jobs for NSW Fund, which will be a dedicated source of funding for targeted job creation initiatives and programs. The fund will deliver on the Government's election commitment to boost funding for State investment attraction schemes to \$190 million. A minimum of 30

per cent of fund payments for job creation incentives will be provided for proposals in regional and rural New South Wales. The Christian Democratic Party is pleased to support this legislation.

Dr JOHN KAYE [6.19 p.m.]: On behalf of The Greens I speak to the Jobs for NSW Bill 2015. Like the Opposition, The Greens will not be opposing this legislation. I will identify one positive feature with this legislation, but I will also make some comments about what I perceive to be the failings. During the Committee stage we will move amendments to address some, but not all, of those failings. I begin by saying that New South Wales currently has an unemployment rate of 6 per cent. It is disgraceful that amongst people between the ages of 15 and 24 the figure doubles to 12.7 per cent. In the Illawarra, for people between the ages of 15 and 24, the figure goes from 12.4 per cent to more than 22 per cent. That is purely the number of people who have no work. When one adds to that those who are under-unemployed—

The Hon. Greg Pearce: What numbers?

Dr JOHN KAYE: Do I need to define that for the Hon. Greg Pearce?

The Hon. Greg Pearce: I want to get the numbers again.

Dr JOHN KAYE: The figures I am quoting are from the Australian Government Department of Employment Labour Market Information Portal [LMIP]. The Hon. Greg Pearce can obtain the figures there. Regionally—not just in the Illawarra but also on the mid North Coast—the unemployment rate is running at 11.2 per cent. In the Hunter Valley, excluding Newcastle, the figure is 11.3 per cent. In New England and the north-west, it is 9.4 per cent, with significantly higher rates of youth unemployment. Those figures show that an economy that the Government often argues is growing and doing well can fail to generate jobs.

That leads me to the positive in this. For the first time from this Government—and almost certainly for the first time from any government across Australia for the past two decades—this bill admits the need for government involvement in the economy to generate jobs. It is a massive step back from the war on industry policy that the Liberal-Nationals and the Labor Party have been engaged in for the past 20 years. It is a step towards recognising that, left to its own devices, the market will not generate sufficient numbers of jobs to soak up unemployment and, in particular, to disrupt the intergenerational unemployment that is so dangerous for young people and for communities where there are high levels of unemployment. This bill accepts the need for intervention in the economy. I congratulate the Minister and the Government on taking that step. It is a positive turnaround after decades of hostility to industry policy.

The question then is: What is the quality of the industry policy being proposed here? It is at that point that I have some concerns. Before I go to that, I make the observation that it is ironic that we, in this Legislative Council, are debating this bill on the day that Ausgrid announced 533 job losses; on the day after Essential Energy announced that it is shedding 700 jobs; and two days after Endeavour Energy announced the shedding of 254 jobs. I mention that because it has relevance, particularly for Essential Energy across rural and regional New South Wales but also throughout the State. It shows what can go wrong when publicly owned agencies fail to recognise the need to generate new jobs. In the regulated market those three entities saw a cut in the amount of money they can collect as a result of the Australian Energy Regulator's determination. But all three rejected the Electrical Trade Union's proposal that they move back into providing supply, construction and services in areas that are contestable—for example, putting transformers in the basements of large commercial buildings and providing reticulation inside industrial and commercial establishments.

Across New South Wales there needs to be a focus on generating jobs and on growing businesses. We have to admit that we are on the verge of substantial job losses as a result of automation and as that occurs we have to be generating new jobs in the energy sector, in manufacturing and in services. This bill will not do that. The fundamental problem with this bill is that it will be driven by a

private sector board with a narrow private sector focus. It will have five individuals on the board who come out of the private sector. They will inevitably represent the particular private sectors they come from. If somebody who comes from retailing is put on the board, they will have a focus on retailing. With the exception of the chair, who does seem to be independent, it will be almost impossible to get advice from those individuals that is independent from the commercial outcomes for their employers, their companies and their sector. There is something fundamentally wrong with putting a bunch of private sector fat cats in charge of distributing public sector money. It would have been far better if we took advice from those individuals.

The Hon. Dr Peter Phelps: So you don't like cats either?

Dr JOHN KAYE: Did I hear an interjection from the Government Whip? Was he reading that from somewhere? If so, could he please tell us where he was reading that from? I do not like plagiarism.

DEPUTY-PRESIDENT (The Hon. Paul Green): Order! Responding to interjections is disorderly at all times.

Dr JOHN KAYE: I appreciate the ruling and I will cease to respond to interjections, particularly when they are asinine and inane.

DEPUTY-PRESIDENT (The Hon. Paul Green): Order! Do not flout my ruling.

Dr JOHN KAYE: We are putting a series of private sector fat cats in charge of public money. In the previous debate the Hon. Catherine Cusack accused me of not having a good understanding of other people's money. This is the ultimate example of taking other people's money—taxpayers' money—and handing it to a bunch of industrial types who will spend it according to their own best interest.

The Hon. Duncan Gay: You don't like industrial types; you don't like anyone.

Dr JOHN KAYE: Mr Deputy-President, I am endeavouring to conform to your previous ruling to not respond to interjections. I just want you to note that I am doing that.

DEPUTY-PRESIDENT (The Hon. Paul Green): Order! I am in the chair, Dr Kaye.

Dr JOHN KAYE: The concern of The Greens is that this board will give poor advice. The board's advice will be important because it will go not just to policy settings and criteria for assessment of proposals for which job creation incentives may be granted, but it will also call for and make recommendations to the Minister about proposals for which job creation incentives may be granted. This board is powerful and it will be stacked with private sector individuals whose focus will be on their own self-interest.

The Hon. Ben Franklin: On making jobs.

Dr JOHN KAYE: The Hon. Ben Franklin says their focus will be on making jobs. I have yet to meet any person who works for the private sector who is prepared to break the law and shaft their shareholders by doing anything other than increase the value for their shareholders. I understood that company law required people who manage large corporations to do the best—

The Hon. Dr Peter Phelps: He is a lawyer now. You're a polymath, aren't you?

Dr JOHN KAYE: Maybe I am not; maybe the Government Whip has a stronger grasp on this or has read something and is happy to repeat what he has read to the Chamber. I assume that if we appoint people who come from the board of a large corporation they will do their best by that large corporation and the money they spend to create jobs will be spent not in the best interests of the people of New

South Wales but in the best interests of that corporation.

The second problem with this structure is that it underestimates the capacity for the public sector to generate jobs. The public sector has a long history of job generation, both at the apprenticeship level and in the skilled workforce. If one looks at the skilled workforce—what is left of it in manufacturing—a large percentage of those workers will have had their skills training, their apprenticeships, with public sector entities. In the electrical trades, for example, their training will have been with the county councils and later with the electricity distribution agencies such as TransGrid and its predecessors, or with one of the generation companies, or with the old Telecom or Telstra. The public sector has terrific capacity to create jobs. A lot of that capacity is now squandered through privatisation and through budget cuts.

The Hon. Rick Colless: It does not create a lot of wealth.

Dr JOHN KAYE: I note that interjection. The suggestion was that training apprentices does not create wealth. If the reality is that the Parliamentary Secretary in charge of this legislation thinks apprenticeships do not generate wealth then he needs to take a good look at what does create wealth in New South Wales.

The Hon. Rick Colless: Point of order: The member is verballing me. I did not say anything about apprentices. I simply said that public sector jobs do not necessarily create wealth. He is showing his ignorance about the whole concept of wealth creation in attacking me for that comment.

Dr JOHN KAYE: That is not a point of order.

DEPUTY-PRESIDENT (The Hon. Paul Green): Order! There is no a point of order.

Dr JOHN KAYE: The day after the State budget was delivered, the *Sydney Morning Herald* made a very important observation. I quote:

How can the Baird government boast of record investments in infrastructure yet fail to recognise the risk posed to those projects and to public safety if the quality or quantity of the skilled workers they need falls short? Its approach seems myopic at best.

That is part of the problem with this bill. TAFE has seen \$750 million taken out of its secure budget and has been put into the contestable market. It has seen 2,800 of its staff sacked. It has 83,000 fewer students. This State is defunding and destroying its TAFE sector. It is removing the capacity to generate new workers, new skilled employees and new skills in our community—and not just skills but an educated workforce, a workforce that understands and is capable of innovating.

This legislation, whatever benefits it brings, will be undermined by this Government's sustained attack on TAFE, skills formation and education for working Australians. This legislation fits neatly in with the Jobs Action Plan and the Regional Relocation Grants, both of which failed dismally to produce large numbers of new jobs and were nothing short of fiascos. TAFE will join the same category if real money is not put back into it. If this Government is serious about real jobs, it will invest in renewable energy—the jobs growth sector of the future. The transition to 100 per cent renewable energy in New South Wales would generate about 74,000 new jobs over a 15-year period. It would build the export platform needed for New South Wales to become a world leader in clean energy solutions for the twenty-first century. If this Government was serious about creating jobs, it would support the steel industry by providing a guaranteed procurement of Australian-made steel in all its infrastructure projects. If this Government was serious about jobs, it would stop its war on TAFE.

This legislation, biased and weak as it is, will make some small difference and therefore should not be opposed, but it dismally fails to create jobs, to create the skills needed to create jobs, and to create real opportunities for jobs in the genuine growth sectors of the renewable energy economy, public

transport and sustainable agriculture—those areas of the economy that are consistent with a survivable planet and will generate real jobs that not only we can enjoy but also our children and our grandchildren can also enjoy, jobs about which we can look at the next generation and say proudly that we handed on an economy that would be competitive in the global market.

Getting existing industries to say "more of the same, but more of my the same", getting the mandarins and the fat cats out of the mates of this Government to sit on a board and say, "Put more money into the things that we want to do," will jam this State into an economic, social and environmental dead end that we will all be ashamed to hand on to our children. The Deputy-President has a number of very gifted children who are interested in being in the workforce. The Greens are committed to ensuring that your children and all children of that generation have genuine jobs that they can be proud of and that will contribute to the global challenges of climate change, urbanisation and ensuring a clean and secure food supply. This legislation is a drop in the bucket. The only positive thing about this legislation is that the Government is accepting that there is a government responsibility for creating jobs. It is a flawed tool but it is the only one on offer at the moment. We have amendments, which we believe will improve it. We understand the Labor Party also has similar amendments.

The Hon. GREG PEARCE [6.35 p.m.]: I speak on the Jobs for NSW Bill 2015. After 4½ years of this Government working tirelessly to improve this State and to create jobs, it is amazing to hear the epiphany of the Opposition and The Greens that they are now supporting our measures to create new jobs. I would love to talk some more about that tonight but I will move that the debate be adjourned.

Debate adjourned on motion by the Hon. Greg Pearce and set down as an order of the day for a future day.

BIOSECURITY BILL 2015

Message received from the Legislative Assembly returning the bill without amendment.

ADJOURNMENT

The Hon. DUNCAN GAY (Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council) [6.36 p.m.]: I move:

That this House do now adjourn.

ST GEORGE AND SUTHERLAND HOSPITALS CHILDCARE CENTRES

The Hon. WALT SECORD (Deputy Leader of the Opposition) [6.36 p.m.]: As the shadow Minister for Health and Labor's spokesperson for Miranda I make an urgent plea to the health Minister to overturn a heartless and financially short-sighted decision by the South Eastern Sydney Local Health District. It involves the two specialist evening childcare services at St George and Sutherland hospitals. The centres are the Koala Child Care Centre at Sutherland and Lorikeet Early Learning Centre at Kogarah. They operate from 6.45 a.m. until 10.30 p.m. on weekdays. The unusually long hours of the centres reflect their critical role in providing support for doctors, nurses and other hospital staff who keep these two major Sydney hospitals running around the clock.

But now, in a cruel move by the Baird Government, Sutherland staff have found out that they are losing their annual \$79,000 subsidy. There has been no consultation, no review and no discussion. They found out through a routine end-of-financial-year inquiry. The discovery was made to the complete surprise and horror of the centre's director, Ms Fiona Black, a hardworking and committed educator. I had the pleasure of meeting Ms Black on 20 August and have been in regular contact with the centre since. To give some context, these two centres have operated for 25 years and provide care and meals to more than 200 children. The majority of parents are medical staff, including doctors, nurses and paramedics. It

is obvious to any member of this place that the extraordinary demands we as citizens make on hospitals also mean extraordinary demands on the family lives of the staff of those hospitals.

Providing extended child care is not just a fair response to those demands; it is a pragmatic and practical one, ensuring that great staff can be retained to care for Sydney communities. This cut will mean that the St George and Sutherland services will not be able to provide evening child care for medical staff. This decision has taken staff and parents by total surprise. It was clearly made by a bureaucrat without a view of the human cost of the decision or the economic impacts of potentially losing great staff as it becomes impossible for them to keep working at these hospitals. Thankfully the local community does understand these impacts. That is why Tradies at GyMEA has thrown a short-term lifeline by way of a donation to the Sutherland centre. This emergency financial support will allow the evening service to keep running until the end of September. The Government should heed this signal because the local community values this vital service. I congratulate and thank Tradies but, once again, the service will continue only until the end of the month.

It is now time for the Department of Health and the Minister to acknowledge what the local community already knows—this vital service must stay open. I understand that local parents are organising a petition to draw attention to the centre. They too are asking that the State Government urgently restore funding to these vital services. However, the widespread local community and business support is in total contrast to the opinion of the South Eastern Sydney Local Health District, which told the *St George and Sutherland Shire Leader* that providing evening child care for medical staff was "not core business". I vehemently disagree; staff at the hospitals on which we depend disagree; local families who live in the St George and Sutherland shire disagree; and the local business community disagrees. It shows an attitude that goes a long way to explaining the current crisis of the health and hospital system.

Cultural leadership can only come from the top. I call on the Minister for Health and the Premier to show that leadership. They must show the families and communities of the St George and Sutherland shire that they understand that these services are not an optional extra but an essential support that keeps two major Sydney hospitals servicing Sydney communities. The local Tradies club is outperforming the local health district, so the Minister for Health must realise it is time to step in. On 1 September during budget estimates I asked the Minister for Health about her response to the slashing of the two services and if she would consider stepping in and directing the Government to reconsider cutting the subsidies. Unfortunately, she refused. I ask her once again to consider stepping in. I thank the House for its consideration.

DISADVANTAGE BY POSTCODE

Ms JAN BARHAM [6.40 p.m.]: *Dropping off the Edge*, released recently by the Jesuit Social Services and Catholic Social Services Australia, is the fourth report in a series linking social disadvantage with postcode areas. Many people will be familiar with the lead author of these reports, the first of which was published in 1999. Professor Tony Vinson was the first professor of behavioural science at the University of Newcastle School of Medicine. He headed the department of social work at the University of New South Wales, he led the Department of Corrective Services NSW during a period of intense prison reform, and he was a founding director of the NSW Bureau of Crime Statistics and Research. For the past 16 years he has focused on researching disadvantaged communities in New South Wales and other States.

His first study in New South Wales in 1999 entitled "Unequal in Life" found an exceedingly high concentration of child abuse and neglect in a few postcode areas. The report asked the important question: What can be done in partnership with the residents of those areas to improve their life opportunities and those of their children? The same question is asked in all three subsequent reports: in 2004 and 2007 and again in the latest research into disadvantage by postcode, *Dropping off the Edge*, in 2015. While the list of indicators for each study has increased and been updated—for example, to include internet access—the findings have been remarkably consistent. A small number of communities in New

South Wales experience a high level of disadvantage and have done so for long periods, which indicates that the disadvantages are well entrenched.

The top most disadvantaged 11 postcodes in 2015 were on the list of the most disadvantaged postcodes in 2004 and 2007. Despite variation in the indicators, there is still a high degree of consistency with the 1999 data. The report shows that those living in the 3 per cent most disadvantaged postcodes in the State are 3.6 times more likely to have spent time in prison, three times more likely to experience long-term unemployment, nearly three times more likely to have a low level of education and/or to have suffered domestic violence, and twice as likely to have a disability or significant mental health problem. The 2015 data show that these disadvantaged communities consistently tend to have a high Aboriginal population and only three of the 17 are located in Sydney.

The first most disadvantaged band is, in alphabetical order, Brewarrina, Claymore, Lightning Ridge, Walgett, Wilcannia and Windale. Many members have mercifully forgotten the *Four Corners* special on Claymore in September 2012, and for those members who have not heard of Windale it is a suburb of Lake Macquarie in the Hunter. The second band is Bourke, Bowraville, Dareton, Iluka, Northern Rivers and Villawood, which is the second Sydney suburb to appear. The third band is Cabramatta, Coonamble, Kempsey, Manilla, Warrawong—which is a suburb of Wollongong—and Werris Creek, near Tamworth. When giving his evidence last month to the Standing Committee on Social Issues on service coordination in communities with high social needs, Professor Vinson made a case for taking a community-based approach to address the multiple problems of high-needs communities. This approach is based on evidence from his own studies in Victoria and also from overseas. He said:

We make a case for looking at this difficulty in terms of not only the needs of individuals and families, which is the common way we talk about it, but also the overall community as an entity in its own right.

Professor Vinson makes the case for the need for one agency—not necessarily government but one that is trusted by the community—to take the lead coordinating role to bring the community together and to build community control and resilience. Researchers characterise the aim as developing collective efficacy, a belief among the community that they and their children can advance and are not condemned to live permanently under those conditions. The New South Wales and the Federal governments have started to address this problem but Professor Vinson's research and the Productivity Commission's work on deep and persistent disadvantage show that we need to do more. Government needs to focus its decision-making on the wellbeing of people and communities by measuring what matters in people's lives and targeting resources and services to those areas that have been demonstrated clearly as being in the greatest need.

SYRIAN REFUGEE CRISIS

The Hon. TREVOR KHAN [6.45 p.m.]: I am pleased to note that last Friday I had the opportunity of hosting an event organised by the Australian Turkish Advocacy [ATA] Alliance. That event was held at Parliament House and attracted more than 100 participants. I do not seek to engage in a discussion about the matters that were debated on the night except to note that in welcoming those who attended I pointed to the very serious and immediate issue of refugees who have been displaced from Syria. I acknowledged that there were approximately two million Syrian refugees in Turkey and approximately the same amount had been dispersed in Jordan and Lebanon. I recognised that the failure of the international community to provide adequate support had placed enormous financial strain upon the Turkish economy and its infrastructure. I am pleased to note that the Australian Government has now committed to taking 12,000 Syrian refugees. I understand those refugees will commence to enter Australia by the end of 2015 and hopefully they will be in place by the middle of 2016. I congratulate the Australian Government on taking that step.

Today the Australian Turkish Advocacy Alliance issued a media release, which said that the ATA

Alliance would like to remind the Australian Government that the persecuted minorities of the region also include the Turkmens along with many other Muslim minorities in the region. Ultimately, anyone who does not accept the brutal ideology of ISIS is likely to be persecuted, whether or not they are Muslim. One cannot disagree with that sentiment but it is worth noting that the persecuted minorities of Syria are far more complex than simply a reference to the Turkmens minority.

There are, for instance, the Alawites, which is the ethnic minority that until now has supported the Assad regime. They constitute 12 per cent of the Syrian community. Christians constitute a similar percentage of the community and Kurds constitute 9 to 15 per cent. The Druze constitute 3 per cent of the community. The Shias, of which there are two main groups, the Twelver Shia and the Ismaili, constitute a few per cent of the community. The Sufis constitute a small percentage—perhaps around 1 per cent. As I have already said, the Turkmens constitute some 1 per cent, as do the Circassians, Jews and Greeks. The Yazidis also constitute a small percentage, as do the Syrian Dom—a semi-nomadic Indo-Aryan ethnic group that practice Romani mythology. And there are also the Palestinians.

All of those groups are being displaced by this war. All of them are suffering appallingly, not only at the hands of ISIS but also at the hands of other militant groups presently operating in Syria. I say to this House and to the Australian community that we should welcome them all. Clearly, the Christian oppressed minority deserve a place amongst the number of refugees to be accepted, but we cannot ignore all those other groups that are suffering so badly at the hands of so many appalling groups. This is not just a matter of ethnicity. Women are being sexually assaulted and enslaved, and gay men are being thrown from the roofs of buildings. At the end of the day it matters not which religion you belong to if you are enslaved, sexually assaulted, stoned or thrown from the roof of a building.

PARRAMATTA CITY PLANNING

The Hon. DANIEL MOOKHEY [6.50 p.m.]: Tonight I inform the House about the changes being proposed for the city of Parramatta. Parramatta was the second Australian city built by Arthur Phillip following the arrival of the British to this continent in 1788. Ten months younger than Sydney, Parramatta became the colony's hub when it became apparent that the lack of arable land near Sydney Cove meant certain starvation for the colony's 1,000 soldiers, administrators and convicts if they remained rooted to the harbour. Governor Phillip's choice to relocate the colony's heart in the west meant that Parramatta was the stage upon which so many of Australia's most historic episodes were played, including the beginning of agriculture by James Ruse at Experiment Farm; the emergence of Australia's first export industry, the wool industry, at Elizabeth Farm; the Castle Hill convict rebellion, that is, the march on Parramatta by convicts determined to return to Ireland; the Cataract Gorge massacre ordered by Governor Macquarie from his chambers in George Street, Parramatta; and the Parramatta Female Factory uprising, the site of Australia's first industrial action when female convicts rioted in response to a cut in rations and poor conditions.

Each of these episodes from Australia's social history lives on in Parramatta's streets, parks and buildings. Each side of politics has recognised this. So much of Australia's social history is entwined in these streets, parks and buildings. These streets, parks and buildings need to be preserved and protected for every Australian. Parramatta has always had to contend with the dreams and occasional flights of fancy of planners, developers, mayors, real estate moguls and bureaucrats. Pleasingly, nary a year goes by without some glossy plan for Parramatta appearing on the front pages of the *Sydney Morning Herald*. The people of Parramatta are ambitious and it is right that they are. The question is not whether Parramatta's ambitions should be subordinate to Parramatta's heritage but how to leverage Parramatta's heritage in service of its ambitions. We need to decide how to redesign it so that the city's core is not just the precinct surrounding Parramatta station but also the heritage precincts on the city fringe. We need to decide how to pedestrianise the heritage parks, how to re-purpose the heritage buildings, and how to couple these changes with a plan for expanded urban density so that more people can live close to Parramatta's core. These are challenges that historic cities like Parramatta have to address.

Cities like Boston City, which answer questions like these correctly, create natural spurs for their growth. Cities like Philadelphia, which answer these questions incorrectly, surrender their comparative advantage in an age where cities are nearly as paramount as nations. This is an age in which cities compete with each other. Parramatta's answer is imminent. The answer will arrive with the Planning Minister's decisions about the future of the Cumberland heritage precinct. The Minister will have to decide if Urban Growth's proposed 30-storey towers will be built in the vicinity of Old Government House and next to the Female Factory. These are sites currently being assessed for World Heritage status—a fitting tribute to buildings so important. It is troubling that the implications of this nominee status have not yet dawned on the Minister for Planning.

Last week in budget estimates, my colleague the Hon. Penny Sharpe asked the Minister if the Cumberland precinct's potential World Heritage status is being factored into the planning processes that the Minister is responsible for. The Minister could not answer. It is concerning for the people of Parramatta that the Minister responsible for determining the future of one of Australia's most historic districts is ignorant of how its future is being assessed. It follows many other acts of ignorance and callousness for which this Minister and UrbanGrowth are responsible. Indeed, the mistrust between UrbanGrowth and the people of Parramatta is the reason the people of Parramatta are organising themselves.

The people of Parramatta are forming fine, cross-partisan organisations like the North Parramatta Residents Action Group, led by the redoubtable Suzette Meade. They have been organising petitions, like the 12,000-person petition that will soon be introduced into this place. The people of Parramatta have been partnering with icons like Jack Mundey and unions like the Construction, Forestry, Mining and Energy Union [CFMEU] to impose green bans to preserve Parramatta's heritage, as was announced last week. People like Suzette Meade and unions like the CFMEU should not have to resort to citizen activism in order to have the Minister discharge his duties diligently and they should at least receive a hearing from the member for Parramatta. It is no credit to the Minister, the member for Parramatta or the Government that they have not.

RECREATIONAL FISHING

The Hon. ROBERT BROWN [6.55 p.m.]: Tonight I wish to speak on a subject near to my heart: recreational fishing. It would come as no surprise that the Shooters and Fishers Party strongly supports the advancement and sustainability of fishing and fisheries in New South Wales. Above all else, we recognise the cultural, environmental and economic benefits that recreational fishing provides to the community. Fishers, like their terrestrial hunting comrades, have increasingly become the victims of green bureaucracy gone mad, while true facts and statistics are repeatedly ignored or, even worse, misrepresented. The ever-expanding creation of marine parks and the extension of sanctuary zones without proper scientific study is an example of green bureaucracy gone mad. That is not just my opinion; no fewer than two separate scientific reviews of marine parks, under two different shades of government, have found huge gaps in the application of science to the creation of some of these marine parks.

The legislation that regulates recreational fishing is extensive, with rules for freshwater and saltwater environments, specific fish species, and, in particular, fishing locations. In November 2014, the New South Wales Department of Primary Industries introduced 16 changes to recreational fishing rules. According to the department, these changes were meant to ensure that the current rules reflect the recreational fishing community's needs and expectations while maintaining quality recreational fishing for the future. Although the Government likes to talk about "community interest" and "for the future", the reality is that a vast majority of fishers were not consulted about the changes and a lot of fishers continue to remain in the dark about the changes. Further, an alarming number of issues and concerns have been raised regarding the current restructuring of commercial fishing.

Commercial fisheries and commercial fishers are part of the equation. Commercial fishermen

should not be forced to transition into the proposed inequitable market-share system, which would deliver unfavourable outcomes for individuals and businesses alike. The environmental impact of fishing is often given a blunt and dishonest assessment by so-called green experts, who suggest marine ecosystems are negatively impacted by game fishing through lower fish stocks, breaches of bag limits and littering. Recently, some garbage information has been put out about Sydney Harbour saying that Sydney Harbour has never had more fish, large and small, in it than it has now.

Such claims are made despite a lack of any credible or independent research to support this proposition, but we are talking about green bureaucrats and members of The Greens peddling such claims. The reality is that recreational fishers in Australia are well placed to alert authorities to declining fish populations. Who better? A journal article titled, "Impacts of Recreational fishing in Australia: historical declines, self-regulation and evidence of an early warning system", published by the Foundation for Environmental Conservation in 2014, considered these critical issues. The study found:

Recreational fishers are often depicted and perceived to possess an anti-conservation agenda, yet here we present evidence of a recreational spearfishing community raising the alarm in response to declining fish populations well before management realised the need for protection ... Had the Government listened and acted on their concerns they may have stopped the damage much sooner.

The study also highlighted the importance of reciprocal communication between fishers, scientists and governments for managing and detecting declines in vulnerable species and that the economic benefit of fishing in New South Wales is notable. That is an understatement. The economic benefit to the State is far more than notable. A study by the University of Wollongong found that in 2012 the economic output alone for recreational fishing in New South Wales was \$3.4 billion, with an associated employment of more than 14,000 equivalent full-time jobs. A further \$1.6 billion was spent on travel for recreational fishing trips, fishing tackle, and boat-related items. Clearly, this is an industry that we should be supporting through feasible and fact-based regulation, rather than inflicting on it hype, rhetoric and green tape.

Fishing is one of Australia's greatest pastimes. It brings people and families together and represents one of the great features of our national life: our freedom and our external and outdoor lifestyle. I want my grandchildren to enjoy the same types of freedoms and experiences that I have enjoyed throughout my long life. The Shooters and Fishers Party will continue to support and engage with recreational and commercial sectors to ensure that government is held accountable in relation to fisheries policies.

FISH HABITAT REHABILITATION

The Hon. LOU AMATO [7.00 p.m.]: I hope that my speech will make the Hon. Robert Brown happy.

The Hon. Robert Brown: Thanks, mate.

The Hon. LOU AMATO: I commend the Government for its proactive approach to maintaining healthy fish stocks in New South Wales. Habitat degradation has been a major cause in the decline of fish stocks in lentic and lotic aquatic ecosystems in New South Wales. Habitat degradation is a process whereby pressures are placed on a habitat to the extent that it is no longer able to provide support for the species present. During the process organisms are displaced or destroyed, thereby reducing the site's biodiversity. In some instances species of limited geographical distribution may become vulnerable to the point of extinction. Habitat destruction is a major cause for concern. The Government is committed to maintaining aquatic species biodiversity.

The New South Wales Department of Primary Industries has made funds available through the

Habitat Action Grant program to facilitate fish habitat rehabilitation. The program provides grants ranging from \$2,000 up to \$40,000 to angling clubs, individuals, community groups, local councils and organisations that are interested in rehabilitating fish habitats. The habitats include freshwater and saltwater areas throughout New South Wales. Community and local government groups can use grants that are available through the Habitat Action Grant program to become actively involved in aquatic habitat repair. Funds for aquatic habitat repair provide resources for projects such as removal or modification of barriers to fish passage. Many fish species are migratory and must move between freshwater and saline aquatic habitats to be able to effectively breed.

For example, mature Australian bass must migrate during winter to saline estuary systems to be able to spawn. Interestingly, 96 per cent of the native fish species of the Shoalhaven river system became extinct upstream since completion of the Tallowa Dam in October 1976. Fish restocking programs and the construction of a fishway have restored many native fish populations upstream of the dam. Even though the installation of a fishway at Tallowa Dam was a major project outside the ambit of the Habitat Action Grant program, similar results can be obtained on local river systems by community and local government groups using grants to remove impediments to fish migration in local river systems. Rehabilitation of riparian lands such as riverbanks, wetlands, mangrove forests and saltmarsh areas with hydrophilic vegetation will promote greater biodiversity. For example, it may increase invertebrate populations, which in many cases are the main source of food for native fish populations.

In addition to greater biodiversity, riparian vegetation offers increased bank stabilisation as well as a reduction of erosion and silt in river systems. Re-snagging waterways with timber structures provide fish retreats, protection from predators and sunlight. Re-snagging also provides some fish species with increased breeding opportunities. Fish migration can be assisted also by the removal from waterways of exotic vegetation such as eichhornia crassipes, which has been known to completely choke lentic freshwater systems. Rehabilitation of fish habitat includes riverbank stabilisation works and the reinstatement of natural flow regimes.

During 2014-15 the Habitat Action Grant program provided funds for 31 projects totalling \$575,000. The funds assisted recreational anglers, local councils, environmental and community groups as well as private landholders to enhance and rehabilitate degraded aquatic habitats through a range of on-ground works. The rehabilitation of fish habitat provides improved long-term sustainability for native fish stocks. Sustainable fisheries provide substantial benefits for New South Wales recreational anglers, who will enjoy healthier and more productive fisheries. Improved tourism opportunities exist for rural and regional communities which can promote recreational fishing as a local attraction. The Habitat Action Grant program is a proactive measure. The involvement of direct stakeholders ensures that government expenditure is used in the most effective and productive way. The Habitat Action Grant program should be commended as another example of this Government's commitment to providing sustainable fish stocks in New South Wales. I hope this makes The Greens and everyone else happy.

LOCAL GOVERNMENT AMALGAMATIONS

The Hon. SHAOQUETT MOSELMANE [7.04 p.m.]: Today I signed a pledge against forced amalgamations as part of a campaign by the Save Our Councils Coalition. The action group has published a facts sheet, which states:

In 2011 NSW councils agreed via the Destination 2036 Action Plan to engage co-operatively in partnership with the NSW Government to reform local government. The 2036 Report only ever contemplated voluntary amalgamations and boundary adjustments. NSW Councils have never supported forced amalgamations.

Premier Baird and his Government committed to no forced amalgamations prior to the 2011 election. Prior to the March 2015 NSW Election the Government was silent.

There is no right size of local councils. Some of the best councils are small councils. The average population of local councils in metropolitan Sydney is 104,000 people while the average population for OECD local councils is 27,224.

... almost all surveys and polls conducted across NSW rejected council amalgamations. The Australian Centre for Excellence in Local Government has shown that 47.7% of residents think they will be represented worse in larger Councils compared to 9.2% who thought they would be represented better. The remainder (34.6%) were neutral.

There is no evidence that NSW Councils merged in 2000/2004 became more "sustainable" and there is evidence that the Queensland Councils merged in 2007/8 were less efficient than unmerged Councils in the period following amalgamation up to 2013 ...

Amalgamations in New Zealand and Canada have had huge cost blow-outs and have not resulted in lower rates or improved services.

Communities in Queensland have de-amalgamated ...

[Time for debate expired.]

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

Motion agreed to.

The House adjourned at 7.06 p.m. until Thursday 10 September 2015 at 9.30 a.m.
