



**New South Wales**

# **Legislative Assembly**

## **PARLIAMENTARY DEBATES (HANSARD)**

**Fifty-Sixth Parliament  
First Session**

**Wednesday, 14 February 2018**

Authorised by the Parliament of New South Wales



## TABLE OF CONTENTS

Documents .....	1
Information and Privacy Commission .....	1
Reports .....	1
Bills .....	1
Justice Legislation Amendment Bill 2018 .....	1
Second Reading Debate .....	1
Visitors .....	10
Visitors .....	10
Bills .....	10
Justice Legislation Amendment Bill 2018 .....	10
Second Reading Debate .....	10
Third Reading .....	17
Saint John's College Bill 2017 .....	17
Second Reading Debate .....	17
Consideration in Detail .....	26
Third Reading .....	29
Teaching and Education Legislation Amendment (Employment) Bill 2017.....	29
Returned.....	29
Budget .....	29
Budget Estimates and Related Papers 2017-2018 .....	29
Community Recognition Statements .....	30
Myall Lakes Electorate Commonwealth Games Queen's Baton Relay .....	30
Newcastle Jets W-League Team.....	30
Manly Women's Shelter Fundraising.....	30
Ballina Community Christmas Day Lunch.....	30
Hearing Awareness Week .....	30
Londonderry Electorate Community Building Partnership Grants .....	31
Turramurra Lookout Garden.....	31
Swansea Electorate Commonwealth Games Queen's Baton Relay .....	31
Northern Tablelands Electorate State Emergency Service Award Recipients .....	31
Tribute to Beryl Mullard.....	32
St George Hospital Lamrock Committee.....	32
The Gallery, Tea Gardens Hawks Nest.....	32
Tribute to Charlise Cameron.....	32
Tribute to Trevor Cox .....	32
Central West State Emergency Service Award Recipients.....	33
Nova for Women and Children.....	33
Murray Electorate Commonwealth Games Queen's Baton Relay .....	33
International Mother Language Day .....	33
TAFE NSW Apprentice of the Year Rhys Staff.....	34

## TABLE OF CONTENTS—*continuing*

Australian Men's Shed Association .....	34
Davidson Electorate Public Schools .....	34
Blacktown City Swimming Club .....	34
Domestic Violence Case Management Service .....	34
Shellharbour Electorate Commonwealth Games Queen's Baton Relay .....	35
Nowra Show .....	35
Toukley & Districts Art Society .....	35
National Open Water Championship Winner Matthew Galea .....	35
Illawarra National Servicemen's Association Memorial Service .....	35
Southern Shoalhaven District DARTS Association Medal Winners .....	36
Ocean Beach Surf Life Saving Club .....	36
Cancer Council Pink Ribbon Afternoon Tea .....	36
Colgate Games and Trans-Tasman Challenge Competitor Ryan Keen .....	36
Oberon Show .....	36
Inner West Council Citizen of the Year Sarah Midgley .....	37
Tribute to Lindsay "silver" Renwick, OAM .....	37
Visitors .....	37
Visitors .....	37
Announcements .....	37
Tonga Cyclone Gita .....	37
Commemorations .....	37
Centenary of First World War .....	37
Members .....	38
Representation of Ministers Absent During Questions .....	38
Notices .....	38
Presentation .....	38
Question Time .....	38
Sydney Stadiums .....	38
Sydney Startup Hub .....	39
Sydney Stadiums .....	40
Private Sector Investment .....	41
Regional Tourism .....	42
Western Sydney Jobs Growth .....	43
Federal Government Anti-Terrorism Measures .....	45
TAFE NSW Courses .....	45
Tenancy Agreements .....	47
Jobs Growth .....	47
Petitions .....	49
Petitions Received .....	49
Business of the House .....	49
Jobs Growth .....	49
Reordering .....	49

## TABLE OF CONTENTS—*continuing*

Senate.....	51
Senate Vacancy.....	51
Motions Accorded Priority .....	51
Westconnex.....	51
Consideration .....	51
Charlestown Electorate Bus Services .....	52
Consideration .....	52
Westconnex.....	53
Priority .....	53
Matter of Public Importance .....	57
Sydney Hilton Hotel Bombing Fortieth Anniversary .....	57
Bills .....	59
Health Legislation Amendment Bill 2017 .....	59
Returned.....	59
Private Members' Statements.....	59
Williamstown Land Contamination .....	59
Albury Electorate Catholic Schools.....	60
Regional Infrastructure Funding.....	61
Princes Highway .....	62
Visitors.....	63
Visitors.....	63
Private Members' Statements.....	63
Gosford Electorate Australia Day Celebrations.....	63
Port Macquarie Electorate Australia Day Award Recipients .....	64
NSW Ambulance and Toll Rescue Helicopter Base.....	65
Campbelltown Electorate Australia Day Award Recipients.....	65
Tweed Electorate School Maintenance.....	66
Tribute to Samuel Gould.....	66
Blacktown Hospital Upgrade.....	66
Strathfield Electorate Infrastructure.....	67
Tracksafe Foundation Rail Worker Safety .....	68
Murray-Darling Basin Plan.....	69
Central Coast Health Facilities .....	70
Londonderry Electorate School Bus Services.....	71
Housing Affordability .....	72
Penrith City Council Australia Day Awards Dinner.....	72
Cootamundra Electorate Australia Day Celebrations .....	73
Newcastle Electorate Bus Services.....	74
St John Ambulance .....	75
Container Deposit Scheme.....	75
Wallsend Electorate Crime .....	76
Heathcote Electorate Community Building Partnership Grants .....	77

**TABLE OF CONTENTS—*continuing***

Illawarra Forum Twenty-Fifth Anniversary .....78

# LEGISLATIVE ASSEMBLY

**Wednesday, 14 February 2018**

**The SPEAKER (The Hon. Shelley Elizabeth Hancock)** took the chair at 10:00.

**The SPEAKER** read the prayer and acknowledgement of country.

*[Notices of motions given.]*

## *Documents*

### **INFORMATION AND PRIVACY COMMISSION**

#### **Reports**

**The SPEAKER:** In accordance with section 39 of the Government Information (Information Commissioner) Act 2009, I table the report of the Information and Privacy Commission entitled "Report on the operation of the Government Information (Public Access) Act 2009, 2016-2017", dated February 2018. I order that the report be printed.

## *Bills*

### **JUSTICE LEGISLATION AMENDMENT BILL 2018**

#### **Second Reading Debate**

**Debate resumed from 7 February 2018.**

**Mr PAUL LYNCH (Liverpool) (10:10):** I lead for the Opposition in debate on the Justice Legislation Amendment Bill 2018. The Opposition does not oppose the bill. The bill proposes miscellaneous changes to 11 different Acts. That of course is not an unusual approach; there are clearly efficiencies in moving one piece of legislation rather than 11. However, what is slightly unusual is that some of these provisions are not the comparatively minor items that usually comprise such omnibus bills. A number of the provisions of this bill are of greater import than usually is the case in such bills. I am not being critical of that; I merely note it.

The first of the amendments is in schedule 1.1, which amends the Anti-Discrimination Act. It makes changes to section 25 so that two exemptions from the general prohibition on discrimination on the ground of sex are removed. The exemptions that are removed allowed an employer to not offer a pregnant woman a job or to dismiss a pregnant woman from her job if the woman was pregnant at the time she applied for or was interviewed for the job. I think the Attorney was correct when he argued in his second reading speech that those exemptions are inconsistent with current community standards. They are sensible changes.

I note in passing that it is a great shame that similarly sensible amendments were not made to section 20D. The Government has said that it will not introduce those amendments, including unanimous cross-party parliamentary committee recommendations. If Labor is elected in March next year it proposes to introduce legislative proposals within 100 days of election. Schedule 1.2 makes amendments to the Civil and Administrative Tribunal Act. These introduce comparatively minor changes to what is known as NCAT—the NSW Civil and Administrative Tribunal. The tribunal can now appoint a person to act as a separate representative or guardian ad litem for a child in proceedings that significantly or directly affect the child where the child is not a party to the proceedings.

Parties in the Administrative and Equal Opportunity Division of the tribunal are now entitled to be represented by a lawyer without seeking leave. The rules are changed in the Guardianship Division dealing with written reasons by three tribunal members. Whilst mentioning the Guardianship Division I would ask the Attorney to advise when the report of the KPMG review of the Surety Bond Scheme will be released and when there will be a government response to the scheme. He might also advise whether there is any actual or proposed litigation between the State, the Trustee and Guardian and/or Aviva and/or Willis Towers Watson.

There are also some comparatively minor changes to the Crime Commission Act. The requirement of the commission to seal a thing or document that is produced to it as part of an investigation is removed. This is bringing the commission into the digital age. In a similar vein, the commission can now serve documents by email. There is also capacity now for the commission to waive the usual financial information disclosure requirement for staff seconded from another New South Wales government agency or police officers seconded from outside

New South Wales. Schedule 1.4 amends the Crimes Act. This includes statute law revision changes to section 94, which deals with stealing or robbery from the person.

The other amendments to the Crimes Act are among the most significant provisions of the bill. These involve changes to section 73 of the Crimes Act dealing with sexual intercourse with a child between 16 and 18 years of age under special care. The bill deletes section 73 (3) (B), which presently defines the victim as being under the special care of the offender if the offender is a school teacher and the victim is a pupil of the offender. A recent court decision interpreted those words to mean exactly what they seem to mean, that a victim had to be a pupil of that teacher for the offence to be made out and if the victim was between the ages of 16 and 18. Section 73 (3) (b) becomes:

the offender is a member of the teaching staff of the school at which the victim is a student

That in turn is defined in the new section 73 (6) to include a teacher at the school, or the principal, or a deputy principal at the school, or anyone else employed at the school who has students at the school under his or her care or authority. I note the comments the Attorney made in his second reading speech about the categories of school employees likely to be caught by this provision. That will of course be dependent upon the circumstances of each case as determined by the court in accordance with the new section 73 (6).

The Criminal Records Act is amended to update a reference to section 73 of the Crimes Act. The Evidence Act is amended to acknowledge the melancholy decline in Australia Post's delivery of mail; a postal article will now be presumed to have been received seven working days after it is sent, rather than the current four days. Schedule 1.9 of the bill amends the Land and Environment Court Act so that various specified proceedings can be dealt with under class 4 of the court's jurisdiction. The Law Enforcement (Powers and Responsibilities) Act will be amended so that a court that finds the offence of driving with illicit drugs in a person's oral fluid, blood or urine under section 111 of the Road Transport Act to have been proven may make an order requiring the person to attend a police station to have that person's fingerprints, palm prints and photograph taken.

The bill includes amendments to the Succession Act that are said to result from a review of the Act. The statutory review was tabled last week in the Parliament. The review seems to have commenced in January 2012. The review made six recommendations. Five of those seem to be contained in schedule 1.10 of the bill. It seems to me that the second recommendation of the review is not implemented in this bill. I ask the Attorney General to indicate in his reply if this is indeed the case and, if so, the reason for its omission.

The last set of amendments deal with the Criminal Procedure Act, particularly a number of criminal offences that can at present be dealt with only on indictment—that is, before a judge and, if contested, before a jury. The proposal in the bill is that in some circumstances they can be dealt with summarily—in other words, before a magistrate and to completion. That is achieved by including them as table offences—that is, including them in one of the two tables to schedule 1 of the Criminal Procedure Act. The specified offences will be heard summarily unless either the prosecutor or defendant elects to have the matter heard in the District Court.

The offences concerned in this amendment are: robbery under section 94 of the Crimes Act, perverting the course of justice under section 319 of the Crimes Act, recklessly dealing with the proceeds of crime under section 193B (3) of the Crimes Act, and supplying a prohibited drug against section 25 (1) of the Drug Misuse and Trafficking Act when the quantity of the prohibited drug involved is less than the commercial quantity. I do not have a problem with the logic of this proposition, just as how the Criminal Procedure Amendment (Summary Proceedings for Indictable Offences) Bill 2016 also made some strictly indictable offences into table offences.

There are several practical implications of the bill's amendments. The sentencing options—the maximum length of the sentence that can be imposed—are significantly less for a magistrate than for a judge. However, if a likely sentencing outcome is within the sentencing jurisdiction of the Local Court, then it seems sensible to have the matter determined to finality in the Local Court. In the case of each table offence the prosecution retains the right to elect to have it dealt with in the District Court under its greater sentencing jurisdiction. Provided that the prosecution is performing its functions efficiently, this seems an entirely sensible arrangement. Being dealt with summarily means matters will be completed more speedily to the benefit of everyone including the defendant, victims and witnesses. It will also mean fewer resources being utilised.

The cynical are entitled to think this type of amendment is more about the crisis of delays in the District Court. There have been recent government announcements and an allocation of funding and the very successful rolling list program initiated by the Chief Judge of the District Court, but as the incoming President of the Law Society, Doug Humphreys, reminded everyone at his speech at the opening of law term recently, there is still more to do. I do not think that the solution to District Court delays is to give more matters to the already struggling Local Court. Since this Government came to power, eight magistrates positions have been cut. The Government can find \$2.5 billion to knock down stadiums but not enough to properly fund the criminal justice system. The Chief Magistrate repeatedly warned of the problems of underfunding of the Local Court system. It defies logic to



keep giving extra work to the Local Court without extra resources. What is being done is an attempt to reduce pressure on the District Court by increasing pressure on the already stressed Local Court system. The inclusion of these offences as table offences makes sense in a logical way; however, doing it without properly resourcing the Local Court does not. The Opposition does not oppose this bill.

**Mr STEPHEN BROMHEAD (Myall Lakes) (10:18):** I speak in support of the Justice Legislation Amendment Bill 2018. First, the bill seeks to amend the Crimes Act 1900 so that it will be an offence for any member of the teaching staff of a school or any other school employee who has students under their care or authority to have sexual intercourse with a person at that school aged between 16 and 18. Now this offence only applies if the offender is the victim's school teacher. Secondly, it amends the Criminal Procedure Act 1986 so that four offences are now to be dealt with summarily unless the prosecutor or person charged wants the offence dealt with on indictment. Thirdly, it removes exemptions from the Anti-Discrimination Act 1997 that allow an employer to discriminate against a pregnant woman in certain circumstances. Fourthly, it makes changes to the storage and service of documents under the Crime Commission Act 2012. Fifthly, it allows a court to order that the photograph, fingerprints and palm prints of a person who is guilty of a drunk driving offence may be taken at a police station, and also amends the Succession Act 2006.

The bill amends a number of Acts following departmental reviews of court decisions. For example, in his second reading speech the Attorney General said a recent Court of Criminal Appeal decision in *R v PJ* has resulted in significant amendment to the Crimes Act 1900 regarding who may be deemed to have a special care relationship with a school student for the purposes of child sex offences. The Attorney General also said in that speech that the proposal to try more offences summarily arose from a review of the Criminal Procedure Act 1986. The amendments aim to reduce delays in the District Court by allowing some less serious matters to be tried summarily in the Local Court. The special care offence in section 73 of the Crimes Act 1900 is a crucial offence for protecting young children. The provision makes it an offence for a person to have sexual intercourse with a 16- or 17-year-old child, where the child is under the person's special care.

The offence was introduced, substantially in its current form, in 2003 through the Crimes Amendment (Sexual Offences) Act 2003. Since that time the offence has protected young people from sexual exploitation where the person is: a step-parent, guardian or foster parent of the victim; a school teacher, and the victim is a pupil of the offender; a custodial officer of an institution where the victim is an inmate; and a health professional, and the victim is a patient of the health professional. The offence has also protected 16- and 17-year-old children from people with whom they have an established personal relationship in connection with the provision of religious, sporting, musical or other instruction. These could be sports coaches, tutors, music teachers or religious leaders. The offence was expanded in 2012, so that de facto partners of a child's parent, guardian or foster parent are also covered as a recognised "special care" relationship.

Since 2003, the offence has been punishable by a maximum penalty of eight years imprisonment if the child involved is 16 years old, or a maximum penalty of four years imprisonment if the child is 17 years old. The offence performs a critical function in deterring and prosecuting sexual exploitation of young people, as the prosecution does not have to prove that the authority figure in question in fact used their authority or undue influence in order to secure the child's consent to sexual intercourse. Instead, the prosecution simply has to prove the existence of one of the relevant special care relationships and the fact that intercourse took place. This feature of the offence is extremely important in facilitating prosecutions for this behaviour, and implementing a no exceptions rule for people who have sexual intercourse with young people in their care. The Royal Commission into Institutional Responses to Child Sexual Abuse commented favourably on this aspect of the offence in its August 2017 criminal justice report.

However, a recent decision of the Court of Criminal Appeal has highlighted some limitations with the way this offence is drafted, with respect to the teacher-pupil special care relationship. The Government acted swiftly to address this issue as soon as it came to light. This bill will ensure that, in future, teachers who have sexual intercourse with 16- or 17-year-old students at the school where they work will not be able to escape prosecution by arguing that they did not directly teach the student at the time of the sexual intercourse.

All members of the teaching staff have a relationship of power and authority with the students at the school where they teach. The amendments made by this bill recognise this reality and ensure that students are protected. The amendments also ensure that people employed at the school who have responsibility for students or have students under their care such as school councillors, welfare officers or year advisors will be recognised as having a relationship of special care with students. These changes will ensure that the New South Wales offence encapsulates the widest definition of "teacher" compared to other jurisdictions with similar offences. It would not be surprising if other States and Territories took the changes made by this bill as an opportunity to strengthen their own offences.

Now that the offence has been in place for 15 years, it is appropriate for the Government to examine other opportunities to strengthen the offence beyond the amendments made by this bill. There may be other areas where weaknesses in the drafting must be addressed or opportunities taken to expand the coverage of the offence so it provides the best protection for young people. With this in mind, the Attorney General has taken the step of referring an inquiry into the offence to the Legislative Council Standing Committee on Law and Justice. The inquiry will focus on the adequacy of the scope of the special care relationships recognised under the offence as amended by this bill.

The inquiry will facilitate an in-depth look at the relationships that should be covered by the offence and recognised as special care relationships. The outcomes of the inquiry will ensure that New South Wales continues to lead other States and Territories in this space. Although the criminal law sets the age of consent to sexual activity at 16, 16- and 17-year-olds can still be vulnerable to undue influence and pressure. It is easy to imagine situations with authority figures such as teachers, religious leaders or doctors where a 16- or 17-year-old cannot be said to have freely consented to sexual intercourse. This offence provides much needed additional protection to older teenagers in vulnerable positions. In particular, the offence as amended by the bill will ensure that all school students have a safe learning environment where they are free from sexual manipulation or exploitation.

I commend the Attorney General in bringing this bill before the House and referring to the committee other areas that might need to be tightened up or where the definition may need to broaden in the bill to include, for example, volunteers. Volunteers may coach at the school or teach music. They are not employed by the school, they are not present all the time and they may be able to use that position at the school to exploit the children. The committee could also look at the situation where a teacher grooms a child while they are at a school and at the end of the year leaves and goes to another school where they pick up the relationship. It is not the same school, therefore would not fall under this offence. The committee may inquire into these issues. They are some of the matters that will be reviewed by the committee. I commend the bill to the House.

**Ms JENNY AITCHISON (Maitland) (10:27):** I speak to the Justice Legislation Amendment Bill 2018. In particular, I seek to address the issues raised by schedule 1.4 to amend section 73 of the Crimes Act. I take the opportunity to thank the Attorney General and his staff for the briefing I received on this issue. This legislation is being changed to close a loophole. In the case referred to by the member for Myall Lakes a teacher who was not the current teacher of a student successfully challenged the charges. Schedule 1.4 [1] omits section 73 (3) (b) and inserts instead:

(b) the offender is a member of the teaching staff of the school at which the victim is a student, or

[2] Section 73 (6)

Insert after section 73 (5):

(6) In this section:

member of the teaching staff of a school means:

- (a) a teacher at the school, or
- (b) the principal or a deputy principal at the school, or
- (c) any other person employed at the school who has students at the school under his or her care or authority. I was very interested to hear the Attorney General's second reading speech, particularly when he was very clear on the circumstances in which this amending bill would not apply. He stated:

The amendment will not expand the scope of the offence to school workers who do not have students under their authority or care. Examples may include a groundskeeper or office staff who perform purely administrative duties, such as an executive assistant to a principal. This recognises that a power imbalance is less likely between these workers and students. The court will be in a position to consider all of the circumstances on a case-by-case basis. This amendment has been urgently progressed by the New South Wales Government to close the loophole. Terms of reference will be provided to the Legislative Council Standing Committee on Law and Justice ...

The point made by the Attorney General is worthy of discussion. Is it really less likely that a power imbalance will occur between a student and any adult who is employed in a permanent capacity at a school? We need to consider passing legislation that reflects a change in attitude in our society, which is that using power to have sex with someone is wrong. It is either wrong or it is not. This legislation presents an opportunity to change the legislation. I suggest that many people in the community would believe that this bill does not go far enough.

As the mother of a 16-year-old daughter and school student, I would not be happy to hear that a groundskeeper or a member of the administrative staff of her school had initiated a sexual relationship with her. Similarly, I would not feel happy if that happened to my son at the same age as she. No-one cares if consenting adults have sex with each other outside of the school environment. No-one cares who they are or what they do. That is a private matter. This is not, as some would suggest, about raising the age of consent from 16 years to

18 years. I am saying that there are institutions in our society—and I would count schools as one of those—where it should be clear to everyone that staff and students cannot engage in a sexual relationship without there being an element of a power imbalance. To those who do not think this loophole should be completely closed by including groundskeepers, administrative staff and other workers in schools, the question is: Should a maintenance or an administrative employee be charged as a criminal for having a sexual relationship with a student?

In public schools that would be covered by the code of conduct, and in many private schools the code of conduct similarly would apply. If we allow an offender only to be sacked and not charged with a criminal offence, does that guarantee that they will not be able to go to another school system or to another State and do the very same thing? How can we guarantee protection for all schools? Section 5A of the Teaching Service Act states, "The protection of children is to be the paramount consideration ... in taking any action with respect to an officer or temporary employee ...". By omitting school workers, who also are in a position of power, this bill is not making the protection of children its paramount concern. Some may ask: What power or authority does a groundskeeper have in a school? He or she may be friends with the person who marks a student's assessments, or they may be friends with a student's year's assessor or student adviser or with anyone in a similar position.

The Attorney General acknowledges that when a staff member has the power to issue directions to a student a power imbalance is present. Groundskeepers, office staff and administrative staff can all issue directions to students. If members ask any of their children who are of school age, or even recall their own school years, about that group of school workers, they would know that in some cases the administrative officers in schools are the scariest people because they determine whether a student goes on an excursion or is able to enrol in a course. I cannot see why we would be protecting the right of people to have sex with our kids at school over the injustice and terrible lifelong complications for students who are impacted by people that take advantage of them as a result of a power imbalance. If any one of that group of staff members makes a sexual advance towards a student, it is clearly a contravention of what the general public considers acceptable.

Members should ask themselves how they would have felt when they were 16 or 17 years of age if one of their teachers had made an advance. Leave aside that it is a walk-up "let's go for it"; it would be after months or perhaps even years of grooming. Would they have been able to tell that person that they are not up for that type of relationship? From all we know about abuse and sexual assault, at 16 or 17 years of age they would not have been able to do that. The Government already fails to address those issues in the private school system. As the shadow Minister for the Prevention of Domestic Violence and Sexual Assault, a number of cases have been brought to my attention.

Sexual assault on students by teachers and other sorts of sexual misconduct in schools, particularly private schools, is not being addressed effectively. Cases of sexual assault and sexual misconduct are being forwarded to the Association of Independent Schools to deal with. The State and Federal governments fund those schools but they say they do not have the capacity to investigate. The relevant governments must take responsibility for sexual assaults and sexual misconduct in schools. They cannot expect this wishy-washy amendment, which still has a large loophole, to improve matters.

The Government's record on dealing with sexual misconduct is abysmal. The main question is: Why are legislators defending the rights of non-teaching employees to have sex with children as young as 16 or 17 years of age? Why is the onus of proof on students to prove that a power relationship existed? We know that police are poorly resourced. For example, a teacher may have a consensual sexual relationship with a child aged 16 or 17 years or with a groundskeeper who is aged 16 or 17 years. The police will pursue the case that ensures a conviction. I doubt those cases in which students are not involved would even be considered by a court. The police would have to jump over hurdles to prove that a power relationship existed. How do we prove a power relationship existed? I would argue that that would be as difficult as proving sexual intercourse has taken place.

Last year Labor undertook a significant campaign on stopping sexual assaults on campus. While the focus of that campaign was on young people living in residential colleges, the underlying message that filtered through was that university staff are also having sexual relationships with students. Again, those relationships were subject to pressure, stress and coercion. If students who are over the age of consent are experiencing this, how can we protect students aged 16 and 17 years? *[Extension of time]*

There are shades of grey in real life, but the law must choose a side. I am tired of it choosing perpetrators over victims and survivors of sexual assault and non-consensual and coercive sex. A relationship between a student and teacher at the same school would be considered to be a power relationship and it would be a criminal offence for those individuals to have sex. Adults who are employed to work at a school would have a power imbalance with students.

Since the beginning of the #MeToo movement, revelations have emerged in the film and arts industries and even politics. A society-wide conversation is taking place about power imbalances, workplace relations and

predatory behaviour. It is highlighting to society that those in a position of power often abuse their positions to pursue sexual relationships. Threats, intimidation and coercion are tools used by those in positions of power to pressure people into uncomfortable situations, particularly unwanted sexual relationships. Intimate and personal relationships between people are nuanced and a person can easily be pushed into an unwanted relationship. In school environments, students wear uniforms to distinguish them clearly from staff; they are complete and separate groups.

Staff members are employed to create a safe environment that supports education. How can it be right for any member of staff to have a sexual relationship with a student? How can a school be safe if some members of staff are allowed to pursue sexual relationships with students? This bill gives the Government the opportunity to set a clear standard: School employees cannot pursue sexual relationships with students. This is the standard that our community expects. The Royal Commission into Institutional Responses to Child Sexual Abuse recognised that being part of an institution like a church or a school gives people power and influence and that some use this power to exert their desires on those less powerful. According to a young friend of mine, a 20-year-old maintenance man dating a 17-year-old student at school is "creepy" and "with a power imbalance". School should not be the place for this type of relationship.

Some cases have involved administrative staff who have relationships with board members, teachers and other influential people within the school. Those relationships support the abuse and coercion. The Attorney General is seeking to close the loophole identified in *Regina v PJ*, but this bill will leave that loophole open. By failing to include all staff employed at a school, the Government is knowingly allowing those in a position of power to pursue sexual relationships with students. This is not a standard that the community accepts. I implore the Government to amend the bill to include all staff employed at a school.

**Ms FELICITY WILSON (North Shore) (10:41):** The Justice Legislation Amendment Bill 2018 closes a loophole that allows sexual intercourse with a child aged 16 or 17 years who is in special care and removes exemptions to sex discrimination laws that allow the discrimination of pregnant women in the employment context. The Attorney General has introduced this bill to ensure that those offences cannot continue to be committed. As previous speakers mentioned, the first loophole has been utilised to ensure that individuals have been found not guilty of what many in the community believe is an offence. Those cases involve a child or young person entering into a sexual relationship at school where there was a level of coercion or abuse of power.

Schedule 1.4 to the bill amends the Crimes Act 1900 to expand the offence of having sexual intercourse with a person aged 16 or 17 years, who is under special care, to include any member of the teaching staff at the school at which the victim is a student. This includes teachers, the principal, deputy principal and any other person employed at the school who has students under his or her care or authority. The offence applies whether or not the teacher is the victim's direct classroom teacher at the time the sexual intercourse occurs. I acknowledge that there are discussions around expanding the amendment to include other school staff. It has been mentioned by the member for Myall Lakes and the member for Maitland and is an issue that will be further considered as time goes on. At the moment, I continue to support the bill and the closing of that loophole.

Schedule 1.1 amends the Anti-Discrimination Act 1977 to remove exemptions to sex discrimination laws with regard to the employment of pregnant women. The bill omits section 25 (1A) and (2A) of the Anti-Discrimination Act 1977, which allows employers to decline to employ a woman or to dismiss a woman if the woman knew she was pregnant at the time she applied for or was interviewed for the job. The ability to discriminate against pregnant woman in this way does not reflect the standards of our community, which ensure that women have equal access to employment and employment rights regardless of whether they are pregnant. The bill repeals those provisions. Those sections previously had been inserted into the Anti-Discrimination Act at the same time as pregnancy discrimination was inserted into the Act. The 1981 amendments were intended to put beyond doubt that a woman who is discriminated against on the ground of her pregnancy is discriminated against on the ground of her sex. However, section 25 (1A) and (2A) are dated and out of step with modern standards.

It is unacceptable and inconsistent with community expectations for a woman to be overlooked for a role because she is pregnant or dismissed from a new position once it becomes apparent she is pregnant. The effect of section 25 (1A) and (2A) is that a woman who is discriminated against on the basis that she was pregnant when she applied for employment cannot bring a complaint to the Anti-Discrimination Board of New South Wales. Women facing sex discrimination in the private sector can make a complaint to the Australian Human Rights Commission under the Commonwealth Sex Discrimination Act 1984. However, the Commonwealth Act does not apply to New South Wales public sector agencies. Therefore, women who have sought or obtained jobs in the New South Wales public sector while pregnant currently have no legal recourse if they are denied employment or dismissed under section 25 (1A) or (2A).

Repealing section 25 (1A) and (2A) will protect pregnant women against sex discrimination in the employment context and bring New South Wales into line with all other Australian jurisdictions. The amendment

will ensure fair access to employment, which is good for the New South Wales economy and vital to ensuring gender equality. I acknowledge the Attorney General and his office for pursuing these reforms and ensuring that both loopholes are closed and that the law reflects the rights of children within the education system as well as women within the workforce, particularly in the public service workforce. I also acknowledge the advocacy of Dr Mehreen Faruqi in the Legislative Council in this area. I commend the bill to the House.

**Mr ADAM CROUCH (Terrigal) (10:46):** On behalf of the Government, I speak to the Justice Legislation Amendment Bill 2018. I acknowledge the contributions of my colleagues the member for Myall Lakes and the member for North Shore. This bill was brought forward by the Attorney General in his second reading speech on 2 February 2018. I congratulate the Attorney General and his staff on introducing these necessary amendments. The bill makes miscellaneous amendments affecting the justice cluster. This type of bill is usually introduced into Parliament each session or annually as part of the Government's regular legislative review and monitoring program. I speak often on these types of amendments as they are necessary updates to obviously old legislation. I am sure that Temporary-Speaker Provost has seen many of these during his time in this Chamber.

This cluster of amendments covers a wide area. I commend the Attorney General and his staff for their wide consultation at the time of drafting these amendments with the Law Society of New South Wales, the New South Wales Bar Association, the Local Court, the District Court, the Supreme Court, the Children's Court, the Land and Environment Court, the NSW Civil and Administrative Tribunal, inter-governmental agencies such as the Office of the Director of Public Prosecutions, Legal Aid NSW, the Public Defenders, and our fantastic NSW Police Force. Primarily I will focus on amendments that will be made to the Crime Commission Act 2012. The Attorney General, in his second reading speech on 2 February, outlined that schedule 1.3 [6] amends the Crime Commission Act 2012 to enable the commission to serve documents, such as a summons to give evidence, electronically. Under the current Act, the commission can serve those documents only in person, by post or by fax, which we know is an antiquated process, especially with the rapid advancement of digital technology.

I will focus on the amendments to the Crime Commission Act 2012. The bill makes several important amendments to this Act. As I said, it allows the commission to serve and receive documents electronically. It also gives the commission discretion over certain reporting requirements for temporary staff. These amendments will increase the efficiency of the Crime Commission's internal processes. The first two amendments modernise the Act to allow the service of documents by email. With the advancement of technology, this is a great step forward with regard to processing documents. The commission regularly serves documents on people in the course of performing its investigatory functions. For example, it might serve a summons to appear before the commission to give evidence or a notice to produce documents relevant to an investigation. Under section 84 of the Act, the commission can serve those documents only in person, by post, or by fax to individuals or corporations. This amendment enables the electronic service of those documents and updates the entire section on the service of documents.

An accompanying amendment concerns the electronic receipt of documents. After the NSW Crime Commission has served a notice to produce documents on an individual or corporation, the documents are provided in hard copy or electronically. According to section 29 (4), the commission is required to store those documents safely. This section also requires the commission to seal the said documents. In practice, the vast majority of documents are provided to the commission in electronic form via email. A document received via email can be safely stored but it cannot be sealed in the same way as a physical document. The amendment in the bill removes the requirement to seal documents and replaces it with a requirement to record the receipt of documents. The commission will still be required to note the receipt of all documents and ensure that they are safely stored.

The bill amends also the reporting requirements for certain commission staff. Under section 75 of the Act, when officers are employed by the commission they must provide a statement of their financial interests. This is an important safeguard to avoid conflicts of interest by commission staff. However, while these disclosure obligations are appropriate for permanent staff, they are not always necessary for temporary officers or staff whose work is more remote from core operations. For example, there may be little utility in the commission obtaining financial disclosures from a secondee in an administrative role. The relevant amendment enables the commission to waive the disclosure requirements when it determines that they are unnecessary in relation to a particular officer. If a waiver is granted, the commission retains the power to order the officer to comply with financial disclosure requirements later if there are concerns about a conflict of interest.

This amendment also clarifies that if the commission waives financial disclosure requirements for a secondee or a temporary officer commencing work, the officer is not required to disclose a later change in financial circumstances under section 76. This is an extension of the changes to the initial financial disclosure requirements. It does not make sense for secondees or temporary workers who have been exempt from initial disclosure to be subject to burdensome disclosure obligations once they start work. These amendments update the commission's

internal procedures and allow for more efficient investigations. I now turn to section 160 of the Evidence Act 1995, as highlighted by the Attorney General in his second reading speech. The Act currently provides a presumption that postal articles sent by prepaid post in Australia will be received four days after postage. Australia Post has updated its delivery standards, with the effect that postal articles may now take a maximum of seven days to arrive by post. The date that post is presumed to be received can be important in legal proceedings. Section 160 of the Evidence Act 1995 states:

- (1) It is presumed (unless evidence sufficient to raise doubt about the presumption is adduced) that a postal article sent by prepaid post addressed to a person at a specified address in Australia or in an external Territory was received at that address on the fourth working day after having been posted.
- (2) This section does not apply if:
  - (a) the proceeding relates to a contract; and
  - (b) all the parties to the proceeding are parties to the contract; and
  - (c) (1) is inconsistent with a term of the contract.
- (3) In this section:
 

**"Working day"** means a day that is not:

  - (a) a Saturday or a Sunday; or
  - (b) a public holiday or a bank holiday in the place to which the postal article was addressed.

Section 160 of the Act presumes that an article sent by prepaid post in Australia will be received within four working days after postage. As I said, Australia Post has updated its minimum delivery standards with the effect that postal articles may now take a maximum of seven days to arrive by post. The amendment to section 160 ensures that legislation aligns with the new delivery standards of Australia Post. I again acknowledge the great Attorney General and his incredibly hardworking staff, many of whom are in the Speaker's Gallery, for putting together the bill. I congratulate them on the wideranging consultation they undertook in preparing the amendments. I commend the bill to the House.

**Mr ALISTER HENSKENS (Ku-ring-gai) (10:56):** As Neil Young once said, rust never sleeps. The process of improving our justice system never sleeps either. I commend the Attorney General, who is a highly experienced member of the bar and a Senior Counsel, for bringing forward the Justice Legislation Amendment Bill 2018 and improving justice in this State. I will speak about two aspects of the bill, being the table offence reforms and the Land and Environment Court reforms. The purpose of the table offence amendments in schedules 1.5 and 1.7 is to allow four strictly indictable offences, which currently must be heard in the District Court, to be heard in the Local Court.

One of the most concerning aspects of our court process is the time it takes for cases to be finalised in court. We are all familiar with the phrase that justice delayed is justice denied. Lengthy court processes can compound the stress and trauma that victims experience while waiting for their cases to be resolved. It can also be stressful for witnesses who are expected to recall the details of their evidence and for the accused person waiting for a verdict. Police officers also are disadvantaged by delay. They may have moved to other locales and it can be inefficient and costly to bring them back to the court nearest to the location of the offence. For a long time the legal system has recognised that delays in hearings generally reduce the quality of justice because memories diminish and documents can sometimes be destroyed. The bill aims to reduce court delays for all participants in the criminal justice system by ensuring that criminal offences are dealt with in the most appropriate court.

In New South Wales criminal cases are dealt with in the Local Court, District Court or Supreme Court depending on the type of offence. Offences characterised as summary offences are the least serious criminal matters and are dealt with by the Local Court, which has a maximum sentencing jurisdiction of two years imprisonment. Indictable offences may be dealt with in the Local Court, except when an election is made for the matter to be heard in the District Court. Offences in this category are known as "table offences" because they are listed in two tables in schedule 1 to the Criminal Procedure Act 1986. For table 1 offences, an election to the District Court may be made by either the prosecutor or the defendant. For table 2 offences, which are less serious, an election may be made only by the prosecutor. Strictly indictable offences must be dealt with in either the District Court or the Supreme Court. Those courts have jury trials and larger sentencing jurisdictions than does the Local Court and typically those trials take longer to complete because they are held before a judge and a jury.

In its 2011 report entitled "An Examination of Sentencing Powers of the Local Court in NSW", the NSW Sentencing Council recommended a review be undertaken of the Crimes Act 1900 to consider whether any additional offences should be included in the tables. That review was undertaken by the Department of Justice in consultation with a range of stakeholders, including the NSW Police Force, the NSW Sentencing Council, the Office of the Director of Public Prosecutions, Legal Aid New South Wales, the Public Defenders, the Chief Judge

of the District Court, the Chief Magistrate of the Local Court, the New South Wales Bar Association and the Law Society of New South Wales.

Having considered the recommendations of the review, in 2016 the Government moved four strictly indictable aggravated break and enter offences into the category of table offences. These amendments will move a further four offences that have been identified by the review as suitable to be categorised as table offences: robbery simpliciter, section 94, Crimes Act 1900; pervert the course of justice, section 319, Crimes Act 1900; supply a prohibited drug, but only when the quantity involved is more than the indictable quantity and less than the commercial quantity, section 25 (1), Drug Misuse and Trafficking Act 1985; and recklessly dealing with proceeds of crime, where the value involved is over \$5,000, section 193B (3) Crimes Act 1900.

The offence of recklessly dealing with proceeds of crime also will be included in table 2 when the monetary value involved is \$5,000 or less. For this offence, only the prosecutor can elect whether the matter can be heard in the District Court. Importantly, it is not anticipated that there will be an impact on sentence lengths as a result of these amendments. While the Local Court has a two-year limit, it is important to be aware that most of the existing table offences that already can be heard in the Local Court are serious criminal offences with many carrying a maximum of 10 years imprisonment or more. Furthermore, statistics from the NSW Bureau of Crime Statistics and Research show that the majority of sentences currently imposed by the District Court for the four new table offences already fall within the Local Court's two-year sentencing scope. In 2016 more than 90 per cent of finalised charges for the four offences resulted in sentences of less than two years. This trend was consistent from 2012 to 2016.

It also must be remembered that just because an offence may be heard in the Local Court, that does not mean it must be heard in the Local Court. Any serious charges involving one of the new table offences still can be dealt with in the District Court when an election from either the prosecution or defence is made. The making of an election by the prosecution is governed by a protocol between the NSW Police Force and the Office of the Director of Public Prosecutions. When New South Wales Police Prosecutors consider that the facts of a matter are serious and cannot be dealt with in the Local Court's two-year sentencing limit, the matter is referred to the Office of the Director of Public Prosecutions under the protocol.

Cooperation between the NSW Police Force and the Office of the Director of Public Prosecutions ensures that less serious matters are dealt with efficiently and cost effectively in the Local Court while more serious matters continue to be dealt with in the District Court. While it is not anticipated that there will be an impact on the length of sentences, the Department of Justice will conduct a review two years after commencement to evaluate the impact of the reform on sentences and the impact of the workload on the Local Court and the District Court and criminal justice agencies.

That review also will evaluate those matters for the four break and enter indictable offences that were transferred to the tables in November 2016. The benefits of recategorising these offences as table offences will flow to all participants in the criminal justice system. I mentioned previously that the lives of victims and witnesses are significantly impacted by the stress and uncertainty that results from waiting for matters to be resolved in the District Court. In 2016, the median number of days for a case to be finalised in the District Court was 7,13.5, compared to only 187 in the Local Court. I repeat: delay also affects the reliability of witness testimony.

Having matters dealt with more quickly in the Local Court also will have benefits for accused persons as they will receive faster justice through an acquittal or finding of guilt. The amendments also will contribute to alleviating the pressure on the criminal justice system, including the District Court criminal trial backlog. Moving the four offences to the tables is estimated to reduce the criminal trial backlog by approximately 100 trial registrations per annum and will shift approximately 400 matters from the District Court to the Local Court. This will create extra capacity in the District Court to focus on more serious criminal offending. In this way, the reform complements other recent government efforts towards reducing the District Court trial backlog.

I turn to the Land and Environment Court amendments. Schedule 1.9 to the Justice Legislation Amendment Bill 2018 will amend the Land and Environment Court Act 1979 to prescribe certain matters currently prescribed as class 3 miscellaneous matters will become class 4 civil enforcement matters. They will include matters concerning the National Parks and Wildlife Act 1974, Biodiversity Conservation Act 2016, Dangerous Goods (Road and Rail Transport) Act 2008 and Water Management Act 2000. This is a minor amendment that was requested by the Land and Environment Court to ensure that the court can apply the most appropriate practices and procedures to its jurisdiction. This amendment is an example of how important the miscellaneous justice legislation amendment bills are to keeping our system of justice in New South Wales fast, fair and efficient. I again complement the Attorney General on his fine work. I commend the bill to the House.

*Visitors***VISITORS**

**TEMPORARY SPEAKER (Mr Geoff Provest):** I welcome Brad Scutella, who is in the public gallery. Brad was a familiar face to those in the other place. It is great that he has seen the light. I once again welcome Brad to the Legislative Assembly of New South Wales.

*Bills***JUSTICE LEGISLATION AMENDMENT BILL 2018****Second Reading Debate**

**Ms JENNY LEONG (Newtown) (11:06):** I speak on behalf of The Greens in debate on the Justice Legislation Amendment Bill 2018. The bill amends the Crimes Act 1900, the Criminal Procedures Act 1986, the Anti-Discrimination Act 1977, the Crimes Commission Act 2012, the Law Enforcement (Powers and Responsibilities) Act 2001 and the Succession Act 2006. The focus of my contribution will be on two specific areas of this bill: the amendment to the Anti-Discrimination 1977 to remove exemptions that apply in relation to employment discrimination against pregnant women; and the amendment to the Law Enforcement (Powers and Responsibilities) Act 2002 to extend a court's power to order a person found guilty of a drink-driving offence to have his or her photograph, fingerprints and palm prints taken at a police station to a person found guilty of driving with illicit drugs in his or her oral fluid, blood or urine.

I state at the outset that it is outstanding that we are amending the Anti-Discrimination Act to remove an exemption that would have allowed pregnant women applying for a job to be discriminated against. I do not think any man in this place would ever imagine being asked whether or not his partner was pregnant when applying for a job. That might be an odd thing for a man to be asked but it appears that women, who face more discrimination and challenges in equality in the workplace, have been asked this question. That is now being dealt with in this legislation. It is important to give credit, as the Attorney General has, to the work of my colleague in the other place, Dr Mehreen Faruqi, who identified this as a serious concern in the current laws. This amendment is the result of her advocacy and that of others who over many years had flagged the need for it.

Historically, exemptions were inserted into the New South Wales Act by the anti-discrimination amendment in 1981 under the Wran Labor Government. That meant many women were having to take proceedings under the Commonwealth Sex Discrimination Act, which does not have such exceptions. Over time there have been several reviews of these recommended changes but unfortunately to date none has been implemented. The NSW Law Reform Commission recently drafted a bill to address pregnancy protections and to remove the exemptions. In 2014 the Australian Human Rights Commission flagged as part of its research the pervasive discrimination that pregnant women face when returning to work. This is a problem for many women in the electorate of Newtown, which has a high percentage of working mothers. It is an issue that must be addressed just as we must address the issue of equality in the workplace.

From the moment that women become pregnant that gap widens. Women are unable to apply for new or more senior roles and often they are forced to take more time off work because they cannot access affordable child care. At that stage their male peers start racing ahead of them in their career progression. On a personal note, at the age of 30 the greatest job security I had was when I was elected in 2015 as the member for Newtown for a four-year term, which gives an indication of job insecurity in the workforce. My daughter, Scarlett, who is now 1½, cruises around the Chamber regularly.

Not everyone in the workplace is that lucky. We must amend legislation that discriminates against women and change any provisions in the law that permit employers to sack women if they are pregnant at the time that they are interviewed. Removing those provisions will bring New South Wales into line with the provisions in other States and with Federal discrimination laws. Many women in Newtown electorate and across New South Wales are discriminated against and this is one small but significant change that can be made. The Greens support this legislation. I again pay tribute to my colleague Dr Mehreen Faruqi for her advocacy in updating archaic laws.

Another issue in the bill that I wish to address relates to people being required to provide to police their photographs, fingerprints and palm prints. I refer specifically to those facing drug-driving tests. My colleague in other place Mr David Shoebridge exposed a multitude of problems relating to the drug-driving testing that has been rolled out in New South Wales. He will be seeking in the other place to move amendments to certain provisions in the bill to enable courts to order that drug-driving offenders be required to provide their photographs, fingerprints and palm prints to police.

The drug-driver scheme does not test for drugs known to cause driving impairment and detects minute amounts of other chemicals which cause no impairment. This bill will allow anyone with a positive test, no matter



how minute the chemical traces in the saliva, to then be placed forever on the police database. This gross infringement of people's privacy will do nothing to make our roads safer. Drug-driving tests look for a minute amount of certain chemicals in saliva. Such a test will be positive if someone smoked a joint several days earlier. There are reports that people who legally used hempseed oil, which contains almost no THC, failed these roadside drug tests. Is it reasonable for someone who has no driving impairment to have his or her photograph, fingerprints or palm prints permanently placed on a police database?

Imagine if every person with an alcohol level below the legal limit was mandatorily fingerprinted and photographed and that information was placed forever on a police database. That would be unacceptable if we were talking about people driving when they have alcohol levels below the legal limit, but there is a discrepancy when it comes to drug-driving tests. As I said earlier, The Greens in the other place will be moving amendments to remove that provision. There is no evidence to back up these current drug-driving tests. These provisions will infringe on the rights and civil liberties of all those who do not have driving impairments—a matter of concern to many in the community. I am sure that some regional members would have significant concerns about the drug-driving test that is currently being rolled out in New South Wales. At present it tests for only three drugs—cannabis, ecstasy and amphetamines—when many other drugs that are known to cause driving impairment are excluded. The Legislation Review Committee examined the drug-driving test and found:

Collecting such personal information may breach an offender's right to privacy. While the amendment treats drink-driving and drug-driving offences consistently, a person will only be found guilty of the similar drink-driving offence under section 110 if they exceed a prescribed blood alcohol concentration. There is no such prescribed limit with the drug-driving offence, and it has been suggested that drug tests in other jurisdictions are aimed at detecting a level of the drug that would affect driving. The offence may therefore capture people whose driving is not impaired by drugs.

For these reasons, the proposed amendment may be seen to inappropriately lower the threshold for the collection of personal information.

This legislation has not been thought through. It would be a shame if legislation that seeks to protect the rights of women by addressing archaic exemptions in this State infringed even more on people's rights and civil liberties. I hope that the Government will consider and support the amendments that will be moved by my Greens colleague in the upper House so we can see an end to discrimination and infringements of rights.

**Mr DAMIEN TUDEHOPE (Epping) (11:16):** I support the Justice Legislation Amendment Bill 2018. Other speakers in this debate referred to all the interesting provisions in the bill so it has fallen to me to address the amendments that it will make to the Succession Act 2006—the least stimulating part of this legislation. I will do my best. A statutory review of the Succession Act 2006 is required to be undertaken by the Department of Justice. The Succession Act is probably the piece of legislation that impacts on us all because we all die. Dealing with the assets of people once they die is a fundamental part of the way in which the laws of this State are implemented.

The Succession Act provides the legislative framework relating to wills, family provisions and the distribution of intestate estates in New South Wales. The Act is modelled on uniform laws developed by the National Committee for Uniform Succession Laws—a really worthwhile thing. These model provisions involve comprehensive consideration, review and consultation at a national level. The general object of the Succession Act is to implement the national committee's proposed reforms in the area of wills, family provision and intestacy. The Department of Justice, in accordance with its mandate, has reviewed the Succession Act on behalf of the Attorney General in order to determine whether the policy objectives of the Act remain valid and whether the terms of the Act remain appropriate for securing those objectives.

The department received a number of submissions to the review from members of the public and key legal stakeholders including the Chief Justice of the Supreme Court of New South Wales, the Elder Law and Succession Committee of the Law Society of New South Wales and the New South Wales Bar Association. Following comprehensive consultation and analysis, the department concluded that the policy objective of the Succession Act remains valid and that the terms of the Act are appropriate for securing its policy objective. However, the review recommended a number of minor and technical amendments to improve the operation of the Act. Those recommendations are implemented by the Justice Legislation Amendment Bill 2018. I will now deal with those amendments.

This is where it gets really dry. I will talk about the sorts of things that highlight the necessity for this sort of legislation. When I was in practice, if a person made a will and then suddenly became incapacitated, the will might no longer reflect the person's intentions or, alternatively, effect would be given to the previous will. Sometimes that creates incongruities that need to be addressed by the law. The Act now allows the court, on application of a related person, to substitute a will for the person who is incapacitated. That is an important component. I will demonstrate how it works by using a 2009 case, *Re Charles*, as an example. Those proceedings

concerned a minor given the pseudonym "Charles", and the application was made by the Minister for Community Services.

Charles was born in 1997 and had been under the care of the Minister by way of a care order since 1998 following severe head injuries sustained by him at the age of four months. The defendants were his parents who, although never criminally convicted, were suspected of having deliberately inflicted the injuries on Charles, which were consistent with shaken baby syndrome. The parents denied causing the injury and, although notified of the Minister's application, did not appear at the hearing or oppose the proposed orders. Evidence tendered by the Minister demonstrated that Charles' parents regularly visited him and that during the visits they were highly attentive and affectionate towards him.

Here comes the rub. In November 2000, the Victims Compensation Tribunal awarded Charles substantial damages in respect of his injuries. The money is held on trust for him by the Public Trustee until he reaches the age of 18. The evidence demonstrated that Charles' life expectancy is diminished because of his medical condition and that he will never have testamentary capacity. Charles had never made a will because he was a minor and it was held that he would be unable to make a will as an adult. If Charles were to die intestate, his estate would go to the very parents who had caused his injuries. The question for the court, of course, was whether that was appropriate. Without going through the process of the litigation, as Charles could never make a will and would be intestate on his death, the court was required to draft a will demonstrating that other persons should receive the benefit of the will. In his decision, Justice Palmer said:

I do not need to found my decision on whether it is reasonably likely that the parents, in fact, caused Charles' injuries. All I need to decide—and do decide—consistently with the meaning of "reasonably likely" as discussed in paragraph [152], is that there is a fairly good chance that a reasonable person, faced with such evidence as there is as to the cause of Charles' injuries, would decide not to permit Charles' estate to pass to the parents on intestacy.

The next question is: is there a fairly good chance that a reasonable person, faced with Charles' circumstances, would make a will in favour of Charles' sister, with gifts over to the charities?

As a result, that was the sort of will that was made, passing Charles' estate to his sister. Those are the sorts of circumstances that the Succession Act has addressed. Some of the questions that arise as a result of those amendments are: Who signs the will and when do they sign it? This small amendment made to the Succession Act simplifies the process for the court's authorisation of wills in respect of persons who lack capacity under section 18, such as in Charles' case. Section 23 of the Act provides that a will authorised to be made or altered by a court under section 18 is properly executed if it is in writing and is signed by the registrar with the court seal. Section 23 (2) currently provides that the registrar may sign the will only if the person in relation to whom the order was made is alive. That provision is now amended to allow the registrar to sign the will of a person in relation to whom the will was made.

That is necessary because court ordered wills are often made in urgent circumstances and there is a risk that the person lacking testamentary capacity may die before the registrar executes the will. Therefore, if the court makes the order, the registrar can still execute the will even if the person has died. One might think that was a very small amendment, but it was necessary because, technically, someone cannot execute a will after the person already has passed away. The amendment allows the registrar to execute the will following a court order. Another interesting provision in relation to this amendment is the making of a claim under the Family Provision Act in circumstances when a person who ordinarily should be provided for is left out of a will. Generally, the Act says that a person left out of a will must make a claim against the estate of a deceased person for further provision within 12 months. This small amendment to the Succession Act allows the court to make an extension over the 12-month limit if the parties to the proceedings consent. [*Extension of time*]

The last provision I will deal with relates to applications under the Family Provision Act when the applicant is domiciled outside the State and the property is outside the State. The provision codifies the common law provision that a person cannot make an application under the Family Provision Act in relation to property outside New South Wales that belonged to a person domiciled outside New South Wales at the time of death. Lawyers love this sort of stuff—it earns them lots of dollars—but it is an obvious amendment to make. Other drafting anomalies have been addressed in relation to the Succession Act. These are sensible amendments formulated following a review. When the courts deal with these sorts of cases there are always anomalies that need to be addressed. These amendments, as foreshadowed by the Justice Act, deal with those things. I commend the Attorney General and I commend the bill to the House.

**Mr JAI ROWELL (Wollondilly) (11:27):** I make a brief contribution to the debate on the Justice Legislation Amendment Bill 2018. I thank the Attorney General for bringing this bill to the House and I thank the member for Epping, who gave a very detailed outline of what this bill is all about. I will touch on a few important points. The bill makes a crucial amendment to strengthening the offence in section 73 of the Crimes Act of having sexual intercourse with a 16- or 17-year-old child under special care. The offence is designed to protect older

children from sexual exploitation by certain key authority figures in their life. Effectively, this offence increases the age of consent from 16 to 18 years in circumstances in which a person in a position of dominance or authority over an older child may exploit that position. The offence protects 16- and 17-year olds against misuse of the authority in particular relationships where there is a power imbalance between the parties.

A number of facilities in my electorate and in the adjoining electorate of the member for Camden do some fantastic work looking after some of our disadvantaged youth, and this is an appropriate amendment. The offence does not require proof that the person abused his or her authority. Rather, the existence of the special care relationship is sufficient. The offence presumes that a 16-year-old or 17-year-old cannot freely consent to sexual intercourse within these relationships in a way that is not affected by undue influence or pressure. The offence is punishable by a maximum penalty of eight years imprisonment if the child involved is 16 years old or a maximum penalty of four years imprisonment if the child is 17 years old.

The offence provides an exhaustive list of the special care relationships that include where the offender is a step-parent, guardian or foster parent of the victim or the de facto partner of a parent, guardian or foster parent of the victim; the offender is a schoolteacher and the victim is a pupil of the offender; the offender has an established personal relationship with the victim in connection with the provision of religious, sporting, musical or other instruction to the victim; the offender is a custodial officer of an institution in which the victim is an inmate; and the offender is a health professional and the victim is a patient of the health professional. That is clearly articulately so there can be no qualms about what is or is not included.

However, a recent case heard before the Court of Criminal Appeal highlighted some limitations in the way in which those relationships are defined. In *R v PJ* the defendant was a physical education teacher who is charged with having sexual intercourse with a 17-year-old year 12 student at the school at which he taught. The prosecution was not able to argue that the teacher had a relationship of special care with the student because he was not her direct classroom teacher at the time of the sexual intercourse. That is absolutely crazy. The court also rejected the prosecution's argument that a relationship of special care existed because the teacher and the student had an established personal relationship through the provision of sporting instruction.

The prosecution of this teacher was unsuccessful, even though he was a teacher at the school that the 17-year-old attended and had taught her in years 8, 9 and 10. It is not hard to imagine that the consent could not be given freely by the 17-year-old in those circumstances. It is not hard to imagine the pressure or influence that could be brought to bear in obtaining her consent to sexual intercourse—and I say to the teacher involved in that case, "That is an absolute bloody disgrace." This amendment will close the loophole by expanding the definition of "teacher" in a number of ways. The amendment will cover teachers at the school beyond the student's direct classroom teacher, teachers who do not provide instruction to students, such as the principal or deputy principal and people employed at the school who have responsibility for students or have students under their care, such as school counsellors, welfare officers and year advisers. These are sensible solutions.

The amendment will ensure that school workers who have care of students or who are in a position of authority are recognised as being in a special care relationship with students for the purposes of the offence in section 73. All school students need a safe learning environment free from exploitation and manipulation by those in a position of trust and authority. Older children must be protected from being unduly influenced or pressured into sexual relationships with school authority figures. This amendment will ensure the offence can deter and, most importantly, punish those who engage in this type of behaviour. It is consistent with the code of conduct of the Department of Education and will emphasise that teachers and others employed at schools who have students in their care have a special responsibility to all students attending the school at which they work.

The New South Wales Government has ensured that this amendment was put to the Parliament as soon as possible. The Government continues to recognise its importance and has referred the matter to the Standing Committee on Law and Justice for further consideration of the special care offence. Back in the old days, when I attended law school, I was a court officer in the Local Court and District Court in south-west Sydney. Unfortunately, I witnessed too many cases of this nature that are devastating to the individuals and families involved. I am extremely pleased that the Attorney General has brought forward these important changes that I hope all members in the House will support. I commend the bill to the House.

**Mr CHRIS PATTERSON (Camden) (11:33):** I speak to the Justice Legislation Amendment Bill 2018. A number of speakers have referred to different amendments, but I refer particularly to the important amendment that enables the courts to order people to provide identification particulars for drug-driving offences. Unfortunately, drug-driving offences have been prevalent in recent times so anything that enables police to have more powers is a good thing. The Law Enforcement (Powers and Responsibilities) Act 2002 contains an important discretion for courts to order persons to present themselves at a police station and submit to police taking their identification particulars, which are defined as the person's photograph, fingerprints and palm prints. This discretion ensures the proper identification of people found guilty of certain offences. If a person is convicted of

an offence but has never been properly identified, a police investigation can be hindered because identification particulars can become relevant in proving subsequent offences.

Currently the court's discretion to make an order for the NSW Police Force to take a person's identification particulars can be applied to the following offences: all indictable offences, that is, offences that are to be dealt with summarily in the Local Court unless the prosecution or accused person elects for the offence to be dealt with in a higher court; certain drink-driving offences; menacing driving and failing to stop to assist after impact causing injury; some offences relating to testing and sample-taking conducted by the NSW Police Force; the use or attempted use of a vehicle while under the influence of alcohol or any other drug; and certain animal cruelty offences under the Prevention of Cruelty to Animals Act 1979. The offence must be proven before the court can make the order.

This bill expands the court's discretion to include additional offences, namely, certain drug-driving offences under section 111 of the Road Transport Act 2013. The amendment will address an inconsistency in how proven drug- and drink-driving offences are treated and will give the courts the discretion to order people to submit to the taking of identification particulars for both types of offences as well as for using or attempting to use a vehicle while under the influence of alcohol or any other drug. The reason that discretion is important is that people are not typically arrested for drug- and drink-driving offences or for using or attempting to use a vehicle while under the influence of alcohol or any other drug. When police officers arrest people for an offence, they are empowered to take their identification particulars under section 133 of the Law Enforcement (Powers and Responsibilities) Act 2002. For example, drink-drivers are arrested and taken to a police station if they fail their breath test.

As succinct as that sounds, I must put on record that I am not speaking from experience but from my excellent notes. At the police station I am led to believe that drink-drivers are required to do a second and more rigorous test known as a "breath analysis". Because the person has been arrested, fingerprints can be taken at the police station. A person who is charged by police with a drug-driving offence under section 111 of the Road Transport Act 2013 is typically not arrested for the offence. This means the NSW Police Force does not obtain the person's identification particulars. I could go on about the merits of this bill. It is clearly a necessary amendment. I commend the Attorney for his work on these amendments. Quite often we see amendments passed through this place and we take them for granted. These amendments will have a real impact on public safety and confidence. I commend the bill to the House.

**Mr MARK SPEAKMAN (Cronulla—Attorney General) (11:39):** In reply: I thank the member for Liverpool, the member for Myall Lakes, the member for Maitland, the member for North Sydney, the member for Terrigal, the member for Ku-ring-gai, the member for Newtown, the member for Epping, the member for Wollondilly and the member for Camden for their contributions to the debate. I will address some of the matters members raised in debate. The member for Liverpool requested an update on the KPMG review of the surety bonds scheme. KPMG is currently finalising its review. I anticipate being in a position to consider and to deal with the review in the near future. The member for Liverpool asked if litigation were anticipated between the NSW Trustee and Guardian and the surety bond provider. I am advised that a deed of release for the surety bond provider has been entered into, bringing the matter to an end.

The member for Liverpool raised the question of recommendation 2 in the statutory review of the Succession Act, which was to amend the Succession Act to provide that a court may revise the terms of any draft of a proposed will, alteration or revocation for which the court's approval is sought regardless of whether the application is for leave or for an order. I am advised that during the process of drafting the bill the Department of Justice and Parliamentary Counsel's Office determined that this amendment was unnecessary. The recommendation was made because the drafting of the relevant provisions is difficult to interpret. The Supreme Court confirmed that there is no issue in practice. Courts have a general power under section 18 of the Succession Act to revise the terms of any will, regardless of whether the application is for leave under section 20 or for an order under section 18.

The member for Liverpool observed that the transfer of some strictly indictable offences to the tables in the Criminal Procedure Act 1986 will increase the workload of the Local Court and place that court under additional pressure. The New South Wales Local Court is well equipped to deal with the additional volume of matters arising from the transfer of four offences to the tables. The Local Court is the most efficient Local Court, or equivalent, in the country. For 2016-17 it was recognised in the Productivity Commission's Report on Government Services as the court with the lowest backlog and the highest percentage of cases finalised within 12 months of all Australian courts. It is also the most accessible jurisdiction in New South Wales, with courts located and regular sittings across the State.

The member for Liverpool observed that simply transferring offences to the tables in the Criminal Procedure Act is not an adequate solution to the District Court's backlog. The Government's objective is to reduce

court delays for all participants in the criminal justice system by ensuring that criminal offences are dealt with in the most appropriate court. The table offences reform will have benefits for the District Court backlog in that they will create additional capacity in the District Court, enabling it to focus on more serious criminal offending. The table offence reform is not intended to solve the District Court backlog issue on its own. It is one of many reforms being implemented by the Government to tackle the District Court backlog. Importantly, as the Opposition is well aware, the table offences reform is just one component of the Government's overall strategy to reduce the District Court backlog.

Measures introduced by the Government have been effective in addressing the growth in the backlog. As a result of the recent measures implemented the backlog has remained relatively stable since July 2015. Long-term systemic measures will ensure that the backlog is reduced to a sustainable level. In December 2015 the Government approved \$20 million to fund a program of immediate measures to address the backlog and a further \$39 million was announced as part of the 2016-17 State Budget. This has resourced five additional District Court judges, four additional public defenders, additional resources for justice agencies and court staff to support the new judges, and case management measures such as pre-trial conferencing in the District Court for long trials to encourage early resolution and narrowing of issues for trial.

Other processes include multiple special call-overs conducted during 2017 at Port Macquarie, Wollongong, Newcastle, Lismore and Sydney. These involve a Deputy Director of Public Prosecutions and a defence counsel cooperatively reviewing appropriate matters in a region's pending trial case load to identify alternative resolutions other than proceeding to trial. For example, the November call-over in Lismore resulted in 155 days of court time being freed up for the District Court and 31 matters being resolved before trial. The Rolling List Court, which involves a dedicated judge, public defender, Legal Aid solicitor, and an Office of the Department of Public Prosecutions solicitor, who work closely with each other to identify appropriate pleas and to narrow issues for trial, has been operational in the District Court of Sydney since 2015.

The Bureau of Crime Statistics and Research evaluation of the Rolling List Court, published in January 2018, found the court has proved effective in obtaining early guilty pleas and the cases are proceeding to trial more quickly. I acknowledge the hard work of all participants in the success of the Rolling List Court pilot, particularly the substantial contributions by the Public Defenders, Legal Aid NSW, the Office of the Director of Public Prosecutions and the District Court. The appropriate early guilty pleas reform announced and legislated by Parliament will reduce the incidence of late guilty pleas so that more matters will be resolved before they move into the District Court trial queue. The measures I have described demonstrate that although table offences reform will contribute to alleviating the pressure on the District Court, it is but one element of the Government's strategy to tackle the District Court backlog.

I thank the member for Maitland for her passionate contribution to this debate. I note her concerns about the scope of the proposed amended special care offence. The amendment proposed by the New South Wales Government in this bill explicitly includes teachers, principals and deputy principals as members of the teaching staff of the school for the purposes of the special care offence. The amendment also covers any other person employed at the school who has students at the school under his or her care or authority. This is a significant expansion of the teacher-pupil relationship covered by the special care offence. The amendment is in keeping with the underlying rationale of the offence, which is to protect children against abuse of authority in particular relationships where a person is in a position of authority over the child.

Extending the coverage of the offence to all school staff—a blanket coverage of all school staff—raises a number of questions, which is perhaps best illustrated by an example. Imagine that a 19-year-old debating coach at the school engages in sexual intercourse with a student who is not in a team that he or she coaches. Should that individual be covered by this offence? To go one step further, what if the 19-year-old debating coach met the student outside of the school environment through friends? Should the individual be covered by this offence? Go one step further. What if the debating coach was a ex-student of the school and was already friends with a number students? One step further, what if the 19-year-old was in a relationship with the student already? What if the 19-year-old was an ex-student of the school who, in year 12, had developed a relationship with the other student while that other student was in year 11? Should that person be covered?

One could give a number of examples where a blanket coverage on all members of staff, or all persons engaged at a school, may be an overreach of the criminal justice system, which in this case is about protecting students from an abuse of authority. I am not opining one way or the other whether cases of sexual intercourse between students on the one hand and staff members on the other hand that are not caught by the amendment should or should not be criminalised. I am giving examples of when it is not immediately obvious that one would say, "This should be caught by the criminal law." This amendment seeks to plug a hole that became apparent late last year.

In the first sitting week of this year I introduced legislation to plug that hole in relation to teachers, principals, deputy principals, counsellors and so on, who may not be in a direct relationship with a student but where community standards would say it is an abuse of authority for that person to engage in sexual intercourse with a 16- or 17-year-old student. However, I recognise that the community may want government to go further. But the examples I gave demonstrate that what should happen is not always clear-cut, which is why I have referred the matter to the Legislative Council Standing Committee on Law and Justice, recognising that there may be a need to go a bit further. I have asked that committee to inquire into and report on aspects of the adequacy and scope of the special care relationships recognised in the special care offence under section 73 of the Crimes Act and, in particular:

- (a) the adequacy of the scope of the special care offences in ensuring the safety of school students, in relation to their application to teachers and other school workers—

that could include groundsman—

including:

- (i) whether the offences should apply where a school worker is a volunteer,
- (ii) whether the offences should apply where the school worker is a recent ex-student of the school,
- (iii) whether the offences should apply where the school worker no longer works at the student's school,
- (b) whether the offences should apply where a special care relationship existed but is no longer in effect,
- (c) whether youth workers and workers in youth residential care settings, including but not limited to homelessness services, should be recognised as having special care of any 16- or 17-year-old young people to whom they provide services, and
- (d) whether any additional safeguards, including but not limited to the Director of Public Prosecutions sanction of prosecutions, are required in any of the circumstances.

Of course, "in any of the circumstances" includes the circumstances I have just described. The Government is not closing the door on further extension of the special care offence, but it is recognising that there is a grey area beyond what we are legislating today. It may be that community standards will require a further extension, but it is not immediately clear that this should be a blanket criminal coverage as distinct from a disciplinary coverage of all school workers. I hope that is what the Standing Committee on Law and Justice will report on, which we will take seriously.

The member for Maitland made some comments about onus of proof. Victims are not responsible for proving elements of criminal offences beyond reasonable doubt; that is the responsibility of the State. Demonstrating that an offender has care or authority over a victim is the responsibility of the prosecution, not the victim. That is a very serious tenet of the law, and it something the Government is taking very seriously. That is why, when the Court of Criminal Appeal handed down its decision, the Government moved as quickly as it could in the first week of this session to close that loophole. The Government will consider any further amendments that the Standing Committee on Law and Justice proposes.

If this legislation is passed by both Houses, even without any further add-ons in response to the Standing Committee on Law and Justice, the amended New South Wales offence will have the broadest coverage of school workers in Australia. No other jurisdiction will have a broader concept of "teacher" than will New South Wales. Most of the corresponding offences in other jurisdictions include teachers only, except for Western Australia which does not prescribe special care relationships but instead covers any adult with children under his or her care, supervision or authority. The amended New South Wales offence will have the same coverage as the Western Australia offence although, unlike in Western Australia, it will also explicitly cover other categories of school worker.

I thank the member for Newtown for her contribution on drug-driving and the amendment proposed by schedule 1.10 to the bill. The amendment, if passed, will provide courts with the ability to order that the NSW Police Force can obtain identification particulars in relation to a drug-driving offence after the offence has been proved. Currently, if a person is convicted of an indictable offence and certain drink-driving offences, the court can order that the person present themselves at a police station and submit to the taking of identification particulars. This amendment is a sensible extension of existing powers to ensure similar treatment of drug-driving offences and drink-driving offences relating to identifying people properly who are convicted of those offences. It is important that people who are found guilty of an offence have been identified properly, especially as their identity may become relevant for proving subsequent offences.

The comments of the member for Newtown about the taking of identification materials being a breach of privacy suggest that her proposition is that drug-driving should not be an offence. It cannot, in my submission, be an sort of invasion of privacy to take the particulars of someone who is committing an offence. It seems that the real grievance of the member for Newtown is whether there should be an offence in the first place. The

New South Wales Government takes a zero tolerance approach to drug-driving to stop drivers putting themselves and others at risk by getting behind the wheel after using drugs. In 2016, 83 people lost their lives in crashes when a driver or rider had an illicit drug present in their system. Illicit drug use and abuse continues to be a cause of considerable concern in New South Wales. The risks and harms associated with illegal drug use are significant and they impact not only the person using the illegal drug but also their families, their community, and the health and justice systems. The Government is committed to addressing the significant public health concerns that are caused by the use of illicit drugs. Drug-driving testing is a deterrent to illicit drug use. Drug-driving is a serious offence that places innocent drivers at risk and the Government makes no apologies for keeping our roads safe.

In conclusion, this bill will update and improve the operation of the New South Wales justice system by clarifying criminal procedure, and by improving the efficiency and operation of legislation affecting the courts and other justice portfolio agencies. In particular, the bill will make minor amendments to a number of Acts to streamline and strengthen procedures for the NSW Civil and Administrative Tribunal, the New South Wales Crime Commission, and the Land and Environment Court to improve criminal procedure relating to issuing court attendance notices for private prosecutions and making court orders to obtain particulars from persons who have been convicted of drug-driving offences, to improve civil procedure by updating the presumed postal delivery time frame for posted articles to reflect new Australia Post delivery times, and to simplify and clarify court processes relating to succession law. The bill will lead to a number of improvements and enhancements in the operation of New South Wales courts, law enforcement agencies, the civil justice system and the criminal justice system. I commend the bill to the House.

**TEMPORARY SPEAKER (Mr Lee Evans):** The question is that this bill be now read a second time.

**Motion agreed to.**

### **Third Reading**

**Mr MARK SPEAKMAN:** I move:

That this bill be now read a third time.

**Motion agreed to.**

## **SAINT JOHN'S COLLEGE BILL 2017**

### **Second Reading Debate**

**Debate resumed from 22 October 2017.**

**Mr JIHAD DIB (Lakemba) (11:58):** I lead for the Opposition in debate on the Saint John's Bill 2017, which was introduced in this place on 22 November 2017 by the Minister for Education, the Hon. Rob Stokes. I acknowledge the visitors in the gallery and thank them for listening to this debate. The bill repeals the Saint John's College Act 1857, which stipulated the original establishment and governance arrangements of the St John's College at the University of Sydney. The arrangements that were set in place more than 160 years ago continue to this day with little change to the fundamentals. One of the defining features of the arrangements was the positioning St John's College, also known as "the college", outside of the control of the University of Sydney. In recent years, the formal separation of the college from the university has come to be seen as anachronistic and impractical. The other defining feature of the 1857 Act was the recognition of the character of the college as Catholic, with the overseer role of the Roman Catholic Archbishop of Sydney formally prescribed.

The bill contains a number of changes and reforms which relate appropriately to the required modernisation of St John's College. For example, there are a number of changes and reforms in relation to the size and make-up of the St John's College Council. Notably, the bill will allow for the first time the appointment of female clerics to the council as well as provide the University of Sydney with the ability to appoint a member to the college council. Later in my speech, I will delve into some of the other changes in the bill and proposed amendments but, for now, I will say that these two reforms alone represent a great step forward for the college and the university. They build on the progress the college already has made since opening its doors in 2001 to female students and students from various faiths and denominations. They build also on the good work of the interim council.

I commend the college interim council and the Archbishop of Sydney for taking steps to increase the diversity of the student population and for their commitment to developing a more inclusive and respectful student culture. In noting that the House is considering this bill in February 2018, I acknowledge that it has been a long time in the making, no doubt complicated by quite divergent views and significant concerns from various stakeholders. Having reached this place, I am confident that there is enough alignment around critical issues for the governing legislation to be reset so that the hard work of making sure that the new arrangements of St John's

College actually function and can begin. I include the hard work of all members of the interim council who are entering this new era of governance in good faith and goodwill, and who are prepared to compromise.

The bill before us specifically concerns St John's College but many of my comments today, especially on points of principle, might apply equally to the other University of Sydney colleges, which, to a greater or lesser extent, are grappling with similar calls for cultural change and also are bound by old and complex legislative arrangements. As the shadow Minister for Education, my formal remit is primary and secondary education in New South Wales but the destination for many students is the university sector. As a parent, former teacher and principal, I, like so many people, care about what happens to students when they reach university.

For many school students and their families, the opportunity to enter the University of Sydney, one of the great sandstone universities, engenders feelings of great effort and focus. For a large proportion, a further aspiration is to be accepted into one of the university's colleges. For many, it is a long-held family and faith-based tradition. I am told that for many students, especially from regional areas, the residential colleges offer a trusted home away from home. Parents place the wellbeing of their children, who are under 18 or who have just turned 18 years of age, in the hands of the university and college administrators.

Many of those parents would have been horrified when they learned about the appalling treatment meted out to a female student in 2012, who was the victim of a dangerous and degrading hazing ritual at St John's College. Their concern would have deepened when the media and other commentators reported on what has loosely been called "bad behaviour" at St John's College and other colleges at the University of Sydney. To be blunt, the behaviour and emerging culture went a lot further than what one may euphemistically call "bad behaviour". It was crude and it is unacceptable.

NSW Labor believes, as a point of principle, that it is the right of every student in this State, regardless of gender, sexuality, race or religion, to be able to enjoy a learning environment and, in the case of residential colleges, a living and recreational environment that is free of bullying, intimidation, discrimination and sexual misconduct. They should feel comfortable, confident and safe wherever they study. We believe further that there is no room in any university or college for behaviour or rituals, regardless of their perceived traditional value, that rely on degrading, harassing or humiliating fellow students.

I acknowledge the contribution of my colleagues in the Opposition who have fought long and hard for broader cultural reform in universities across New South Wales. In particular, I acknowledge the shadow Minister for the Prevention of Domestic Violence and Sexual Assault, the member for Maitland; the shadow Minister for Women, the member for Canterbury; and the member for Summer Hill. Almost one year ago, with the imminent return of students to universities across the State, NSW Labor launched its campaign "It's time for action". This was in response to students, especially female students, from multiple universities reporting unacceptable levels of sexual harassment, sexual assault, unwelcome sexual behaviour, stalking and rape.

NSW Labor is working hard to end sexual assault on campus. I know my colleagues consider the reform of university colleges and the stamping out of any culture that condones, facilitates or even turns a blind eye to inappropriate behaviour towards women as an important part of this broader university campaign. The member for Summer Hill, who is currently on maternity leave, having recently delivered beautiful twins, has worked hard on this subject. I asked her if she wanted me to read onto the record a statement on her behalf. The member for Summer Hill wrote:

Today marks a significant victory for the activists and women who have fought for reform at St John's for generations. This bill is the first step in the road to get reform and promises to give greater power to those at St John's who are prepared to stand up for safer campuses, particularly for young women.

I especially acknowledge each of the Women's Officers at Sydney University who have lobbied and fought for reform at the college, and I also acknowledge the Vice Chancellor, Michael Spence, for standing up and demanding greater accountability at residential colleges and the council for their willingness to work on this legislation.

This bill will make a difference by ensuring greater balance in how the college is represented and governed. It promises to create fairer and more open avenues by which students—and women in particular—can hold the college accountable for the culture it fosters and supports.

This bill is also a reminder that reform can take a long time, particularly when it is resisted by vested interests. I acknowledge the work of those within St John's who have fought for these reforms alongside activists and victims of sexual assault.

They understand that when you open your doors and offer young women and men a home away from home, you have a responsibility to ensure the safety and wellbeing of those young people.

They know that residential colleges have too often turned a blind eye to behaviour that degrades and victimises young women, that perpetuates ingrained misogyny, and which too often puts the wellbeing and health of students at risk.

Let this bill be a signal to those with responsibility for young people on our university campuses that parliaments like ours will not turn a blind eye to brute negligence. We will hold you to account for ensuring young women are able to live and learn safely on our campuses.



Let this bill also be a promise that this is only the first step in a much longer journey of reform, because there is much more work to be done if we are to end the scourge of sexual assault, harassment and rape on our university campuses.

I commend the leadership of the University of Sydney, in particular Vice-Chancellor Dr Michael Spence, AC, for his acknowledgment of the need for change. I especially note his appointment of former sex discrimination commissioner Elizabeth Broderick, AO, to undertake an extensive review of the university's residential colleges and to recommend changes to prevent sexual misconduct and increase the level of support to students, especially women. Five colleges participated in that review, including St John's College. In my view, achievement of the cultural renewal described in the report will greatly contribute to the longevity and depth of the university's reputation and position in the broader Australian university sector.

Towards the end of this speech, I will make several calls to action. One of those will be to students, current and past, to set about creating new traditions and new rituals that are commensurate with the esteemed status of the church, the college and the university and what we all might expect from a group of presumably intelligent and engaged young leaders who have the opportunity to study at one of the great universities and reside in one of its oldest colleges. With the wellbeing and rights of all students front of mind, I ask a critical and perhaps rhetorical question: Does this legislation establish new governance mechanisms that protect and support the right of all students who attend the University of Sydney and St John's College? I believe it does. The University of Sydney and its colleges are an important cornerstone of the academic and cultural development of this city and State. What happens there matters to all of us who are interested in the advancement of education generally and the development of inclusive modern leaders.

As I mentioned, in 2012 the issue of very poor and in fact dangerous behaviour by students at St John's College came into the public arena. At the time, a question many in the private and public domain asked went to the role of the university in stopping that kind of behaviour. Many wanted to know what the university had done or was doing to essentially step in and take control of its colleges and enforce governance and codes of expected behaviour. Beyond the challenges and complexities of the incidents themselves, those familiar with the legislation knew that it was not that simple. The relationship between the university and its colleges is complicated, arising from the fact that the legislation was established between the University of Sydney and, in this case, the Roman Catholic Church more than 150 years ago. For example, the Act provides no role for the university to be involved in college affairs.

Of course, the general public and parents of students may have assumed a much closer relationship. They may have had an expectation that the university had not only a moral but also a legal right to oversee matters impacting students at residential colleges. Many would say that the university ought to have a greater role in and more accountability for the governance of the colleges. Since 2012, a lengthy and at times difficult process of consultation between the various stakeholders of St John's College has taken place from which has emerged a new piece of legislation that aims to codify reforms already undertaken and encourage more where they are needed. Importantly, the new legislation attempts to describe a new set of governance arrangements for the college. As I alluded to, we have got to this point through a spirit of cooperation and by ensuring as far as possible that the governance structures will be more comprehensive and appropriate. It is hoped they will provide the guidance needed to ensure that a repeat of the actions that led to the creation of this bill will never take place.

In relation to the proposed amendments that the Minister for Education will move, it is a fact of life that people often see things from their perspective. There is a need to develop trust in each other and have faith in the fact that the proposed amendments have been written in the spirit of doing the right thing in the most balanced way possible. In that regard, I acknowledge the Minister for Education, who is in the Chamber, and his staff. Sometimes the adversarial nature of politics can act as a blocking mechanism to achieving outcomes that are agreed to after deep consideration. Although the amendments have not come about easily, I as the Opposition's spokesperson for education and the Minister believe we have achieved the best possible compromise. In that spirit of bipartisanship, I acknowledge that whilst the Minister and I may disagree on a number of things, we both believe that the important objective is to present the bill in a way that it will pass. After all, the most important reason this bill was introduced is that the college and, ultimately, the student residents need to move forward and write a brighter chapter in the book that tells the story of St John's College.

My background as a principal of a high school has prepared me well in seeking to find compromise where possible, in not judging the whole by the actions of a few and in offering solutions to avoid stalemates. In this case, neither I nor my Labor colleagues will oppose the proposed amendments that the Government will introduce which have been developed in a collaborative manner between the New South Wales Opposition and the Government in consultation with key stakeholders. The Government will move 13 amendments to the bill, each with its own subclauses and nuances. In most cases the changes are relatively minor; however, it will be of benefit for me to give an explanation as to the reasoning behind four of them.

From the Opposition's perspective, the amendments to clause 5 are important for a number of reasons. The amendments are primarily to ensure that any decision made regarding the dismissal of the council will be the domain of the Archbishop of Sydney, known as the Visitor of the College, in concurrence with the Vice-Chancellor of Sydney University. That is an important element. Whilst it may never be invoked—let us be cognisant of the fact that it has only been used once in 150 years—both the Catholic Church and the University of Sydney should be in a position to manage that most extraordinary of circumstances should they arise.

Both institutions stand to lose the most in reputational damage if the culture of the college does not change. As such, both should be afforded the opportunity to concur if the college were to find itself in a position similar to that which led towards the flashpoint incident of 2012. The proposed amendment should not be seen in any way as a judgement call on either the archbishop or the vice-chancellor but, rather, as a means of ensuring that decisions of such a serious nature involve the two institutions most affected. It is, of course, the hope that the clause never need be invoked again.

The amendment to schedule 1, part 2, clause 5 (7) still allows for the removal of a member from the council; however, it requires sufficient cause as opposed to the original wording "any or no stated reason". That is self-explanatory. However, in the interests of good governance and natural justice, the amendment offers a layer that did not exist in the bill as originally presented. In relation to the amendment to schedule 1, part 3, clause 9 (1), the quorum is set at seven councillors, removing the specific requirement to have a clerical member and two lay persons as part of the quorum. The Minister will discuss that in greater detail, but I will mention a couple of things. The amendment needs to be read in the spirit that is intended.

I must remove ambiguity to discourage retrospective interpretation of what I am saying on this point. Unfortunately, during the process of discussion it became apparent that some of the issues between the various stakeholders are the result of a lack of complete trust. I recognise that is partially the case because of the circumstances in which we find ourselves. I understand that trust requires work. I implore all new council members—as well as anyone who may be cynical about another person—to build that level of trust with one another. After all, it is in the interests of the college and of the students who are entrusted to its care.

Further, the fact remains that consideration must be given to the timing of meetings. There will be some instances where, for example, the clerical members may not be able to attend due to their religious obligations. The most obvious example is a Sunday morning; however, there may be times when the same is true on other religious and holy occasions. Whilst I would imagine that meetings will be held at a time when all members would attend so far as they can, I certainly do not envisage meetings being held at times that specifically preclude the attendance of members due to obligations beyond their individual control. Meetings should not be called for a time and place that is prohibitive to clerical members. If meetings are regularly organised at preclusive times, I anticipate that the archbishop and vice-chancellor will see that as a problem with the council and take the appropriate and necessary action. I genuinely believe that in the correct spirit, and in the interests of the college and ensuring its functionality, meetings will be agreed to well in advance.

Another amendment I will briefly touch on relates to clause 5 and the addition of gender diversity in appointing persons under subsection (1) (e). That is an important step in ensuring a balanced council. It further modernises the governance arrangements and I believe it articulates a strong message that may help to shape the future culture within the college. The bill strikes the right balance. In the case of a need for change, we know that it is a matter of utmost importance. On this point everyone is in absolute agreement. The amendments intend to strike the best balance possible while still focusing on the main spirit, that is, putting the students at the college first. Earlier in my speech I referred to calls for action. I suggest that this bill will allow for a reset of the structure of the council and also, most significantly, a change in the cultural attitudes that have been left to develop in a negative way.

The college has been operating for 150 years and its alumni have gone on to be outstanding citizens. I can only imagine the horror they might have felt when learning of what had become of their college. I encourage all stakeholders to enter into the new arrangements in a spirit of goodwill and with a commitment to make the arrangements work for the good of the college and its students. There will be many practical occasions when such opportunities will be presented. In this place we know that pages and pages of rules govern every moment of our work. But we all know that the Parliament would grind to a halt if we only ever worked to rule and did not offer, on a daily basis, small compromises for the good of this place and to provide some flexibility to each other when our personal circumstances demand it.

It is my belief that we are all better when we work together and align around what we have in common rather than focus on what separates us. No doubt each of these stakeholders can learn many things from one another, but my last call of action is to the students themselves. Much of this bill concerns technical and legal arrangements and the work of the council will often be procedural and at times academic. But in the end, all of this is about the students. What do the students want St John's to be known for? I challenge the students and

college leadership to have a hard think about the rituals and traditions, which some may have come to believe are a necessary part of life in the college. I love tradition, sport, my culture and its religious practices, and having fun. I cannot comprehend any kind of event or practice that, at its heart, is about humiliating, degrading or sexually harassing others.

I say to the students: Start new traditions that are worthy of the university, the college and its long history, and the social justice history of the church. Start new traditions that are worthy of future leaders of our professions and communities. Turn your capable minds and imaginations to doing things differently. Think about what the college should be known for and how you can become outstanding students who actively participate in civic life. Think about how a culture of giving back to the more vulnerable in our society can change the very nature of the way outsiders view the college and its traditions. A new chapter is about to be written. How it is written will be up to a range of people. I trust in this new chapter the college will build on the positive traditions, establish new ones and become a model of governance and decency. Most of all, I trust in this new chapter the college never returns to the dark days of degrading rituals and socially unacceptable behaviour. I commend the bill to the House.

**Mr ALISTER HENSKENS (Ku-ring-gai) (12:21):** I thank the shadow Minister for Education, and member for Lakemba, both for his collaborative work on the Saint John's College Bill 2017 and his consideration of the amendments to it. I speak to the bill as an interested outsider. I was conferred with degrees in economics and law from the University of Sydney after having lived at St Andrew's College for five years in the 1980s. A healthy rivalry exists between the University of Sydney colleges. Many of my St Andrew's College friends may find it somewhat curious that I have taken an interest in this bill. But all who value the University of Sydney colleges have an interest in each of them flourishing into the future. Through consideration of this bill, I have very much enjoyed meeting the Chair of the interim College Council and the St John's College Rector, as well as some of the alumni, a few of whom I have known for many years.

St John's College, together with St Andrew's College, St Paul's College, Sancta Sophia College, Wesley College and The Women's College, is one of the ancient residential colleges of the University of Sydney, Australia's first university. Each college has its own unique Act of Parliament, governance and history. These colleges were established through the donations of lay members of various Christian faiths to promote tertiary education upon the Oxbridge model of university residential colleges. The creation of these colleges reflected great democratic and grassroots support of, and an interest in, tertiary education in New South Wales. St John's College was established in 1857, in the very early life of white settlement in this State. These colleges form an important part of university life. They encourage the academic performance of their resident students through tutorials and mentoring by resident senior academics, postgraduate students and peer learning. When I was at college, one of my law lecturers, Dr Robert Stein, was the Deputy Principal of St Andrew's College. Tragically, he died at a very young age.

The colleges also encourage the full development of students through sport, drama, music, community service, leadership and personal development. At a time when university education is being treated by many as an ordinary commodity, with students spending minimal time on campus, the university colleges promote the notion that tertiary education involves the all-round development of a student as a human being. University education is special and should be treated specially. It is an exhilarating and impressionable time of life. At university colleges ideas are still thrashed out—sometimes late at night—logical thought is developed, new ideas encouraged and perspectives expanded.

Contrary to the misconception frequently perpetuated by the media by reason of the usual sandstone walls, the colleges have promoted the development of many scholarships, including Indigenous scholarships, so that talented residents from low socio-economic groups may attend university with the greatest of support. Historically, university residential colleges have provided an important step-up to many regional students to whom Sydney is an intimidating, confronting and lonely place in which to live and study, but the best place for their tertiary education.

Before speaking to the detail of the bill, I praise the way in which all of the key stakeholders have engaged with each other in a genuine manner to improve the bill, as originally read by the Minister. Earlier this week, the Minister for Education announced a \$2.6 million grant to St Lucy's School in my electorate and spoke to a meeting in my electorate on education policy. The Minister for Education is nothing short of exceptional. While his academic and educational credentials are first class, he has many other exceptional qualities. Indeed, New South Wales is very fortunate to have such an intelligent, well read and open-minded education Minister, who always puts the best interests of the community first.

After the bill was first read, some constructive discussions were facilitated by the Minister with the Archbishop of Sydney, the Vice-Chancellor of Sydney University, the Chair of the College Council, Dr Bernadette Tobin, the Rector of St John's College, the shadow Minister for Education, and the St John's College Alumni Association comprising President Paul Dellow, Andrew Coorey, John Coorey, Kyle Oliver and Gerard

Phillips. All concerned should be thanked for the energy and support they have given both to the college and in the interests of improving the bill. I acknowledge that the Alumni Association was not happy with the bill in its original form. All of its suggested amendments will not be acceded to, but I congratulate all stakeholders on their understanding that they could not all get what they wanted. I acknowledge the way in which they have worked constructively together in good faith and in the best interests of the college as well as the leadership of the Minister.

I agree with the suggestions that the bill can be improved in a number of respects from its original form, especially in relation to the college governance. It should be changed to make it clearer that the college is a charitable education institution. I think we can reasonably temper the manner in which the College Council may be extraordinarily dismissed and that some oversight by the vice-chancellor is desirable. It is also desirable to ensure that the College Council cannot be made inquorate and its leadership of the college frustrated. The new College Council should elect the four council-appointed lay members of council; the lay members should not be elected by the interim council.

Gender diversity is also desirable on the council to support the relatively recent coeducational status of the college. I thank the Minister for wisely giving consideration to those changes. From my discussions with the present Chair of the College Council, the rector and the Alumni Association, St John's College has a bright future. We cannot and should not airbrush the problems that led to the intervention in 2012, but there have been major improvements in the behaviour of the college and these improvements have been given greater direction by the recent Broderick review.

With better governance in place, one can confidently look to St John's College and its alumni enjoying well in excess of another 150 years of achievement in the future. The college has as its alumni well-educated and outstanding women and men, many of whom are community leaders. I encourage them now to come together to work to continually improve the college culture and the valuable community of learning that it contains. I congratulate the Minister, and his staff who have given him such great assistance with the careful navigation of the concerned interests and his consideration of constructive amendments to the bill. We have a great education system in all its shapes and forms—primary, secondary and tertiary. I thank the Minister for his general educational leadership and his leadership in respect of this bill.

**Ms TAMARA SMITH (Ballina) (12:30):** As the education spokesperson for The Greens, I contribute to debate on the Saint John's College Bill 2018. As an alumna of the University of Sydney—my daughter is a PhD student there—I am proud of that university. I thank the alumni of the college for reaching out to us and for working with us. I also thank the Minister and in particular David Cross in his office. Having attended Catholic schools as a girl I am reminded of the joke about St Peter in heaven who was conducting a tour. When they reached the highest wall someone asked, "Who is behind that wall?" St Peter said, "Those are the Catholics." Someone then asked, "Why is that wall so high?" St Peter said, "Because they think they are the only ones here." It is a bit like being a member of The Greens or a crossbench member. We are here.

As noted by the Minister in his second reading speech, this bill will modernise a very old piece of legislation and governance model and bring the governance model for St John's College at the University of Sydney into the twenty-first century. It is not in The Greens DNA—I do not think it is in the DNA of any member of Parliament—to be so heavily involved in these matters. Under the Saint John's College Act 1857, the alumni of the college constitutes the overwhelming majority of members. In 2012 internal disputes among governing council members caused a crisis, which led to emergency powers being enacted and the council being replaced. It is fair to say that since that time there has been ongoing dispute between the college alumni and the interim council of the college.

The Minister engaged with all stakeholders and amended the bill—we are waiting for those amendments—taking cognisance of the concerns raised by the Johnsmen's Association in particular and other members of the university community, including the vice-chancellor. The Greens concerns relate to diversity, equity and inclusivity in governance arrangements for university colleges. Other speakers in this debate have mentioned the culture in universities. We need to investigate further sexism and sexually predatory behaviours on university campuses. I commend the University of Sydney for its efforts in reviewing and making every effort to improve that culture. As a proud alumna, I look forward to that continuing.

Given the findings and recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse, transparency and accountability should be at the heart of the St John's College governance model. It is important to ensure that members of the new council—not the old council—exercise the power of appointing four lay members, which is what this bill will do. A key sticking point for The Greens and many stakeholders is that the legislation should not allow for the removal of the entire council without a proper inquiry—presumably by the Visitor—to establish the necessity for the exercise of that power. We do not support—and this bill, once amended, will not support—the ability of the archbishop to sack the council if he or someone else deems it to be

necessary. This places too much power in one person's hands and a show cause provision is vital to improve the effective governance of the college.

One argument that has been made about these modernising amendments is that, without a legal requirement for clergy to be present at meetings of the council, the college will cease to be a Catholic institution. There is a clear precedent of this working. The Catholic Church should still play an intrinsic role in the governance of a college where similar provisions apply—that is, in the Sancta Sophia College Incorporation Act 1929 which was amended as recently as 1994. Sancta Sophia College is a Catholic women's college. Section 4 (1) of that Act provides for a council of 15 with three priests. But section 12 provides that any six members together with the principal is a valid meeting of the council. There is no requirement for the quorum to include any priests. The amendment to section 12 of the Sancta Sophia College Incorporation Act 1929 was passed in 1994 and appears to have been entirely uncontroversial. These amendments regarding a quorum bring the Saint John's College Bill into conformity with the provision that applies at the Sancta Sophia College. We support the process to date and the amendments to be moved by the Minister. The Greens support the bill.

**Ms JENNY AITCHISON (Maitland) (12:36):** I speak in debate on the Saint John's College Bill 2018 and acknowledge the visitors in the gallery, some of whom I have met and others from whom I have received representations. This bill reflects the need for a culture of greater respect and trust across all institutions that deal with young people, particularly from puberty to young adulthood, when they are testing barriers around sexual and other freedoms, institutions, and authority figures. I have spoken in debate on other legislation concerning relationships between school staff and students. These issues affect not only universities but also schools and other institutions across our community.

I hope that this bill improves the culture and modernises the operation of St John's College to bring it up to speed with community expectations in the twenty-first century. It was interesting to hear—not just in this debate but in all debates—those of my colleagues who have been lucky to go to university inform the House what a formative time it was in their lives and how important it was to their development as human beings. I note the contribution of the member for Ku-ring-gai in that respect. It is clear that there is a need for change, not just at St John's College. It is within the purview of this place to make changes. How did we get here? We all know about the events of 2012 but there have been other events since that time. After a number of those incidents the college approached the Government and requested formal legislative changes to the Saint John's College Act 1857. This bill will seek to enact those reforms.

St John's College made its submission for reforms back in 2014. I am pleased that after three years we have got there. Sometimes there are delays in getting governments to move on some issues but it is important that we are here. The work done by the Johnsmen alumni, the Catholic Church and the college in reaching agreement on this bill is important. One thing that I learned in my short time as a member of Parliament is that we can legislate whatever we like but we cannot legislate for cultural change or for people to respect one another. We cannot legislate for people to be genuine and authentic in their dealings with one another and we cannot legislate for trust. These things have to be built over time. Sometimes, unfortunately, they come from a place of deep crisis when people are looking for leadership and direction. It has been good to see the genuine participation of all players in this process in advocating for change. The Government, the Opposition, Labor and The Greens have all worked on this but we need everyone to work together to ensure that we have not only a document that enshrines the legislation but also a process that engenders real change in students' experience of life in college.

The bill reduces the number of members on the college council from 19 to 13. Hopefully, that will make things a bit more manageable. I am pleased to see that a female clerical member can now be appointed to the council—I believe that is important. In relation to the powers to act, I spoke to members of the church last week about how we bring in these powers in such a way that it is not open to one party to take full control. We know that sometimes having a consultative role does not necessarily create the true power-sharing for which we are hoping; we need to ensure that not one party has all the power. I believe that has been addressed in the bill.

It is important when we talk about governance to encourage the development of diversity in the membership of these organisations. I understand the desire and importance for the maintenance of tradition and ritual, but it is also important that where those traditions and rituals routinely exclude a particular group of people we act to address that and change it. I pay particular tribute to the member for Summer Hill. I note that my colleague the member for Lakemba and the shadow Minister read out her comments on this bill. She has been a champion of this issue for many years, but she has been a particularly strong champion since her time in this place. I also acknowledge my colleague the shadow Minister for Women and member for Canterbury.

I have received correspondence from the Johnsmen's Association which has outlined the position of some of the alumni of the college. Labor takes the concerns and contributions of all stakeholders seriously. It is important to ensure that the unique identities of the college are retained but that, at the same time, the governance is modernised to deal with changing views of what is appropriate behaviour. None of us in this place remains

untouched by the #MeToo movement. None of us can be blind to power imbalances and the devastating consequences that are lifelong for those who are victims and survivors of coercive, controlling behaviours, whether sexually motivated or in other realms of power. These behaviours not only cause people to nearly lose their lives, as has happened, but also cause people to lose themselves—to lose years of their lives in recovering from these traumatic events. That is what we need to address.

This bill does not arise out of a vacuum. The incidents that occurred at St John's College are not isolated. There has been a growing campaign led by women's officers and student activists across all universities in Australia to reform the cultures of these colleges. Labor has stood in solidarity with those activists and has launched the It's Time for Action campaign. The member for Summer Hill and the member for Canterbury and I engaged very strongly with students; we met with many, many students. In fact, when the Minister for the Prevention of Domestic Violence and Sexual Assault went to put together her sexual assault strategy, we said that this issue needs to be part of that strategy as a whole-of-government response. This is not just about education; it is also about the prevention of domestic violence and sexual assault.

Last year, the Australian Human Rights Commission completed a comprehensive survey into the prevalence of sexual assault and sexual harassment at our universities. I commend the university for getting Elizabeth Broderick, the former Sex Discrimination Commissioner, into colleges to review their operations. I am very serious about taking action to make our universities safer, especially the residential colleges. Labor has been campaigning with students to ensure there has been mandatory consent training for staff and residents at colleges. Once we get the governance issues right, we must look at the objective of the governance, which is to change things on the ground.

A standard and accessible sexual assault reporting model that recognises the rule of law must be part of these measures, as well as specialised services for the victims of sexual assault on campus, so that those students are no longer left on their own. One of the recommendations made by the Human Rights Commission was to ensure that there was a strong and visible commitment to action from university leaders. St John's College should be commended for stepping up and demonstrating a commitment to change. I am hopeful that the new governance structure will lead to good outcomes for students at the college and in the university. I understand the concerns of different sectors. Other speakers in the debate have mentioned that when we are negotiating such a complex issue we need to be respectful of those views and that we need to try to do our best to come to an agreement. That is why I am pleased that the Minister has presented amendments that are supported by all to work towards an outcome. *[Extension of time]*

Other colleges in the University of Sydney have had issues. The current vice-chancellor of the university, Dr Michael Spence, AC, has said that St Paul's College had a "deep contempt for women". In 2018 our society should not accept any institution that could be said to have that attitude. I would never contend that St John's faces the same issues that St Paul's faces, but such a statement clearly demonstrates the need for this bill. We have seen from the Human Rights Commission survey that there is a definite and clear need for change. I hope the Government will release its sexual assault strategy early this year—I believe it is waiting for the royal commission to release its final report. I agree that the royal commission will have impacts: Because some students in our colleges, although maybe for only a few weeks or months, will be under the age of 18 when they enter the college, I believe that attracts a duty of care.

This bill has to be seen as a first step in a comprehensive approach to address sexual assault on campuses in colleges in our universities. There clearly must be a change in culture, but how do we start that? I believe it comes down to respect. I put it to all the colleges and universities that respect starts way before a student arrives at their doors. That is why one of the signature pieces of Labor policy is around respectful relationship training from the very earliest period of school. It is no good trying to teach a young man or woman of 17 or 18 about respect—or even at 12 or 13. Understanding how people interact with each other and how they demonstrate respect for each other should start from the earliest human interactions we have. The earliest point the State has to try to influence that for a positive outcome is from kindergarten, and that is where we should look.

Culture does not change with legislation. I urge everyone to work and to continue to work within their organisations to improve that organisation. The member for Lakemba spoke about what colleges want to be known for. I would suggest that it is for excellence in academic standards and excellence in helping students to achieve their potential. Let us not have more of these incidents, but we must ensure that if they do not happen it is not because we have not addressed it, which has been the story of the past for so long. The church, the university, the college, the legislators—we all have a role to play, but so too do our students. I urge everyone to work with them to ensure that they are across the changes and that they feel included in what we do. Hopefully, we can start to develop a culture of respect for one another and have trust and genuine dialogue. I thank everyone for the work they have put into this legislation and I commend the bill to the House.

**Mr ROB STOKES (Pittwater—Minister for Education) (12:49):** In reply: I acknowledge and thank every member who has made a contribution to debate on the Saint John's College Bill 2018. As is the convention I will address the points made in all contributions. First, I note comments on the bill by the shadow Minister for Education and member for Lakemba, Jihad Dib, and that Labor will not oppose the bill on the basis of amendments to be moved at the conclusion of the second reading debate. I note his support for the need to amend the college's governance and the impact on the safety and wellbeing of those the college serves. I thank him for his comments about the foreshadowed amendments and will speak further at the consideration in detail stage. While the member for Lakemba has an appalling political preference he is a good and wise man whose contribution to debate on this bill has been thoughtful and elegant. He has focused on the students, who will benefit from a stronger college culture and governance. His lengthy and considered contribution reflected strongly that his focus was on the future and on the students whom ultimately the college exists to serve.

I note the comments of the member for Ku-ring-gai and in particular his commendation of the manner in which stakeholders collaborated. The nature of any institution is that it is only as strong as those who support it. Obviously when those stakeholders can collaborate and integrate their efforts, the institution they uphold will be stronger. The member for Ku-ring-gai reflected on his time at university, his association with the college and the strength of having a diversity of colleges in the Oxbridge model that strengthens the university through providing a whole range of institutions that are related to the university but are distinct from the university; they have clear independence but have interdependence with each other and with a strong university as well. I thank the member for Ku-ring-gai for his thoughtful contribution and for his support for the foreshadowed amendments.

I note the comments by the member for Ballina and The Greens spokesperson on education. She made a positive reflection on the leadership of the University of Sydney in repairing and restoring a healthy culture around gender diversity, equality and safety. I recognise that this is a broader challenge for universities more generally but note that she has endorsed the leadership of the University of Sydney in this regard. I note her comments about the governance of other university colleges and that this points to the fact that there is a range of colleges with distinct traditions and focuses. Although there are synergies among the operation of the colleges, they are all distinct and part of the strength of the university system. The colleges are both independent and distinct; but the stronger each college is, the stronger the whole institution becomes.

I note the thoughtful contribution of the member for Maitland and her observation about the need to instil and constantly reinforce respect and trust in institutions involving and focusing upon young people. As I listened to her contribution I heard echoes of Robert Putnam's focus on building social capital. The strength of our society is based not just on its financial capital but also on the social capital of the institutions that form us and tell us a lot about ourselves. The member for Maitland made a powerful observation about the privilege of a university education. That underscores this entire debate; we are so lucky in this country to have some incredible public research institutions. It is incumbent on every member in this place and indeed everyone in society to recognise the privileged position these institutions hold, to constantly reinforce in an iterative way the strength and vitality of the institutions, and the governance arrangements that support them.

The member for Maitland, the member for Lakemba and others noted the longevity of the college. St John's College dates back to 1857, only a year after this Parliament returned an elected responsible government. The college has a wonderful legacy and the current custodians of the college have been left with an incredible inheritance to pass on to the next generation. It has been a privilege to work across the Chamber on this bill and with the stakeholders involved with the college to ensure that together we can help co-create an institutional governance framework that will strengthen St John's College and its contribution to the next generation.

The member for Maitland and others spoke at some length about the fact that legislation can go only so far and that culture is created by a whole range of different strands, including legislation. For the legislation to ultimately work all stakeholders must work together; in other words, everyone has to want to make it work. Obviously legislators have a duty to listen and respond to legislation that brings consensus as far as possible but once the legislation is created it is up to the college to make it work. The member for Maitland referred to the need to reinvigorate the traditions of the college. Every college has a unique identity but the new culture should pick the best of the past, consciously weed out the worst of the past, and strengthen a culture that is inclusive in nature and does not exclude others.

I list contributions of others who are not in this place, in particular, members in the other place, the Hon. Adam Searle and the Hon. Catherine Cusack, who have a lot of wisdom and experience to bring to bear on these matters and who have spoken to me. The Hon. Catherine Cusack during her time as Parliamentary Secretary for Tertiary Education did considerable work around all of the colleges at the University of Sydney. She recognises that each of the colleges is distinct and that the governance arrangements of each college will vary according to its traditions, heritage and aspirations for the future.

I also have had the benefit of listening to the accumulated wisdom and experience of others in reflecting on how this bill and foreshadowed amendments were prepared, including the former Sex Discrimination Commissioner, Elizabeth Broderick, and note her support for the approach outlined in the bill. I note the wonderfully elegant way in which the member for Summer Hill was able to make a contribution in absentia. That reflects on the way in which our culture and workplaces have changed. Although the member is away on what I understand is a very busy maternity leave with two little babies, she is able to have her voice and therefore the voice of her community communicated through the member for Lakemba.

I have spoken to members of the Johnsmen's Association and note their presence in the Chamber today. I note the great way in which they have collaborated in providing sensible reflections on reform and commend them for that approach. I note the leadership of the current Rector of St John's College, Adrian Diethelm, and thank him for his leadership and the way in which he has begun this important work of rectifying some of the cultural challenges faced by the college and which have been extrapolated by others in this place. I note the college chair, Dr Bernadette Tobin, her leadership and the way in which she has worked collaboratively with the members of the college, the Johnsmen and the church to find a way through to ensure that the final bill considered by this place reflects the aspirations of the college community.

I acknowledge the leadership over the past decade of the University of Sydney by Dr Michael Spence, AC. I note the contribution of my staffers David Cross and Dan Hill in relation to this bill. David Cross's previous guise as an adviser to Dr Spence placed him in a unique position to exercise real wisdom and bring that experience to bear. The bill effectively will modernise the administration and operation of St John's College, whilst maintaining its independence. It will lay to rest the lingering uncertainty around the college's governance that dates from the emergency measures incorporated into the Saint John's College Act 1857, with bipartisan support, in late 2012.

The bill builds on the progress made by the current St John's College Council and its predecessor. Importantly, all positions on the council will be open to male and female candidates and the council will be required to have regard to gender diversity in making appointments. The link between the University of Sydney and St John's College is strengthened through the vice-chancellor's power to appoint one member of the college council. The Saint John's College Bill 2017 has been drafted using contemporary language with the removal of archaic and outdated terminology. This is important as a matter of practicality in administering the operation of the college, and symbolically as St John's moves forward as a modern institution with a long and extraordinary history.

I note the mention of foreshadowed amendments to the bill by those partaking in the debate, and I will speak to those amendments when considering the bill in detail. The feedback from stakeholders, following the introduction of the bill late last year, has been considered properly and a number of amendments are proposed to further clarify and modernise the arrangements for St John's College. The bill has the support of the college council, the college alumni, the Roman Catholic Archbishop of Sydney and the Vice-Chancellor of the University of Sydney. It places this notable institution in good stead to continue to contribute to the rich tapestry of academic life at the University of Sydney.

On a final reflection, members have observed the challenge between the cultural and educative functions of the law and the legal positivists—or the Hart versus the Dworkin view of the world—in their contributions to the debate. I emphasise that the bill must be read in the spirit of its intent. That is an important reflection to make in respect of its second reading. This was elegantly summarised by His Holiness Pope Francis, who said:

Every man, every woman who has to take up the service of government, must ask themselves two questions: "Do I love my people in order to serve them better? Am I humble and do I listen to everybody, to diverse opinions in order to choose the best path?" If you don't ask those questions, your governance will not be good.

While the Government listens to everyone and presents a bill with amendments that seek to deliver consensus, ultimately legislation cannot work without the goodwill of those who will exercise the powers that it provides. I commend the bill to the House.

**TEMPORARY SPEAKER (Mr Adam Crouch):** The question is that this bill be now read a second time.

**Motion agreed to.**

**Consideration in detail requested by Mr Rob Stokes.**

#### **Consideration in Detail**

**TEMPORARY SPEAKER (Mr Adam Crouch):** By leave: I will deal with the bill in one group of clauses and schedules. The question is that clauses 1 to 18 and schedules 1 to 2 be agreed to.



**Mr ROB STOKES (Pittwater—Minister for Education) (13:04):** By leave: I move Government amendments Nos 1 to 13 on sheet C2018-001D, in globo:

**No.1 Member of Roman Catholic orders**

Page 2, clause 3 (1). Insert after line 20:

*member of a Roman Catholic order* means a member of an Institute of Consecrated Life within the Roman Catholic Church.

**No. 2 Constitution of College**

Page 3, clause 4, lines 5–7. Omit all words on those lines. Insert instead:

- (2) The College is a Roman Catholic residential college within the University and may also be known as the College of Saint John the Evangelist.

**No. 3 Gender diversity**

Page 3, clause 5. Insert after line 24:

- (6) The Council is to have regard to gender diversity in appointing persons under subsection (1) (e).

**No. 4 Functions of College**

Page 3. Insert after line 9:

**5 Functions of College**

The College has the following functions:

- (a) to provide accommodation, education and religious instruction to students;  
(b) any other functions conferred or imposed on it by or under this or any other Act.

**Note.** See, for example, section 50 of the *Interpretation Act 1987*.

**No. 5 Council to maintain electoral roll**

Page 4, clause 7. Insert after line 12:

- (3) The Council is to maintain, in accordance with any by-laws, a roll containing the name and address of each person eligible to vote in an election under this section.

**No. 6 Council to make by-laws**

Page 7, clause 17 (1), line 19, Omit "The College". Insert instead "The Council".

**No. 7 Filling vacancy in office of elected member**

Page 8, Schedule (1). Insert after line 40:

**5 Casual vacancy in office of elected member**

- (1) A casual vacancy in the office of a member elected under section 7 is to be filled:  
(a) by the candidate who received the highest number of votes in the most recent election other than the person elected, or  
(b) if there is no such person available to fill the vacancy, by a person appointed by the Council.  
(2) The person who fills the *casual vacancy* holds office, subject to this Act, for the remainder of the term of the member who has vacated office.  
(3) In this clause, casual vacancy means a vacancy that occurs other than because of the completion of a term of office.

**No. 8 Extraordinary dismissal of Council**

Page 9, Schedule 1, clause 5, line 1. Omit "**Extraordinary vacancies in offices of members**". Insert instead "**Extraordinary dismissal of Council**".

**No. 9 Extraordinary dismissal of Council**

Page 9, Schedule 1, clause 5 (2)–(4), lines 3–12. Omit all words on those lines. Insert instead:

- (2) If there are vacancies in the office of all 3 clerical members or in the office of 8 of the 9 lay members, the Visitor may, with the concurrence of the Vice-Chancellor:  
(a) remove the remaining members; and  
(b) appoint such persons as members as are necessary to enable the Council to be established in accordance with section 5.  
(3) A person removed under subclause (2) (a) may (but need not) be appointed as a member under subclause (2) (b).

**No. 10 Removal of extraordinary members by Visitor**

Page 9, Schedule 1, clause 5 (7), line 19. Omit "any or no stated reason". Insert instead "sufficient cause".

**No. 11 Filling a vacancy in office of extraordinary member**

Page 9, Schedule 1, clause 5 (8), line 21. Insert ", in consultation with the Vice-Chancellor," after "The Visitor may".

**No. 12 Council quorum**

Page 10, Schedule 1, clause 9 (1), lines 23 and 24. Omit ", which must include at least 1 clerical member and 2 lay members".

**No. 13 Transitional arrangements for new Council**

Page 11, Schedule 2, clause 2 (1), lines 20–25. Omit all words on those lines. Insert instead:

- (1) As soon as practicable after the commencement of section 5:
  - (a) the Archbishop is to appoint 3 persons to the Council under section 5 (2) (b); and
  - (b) the Vice-Chancellor is to appoint a lay person to the Council under section 5 (2) (d); and
  - (c) the former Council is to arrange for the election of 4 lay persons to the Council under section 7; and
  - (d) the Visitor, or a person designated by the Visitor, is to convene a meeting of the Council at which the Council is to appoint 4 lay persons to the Council under section 5 (2) (e).
- (2) The former Council is taken to be the Council, and is to exercise the functions of the Council, until the meeting referred to in subclause (1) (d) is convened.

The Saint John's College Bill 2017 is unusual in that it is replacing a private Act. The Government's role therefore is to act as an agent for change on behalf of St John's College and its stakeholders. As I have said already, this bill modernises the governance arrangements of St John's College whilst also ensuring its independence. These amendments have been drafted following extensive consultation with the college council, the college alumni, the University of Sydney, and the Catholic Archbishop. They also have been made in consultation with all major political parties. I acknowledge that issues arising from the governance crisis of 2012 have resulted in a turbulent relationship between many of the college stakeholders. It is my hope that these amendments go some way towards healing the divisions that exist in the college community. Most of these 13 amendments are procedural in nature, but I would like to speak in detail on a couple of them. Amendment No. 3 relates to gender diversity. The college council was anxious to have that included. The amendment states:

The Council is to have regard to gender diversity in appointing persons under subsection (1) (e).

That amendment is agreed and supported on the basis that it modernises the governance structure. It is appropriate to recognise the need to reflect gender diversity in considering appointments to the college council. I note that amendment No. 9 strengthens schedule 1, clause 5 of the bill, ensuring that the archbishop can dissolve the council only with the concurrence of the vice-chancellor. I note that the extraordinary "dismissal of council" clause is to be used only in the most exceptional of circumstances and only when a crisis of governance at the college is such that the council can no longer function. It is hoped that a situation desperate enough to require the council to be wound up and reconstituted never again arises in the life of St John's College. If it does, however, this strengthened provision is in place to deal with it.

Amendment No. 12 relates to the council quorum. The amendment ensures that this clause reflects best-practice governance arrangements similar to governance boards elsewhere. The removal of the requirement that a clerical member of council be present to have a quorum in no way restricts the clerical members attending council meetings. It is important that due regard is given to the weekend work duties of the clerical members before organising council meeting dates. I note the comments of the member for Lakemba in speaking to this foreshadowed amendment.

**TEMPORARY SPEAKER (Mr Adam Crouch):** The question is that clauses 1 to 17, as amended, be agreed to.

**Clauses 1 to 17, as amended, agreed to.**

**TEMPORARY SPEAKER (Mr Adam Crouch):** The question is that clause 18 be agreed to.

**Clause 18 agreed to.**

**TEMPORARY SPEAKER (Mr Adam Crouch):** The question is that and schedules 1 and 2, as amended, be agreed to.

**Schedules 1 and 2, as amended, agreed to.**

**Third Reading**

**Mr ROB STOKES:** I move:

That this bill be now read a third time.

**Motion agreed to.**

**TEACHING AND EDUCATION LEGISLATION AMENDMENT (EMPLOYMENT) BILL 2017****Returned**

**TEMPORARY SPEAKER (Mr Adam Crouch):** I report receipt of a message from the Legislative Council returning the abovementioned bill without amendment.

*Budget***BUDGET ESTIMATES AND RELATED PAPERS 2017-2018**

**Debate resumed from 8 February 2018.**

**Mr JAI ROWELL (Wollondilly) (13:08):** I support what was, and is, one of the most outstanding budgets on record for New South Wales. It is outstanding in terms of its breadth and range of positive impacts. It is outstanding in terms of the commitment to the regions and smaller towns, including my electorate of Wollondilly, which encompasses the Wollondilly and Wingecarribee shires. The New South Wales economy is leading the nation and the budget again shows a strong surplus for the next four years. Strong financial management has meant that the Liberal-Nationals Government can invest in local communities across New South Wales. The budget is delivering where it matters: on health, roads, education, transport, support for families, help for those who need it most and the right conditions for business to grow.

The State has enjoyed economic growth of 3½ per cent through 2015-16. Based on the most recent data available, our economy is outpacing the other States. This economic growth is delivering jobs: New South Wales has the lowest unemployment rate of the States, and, since April 2011, New South Wales employment has increased by 369,600, which is more than any other State. We are working hard to make New South Wales more affordable. This budget helps first home buyers through stamp duty exemptions on new and existing homes, grants for new homes, and the abolition of mortgage insurance. The budget delivers a rebate for kids' sport registration and lesson fees, which has been well received in the electorate of Wollondilly. We are helping families with the cost of early childhood education and easing the burden of the compulsory third party [CTP] green slip scheme by reducing the price by more than \$100.

The Government is investing a record \$7.7 billion over four years in health infrastructure. This will deliver four new hospitals and 15 hospital upgrades. We already have achieved our 2015 election commitment to increase frontline health staff by 3,500 and have increased frontline staff by 4,500. We have injected a record \$100 million over four years for palliative care services—something that is particularly important to my electorate. This Government is committed to delivering high-quality education for our kids to set them up for success. In 2017-18 we will deliver an additional 1,000 teachers into New South Wales schools. We already are seeing the benefit of that in the Wollondilly electorate. Our commitment of \$4.2 billion over four years for capital works in New South Wales schools, including \$2.2 billion for new capital works, will deliver more than 1,500 new classrooms. We are doing more than ever to address the maintenance backlog in schools: We are delivering an additional \$411.3 million, bringing the total to a record spend of \$747.4 million.

Our healthy budget position enables us to invest in the future infrastructure of New South Wales. We are maintaining record levels of infrastructure investment, with \$72.7 billion over the next four years. This allows us to invest in transport and roads projects across the State, including \$41.4 billion on road and public transport infrastructure to unclog our cities and get residents home sooner, and more than \$6 billion on building and upgrading major country roads and freight corridors to keep people safe and get them home sooner. This budget includes the Government's Housing Affordability Strategy, which is aimed at giving people the best opportunity to enter the housing market. First home owners in New South Wales will not pay stamp duty on homes worth up to \$650,000, with discounts for houses worth up to \$800,000. There will be a \$10,000 grant for first home buyers for houses worth up to \$600,000. The package also includes a number of measures to help supply, including more support for the Greater Sydney Commission as well as funding to support infrastructure, particularly in growth areas.

The 2017-18 budget will continue record levels of investment in social infrastructure, such as hospitals and schools, laying the foundations for communities across New South Wales to flourish. New South Wales is expected to record a surplus of \$4.5 billion, with a surplus of \$2.7 billion forecast for 2017-18 and average surpluses of \$2 billion forecast over the four years to 2020-21. New South Wales continues to have negative net

debt, projected to be minus \$7.8 billion at June 2017—by far the lowest level on record—and is forecast to remain lower than that of any other mainland State as a share of Gross State Product. The Government is continuing with record levels of investment in infrastructure, with \$72.7 billion committed over four years. Our Government is ensuring that the benefits reach every corner of the State. After working hard to transform New South Wales from the worst economic performer to number one, we are now in a position to make a real difference to people's lives—whether they are in regional New South Wales or in the cities.

New South Wales is the only State with strong surpluses, negative net debt, a growing net worth, a triple-A credit rating, low unemployment and record investments in services and infrastructure. We are delivering more than the major transport infrastructure projects; we also are investing record amounts in local infrastructure, which gives our families and communities the freedom to thrive. The budget includes \$7.7 billion over four years for world-class hospitals and health facilities, which is a more than 50 per cent increase. It includes \$4.2 billion over four years for new and improved schools—a 61 per cent increase. Meanwhile, the Government is maintaining record levels of transport and road investment, totalling \$41.4 billion over four years. I look forward to speaking more about how this affects the Wollondilly electorate. There are hundreds of millions of dollars for Wollondilly shire. This Government is getting on with the job of delivering.

**Business interrupted.**

*Community Recognition Statements*

**MYALL LAKES ELECTORATE COMMONWEALTH GAMES QUEEN'S BATON RELAY**

**Mr STEPHEN BROMHEAD (Myall Lakes) (13:15):** I felt proud on the afternoon of Friday 2 February when the Queen's Baton made its way through the communities of Forster and Tuncurry. Thousands of local residents lined the streets along the route to watch the 16 local baton bearers who carried the Queen's message in the longstanding Commonwealth Games tradition. I congratulate staff from MidCoast Council, Marine Rescue and the Manning-Great Lakes police command who ensured that the event ran smoothly. I recognise those who had the honour of carrying the baton: Sarah Boddington, Brooke Hosgood, Stephen Lee, Dixie Ingram, Cindy Tan, Jordan Brown, Keith Pearce, Warren Parr, Camden Ceccato, Frances Breen, Terry Brooker, Jennefer Trott, Doreen Wilson, Peter Sanders, Laura Thurtell and Alysse Iverson.

**NEWCASTLE JETS W-LEAGUE TEAM**

**Ms SONIA HORNER (Wallsend) (13:15):** I congratulate the Newcastle Jets W-League team on their stellar season and on reaching the semifinal for the first time in the team's nine-year history. I thank Jets Chief Executive Officer Lawrie McKinna for his encouragement of the league and his involvement in local sports. I acknowledge the great job done by the coaching team: Craig Deans, Ashley Wilson and Andrew Gordon. But this marvellous team would be nothing without the players: captain Emily, Britt, Claire, Tash, Hannah, Arin, Sophie, Nikola, Gema, Cassidy, Clare, Tori, Panagioti, Jenna, Katie, Cortnee, Tara, Ashlee and Tara. I am proud of the Jets W-League team.

**MANLY WOMEN'S SHELTER FUNDRAISING**

**Mr JAMES GRIFFIN (Manly) (13:16):** Mo\_Manly is a wonderful initiative that organises monthly Friday night meet-ups for men in Manly who are committed to raising money for Manly Women's Shelter and working to eradicate domestic violence. Over a meal and a beer, Mo\_Manly encourages men to get together, form friendships, discuss issues and raise important funds for the Manly Women's Shelter. I thank Mr David McCrae for leading this initiative. He is an outstanding member of our local community. If it were not for people like David McCrae and the supporters of Mo\_Manly, the battle against domestic violence would be much harder. I thank David and Mo\_Manly.

**BALLINA COMMUNITY CHRISTMAS DAY LUNCH**

**Ms TAMARA SMITH (Ballina) (13:17):** I congratulate the committee of the Ballina community's free Christmas day lunch and volunteers who served 185 sit-down dinners and many takeaways to the lonely and needy of Ballina on Christmas day. The free lunch was made possible through the generous support of local businesses, families and individuals. I am proud of the goodwill and compassion of the Ballina community.

**HEARING AWARENESS WEEK**

**Ms FELICITY WILSON (North Shore) (13:17):** Hearing Awareness Week, which will take place at the end of February, will draw attention to the importance of hearing health in our community. I will start the Parliamentary Friends of Hearing Health and Wellbeing during Hearing Awareness Week, and I invite all members to reflect on the importance of hearing and to join me in raising awareness of this issue. Hearing Awareness Week is one step towards increasing awareness of this issue and I would like to involve Parliament in

the fantastic projects of Hear For You, which is an amazing organisation focused on helping young people who are deaf or hard of hearing. The organisation is led by Chief Executive Officer and North Shore local David Brady.

Due to barriers to education and social integration, loss of productivity, cognitive decline and depression caused by hearing loss, unaddressed hearing loss is estimated to cost the economy \$750 billion. On Saturday 25 February 2018, I plan to undertake the silent hour challenge, where I will go about my normal routine without the use of hearing. It will be a significant challenge. Minister Williams and Minister Hazzard will also be taking part in Hearing Awareness Week events.

#### **LONDONDERRY ELECTORATE COMMUNITY BUILDING PARTNERSHIP GRANTS**

**Ms PRUE CAR (Londonderry) (13:19):** I congratulate the recipients of the 2017 Londonderry Community Building Partnership grants. Each of these organisations contributes invaluable to our community and I was pleased to assist them in acquiring much-needed funds to improve their facilities. I congratulate St Marys Rugby League Club, Londonderry Greys Rugby League Football Club, Tregear Presbyterian Preschool, St Mary's Anglican Church, St Mary's Band Club Rangers soccer club, Penrith City Council and Werrington Little Athletics Centre. I look forward to seeing the upgrades completed as soon as possible.

#### **TURRAMURRA LOOKOUT GARDEN**

**Mr ALISTER HENSKENS (Ku-ring-gai) (13:19):** On the edge of the Pacific Highway in the heart of Turramurra is the Turramurra Lookout Garden, a mixture of 24 individual plots, which members of the local community are able to purchase at a modest cost and call their own. Today a much-loved feature of Ku-ring-gai, the garden was established in 2009 through the vision of Turramurra's John Dailey, who partnered with Ku-ring-gai Council to create not just fertile ground for members to grow their own organic fruit and vegetables but a location where knowledge is shared and can be applied to home gardens, apartment balconies or schools.

Now retired, John's successful career in the insurance industry and experience as a director of his own business has equipped him with the skills to manage a team of community volunteers and guide the members of the garden through the challenges that an undertaking of this kind inevitably faces. But the garden is more than just a haven for local gardeners to indulge their passion. It is also a place of inspiration and motivation and a model for sustainability, where second-hand garden items and food waste from local businesses are used for composting and worm farming. I congratulate John, who recently received a Lions Community Service Award for Services to the Environment, on his inspirational leadership and development of the garden, and I encourage visitors to come and explore this community treasure.

#### **SWANSEA ELECTORATE COMMONWEALTH GAMES QUEEN'S BATON RELAY**

**Ms YASMIN CATLEY (Swansea) (13:20):** With the Commonwealth Games just around the corner, many will have been following the progress of the Queen's Baton as it travels throughout Australia. I am very proud that my community is represented by Jye Disdale in the Queen's Baton Relay. I recently had the privilege of meeting Jye, a passionate and driven young man who in the past few years has dedicated much of his free time to helping others and his community. Sadly, a close family friend of Jye's lost his battle with brain cancer recently. Consequently, Jye has raised \$23,000 for the Mark Hughes Foundation—a not-for-profit organisation established by former Knights player Mark Hughes to promote awareness, assist research efforts and provide support to patients within the community. Jye's fundraising efforts saw him go on to be nominated for the Fred Hollows Humanity Award, and then to represent our community in the Queen's Baton Relay when it travelled through Newcastle recently. At just 13 years of age, these are incredible achievements. I believe we are in very safe hands with young men like Jye in our community.

#### **NORTHERN TABLELANDS ELECTORATE STATE EMERGENCY SERVICE AWARD RECIPIENTS**

**Mr ADAM MARSHALL (Northern Tablelands—Minister for Tourism and Major Events, and Assistant Minister for Skills) (13:21):** I recognise local State Emergency Service [SES] volunteers Peter Wilson, of the Warialda unit, and Peter and Sue Baker, of the Ashford unit. Recently we had the pleasure of the company of the New South Wales SES Commissioner, Mark Smethurst, to award long service medals and life membership to a number of valuable SES volunteers in Warialda. Peter Wilson, the Warialda Deputy Unit Controller, received the Life Membership Award for more than 28 years' service in which he has travelled throughout the region offering training, assistance and skills to other volunteers and units. Peter and Sue Baker received long service awards for 35 years of service to the Ashford unit, during which they participated in many rescues after floods and fire and as a result of vehicle accidents, and worked to strengthen the Ashford unit—the pinnacle achievement being the brand-new Ashford SES headquarters. I congratulate Peter Wilson and Peter and Sue Baker, and thank them for their great service to the community.

### TRIBUTE TO BERYL MULLARD

**Mr GREG PIPER (Lake Macquarie) (13:22):** I acknowledge Morisset resident Beryl Mullard, who has done a remarkable job researching, preserving and recording local history. Beryl recently self-published her third work on the Morisset district, entitled *Way Back Then: A Pictorial History of Morisset and District including Wangi Wangi and Rathmines*. Her latest work details a mix of previously unpublished photographs of Morisset, Cooranbong and Dora Creek, which were collected through descendants of some of the area's pioneering families including the Parkers, Lancasters, Heatons, Kildeys and Wynns. These historic photographs and anecdotes will now be better preserved for future generations, not only serving as a record of our district's rich and colourful past but also providing current and future generations with stories of their ancestors' pioneering spirit. Beryl spent 13 years collecting material for her latest historical work and is to be commended on the result. Beryl is a local treasure, and on behalf of her community I thank her for the time she has invested in recording our rich local history.

### ST GEORGE HOSPITAL LAMROCK COMMITTEE

**Mr MARK COURE (Oatley) (13:23):** I acknowledge the work of the Lamrock Committee of the St George Hospital, a group of 15 ladies who give their time and efforts to raise money for hospital equipment. They recently held a very successful high tea at Doltone House in Sylvania, which was attended by 140 ladies, including my wife. Vice President Toni Horsey introduced guest speaker Rosemary Hannan, a nurse from the Breast Care Unit of the hospital, who spoke about the specialist treatment that is being offered to patients suffering from breast cancer. A cheque of \$6,000 was presented to purchase a laser probe used in breast cancer surgery. Another cheque of \$2,000 was given to Bezzina House Manager Benise Clancy. Bezzina House offers accommodation to families of long-term patients residing in the hospital. I thank Lamrock Committee members for their commitment to serving the community for more than 25 years and playing a positive part in the recovery of many patients in the St George area. The committee raised around \$4,000 at the high tea. On behalf of my electorate, I thank them for their contributions.

### THE GALLERY, TEA GARDENS HAWKS NEST

**Ms KATE WASHINGTON (Port Stephens) (13:24):** The fantastic community of Tea Gardens Hawks Nest was recently on show once again. The impressive community art group, Galleries in the Gardens, hosted the opening of its first dedicated art space, The Gallery, which sits off the beautiful riverfront. The gallery will house the artworks of members of the hardworking, talented art group and host classes on site. I congratulate and thank the hardworking members of Galleries in the Gardens, particularly President Trevor Cook, Secretary and talented artist Cheryl Cook, Vice-President Ian Morphet, and publicity officer Colleen Macsween. I also extend my thanks to Lee and Rob Anderson, whose generous gift to the group has given The Gallery a home. With such an enormous turnout on the opening night, and with The Gallery officially opened by Mark Tedeschi, SC, there are suggestions that it was the event of the year. But knowing the vitality of the Tea Gardens Hawks Nest community, I suspect that it is far too early in the year to be making that call. I encourage everyone to visit Tea Gardens Hawks Nest, and particularly its latest attraction, The Gallery.

### TRIBUTE TO CHARLISE CAMERON

**Ms TANYA DAVIES (Mulgoa—Minister for Mental Health, Minister for Women, and Minister for Ageing) (13:25):** Since being diagnosed with dyslexia in year 3, Glenmore Park resident Charlise Cameron has become passionate about breaking down the stigma surrounding the learning difficulty. In particular, Charlise's dyslexia mainly impacts her understanding of basic concepts in maths and her ability to spell. Despite this, Charlise has achieved great success academically and personally. Through the support of her parents, David and Suzanne, and her school community, Charlise has utilised dyslexia-based tutoring to make remarkable progress in the classroom, boosting her confidence and self-esteem as a result.

Charlise has used her experiences to educate her fellow students and teachers, highlighting how judgement can negatively impact dyslexic students. She says, "It is important for people not to judge you. You already feel like you're dumb and if others say it to you, you start to believe it. If you get the right help in the classroom, it will give you so much success." I am proud of Charlise for helping to break down the stigma associated with dyslexia with such passion and enthusiasm. With her courage and confidence, I know that Charlise will have a bright future.

### TRIBUTE TO TREVOR COX

**Ms JENNY AITCHISON (Maitland) (13:26):** I inform the House of the passing of one of Maitland's most colourful characters, the late Trevor Cox. "Coxy", as he was known to his mates, was a homeless man who frequented the High Street area in Maitland's central business district for some 40 years. His story highlights the complexity of homelessness in our communities. His family would often entice him home for a bed, shower or

meal, but he would have to be back on the streets by 7.00 a.m. to do what he saw as his job. Coxy had a unique forehead tattoo, thongs and a distinctive smile, which all residents of Maitland will miss. Every Maitland resident has their own "Coxy story", including a lady who told us how her mum used to make him corned beef and pickles sandwiches—a tradition she carried on after her mum passed. He will be sorely missed by everyone in the Maitland community and walking down High Street will not be the same without him. I extend my sincere condolences to his family and to all those who loved him and cared for him. Vale, Trevor Cox, you will be missed.

#### **CENTRAL WEST STATE EMERGENCY SERVICE AWARD RECIPIENTS**

**Mr PAUL TOOLE (Bathurst—Minister for Lands and Forestry, and Minister for Racing) (13:27):** I acknowledge the achievements of the State Emergency Service [SES] members in the Central West. At a recent awards presentation 10-year-long service certificates and New South Wales SES long service medals were awarded to Michael Williams, Clement Whalan, Mareea Agustin, Kane Gibbons, Jessie Davidson, Brett Kerruish, Peter Borland and Richard Newson. Kevin Conaghan and Marina Gray were awarded the 15-year long service certificate. Robert O'Neill was awarded the 20-year long service certificate. Chris Abbott, Greg Agustin, Mark Darling and Letitia (Marlene) Neville were awarded the 25-year long service certificate.

Matthew McMahon was awarded the 30-year long service certificate. Robert O'Neill was awarded 1st clasp to the New South Wales SES long service medal. Matthew McMahon was awarded 2nd clasp to the New South Wales SES long service medal. John Anthes, Kevin Conaghan and Marina Gray were awarded the National Medal. Letitia (Marlene) Neville and Peter Culley were awarded 1st clasp to the National Medal. Peter Culley and Peter Borland were awarded 2nd clasp to the National Medal. I congratulate all recipients and acknowledge their hard work in our communities while serving the people of the Central West.

#### **NOVA FOR WOMEN AND CHILDREN**

**Mr TIM CRAKANTHORP (Newcastle) (13:28):** I pay tribute to local community organisation Nova for Women and Children, which was lauded as the 2018 Newcastle Community Group of the Year. Nova supports women who are at risk of homelessness to remain safely in their homes, helps to house women who are homeless or in crisis and provides support to maintain safe accommodation. Homelessness for women and their children is a growing issue in the Hunter, often predicated by domestic violence that has driven women from their homes. Nova assisted more than 1,200 clients in the 2016-17 financial year and offers culturally appropriate and supportive services to Aboriginal and Torres Strait Islander women and their children. Nova is based upon feminist philosophy and is guided by the principles of social justice: access, safety, participation, choice, empowerment, equity and equality. I congratulate Nova and Nova Chief Executive Officer Kelly Hansen.

#### **MURRAY ELECTORATE COMMONWEALTH GAMES QUEEN'S BATON RELAY**

**Mr AUSTIN EVANS (Murray) (13:29):** It is my pleasure to inform the House about a much-loved and revered man who had the honour of bearing the baton for the Queen's Baton Relay when it passed through Griffith on 28 January. Dr John Binks devoted 35 years of his life to rural medicine after arriving in Australia in 1956. He practiced as a general practitioner [GP] at his own surgery and also provided surgical services to Griffith Base Hospital. He developed a loyal following over his many years of service until he retired in 1990. Throughout his career and in his retirement, Dr Binks has been a passionate advocate for better health services for Griffith. Dr Binks was actively involved in community groups, such as the school parents and citizens association, and environment committees. He has been a keen sailor and was one of the first to sail on Griffith's Lake Wyangan. On 28 January it was a typical Griffith day of 39 degrees Celsius, but that did not stop the 92-year-old from taking great pride in bringing home the final leg of the relay to a large awaiting crowd, before it continued on its journey to the Gold Coast.

#### **INTERNATIONAL MOTHER LANGUAGE DAY**

**Mr ANOULACK CHANTHIVONG (Macquarie Fields) (13:30):** Since 2000, 21 February has been internationally recognised as International Mother Language Day [IMLD], which is aimed at promoting peace and multilingualism, and protecting all mother languages. A nation as diverse and inclusive as ours will no doubt be holding community events to celebrate this important day to enhance our strong social cohesion. In the Macquarie Fields electorate, IMLD marks a very important cultural and historical day for Australians of Bengali descent. In 1952 protests were organised to defy laws that tried to suppress Bengali as the official language in what was then East Bengal. This led to a nationalist movement and played a major part in Bangladesh's successful fight for independence. Hence, IMLD holds a special significance for Bengali Australians. A number of events will be held in my community to celebrate this important event, including with Bangla language schools, and the Shaheed Minar monument, which we are trying to establish. I thank everyone involved in my community for celebrating IMLD.

**TAFE NSW APPRENTICE OF THE YEAR RHYS STAFF**

**Ms STEPH COOKE (Cootamundra) (13:31):** I recognise Rhys Staff of Young, who was recently awarded TAFE NSW Apprentice of the Year for 2017. Rhys, an apprentice from Sutherland's Welding and Fabrication in Young, was presented with the award from the Metal Fabrication and Welding Department for Outstanding Achievement in Engineering Trade, Fabrication. I acknowledge the support and guidance provided to Rhys by his colleagues at Sutherland's Welding and Fabrication. TAFE staff were impressed with Rhys' consistent hard work and excellence in both the practical and theoretical component of his trade studies. Congratulations Rhys.

**AUSTRALIAN MEN'S SHED ASSOCIATION**

**Mr GREG WARREN (Campbelltown) (13:32):** I ask the House to join with me in acknowledging the wonderful role of the Australian Men's Shed Association and the invaluable assistance it provides to our communities. I particularly mention the Airds Bradbury Men's Shed for its fantastic contribution to Campbelltown. Its proudest achievement is the fantastic vegetable garden growing the largest variety of produce to rival any professional market garden. Local residents can collect their regular supply of produce, or men's shed members will make special deliveries to those less mobile. From restoring furniture to hosting barbecue lunches, having a good old-fashioned chat or, as in my experience, helping to get a lawnmower up and running, the Airds Bradbury Men's Shed provides essential community support that is not limited to our hospital and local schools, but extends to many others. I ask the House to join me in congratulating and thanking the Airds Bradbury Men's Shed and the other wonderful men's sheds within our State for their ongoing assistance and contribution to all of our communities.

**DAVIDSON ELECTORATE PUBLIC SCHOOLS**

**Mr JONATHAN O'DEA (Davidson) (13:33):** I acknowledge the outstanding work of teachers and staff at the many public schools within my electorate of Davidson. It is pleasing that the New South Wales Government is also assisting the school environment through slashing the backlog on school maintenance, with a blitz on roofing, flooring, painting and other projects. In the 18 months to December last year, St Ives High School's maintenance liability was slashed by more than \$860,000; Davidson High School's maintenance backlog reduced by \$330,000; Mimosa Public School, reduced by \$302,000; Killara High School, cut by \$296,000; Roseville Public School, slashed by almost \$182,000; St Ives Public School, down nearly \$110,000; Lindfield Public School, cut by \$56,000; Belrose Public School, reduced by \$35,000; and the maintenance backlog at the Lindfield East Public School fell by more than \$9,000. Well done to all these schools and the New South Wales Department of Education and Minister on this fantastic news.

**BLACKTOWN CITY SWIMMING CLUB**

**Mr STEPHEN BALI (Blacktown) (13:34):** Three swimmers from the Blacktown City Swimming Club qualified to compete in the five-kilometre Australian Open Water Championships at Brighton Beach, Adelaide over the Australia Day long weekend. Approximately 350 swimmers from across Australia qualified to compete at these championships. First time national competitor, Angela Wooden, in the girls under 15-year-old event finished strongly by breaking her personal best time by two minutes. Matthew Galea competed in the boys under-17 event and took control of the race from the start, setting a cracking pace. Matthew won the race and finished with a new personal best [PB] of 56 minutes 50 seconds. His time was the fastest time by any competitor in the age events. Madeline Franjic competed in the girls 17-year-old event and swam magnificently to finish in an impressive ninth position with a new PB of one hour, four minutes and 45 seconds, smashing her PB by two minutes. They have developed very well under the training of head coach Haibin Zhu and the training program provided by Blacktown City Swimming Club. Congratulations to everyone at the club.

**DOMESTIC VIOLENCE CASE MANAGEMENT SERVICE**

**Mr MARK COURE (Oatley) (13:35):** I acknowledge the outstanding work of Moving Forward, as a specialist case management service for women and children who are experiencing or escaping, or who have left domestic and family violence. I recognise and thank the Manager of Moving Forward, Jan, and her entire team for all their hard work and for pursuing the organisation's vision of a life free of domestic and family violence. Jan's passion to help families move forward from physical abuse through practical support and education is inspirational. Moving Forward provides comprehensive, practical support through client-certified case planning. The service offers educational workshops and case management appointments, which operate within a respectful framework. The impact Jan and her entire team are having on domestic violence prevention in our nation is extraordinary. We acknowledge and thank them for their efforts.



**SHELLHARBOUR ELECTORATE COMMONWEALTH GAMES QUEEN'S BATON RELAY**

**Ms ANNA WATSON (Shellharbour) (13:36):** I congratulate Karen Murphy, an outstanding sportswoman in my electorate of Shellharbour, who recently had the honour of participating in the Queen's Baton Relay for the 2018 Gold Coast Commonwealth Games. After travelling across the world over the past year, the baton finally paid a visit to the Illawarra where Karen was able to carry and pass it on, while our entire community watched on. Karen was nominated for this honour for her sporting prowess. She has proven herself as a top lawn and indoor bowls athlete with countless titles and medals to her name, and is a great source of pride for our local community. This year will be Karen's fifth time representing Australia in the Commonwealth Games, which is an incredible feat. I wish Karen the best of luck and look forward to watching her compete in this year's Commonwealth Games. All the best Karen.

**NOWRA SHOW**

**Ms SHELLEY HANCOCK (South Coast) (13:37):** On Friday 9 February 2018 I had the great pleasure—which I always do—of attending the annual Nowra Show. This year was an outstanding event, as always. Many months are spent organising what is one of the stand-out events of the year in Nowra for people of all ages and walks of life. This fantastic community event highlights the South Coast's industries, community groups, and organisations. The show was a credit to the hardworking Nowra Show Committee led by President Wendy Woodward, and the countless volunteers who make it possible. A very special ceremony was held—I was honoured to present the awards—to honour long-time volunteers to the Nowra Show Society who have each contributed to the show for more than 40 years. Congratulations to Lyn Anderson, Merve Bennett, Terry Bennett, John Connolly, Elizabeth Connolly, Jeanice Coulthart, Bruce Coulthart, Bess Geratty, Vivienne Henry, Mavis Jennings, Daisy King, Vonnie Muller, Robert Price, Faye Suffolk, Henry Suffolk, and Brian Kenny. Well done to all those volunteers. I am already looking forward to next year's show. Coming up in a couple of weeks is the Milton Show.

**TOUKLEY & DISTRICTS ART SOCIETY**

**Mr DAVID HARRIS (Wyang) (13:38):** The Toukley & Districts Art Society is a group in my electorate dedicated to displaying quality art to our community. It comprises more than 100 members, all living locally, mostly in the former Wyong shire, making the Federation Gallery the showcase for local art. I have had the great pleasure of opening many shows at this iconic local gallery and cannot praise the society enough for the vibrancy and culture it brings to our community. As well as its fantastic displays, the Toukley & Districts Art Society also provides a range of workshops with professionals at a low cost, demonstrating the group's commitment to the continuity of local art and the cultivation of local artists. Located at Wallarah Point Peace Park, the Toukley & Districts Art Society is one of the many gems that makes our community a vibrant and exciting place to live.

**NATIONAL OPEN WATER CHAMPIONSHIP WINNER MATTHEW GALEA**

**Ms TANYA DAVIES (Mulgoa—Minister for Mental Health, Minister for Women, and Minister for Ageing) (13:39):** I recognise the many sporting achievements of local Mulgoa athlete Matthew Galea, who has had a stellar summer, both in the pool and the open water. His achievements include: first place at the New South Wales Metro South West five-kilometre open water event; first place in the 15-year-old boys Nepean Aquatic Centre five-kilometre open water event; second place at the Swimming NSW State Open Water Championships; five top 10 placings at the Swimming NSW State Age Swimming Championships, including third in the 400-metre individual medley, beating numerous personal bests in the process. Most recently, Matthew won the boys under-17s five-kilometre open water event at the National Open Water Championships, which was held over the Australia Day long weekend in Adelaide. I thank Matthew's parents, Richard and Samantha, and his friends for their continued support of his sporting pursuits. I congratulate Matthew on his wonderful achievements and wish him all the best with his future endeavours, goals and dreams.

**ILLAWARRA NATIONAL SERVICEMEN'S ASSOCIATION MEMORIAL SERVICE**

**Mr PAUL SCULLY (Wollongong) (13:40):** On Saturday, my colleagues the Federal member for Cunningham, Sharon Bird; member for Keira, Ryan Park; the Lord Mayor of Wollongong; and I joined former national servicemen, their families and friends at the Illawarra Sub-Branch of the National Servicemen's Association [Nashos] memorial service and wreath-laying ceremony. This year the ceremony was moved from its traditional site of Flagstaff Hill to the City Diggers club to avoid the weather extremes that the service has experienced in the past. The new venue had a replica of the Flagstaff Hill memorial plaque. The ceremony and commemorations on the day were not diminished as a result of the venue change. I acknowledge and thank Illawarra Nashos President Mark Edwell, Secretary Alf Green and committee members for organising the ceremony this year. It takes a lot of work, but it means a lot to former Nashos and their families that their service and sacrifice to country continues to be recognised and remembered. I also thank the local cadets; Professor

Michael Hough, who delivered the address; and the drum band from Training Ship *Albatross*, led by Stephanie Horton.

#### **SOUTHERN SHOALHAVEN DISTRICT DARTS ASSOCIATION MEDAL WINNERS**

**Ms SHELLEY HANCOCK (South Coast) (13:41):** I congratulate the darts players from the Southern Shoalhaven District Darts Association who attended the XVI Australian Masters Games in Tasmania from 21 to 28 October 2017. The Australian Masters Games is a biennial premier sporting event that is regarded as one of the largest participation sporting events on the Australian sporting landscape. Over the course of the week, more than 6,000 participants competed in more than 40 different sports. I am proud to say that the Southern Shoalhaven District Darts Association won a grand total of 10 medals—one gold, three silver and six bronze. I am honoured to have sponsored—as I have done for some time—such a successful local darts team who were not only great ambassadors for the Southern Shoalhaven District Darts Association but also for the Shoalhaven region. I congratulate Rosemary Silver, Allen Silver, Annette Patten, Paul Patten, Diane Busbridge, Linda Woods, Alexandra Callan and Brian Woods.

#### **OCEAN BEACH SURF LIFE SAVING CLUB**

**Ms LIESL TESCH (Gosford) (13:42):** There have been celebrations all round at the Ocean Beach Surf Life Saving Club, which has had a fabulous year. I congratulate all members who contributed to the club winning the Surf Life Saving Central Coast Club of the Year award for 2016-17, beating Toowoomba Bay and McMasters Beach. What a team! I especially congratulate Ocean Beach Surf Life Saving Club superwoman Gemma Smith, who continues to represent our community in the prestigious Nutri-Grain Ironwoman Series. Gemma simultaneously completed her Higher School Certificate successfully at Central Coast Grammar School while competing against women who are training full-time for the event. I congratulate Gemma and wish her all the best in her journey studying teaching at the University of Newcastle. Education will benefit from her presence. I congratulate Ocean Beach Surf Life Saving Club members—who last trained in January—on their contribution to the great Wet'n'Wild surf lifesaving program at Western Sydney and for launching the new blue tractor, which was purchased with funding obtained from the Community Building Partnerships Grant program. This is the first of many great Community Building Partnership stories in the Gosford electorate.

#### **CANCER COUNCIL PINK RIBBON AFTERNOON TEA**

**Mr JONATHAN O'DEA (Davidson) (13:43):** On Monday I attended a Pink Ribbon afternoon tea with pink-themed food, merchandise, lucky door prizes, and people dressed in pink. I acknowledge those who were involved in organising the great fundraising event, which was hosted by Watermark Residences at Castle Cove and supported by local businesses. David Synott and the Watermark residents' social committee provided a great afternoon tea, raising funds for the Cancer Council's research, prevention and support services for breast cancer and gynaecological cancer. I am pleased to support Cancer Council initiatives and was delighted to attend the afternoon tea. I commend those who came together to support a great cause. It was great to see so many people dressed in pink, just like those who support the Glen McGrath Foundation annually.

#### **COLGATE GAMES AND TRANS-TASMAN CHALLENGE COMPETITOR RYAN KEEN**

**Ms ANNA WATSON (Shellharbour) (13:44):** I congratulate Ryan Keen, a young man from Lake Illawarra in the Shellharbour electorate who recently competed in the Colgate Games and Trans-Tasman Challenge with Little Athletics NSW. Ryan travelled to New Zealand to compete in these games where he placed fifth in the 12-year-old boys shot put and second in the 12-year-old boys 1,200-metre walk in the Colgate Games. In the Trans-Tasman Challenge, Ryan placed third in shot put, and impressively took out the gold in discus and the team field relay. It brings me great pride and joy to know that my electorate is home to such a dedicated and talented young sportsman. I once again congratulate Ryan on his significant achievements and look forward to hearing about his future sporting accomplishments.

#### **OBERON SHOW**

**Mr PAUL TOOLE (Bathurst—Minister for Lands and Forestry, and Minister for Racing) (13:45):** I congratulate the Oberon community on demonstrating its support of another successful Oberon Show, which was held last weekend. Numerous volunteers, the Oberon Show Society and committee members who volunteered on the day made it a success. The Oberon Show is a reminder of the importance of Australia's agricultural industry. Plenty of action at the show also reminded us what country life is all about. There was cattle, wool, flowers, shearing competitions, dog championships and equestrian events. I congratulate president Nick Wills and Hugh Webb, who became a lifetime member of the Oberon Show, and its sponsors. I acknowledge the support of the New South Wales Government, which has enabled improvements to be made to the cattle yards, the public announcement system and fencing so that the showgrounds continue to be a great facility for all to use.

**INNER WEST COUNCIL CITIZEN OF THE YEAR SARAH MIDGLEY**

**Ms JENNY LEONG (Newtown) (13:46):** I draw the attention of this House to Sarah Midgley, who was awarded Inner West Council Citizen of the Year 2018. Since becoming an inner west local, Sarah has dedicated her free time to volunteering in her community. She has served on the Flying Bats committee—which is the world's largest LGBTIQ football club—as well as the Sydney's Pride History Group. From 2013, Sarah served as the New South Wales Co-Convenor and Director of Australian Marriage Equality. She worked tirelessly for years to achieve marriage equality, which was finally endorsed last year. During the recent "Vote Yes" campaign, Sarah spent many hours helping at early morning market stalls, running community forums after work and on weekends, and managing hundreds of volunteers. It is because of the efforts of people such as Sarah that we were able to finally achieve marriage equality in Australia. On behalf of the New South Wales Parliament, I congratulate Sarah.

**TRIBUTE TO LINDSAY "SILVER" RENWICK, OAM**

**Mr AUSTIN EVANS (Murray) (13:47):** It is with great pleasure that I share local resident Lindsay Renwick's extraordinary commitment to the Deniliquin community. Mr Renwick, affectionately known around town as "Silver", has devoted more than 50 years of his life to community service. Recently he was honoured for his service to local government and the community of Deniliquin with a Medal of the Order of Australia. Mr Renwick well and truly deserved this honour as he has been a member of many committees throughout the years. His extensive list of community roles includes more than 20 years as councillor with the former Deniliquin Council—for which he was mayor for nine years. He also worked with Local Government NSW and received an Emeritus Mayor award in 2010. Mr Renwick also played an active role in the Deniliquin Rams Football and Netball Club, the boat club and the men's shed, and he has been on the organising committee of the famous Deni Ute Muster. Mr Renwick is also keenly involved in the Deniliquin and District Historical Society, of which he is currently president. I congratulate Lindsay.

**TEMPORARY SPEAKER (Mr Adam Crouch):** I shall now leave the chair. The House will resume at 2.15 p.m.

*Visitors***VISITORS**

**The SPEAKER:** I extend a very warm welcome to eight Justices of the Peace from the Shoalhaven Branch of the NSW Justices Association, my guests as the Speaker and member for South Coast. I also welcome the President of the Laurieton United Services Club, Greg Armstrong, who is accompanied by the General Manager, Rob Dwyer, guests of the Parliamentary Secretary for Regional and Rural Health, and member for Port Macquarie. I welcome student leaders, teachers and parents from Mosman Public School, in particular Principal Steve Connelly and Deputy Principal Nadia Tobia, guests of the member for North Shore. I also welcome students and teachers from Belmore Boys High School, guests of the member for Canterbury.

I also acknowledge Senator Ivana Bacik, Leader of the Irish Labour Party in the Irish Senate, guest of the Hon. Penny Sharpe, MLC. I also welcome former Premier Barrie Unsworth.

*Announcements***TONGA CYCLONE GITA**

**The SPEAKER (14:20):** We all know that the Pacific country of Tonga experienced a category 4 cyclone that caused extensive damage to the islands and left thousands of people without power. It was with great sadness that we received pictures of the Parliament building completely destroyed and flattened during that cyclone. The building was more than 100 years old. The extent of the devastation throughout the islands is still becoming apparent. As members would know, the Commonwealth parliaments have a strong bond and it was my great pleasure, accompanied by the former President, Minister Harwin, to attend the Presiding Officers and Clerks Conference hosted by the Tongan Parliament in 2016. That conference was so memorable for the hospitality extended to visiting parliamentarians and for the great pride shown by our hosts, the members and staff of the Tongan Parliament, in their democracy. On behalf of the House, I extend our most sincere and best wishes to the Speaker and members of the Legislative Assembly, their staff and the people of Tonga during the recovery process following this devastating event.

*Commemorations***CENTENARY OF FIRST WORLD WAR**

**The SPEAKER (14:21):** On 11 February 1918, President Wilson addressed the United States Congress for the second time in as many months about his vision for the post-war peace. Known as "The Four Principles of

Peace", his address laid out the principles which had guided his drafting of the famous "Fourteen Points", presented to Congress the previous month. The last point of Wilson's "Fourteen Points" states:

A general association of nations must be formed under specific covenants for the purpose of affording mutual guarantees of political independence and territorial integrity to great and small states alike.

In his opening remarks to Congress that February day, Wilson acknowledged that, three days before he announced his "Fourteen Points", across the Atlantic in London Prime Minister Lloyd George had proposed a similar idea in an address to a conference of the Trades Union Congress. In a now largely forgotten speech, Lloyd George said:

A great attempt must be made to establish by some international organisation an alternative to war as a means of settling international disputes. After all, war is a relic of barbarism and, just as law has succeeded violence as the means of settling disputes between individuals, so we believe that it is destined ultimately to take the place of war in the settlement of controversies between nations.

While history remembers the League of Nations—the forerunner of the current United Nations—as Wilson's legacy, it was actually a concept espoused by many leaders and intellectuals who sought peace and stability in international affairs through diplomacy and the rule of law. Lest we forget.

#### *Members*

### REPRESENTATION OF MINISTERS ABSENT DURING QUESTIONS

**Mr ANTHONY ROBERTS:** On behalf of Ms Gladys Berejiklian: I inform the House that the Minister for Innovation and Better Regulation will answer questions today in the absence of the Minister for Finance, Services and Property. [*During the giving of notices of motions*]

#### *Notices*

### PRESENTATION

**The SPEAKER:** Order! I call the member for Rockdale to order for the first time.

*Later,*

**The SPEAKER:** Order! I call the member for Rockdale to order for the second time.

#### *Question Time*

### SYDNEY STADIUMS

**Mr LUKE FOLEY (Auburn) (14:28):** My question is directed to the Deputy Premier, Minister for Regional New South Wales, and Leader of The Nationals. Has The Nationals party room approved the Government's plan to splurge \$2.5 billion on Sydney stadiums?

**The SPEAKER:** Order! The Deputy Premier has the call. The clock will not start until members cease interjecting.

**Mr JOHN BARILARO (Monaro—Deputy Premier, Minister for Regional New South Wales, Minister for Skills, and Minister for Small Business) (14:29):** This question relates to investment across the board in regional New South Wales. I answered a similar question last week. We are spending \$81 billion on infrastructure across New South Wales, including in regional areas. Matters that are discussed in our party room will remain in our party room. That is because as The Nationals we pride ourselves on frank and honest party room discussions on all matters relating to the regions. The Leader of the Opposition wants to use the word "splurge". The reality is that over the past seven years members opposite have opposed every fiscal measure we have taken to enable this Government to run budget surpluses, pay down debt and be cash positive.

We took to the election the leasing of the poles and wires in metropolitan areas. The Nationals fought for Essential Energy to be retained 100 per cent in government hands. The proceeds from the lease have allowed us to build the infrastructure that matters. Members opposite want to talk about splurges, but \$7.7 billion going into the health budget is not a splurge. I will fight for health projects every day. I do not call spending \$4.2 billion on education a splurge either; I call it an investment in the next generation. Members opposite have no plans for regional New South Wales. The decisions we have made are allowing us to invest across the State, including in regional areas. The Regional Growth Fund is being used to build sporting and community amenities and infrastructure. Over the next two or three weeks the second tranche of Regional Growth Fund spending will be announced. Are members opposite going to oppose that investment in regional New South Wales because we are building sporting infrastructure?

**Mr Stephen Kamper:** Point of order: My point of order relates to relevance. The Minister has not once mentioned stadiums.

**The SPEAKER:** Order! The Minister is being relevant to the question he was asked, which the member for Rockdale would understand if he had been listening.

**Mr JOHN BARILARO:** Many people in this House have enjoyed some fantastic entertainment at our great stadiums. My daughters have just got tickets to an Ed Sheeran concert at one of our stadiums, which will be great. We know the importance of investing in the infrastructure that drives the economy, increases tourism and creates jobs. We also know the importance of investing in sporting and cultural infrastructure to promote social harmony. Members opposite want to play politics in talking about where the Government is spending money.

**The SPEAKER:** Order! I remind the member for Rockdale that he is on two calls to order. I call the member for Londonderry to order for the first time.

**Mr JOHN BARILARO:** This Government put in place the fiscal responsibility cap that limits the amount of expense growth in our budget. That has allowed us to return the budget to the black. Unlike members opposite—who ran deficit after deficit and increased debt by spending like drunken sailors, especially before an election—because of our fiscal restraint to cap expenditure above revenue growth we have been able to pay down all of the State's debt, run surpluses and also invest in the infrastructure that will make a difference for generations to come. That includes health infrastructure and hospitals and metropolitan and regional schools. We are upgrading the Pacific Highway, which members opposite repeatedly promised but never delivered. Our road infrastructure spending has increased 105 per cent, and 65 per cent of it is being spent in regional New South Wales.

**Ms Yasmin Catley:** Point of order—

**Mr JOHN BARILARO:** Members opposite are not able to find the money to spend on projects. All they do is criticise the approach of this Government.

**The SPEAKER:** Order! The Deputy Premier has completed his answer. There is no point of order. Opposition members will come to order. I call the member for Keira to order for the first time.

#### SYDNEY STARTUP HUB

**Mr JAMES GRIFFIN (Manly) (14:34):** I address my question to the Premier. How is the New South Wales Government supporting start-up businesses and jobs growth across New South Wales?

**Ms GLADYS BEREJIKLIAN (Willoughby—Premier) (14:35):** I thank the member for Manly for his question. I acknowledge that prior to becoming a member of Parliament the member for Manly was very active in the private sector in this area. I commend him for that work. Those on this side of the Chamber appreciate the importance of creating jobs. We want New South Wales to not only be a leader in creating jobs but also be a regional and global leader in getting the best national and international brands to set up shop in New South Wales. This morning I was joined by the Deputy Premier, Minister for Regional New South Wales, Minister for Skills, and Minister for Small Business, Mr John Barilaro, and the Minister for Innovation and Better Regulation, Mr Matt Kean, at the launch of the Sydney Startup Hub.

*[Interruption]*

**Ms GLADYS BEREJIKLIAN:** What have you got against jobs and business? Those opposite cannot handle the fact that we on this side of the House are the party of the workers. We are the party that is delivering jobs for the people of New South Wales. We have ensured that more people have jobs in this State than any other Government in this State's history.

**The SPEAKER:** Order! I warn Opposition members that they will be removed from the Chamber if they continue to interject.

**Ms GLADYS BEREJIKLIAN:** We have done more for jobs growth and jobs creation than any other government in the history of this State. Not only are we building jobs through our infrastructure pipeline and construction but also we are delivering the strongest economy in this nation by a mile. But do not take our word for it; read the State of the States report and every commentator who knows anything about—

**Mr Dominic Perrottet:** A serious report.

**Ms GLADYS BEREJIKLIAN:** Exactly.

**The SPEAKER:** Order! I call the member for Cessnock to order for the first time.

**Ms GLADYS BEREJIKLIAN:** What really excites me and our team about the Sydney Startup Hub is that we are now attracting the global players that will be delivering jobs for the future. We want everyone in this State who has a good idea—whether they live in the bush or in Sydney—to go to this hub and be exposed to

Australian and global brands that will allow them to leapfrog into the future. Another exciting part of this morning's announcement is that Microsoft has chosen to join the start-up hub. Why is that significant? Because Microsoft has only chosen to start up in seven other cities around the world. Sydney is the eighth city in the world with a Microsoft start-up presence. That will mean more jobs across this State in industries that are yet to be developed and in which New South Wales can be a leader. That makes us all incredibly proud.

We not only have our eye on what we can do now to create jobs but are supporting industry, business and entrepreneurs. At the launch this morning it was really exciting to speak to some of the 1,200 entrepreneurs who have already set up shop. Once the Sydney Startup Hub is at full capacity there will be 2,500 entrepreneurs in this prime real estate. The Government has invested \$35 million and we have made that land available to people to create businesses that will create jobs. That is why we are the party of the workers. I know the school students in the gallery will be looking forward to jobs they want to have in the future.

*[Interruption from the gallery]*

**The SPEAKER:** Order! I remind the school students in the gallery that while the behaviour of the members of Parliament is unacceptable, the behaviour of the school students in the gallery should be acceptable. There will be no noise from the gallery.

**Ms GLADYS BEREJIKLIAN:** I apologise to Mr Tuziak, who does a great job in keeping those in the gallery well behaved. Other brands at the Sydney Startup Hub include: Stone and Chalk, Fishburners, Tank Stream Labs, The Studio, Westpac's FEULD, H2 Ventures and Slingshot. Many more start-up experts also have a foot in the door at that premise. *[Extension of time]*

It is really exciting that all of those brands, experts in supporting start-ups, are collaborating, not competing. They are all grateful to the Government for making this investment and providing the real estate. Today it was asked what incentives had been provided to Microsoft for it to come to New South Wales. Microsoft had been offered millions of dollars to set up in other States—

**Mr Michael Daley:** How is Google going in White Bay?

**Ms GLADYS BEREJIKLIAN:** Jealousy is really ugly. I appreciate that those who were part of the previous Labor administration are embarrassed by all the jobs this Government is creating. They claim to be the party of the worker, yet they did nothing when they were in government. Under Labor we had the highest unemployment growth in the nation, and the worst jobs growth in the nation. Under Labor we had also the worst budget and economic conditions. Let me make it clear, the Liberals and Nationals will always put job security and job creation at the heart of everything we do in New South Wales.

A good job allows people to make choices to give them the best life they can and to give them the stability they need to provide for themselves and their families. The Sydney Startup Hub is amazing. I invite every member in this place to take a look at what is happening there. This morning the Ministers and I also met some people from regional New South Wales. A gentleman from Bathurst and two other women from regional New South Wales were telling us about their proposed products to be launched out of the hub, as well as some younger people who were commenting on what it meant for their future opportunities. This Government will continue to deliver the jobs that matter for the people of this State. *[Time expired.]*

#### SYDNEY STADIUMS

**Mr RYAN PARK (Keira) (14:42):** My question is directed to the Treasurer. Given that the Treasurer has approved \$2.5 billion, which is being splurged on Sydney stadiums, and now the Government is paying millions of dollars in compensation to Cricket NSW, Sydney Football Club, the Waratahs and the Sydney Roosters, is there no limit to the Government's reckless Sydney stadiums splurge?

**Mr DOMINIC PERROTTET (Hawkesbury—Treasurer, and Minister for Industrial Relations) (14:43):** There is no limit to the success of this Government. What those opposite fail to understand is that it is not a matter of schools or stadiums; it is a matter of schools and stadiums. We on this side of the House have delivered an \$80.1 billion infrastructure agenda for the next four years. Those opposite do not get that because all they did when they were in government was announce infrastructure projects and then cancel them. We on this side are able to deliver record investments. For example, in the last budget there was \$7.7 billion for new hospitals in metropolitan and regional areas—

**Mr Brad Hazzard:** Getting close to \$8 billion.

**Mr DOMINIC PERROTTET:** —getting close to \$8 billion—and \$4.2 billion for schools.

**The SPEAKER:** Order! I call the member for Keira to order for the second time.

**Mr DOMINIC PERROTTET:** Whether it is culture, schools, hospitals, roads or rail, this Government is doing absolutely everything. When one looks at what we have done to get the budget back into the black, to get our State in a position where we can make record investments across the board, it is important to note that the Labor Party has opposed us every step of the way.

**The SPEAKER:** I call the member for Cessnock to order for the second time. I call the member for Maitland to order for the first time. She will cease calling out.

**Mr DOMINIC PERROTTET:** Every financial measure that we have taken—and predominantly I refer to the asset recycling initiatives—the Labor Party has opposed. In opposing every one of our initiatives those opposite disqualify themselves from being able to comment on where this Government decides to invest, because the money that we have to put into hospitals and to put into schools never would have been there under a Labor government.

**The SPEAKER:** I call the member for Keira to order for the third time. I warn the member for Keira. His shouting out is unacceptable.

**Mr Michael Daley:** Point of order: It is Standing Order 129. Are you going to borrow for the stadiums and the schools, or just the stadiums?

**The SPEAKER:** There is no point of order. The Treasurer's answer remains relevant.

**Mr DOMINIC PERROTTET:** Last time I checked we had a negative net debt position. This is a Government that, in the past two budgets, has cut tax, achieved record infrastructure and negative net debt, and delivered billions of dollars in surpluses every year. As I said, that is the holy grail of financial management. I note that the Labor Party has set up a new Twitter account, but rather than call it the "New South Wales Labor Party", they have called it the "New South Wales Labor Opposition". They have finally worked it out—they are going to be in Opposition forever. Why are they stopping there? They should rebrand their website, their confluents—I am happy to speak to the guys at the Australian Electoral Commission [AEC]—

**Mr Luke Foley:** Point of order: That is okay, Treasurer, because in a year we will be renaming it the "New South Wales Labor Government".

**The SPEAKER:** What is the member's point of order? The Treasurer has the call.

**Mr DOMINIC PERROTTET:** I am going to speak to the AEC. We will change the name of their party. The "New South Wales Labor Opposition" has a great ring to it. But it is interesting there are currently more tweets than followers on this account. There are no tweets on the economy, no tweets on the budget and no tweets on jobs. The question I have is: Who on that side is actually running this account?

**Ms Jodi McKay:** Point of order: While we are very happy for you to promote our Twitter account—keep doing that—

**The SPEAKER:** Is the member for Strathfield taking a point of order or engaging in a debate?

**Ms Jodi McKay:** Yes. The question itself is about reckless spending on stadiums. I ask that the Treasurer be brought back to the leave of the question.

**The SPEAKER:** The Treasurer is being completely relevant. There is no point of order.

**Mr DOMINIC PERROTTET:** I think I have worked it out. I reckon it is the member for Prospect. Even if it is not, we know he will take credit for it.

**Ms Jodi McKay:** Point of order—

**The SPEAKER:** Is this a different point of order?

**Mr DOMINIC PERROTTET:** I will end where I began. This is a Government that is doing everything at once, whether that is schools, hospitals, stadiums, transport, roads or rail. We are building record infrastructure across the State.

#### PRIVATE SECTOR INVESTMENT

**Mr AUSTIN EVANS (Murray) (14:48):** My question is addressed to the Deputy Premier. How is the New South Wales Government encouraging private sector investment and delivering greater opportunities for people to get a job in rural and remote communities?

**Mr JOHN BARILARO (Monaro—Deputy Premier, Minister for Regional New South Wales, Minister for Skills, and Minister for Small Business) (14:48):** I thank the member for Murray for a great question. I again welcome the new member—one of the new additions to The Nationals in last year's by-election

and someone who is working very hard for his electorate. For those who do not know, his electorate is 100,000 square kilometres or thereabouts. That is the equivalent of about 2,000 Auburns or something like 34,000 Newtowns. To cover an electorate like that, with about 200 towns and villages, hardworking local members are needed, and that is what we have in the member for Murray.

The question is about regional jobs. This morning we heard about the launch of the Sydney Startup Hub. I make the point that even though it is called the Sydney Startup Hub, it is Sydney by name because part of the startup hub is a regional launching pad that connects into the investment that the Government has made already in regional New South Wales, building accelerators and incubators, and partnering with the university sector to make sure we build a fantastic startup ecosystem to see some of the best entrepreneurs not only stay in New South Wales but also become part of the businesses of the future and create the jobs of the future.

But we should not hide from some of our traditional sectors. Right across the State we are seeing investment in agriculture. Last year I had the opportunity to visit Bourke, where there is a significant investment in the Bourke abattoir, a brand new investment of \$60 million. We have seen some State and Federal Government commitment and investment, but private sector investment is driving jobs for that Bourke abattoir. It is a goat abattoir to deal with the feral goats. This particular goat product will become an export product worth hundreds of millions of dollars for the New South Wales economy. More importantly, it will create jobs.

We often hear the cliché tagline of "jobs and growth". I have dubbed this "jobs and goats". Why? Because investment in this abattoir is very important. This Government is not just about partnering, and building bricks and mortar; it is actually building the infrastructure. This investment of \$60 million is so important. It is not only about creating those jobs and going into the infrastructure of that particular abattoir; as a government we also accept a responsibility to partner with the business to make sure we give locals the best opportunities for employment. We have seen some significant funding in the past year. Part of our program has been to partner with upskilling local workers. We want to make sure we have the opportunity to work with the local community to offer employment—often to Indigenous young men and women—at a local abattoir.

One of the other impediments we found was transport. I again highlight that for our electorates—the electorate of Murray, which is 100,000 square kilometres, or the electorate of Barwon, which is the size of Germany—we often forget that the tyranny of distance is one of the greatest impediments to young people getting training or employment. This abattoir is being built about 15 kilometres outside of Bourke. We were looking for a local solution. What would that solution look like, remembering that Bourke itself will not be able to produce the 200 workers? They will come from places such as Brewarrina, which is about 100 kilometres away, or Goodooga, which is a couple of hundred kilometres away. What can we do as a Government to assist that community and that business to get workers to the site?

What happened was an innovative idea was pitched to this Government and, with the support of the transport Minister, we have been able to repurpose two State Transit Authority [STA] buses—good buses. Because of the investment of this Government building new stock in Sydney, we have been able to repurpose two buses for Bourke, so we can help those people get to work. Because we are looking for solutions. Often in regional New South Wales we have to find local, unique solutions for local, unique problems. Once again, the community—in partnership with the Government—has risen to the occasion.

We have seen significant jobs growth in regional New South Wales. We are investing in the infrastructure. The Government is leading the way. The private sector is matching it. Small business is, as we all know, the engine room. The mums and dads who mortgage their home and show courage by becoming part of the small business sector are employing the people in regional New South Wales, as they are in metropolitan Sydney. That is why it is so important that we continue to invest in the infrastructure, grow the economy and grow the pie. Most importantly, we must not forget that regional New South Wales is part of the solution of job creation. Not every single job will be created in Sydney. That is the commitment of this Government. We are the Government of workers.

## REGIONAL TOURISM

**Ms JENNY AITCHISON (Maitland) (14:53):** My question is directed to the Minister for Tourism and Major Events. How will splurging \$2.5 billion on Sydney stadiums benefit regional tourism?

**The SPEAKER:** Order! Members who do not want to listen or remain silent can leave the Chamber—that includes many members on both sides. The Minister has the call.

**Mr ADAM MARSHALL (Northern Tablelands—Minister for Tourism and Major Events, and Assistant Minister for Skills) (14:54):** I thank the member for Maitland for her question. I am glad she raises it because it gives me a great opportunity to talk about the wonderful events that we are bringing to regional New South Wales that utilise the wonderful infrastructure that already exists, but also to talk about the



infrastructure in which we are investing in regional New South Wales to bring about those events. Only last week I was in the electorate of the Parliamentary Secretary, the member for Kiama, in beautiful Wollongong to announce the Wigan versus Hull game. It is the first game that has ever been played for points in British Super League outside of Europe. The game was a raging success, again proving that regional New South Wales has the ability to successfully host these events.

**The SPEAKER:** Order! Members will come to order. The member for Rockdale is like a feral goat chewing its cud. The member should not eat or drink in the Chamber. It is most unparliamentary.

**Mr ADAM MARSHALL:** The question goes to the heart of what this Government is all about: investing in regional New South Wales and in regional tourism. I am very proud to report to the House again that this Government is investing \$44 million to grow the visitor economy in regional New South Wales. Not only are we supporting marketing and product development, we are bringing new and exciting events to regional New South Wales and supporting those events that are already established. It is ironic that those opposite ask me a question about regional tourism. In their last few years in office, they presided over a decline in visitor numbers to this State and to regional New South Wales.

**Ms Gladys Berejiklian:** Who was the tourism Minister?

**Mr ADAM MARSHALL:** Who was the tourism Minister at that time? There was a decline in visitor numbers. In the first six years of this Government, visitor numbers to this State, including to regional New South Wales, have grown by more than 24 per cent. Visitor numbers went down under those opposite; under this Government they are up.

**Ms Jenny Aitchison:** Point of order—

**The SPEAKER:** Order! The Minister is being relevant to the question he was asked.

**Ms Jenny Aitchison:** My point of order relates to Standing Order 129. As a former small business operator in New South Wales, the Minister is wrong. It is about the GFC.

**The SPEAKER:** Order! The member for Maitland will resume her seat. There is no point of order.

**Mr ADAM MARSHALL:** I did not understand the point of order either, Madam Speaker. I would love the Opposition to continue to ask questions about regional tourism because this Government's record is a great one. In the past six or seven years, visitor numbers are up and investment is up. We spend more on the visitor economy in this State than the Commonwealth or any other State spends because it is worth \$33 billion a year to our economy. Those in the industry know that under this Government the tourism industry will continue to grow. The last time those opposite were on this side of the Chamber it went backwards.

#### WESTERN SYDNEY JOBS GROWTH

**Mr KEVIN CONOLLY (Riverstone) (14:57):** My question is addressed to the Minister for Western Sydney, Minister for WestConnex, and Minister for Sport. How is the New South Wales Government driving unprecedented jobs growth across Western Sydney and is the Minister aware of any threats to this growth?

**The SPEAKER:** Order! Government members will come to order. There are too many audible conversations in the Chamber.

**Mr STUART AYRES (Penrith—Minister for Western Sydney, Minister for WestConnex, and Minister for Sport) (14:58):** It is fantastic to receive a question from the member for Riverstone about jobs creation across Western Sydney. His electorate has benefited more than most from the Government's investment in infrastructure, such as the Sydney Metro Northwest, and in jobs right across Western Sydney. More than \$8 billion has been invested in huge amounts of infrastructure across the member's electorate, creating jobs through the construction phase and making jobs across north-west Sydney even more accessible.

Road upgrades, such as to Schofields Road and Richmond Road, have enabled the great growth corridor across north-west Sydney. These road projects continue to drive more job opportunities and have opened up business ventures such as the Sydney Business Park. Together with the local member, I visited the park where business such as IKEA and Costco have opened new premises. Hundreds of jobs have been created across those locations, giving people who live in the north-west an opportunity to work close to home. Construction projects in the north-west, which include new schools and the police station, are also creating jobs.

**The SPEAKER:** Order! The member for Rockdale is not the slightest bit funny. I call the member for Rockdale to order for the third time.

**Mr STUART AYRES:** This week I visited a business that is riding off the back of our investment in technology. Air Trunk, a global leader in data storage, has now called Western Sydney its home. It has been able

to facilitate more than \$700 million of new construction for its premises. Its operators are saying that has happened because of the confidence generated by the investment by this Government in infrastructure across Western Sydney. The figures are important and real for the people of Western Sydney. In the past 12 months 65,000 new jobs have been created in Western Sydney, and the current unemployment rate across Western Sydney is 5.3 per cent. But let us dive a little deeper into how this investment is impacting local communities.

In the Blue Mountains, under Labor the unemployment rate was 5.3 per cent; it is now 3.5 per cent. In Penrith, under Labor the unemployment rate was 6.2 per cent; it is now 4.6 per cent. The unemployment rate has dropped also in Parramatta and in Liverpool. In Liverpool, under Labor the unemployment rate was 6.2 per cent; today it is 4.9 per cent. In the Leader of the Opposition's own community, under Labor the unemployment rate was 8 per cent; it is now 6.9 per cent. This is all being driven off the back of the economic policies of this Government. The \$80 billion infrastructure agenda of this Government is generating jobs across all sectors.

In Western Sydney, health is one of the major driving factors. The Government has invested \$900 million in the Westmead health precinct, more than \$700 million in the two stages of the Blacktown health precinct, \$134 million and \$632 million in the Campbelltown health precinct, and \$576 million in the largest ever redevelopment of Nepean Hospital. The most Labor could come up with in its last term of government was \$80 million, and most of that came from the Commonwealth. Every single dollar of that \$576 million is coming from this Government. It all equates to more than \$2 billion for health infrastructure across Western Sydney.

The WestConnex project—one of the largest jobs generators anywhere in the country—will employ, over the life of the project, more than 10,000 people. Currently, WestConnex has a workforce of more than 3,600. Further, 700 different contracts worth \$1.6 billion have gone to small businesses across Western Sydney. We do not know whether Labor supports stage three of WestConnex, which will link the M4 and M5. Perhaps Labor wants those two big tunnels to go absolutely nowhere. And those on the other side of the Chamber refuse to tell people what toll they would charge on the new M4 and M5 tunnels.

**The SPEAKER:** Order! The member for Blue Mountains will cease interjecting.

**Mr STUART AYRES:** The Labor Opposition should be honest and tell people what its secret toll rate is for the M4 and M5 tunnels. Other investment in the State includes a fantastic investment in sporting infrastructure. Western Sydney Stadium is leading the charge, employing more than 1,200 people. The only people in New South Wales who do not support Western Sydney Stadium are those opposite—every single one of them. If the members representing the electorates of Prospect, Fairfield, Lakemba and Blacktown do not support Western Sydney Stadium, they should go and stand in the Red and Black bloc at the next Western Sydney Wanderers game and say that they do not support the stadium. Be honest with people; that is all they want from you. *[Extension of time]*

If they do not support Western Sydney Stadium, they should go and tell everyone who supports sport in Western Sydney that they do not support the stadium. The Leader of the Opposition does not even support the redevelopment of ANZ Stadium, which is in his own electorate.

**Ms Jodi McKay:** Point of order: I ask that the Minister direct his comments through the Chair.

**The SPEAKER:** Order! I uphold the point of order. The Minister will direct his comments through the Chair.

**Mr STUART AYRES:** The Leader of the Opposition does not even support an investment in his own electorate. Sydney Olympic Park is one of the biggest drivers of jobs in this State, and ANZ Stadium has been the driving force for jobs in that precinct for the past 20 years. But the Leader of the Opposition wants to deny the redevelopment of that stadium, which will allow Sydney Olympic Park to continue to fulfil its future, as set out in the master plan that the Government is developing, and will mean 39,000 jobs from the project. The Minister for Tourism and Major Events just spoke about 5,700 events across the State. ANZ Stadium, located in Sydney Olympic Park, is the single largest driver of economic activity, and the Leader of the Opposition refuses to invest in its future. If he does not want to support the stadiums, he should tell the people that he does not support two-thirds of this Government's stadium plan, which is going to Western Sydney. That is exactly what the plan is doing. I will move on to the airport.

**Mr Stephen Kamper:** Point of order: Madam Speaker—

**The SPEAKER:** The member for Rockdale will not shout before I give him the call. Does the member have a point of order?

**Mr Stephen Kamper:** I was going to ask for an extension of time.

**The SPEAKER:** The member is hilarious.

**Mr STUART AYRES:** Let me finish on this. If the Leader of the Opposition is serious about Western Sydney Airport he should ask the member for Blacktown to resign as the Mayor of Blacktown because the member cannot possibly hold a view that is so anti the position of the Leader of the Opposition. He is an anti-airport operative in a pro-airport government.

#### **FEDERAL GOVERNMENT ANTI-TERRORISM MEASURES**

**Mr MICHAEL DALEY (Maroubra) (15:05):** My question is directed to the Minister for Police. Give the Prime Minister's stated commitment to anti-terrorism, law enforcement and community safety, what is the Minister's response to those who have called on him to resign?

**Mr TROY GRANT (Dubbo—Minister for Police, and Minister for Emergency Services) (15:06):** I ask the member for Maroubra to repeat his question.

**Mr MICHAEL DALEY:** Given Prime Minister Turnbull's stated commitment to anti-terrorism, law enforcement and community safety, what is the Minister's response to those who have called on him to resign?

**The SPEAKER:** Order! I call the member for Maroubra to order for the first time. I call the member for Maroubra to order for the second time. The next member who is called to order will be removed from the Chamber.

**Mr TROY GRANT:** I thank the member for his question, particularly as he is referring to an issue that is worrying all levels of government and the community more broadly. Yesterday I was joined by the Leader of the Opposition to commemorate the fortieth anniversary of the Hilton Hotel bombing, which was the first act of terrorism in our country. For anyone who was at that event yesterday, to mock in any way or to try to link terrorism with a political outcome is a little disappointing.

**The SPEAKER:** Order! I am sick of the member for Maroubra interjecting. I call the member for Maroubra to order for the third time.

**Mr TROY GRANT:** I did not interrupt the member for Maroubra. I would appreciate the opportunity to answer the question. Yesterday the Leader of the Opposition and I had the great privilege to spend time with the families of the three victims of that murder, that horrible incident which is a blight on our national history. In addition, 12 people were severely injured, a number of whom were present yesterday. Forty years ago this country was subjected to an act of terrorism that made us lose our innocence. We had to move away from the concept that we were geographically isolated or somehow protected from the scourge of this sort of violence and horror.

Members of Parliament and the community know all too well the impact of the Lindt cafe siege, which occurred only three years ago, on this city and this nation. When the Prime Minister stands up on behalf of this country and talks about introducing measures to improve cooperation and response to terrorism in this State, I and the Government will back him 1000 per cent. I will never make mockery of that subject matter because I do not want to see in this State, or in any other State or Territory in this country, people like those I met yesterday or the families of those who were lost in the Lindt cafe siege having to endure 40 years of torment.

**The SPEAKER:** Order! I call the member for Bankstown to order for the first time.

**Mr TROY GRANT:** I do not want our first responders, whom I proudly represent as Minister, having to attend such events and suffer the horrors that they witness. I will never stand in this place and make mockery of this subject matter for a political outcome. I will work day and night with my ministerial colleagues, particularly the Premier and the Minister for Counter Terrorism, and with the Federal Government at every opportunity, whoever the Prime Minister may be, even if it is a Labor member, because it is not a political issue. It is a matter of vital importance for our State to work with our Federal counterparts to protect this country. I will never resile from that issue.

**The SPEAKER:** Order! The member for Maroubra is on his final warning.

#### **TAFE NSW COURSES**

**Mr GARETH WARD (Kiama) (15:10):** My question is addressed to the Minister for Tourism and Major Events, and Assistant Minister for Skills. How is the New South Wales Government equipping TAFE NSW to offer the courses and training that respond to the changing needs of the workforce and provide the jobs of the future?

**Mr ADAM MARSHALL (Northern Tablelands—Minister for Tourism and Major Events, and Assistant Minister for Skills) (15:10):** I thank the member for Kiama and Parliamentary Secretary for Education, and for the Illawarra and South Coast. I thank him also for his kind hospitality last week when I had the pleasure of joining him in his electorate and the broader region—his empire. Everywhere we walked, whether it was in

Wollongong or Shellharbour, he was treated like he was the local member. It was great, particularly in Shellharbour. On that day, the highlight without doubt was the visit to Yallah TAFE, a magnificent facility set on 140 acres.

**The SPEAKER:** Order! The member for Londonderry will stop yapping.

**Mr ADAM MARSHALL:** The member for Kiama was being treated like he was the local member, and I wondered if the member for Shellharbour had visited that campus of late. It is in her electorate. If she had been to the local Yallah TAFE campus she would have seen evidence of the magnificent investment that has been made in that beautiful multimillion-dollar campus.

**Ms Anna Watson:** Have you visited Dapto? It's completely gutted.

**The SPEAKER:** It is a rhetorical question. There is no need to respond. The member will cease interjecting.

**Mr ADAM MARSHALL:** Is that confirmation that she has not been to Yallah TAFE? She would see there evidence of our investment—millions of dollars spent on state-of-the-art environmentally friendly buildings, with a zero carbon footprint, embracing the latest in technology to provide students with the very best facilities.

**The SPEAKER:** Order! I call the member for Londonderry to order for the first time.

**Mr ADAM MARSHALL:** The arborist course there has record enrolments at the moment, as it specialises in horticulture and other environmental services.

**The SPEAKER:** Order! I call the member for Londonderry to order for the second time.

**Mr ADAM MARSHALL:** It was great to be at Yallah TAFE with the member for Kiama, and Parliamentary Secretary, to talk to the teaching staff about the reforms we are making and the way in which they enable them to be a lot more flexible in the delivery of their courses to meet the needs of the local economy and business and industry, which are crying out for extra skilled workers. They are crying out for it because of the record investment that this Government is making in infrastructure, growing the economy and creating new jobs. This creates skills demand in the State. It is a great challenge for the vocational and education and training [VET] sector—TAFE NSW is the largest provider of VET in this country—but it is a challenge that TAFE and this Government is rising to meet. Last Friday I had the pleasure of being at the Ultimo campus of TAFE to open the third of our nine TAFE NSW SkillsPoints. The SkillsPoint at Ultimo optimises our existing courses, such as its advanced diploma in network security, while allowing us to roll out new courses like our advanced diploma and certificate IV in cyber security.

**The SPEAKER:** Order! I call the member for Londonderry to order for the third time. She is on her last warning. If she continues to interject she will be removed from the Chamber.

**Mr ADAM MARSHALL:** As members would know, last year the Government announced via TAFE NSW that it would be exclusively offering a certificate for cyber security for the first time in this State's history. The reason for that is because this skills need is emerging in our State and right across the country. Over the next five years we will need 11,000 skilled workers to fill those needs in that sector. Cyber security breaches, whether it is loss of data or hacking into people's bank accounts, cost the Australian economy around \$17 billion a year. That is why it is an industry that is growing.

TAFE is rising to meet that challenge by providing the only available courses in cyber security in this State. The SkillsPoint at Ultimo will be the point at which TAFE engages with a number of private sector entities and businesses to ensure the design and content of the course best meets the needs of industry. They can be confident that the graduates they want in their business are from TAFE NSW—a course in which they had a role in design and content. The good news for those seeking a career in the cyber security space is that the course has this year been placed for the first time on the skills list. I thank the Minister for Skills and Deputy Premier for adding that course. Why is that important? It is important because the cost of delivering that cyber security course is \$8,100 per student and now that it is listed on the skills list students are eligible for a Government subsidy of up to 75 per cent of the cost of studying that course. It is a huge saving for the 11,000 people that are required for work in that sector over the next five years. [*Extension of time*]

It is one example of TAFE identifying a skills need for the State by working closely with business and industry to discover what they need. It is providing first-class, internationally recognised accreditation for cyber security. That is one course amongst the 1,200 first-class courses offered across the State.

## TENANCY AGREEMENTS

**Mr ALEX GREENWICH (Sydney) (15:16):** Happy Valentine's Day, Madam Speaker. I direct my question to the Minister for Innovation and Better Regulation. Happy Valentine's Day to the Minister. How will the Minister protect subtenants who have an informal agreement with the head tenant and are, therefore, not covered by a lease or occupancy agreement from eviction without notice, unreturned bonds and repeated rent increases?

**Mr MATT KEAN (Hornsby—Minister for Innovation and Better Regulation) (15:17):** Madam Speaker, I also wish you a Happy Valentine's Day. It is the second busiest day for the fair trading Minister, running a close second to dealing with killer toys. I am receiving love advice from the counter terrorism Minister. It is like getting ethical advice from Eddie Obeid. It is not too important a day not to be concerned about the issue of subtenants. I thank the member for Sydney for his question and note his ongoing commitment to his constituents, many of whom are tenants. Subtenants are most often found in share houses and are generally covered by the Residential Tenancies Act 2010. They usually have exclusive use of a bedroom and the shared use of common areas and facilities such as the bathroom and kitchen. However, most share household arrangements in rental properties in New South Wales are established on an informal basis, where the head tenant does not formally sublet the premises to other occupants. Instead, the tenant and the share housemate enter into an informal arrangement, often an oral contract, and the Residential Tenancies Act does not apply.

The Act provides comprehensive rights and obligations for tenants, that is, people who have entered into a residential tenancy agreement with a private landlord. Section 10 of the Act makes it clear that only parties to a residential lease are covered by the Act. Among other things, this enables landlords to know with whom they are entering into a binding legal contract or a lease. In order for a tenant to sublet the premises, they need to enter into a formal contract, or residential tenancy agreement, with the person who will occupy part or the whole of the premises. Under the Act, the head tenant in this situation then becomes the landlord in relation to the subtenant. Both parties then have the same rights and obligations as the head tenant has in relation to their landlord, who is usually the property owner.

The previous 1987 Act was not entirely clear about the tenancy status of occupants of share housing. It was up to the tribunal to decide whether the informal arrangement constituted a residential tenancy agreement and, therefore, whether the tribunal had jurisdiction to hear the dispute. Submissions to the review that led to the 2010 Act called for resolution of this uncertainty. Section 10 of the 2010 Act places the issue beyond doubt. An occupant is only a subtenant if they have leased part or the whole of the premises from a head tenant. The tribunal's jurisdiction is now absolutely clear. In early 2017, Fair Trading consulted tenants' advocates, academics, landlords, agents and the share house website *Flatmates.com*.

Following consultation, the extent of the problems experienced by share house occupants was still unclear. Many of the Act's provisions, such as the obligation to carry out repairs and maintenance, are not appropriately applied to head tenants of share households. They are not property owners but, rather, are tenants themselves and do not have control over such matters. Importantly, many head tenants and share house occupants do not want the regulatory framework of the Act imposed on their informal living arrangements. Accordingly, the New South Wales Government does not propose to reform section 10 of the Act at this stage. Instead, Fair Trading will continue to monitor the issue as this special section of the marketplace develops over the coming years. Fair Trading will also review the information it provides to occupants of share housing about their rights and how to resolve disputes with their head tenant and fellow occupants. The network of 18 Tenants' Advice and Advocacy Services across New South Wales will continue to provide free advice to all occupants of rental properties about their rights and options for resolving disputes. The services are funded from the interest earned on tenants' bond money.

## JOBS GROWTH

**Mr MARK TAYLOR (Seven Hills) (15:22):** My question is addressed to the Minister for Innovation and Better Regulation. How is the Government supporting jobs growth through innovative ways to do business in New South Wales?

**Mr MATT KEAN (Hornsby—Minister for Innovation and Better Regulation) (15:22):** I thank the member for Seven Hills for his question. I note Seven Hills has never had a better local member—he is the first member for Seven Hills. I thank him for his interest in innovation and creating new jobs. Under his watch, Western Sydney jobs creation has never been stronger, with 83,000 jobs created in Western Sydney over the past two years. This Government is committed to creating jobs, turbocharging our economy and ensuring New South Wales remains the number one economy now and into the future.

One way to do this is through the Easy to Do Business program. This program has truly revolutionised small business, not only in Western Sydney but right across New South Wales. The program is all about cutting red tape and making it easier to start and grow a business. I know the member for Parramatta is excited by the success of Peter Doueihi, who used the program to help him establish Grounded Space in the Parramatta central business district. His business provides space for freelancers and start-ups to network and use facilities such as meeting rooms and office equipment, all while enjoying Peter's first-class coffee. The Easy to Do Business team helped make Peter's business a reality by assisting him with the approvals, which in the past would have been onerous. I am delighted to report Grounded Space now provides work for eight people and supports even more jobs and growth by fostering other local businesses to thrive and grow.

In Manly, together with the rockstar politician, the team helped Bo Hinzack get Showbox Coffee off the ground. That is a great result for Bo, the local economy, and all his coffee-loving customers. So far, the Easy to Do Business team has supported 27 entrepreneurs to open or grow their cafe, small bar or restaurant. On average they each employ at least two staff. There are currently 44 business owners that the business concierge team are supporting through various stages of their journey, which includes liquor licence applications, development applications, outdoor dining, food safety certification, music licences and responsible service of alcohol.

The Easy to do Business initiatives reflect the Government's priority to support business, entrepreneurship and innovation to foster continued economic growth and job creation. Easy to do Business tackles the time, complexity and duplication business owners face whenever they start or grow a business. It cuts time, red tape and costs associated with starting or expanding a business. These topics are key areas in the portfolio of Innovation and Better Regulation and I am happy with the way this program is rolling out across the State. Easy to do Business is a transformative digital solution that will create a single online portal where business owners can deal with the three tiers of government to obtain information, approvals and licences that they need to realise their business dream. Easy to do Business is a free service for councils and business owners. This innovative approach to business and jobs growth is about rolling out the red carpet, not the red tape.

This initiative is not the only way this Government is creating jobs across New South Wales. Today we heard from the Deputy Premier that we launched the Sydney Startup Hub, which is a \$35 million investment in our State. I congratulate the Deputy Premier on leading this great initiative. This investment in our innovation ecosystem will support entrepreneurs and help them turn their ideas into jobs and growth. It will ensure that we take advantage of the technological revolution that is changing world markets as our economy transitions. We will not only create new jobs for our kids but also ensure that workers displaced by emerging technology can easily transition to new, well-paid jobs.

It will also ensure our prosperity in the future is secured so that New South Wales remains the best place to live, work and raise a family. The Sydney Startup Hub is designed to bring all parts of the innovation ecosystem under one roof, including venture capitalists, entrepreneurs, and start-up businesses. We hope people will use their ideas and initiatives to propel our economy in the future to ensure that New South Wales remains number one, which will secure our long-term prosperity and create jobs—not only for today but also for our kids tomorrow. It is an important investment in our State and our country. [*Extension of time*]

This Government is focused only on creating jobs and growing our economy, which stands in stark contrast to Opposition members. The only jobs they are interested in are their own. In 15 minutes Liam Foley and Joelene McKay will move a motion to replace Shanghai Sam in the Senate with Kristina Keneally. From Heffron to Bennelong—via Scotland Island—Kristina Keneally has realised her heart truly lies in the Senate. But she does not want to protect Labor values or workers; she only wants to enjoy the perks of office.

**Mr Clayton Barr:** Point of order: My point of order relates to Standing Order 129. The question is about innovation. It is not a conversation about Sam Dastyari, Kristina Keneally or the Senate. The Australian Senate is hardly innovation.

**The SPEAKER:** Order! I will hear further from the Minister. He strayed momentarily.

**Mr MATT KEAN:** I am talking about the innovative way that Kristina Keneally is being elected to the Senate, which is the same innovative way she became Premier of New South Wales.

**The SPEAKER:** The Minister will resume his seat.

**Mr Chris Minns:** Point of order: My point of order relates to relevance.

**The SPEAKER:** Order! I remind the Minister to remain relevant to the question he was asked.

**Mr MATT KEAN:** While we are focused on jobs for the future, Opposition members are focused on jobs for themselves.

*Petitions***PETITIONS RECEIVED**

**The CLERK:** I announce that the following petitions signed by fewer than 500 persons have been lodged for presentation:

**Pet Shops**

Petition opposing the sale of animals in pet shops, received from **Mr Alex Greenwich**.

**Companion Animals on Public Transport**

Petition requesting that companion animals be allowed to travel on all public transport, received from **Mr Alex Greenwich**.

**The CLERK:** I announce that the following petitions signed by more than 500 persons have been lodged for presentation:

**Griffith District General Practitioner Shortage**

Petition calling on the Government to recognise that the Griffith district needs more general practitioners, received from **Mr Austin Evans**.

**Summer Hill Ambulance Station**

Petition opposing the closure of the Summer Hill ambulance station and calling on the Government not to sell the land to private developers, received from **Ms Jo Haylen**.

**Brisbane Water Channel**

Petition requesting the funding of a long-term dredging solution for Brisbane Water Channel, received from **Ms Liesl Tesch**.

*Business of the House***JOBS GROWTH****Reordering**

**Mr ALISTER HENSKENS (Ku-ring-gai) (15:30):** I move:

That General Business Notice of Motion (General Notice) given by me this day [Jobs Growth] have precedence on Thursday 15 February 2018.

My motion should be accorded priority because jobs growth is a topic of vital importance to this State. To paraphrase Oscar Wilde—jobs is a word that Luke Foley dare not speak its name. I cannot remember a time when the Leader of the Opposition said the word "jobs". It is no glib mantra to say the Coalition parties are now the parties of the worker. As the hero of Labor Paul Keating once said, "The best way to help a worker is to give them a job." By that criterion, the Australian Labor Party [ALP] has failed dismally. In January 2010, the CommSec State of the States report showed that New South Wales was at the bottom of the pack with an unemployment rate of 5.9 per cent. Under Labor, the New South Wales unemployment record was higher than any other State.

Things have changed under the Coalition. In 2017, 140,000 jobs were created in this State, which is in stark contrast to the legacy left by the ALP. For the past 31 consecutive months, New South Wales unemployment has been the lowest in the nation. The rate of unemployment in New South Wales is currently 4.8 per cent, which is nearly a full per cent lower than the nearest State. The Leader of the Opposition cannot bring himself to say the word "jobs". There should be no doubt that the unemployment rate in New South Wales would again be the highest in the country if Labor were ever again in office in New South Wales. Labor does not care about the economy, jobs, or the people of New South Wales. It does not care about the way that jobs have an impact on people's lives. Labor has opposed the Metro, NorthConnex and WestConnex—all of the major projects that have delivered money as a result of more jobs being created in New South Wales.

**The SPEAKER:** Order! There is too much noise in the Chamber.

**Mr ALISTER HENSKENS:** Labor also opposed the tax cuts given to business, which has created jobs in New South Wales.

**The SPEAKER:** Order! The member for Wollongong will cease interjecting.

**Mr ALISTER HENSKENS:** Labor does not care about the economy. This Government is rightly proud of its record on jobs growth, which is why the Liberal Party and The Nationals should be acknowledged as the parties of the worker. This motion should be accorded priority because the importance of a strong economy and jobs in New South Wales can never be overestimated.

**Mr LUKE FOLEY (Auburn) (15:33):** My motion ought to be reordered for priority tomorrow. It took five question times and 46 questions without notice to the Government before one member of the Berejiklian Government would defend the \$2.5 billion stadiums policy. That equates to 276 minutes—four hours and 36 minutes—of answers. Sadly, we had to sit through every minute. We only get one Stuart Ayres in our lifetime, and I have mine. I say to the Minister: Keep speaking about stadiums. He has spent years trying to block investment in the stadium at Olympic Park. Premier Baird saw him for what he is—an errand boy for the Sydney Cricket Ground Trust power brokers—and he was right to slap Minister Ayres down. I backed the Premier, but then Minister Ayres found Premier Berejiklian and she is so weak that she rolled over for him and shoehorned a policy through Cabinet that 20 Cabinet members will not defend.

What a record—a Premier silly enough to listen to the Minister for Sport. Hell will freeze over before the Minister for Education defends this policy. He walks around this city making it clear that he will not have a bar of the stadiums decision. He presented himself to job interviews the week before Parliament resumed for 2018 because that is what he thinks about the stadium decision and the trajectory of this Government. I say to every member of the Liberals and The Nationals fighting to save their seat that the Minister for Sport does not care about them.

**The DEPUTY SPEAKER:** The Clerk will stop the clock.

**Mr Rob Stokes:** Point of order: The Leader of the Opposition is misleading the House. What he said is untrue.

[*Interruption*]

**Mr Rob Stokes:** I ask the Leader of the Opposition to withdraw that comment.

**The DEPUTY SPEAKER:** Is the Minister asking for that comment to be withdrawn?

**Mr Rob Stokes:** I would like that comment to be withdrawn.

**The DEPUTY SPEAKER:** I have asked the Leader of the Opposition to withdraw that comment.

**Mr LUKE FOLEY:** No. I say to all Coalition members fighting to retain their seats that the Minister for Sport does not care about them; rather he cares about the grace and favour of a couple of powerbrokers on the Sydney Cricket and Sports Ground Trust who have whispered sweet nothings in his ear for the past few years. They will all carry this \$2.5 billion spending splurge on stadiums as lead in their saddlebags every day from now to the election. That is why none of them will talk about it. The Minister for Sport acquainted the House with the unemployment number in Penrith. We are going to add him to that number. [*Time expired.*]

**The DEPUTY SPEAKER:** The question is that the motion of the member for Ku-Ring-Gai have precedence on Thursday 15 February 2018.

**The House divided.**

Ayes .....46  
Noes .....36  
Majority.....10

#### AYES

Aplin, Mr G  
Berejiklian, Ms G  
Conolly, Mr K  
Crouch, Mr A  
Evans, Mr A  
Goward, Ms P  
Gulaptis, Mr C  
Johnsen, Mr M  
Maguire, Mr D  
O'Dea, Mr J  
Perrottet, Mr D  
Roberts, Mr A  
Speakman, Mr M  
Toole, Mr P  
Ward, Mr G  
Wilson, Ms F

Ayres, Mr S  
Bromhead, Mr S (teller)  
Cooke, Ms S  
Davies, Mrs T  
Evans, Mr L  
Grant, Mr T  
Hazzard, Mr B  
Kean, Mr M  
Marshall, Mr A  
Patterson, Mr C (teller)  
Petinos, Ms E  
Rowell, Mr J  
Stokes, Mr R  
Tudehope, Mr D  
Williams, Mr R

Barilaro, Mr J  
Brookes, Mr G  
Coure, Mr M  
Elliott, Mr D  
Fraser, Mr A  
Griffin, Mr J  
Henskens, Mr A  
Lee, Dr G  
Notley-Smith, Mr B  
Pavey, Mrs M  
Provest, Mr G  
Sidoti, Mr J  
Taylor, Mr M  
Upton, Ms G  
Williams, Mrs L



## NOES

Aitchison, Ms J  
 Barr, Mr C  
 Chanthivong, Mr A  
 Dib, Mr J  
 Foley, Mr L  
 Harrison, Ms J  
 Kamper, Mr S  
 McDermott, Dr H  
 Mihailuk, Ms T  
 Parker, Mr J  
 Smith, Ms T F  
 Washington, Ms K

Atalla, Mr E  
 Car, Ms P  
 Crakanthorp, Mr T  
 Doyle, Ms T  
 Greenwich, Mr A  
 Hoenig, Mr R  
 Leong, Ms J  
 McKay, Ms J  
 Minns, Mr C  
 Piper, Mr G  
 Tesch, Ms L (teller)  
 Watson, Ms A (teller)

Bali, Mr S  
 Catley, Ms Y  
 Daley, Mr M  
 Finn, Ms J  
 Harris, Mr D  
 Hornery, Ms S  
 Lynch, Mr P  
 Mehan, Mr D  
 Park, Mr R  
 Scully, Mr P  
 Warren, Mr G  
 Zangari, Mr G

## PAIRS

Anderson, Mr K  
 Gibbons, Ms M  
 Hancock, Mrs S

Cotsis, Ms S  
 Haylen, Ms J  
 Lalich, Mr N

**Motion agreed to.***Senate***SENATE VACANCY**

At 15:42 the House proceeded to the Legislative Council Chamber to attend a joint sitting to choose a senator in the place of former Senator the Hon. Sam Dastyari.

At 15:57 the House reassembled.

**The DEPUTY SPEAKER:** I report that at a joint sitting this day the Hon. Kristina Kerscher Keneally was chosen as senator in the place of Senator the Hon. Sam Dastyari. I table the minutes of proceedings of the joint sitting. I order that the minutes of the joint sitting be printed.

*Motions Accorded Priority***WESTCONNEX****Consideration**

**Mr JOHN SIDOTI (Drummoyne) (15:58):** My motion deserves priority because WestConnex is the largest and most vital piece of road infrastructure in this State. Finally the people of Western Sydney in particular will have a direct connection to the city—something which members opposite were never able to deliver. The position of Opposition members on WestConnex changes depending on whether they are in St Peters or St Marys. On 4 April 2017 the member for Strathfield said in this place, "The Opposition is happy to debate motions concerning WestConnex."

**The DEPUTY SPEAKER:** Order! I remind the member for Rockdale that he is on two calls to order.

**Mr JOHN SIDOTI:** It is clear that the Opposition is willing to dance around this issue. During his speech in response to the 2017-18 budget the Leader of the Opposition said, "The people of Western Sydney have a clear choice when it comes to transport", but he failed to once mention the largest transport infrastructure project in this State. My simple question to the Leader of the Opposition is: Does he support all stages of WestConnex, yes or no?

**The DEPUTY SPEAKER:** Order! The Clerk will stop the clock. Members will cease interjecting. They will not carry on as they did in question time. Every speaker will be heard in silence while I am in the chair.

**Mr JOHN SIDOTI:** If the answer to the question is yes one of two things is happening. Either he is being deliberately duplicitous in allowing people such as the member for Summer Hill to tell her community that she opposes the project, or she is deliberately thumbing her nose at him. We all know the real reason that Opposition members will not tell the truth—they are scared of losing seats to The Greens in the inner west. The

member for Blue Mountains called WestConnex "an awful project" and made the extraordinary claim that the levying of a toll on the M4 was "basically theft". I will tell members what theft is. It is the time stolen from people stuck in the traffic chaos that has been created by Labor's inaction for 16 miserable years. The member for Heffron calls WestConnex a "ridiculous project". Let me get this right. The member for Auburn says yes, the member for Strathfield says yes and no, and the member for Blue Mountains and the member for Summer Hill say no. That leads me to discuss the shadow Treasurer. He first railed against tolls in May 2017 but in the same speech he said that tolls are an important part of the funding mix. Which is it?

**The DEPUTY SPEAKER:** Order! I call the member for Oatley to order for the first time. I call the member for Oatley to order for the second time.

**Mr JOHN SIDOTI:** We know that if the Leader of the Opposition ever becomes Premier the most crucial element of the WestConnex project—the M4-M5 Link—will never be built. My motion deserves priority because Labor's policy is to consign the people of Western Sydney to chaos for the next 50 years. Luke Foley's only transport plan is to throw the people of Western Sydney under a bus. [*Time expired.*]

## CHARLESTOWN ELECTORATE BUS SERVICES

### Consideration

**Ms JODIE HARRISON (Charlestown) (16:02):** My motion deserves priority because at this moment in the third week of a school year boys and girls across the Lower Hunter are finding the act of getting to and from school increasingly difficult. It is the fault of this Liberal Government, particularly Minister Constance. Not only has the cutting of bus routes made it more difficult for students to get to school because they have to take multiple buses; the buses also frequently do not show up, let alone show up on time. The Minister says that he cannot believe that people are being critical of a transport network that is supposedly delivering an additional 1,000 services to Newcastle and Lake Macquarie. I would be interested to see where those 1,000 services are.

The Minister also says that he has heard enough. Until the Minister takes action to fix this debacle it is clear that he has not heard enough. I had hoped that the Minister and the Premier would have their ears open this afternoon, but they are not in the Chamber. I would have fallen over if they did listen, because hundreds of representations have been made to the Minister on this matter and we are yet to receive a single response. We have told the Minister that on 2 February at 3.40 p.m. in Charlestown Michelle's son, Sam, was left waiting for more than an hour for the 781 bus that never arrived.

On 31 January the 870 bus was due to pick up students from Callaghan College. It did not show up at all. Parents had to leave work early, teachers had to drive children home and some children had to walk up to six kilometres. On 6 February the 48 bus to Redhead arrived at Charlestown 25 minutes late. It was supposed to be there at 3.55 p.m. but arrived at 4.20 p.m. When the driver was asked why it was late he said that he had been on a school bus run and then had to drive to Warners Bay to start the route to Redhead.

School kids have been overheard asking, "Should we just get off the bus and catch an Uber to school to get there on time?" School students who use the 41 or the 43 to Lake Macquarie Fair to catch the 28 to Charlestown to get to school now have to wait 50 minutes for their connections. Children from Dudley, Redhead and Whitebridge have had their route 322 abolished. What is the Minister allowing under his watch? The safety of our children is being put at risk under his watch. The Minister should start listening to real people, with real experiences. This is nothing short of disgraceful and the Minister should step up to fix it. If he does nothing, it will further enforce the incompetence and heartlessness of this Liberal-Nationals Government.

**The DEPUTY SPEAKER:** Order! I hope the member for Charlestown understood that all the noise was coming from the Opposition benches. The question is that the motion of the member for Drummoyne be accorded priority.

### The House divided.

Ayes .....43  
Noes .....35  
Majority.....8

### AYES

Aplin, Mr G  
Brookes, Mr G  
Cooke, Ms S  
Davies, Mrs T  
Evans, Mr L

Ayes, Mr S  
Conolly, Mr K  
Coure, Mr M  
Elliott, Mr D  
Fraser, Mr A

Bromhead, Mr S (teller)  
Constance, Mr A  
Crouch, Mr A  
Evans, Mr A  
Goward, Ms P

## AYES

Grant, Mr T  
Hazzard, Mr B  
Kean, Mr M  
Marshall, Mr A  
Patterson, Mr C (teller)  
Petinos, Ms E  
Speakman, Mr M  
Toole, Mr P  
Ward, Mr G  
Wilson, Ms F

Griffin, Mr J  
Henskens, Mr A  
Lee, Dr G  
Notley-Smith, Mr B  
Pavey, Mrs M  
Provest, Mr G  
Stokes, Mr R  
Tudehope, Mr D  
Williams, Mr R

Gulaptis, Mr C  
Johnsen, Mr M  
Maguire, Mr D  
O'Dea, Mr J  
Perrottet, Mr D  
Sidoti, Mr J  
Taylor, Mr M  
Upton, Ms G  
Williams, Mrs L

## NOES

Aitchison, Ms J  
Barr, Mr C  
Chanthivong, Mr A  
Dib, Mr J  
Foley, Mr L  
Harrison, Ms J  
Kamper, Mr S  
McKay, Ms J  
Minns, Mr C  
Piper, Mr G  
Tesch, Ms L (teller)  
Watson, Ms A (teller)

Atalla, Mr E  
Car, Ms P  
Crakanthorp, Mr T  
Doyle, Ms T  
Greenwich, Mr A  
Hoenig, Mr R  
Lynch, Mr P  
Mehan, Mr D  
Park, Mr R  
Scully, Mr P  
Warren, Mr G  
Zangari, Mr G

Bali, Mr S  
Catley, Ms Y  
Daley, Mr M  
Finn, Ms J  
Harris, Mr D  
Hornery, Ms S  
McDermott, Dr H  
Mihailuk, Ms T  
Parker, Mr J  
Smith, Ms T F  
Washington, Ms K

## PAIRS

Barilaro, Mr J  
Berejiklian, Ms G  
Dominello, Mr V

Cotsis, Ms S  
Haylen, Ms J  
Lalich, Mr N

**Motion agreed to.****WESTCONNEX****Priority**

**Mr JOHN SIDOTI (Drummoyne) (16:12):** I move:

That this House supports all three stages of WestConnex.

We know that if the Leader of the Opposition were to become the Premier the most critical element of WestConnex, the link that will join the M4 and M5, will never ever be built. Labor's so-called infrastructure plan, humorously titled "A Better Way", makes it very clear. It states:

[A Labor Government will] not proceed with the proposed tunnelling linking the M4 and M5 ... as it is not a transport priority."

Stage 3 is the most vital stage of the project. Infrastructure Australia lists WestConnex as a high priority project because of its ability to relieve road congestion in the inner west. WestConnex will create a bypass of the city and inner west. It will also be a considerable time saver for the motorists of Western Sydney and take traffic off local roads. Labor's policy will confine the people of Western Sydney to chaos for the next 50 years. Labor is disgracefully prioritising its need to defend inner-city electorates from The Greens over the needs and wants of the people of Western Sydney

Opposition Leader Luke Foley's only transport plan is to throw the people of Western Sydney under a bus. The free ride is over. It is time for the Leader of the Opposition to come clean. The majority of the WestConnex 33-kilometre motorway will be built underground. It will widen and upgrade the existing M4 between Parramatta and Homebush, and extend it via twin underground tunnels between Homebush and Haberfield. It will more than double the road capacity along the M5 East corridor, with new M5 underground

tunnels from Kingsgrove to the St Peters interchange. It will join these underground routes via the M4-M5 Link tunnel to form a seamless motorway without traffic lights. It will keep our roads moving, assist business efficiency, provide 18 hectares of green space in the inner west and get people home to their families; motorists will be able to spend less time in traffic and more time with the people they love.

Good governments are about making people's lives better, and this Government's infrastructure agenda and commitment to all three stages of WestConnex will do just that for people right across this great city. WestConnex will deliver more than \$20 billion in economic benefits to this State, support 10,000 direct and indirect jobs during construction, bypass up to 52 sets of traffic signals, reduce greenhouse gas emissions by more than 610,000 tonnes a year by 2021, and deliver more than 18 hectares of open space for local communities. It will also support Sydney's long-term economic growth with improved motorway access and connections for Western Sydney and key employment hubs across the city. It will also provide vital links to Sydney's major international gateways at Sydney Airport and Port Botany, cutting 40 minutes from an average peak-hour journey between Parramatta and Sydney Airport.

By 2031, with the benefits of the completed WestConnex, those using key routes can expect travel time savings of 40 minutes cut from an average peak-hour journey between Parramatta and Sydney Airport, around 20 minutes cut from a peak-hour trip between Burwood and Sydney Airport, and up to 30 minutes cut from a peak-hour trip between Liverpool and the South Sydney area. Those opposite take an all-or-nothing approach when it comes to road infrastructure development and public transport. When we fund road projects, those opposite cry, "More has to be spent on public transport." When we spend more on light rail, those opposite complain, "There's a better design," or "There's a tree in the way." But when pushbikes are dumped all over footpaths, there is silence from the transport gurus.

The reality is this Government is committed to funding road and rail projects equally to properly battle the scourge of congestion in this State. Our \$73 billion infrastructure program includes \$41.5 billion in roads and rail infrastructure split equally between roads and public transport. Investment is needed in both road and rail infrastructure, and we can only do that as a result of the State budget and the strong economy created by this Liberal-Nationals Government. For the past seven years, those on the other side of the House have opposed every single saving measure. If they were in government today, they would not have one cent to spend because they are not willing to make the tough decisions.

**The DEPUTY SPEAKER (Mr Thomas George):** Again, all interjections came from the Opposition side of the Chamber.

**Dr HUGH McDERMOTT (Prospect) (16:17):** The New South Wales Labor Opposition refuses to support this disgraceful Government's tax on families in Western Sydney—namely the tolls on the M4, the M5 and the M7. We do not support the complete and utter financial mismanagement of this Government when it comes to the WestConnex project. Let us talk about those two things. Let us first talk about the cost blowouts on WestConnex alone, and let us talk about what that signature infrastructure project for this failing Government costs us. In 2012 the Government said WestConnex would cost \$10 billion. In 2013 that was revised to \$11.5 billion; the next year, \$14.9 billion; the year after, \$15.4 billion; and in November 2015, \$16.8 billion. Now it stands at more than \$18 billion. That is \$18 billion of financial mismanagement, which has been rife since day one.

The budget for WestConnex has blown out five times and is now at almost double its original price. Let us be honest, if it is sitting at more than \$18 billion now after starting at \$10 billion, it will be well and truly more as the years progress. Ultimately, who pays for that? It will be the taxpayers of New South Wales, but especially the families in Western Sydney—those Sydney motorists who will have to cop these blowouts by paying unfair and unaffordable tolls for the next 43 years. That will be the legacy of this Government for our children and our grandchildren—a toll that grows by 4 per cent a year at least, depending on increases in the Consumer Price Index. That is what our grandchildren will have to deal with. This Government will not be forgotten; it will be remembered every time people drive across the M4 and are charged an horrific toll, which comes out of their wages and their family budgets.

Let us also think about those hardworking tradies and small business owners, including transport business owners, who have to pay between \$5.50 and \$13.67—which will also increase each year by 4 per cent—each time they use the M4. Some businesses will have to spend more than \$10,000 a year just in this 12 months to use the M4. That will mean jobs; that is what will really happen. Parents who do the school run and the sports run will not be paying just \$4.56 once or twice a day; they will be paying it a number of times each day. It is a shameful legacy that will mean more money taken out of their home budgets. If we look around, though, there is a different rule for people in Western Sydney compared to those on the North Shore—the Liberal heartland.

I remind members that this Government decided against a CPI adjustment for the Sydney Harbour Tunnel and Sydney Harbour Bridge tolls for residents of the North Shore, but it was happy to slug residents and families in Western Sydney with increases above CPI until 2060, which is 43 years of tolls. Returning to the cost blowouts, they were so bad that in 2014 the Auditor-General decided to audit WestConnex to look at these amazing projects and the waste of taxpayers' money. The blowouts have continued and have been so bad that late last year the Auditor-General decided again to start auditing the WestConnex project and other transport projects implemented by this incompetent Government.

Let us look at the long list of transport infrastructure and other cost blowouts: WestConnex, more than \$8 billion; Parramatta Light Rail, at least \$2 billion; Sydney Metro, \$1.5 billion; Intercity Train Fleet, \$1.1 billion; central business district light rail, at least \$600 million; the Learning Management and Business Reform, something like \$269 million, which could have been spent fixing up schools; Northern Beaches B-Line, \$300 million; Opal card system, at least \$63 million; Sydney Metro Northwest Skytrain, \$49.7 million; Nepean River Green Bridge, \$29 million; and let us not forget the Albert Cotter Bridge, at least \$13 million. They are cost blowouts delivered by this Government, time and again. The Labor Opposition will not cop the fact that time and again it is the people in Western Sydney especially who have to take money from their pockets to support this disgraceful Government. I cannot wait for it to be gone in 14 months' time. [*Time expired.*]

**Mr MARK COURE (Oatley) (16:23):** Someone give the member for Prospect a medal. I am surprised he even knows where the M4 and the M5 are. For 16 years, Labor neglected the State's schools, hospitals, public transport and road infrastructure. Frankly, that is indicative of the disdain those opposite had for good government and the contempt they had for the people of New South Wales, particularly for South-western and Western Sydney. But I suppose they could not help it. You cannot fund projects if you cannot balance a budget, and as we all know, Labor cannot balance a budget. Its financial mismanagement is legendary.

Fast-forward to now and the State is led by a government that is committed to fiscal responsibility so it can focus on the areas that Labor neglected and ignored. One of the most important of those for people in my electorate and across the south and south-west of Sydney is WestConnex. For those opposite who may never have heard of it before, WestConnex is part of the Government's integrated transport plan to keep Sydney moving. The new motorways will provide crucial support for Sydney's long-term economic and population growth. Stage 1 is the M4 widening and the M4 East. Stage 2 is the duplication of the M5 East, including twin tunnels from Kingsgrove to St Peters. Stage 3 is the M4-M5 Link tunnels that will connect the M4 East at Haberfield to the new M5 at St Peters, via Rozelle and Camperdown.

These projects will be a game changer, not only for Sydney but also for the State. They will ease congestion, they will drive our economy and create jobs, they will connect our communities and they will make Sydney a more liveable city. That is the point of being in government: to make life better for the people we serve across Sydney. Opposition members claim to speak on behalf of Western and south-west Sydney, but they are betraying the hardworking people who live there. Residents in Western and South-west Sydney cannot wait for WestConnex. Businesses in Western and south-west Sydney are already looking forward to faster travel and delivery times, and shorter commutes to work. Tradies in Western and south-west Sydney are excited about the prospect of having perhaps another half an hour to spend with their kids before they go to bed. We are getting on with the job of ensuring that transport is working across Sydney and across New South Wales. We are breaking the congestion that those opposite created.

**Mr RON HOENIG (Heffron) (16:26):** What a riveting performance by the member for Drummoyne, who every time he gets to his feet strikes fear into the hearts of the Opposition. We cannot work out why the member has been given the long hop—the bowl. He is ministerial material, and he almost was a Minister. But it is indicative of the incompetence of the Government when it deals with projects such as WestConnex. The member for Drummoyne is not good enough for the front bench, but the Government makes the member for Castle Hill the Minister for Multicultural Affairs. That says it all.

**Mr Gareth Ward:** Point of order: It is Standing Order 73 and it goes to relevance. As much as he is insightful and always entertaining and erudite, the member for Heffron is not speaking to the motion. If he wants to make reflections on members, he should do it by way of a substantive motion.

**The DEPUTY SPEAKER:** Order! The member for Heffron will be heard.

**Mr RON HOENIG:** I remind members that in October 2012 the then Premier, Barry O'Farrell, and the roads Minister, Duncan Gay, announced an allocation of \$10 million for WestConnex to connect the M4 to Port Botany to solve Sydney's freight problems. But the road does not go within eight kilometres of Port Botany, let alone the airport. I must put this on the record because Government members keep beating their chests about how they are good economic managers and how they are competent. As the member for Prospect said, two Auditor-General inquiries are being conducted into the way in which the Government has handled the

WestConnex process—one in which the Auditor-General has already embarrassed the Government and another one I have requested that is about to commence.

I remind members that in 2013 the cost of WestConnex was \$11.5 billion; in 2014, it was \$14.9 billion; in 2015, it was \$15.4 billion; in November 2015, it was \$16.8 billion. Now it is \$16.8 billion for a road that goes nowhere near the port. In the process, the Government has stolen homes from people in St Peters and it has cheated them—the Treasurer admitted cheating them—and has to pay them an extra \$75,000. The Government will put 62,000 vehicles on Euston Road in my electorate and now it says it will have to build another six-lane road from Alexandria to Moore Park. This bottomless pit will cost \$30 billion, and I fear that in March next year, when Labor is in government, it will have to clean up this Government's mess.

**Ms JENNY LEONG:** I seek leave to make a contribution.

**The DEPUTY SPEAKER:** Order! I clarify that the member for Newtown sought leave, the Government said it would give leave, but the Opposition has refused leave.

**Leave not granted.**

**Mr JOHN SIDOTI (Drummoyne) (16:30):** In reply: That is disappointing. This whole debate revolved around Labor's inaction. Labor was against this project because it feared The Greens would win inner west electorates and now Labor is refusing to give leave to the party it preferred. It is disgraceful. In summing up the motion, I will talk about some of the points raised in the debate. First, the underwhelming response of the member for Prospect was basically about cost blowouts. That is totally false. We will not do what the Labor Party did—build two-lane highways and then 20 years later upgrade them. We will do the job right from day one.

Unlike Labor, we will continue to build infrastructure. It is great that we are in this Chamber debating what we are building as opposed to what Labor was not doing when it was in government. The member for Oatley made a riveting contribution. He spoke about the budget measures, the needs of his electorate and the Government's integrated approach. The member for Oatley obviously sees the benefits of this project for his electorate compared with the underspend that occurred for many, many years under those opposite. I thank the member for Heffron for his compliments; they are very much appreciated. I am disappointed that the member for Canterbury, the member for Strathfield, the member for Auburn and the member for Summer Hill have not fronted up to this debate. At least the member for Newtown had the guts to try to face the music, but she was knocked back by those opposite.

I will address some of the drivel that came from the member for Prospect. Motorists on the M4 are experiencing up to 18 minutes savings in travel time. People using the road are getting exactly what the Government promised—a faster trip. The only thing that lacks transparency is what Labor would charge motorists to drive on the new M4 and M5 if it is ever elected to government. The *Daily Telegraph* has Labor pegged. People need to know what Labor stands for. The member for Prospect said that there comes a time when an Opposition leader needs to be judged on his policies. So let us have it. What are Labor's toll policies? Those opposite should stand up and represent their constituents. If the Mayor of Fairfield City Council runs as an Independent candidate for Prospect, the member for Prospect will be blown off the face of the planet. If councillor Dai Le runs for Fairfield, the member for Prospect will be blown off the face of the planet. The reality is that Labor stands for nothing and it does nothing.

**Mr Ron Hoenig:** Point of order: I was loath to interrupt earlier, but I put on the record that the member for Summer Hill is on maternity leave, having recently given birth to twins, and that is why she is not present in the House.

**Mr JOHN SIDOTI:** She was here yesterday, but the point is taken.

**Mr Ron Hoenig:** She was showing us the babies.

**The DEPUTY SPEAKER:** Order! The point is documented. It was lovely to see the member for Summer Hill yesterday with the twins.

**The DEPUTY SPEAKER:** The question is that the motion as moved by the member for Drummoyne be agreed to.

**The House divided.**

Ayes .....	44
Noes .....	34
Majority.....	10

## AYES

Aplin, Mr G  
 Brookes, Mr G  
 Cooke, Ms S  
 Davies, Mrs T  
 Evans, Mr L  
 Grant, Mr T  
 Hazzard, Mr B  
 Kean, Mr M  
 Marshall, Mr A  
 Patterson, Mr C (teller)  
 Petinos, Ms E  
 Sidoti, Mr J  
 Taylor, Mr M  
 Upton, Ms G  
 Williams, Mrs L

Ayres, Mr S  
 Conolly, Mr K  
 Coure, Mr M  
 Elliott, Mr D  
 Fraser, Mr A  
 Griffin, Mr J  
 Henskens, Mr A  
 Lee, Dr G  
 Notley-Smith, Mr B  
 Pavey, Mrs M  
 Provest, Mr G  
 Speakman, Mr M  
 Toole, Mr P  
 Ward, Mr G  
 Wilson, Ms F

Bromhead, Mr S (teller)  
 Constance, Mr A  
 Crouch, Mr A  
 Evans, Mr A  
 Goward, Ms P  
 Gulaptis, Mr C  
 Johnsen, Mr M  
 Maguire, Mr D  
 O'Dea, Mr J  
 Perrottet, Mr D  
 Rowell, Mr J  
 Stokes, Mr R  
 Tudehope, Mr D  
 Williams, Mr R

## NOES

Aitchison, Ms J  
 Barr, Mr C  
 Chanthivong, Mr A  
 Dib, Mr J  
 Greenwich, Mr A  
 Hoenig, Mr R  
 Leong, Ms J  
 McKay, Ms J  
 Minns, Mr C  
 Scully, Mr P  
 Warren, Mr G  
 Zangari, Mr G

Atalla, Mr E  
 Car, Ms P  
 Crakanthorp, Mr T  
 Doyle, Ms T  
 Harris, Mr D  
 Hornery, Ms S  
 Lynch, Mr P  
 Mehan, Mr D  
 Park, Mr R  
 Smith, Ms T F  
 Washington, Ms K

Bali, Mr S  
 Catley, Ms Y  
 Daley, Mr M  
 Finn, Ms J  
 Harrison, Ms J  
 Kamper, Mr S  
 McDermott, Dr H  
 Mihailuk, Ms T  
 Parker, Mr J  
 Tesch, Ms L (teller)  
 Watson, Ms A (teller)

## PAIRS

Barilaro, Mr J  
 Berejiklian, Ms G  
 Dominello, Mr V

Cotsis, Ms S  
 Haylen, Ms J  
 Lalich, Mr N

**Motion agreed to.***Matter of Public Importance***SYDNEY HILTON HOTEL BOMBING FORTIETH ANNIVERSARY**

**Mr MICHAEL JOHNSEN (Upper Hunter) (16:42):** I appreciate the opportunity to bring this matter of public importance to the attention of the House. Early in the morning of 13 February 1978 a bomb hidden in a bin outside the Hilton Hotel in Sydney exploded as it was emptied into the back of a garbage truck, instantly killing the two garbage men, Alec Carter and William Favell, who were going about their job at the back of the truck. The late Constable Paul Burmistriw, stationed at the entrance of the hotel for the Commonwealth Heads of Government Regional Meeting, died nine days later of horrific injuries from the bomb blast. Former Constable Terry Griffiths was seriously injured and left the NSW Police Force hurt on duty.

Australian Prime Minister Malcolm Fraser and 12 foreign leaders were staying at the hotel at the time of the explosion. They were all evaluated as uninjured. The reaction to the bombing in New South Wales was one of complete shock, utter grief and disbelief—a sense that Australia was no longer protected from terrorism by its geographic isolation from the rest of the world. Members of the community came together to mourn Australia's loss of innocence and to pull together to help the victims and their families.

On the day of the bombing the New South Wales Legislative Assembly became a sombre place as it paused to allow party leaders to offer their condolences to the relatives of the victims. Special prayer services

were called for by the Council of Churches in Sydney and were held by different religious groups throughout the State. Fundraising appeals were established to help support the victims' families. Then Premier Neville Wran remarked that the bombing was so un-Australian that the country would never be the same again. He also said, that "for the first time in our history terrorism against innocent and uninvolved people has become a fact in our country".

A reward of \$100,000 for information leading to the conviction of the bomber or bombers by the New South Wales and Commonwealth governments was announced days after the bombing. It was the biggest reward offered in Australia's history up to that time, with the New South Wales Government announcing that, "There will be no compromise for a terrorist. There will be no mercy for people who plant bombs." In 1987 the reward was increased to \$250,000. Although the Hilton Hotel bombing occurred 40 years ago, we continue commemorating the victims and those around them—their families, their loved ones and their friends—the lives of whom were shattered. The plaque that was unveiled at the hotel 10 years ago to mark the thirtieth anniversary of the bombing is inscribed with the words "Forever in our thoughts". Today we are fulfilling that promise and we will continue to do so. They will not be forgotten.

At that time I was one month shy of turning 12 and was attending high school. I grew up in Lalor Park in Western Sydney and I remember waking up to the news. The tone of our household, our community and the media reporting was one of shock, horror and disbelief. It is one of those terrible events that happen in our lives that we remember where we were and what we were doing. I woke up, as did my family, to that news. We turned on the television to watch what was happening and we could not believe the death and injury. The discussion in our family was one of disbelief. The innocence of Australia, the fabric of our culture of freedom and the ability to live life without that level of danger, was destroyed. We could not believe this had happened and we wish it had not happened.

**Mr TIM CRAKANTHORP (Newcastle) (16:47):** I thank the member for Upper Hunter for raising this matter of public importance to commemorate the fortieth anniversary of the Hilton Hotel bombing. Early in the morning of 13 February 1978 a bomb hidden in a bin outside the Hilton Hotel in Sydney exploded as it was emptied into the back of a garbage truck, killing three people. It was an act of terrorism that shocked Australia. It was the first act of terrorism on Australian soil. The explosion in a city council garbage truck shook the George Street foyer of the Hilton Hotel and ripped out ceilings and light fittings. Police feared further bombs could be in the vicinity. Bomb disposal experts and the Police Rescue Squad were soon called to the scene. Inside the building were nearly a dozen foreign leaders who were visiting Australia for the Commonwealth Heads of Government meeting. Prime Minister Fraser and Premier Neville Wran were present. They called the Army for help and soon there were 2,000 soldiers on the streets.

Yesterday was the fortieth anniversary of this tragic event. It is a day to honour the dead. Two Sydney council garbage men, Alec Carter and William Favell, were killed instantly when the bomb hidden in a bin exploded as it was emptied into the back of their garbage truck. Constable First Class Paul Burmistriw, 31 years old from Wentworthville, was at the hotel entrance. This policeman fought bravely for many days before succumbing to his injuries. That event remains a mystery. Alec Carter was 37 years old and from Bronte. Alec left behind his wife, Jean, and two daughters, Christine, seven years old, and Susan, nine years old. William "Bluey" Favell was 36 years old and from Dulwich Hill. He had a wife, Jeanette, and a daughter, Cassandra, who was just seven years old when she lost her father. Cassandra said of the event:

I remember the police banging on the door. It was really early in the morning and still dark. Mum answered the door and went into hysterics and fell to the ground while I was still standing in the hallway watching. I do not think I could believe it at first. I kept thinking he was going to come home and it didn't happen. That's how I dealt with it for a while then it sort of sunk in after a while that he wasn't. It was pretty hard.

Tragically, three years later she awoke to find her mother, Jeanette, dead on the couch from a heart attack. She often wonders:

Did she just die of a broken heart? Because she never coped with it very well, even three years on. She would break down all the time and it was more or less my grandmother, her mother, that sort of held us together.

Families are still grieving 40 years on. It was yesterday that Ms Favell joined police commissioner Michael Fuller, Leader of the Opposition Luke Foley, police Minister Troy Grant and Senior Constable Terry Griffiths, who was injured in the bombing, at the wreath-laying ceremony to mark the fortieth anniversary. She said:

I do not think there will ever be a sense of closure but I'm hoping it might make me feel a little better.

Ms Favell has not attended many of these events as she has trouble coping. The community rallied together and a grand total of \$150,000 was raised as workers donated a day of pay to the widows. At Tuesday's service Commissioner Fuller presented a posthumous NSW Police Medal and National Police Medal to Wal Burmistriw, the brother of Constable Burmistriw. John Hickson worked in the cleaning department of the council at the time



and for him the memory of that day is still vivid. "That day was a horrible shock", he said. He woke up in the morning and turned on the radio. The five o'clock news came on saying there had been a huge explosion in George Street. The workers donated money and raised a good deal for the people affected. As our leader, Luke Foley, said yesterday, "It was a day in Australia's history where no-one won. But we remember it for all that we lost."

**Mr ALISTER HENSKENS (Ku-ring-gai) (16:52):** Whether or not the Irish nationalist who attempted to kill Prince Alfred Ernest Albert, Duke of Edinburgh, in 1868 committed the first terrorist attack on Australian soil is a matter of historical debate. What is not debatable is that yesterday Sydney paused to remember the lives lost 40 years ago when a bomb exploded outside the city's Hilton Hotel—a terrible domestic terror attack. The victims included William Arthur Favell, 36 years of age, affectionately known as Blue or Bluey or dad. He was husband to Jeanette, known to those close to her as Betty, and father to Cassandra, who was only seven years old at the time. Bill was killed instantly.

Alec Raymond Carter, 37 years of age, who was husband to Jean and father to Christine and Susan, who were seven and nine years of age at the time, was also killed instantly. Constable First Class Paul Burmistrwi, who was 31 years of age, was a son, brother and fiancé. Paul suffered serious head injuries and died of his wounds nine days after the attack on the 22 February 1978. Bill Ebb, who was 46 years of age, a City of Sydney Council worker and driver of the garbage truck, suffered injuries from the blast of the explosion. Sergeant Arthur Edward Hawtin, known affectionately as John, who was 46 years of age, suffered shrapnel wounds. Senior Constable Terry Griffiths, who was 34 years old at the time, was severely injured with abdomen and foot injuries and hearing loss.

Constable Rodney Wither, 25 years old at the time, suffered shrapnel wounds and hearing loss. Colin Nichols, who was 23 years old, a waiter at the Sydney Hilton, suffered serious shrapnel wounds and was kept in intensive care. Carlos Quaglia, a taxi driver who was thrown over the bonnet of his taxi, suffered shock and bruises. John Watson, who was 27 years old, was a council employee who suffered cuts and bruises. Rosamund Dallow was a Hilton Hotel employee. She barely missed the explosion as she walked in a secured staff entrance of the Hilton. Kenneth McKenzie, 25 years old, suffered lacerations. Mrs Christine Bidarp, a Hilton Hotel employee, suffered shock. Four of the 12 people who were there that day and suffered the effects of the attack were present at yesterday's memorial service. I pay special tribute to Rosamund Dallow, Carlos Quaglia, Terry Griffiths who organised yesterday's memorial, and Rod Wither.

**Mr MICHAEL JOHNSEN (Upper Hunter) (16:55):** In reply: I thank the member for Newcastle and the member for Ku-ring-gai for their contributions on this matter of public importance. The member for Newcastle said that the Leader of the Opposition commented yesterday that no-one wins. He is right. No-one wins when such tragic events occur. They shake the foundations of society which everyone holds dear to their hearts. They are the values of freedom and independence and the belief that everyone is good. The member for Ku-ring-gai said that the Hilton Hotel bombing was the first terrorism event in Australia.

The Hilton Hotel bombing challenged our core values and our ability to trust people. Bad people exist in this world. We come across them every day in some way, shape or form, but not all of them commit a terrorist attack such as the one that occurred 40 years ago on 14 February 1978. Not everyone is prepared to challenge the values that society holds dear. We should be able to trust other human beings and our fellow citizens because that is the only way we can work together. People will do the wrong thing. While we must focus on the good in people and events that bring our society together, we must not forget the terrible deeds that people carry out to challenge the values that our society holds dear.

#### *Bills*

### **HEALTH LEGISLATION AMENDMENT BILL 2017**

#### **Returned**

**The DEPUTY SPEAKER:** I report receipt of a message from the Legislative Council returning the abovementioned bill without amendment.

#### *Private Members' Statements*

### **WILLIAMTOWN LAND CONTAMINATION**

**Ms KATE WASHINGTON (Port Stephens) (16:58):** Today is Valentine's Day. It is an opportunity to express to those who matter most to us that they are valued and respected and to show them the kindness and compassion that they deserve. Most importantly, it is a day to show our loved ones that we support them. On this Valentine's Day, I am once again calling on the Prime Minister and the Premier to show the people of Williamtown that their Government is here for them. After 2½ years of living a nightmare, the families affected by the toxic

perfluoroalkyl and polyfluoroalkyl substances [PFAS] contamination flowing from the RAAF Base Williamstown are heartbroken.

For seven years they have been lied to and have had secrets kept from them, and they have been hurt emotionally and financially. Representatives of multiple levels of government have treated them with disdain, concerned only with limiting liability rather than looking after those who have been hurt. As more time passes, the communities affected are getting closer and closer to breaking point while the Commonwealth Government continues to drag its heels, offering no real progress. I have said many times in this place that we know the polluter is the Australian Defence Force. We know that Defence and the Commonwealth Government can fix this catastrophe. However, that fact does not allow the New South Wales Government and the Environment Protection Authority [EPA], which is the primary environmental regulator in this State, to abrogate their responsibilities. .

If a private company had committed this contamination, the Premier, the environment Minister and the EPA would demand and enforce action. Yet these desperate families have heard no tough words from Premier Berejiklian or environment Minister Upton and their continued silence is deafening. A host of other New South Wales Ministers have called out the Commonwealth Government on matters they consider to be a priority, including the Deputy Premier attacking the Prime Minister and calling for his resignation for committing the cardinal sin of losing opinion polls. But our environment Minister does not consider the Williamstown contamination to be a matter significant enough to publicly demand action from the Federal Government. We could reasonably question whether the New South Wales Government is running a protection racket for Defence or it simply does not care about those families.

The situation gets worse. Families living in the red zone on Cabbage Tree Road have had another truckload of pain dumped on them courtesy of this heartless Government. Those families who have members with high levels of PFAS in their blood have had to fight off raging bushfires which threatened to engulf their homes. Recently they received phone calls from the Department of Planning and Environment informing them that the proposed sand mine that has been plaguing the community for three years has been given the tick of approval. Those families are already on the precipice. I do not know how they are meant to cope with the latest news that the sand mine will proceed to the Planning Assessment Commission for final assessment in addition to everything else. My community should not have to fight this sand mine approval.

The sand mine tender was dodgy from the start, with Port Stephens Council issuing the tender and accepting a bid from the then mayor. The mayor then withdrew his tender so he could be in the room when the tender decision was made. The tender was awarded to a Tinkler Buildev-related company, against the advice of council staff. At that time, Port Stephens Council was the only entity willing to do business with companies related to Nathan Tinkler. Since then, as a result of Tinkler or Buildev being unable to fulfil their tender obligations, the tender was transferred without any formal tender process to another two companies that were seemingly independent from the original businesses. However, we have heard that the people involved with the original company are involved with the new company. This situation stinks to high heaven. The sand mine sits conveniently outside of the new area identified by the EPA as being affected by the contamination, while neighbouring residential properties are included in the red zone. Vegetation and other materials in the red zone, such as weeds from the drains, cannot be removed from the area because there is no safe way to dispose of them.

The approval by the department to go ahead with the sand mine means contaminated material can potentially be trucked across the State, resulting in damage to local aquifers. It beggars belief. Prior to Christmas, the Premier finally met with those families who are affected by the contamination. She heard about their heartache and despair firsthand. I want the Premier to intervene in the cruel, heartless decision made by the Department of Planning and Environment in Sydney. I am calling on the Premier to have a heart this Valentine's Day and to halt this sand mine. Given all the circumstances, she should at least suspend the process until there is a greater understanding of the impact of PFAS on human health or until the residents are given options to leave the area. Unlike people impacted by other unwanted developments around the State, these families cannot escape. People in the red zone cannot leave. Premier, have a heart. Do the right thing and stop this sand mine.

#### ALBURY ELECTORATE CATHOLIC SCHOOLS

**Mr GREG APLIN (Albury) (17:03):** In 1868, 150 years ago, Mother Ignatius Murphy, Mother de Sales Meyler, Sister Camillus O'Donnell and Sister Xavier McDonald, with two postulants Fanny McGrath and Elizabeth Enwright, arrived in Albury to take over St Brigid's School. They were Sisters of Mercy and they came from the wild west coast of Ireland. And so began Catholic secondary education in Albury. One sister wrote in a letter:

There was so much to be done in our temporary home and in the church ... Indeed we have just about slept with our sleeves rolled up and our aprons on. Much later the Christian Brothers, who were also Irish, arrived on the scene, establishing the Christian Brothers College in Smollett Street and later named Aquinas College. The sisters inaugurated St Joseph's Ladies College, which was later renamed St Joseph's High School. The curriculum for girls at St Joseph's was impressive. Students studied mathematics,

biology, geology, botany, languages, arts and crafts, music and, later, commercial subjects. In 1983 the two single-sex Catholic secondary schools combined and reopened as co-educational Xavier High School, named for St Francis Xavier, the patron saint of Australia and Oceania. Xavier was regarded as "a man of uncompromising service to the poorest of the poor and a great teacher". Xavier High continued to operate on the existing two campuses, before consolidating on its present Fallon Street site in 2001. Principal Sister Frances Fitzpatrick wrote:

The spirit and history of any school is not confined to buildings, and the spirit of this school, of courage and faith, of wanting to do all things well, is shared by the present school community wherever that community is located.

I asked Sacred Heart Parish Council chairperson and local veterinarian Justin Clancy, who had been a student at Xavier, to reflect on his education. He said:

There was a strong sense of the Irish heritage at the school, coming from people who were dedicated to working with those less well off. The school was inclusive, offering respect and the opportunity of education for all. There was no elitism here.

Justin fondly remembers teachers who went above and beyond the call of duty in an environment where students were strongly encouraged to understand and to express social concern in action. Old Xavier year books illustrate this clearly. In 1993 students raised money for, among other projects, a school in Fiji, the work of Amnesty International for prisoners of conscience, and for child cancer patients in Romania. The previous year Albury police ran a competition that was open to high school students to design a poster for Missing Persons Week. It comes as no surprise to learn that posters by Xavier students were awarded first, second and third prizes. There was genuine concern for the environment, with events like tree planting and seed collecting day. Past Principal Sister Angela Jordan wrote to parents and students reminding them not to confuse support for the dignity and rights of the individual with a society that often focused on seeking personal fulfilment and satisfaction. She said:

It is the paradox of a person realising their potential by willingness to give time, skill, interest and energy to others without seeking reward or affirmation that Jesus talks about.

Present day Xavier High School Principal Gavin Dykes admires the sisters and brothers who travelled across the world. He said:

They worked extremely hard, coming from a northern climate in their dark and heavy gowns to work in rural and remote Australia. They constructed wonderful buildings that have stood the test of time, and brought with them an ethos not just of religious education but of education for all. Even today we see gospel values not just in religious observance but also lived out daily in relations between staff and students.

He supports what others have said and states:

There is a continual awareness of social justice. It is our day-to-day life, through pastoral care and in activities like our immersion program which places students with indigenous communities. For us at Xavier there is a real sense of encouraging students to reach out.

Catholic secondary education in Albury goes from strength to strength. Alumni have taken their place in the life of our border community, our nation and overseas. Xavier High School graduates include Anna Plunkett, a creative co-founder of Romance Was Born, an internationally successful clothing brand. Basketball took Emma Mahady to the United States of America; water polo player Brooke Dickie received the Norske Skog Young Achiever of the Year Award last year, and the list goes on. Community service is a theme, with former student Frank Sergi expanding on his musical education at the school to go on to serve as president of Albury City Band—Australia's longest continuous city band.

Staff member Cate Davis founded the Border Music Camp with the aim of bringing a capital city music experience to regional music students. It is now in its forty-fourth year. In closing, I acknowledge past and present principals, staff and students of these schools. I am indebted to the history and research compiled and published by Sharon Muggivan and Xavier High School. These attributes are not unique to Catholic education in Albury, but they were implemented with the school's own flavour—steeped in tradition and with the influences that came to Albury in the nineteenth century with those Irish sisters and brothers who travelled so far with hope and faith.

## REGIONAL INFRASTRUCTURE FUNDING

**Mr JOHN BARILARO (Monaro—Deputy Premier, Minister for Regional New South Wales, Minister for Skills, and Minister for Small Business) (17:08):** It is fantastic for me, especially as the Minister responsible for a range of funds, to speak tonight in this place. In question time I often refer to the Regional Growth Fund and to investments that are occurring in regional New South Wales. Other Ministers talk about ClubGRANTS or the Community Building Partnership program, but how do they play out in the community? I will refer to a couple of recent announcements that will make a genuine difference to some small towns that often miss out on large projects.

On Monday I visited Bombala, which is located on the border of my electorate. The Government's Stronger Country Communities Fund is supporting Bombala by providing a grant of \$517,000 to upgrade Bombala Racecourse. Important country race days such as the Dongwha Timbers Bombala Cup bring the community

together to have some fun and they create harmony. That investment will improve racecourse amenities. Over the years those amenities have not been looked after, but luckily Dongwha Timber Mill paid for minor capital works at the racecourse and the community is slowly coming together. The Government is giving a helping hand by allocating \$517,000, which was warmly welcomed by the mayor and the community.

The Government is also providing \$218,000 for Bombala's Platypus Reserve. Bombala is platypus country. This Government is focusing on ensuring that those who are disadvantaged will have access to some of these reserves. This money will go towards improving roads, pathways and the viewing platform, which will give everyone an opportunity to spot a platypus. I have been there a few times but I have not been lucky enough to spot a platypus. I am committed to making sure that we invest in the necessary infrastructure that gives the community access to these reserves and that promotes all that is good about Bombala. It promotes tourism and encourages people to visit and to stop over. Tourism is often a major employer in regional communities, as are timber mills and our agricultural industries.

On Monday the Government allocated another grant to Jerrabomberra—one of the largest suburbs in Queanbeyan. There has been significant growth in tennis clubs in which the local community has invested. In the past the Government has made small contributions to tennis clubs in the region. Through the Community Building Partnership program and ClubGRANTS the Government surprised Jerrabomberra Tennis Club. The Minister for Racing the Hon. Paul Toole and I announced a grant of \$150,000 to improve its facilities. That money will be used to build three hot-shot courts so that more young people can become involved in sport. Our Active Kids program is about involving children in team sports and it is important for communities to have sporting facilities.

Queanbeyan, being a border community, often relies on infrastructure and sporting facilities in Canberra. But it is important for us to invest in infrastructure in Queanbeyan, which has a growing population. Recent data relating to stamp duty relief shows that Queanbeyan is now a much more attractive destination for first home buyers. A lot of people from Canberra are coming across the border, and we must build the necessary infrastructure to accommodate them. Over the past seven years this Government has invested in cultural and sporting amenities in regional communities, and it will continue to do so.

It was important to allocate funding to improve facilities at the Jerrabomberra Tennis Club, which will provide our youth with more sporting opportunities. I thank the club for the work that it does in providing opportunities for youth in our community. Young children who are enrolled in school are given \$100 under the Active Kids rebate program. Hundreds of thousands of people have already registered for that \$100 rebate. It gets kids active, gets them into sport and helps mums and dads with the cost-of-living pressures that all families face. It is important for this Government to invest in sporting amenities in regional communities.

### PRINCES HIGHWAY

**Mr ANDREW CONSTANCE (Bega—Minister for Transport and Infrastructure) (17:14):** One of the greatest infrastructure challenges affecting regions south of Sydney is the Princes Highway. I have a degree of pride in what this Government has done to turn things around on that highway. Obviously the Assistant Speaker knows full well the benefits of regional highway duplication, having travelled along that highway since becoming a member of Parliament. The Princes Highway has sometimes had crash rates that are as high as the rates on the Pacific Highway, despite not having the same volume of traffic. Since coming to office the Government has set about investing heavily. Pleasingly, in almost seven years we have made investments worth hundreds of millions of dollars that have not only improved travel times and produced commerce-related benefits but also saved lives and prevented injuries.

The projects include work at Victoria Creek and at Dignams Creek, which is now under way. Major safety improvements are also being made elsewhere in the Bega electorate, where some parts of the highway are built to a 1940s standard. I am pleased that we have invested hundreds of millions of dollars to bypass Gerringong and Berry. Work is now commencing on the Albion Park Rail bypass and the Bomaderry to Berry link. In essence, since we have come to office we have almost duplicated the highway to the Jervis Bay turn-off. But, as members know, tragedies still occur, often during busy seasonal periods and particularly between Nowra and Ulladulla and Ulladulla and Batemans Bay.

I am keen to look at how we might duplicate the highway south of Jervis Bay. It is time for us to discuss and to debate this issue. We must recognise that the arrangement we made with the Federal Government to complete the Pacific Highway upgrade in 2020 enables us as a State to request that the Federal Government examine where its vital dollars for highway duplications will be invested in the future. As the member for South Coast knows only too well, I will argue exhaustively for the duplication of the highway through her electorate into the northern part of the Bega electorate, but we need further major investment. We might have an 80:20 funding split as we have had for the Pacific Highway and for other roads. The Commonwealth has done an incredible job duplicating the Hume and Pacific highways, but come 2020 we will need certainty that

Highway 1 will also receive duplication dollars. The stretches of road I am referring to needs to be upgraded because otherwise lives will continue to be lost. There have been some horrendous accidents in which individuals and entire families have lost their lives on a very unforgiving highway.

I do not mean to take away from the fact that we are spending more than \$1 billion to duplicate sections of the highway and have invested in other major upgrades, but the time is right for us to work with Canberra on this matter. I will be talking to the roads Minister, local communities, Federal members and the Federal Government about ways in which we can secure a long-term funding arrangement for about 100 kilometres of duplication in the first instance. Beyond that, we will need to secure the road corridor south of Batemans Bay, bypass townships and protect the corridor for generations to come. Investment decisions will need to be made in that regard. However, it is time that we looked at striking a major deal to save lives south of the Jervis Bay turn-off. I will be taking this matter forward in the future.

#### *Visitors*

#### **VISITORS**

**The ASSISTANT SPEAKER:** I welcome to the gallery first year Diploma in Law students from the Legal Profession Admission Board.

#### *Private Members' Statements*

#### **GOSFORD ELECTORATE AUSTRALIA DAY CELEBRATIONS**

**Ms LIESL TESCH (Gosford) (17:20):** I congratulate the new Central Coast Council on its excellent Australia Day awards night, ceremonies and celebrations. The community awards night reflected the generous contributions made by residents of the Central Coast over many years. On a number of occasions I was moved to tears as the acting chief executive officer of the council, Brian Glendenning, read the transcript of contributions of a number of extremely generous members of our community. We heard stories of decades of volunteerism by some individuals. It was great to see 93-year-old Fred Leake called to the stage to be recognised for his 139 combined years of volunteering with various community organisations.

We celebrated environmental watchdogs who have cared for and protected the beautiful natural environment on the coast. We shared in the celebration of East Gosford resident Sue Chidgey's nomination for her community leadership that united the people of the former Gosford Council area to prevent the sale of local parks and green spaces by the previous council administration. It was great to see retired teachers John Oates and Darryl Davis receive arts and entertainment awards for their contributions to Aboriginal education and arts and performance at their respective schools.

I encourage more community groups to put forward nominations for the Youth of the Year award because I know lots of young people on the coast are making fabulous contributions to their communities. I congratulate Youth of the Year Crystal Russom from Central Mangrove, who is a vital contributor to our community radio station, CoastFM. She is a fantastic voice for youth who will continue to make a contribution to the community. Sportsperson of the Year winner Gemma Smith from Ocean Beach Surf Club combined completing her Higher School Certificate with competing in the Nutri-Grain Ironwoman competition alongside a number of older professional athletes.

The award judges were obviously challenged by the excellent standard of nominees. In a number of categories they added an additional commendation award and in other cases they announced more than one winner. The ultimate celebration was for Citizen of the Year Kate Broadhurst. As a member of Avoca Beach Surf Life Saving Club, Kate has set up a model Nippers program that includes young people with disabilities across the coast. It is now being introduced at other surf clubs. We also celebrated our Australia Day Ambassador Rod McCormack, who runs a recording studio at Erina that is visited by musicians from around the world and also delivered the music of the Central Coast to Los Angeles airport, for example, only two weeks after it was recorded.

On the morning of Australia Day the new Central Coast Council made history when our citizenship ceremony was conducted not in the usual council chambers but at Mingara Recreation Club due to the large number of new citizens in attendance. It is so exciting for our community to become richer, stronger, more skilled and more active because of the presence of 156 new citizens from 22 nations. We welcome their skills to our workplaces and we welcome their expertise as professionals and small business people. We welcome them at our excellent Gosford Hospital as they choose to move their lives, families and futures to our community to fill gaps and skills shortages. We welcome talented and caring general practitioners who move into our community as older doctors retire and leave a shortage, especially on the peninsula. We welcome new children into our schools to sit

amongst and become the kids of the coast, sharing the diversity of our increasingly global population and educating and familiarising local kids about the world beyond the Central Coast.

In the spirit of diversity and harmony, I thank the language teachers from across the coast. Many of them are bilingual and daily teach their language and culture to young minds on the Central Coast and across New South Wales, promoting harmony, social inclusion and the possibility of travelling, living and working overseas. In a celebration of multiculturalism, I commend the community at Mingaletta at Umina Beach, which is led by our very own NSW Grandparent of the Year, Aunty Di. She promotes an open door policy at our Aboriginal community centre. Mingaletta proudly flies both an Australian and an Aboriginal flag and speaks the voice of inclusion for all—for we are all Australian. Aunty Di encourages multiculturalism and acceptance and inclusion of everyone. It is only when we know and understand each other, realise the importance of inclusion, acceptance, life and family, and recognise skills and talents, that we live in harmony. Happy Australia Day to the people of the Central Coast and New South Wales.

**Mrs LESLIE WILLIAMS (Port Macquarie) (17:25):** I congratulate the member for Gosford on highlighting the extraordinary Australia Day award recipients in her electorate. In all our local communities we have extraordinary people from all walks of life who make impressive contributions. I congratulate each of the Australia Day award recipients mentioned by the member for Gosford, and I also welcome the 156 new Australians who have chosen to call the Central Coast home.

#### **PORT MACQUARIE ELECTORATE AUSTRALIA DAY AWARD RECIPIENTS**

**Mrs LESLIE WILLIAMS (Port Macquarie) (17:26):** I acknowledge four outstanding individuals from the Port Macquarie electorate who were deservedly rewarded with Australia Day honours for their contribution to local communities. Volunteers Helen Guthrie, Port Macquarie RSL Sub-branch President Greg Laird, Emeritus Professor Dr Noelene Kyle, and Emeritus Professor Michael Barber were each recognised. Helen Guthrie, 77 years of age, was awarded a Medal of the Order of Australia. She described the unexpected honour as "mind-boggling". This outstanding contributor was recognised for her service to the community of Port Macquarie. Helen started volunteering after moving to Port Macquarie's Garden Village, where she joined the Garden Village Auxiliary Committee and Port Macquarie Meals on Wheels. She devotes 30 minutes each day to delivering hot meals to the residents in the village. She also helps at the village opportunity shop and regularly attends working bees helping to maintain and to beautify the village.

Port Macquarie RSL Sub-branch President Greg Laird was among the highly regarded in the Port Macquarie community who was awarded an Order of Australia Medal. In 1969, Greg was called to serve Australia in the Vietnam War. He spent almost 12 months in the conflict. Returning to Australia he followed family tradition and joined the Ryde RSL, as his grandfather and father, also returned servicemen, were members of the same sub-branch. Greg's involvement in the RSL increased when he moved to Port Macquarie in the early 2000s. Under his leadership, visits to schools by RSL members were introduced and students were encouraged to speak at commemorative services in the Hastings. Educating children about the sacrifices of our servicemen and getting them involved in Anzac services is one of his proudest achievements. Another is helping the RSL to develop a strong relationship with the local Indigenous community.

Emeritus Professor Dr Noelene Kyle, who carved a career in higher education after returning to study as a mature age, was appointed as a Member of the Order of Australia. She started her academic career in 1984 as a limited-term lecturer and was promoted to associate professor in 1989. She was then appointed Foundation Professor and Head, School of Cultural and Policy Studies, Queensland University of Technology, from January 1992 to 2001. Dr Kyle always had an interest in the lives and professions of nineteenth century women. In her position at Queensland University of Technology she led an active group of researchers who had a strong commitment to gender equity, social justice and action. This work, and her subsequent work, has established her reputation in the fields of education policy, history, biography, memoir and women's history. Since retiring from university teaching, Dr Kyle has been an enthusiastic volunteer at local museums and family history societies, supporting family and local history. As the Vice-President of the Macleay River Historical Society she continues to support the profession of history through her writing and facilitates a writing family history group for Port Macquarie Historical Society.

Port Macquarie resident Professor Michael Barber was appointed an Officer of the Order of Australia for distinguished service to higher education administration in the field of mathematical physics, particularly statistical mechanics, as an academic and researcher, and through contributions to science policy reform. He was educated at the University of New South Wales and completed a PhD at Cornell University in the United States before he returned to Australia. Professor Barber worked at the Australian National University and the University of New South Wales before he returned to the Australian National University as a professor of mathematics and, ultimately, Dean of the Faculty of Science. The University of Western Australia appointed him as Pro-Vice Chancellor (Research) in 1994.

In 2008, after five years at the CSIRO, he became Vice-Chancellor of Flinders University, Adelaide. Apart from the five years he spent as a senior executive at the CSIRO, Professor Barber has spent his extraordinary career in universities. Humble and keen to share the honour, he was quick to see the award as a recognition of the many people who had worked with him during his career at the Australian National University, the University of Western Australia, the CSIRO, Flinders University and the Australian Academy of Science. I am sure members will join me in congratulating all four recipients on their well-deserved Australia Day honours. I reiterate our thanks for their valued contributions to our community.

#### **NSW AMBULANCE AND TOLL RESCUE HELICOPTER BASE**

**Mr GLENN BROOKES (East Hills) (17:30):** Recently I had the pleasure of joining the Premier and the Minister for Health at the opening of the long-awaited \$25 million New South Wales Ambulance and Toll Rescue Helicopter Base at Bankstown Airport. This significant facility provides vital aeromedical services and expert emergency medical care not only to constituents across my electorate of East Hills but also to patients across the State. The helicopter base features clinical, servicing and training facilities. It includes three helicopter and servicing hangars, a state-of-the-art training centre with simulators, a water training pool, environmental training facilities, medical simulation rooms, and an auditorium.

This vital facility is part of the New South Wales Government's record \$151.2 million investment in our helicopter retrieval network and part of its commitment to enable doctors to deliver out-of-hospital critical care to patients, no matter how remote the location. But it not only a rescue and retrieval service; it also brings critical care to patients 24 hours a day, seven days a week, with a doctor and a paramedic on every flight. Last year the first NSW Ambulance and Toll rescue helicopter took to our skies from Bankstown, and since then around 2,000 aeromedical missions have been conducted. Having toured this state-of-the-art facility I am certain it will not only provide for today's patients but also ensure that we continue to maintain professionals of the highest quality now and in the future. I take this opportunity to thank our doctors and ambulance and emergency services personnel for their care and dedication.

#### **CAMPBELLTOWN ELECTORATE AUSTRALIA DAY AWARD RECIPIENTS**

**Mr GREG WARREN (Campbelltown) (17:32):** Members in this House do not always share the same views, but we do have something in common—that is, we sincerely love our communities. It is an honour and a privilege to represent our communities in this House. People are the greatest attribute in all our communities. Tonight I am delighted to advise the House of a number of significant achievements by members of the Campbelltown community in recent months, and to congratulate the individuals and organisations involved. I am proud to inform Parliament that on Australia Day this year, Jody Scott of Ruse was named the Campbelltown City 2018 Citizen of the Year for her work as the founder of Campbelltown Lost, Found and Injured Pets. Jody has helped hundreds of Campbelltown residents in a time of great distress by providing assistance to those with lost pets as well as a forum of support for local pet owners. Astrid Graham was named Young Citizen of the Year for her dedication to helping those less fortunate from all walks of life. Sonny

Edwards-Moeke was named Sportsperson of the Year for being a committed and talented sportsman across a multitude of sports: touch football, Oztag, rugby league, rugby union, cross country, and little athletics—not bad for a 10-year-old young bloke from Glen Alpine. Everyone Can Dance, which provides free dance, drama and singing lessons to individuals with a disability, received the Community Group Initiative of the Year award. I thank those who were nominated in Campbelltown City Council's Citizen of the Year awards for their ongoing dedication to our community. To quote George Bricevic, my good friend and the Mayor of Campbelltown, "This year's recipients and nominees reflect Campbelltown City's strong sense of community." I once again congratulate Jody, Astrid, Sonny and Everyone Can Dance. On behalf of the people of Campbelltown, I extend my sincerest gratitude to them all and congratulate Campbelltown City Council on another fantastic Australia Day.

It is not only our citizens of the year who are doing wonderful things in and around our city and region. Campbelltown is fortunate and, indeed, blessed to have one of the strongest spirits of community volunteering anywhere in the State. Whether it is the local football club, the parents and citizens association at one of our local schools, boy scouts, girl guides, seniors groups—the list goes on—members of our community are never afraid to lend a hand and to volunteer their time for a worthy cause. I make particular mention of the men and women who generously volunteer their time in the Campbelltown State Emergency Service [SES] unit. These men and women come from all walks of life and volunteer their time to help others in a time of great need, be it after a fire or flood, when a tree has fallen over or for any other emergency the SES attends. The unit is made up of volunteers with all sorts of experience levels, from those who have been around for only a little while, like me, to those who have been giving up their time generously for many years.

It is those long-serving volunteers to whom I pay special tribute. I thank them for their ongoing and at times thankless contribution to our city and our region. In particular, I express my sincerest gratitude to and

commendation of Mr Ian Shepherd for his 33 years of service, Mr John Dodd for his almost 42 years of service, Mr Richard Shoemark for his 31 years of service, and Ms Kathy Skaines for her 31 years of service. To quote the Campbelltown unit controller—another good friend of mine—Mr David West, "These members have provided outstanding service to the Campbelltown local community over an extended period and are worthy of commendation for their service to our community and so many in their time of need." I once again congratulate Ian, John, Richard and Kathy. On behalf of the people of Campbelltown and, I am sure, all members in this place, I extend my sincerest gratitude to them all. Our community would not be as valued and as rich as it is without the contribution they have provided. I thank them.

## **TWEED ELECTORATE SCHOOL MAINTENANCE**

### **TRIBUTE TO SAMUEL GOULD**

**Mr GEOFF PROVEST (Tweed) (17:37):** I am 100 per cent committed to the Tweed. I take a great deal of pleasure in bringing some very important information to the attention of the House today, particularly with regard to schools in the Tweed electorate. I make particular mention of the maintenance blitz in the Tweed electorate. Over the Christmas break, more than \$846,000 was spent on the maintenance of schools. The projects benefited 17 local public schools and included painting, roof work and replacement of floor coverings. The cost of the jobs ranged from \$6,732 for painting at Tweed Heads South Public School to \$114,394.53 at Fingal Head Public School for roof work and floor coverings. Every child deserves to have access to great facilities, wonderful teachers and an excellent education, and that is what this Government is delivering for students in the Tweed.

School education is very important to me, as I am sure it is to every member. My father was a primary school principal, so school would come home with me every evening. I applaud our education Minister, Rob Stokes. This is another example of how the Liberal-Nationals Government is delivering local infrastructure for the people of the Tweed and supporting local school communities. With the \$25 billion property portfolio of 2,200 schools, there will always be maintenance to be done, but good management will keep the maintenance list as short as possible, and we are doing just that. The New South Wales Government's record \$747 million spend on school maintenance over the next four years was announced in last year's budget, and it is having a positive effect.

Recently I had the pleasure of going to Tweed Heads South Public School at which Samuel Gould is a year 6 student. I recognise his amazing sporting achievements. I met with Samuel late last year at his school to present him with a certificate of congratulations from the New South Wales Government. I found him to be a gentle, polite and very quiet young man, who has a list of achievements longer than his arm in swimming and cross country. He has represented his school and at State level in both sports and has obtained many first places. He achieved second place in the 100-metre freestyle at the State Primary Schools Sports Association [PSSA] swimming titles in April 2017 and went on to become the 2017 PSSA State champion for cross country in July.

Samuel was elected sports house vice-captain for 2018 and has represented his school at numerous celebrations and remembrance days. He is an amazing representative of his school, which I know is extraordinarily proud of him. He is also a committed surf life saving member and Oztag player. The Principal of Tweed Heads South Public School, Ian Reeson, does an amazing job. He is loved by the school community. The school is at the forefront of offering education opportunities for all students—not only the bright students but also those in the middle and those who are struggling. I cannot speak more highly of Ian and his team or of the other 17 schools in my area. Each of them does a fabulous job.

In last year's budget, schools in the Tweed electorate received close to \$100 million for maintenance. One of the Government's commitments is \$5 million to replace the 13 demountables at Pottsville Beach Public School. I drove past the school recently and was pleased to see construction well under way. I look forward to the opening of the new classrooms at Pottsville, which is at the southern end of my area. "Potty", as the locals call it, is a great little school that always participates in community events. It also has great teachers. All the schools in my electorate have my 100 per cent support and are benefiting significantly from the Liberal-Nationals Government investment in education. Our kids are our future, and that is where our support should be.

## **BLACKTOWN HOSPITAL UPGRADE**

**Mr KEVIN CONOLLY (Riverstone) (17:42):** One of things that has made me most proud in my role as the member for Riverstone and as a member of the Liberal-Nationals Government of this State is that we have committed funds to projects for services and infrastructure where they are needed—not on the basis of which electorates we hold or which electorates we might like to hold, whether they are marginal or whether they are safe, but simply on the basis of need. The project that particularly has made me aware of the Government's support of this principle is the Blacktown Hospital upgrade.



Blacktown Hospital is the nearest major hospital to the electorate of Riverstone, but it obviously serves, as the name suggests, a difficult and huge catchment in Western Sydney, which is a growing area. The hospital has faced great challenges in recent years. Going back a couple of years, the previous member for Blacktown, Paul Gibson, was critical of his then Government—the Labor Government that was in office before 2011—for not investing funds needed at Blacktown Hospital at that time. It is with great pleasure that I have watched the progress of the Blacktown Hospital upgrade since this Government came to power. I was delighted with the \$324 million commitment made by Barry O'Farrell and Jillian Skinner to the first stage of the project. I was even more excited when \$400 million was committed to stage two. The first stage has been completed, is open and is serving the people of the region. The second stage is now rising from the ground and we are not too far away from the topping-out ceremony.

Last week I accompanied the Premier, the Minister for Health, and the member for Seven Hills to the opening of the second stage of the expanded car park at Blacktown Hospital. There are now more than 1,600 spaces available on the campus. This multistorey car park expansion met one of the critical needs that most of our hospitals across the metropolitan area face of providing access for people who need to utilise the health services in a convenient way and given the congestion that is often experienced around a busy place such as a hospital. Other facilities completed as part of stage 1 are the new clinical services building for cancer, cardiac, respiratory medicine and aged care, and a new mental health centre, the Melaleuca Unit.

Stage 2 of the project, which is currently underway, will provide a new emergency department with more emergency and short-stay beds, a new psychiatric emergency care service, and a dedicated unit in the emergency area; a new intensive care unit with more beds; eight new operating theatres and space for future expansion; new purpose-built and expanded birthing wards, with a wellness model of care, and for maternity, women's health, and newborn care; a new paediatric service with dedicated emergency department facilities, day-stay and inpatient facilities; expanded medical imaging, sterilising and non-clinical support services; contemporary activity-based workspaces for support staff; and an expanded haemodialysis unit for hospital inpatients.

As part of stage two, a new regional dialysis centre in refurbished facilities was opened in December 2016, providing more than 35,000 service sessions yearly to a catchment of more than 1.5 million people in Western Sydney. The final configuration at Blacktown Hospital will be three major blocks clustered around a central atrium entry, providing a visual and physical connection between the buildings. I look forward to seeing the real benefits to our communities across Western Sydney as these major infrastructure projects at Blacktown Hospital are completed and put to good use to serve the people of the region.

It is important to note that in this \$700 million project for the people of Blacktown and Western Sydney, every dollar going into these projects is State money. This is a commitment made possible because of the hard work of this Government to reorganise the finances of New South Wales, to discipline our own spending and to move dollars away from back-office functions to frontline services to ensure that we are meeting the real needs of people in New South Wales. The end result is projects of this kind—projects serving people in areas that would not otherwise have had them, projects that would not have got up under the Labor Government, as Paul Gibson testified. It makes me very proud indeed to be part of a team delivering the upgrade to Blacktown Hospital.

### **STRATHFIELD ELECTORATE INFRASTRUCTURE**

**Ms JODI McKAY (Strathfield) (17:47):** As we begin 2018 and the parliamentary year, it is timely to reflect on my community's wishes for the year ahead. Having been the member for Strathfield for three years I can, with certainty, account for how residents in my area feel about decisions made and not made by this Government. Wherever I go there is an overwhelming sense of a community being impacted by overdevelopment. While some do not want high-rise development at all, others see it as inevitable, particularly where there is ready access to transport. The overriding issue for my community is the quality of the development being approved and the continual breaches of the zoning by developers. In Burwood, in particular, we have seen buildings designed and constructed that detract from the amenity of the area.

In all parts of the electorate we are seeing buildings that breach the current zoning—developers buying sites knowing the height allowance and then seeking to increase the number of apartments and, in doing so, the height of the building. When people talk to me about their concerns with overdevelopment they also speak about a lack of infrastructure. I will list briefly some of those infrastructure issues raised with me, and in turn what I see as the priorities for this Government. I will start with Concord Hospital. While I acknowledge the Government has matched Labor's commitment of more than \$300 million for improvements, that work is only the first stage of what is required. We have not been given a date for the completion of the works nor when funding for stage two will be forthcoming.

Schools are, of course, an issue that is regularly raised with me, including the need for a co-educational high school. I know there are plans for such a facility in Olympic Park, but those plans are far into the future.

I thank the Government for its commitment of more than \$20 million to upgrade Homebush West Public School and also for the purchase of nearby land owned by the Anglican Church. I also acknowledge that consultation has begun on the upgrade of Croydon Public School and that further work is planned at Marie Bashir Public School. However, there has been no commitment given to Burwood Public School, which, with its older buildings, is in dire need of improvement.

The same can be said of Chalmers Road School in Strathfield. I was there this week to announce the allocation of \$40,000 from the Community Building Partnership program to improve the playground. I see the vast improvements that have been made to Lucas Gardens School in Five Dock, and I fervently wish the same commitment could be made to this school. Then there is the school hall problem at Strathfield Girls High School. For a number of years the parents and citizens association and the student body have been campaigning for a hall that meets their needs. Next week the school will hold its 2017 awards day. Yes, it will have its 2017 ceremony in 2018 because the hall it shares with four other schools was unavailable last year. The students' exams are regularly impacted by the lack of a meeting place, as is the ability to meet as a school community.

I am thankful for the upgrade of Croydon, Homebush and Flemington train stations. Although the works have progressed at a pitifully slow pace, disability access is being improved. But that is not the case for North Strathfield station. I know the member for Drummoyne shares my concerns about the poor access to that station. Ironically, it is in the area that the Government is targeting for future high-rise development, so I see it as a priority. I believe the hold-up in the upgrade of this station is due largely to the mismanagement of the Parramatta Road renewal plan and also to the backflip by the Government on light rail from Olympic Park to Strathfield and the lack of a route for the Sydney Metro West project. Those issues are also impacting Strathfield station and the town centre, which have not progressed at all. To its credit, Strathfield Council developed a vision for the area, but the Government has not progressed with any plans nor has it shown even the slightest interest in revamping this important retail precinct.

I could go on, but I am running out of time. I will conclude with the privatisation of our buses, announced yesterday by the Minister for Transport and Infrastructure. My community does not want our buses sold, but the Minister is arrogantly pursuing an ideological agenda that ignores their wishes. There is so much more I could speak about, but, with limited time, I will say that I am hopeful that as we begin the final year of this parliamentary term we will see many of the issues I have raised today resolved. As I mentioned, there has been some progress on some issues, and I am thankful for that, but there is still so much more to do for the people of the Strathfield electorate.

#### **TRACKSAFE FOUNDATION RAIL WORKER SAFETY**

**Mr MARK COURE (Oatley) (17:52):** I acknowledge the work of the TrackSAFE Foundation, an Australia-wide, registered harm prevention charity dedicated to reducing near collisions, injuries and fatalities on the rail network resulting from suicide or reckless behaviour. TrackSAFE aims to create a better workplace for rail employees. Through education and awareness, it works to improve people's knowledge, skills and attitudes about safety around tracks to increase public safety and to avoid preventable incidents from occurring on our railways. The foundation recognises that the responsibility for rail safety extends beyond rail organisations to educational and community service groups, governments, road user groups and the broader community. Some of the initiatives it covers include trauma support, mental health first aid, level crossing safety, suicide prevention and community outreach.

I had the great privilege of meeting with the Executive Director of TrackSAFE, Naomi Frauenfelder, and working with her over the past couple of months. Naomi's vision and passion for the foundation became evident to me straightaway, and it has not wavered since. Naomi and her team have implemented innovative, creative and unique ideas, which I believe is the reason why they have experienced such success and support for their programs and messages. Last year I became involved with the foundation at one of the local schools through the TrackSAFE Education program, which aims to build a rail safety culture in the daily lives of school students that can translate into real life practice when they are anywhere near the rail network. Last year TrackSAFE Education ran a primary school competition that challenged students to write and to illustrate a book about a safe rail journey.

On 27 November 2017 I had the privilege of attending Our Lady Queen of Peace Catholic Primary School in Greystanes on behalf of the Minister for Transport and Infrastructure, the Hon. Andrew Constance, MP, to congratulate and to present prizes to the two winners of the competition—Sophia Brown and Tiffany Jie from year 5. What impressed me most was the high quality of the story and illustrations in their picture book, in particular how the characters demonstrated not only how to be safe on and near a train but also how to show respect when boarding a train. Depicting kind, respectful gestures such as standing up for people who need a seat reassures me that we are teaching and passing on very important values to the next generation. The parents of Sophia and Tiffany watched proudly as I presented each of them with a copy of their published book, which has been distributed to eight local libraries across the electorate and to the National Library of Australia in Canberra.

What a legacy these young students at age 11 have created by preparing a beautiful picture book that enables others to learn about safe rail practices. We can all take a leaf out of this book.

I highlight two important upcoming events of which we should consider and be mindful. Rail R U OK? Day will be held on 12 April this year and is an extension of R U OK? Day that we all know well. Rail R U OK? Day aims to foster a more compassionate and responsive atmosphere for those who work in the rail industry by engaging rail staff in conversations about their emotional status and, of course, prompting them to answer one simple question: "Are you ok?" In only its third year last year almost 14,000 rail employees from 34 different organisations participated.

The second key event I draw to the attention of members is Rail Safety Week, which will be held from 13 to 19 August this year. This annual awareness week is designed to engage the community in safe rail practices because that is everyone's responsibility. I encourage everyone to play their part during this important week by being safe commuters and obeying railway rules, engaging in conversations about rail safety or simply exercising caution and being aware of their surroundings when travelling. Whether it is annual community awareness weeks, educational school programs or rail suicide prevention training for station staff, the TrackSAFE Foundation has covered all bases. Again I acknowledge and express my gratitude to Naomi and her excellent team for all they do to ensure we can travel safely on the rail network.

### MURRAY-DARLING BASIN PLAN

**Mr AUSTIN EVANS (Murray) (17:57):** I speak about the current disallowance motions being discussed in Federal Parliament regarding the Murray-Darling Basin Plan, which is an important issue for my electorate. People in my communities have been badly affected by decisions that have been made and they are concerned that politics may be involved. The agreed process was to follow through and to look at the revisions in the basin plan, particularly the Northern Basin Review. The original legislation spelt this out and it was agreed by all parties that this process should be followed. I provide the House with the following information.

The basin plan sets a limit on the amount of water that can be extracted for consumptive use to achieve a healthy, working Murray-Darling Basin. These sustainable diversion limits are set to ensure water resources in the basin continue to support strong and vibrant communities, resilient industries, including food and fibre production, and a healthy environment. Ensuring a balanced approach to setting sustainable diversion limits requires the Murray-Darling Basin Authority [MDBA] to consider the triple bottom line outcomes of different water recovery options. This means that the authority must consider how a proposed sustainable diversion limit or water recovery volume will affect economic, social and environmental outcomes on a local and whole-of-basin scale. In doing so, the authority sets limits on the use of the basin's water resources that seek to balance economic, social and environmental needs. The legislation sets out the need to balance those things.

The Northern Basin Review report sets out the authority's proposed amendment to the basin plan for the Northern Basin water recovery volumes and rationale for the decision. In developing and using a triple bottom line framework, the MDBA took a transparent and balanced approach to assessing and setting sustainable diversion limits in the basin. The triple bottom line framework expanded on the process used in developing the Murray-Darling Basin Plan, and supported comprehensive consideration of a complex economic, social and environmental information base. The framework also allowed for the consideration of a range of information types, including qualitative and quantitative data, stakeholder feedback and practical considerations.

The final proposed water recovery volumes for the Northern Basin represent a considered, evidence-based, triple bottom line judgement call. This is not a fly-by-night assessment. It is not biased; it was open and independent. At the time, it was spelt out in the basin plan that a range of new research programs was required to be commissioned to better understand the unique communities, the agricultural production system and the environment of the Northern Basin. The projects were completed between 2013 and 2016. The review also involved refining the hydrological modelling to test different water recovery options.

This was not a simple process. It included a lot of elements, including the Northern Basin Review report, a triple bottom line framework, a Northern Basin Advisory Committee report, a consultation report, a hydrological modelling technical report, a hydrological modelling summary, a report on fish and flows in the Northern Basin, waterhole refuge mapping and persistence analysis in the Lower Balonne and Barwon-Darling rivers, a review of water requirements for key floodplain vegetation, a report on the vegetation of the Barwon-Darling and Condamine-Balonne floodplains, an assessment of environmental water requirements, a report on waterbird breeding indicators, a report on flow and waterbird ecology, a socioeconomic technical report, economic modelling from KPMG, land use modelling documentation, Aboriginal studies, Lower Balonne floodplain grazing modelling, community narratives, social and economic reports, and an independent reviewer's report.

I plead with all members—particularly Labor Party members who have a voice with those in the Federal Labor Party—to stand up for the benefit and interests of the New South Wales community, particularly the small irrigation communities that are affected, and to resist the temptation to play politics with this. This is something that affects people's lives. This is not an intellectual pursuit; it is not something to play politics with. There is bipartisan support in Victoria, where the Labor Government and the Labor Minister responsible for water have combined with the Coalition to have a unity ticket on this. I ask the same of members of the New South Wales Labor Party: that they support us in opposing this politicking that is playing with people's lives.

### CENTRAL COAST HEALTH FACILITIES

**Mr ADAM CROUCH (Terrigal) (18:02):** The Central Coast community, including the great people of my electorate of Terrigal, are benefiting from record levels of health spending. Work on Gosford Hospital's \$348 million redevelopment is powering along. It has been amazing to watch the construction take place over the past three years. The redevelopment consists of a new, larger emergency department, an expanded intensive care unit, more operating theatres, and enhanced maternity, cancer and cardiovascular services. I am pleased to report to the House that construction of the new section of building is nearing completion, with scaffolding starting to be removed to reveal the new 11-storey building's exterior. Work is now focusing on the interior of the building; in fact, the lower levels are almost complete and are undergoing final checks. This is all very exciting, and it will not be very long before patients and staff begin using the new facilities.

Part of the redevelopment also includes a new \$35.5 million multistorey car park in Holden Street. Construction on this new 800-space car park is underway, which will double the existing parking capacity. I regularly speak with members of our community, and one of the main pieces of feedback I receive is the need for more parking in the streets surrounding Gosford station and Gosford Hospital. That is why I am so pleased that my Government's redevelopment of Gosford Hospital will include the provision of much-needed extra parking spaces.

We also know that having ongoing or long-term hospitalisation or treatment is a daunting and stressful experience for patients, their families and their carers. That is why last year the Government made free parking at Gosford Hospital available for eligible people—including Mobile Parking Scheme permit holders, concession card holders, Department of Veterans' Affairs card holders, Australian health care card holders, ongoing cancer treatment patients, patients and their carers who have to visit hospital more than twice weekly, and others. In addition, we are making health services more reliable and efficient for patients. From July to September 2010, when the Labor Government was in office, Gosford had a 90 per cent rate of elective surgery being performed on time, and 49.3 per cent of patients left the emergency department within four hours of presenting.

Under the Liberal-Nationals Government, 97.7 per cent of elective surgeries are now performed on time. Patients are also moving through the emergency department at a much faster rate, with 63.2 per cent of patients leaving the emergency department within four hours of presentation. The new Central Coast Medical School Research Institute is a joint endeavour between my Federal colleague Lucy Wicks, the member for Robertson, the State Government and Newcastle University. The Federal Government contributed \$32.5 million and the State Government and Newcastle University have each contributed \$20 million. The potential for this to increase medical education and research in the Central Coast community is a very exciting prospect. I acknowledge the fierce advocacy by Lucy Wicks for this project.

Following 16 years of neglect by Labor, this Government's commitment has been to repair and to rebuild hospitals across New South Wales. Not only is Gosford Hospital being redeveloped but so too is Wyong Hospital. The Wyong area is growing at twice the rate of the Gosford area, which is why both hospitals are benefiting from millions of dollars of investment. It is important, now more than ever, that the Central Coast has first-class health facilities. I am pleased that this State Government is investing in excess of half a billion dollars in our local public health system. It is only because of this Government's strong fiscal management that it can commit so much funding to the public health system. This would never have been possible under Labor's mismanagement of the budget.

The first phase of work at Wyong, called the redevelopment enabling works, will include: installation of a new gas main to provide increased capacity for the expanded hospital; building of a new fire service pump house and connections; changes to internal roads on the hospital site to accommodate construction work and to improve traffic flows; creation of a temporary new main entry to minimise the impact of construction work on hospital operations; and creation of a new car park. Recently I had the pleasure of joining health Minister Brad Hazzard, the Hon. Taylor Martin from the other place and my parliamentary colleague on the Central Coast, and staff from the Central Coast Local Health District [CCLHD] to turn the first sod to mark the beginning of construction on this car park.

This is the first official part of construction of Wyong Hospital's \$200 million redevelopment that was pledged by the State Government. As Minister Hazzard announced in July last year, Wyong's redevelopment will proceed using a government-led approach, which means it will proceed in the same way as Gosford's redevelopment. In 2017 work focused on site surveys and investigation. Throughout 2018 we will see shovels in the ground, with enabling works, car park construction and new hospital building construction all beginning to take place. In conclusion, I pay tribute to the incredible work of the staff at the Central Coast Local Health District. My wife is a nurse with CCLHD. I can say from personal experience that every time I visit Gosford and Wyong hospitals, the staff are friendly and professional. They are well led by Chief Executive Dr Andrew Montague. I am glad the CCLHD and the Government have partnered on this development.

### **LONDONDERRY ELECTORATE SCHOOL BUS SERVICES**

**Ms PRUE CAR (Londonderry) (18:07):** This evening I take the opportunity to highlight issues faced by schoolchildren using public buses in my electorate. A week does not go by when I or my office staff do not receive a serious complaint about the chronic lack of bus services, particularly in new, burgeoning suburbs such as Jordan Springs. For many people in my community, a bus is the only available transport option. So it is vital that we get the timetable and services right. On Sunday I met with a group of parents who are concerned about this matter. They are beyond frustrated with the lack of bus services for their children travelling to schools in Cranebrook across The Northern Road. As the local member, I say they have every reason to be more than annoyed.

Due to a lack of bus services in Jordan Springs—particularly school buses—those students rely on Busways services to get to and from their schools. Unfortunately, residents move into new-release suburbs such as Jordan Springs having been promised the world by the Government and the developer—in this case, it was the Government—and do not get the services they deserve. There are no school bus services for children in Jordan Springs who attend Cranebrook High School, Samuel Terry Public School, Braddock Public School, Llandilo Public School, and Xavier College. Students must catch a Busways service and use their Opal card to get to and from school.

To make matters worse, one of the local mothers with whom I spoke on Sunday called Busways to express her frustration about the timetable not aligning with school finishing times. She was told that there is no solution because—get this—Jordan Springs does not have a school. That is extremely frustrating. Students are being told the reason they cannot have a school bus service from Jordan Springs to Cranebrook is that there is no school in Jordan Springs. But they would not have to go to a school in Cranebrook if there were a school in Jordan Springs. It is quite astounding for a parent to receive that response from Busways.

I reiterate how hard my community has been fighting to persuade the Government to bring forward construction of the much-needed school at Jordan Springs. It is insulting to have the lack of a school in Jordan Springs thrown back in the face of my constituents. It is bad enough that the Government is putting the brakes on building a school in Jordan Springs, but it is worse that we are now having huge problems with school bus services in neighbouring suburbs. Other mothers and fathers have spoken to me about their children being forced to walk home from schools in Cranebrook across The Northern Road to Jordan Springs because there is simply no bus service when school finishes. To put that in context, The Northern Road is a very busy road. Existing services simply do not align with the current timetable, or in some cases buses do not show up at all.

Today members of this House complained about some of the issues with the new bus timetable in the Hunter. I stand with them in solidarity on that issue. Recently, when this very subject was raised on the Jordan Springs Community Facebook page—which many local residents actively use to express their community concerns—hundreds of residents complained about experiencing similar issues. Parents are forced to send their children to schools outside their suburb because there is no school at Jordan Springs. This problem is set to become worse with the influx of people associated with the development of Jordan Springs East. I live there, so I understand why so many people wish to reside in our beautiful suburb. The new development will lead thousands more parents having similar concerns about the lack of a school in their suburb.

As the local member of Parliament, I state clearly that Jordan Springs parents need a school bus service that takes their children to Cranebrook, which has the public schools closest to Jordan Springs that schoolchildren can access. A whole generation of young people will be forced to go to school in Cranebrook because the Government will not build a school in Jordan Springs. My community is asking the Government to begin working with Busways urgently to make sure that adequate bus services can be introduced as quickly as possible. I have written to the Minister for Transport and Infrastructure and, in an attempt to resolve this issue for the benefit of my local community, this week I sought an urgent meeting with Busways. I will stand with local parents to get safe transport for their children to and from school. For the sake of working parents, I will ensure that their children are able to travel safely to and from school in a bus from Jordan Springs to the next suburb.

## HOUSING AFFORDABILITY

**Ms TRISH DOYLE (Blue Mountains) (18:12):** As many members of this House know, housing stress and homelessness are currently the issues that present most frequently in our electorate offices. Every week several constituents, who often are in a state of quiet desperation as they face eviction and struggle to find a suitable new home they can afford, attend my electorate office. Last week my colleague and shadow Minister for Innovation and Better Regulation Yasmin Catley, attended a forum I organised in the Blue Mountains that focused on the topic, "No Grounds Eviction". Workers at the coalface who assist people suffering from housing stress or experiencing homelessness attended the forum as well as constituents who had been evicted on no grounds. Workers and constituents all agreed that the current legislation permitting no-grounds eviction places good tenants at an unfair disadvantage.

The forum heard numerous accounts of tenants requesting repairs and, as a result, finding themselves being served with an eviction notice, with little legal redress available. One family explained that as their 18-year-old son was preparing for the Higher School Certificate [HSC], the family had to move after being served with a notice to quit. Through no fault of their own, they had to find another home. This was very difficult for them as a family of four. They were on a low income with both parents suffering disability. The timing could not have been worse. Another tenant, an older man living alone, told us that he had been evicted and simply could not find suitable accommodation in his price range in the Blue Mountains and was facing homelessness.

This week two community members arrived at my electorate office looking for urgent housing help. One man in his fifties is facing eviction in 10 days. He and his adult son suffer from mental illness and other disabilities. They have been living together so they can afford rent. They now face eviction with no funds and little opportunity to secure an affordable rental property. Another man, a survivor of torture in his country of origin who has been left with significant mental and physical disability, can no longer manage the steps in his room. He too faces eviction. In spite of his disability, his poor financial situation and evidence that he cannot find suitable and affordable housing, he is deemed able to secure private rental and has been declined consideration for priority housing. None of these people is in a position to resolve their housing problems without significant support from community and advocacy services.

The Australian Housing and Urban Research Institute reported recently on the extent of housing need in Australia. The institute estimated that 1.3 million households are in a state of housing need, whether they are unable to access private rental market housing or are in a position of rental stress. The figure is predicted to rise to 1.7 million by 2025. With the lack of social housing and subsidised rental housing, many households are locked out of the rental market. Those who do access the private rental market will spend well over 30 per cent of their income on housing, placing them in a position of financial stress. Responses to this lack of affordable housing have been largely on the demand side, such as first home buyer concessions, but such incentives are no use to low-income households. To help them, intervention must be on the supply side and must be done within the framework of public, social and permanent affordable housing, not generous concessions to property developers who flood the market with low-quality high-rises such as those that we see in Alexandria.

We need a major reinvestment in local housing that supports a range of tenants, not only the most disadvantaged and marginalised. We also need greater investment in community services that provide tenant advocacy to assist people to resolve their housing issues before they are evicted and homeless. Current services are overwhelmed by requests for assistance. They can assist only those at the very tip of the iceberg. And what happens to the people who do not make it to the door of those services? In many instances, those requiring housing assistance and those who are not homeless do not have the skills and experience to get the help they need and to which they are entitled. Often they do not even know what help is available. We need community services that provide coordination and assistance to people in filling in housing applications, applications for housing assistance and social housing.

I acknowledge and thank all the workers in the Blue Mountains who dedicate themselves to assisting the most vulnerable, particularly Jo Hibbert and Ben Connor from Elizabeth Evatt Community Legal Centre; Angelique Sasagi, Jaime Mack and Emma Schofield at Thrive Services; the fabulous staff at Wentworth Community Housing; West Connect Domestic Violence Services; and Rosa Del Ponte from Earth Recovery Australia.

## PENRITH CITY COUNCIL AUSTRALIA DAY AWARDS DINNER

**Ms TANYA DAVIES (Mulgoa—Minister for Mental Health, Minister for Women, and Minister for Ageing) (18:17):** I acknowledge and commend those who were recognised at the Penrith City Council Australia Day awards dinner this year. The awards evening celebrates the individuals and organisations who work tirelessly to improve the lives of their local residents and communities. This year Citizen of the Year was awarded to my good friend and local domestic violence advocate Michele Ellery. Michele is known throughout the

community for her passion and vigorous work helping victims of domestic violence and child sexual abuse. In 2014 Michele established the Queen of Hearts Community Foundation, which was inspired by her own struggle in helping her children to heal from their past abuses. The foundation provides specialised trauma counselling whilst raising awareness and funds to help provide better services to survivors of abuse. Through its parenting group "Circle of Security", Queen of Hearts has also delivered support to approximately 200 women, providing more than 350 rescue packages—including clothes and toiletries—to local families in need.

Michele Ellery is a tireless and selfless advocate for local victims of domestic violence and childhood sexual abuse. Her devotion to supporting victims of abuse is a testament to her giving and kind nature and courageous spirit. I congratulate her on receiving this extraordinary honour. She is a most deserving recipient. Other award recipients on the evening included the North St Marys Matters team, which consists of North St Marys residents. The team received the Penrith Community Group award. The group focuses on improving community safety, health and wellbeing, jobs, education and participation, and the built and natural environment, and has engaged hundreds of locals through art projects, community safety walks and family fun day events.

Team Colyton was also awarded the Penrith Community Group award for its work improving the neighbourhood. Together, the team of Colyton residents developed a community action plan that focuses on strengthening and connecting the local community, supporting young people, and improving the physical environment and perceptions of the neighbourhood. Both the North St Marys Matters team and Team Colyton have demonstrated an outstanding commitment to improving their local communities. I commend every member for their hard work. The Australian Women and Children's Research Foundation [OZWAC] received the Penrith Community Organisation award for its support of medical research at Nepean Hospital in the field of women and children's health.

OZWAC has provided numerous research grants for local doctors, nurses, scientists and researchers at Nepean Hospital to improve their access to state-of-the-art specialised research equipment and specialist doctors from around the world. OZWAC should be commended for assisting world-leading medical research in the heart of Western Sydney. Glenmore Park resident Nicole Bridges was presented the Local Appreciation award for her work volunteering for the Australian Breastfeeding Association. Over the past 15 years Nicole has held a number of positions at the Australian Breastfeeding Association, including local group leader and New South Wales public relations officer, and is now ACT/NSW Branch President. The mother of three's work with the association assists families in Penrith and across New South Wales.

Nicole has spent more than a decade working as a qualified volunteer breastfeeding counsellor on the 24/7 hotline "mum2mum". Her work with local mothers and their families has been truly invaluable. David Hancock, Myra Rodgers and Jim Riley, all dedicated and generous Nepean Food Services volunteers, received local appreciation awards for their ongoing support of the vulnerable residents who receive meals from Nepean Food Services. In particular, David assists by delivering meals to seniors, often completing extra deliveries at late notice. Myra delivers meals during the "hot run" service, staying to heat the meal and to help the person begin eating. Retiree Jim volunteers more than 20 hours a week, supporting other volunteers to pack meals and to deliver them. All of these volunteers bring positivity and passion to their work for Nepean Food Services.

Once more, I congratulate my dear friend Michele Ellery on being named Penrith City Council Citizen of the Year and I extend my congratulations to all the Penrith City Council Australia Day award recipients. This year's award recipients deserve recognition not only for their time and effort but also for their genuine passion and dedication to enriching the local communities they serve. The work of these individuals and organisations strengthens our Penrith community and improves the lives of many Penrith residents. I thank Penrith City Council for celebrating these remarkable individuals and their dedication to building a better community.

#### **COOTAMUNDRA ELECTORATE AUSTRALIA DAY CELEBRATIONS**

**Ms STEPH COOKE (Cootamundra) (18:22):** I thank the many communities of the electorate of Cootamundra for making my first Australia Day as the local member so joyous and memorable. This was a day to celebrate and to acknowledge what makes this country so great: our volunteers' strong community spirit and pride. There were many champions recognised in my electorate. Cowra, the beautiful town on the Lachlan River, recognised Mrs Di Graham as its Citizen of the Year and Olivia Perkins as its Young Citizen. It was a pleasure to attend Temora's celebrations and to join the community in acknowledging the contribution made by Mrs Enid Coddington and Shania Corby. One of the richest agricultural and pastoral districts in the Riverina region, Coolamon, honoured Neville and Sylvia Gillett of Ardlethan and young Brodie Jones. The dynamic and thriving destinations of Young, Boorowa and Harden, which are overflowing with orchards, vineyards and olive groves, celebrated the achievements of Heather Ruhl and Cassie Boland, Mike Ward and Natalie Ramirez, and Les Cameron and Emma James.

Gundagai, with the iconic Dog on the Tucker Box, and Cootamundra, the birthplace of cricketering legend Sir Donald Bradman, were full of praise for their recipients: Peter Gain and Merridy Glazebrook, as well as Clarrie Power and Oliver Litchfield. Jackie Starr and Zyon Shepherd received recognition from the Junee community for their tireless contribution. Junee, with its stunningly preserved historical streetscape, is a premier inland destination. The Grenfell community recognised Peter Mitton and Meryl Hunter, along with several students representing the schools in the shire, which is the birthplace of Henry Lawson. This year the shire is celebrating the sixty-first anniversary of the Henry Lawson Festival. Narrandera, situated on the banks of the Murrumbidgee River—a region renowned for its fresh produce and acclaimed wines—celebrated the community volunteering accomplishments of Beverly Hughes and Mathew Whiteman. Australia Day is an opportunity to recognise and to praise our volunteers who every day change the lives of others. These vibrant and flourishing communities in my electorate of Cootamundra sincerely acknowledge their dedication and selflessness in helping others in their community.

### NEWCASTLE ELECTORATE BUS SERVICES

**Mr TIM CRAKANTHORP (Newcastle) (18:25):** I refer to the revision of bus services and bus timetables in Newcastle following the privatisation of what was a very effective service. It is a matter that is most pertinent to my electorate. The Minister for Transport and Infrastructure has received hundreds of letters of complaints and representations from the four Hunter members whose electorates are directly affected by this revision. In the past, the Minister has said that he has not received any complaints—which seems rather odd given the number we have sent. His office has contacted our offices to ask us to stop sending complaints via mail—and instead to scan and email them—because he has been inundated with so much correspondence. I want to put on the record correspondence from individuals who have been severely affected, starting with the impact on school kids. One of many letters states:

I am writing to inform you [Minister] of the failure of the 816 bus from Morgan Street Merewether at the scheduled time of 8.25 am nor the second bus at 8.30am on Tuesday 5th September.

I dropped my son off at the bus stop at 8.15am and received a phone call at my work place at 9.10 am from my son to say he had walked home as neither of the 2 buses had shown up.

My husband left his workplace to go home, collect my son and drop him at school ...

When he arrived at school the staff at student services told him there has been many instances of buses not showing up and students arriving very late.

In relation to the impact on the disabled, one person writes:

I have asked my daughter to please email you my complaint ...

I am a 78 year old woman who is vision impaired, I also have a severe essential tremor. I reside in a granny flat that my daughter has built. My family are committed to supporting me to live as independently as possible.

One of the great things about living where I do is that I am able to access all available services and manoeuvre around our city without having to ask my family or utilise a taxi.

Unfortunately, this has changed drastically since the new bus timetable has taken place. I understand these changes have been made as a cost saving. I would like to know who is the cost saving for?

... my independence and ability to access the community has been drastically cut because of the changes that have been made to the bus's limited options, limited bus stops. In total a reduction of availability ...

I haven't even begun to tell you how difficult it is [now] ... I used to have numerous bus's I could catch and the locations of the stops were safe for me to depart. My current situation is if I am to get home now I have limited choices in bus's, stops are unsafe to cross roads and the distance I have to walk is too far.

A person wanting to access cancer treatment at the Calvary Mater Hospital states:

The current/old service for me to get to the Mater for an 8.00 am appointment involved catching the 7.00am ferry to Queens Wharf ... A total travel time of 39 minutes, leaving me plenty of time to get a coffee before my appointment.

To get to the same appointment time under the new travel service ... takes 1 hour 27 minutes. A trip that used to take 39 minutes each way now takes three hours travel time for this person to go to the Calvary Mater Hospital for cancer treatment. I would have thought Hamilton would be a core constituency of this Government. The businesses of Hamilton have raised with me that Beaumont Street, Hamilton, the eat street of Newcastle, was previously serviced by buses but is no longer—not one bus stops on Beaumont Street now. It is a very busy street in the second largest city in the State on which one can find a number of pharmacies and medical facilities, as well as banks. It is incredible that this Government treats the people of Hamilton in this manner. The Hamilton Chamber of Commerce met with me because members are very upset by this change. The chamber put out a media release stating that businesses on Beaumont Street have reported a decrease in trade of between 10 and 15 per cent and local banks are reporting significant downturn in customer numbers.

I invite the Minister to come to Newcastle to visit disability services, such as House with No Steps at Warabrook, which has also reported a number of problems with public transport services. My constituents and I will not stop bringing our concerns to the attention of this Government. There will be a public meeting on



Monday at 6.00 p.m. at 16 Footers. We will call on this Government to review the changes it has made to the public transport timetable to make it more equitable and efficient and to ensure that it services the people it is supposed to service, instead of disregarding them.

### ST JOHN AMBULANCE

**Mr DAVID ELLIOTT (Baulkham Hills—Minister for Counter Terrorism, Minister for Corrections, and Minister for Veterans Affairs) (18:30):** During the Victorian era, a group of compassionate citizens revived the Order of Saint John in the United Kingdom, drawing inspiration from the Order of Knights of the Hospital of Saint John of Jerusalem, who kindly provided shelter and sustenance for pilgrims and crusaders in medieval times. St John Ambulance was founded to implement the order's humanitarian ideals in the new industrial world by advocating for the cause of first aid for the sick and wounded through volunteer effort "in the service of humanity". This was a novel objective at the time, and a much-needed one, which spread to Australia in 1883 and developed into the movement and organisation we know today.

Currently, St John Ambulance is Australia's principal provider of first aid services, training and equipment, and is renowned for its trusted brand with more than 130 years of experience. The charitable efforts of the Order of Saint John are currently performed in 44 countries across the world and comprise approximately 400,000 volunteers and staff. I have had the privilege of being involved in this organisation since 2000 and I have joined my peers to advocate for the accreditation of compulsory first aid for new drivers in our beloved nation.

St John Ambulance believes that first aid ought to play a role in every citizen's life, and has vigorously petitioned across the world about the responsibility of agencies and governments to provide the community with the opportunity to learn the necessary knowledge and skills to assist victims, to prevent loss of life and to reduce injury severity by inviting members of the community to be part of the solution. I am certain all members of this House will join me in commending the Order of Saint John and its thousands of committed volunteers. It would be difficult to envisage our State without the invaluable and specialised services provided by this order to our community.

I also take this opportunity to recognise the unparalleled level of dedication and kind-heartedness of Professor Mark Compton, AM. Professor Compton was recently decorated by St John Ambulance Australia to Bailiff Grand Cross, the highest title in the venerable Order of Saint John. He is the fifth Australian priory member to hold this honour alongside 20 other esteemed individuals across the world. It would be remiss of me not to mention His Royal Highness Prince Richard, the Duke of Gloucester who, as the Grand Prior of the order, vested Professor Compton with the Bailiff Grand Cross at Kensington Palace, London, last Thursday, 1 February. With four generations of family being St John members, Professor Compton has voluntarily served for an outstanding 45 years. Indeed, Professor Compton's dedication to this order, his determination, his direction and his commitment to ensuring St John delivers its Australian objective of making first aid a part of everybody's life is second to none.

I congratulate Professor Compton, and extend my respects to the many thousands of Australians who dedicate their precious time to this movement and contribute more than one million hours in volunteer services each year to the people of Australia. Not many organisations have served the public for so long with such unwavering zeal. I hope all members will join me in commending this order, its volunteers, and particularly Professor Compton, and wish them a very successful 2018.

### CONTAINER DEPOSIT SCHEME

**Mr DAVID HARRIS (Wyong) (18:34):** The New South Wales Liberal Government's container deposit scheme has so far cost consumers as much as \$100 million, yet many people in my electorate and across the State have had minimal or no access to collection points. I was not surprised to read in the *Daily Telegraph* today that the scheme has paid out only \$8.3 million to consumers and charities in the form of container refunds. In my electorate of Wyong we still do not have a collection point. To add insult to injury, there is a 44 kilometre gap between the collection points at Bateau Bay and Lisarow and the next closest collection point at Bonnell's Bay. In contrast, Erina has two reverse vending machines only three kilometres apart. This highlights the unfair nature of a scheme that has increased costs to consumers in my electorate but is not truly accessible to them. People and businesses in my community are outraged. One person commented to me:

So with this scheme, just where and how many of these return depots are there going to be? In the cities mainly or are they going to be at every shopping centre around the country? Bit unfair to country people if there are no stations near them isn't it.

The owner of Cellarbrations at Wadalba said:

So what exactly is the CDS about? As the Government simply has not communicated it very well—is it about recycling, is it about litter reduction, is it about revenue?

That may sound cynical to some members, but it is the reality for people in my electorate. If they want to return and earn they may have to travel 22 kilometres or more to a collection depot. Members such as the member for Vacluse, who has seven collection points in her very small electorate and another five within a few hundred metres on the border with Coogee, may think this is trivial. People in my electorate who want to return and earn must travel the equivalent distance of Vacluse to Bankstown or—to put it in language Government members might understand—Vacluse to Avalon. The scheme may be fine for people in the eastern suburbs or on the North Shore, but it is not working for people on the northern end of the Central Coast.

**Mr Lee Evans:** Where's Bay Village?

**Ms Felicity Wilson:** Or Bateau Bay?

**Mr DAVID HARRIS:** So far statewide only 83 million cans and bottles have been returned, which represents less than 10 per cent of eligible containers sold. I understand that reaching 100 per cent is not realistic, but 10 per cent is a sad indictment on the Government's bungled rollout. It is deeply disappointing that such a good and long overdue idea has been so badly managed that entire electorates are still waiting for collection points. Until the Government addresses the problems all the scheme will mean to many people on the northern part of the Central Coast is a tax on their beer and soft drink. Members opposite asked about Bateau Bay. I said that it is 22 kilometres away from where some people in my electorate live. The container deposit scheme might be working for people who have a collection point close by, but my constituents have problems with it. Sometimes when they travel all the way to a collection point they find it is full. They turn around and come back, only to return a second time and find it full again. I am being told that people are giving up and asking, "Why would you bother?" Local business owners are saying they are hearing complaints because customers are paying more for a service that they cannot access.

The Government has bungled the rollout of this scheme. It should have first installed machines that all people could access. It should not have allowed a hotchpotch system of placing one here and one there; it should have ensured instead that there were accessible collection points in every electorate. The current system is totally unfair. People in my electorate are missing out while the member for Vacluse has seven collection points in her electorate. The people of her area are being well looked after while the people of my area are not. I am hearing people say that this Government comes up with some good ideas but its implementation is abysmal. Its good ideas turn to mud because its implementation is so poor. People are losing confidence in the Government's ability to deliver services across the board. As happened with the rollout of Service NSW centres and with the container deposit scheme, systems that are supposed to make things better for people are not helping anyone. Many of the low income earners in my electorate are not being helped at all by this scheme.

### WALLSEND ELECTORATE CRIME

**Ms SONIA HORNER (Wallsend) (18:39):** During the Christmas period, as many Wallsend residents travelled to be with their families, my office received more than 100 calls about increased crime. An empty property behind my office had been torched, businesses had been vandalised and a rash of car break-ins worried residents. Many residents, particularly those in Wallsend, Maryland, Fletcher and Minmi, had prize possessions, family heirlooms and even Christmas presents stolen. I have never seen it so bad in the past 10 years. The number of calls, emails and messages was staggering. The *Newcastle Herald* reported:

Nelson Street florist Alyn Miranda said there was a feeling in Wallsend that businesses were fighting a losing battle against a handful of repeat offenders.

Mr Miranda, a florist whose premises are in Wallsend, calls them the "2287 gang", which is the postcode of Wallsend and where the offenders live. Mr Miranda was reported as saying:

We know who they are ... They are a little gang that goes from shop to shop, causing trouble wherever they go, but for whatever reason they are still out there.

Mr Miranda said that previously it was about money but that now it is about vandalism, and they seem to get away with it. There is no pride in this group. The owner and operator of the local takeaway told the *Newcastle Herald* that vandalism and theft occurred almost every day. The *Newcastle Herald* further reported:

We have a new fence up the back. They just tore it down ... We have security cameras, we have alarms—it doesn't stop them. They will try and steal from us while we're still here ... I don't know what else we can do ...

Many complaints centre on police response times and locals have called for a stronger police presence in Wallsend. The chemist in Wallsend told the *Newcastle Herald* that she was frustrated by an apparent lack of action. She said:

I have been here 30 years and this is the worst I've seen it. Something needs to be done.

Other business owners were scared to speak to the *Newcastle Herald* because they were worried about attacks. I am personally aware of that because early in January I walked around and spoke to most of the local businesses. Unfortunately, some of them have not reported the crimes. Some of them are scared of this group of youths who are causing havoc in the main street. I sought an urgent meeting with the new local area commander, Superintendent Brett Greentree. It was a very productive meeting, and I thank him for talking with me. I acknowledge the police are doing their very best. I admire them because they have a tough job and they are understaffed.

Due to a lack of policing resources, the people who live on the far west of the main local area command are being ignored. The people committing these crimes know that the police have a long way to travel to the crime scene. This is not just about law enforcement. It is about helping young people in our community to find alternative methods of socialising that do not involve criminality. This is about the Wallsend community and teaching these community members to do the right thing. Wallsend is a wonderful community with thriving businesses. I do not want these business operators leaving because they are scared. In particular, women locking up at night are fearful that a young gang will attack them, take their money or break into their businesses and smash their windows. The police are doing a wonderful job, but I ask that they increase their presence in the Wallsend area to reduce the crime rate.

**Mr MARK COURE (Oatley) (18:44):** I thank the member for Wallsend for bringing this important matter to the attention of the House. The member may have written to the Minister for Police already, but I will endeavour to organise a meeting with the Minister or one of his senior staff members at some time in the near future to discuss this matter.

#### **HEATHCOTE ELECTORATE COMMUNITY BUILDING PARTNERSHIP GRANTS**

**Mr LEE EVANS (Heathcote) (18:44):** I am pleased to advise the House that 17 community groups in my electorate will receive a share of \$300,000 in funding through the 2017 Community Building Partnership program. Community Building Partnership grants present a great opportunity for local communities to apply for funding for the building, refurbishment or enhancement of facilities of local not-for-profit organisations such as charities, sporting, social and environment groups. This funding aims to create more vibrant and inclusive communities and to deliver positive social, environmental and recreational outcomes. I recently had the privilege of visiting some of the successful applicants in my community to see their project plans. The Bundeena Men's Shed is an important organisation in my area. It prioritises the health and wellbeing of all men in the community. It also aims to prevent social isolation by establishing a safe, friendly and welcoming place for men to meet and to engage in projects.

The Bundeena Men's Shed received \$14,442 for several woodworking and metalworking machines to add to and to replace existing machines that are unsafe or unfit for purpose. During my visit the men discussed with me the importance of such grants. Without these funds it would be difficult for a group such as the Bundeena Men's Shed to function. I take great pride in belonging to a government that has a strong focus on delivering to such vital organisations in my community. I also had the opportunity to visit Inaburra Preschool, which caters for children aged three to five years. The preschool prides itself on providing an enjoyable and challenging learning environment, and caters to the children's individual needs in an inclusive and caring environment. The Inaburra Preschool received funding of \$20,000 to repair and to upgrade the playground with additional pathways to provide increased accessibility for children with reduced physical mobility. It will also increase overall playground safety.

I also visited heritage-listed Hillcrest at Stanwell Park, which was the home of Lawrence Hargrave. It is one of the oldest surviving houses in Stanwell Park. Hillcrest received partial funding of \$25,773, which will be put towards multiple repairs, including termite damage in joists on the ground floor and rectification of basement rooms to enable their use as games and activity rooms. I encouraged the United Protestant Association to continue applying for community group grants as it would be wonderful to see the house fully restored and functioning.

I look forward to visiting the remaining successful applicants, including St John Bosco Youth Centre, which received \$13,320 for an electronic scoreboard, and combined game timer and trolley for transport; Christian Education Centre, Sutherland, which received \$10,000 for shade cover for the preschool playground area; Bangor Public School Parents and Citizens Association, which received \$28,000 for a multipurpose outdoor learning hub; Heathcote Scout Camp, which received \$14,000 to employ a local tradesman to repair termite damage to the walls, floor and doors of the warden's hut at Camp Coutts; 1st Engadine Scout Group, which received \$15,000 to employ a local tradesman to repair doors, windows and floors, and to paint so that the scout hall can be used for scouting and community purposes; Heathcote-Engadine Australian Football Club, which received \$11,550 for a concrete slab to upgrade the current dangerous and crumbling paving surrounding the change rooms and to extend the area to fit a recently installed awning; and Club Waratah Incorporated, which received \$30,000 to erect safety netting between the Australian Football League oval at 40 Rawson Avenue, Sutherland, and the adjacent cycling track.

Other successful applicants included Shirelive Church, Sutherland, which received \$25,000 for assisting in building an industrial kitchen; Sutherland Bowling & Recreation Club, which received \$10,000 for upgrading a 60-year-old switchboard; Marton Public School, which received \$7,397 for a sensory Indigenous garden; Heathcote East Public School, which received \$30,000 for upgrading and refurbishing school library to create a twenty-first century learning area; Outdoor Fitness Equipment, Helensburgh, which received \$20,000; Sutherland District Basketball Association, which received \$18,518 for purchasing and installing a new sound system—which I tried out last Friday night—to replace 30-year-old equipment; and the Helensburgh church hall, which received \$7,000 for restoring the existing vinyl floor that has not been replaced in more than 50 years. I acknowledge the community members who took the time to apply for the grants and I encourage them to continue to do so into the future.

**Mr MARK COURE (Oatley) (18:49):** I thank the member for Heathcote for acknowledging the Community Building Partnership Grants program and its successes in his electorate. Schools, parents and citizens groups, men's sheds, sporting groups, church groups, and local community groups are all winners under this program. Those groups have needed additional funding for many years, and the member for Heathcote has delivered. He is a great local member, and as a result of his efforts 17 local groups now have \$300,000 to spend. They include the Bundeena Men's Shed, which has received more than \$14,000 for much-needed machinery. I thank all the community groups that applied for and received funding, and I commend the outstanding work of the member for Heathcote.

### ILLAWARRA FORUM TWENTY-FIFTH ANNIVERSARY

**Ms ANNA WATSON (Shellharbour) (18:50):** I draw the attention of the House to the valuable work and tireless efforts of a great local organisation, the Illawarra Forum, which is a peak body working for community services and organisations in South East New South Wales. It supports community organisations, promotes expertise and innovation, fosters industry development, and pursues social justice in our region. On Monday I attended a morning tea hosted by the Illawarra Forum to celebrate its twenty-fifth year of service to our local community. The morning tea was also a chance to launch the organisation's new name and brand. The Illawarra Forum was originally incorporated as a resource and service for the Illawarra and Shoalhaven. However, as it has grown so has its reach. It now works with organisations and individuals as far south as the New South Wales-Victoria border. As such, a resolution was passed to change the name of the association to the Community Industry Group.

A few weeks ago, I met with the Chief Executive Officer of the Community Industry Group—Nicky Sloan—to discuss the goals and challenges facing the group in 2018. Nicky advised me that the group is focusing on three issues this year: housing affordability, domestic and family violence, and aged care. The group has made a number of recommendations, and I will mention a few. First, the group promotes the introduction of inclusionary zoning. This policy provides that 15 per cent of every new housing development should be assigned as affordable housing. Secondly, the group would like to see the release of home care packages made more timely, simpler and better resourced. Finally, and to put it simply, there is one thing all of these areas need, and that is additional funding.

I wish I could be more optimistic, but with a government whose priorities are not only wrong but just plain cruel, the outlook is not good. This Government has no heart. Nicky has said that the future of the organisation is uncertain. One concern she raised with me in particular relates to a service within the organisation called Tenant Participation Resource Services [TPRS]. The TPRS provides social housing tenants with increased access to information, advice and opportunities to participate more actively in the processes related to their housing, and to engage in their communities. The Community Industry Group provides access to the TPRS program across the Illawarra, Shoalhaven and Southern region of New South Wales, and it is available to all Housing NSW and community housing tenants.

To highlight the impact this program is having on people's lives, Nicky told me about Mary, whom the Community Industry Group has helped. Mary first attended a TPRS activity four years ago at a small local community centre. She had recently escaped a violent relationship and relocated to a new area with her young children. She was unemployed, isolated and depressed. Mary met a few local tenants at the activity and also learned about some of the free or low-cost activities offered at the community centre. Gradually over the year, Mary became a stalwart of TPRS events and activities, and even became a volunteer at that same community centre. Inspired by the TPRS coordinator and the staff at the community centre, Mary decided to explore a career in community services. She enrolled at TAFE NSW, completed a Certificate in Community Services, and even went on to complete her diploma. Mary's life has now changed completely thanks to the TPRS and the work of the Community Industry Group. Her children are both at school and she has a part-time job in a community services organisation. Her future looks bright and she is looking for a new home in the private rental market. Mary credits this program and this organisation with changing her life.

There are countless stories just like Mary's across our region. The TPRS has facilitated programs targeted at our community's most vulnerable and it is making a real difference in people's lives. For example, Barb the Builder was a program aimed at teaching women who are victims of domestic violence basic maintenance skills to use around the home. Similarly, Mastering Meals was a four-week cooking program that saw 13 people with a disability or mental illness learn a diverse range of cooking skills. Mental Health First Aid is a training program that helps tenants to recognise mental illness in their friends, family and neighbours. By enriching their understanding of mental illness, this program has broken down stigma and barriers in our community.

Sadly, it is time for a little bad news—and this is where Nicky's concern lies. This program is currently funded by the New South Wales Government, which recently completed a review of the TPRS. The Department of Family and Community Services is considering the findings of this review. Why was the program up for review? It is because those opposite no longer see the value in this program and are looking to cut its funding. How much does this invaluable service cost our Government? It costs \$70,000. Like a villain from a children's book, the New South Wales Government is looking to cut funding from a program that provides help to those who need it most while splashing \$2.5 billion on two Sydney stadiums. This program costs just 0.0028 per cent of the Government's incredibly misguided stadium proposal. [*Time expired.*]

**Mr MARK COURE (Oatley) (18:56):** I thank the Community Industry Group, which celebrated its 25 years of service to the Illawarra recently. The celebration was attended by the Parliamentary Secretary for the Illawarra and South Coast and member for Kiama, together with the member for Shellharbour. I acknowledge the Chief Executive Officer, Nicky Sloan, and the Community Industry Group for their outstanding service to the community. The group's twenty-fifth anniversary celebration was held at the Wollongong Town Hall, attended by local members and community leaders. The group is no doubt proud of its long history of service to the Illawarra and to the community services sector, making a difference to people's lives, particularly in the areas of mental health and domestic violence. I am sure that the Parliamentary Secretary for the Illawarra and South Coast will champion the cause of the Community Industry Group on behalf of the community of the Illawarra.

**The House adjourned, pursuant to standing and sessional orders, at 18:57 until  
Thursday 15 February 2018 at 10:00.**