



**New South Wales**

# **Legislative Assembly**

## **PARLIAMENTARY DEBATES (HANSARD)**

**Fifty-Sixth Parliament  
First Session**

**Wednesday, 15 August 2018**

Authorised by the Parliament of New South Wales



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## LEGISLATIVE ASSEMBLY

**Wednesday, 15 August 2018**

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

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

### *Announcements*

#### **SOUTH COAST BUSHFIRES**

**The SPEAKER:** I note that the thoughts and prayers of all members are with the residents of Kings Point and Burrill Lake in my electorate facing an out of control bushfire. I express gratitude to the Rural Fire Service and all emergency service operators fighting the fire.

### *Visitors*

#### **VISITORS**

**The SPEAKER:** I welcome the Australian language students present in the gallery.

### *Members*

#### **LEGISLATIVE COUNCIL VACANCY**

**The SPEAKER:** I report the receipt of the following message from His Excellency the Governor:

T F BATHURST

Government House

By Deputation for the Governor

Sydney, 2 August 2017

I, General The Honourable DAVID HURLEY AC DSC (Ret'd), in pursuance of the power and authority vested in me as Governor of the State of New South Wales, do hereby convene a joint sitting of the Members of the Legislative Council and the Legislative Assembly for the purpose of the election of a person to fill the seat in the Legislative Council vacated by Dr Mehreen Faruqi, and I do hereby announce and declare that such Members shall assemble for such purpose on Wednesday the 15th day of August 2018 at 3:45 pm in the building known as the Legislative Council Chamber situated in Macquarie Street in the City of Sydney; and the Members of the Legislative Council and the Members of the Legislative Assembly are hereby required to give their attendance at the said time and place accordingly.

In order that the Members of both Houses of Parliament may be duly informed of the convening of the joint sitting, I have this day addressed a like message to the President of the Legislative Council.

I direct that the joint sitting with the Legislative Council for the election of a member of the Legislative Council be set down as an order of the day for 3.45 p.m. today as appointed in His Excellency's message.

### *Bills*

#### **FAIR TRADING AMENDMENT (SHORT-TERM RENTAL ACCOMMODATION) BILL 2018**

#### **Returned**

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

[*Notices of motions given.*]

### *Announcements*

#### **DROUGHT RELIEF APPEAL**

**The SPEAKER:** I remind everybody to try to attend the drought relief appeal in the Speaker's Garden from 11 a.m. to 1 p.m. today. A huge auction will be held at 1 p.m. featuring fantastic prizes—bring your chequebooks, cash, credit cards to contribute to the fundraiser. I thank members who have made great donations to the prize pool.

*Bills***ROAD TRANSPORT LEGISLATION AMENDMENT (PENALTIES AND OTHER SANCTIONS)  
BILL 2018****Second Reading Debate****Debate resumed from 8 August 2018.**

**Ms JODI McKAY (Strathfield) (10:11):** I lead for the Opposition on the Road Transport Legislation Amendment (Penalties and Other Sanctions) Bill 2018. We acknowledge that the purpose of this bill is to tackle drink and drug-driving, apart from the rather odd inclusion of security measures for the Sydney Harbour Bridge in this bill. In formulating our response to this bill, Labor members have consulted with the NSW Bar Association, the Law Society of NSW and legal practitioners. We have also received advice from road safety experts. As I work through the provisions of the bill, I will inform the House of the comments made by these legal experts. Labor will not oppose the bill; however, we do have concerns about aspects of the bill and will be moving amendments in the other place.

We are very concerned that in removing low-range drink-driving from the courts, we are sending a message to the community that drink-driving is in fact no longer a serious crime. I will deal with the areas of the bill supported by Labor, before coming back to our issues of concern and where Labor will be moving amendments in the Legislative Council. The bill introduces new penalties to protect the security of the Sydney Harbour Bridge by creating an offence relating to actions that cause damage, disruption or obstruct vehicles and pedestrians using the bridge. There is a maximum penalty of \$22,000 and/or two years imprisonment. As the Minister said, the provision can be extended by regulation to other major bridges or road tunnels, if warranted.

Labor does not oppose measures to increase security on the Sydney Harbour Bridge. It is not only iconic to Sydney but a major arterial route into and out of our city. We know that incidents on the bridge can cause terrible disruption to traffic, which has flow-on impacts across the network. This measure is in direct response to incidents on the bridge when people have climbed the structure and police have been forced to stop traffic until the matter is resolved. We understand the motivation but a monetary penalty is not always a deterrent. As we saw earlier this year, the bridge was closed for approximately five hours when a man climbed the bridge. That gentleman had significant mental health issues and, I suspect, a hefty fine would not have stopped him. In saying that, we do not oppose this measure.

The bill also amends the definition of "drug" in the Act. The term "drug" currently encompasses a broad range of illegal and pharmaceutical drugs and alcohol. Currently drugs can only be added to the definition in the Road Transport Act 2013 by new legislation or regulation which, as the Minister outlined, is difficult in a constantly changing drug market. The bill amends the definition of drug to include, in addition to the current substances, any other substance that when taken by an ordinary person, may deprive that person, or may impair, his or her normal mental or physical faculties. There is obviously some concern in the community that this may impact on legitimate prescription medicine. I am also concerned there has been no consultation with the medical, pharmacy or pharmaceutical sectors in the drafting of this legislation. I would appreciate the Minister's further advice on what, if any, contact has been had with the medical, pharmacy and pharmaceutical sectors and how the Government plans on providing information on the changes contained within this bill to all those involved.

We expect drivers to exercise skill and care when on our roads. As legislators, it is our job to make sure the rules and requirements for being on our roads are clear and easily understood. The current legislation allows members of the public and medical practitioners to find out exactly what substances are and are not classified as drugs for the purpose of the Act. The NSW Bar Association has raised concerns about this section of the bill and states:

This is a very broad definition which would cover not only illicit or "recreational" drugs, but many common medications including anti-depressants, anti-anxiety drugs and also painkillers such as paracetamol, ibuprofen and medications containing codeine. Many medications have the potential to cause effects of impairment upon ordinary people, including as a side-effect. A person might arguably be "under the influence" of a medication even if their ability to drive was not significantly impaired. The proposed extended definition does not provide any exception for either:

1. Over-the-counter medication taken in accordance with pharmacist's advice or the recommendations on the official packaging; or
2. Prescription medication taken in accordance with a prescription and medical advice.

In relation to this amendment the NSW Bar Association states:

If the intention is to criminalise driving whilst taking legitimate pharmaceuticals, there does not appear to be any justifiable policy basis for such a widely drafted offence with no defences. Either way, the proposed amendment makes it very difficult for the general public to know exactly what is, and is not, a drug for the purposes of the Act and when it is, and is not, illegal to drive if taking certain medications.

Concerns have also been raised by the Law Society of NSW that describes the new definition of drug within this new legislation, to include:

... any other substance that, when taken by an ordinary person, may deprive the person of, or impair, his or her normal mental or physical faculties (whether temporarily or permanently)" as 'highly problematic'.

The Law Society of NSW warns that the definition is "broad, vague and imprecise" and "does not require any evidentiary connection between the drug test and any negative impact on the ability to drive." I believe it is important to place on the record the concerns of legal practitioners as to the practical application of this section of the bill. In saying that, there is certainly an expectation in the community that Government should be doing more in regard to driving under the influence of a drug. I acknowledge the Minister's claim of a rapidly changing drug market and the difficulties of the individual listing of drugs. Whether this new definition assists or hinders remains to be seen.

The bill expands the mandatory interlock program by including all middle-range prescribed concentration of alcohol [PCA] offences as a mandatory interlock offence. Currently, second and subsequent middle-range drink-driving offenders are subject to mandatory interlock orders. First offenders will now be included.

The bill also amends the Act to include an up-front disqualification period of a minimum of three months and up to a maximum of six months for a middle-range PCA first offence combined with a minimum interlock participation period of 12 months. That means that all drink-driving offences with the exception of first offence and low, special and novice range offences require an interlock device. Labor does not oppose that section of the bill but agrees with the Law Society of New South Wales that interlock periods tend to disproportionately impact disadvantaged sections of the community and people who drive for a living. The Law Society believes there should be an expansion of the circumstances under which the court could make an exemption order. Advice I have received from the Law Society states:

... the situations where a court can make an interlock exemption order should be expanded for mid-range PCA offences. For example, an exemption order should be available if an interlock is not required in the interests of justice, or the court does not consider it appropriate or necessary when considering the traffic record, subjective circumstances of the offender, implications on any persons other than the offender (i.e. family, employer etc) or any other matter it deems necessary.

I would appreciate a response from the Minister in regard to those exemption orders and whether that was considered in the drafting of the section. Under the bill vehicle sanctions will apply to drink- and drug-driving offences. Police currently have the power to confiscate number plates and impound vehicles for high-range speeding, racing, burnouts, police pursuits and repeated unauthorised driving. Vehicle sanctions usually apply for three months. Those sanctions may now apply to repeat, middle- and high-range PCA offences and repeat refusal offences relating to drink-driving if the person was convicted of another drink-driving offence in the five years before the new offence. Labor does not oppose that approach.

I now turn to the part of the bill that is of most concern to Labor and legal practitioners. I point out that there has been overwhelming opposition to it. Labor will be moving amendments relating to the removal of low-range PCA offences from the courts. We share the concerns of the Law Society, which has said:

We are of the view that the reforms will decrease deterrence, increase offence and recidivism rates, and have a significant impact on people's livelihoods—particularly those living in regional and remote areas. We are also concerned that despite being designed to reduce the pressure on the Local Court, they may in fact have the opposite effect.

The bill introduces changes to how penalties for low-range, novice-range and special-range alcohol offences and drug presence offences can be applied for first-time offenders. Currently when a driver is breath-tested and the result indicates a low, novice or special range prescribed concentration of alcohol the driver is arrested for the purpose of breath analysis. If the person fails that breath analysis police issue a court attendance. If a test returns a positive reading for drug presence a saliva sample is sent for further testing at a laboratory. If the result is confirmed the driver is then issued with a court attendance notice.

The Minister asserted that over the three-year period to June 2017 some 56 per cent of low-range drink-driving offences resulted in a non-conviction order in court, which is typically a section 10, and that the court process is lengthy and resource intensive. In response to that we would argue that the court process is also a deterrent and it reinforces the community's view that drink-driving is a crime. It is no longer a crime. Those who go to court face the ignominy and shame of appearing before a magistrate. They must seek character references and benefit from driver re-education. It is very difficult to hide a court appearance from your family, your friends and even your work colleagues. It is much easier to cover up a penalty notice and not face the embarrassment of having to explain yourself and your decision to drink and drive. Taking into account the Minister's statistic regarding to section 10 orders, I add a statistic that the Law Society of New South Wales has provided: low-range PCA accounts for only 1.9 per cent of all local court matters. The Minister indicates that it will free up time in the local court—from memory, it will remove up to 13,000 low-range PCA and drug offences for the court—but it is only 1.9 per cent of all local court matters.

The Law Society asserts that a greater burden may be placed on the court system with increase in urgent applications for appeals against licence suspension, resulting in two hearings rather than one. As outlined, the bill establishes penalty notices for novice, special and low-range PCA offences and for offences related to driving with the presence of illicit drugs for first-time offenders. The penalty notice will be set at a fine of \$561. When one considers that some 13,000 people are caught with a low-range PCA or driving under the influence of a drug, that approach will bring a steady stream of guaranteed revenue for the Government. Perhaps the Minister could explain whether the revenue will be hypothecated to the Road Safety Fund, as is the case with other penalty notices. I would expect an answer from the Minister on it.

I note that the NSW Police Force will also retain the discretion to issue a court attendance notice. An offender issued with a penalty notice can also elect to have the matter dealt with by a court. The bill doubles the current maximum court fines for low-range drink and drug presence first offences. If a person is convicted within five years of the date of committing a drink- or drug-driving offence dealt with by a penalty notice, the further offence will be considered a second offence. The bill and the Minister's second reading speech are very vague on how driver education programs will be applied. The Labor Party believes driver education and retraining should be critical components of the Government's road safety strategy, but it has not been the case at all. Indeed, the Minister mentioned the components in her speech. Unfortunately, it is not reflected in the bill or in the limited information that the Minister provided to the House.

The bill provides that Roads and Maritime Services may require drink- and drug-driving offenders to complete an education course as prescribed by regulation. However, there is no information on how the education courses will be implemented and who will be targeted. According to the Minister, Transport for NSW is developing an "education strategy". I would like to know more from the Minister on this aspect of the bill. For instance, when will the education strategy be completed? Who will be involved in determining it? Will it be determined within the Centre for Road Safety? I certainly hope not, given its record. There are many questions around this part of the bill. I am disappointed that such a bill has been brought to the House without that critical aspect being finalised.

The Labor Party has campaigned for a greater emphasis on education and retraining. Road safety should not simply be about fining people, which is obviously happening within this bill. Whether it is true or not, that is the perception in the community. The Government and the Centre for Road Safety have not moved quickly enough on enhancing the road safety education and retraining component in the State. I place on record, and I will reinforce it in the future, that the general feedback I receive from stakeholders and experts in road safety is that the Centre for Road Safety has become overly bureaucratic and has been unable to adapt to the change required to improve safety on our roads. I know that the issue has been raised with the Minister, who has done nothing to improve what is occurring with the Centre for Road Safety. It is simply disgraceful, given the road death toll in the State. I urge the Minister to show leadership regarding the Centre for Road Safety and the way it operates.

Labor has been advocating for increased driver education for well over two years. We believe the approach to road safety should not just be about whacking offending drivers with fines. We must also seek to change behaviour and attitudes as a way of preventing motorists from re-offending.

In closing, I reaffirm Labor's commitment to stop deaths and injuries on our roads. We are committed to working with the Government on this issue, and I sincerely thank the Minister for the opportunity to be briefed on this bill. I look forward to hearing the Minister's response to the issues I raised. As I said, Labor will not oppose the bill but will seek to have drink-driving remain a crime in New South Wales.

**Ms STEPH COOKE (Cootamundra) (10:29):** The Road Transport Legislation Amendment (Penalties and Other Sanctions) Bill 2018 introduces important changes to drink- and drug-driving legislation to give effect to further measures in the Road Safety Plan 2021, which the Premier and the Minister for Roads, Maritime and Freight launched in February this year. The Road Safety Plan 2021 features targeted and proven initiatives that will help us progress towards our road safety goals and address key trends, trauma risks and the types of crashes occurring on New South Wales roads. An important initiative of the reforms outlined in the bill is the introduction of penalty notices combined with consistent and certain licence suspensions for lower range prescribed concentration of alcohol [PCA] and drug presence first-time offences.

Lower range PCA offences include all offences involving a blood alcohol content under 0.08, including: low range PCA, which applies for any offence with a blood alcohol reading of 0.05 to less than 0.08; special range PCA, which involves offences from 0.02 to less than 0.05 involving special category drivers, typically professional drivers who have a lower blood alcohol limit; and novice range PCA, which involves offences from zero to less than 0.02, typically learners and P-plate drivers. These offences currently carry the same level of penalties and require compulsory court attendance, which means offenders wait, on average, six to eight weeks after the date of the offence to have the matter heard in court. There is evidence from analysis in other jurisdictions that some drivers go on to commit further drink-driving offences while waiting to appear in court.

The benefit of issuing penalty notices is that the driver receives an infringement on the spot, which will be combined with licence sanctions. The fine proposed for the offences is \$561 from 1 July 2018. This amount is consistent with, but not below, the average court amount. In 2017 the average fine issued by courts was \$482 for a low range PCA first offence and \$473 for a drug presence first offence. Drivers issued a penalty notice for their offence will also be suspended from driving for three months. This is consistent with the current minimum period if a person is convicted of an offence in court. It is estimated that lower range drink- and drug-driving first offences currently account for more than 13,000 court matters annually. Of this number, drug presence offences have increased significantly as the drug testing capacity of the NSW Police Force has expanded. While 1,400 of these matters were finalised in the NSW Local Court in 2014, by the end of 2015 offences of this type had increased to more than 5,300 and by 2017 an estimated 7,500 offenders were dealt with by a court for drug presence offences, including both first and second offences.

In Victoria, South Australia, Western Australia, Tasmania and the Northern Territory, police already have the option of an infringement notice for lower range PCA first offences. In Victoria, South Australia and the Northern Territory, this option is also available for drug presence first offences. The bill will permit the issuing of penalty notices if the offender has not been convicted of an offence or been issued a penalty notice for a drug or alcohol offence in the previous five years. This is designed to enable more efficient and certain penalties for first-time offenders. Like all penalty notices, it will be within the discretion of the police officer to issue the penalty notice or require court attendance for the offence. Court attendance may be appropriate in cases when, for example, multiple offences are committed at the same time. When an offender has received a penalty notice for a lower range PCA or drug presence offence and goes on to commit a further offence within a five-year period, the new offence will be considered a second or subsequent offence.

There is no softening of our approach to repeat offenders. For repeat offences, a person must attend court, higher fines can be imposed by the court, and longer disqualification and mandatory alcohol interlock periods will apply. This is consistent with the current operation of the law. As the Minister outlined in her second reading speech, the bill also allows police to suspend the licence of a drink driver issued with a penalty notice at the roadside. This immediate suspension already occurs for middle and high range offences. It overcomes the current problem where an offender who is issued with a court attendance notice can retain his or her licence and continue to drive. The bill also increases the maximum court-imposed fines for all first, second and subsequent offences for the lower range PCA and drug presence offences. A person committing a second offence in five years may receive a maximum fine of \$3,300.

Studies suggest that sanctions imposed immediately are a more effective deterrent than sanctions imposed weeks or months after the offence took place. The most effective sanctions for drink drivers are not necessarily the most severe, but they are swift and certain in their impact. Licence suspension and significant fines are both swift and certain. Drug presence offences will be treated differently in that a licence suspension notice will not be served on the offender until after a laboratory has confirmed the roadside test result.

Presently police can prohibit a person from driving if they have failed or refused an oral fluid test. The prohibition lasts for 24 hours and addresses the immediate risk of allowing a person who has recently used illicit drugs to drive. This will continue to be the case. Under the provisions in the bill, when a laboratory confirms that a sample taken at the roadside contains a prescribed illicit drug, a penalty notice may be issued when the matter is a first-time offence. Roads and Maritime Services will subsequently serve a notice on the offender suspending his or her licence for three months. A licence suspension is automatically lifted from the licence when the suspension period ends.

In comparison, when a court disqualifies a person from driving, the authority automatically cancels the licence and the person has to go through the full process of reapplying for a licence. In both lower range PCA and drug presence scenarios, the licence suspension can be appealed. The offender can also elect to have the matter heard in court, rather than pay the infringement notice. This means we are not taking away a person's option to attend court, but we are making it a choice that first-time offenders can make. This will include whether they want to incur the costs associated with engaging legal representation and take the chance of tougher court ordered penalty, or whether they will accept the penalty and suspension.

The reforms in the bill meet two important objectives: First, they tackle drink- and drug-driving with swift and consistent penalties, including both time off the road and fines for first offences. Currently, more than 50 per cent of low range first offenders do not receive a licence disqualification even though it is proven that they committed the offence. Secondly, the reforms will reduce the number of these offences proceeding through the courts, without taking away an offender's right to have the matter heard in court if they choose. Both objectives are to be supported. I commend the bill to the House.

**Mr RON HOENIG (Heffron) (10:38):** I make a contribution to the debate on the Road Transport Legislation Amendment (Penalties and Other Sanctions) Bill 2018. I listened to the member for Strathfield's

contribution, and I commend it to the House. There are two specific areas that trouble me in respect of this bill. The first relates to the proposed amendments with regard to offences of 0.05 per cent or low range prescribed concentration of alcohol [PCA], and the second relates to the issue in respect of drugs. My views echo the views expressed by the member for Strathfield, the Law Society and the Bar Association. I can recall when deaths on the road exceeded 1,000 per year and the biggest debate was to reduce the figure to below 1,000 per year. I accept that this House has been enormously successful in its legislative remit to change the attitudes of people in New South Wales to their manner and control of vehicles, particularly in relation to driving under the influence of alcohol. Most of those successful initiatives that have changed the attitudes of people in the community have stemmed from the Staysafe committee. The department, Roads and Maritime Services [RMS]—or the Roads and Traffic Authority [RTA] as it then was—and the Centre for Road Safety had a committee of Parliament ensuring that there was a bipartisan approach and that the Parliament minimised the unintended consequences of its legislative remit. For decades that committee has been enormously successful and I am concerned that it has not considered this bill.

I illustrate why I have those concerns. The Minister in her second reading speech made reference to the fact that this bill amends the Road Transport Legislation Amendment (Road Safety) Bill 2018, which commenced on 1 July 2018 and introduced tougher penalties arising from the New South Wales Government's Road Safety Plan 2021, released in February 2018. I looked at some of the countermeasure workshop reports and statistics in that plan to see what the legislative basis of the bill was, and I found that there was none in respect of the two areas that I propose to raise. It concerns me as to what the motive is for including those provisions in what would otherwise be a very good bill—and a bill that should have proceeded through the Staysafe committee.

I take issue with the implied criticism of the judiciary and the magistracy in the determination of lower prescribed concentration of alcohol [PCA] offences, because discretion should not be taken away from courts lightly—although it is argued this bill does not do that. Magistrates dealing with matters under section 10 have heard all of the evidence, including the offender's background and the impact of disqualification, and Parliament should accept their decision without criticism. There exists a right of appeal by the Crown to the District Court. There is no examination of which matters the magistrate may have got wrong. There is nothing before the House where District Court judges have overruled magistrates' determinations of section 10 matters. There is simply no basis to justify any criticism of the magistracy.

**Mr Gareth Ward:** So Victoria and Queensland are wrong too, are they?

**Mr RON HOENIG:** This is the State of New South Wales: I am hardly going to be dictated to by those south of the border, nor the Government that exists south of the border. There is no illustration of a problem that requires this legislative intervention. I looked at the statistics taken by the Centre for Road Safety from 2010 to 2016, which were used in the countermeasure workshops regarding drink-driving trends in New South Wales. The drink-driving with trauma trends show there is no movement in the statistics regarding drivers and riders with low range PCA who were involved in fatal crashes since 2008. You do not see them within the statistics since 2008. Where is the basis for the Minister's assertion that there is some problem with the penalties that flow from lower PCA offences and that results in the need for legislative intervention to allow police to immediately take away someone's licence when they are detained at a lower PCA level? In other words, it is implied intrusion.

I accept that the legislation must impose penalties for people who drive under the influence of alcohol and there is no other way, because the law was extremely difficult to enforce when the Crown or the police had to prove that somebody is affected by alcohol. However, the penalties imposed—for example, taking away someone's licence—impact upon people differently. In rural and regional areas where somebody is dependent upon having a licence to get to work, the impact of losing their licence because they happened to be 0.051 instead of 0.049 is far greater than for a retired person who happens to live in a metropolitan area with an efficient public transport system. So there is a reason that Parliament gave the courts that discretion. In respect of this bill, we are talking about a period of time between when the police stop the person and when the person can apply for a hearing before the courts. That can impact or penalise him and does not give the court the opportunity for discretion.

In relation to drug-driving, the report by the NSW Centre for Road Safety entitled "Drug driving trauma trends" examined motor vehicle controllers with an illicit drug involved in fatal crashes from 2010-11 to 2015-16. The drugs that impacted upon fatal crashes over that period of time were, in fact, illicit drugs. Sixty-eight per cent of them occurred outside the Sydney, Newcastle and Wollongong areas. Significantly, 53 per cent of those crashes involved cannabis only, and 12 per cent involved cannabis and speed. All of them during that period of time seem to have been illicit drugs. These matters could just as well be dealt with—which the bill has sought to do—by applying the Drug Misuse and Trafficking Act to create the penalties.

As the NSW Bar Association pointed out and as has been put before the House in articulate fashion by the member for Strathfield, the possibility exists that lawful over-the-counter medication may well be caught up

in respect of these matters. In other words, somebody could consume an over-the-counter medication that contains, for example, codeine and ultimately it can be said to be a substance that should not have been in that person's system. That would criminalise conduct where a person may not have intentionally taken the risk in respect of the substance that they have consumed. Those issues to which the member for Strathfield and I referred need to be reviewed before the matter is determined by the other place.

**Mr GARETH WARD (Kiama) (10:48):** I speak in debate on the Road Transport Legislation Amendment (Penalties and Other Sanctions) Bill 2018. What we have just heard is the "soft on crime" attitude from the public defender himself, the member for Heffron—who is, of course, a very well-respected lawyer. But we heard all the reasons why we should treat licences as a privilege and not a right. That is what this bill is about. It empowers police to make decisions on the spot to deal with people who have behaved recklessly. These are not pleasant little darlings who are driving their vehicle, sitting over the steering wheel. These are people who are hooning. These are people who are on drugs. These are people who are putting not only their own lives at risk but also those of other road users. I have little sympathy for those people who behave in such a manner. They appear to believe that their rights are more important than the rights of other road users to whom they also have an obligation.

We witnessed an extraordinary contribution to this debate by the Opposition today. However, I note that the shadow Minister commenced his contribution by stating—*sotto voce*—that the Opposition supports the bill. Of course, the Government is pleased about that. I proudly speak in debate on the Road Transport Legislation Amendment (Penalties and Other Sanctions) Bill 2018. As mentioned, one of the measures in the bill concerns the extension of vehicle sanctions in the Road Transport Act, such as numberplate confiscation and vehicle impoundment, to include certain serious repeat drink-driving offences. These reforms send a clear message to the community that drink- and drug-driving is unacceptable. Coming from a country electorate, I have seen the harrowing results of people behaving in a way that puts at risk not only their own life but also the lives of other road users. The combination of that and the challenging nature of country roads often results in horrific circumstances, such as the Falkholt tragedy on the South Coast.

The vehicle sanction scheme provisions, which are outlined in chapter 7, part 7.6 of the Act, allow New South Wales police officers to apply roadside sanctions where certain offences are detected. This Government is backing our police officers and supporting them with the powers they need to act promptly and sensibly. This includes imposing defined sanctionable offences outlined in the Act, such as street racing, aggravated burnout, engaging in a police pursuit and excessive speeding by more than 45 kilometres an hour over the speed limit. These are not minor offences; these are serious offences in which someone has deliberately engaged.

From 2017, these sanctions can also apply if a person is a repeat disqualified driving offender. We are talking about someone who has been given multiple chances. I do not think any member would deny that everyone makes mistakes. However, this legislation seeks to target those people who have been given a chance but who have squandered it. Where a driver commits one of these offences and is the registered operator of the offending vehicle, the police may confiscate the numberplates at the roadside or impound the vehicle. Confiscation of numberplates is a preferred and practical alternative to impounding a vehicle and it is cheaper to administer. Numberplate removal is a swift and public penalty. Police officers immediately remove numberplates and attach a numberplate confiscation notice to the vehicle. The notice states that the numberplates have been removed and that it is an offence to drive the vehicle during the confiscation period.

The penalties are severe for those who choose to continue driving a vehicle that has had its numberplates confiscated. A person convicted of the offence of operating a motor vehicle on a road during a numberplate confiscation period faces a maximum court-imposed fine of \$3,300 and vehicle forfeiture. With a second or subsequent offence, the motor vehicle may be permanently confiscated, thereby sending a strong message that this Government will not tolerate road users who abuse the rules and who put people's lives at risk. We should be sending a strong message not only to the public but also to the judiciary that we have certain standards for road use and, again, that having a licence is a privilege and not a right.

Numberplate confiscation or vehicle impoundment in New South Wales is usually for three months. This can be up to six months if the offender commits a sanctionable offence such as hooning or excessive speeding and was disqualified from driving at the time of the offence. If the offence is committed by a person in a vehicle registered in another person's name, vehicle sanctions are not applicable. However, the police can advise Roads and Maritime Services, which will send the registered operator a warning letter.

One way of separating drinking from driving is to require the installation a breath interlock device in an offender's vehicle. The device must be blown into to ensure the driver is not over the prescribed concentration of alcohol [PCA] limit. A further option is to remove the vehicle from the offender for a period. This is particularly appropriate for high-range PCA offenders who are most likely to be repeat offenders. Analysis undertaken by the Bureau of Crime Statistics and Research indicates that about 19 per cent of high-range PCA offenders in 2016-17

had committed a drink-driving offence in the previous five years compared to about 11 per cent of low-range offenders.

The bill extends offences for which current vehicle sanctions in the Act may be applied to include serious repeat drink-driving offences. The new offences for which the vehicle sanctions may be applied include mid-range PCA, which is a blood alcohol concentration of 0.08 or more but less than 0.15, and high-range PCA offences, which is a blood alcohol concentration of 0.15 or more. The bill also includes alcohol-related refusal offences. This offence applies if a person, when required to by police after a failed breath test, refuses or fails to submit to a breath analysis or to provide a blood sample—someone who has been asked and who has refused a lawful request by the police.

Penalties for refusal offences are equivalent to the high-risk drink-driving offences in the Act because they involve deliberately not cooperating with police and obstructing the collection of evidence when there is a strong reason to believe an offence has been committed. Importantly, the sanctions can only be applied if the alleged offender has committed one of the mentioned offence types and been convicted of a previous alcohol-related offence during the five years before the new offence. To be clear, this legislation is targeting people who have been given a chance and squandered it—those who have experienced the criminal justice system and been given a second chance but who again put not only their lives but also the lives of other road users at risk.

The Government is firmly targeting serious repeat drink-driving offences and offenders. There can be no alleged lack of awareness about being over the limit or some misunderstanding of the law and its consequences. There are high-risk offenders, and the sanctions we apply to other high-risk offenders such as hooners or street racers should be an option available to the NSW Police Force, based on the circumstances of each event. There are current appeal rights to address concerns of potential family hardship. The member for Heffron tried to make out that these appeal rights do not exist; they do.

A person such as a family member can apply to the Local Court to get a vehicle or numberplates back before the impound or confiscation period ends. The appellant needs to show the court that they need to use the vehicle and there is a pressing requirement to have it back. The court will consider whether it is reasonably likely that the vehicle will be used to commit sanctionable offences again or whether any extreme hardship will be caused to someone other than the registered owner because the vehicle or numberplates have been taken away. The court cannot release a vehicle or numberplates earlier than five days after being confiscated.

During an earlier discussion with the member for Heffron I mentioned jurisdictions. I can inform the House that in other jurisdictions that, whilst schemes may vary in design and operation, vehicle sanction measures are already in place for alcohol-related driving offences. For instance, Victoria uses impoundment for serious drink-driving offences, as well as for street racing, burnouts, deliberate loss of traction and other matters. Queensland impounds or confiscates vehicles from repeat drink-driving offenders where the driver has had a blood alcohol concentration of 1.5 and greater, or has failed to undertake a breath test or to provide a blood specimen. This Government is sending a clear message to these repeat offenders that their actions will not be tolerated. These offenders are putting the lives of other road users at risk and we have seen the tragic results of that behaviour. Numberplate confiscation, in particular, does not increase court volumes and is delivered quickly, consistently and efficiently. The initiative in this bill to extend our current vehicle sanction provisions to include serious drink-driving offences is to be applauded. I commend the bill to the House.

**Ms JODIE HARRISON (Charlestown) (10:58):** I make a brief contribution to debate on the Road Transport Legislation Amendment (Penalties and Other Sanctions) Bill 2018. I accept that this bill was not created without reason, and I understand that four names were tragically added to the death toll on New South Wales roads on Boxing Day 2017 when it was discovered that the person behind the wheel of the four-wheel drive that struck another vehicle head-on was a prescribed methadone user. My thoughts are with the family and friends of the Falkholt family, as well as with the family and friends of Craig Whithall.

The bill proposes immense changes to driving laws that will have a significant impact on motorists so it is important to weigh in on the particulars of the bill. The purpose of the bill is to amend the following instruments: the Road Transport Act 2013, the Point to Point Transport (Taxis and Hire Vehicles) Regulation 2017, the Road Transport (Driver Licensing) Regulation 2017, the Road Transport (General) Regulation 2013 and the Roads Act 1993. The bill has six main objectives but I will focus on two, the first of which is an expansion of the definition of "drug" to include substances that can impair or deprive a person of normal mental or physical faculties. The current definition of "drug" in that section of the Act provides that a drug means alcohol and prohibited drugs within the meaning of the Drug Misuse and Trafficking Act 1985, not being a substance specified in the statutory rules as being exempted from this definition and any other substance prescribed by the statutory rules as a drug for the purposes of this definition.

The current definition includes only substances that the authorities have identified as being of concern and allows members of the public to find out exactly which substances are and are not classified as drugs for the purpose of the Act. Such substances are listed in schedule 3 of the Road Transport (General) Regulation 2013, which is freely available on the internet. As the authorities become aware of new substances that should be qualified as drugs for the purpose of road safety, these may be added to the list in the statutory rule. Proposed new subsection (d) reads as follows:

- (d) any other substance that, when taken by an ordinary person, may deprive the person of, or impair, his or her normal mental or physical faculties (whether temporarily or permanently).

As the NSW Bar Association has identified, this broad definition would cover not only illicit or recreational drugs but also potentially many common medications including antidepressants, anti-anxiety drugs and also painkillers such as paracetamol, ibuprofen and medications containing codeine. Many medications have the potential to cause effects of impairment upon ordinary people, including as a side effect. A person might arguably be under the influence of a medication even if his or her ability to drive was not significantly impaired. The proposed extended definition does not provide any exception for either over-the-counter medication taken in accordance with pharmacist advice or the recommendation on the official packaging or prescription medication taken in accordance with a prescription and medical advice.

The issue to me is really that of impairment. I have no problem whatsoever with people who are impaired by drugs being penalised for driving while drug affected. That is without question. However, I do have concerns that motorists using legitimate pharmaceuticals such as pseudoephedrine or ibuprofen for sinuses, cold and flu could potentially lose their licence on the spot. I ask the Minister in reply to provide clarification on whether this is indeed the case and, if so, how this can be prevented. I move now to the changes to penalties for low-range drink-driving offences and drug-driving offences for first-time offences. Currently when a driver returns a positive breath test for low-range prescribed concentration of alcohol the driver is breathalysed. If the person fails the breath analysis police issue a court attendance. If a test returns a positive reading for a drug presence, a saliva sample is sent for further testing at a laboratory. If the result is confirmed, the driver is issued with a court attendance notice. In both cases offenders retain their licence until the matter is determined by the court.

However, this bill changes these arrangements and instead provides for immediate penalty notice and licence suspension to be issued for novice, special and low-range prescribed concentration of alcohol offences and driving with the presence of illicit drug offences for first-time offenders, to commence in May 2019. The penalty notice will set a fine of \$561, which is higher than the average court fine but lower than the maximum the court can set. I understand that the Minister's reasoning behind these changes is to free up our courts. However, looking at the court statistics for low-range drink-driving—statistics identified in the contributions of the member for Strathfield and the member for Heffron earlier in the debate—it does not seem to be an onerous imposition on the courts, as the Minister seems to suggest.

I support the Opposition's decision to move amendments in the upper House to retain the right of the court to determine the penalty for low-range prescribed concentration of alcohol. I believe that if the bill passes through both Houses in its current form my staff and I will see a significant increase in constituents coming to my office asking for assistance to get their licence reinstated because they have received a fine for low-range driving under the influence [DUI] and they rely on their vehicle for work. These constituents could be labourers, taxidrivors or delivery drivers. These people should retain the right to be heard in court rather than receive an on-the-spot suspension of licence. It is this part of the bill that is my main concern.

I note also the extension in the bill of the mandatory interlock and education programs, which the shadow Minister has addressed, and I support that position. It is important that we as legislators work towards making our roads safe. This requires good roads to be built and a strong but fair legislative framework for driving. This legislation certainly strengthens the legislative framework. However, I have some concerns, as raised by the NSW Bar Association and Law Society of New South Wales, about whether there is an overreach in the bill. For this reason I support the amendments foreshadowed to be moved by the Opposition in the Legislative Council. Having said that, I think the overall general intention of the bill is good and I certainly will not vote against it in this place.

**Mr PHILIP DONATO (Orange) (11:05):** I make a brief contribution to debate on the Road Transport Legislation Amendment (Penalties and Other Sanctions) Bill 2018. I appreciate the significance of the bill, with the overriding objective of increasing road safety by tackling drink and drug-affected driving behaviour, increasing sanctions and improving enforcement capabilities, which I support. However, I have some concerns and reservations about certain aspects of the bill, which I will turn to shortly and address. I ask the Minister to listen closely to my concerns and address these in her speech in reply. I indicate that I will support the bill but note that amendments will be moved in the other place that no doubt will be supported by my upper House colleagues.

My primary concern is the use of a penalty notice for novice, special and low-range prescribed concentration of alcohol [PCA] driving offences. For those who may not be aware, prior to being elected to this place I was for 16 years a police prosecutor in the Local Court of New South Wales. Over that time I prosecuted literally thousands of drink-driving offences all over New South Wales, so I think I can speak with some degree of authority on this issue. For clarity, novice range is a blood alcohol reading of zero to 0.019, primarily designed for learner and provisional drivers and referred to commonly as zero limit. Special range is 0.02 to 0.049 for unlicensed and/or new drivers. Low range is 0.05 to 0.079, mid-range is from 0.08 to 0.149 and high range is 0.150 and above.

Currently, the law requires that people who are placed before the court charged with a novice, special or low-range offence only do not have their licence immediately suspended pending their court appearance. I agree with the Minister in her second reading speech when she said that the average time frame was just over six weeks to appear in the Local Court before a magistrate to have the matter determined, which is not unusual for most summary offences, especially traffic offences such as negligently driving, offensive behaviour offences and the like.

Appearing in court as a defendant is a daunting, embarrassing and sobering experience, and it is meant to be. Standing in a courtroom, facing a judicial officer, surrounded by members of the local community, sitting in court listening to other matters waiting for the matter to be mentioned and heard, disclosing personal circumstances to a solicitor, if one chooses to be represented, and having personal details fleshed out in the public arena before a magistrate and the community, is not an experience that most people enjoy. Often local media is in attendance to report on the matter, particularly in regional towns. Certainly in the electorate of Orange, as a former prosecutor I know that the media would almost always report in the local papers on the drink-driving matters being heard in the Local Court.

That is a salient aspect and an aspect of deterrence. A defendant would normally have to take a day off work or study, gather references and disclose the matter to family, friends and possibly an employer, which in itself is an embarrassing and humiliating experience. This experience sends a clear, strong, emphatic message of the seriousness of these matters and it acts as a deterrent and a public denunciation. Most defendants leave not ever wanting to go back. We want to ensure that offenders do not come back before the courts. My concern is that with a penalty notice being issued in lieu of a court appearance the appreciation of the seriousness of the offence will be diminished.

NSW Bureau of Crime Statistics and Research [BOCSAR] statistics show that between October 2015 and September 2016, 8.1 per cent of people who appeared before a Local Court with a low-range drink-driving offence reoffended. This is in stark contrast to Victorian figures, reported on the 16 September 2016 in the report titled "The Effect of Sanctions on Victorian Drink-Drivers." As has been mentioned, Victoria has already introduced similar legislation for these types of offences. This showed that recidivist offending for low-range drink-driving offences was 29 per cent—21.9 per cent higher than in New South Wales. Sure it may free up court time but it would be minimal at best. As has been mentioned by other members, BOCSAR statistics show that between October 2016 and September 2017 only 1.9 per cent of court matters were for low-range drink-driving offences, and more than likely the figure is even lower for novice and special range offences.

If the Government was fair dinkum about reducing workloads in Local Courts I would suggest appointing more magistrates, legal aid solicitors and even police prosecutors, which would provide a far greater benefit. To say that more than 50 per cent of cases are dealt with pursuant to section 10 of the Crimes (Sentencing Procedure) Act and therefore by inference need not go before a court may carry some weight on the face of it. However, to automatically impose a fine by virtue of the penalty notice appears to me to be nothing short of a cash grab and an opportunistic way for the Government to increase revenue and removes the courts' discretion to impose section 10 in the appropriate circumstances. Further, the notion mentioned in the Minister's second reading speech that police time will be freed up by not having to appear at court is also misconceived. Police currently only appear at court for these offences if there is a plea of not guilty to give evidence on a hearing date. Police will still be required to prepare a brief of evidence and attend court for a hearing of a not guilty plea to a penalty notice.

The other concern I have relates to the non-review or appeal rights to the automatic suspension of one's driver licence for these offences. This is not about going soft on crime; it is about having procedural fairness and justice applicable to all. Presently the automatic suspension applies to mid- and high-range drink-driving offences. Police have the legislated power to suspend the licence, and rightly so. However, there is also a provision for a person to appeal that suspension before a Local Court. If the court is satisfied with the high threshold test of exceptional circumstances it can overturn that decision and return a person's licence. From my experience high threshold tests are rarely successful. However, they are available. There is no provision in this legislation for this to apply for novice, special and low-range drink-driving offences. I urge the Minister to consider this right of

appeal for those offences. As I said, high threshold tests are rarely successful but they are available. If the test is available for higher readings it should also be available for low-range and other offences.

I am a realist and I know that no-one is infallible. I know that young people make mistakes. My concern, especially in rural areas which have limited access to public transport, is that young people who may be caught out by consuming one drink and then driving will be without a licence for three months with no right of appeal—they will probably lose their jobs, their livelihoods or their apprenticeships—while those detected driving with much higher readings and who pose a greater danger to the community have that appeal option available. It is only fair and equitable to have that appeal option available to the low-range, special and novice offences.

The provision that enables cocaine to be detected in roadside drug tests, which is long overdue, is something I support. Unfortunately, this drug is prevalent in our community. I am aware of how this drug can result in the impairment of normal faculties. I support the introduction in division 2A of the legislated driver education program. I have been a vocal supporter of these programs in the past and I know the benefits that this course will deliver to students who undertake it. There are many who say that it should be compulsory for all drivers to attend and I have received positive feedback on many occasions in the courts. Local police citizens youth clubs [PCYCs] in Orange run these programs which have great uptake, completion and success rates.

I also support the issue of the interlock device. However, often in regional areas accessing fitting stations can be problematic, as can the cost of installing and servicing this equipment. Research into this matter shows that three contractors are recommended: Dräger Australia, Guardian Interlock and Smart Start Interlocks. Dräger has a fitting station in Dubbo; Guardian has fitting stations at Parkes, Bathurst and Cowra; and Smart Start Interlocks has a fitting station in Forbes. More installation centres will need to come on board to meet foreseeable demand and increasing take-up. I encourage the Minister to consider this and to promote and encourage more service centres to come on board, especially in regional areas. [*Extension of time*]

In my electorate of Orange only one facility in Parkes and Forbes installs and services these items and there is nothing in the city of Orange. Constituents have raised this issue with me. I support those aspects of the bill that deal with the Sydney Opera House and the Sydney Harbour Bridge. There must be sufficient penalties that reflect the seriousness of offending behaviour and the damage, disruptions and havoc that they cause to our busy Sydney transport network and public icons. This must reflect objective criminality and provide the scope for sufficient sentencing to punish and deter offenders. As I said, I support the bill but I note that the Shooters, Fishers and Farmers Party will be supporting the amendments that will be moved in the other place.

**Ms JENNY LEONG (Newtown) (11:16):** On behalf of The Greens I speak in debate on the Road Transport Legislation Amendment (Penalties and Other Sanctions) Bill 2018 and State at the outset that The Greens will oppose the bill which will change the system for issuing penalties for drink-driving and drug presence offences to allow for the immediate issuing of penalty notices instead of requiring matters to proceed through the courts. Theoretically there will still be a choice for a person to have his or her matter dealt with by the courts, though most people are unlikely to recognise this option and it is unlikely that it would result in a fair outcome. The bill also seeks to increase penalties for drug-presence offences and drink-driving offences and it increases penalties significantly for anyone who climbs the Sydney Harbour Bridge.

I turn first to those matters relating to the issuing of penalties. The Greens strongly oppose this idea. This piece of legislation, which is designed to appeal to the tabloid media, will have little real impact on road safety. It is very telling that the drug-driving provisions relate to the discredited presence offence which does not require drivers to be substantially impaired, or impaired at all, but merely to have the smallest trace of one of four kinds of drugs in their system. Mr David Shoebridge, my Greens colleague in the other place, has raised concerns about these provisions on many occasions. He is not alone. He has travelled around the State and has met with communities, in particular in regional areas, and discussed with them the impact of these unfair provisions. The courts have agreed with him. Many magistrates are on the record as criticising this law which they believe will lead to unjust and disproportionate outcomes in the justice system.

In her second reading speech the Minister referred to the fact that 30 per cent to 50 per cent of those who are currently appearing before the courts for drug-driving or drink-driving offences do not receive a guilty finding and associated penalty. The Minister used that as a justification for requiring police officers to issue on-the-spot fines. In her second reading speech the Minister said:

Over the three-year period ending June 2017, 56 per cent of low range drink-driving first offences resulted in a non-conviction order in court—typically a section 10. Similarly, 36 per cent of first offences for driving with the presence of an illicit drug resulted in non-conviction. This means that offenders who are proven to have committed an offence do not lose their licence.

The fact that the courts, when considering all the facts of a case, find that a section 10 is a more just outcome in the circumstances is not something that the Minister, the Liberals or the Nationals should try to circumvent. Unless the objective is simply to secure more convictions and more revenue and to impose a loss of licence order on more

people, it is unacceptable to circumvent the process of the justice system where a court determines—after considering all the matters of a case—that the most just outcome is a section 10. It is not okay for the Minister to use this legislation to circumvent that decision of the courts and our justice system.

This legislation is likely to result in far more people losing their licences. Many people rely on their licences to participate in society—to keep their jobs in order to earn their livelihoods and to deliver on their family responsibilities. In order to get their kids to school, to keep their jobs so they can continue to pay rent and continue to put food on the table, many people out of desperation will risk further criminal sanctions by driving without a licence because, at the end of the day, those things will be a higher priority. That is not what we want; it will have no measurable impact on road safety. The legislation further empowers the police to impose these measures. Evidence from other jurisdictions is clear: a scheme like this is likely to increase reoffending and result in matters not being looked at holistically as only courts can.

I will deal briefly with the increased penalties for climbing on the Sydney Harbour Bridge. It is beyond belief that we are increasing penalties for something like that. The Minister referred to the disruption that can be caused by people climbing on the bridge but they tend to be people with extreme mental health conditions. People do not climb the Harbour Bridge and disrupt traffic unless they are suffering from extreme mental health conditions. In the view of some, people who have done that recently in traumatic circumstances would have been deterred from taking that action by an extremely large fine. It is nonsensical to suggest that massively increasing fines will deter people who are suffering from severe mental health conditions.

We would be lacking in compassion if we slammed people who were suffering from severe mental health conditions with a massive fine for their actions. I appreciate that disruptions occur as a result of those kinds of actions but we need to recognise that in recent times the disruption that has occurred involved people suffering from severe mental health conditions. Those people should be getting support from this Government. The Government should not be reducing funding for mental health services; it should be providing people with adequate health services and a safe and secure place in which to live. The Government should not be trying to deter people from taking such extreme action when it has failed to deliver adequate mental health services for them. The Greens oppose this bill and believe that it should not be passed. It tries to circumvent the justice system and the ability of courts to assess the merits of every case. The Greens reject the proposal to increase penalties for those who climb the Sydney Harbour Bridge.

**Ms ELENI PETINOS (Miranda) (11:23):** I support the Road Transport Legislation Amendment (Penalties and Other Sanctions) Bill 2018 which builds on the New South Wales Government's Road Safety Plan 2021 to improve road safety and foster a community standard by which all drivers on our roads must abide. The exorbitant annual economic cost of road crashes in Australia is estimated at \$27 billion per annum and the social impacts create devastating consequences for victims and their families. It is difficult to fathom that someone is killed or hospitalised every 41 minutes due to road crashes. I offer these statistics to my local community to emphasise the importance of road safety. In the Miranda electorate, eight people were killed and 158 seriously injured between 2013 and 2017. Twelve per cent of the serious casualties were aged between 17 and 20 years, with males accounting for 100 per cent of fatalities and 59 per cent of serious injuries. Alcohol contributed to one in eight fatalities and 7 per cent of serious injuries.

In New South Wales we have been successful in reducing road trauma by taking coordinated action to improve the safety of roads and vehicles and to ensure safer road-user behaviour, but more can definitely be done. Targeted and proven initiatives work hand in hand to address key trends, behaviours and incidents in preventing fatal crashes, including enhanced road design, safer speeds, safer vehicle technology and equipment, robust laws, community education and law enforcement. The Government is now halfway through the implementation of the Road Safety Strategy, with new priorities being put in place to work towards the State priority target of reducing fatalities by 30 per cent by 2021. One of the key priority areas the Government is working to deliver over the next five years is to tackle drink- and drug-driving behaviour by strengthening penalties and enhancing enforcement. These reforms will put in place the appropriate mechanisms to ensure that our system is stringent and based on individual responsibility, where everyone has a role to play. The reforms will introduce clear and strong penalties for first offenders committing lower-range drink- and drug-driving misdemeanours.

In 1980 about 400 people were killed in alcohol-related crashes in New South Wales, which accounted for 30 per cent of the road toll. Last year that figure was 55, around 14 per cent of the road toll. However, as a State we cannot be complacent. Fifty-five people is still 55 too many. More importantly, these deaths were largely preventable. Currently 56 per cent of low-range drink driving and 36 per cent of driving with the presence of an illicit drug result in a non-conviction in court. Drink- and drug-driving offences are the most common matters dealt with in the New South Wales Local Court, and the court process is both lengthy and resource intensive. It places a heavy burden on our court system and law enforcement agencies. The period between arrest and a court

determination for a low-range prescribed concentration of alcohol [PCA] first offence is approximately 44 days; and during this time offenders retain their licences and are still legally permitted to drive.

In response to this, the Government will enable police to issue an immediate licence suspension notice after a driver commits a novice, special or low-range drink-driving offence, which is in addition to the penalty notice issued. The maximum penalty for lower-range PCA or drug presence first offences will be increased from 10 penalty units to 20 penalty units. For subsequent offences, the maximum fine will increase from 20 penalty units to 30 penalty units. The principle of applying higher penalties and additional sanctions for subsequent offences is an important deterrent for repeat offenders. The changes proposed in the bill provide for penalties which are both comparatively swift in delivery and consistent in application.

I turn now to the expansion of the mandatory alcohol interlock program. Since 1 February 2015, courts have been required to order offenders convicted of high-range, repeat and other serious drink-driving offences to complete a minimum licence disqualification period and a period of participation in the interlock program of at least 12 months. Interlock programs are designed to enable offenders to return to licensing after an offence, but only if they completely separate drinking from driving. Participation in the program means an offender can only drive a vehicle with an interlock installed in his or her vehicle, which must be regularly serviced by an accredited interlock service provider.

When an interlock is installed, the driver must provide a breath sample that the interlock analyses for the presence of alcohol. If the driver fails the test, the vehicle will not start. Randomly timed breath tests must also be passed during a journey. The driver must also attend a medical consultation, specifically to discuss alcohol use and health risk, before an interlock licence will be issued by Roads and Maritime Services. The interlock device records information such as attempts to drive the vehicle with a positive blood alcohol reading, and this information is monitored by Roads and Maritime Services.

At the end of the court-ordered interlock period, offenders are permitted to automatically move to a licence that does not have an interlock condition only if they have complied with the program and their data indicates that they can separate drinking from driving over a sustained period. Costs associated with installing and servicing alcohol interlocks must be paid by the participant and are estimated to be approximately \$2,200 to \$2,500 a year. A lower rate is available for certain concessional Health Care Card holders, while short-term financial assistance may be available from Roads and Maritime Services for participants in severe financial hardship. A 12-month minimum interlock participation period ensures all offenders have time to learn to separate drinking and driving behaviour, which may be entrenched, before moving to a licence without the interlock requirement.

Interlock programs have been introduced in all States across Australia over the past 15 years, ranging from voluntary programs to mandatory programs that encompass more drink-driving offenders. The programs in Queensland, Western Australia, South Australia and Tasmania more closely reflect the New South Wales system. Recent analysis of the Victorian interlock program for repeat offenders, which has been in place longer than the New South Wales program, was published in late 2016. It found that during the alcohol interlock period there was an 81 per cent reduction in drink-driving offences in the group of offenders with an interlock compared with a 10 per cent reduction in a comparison group without an interlock.

Since the introduction of the New South Wales mandatory alcohol interlock program for high-range and repeat offences in February 2015, more than 14,500 orders have been made by courts. This equates to approximately one-third of drink-driving offences in New South Wales each year. The bill extends the requirement for a court to issue a mandatory interlock order to include offenders convicted of a mid-range prescribed concentration of alcohol [PCA] first offence or driving under the influence first offence, where the offence involves alcohol and a motor vehicle. There are up to 6,500 of these offence types each year.

This measure is commensurate with the threat that these drivers pose to other road users: at 0.08 blood alcohol content [BAC], which is the lower end of a middle range PCA offence, the relative risk of crashing is approximately four times that of drivers at zero BAC. At a BAC of 0.1 the risk increases to approximately six times that at zero BAC, and at 0.15 to at least 12 times. Although attitudes to drink-driving have shifted since the 0.05 blood alcohol limit was first introduced in New South Wales almost 38 years ago, people who drink and drive cannot be allowed to escape the potential or actual consequences of their actions. This bill is underpinned by and grounded in taking responsibility for one's actions, as well as the safety of others in this State. I commend the bill to the House.

**Mrs MELINDA PAVEY (Oxley—Minister for Roads, Maritime and Freight) (11:32):** In reply: I acknowledge the contribution of all members to debate on the Road Transport Legislation Amendment (Penalties and Other Sanctions) Bill 2018, an important bill to improve road safety outcomes across New South Wales. I will address particular concerns raised in debate by members. The member for Strathfield raised concerns about the

definition of a drug. The amendment proposes to add a third category to the definition of "drug" to include any other substance that, when taken by an ordinary person, may deprive the person of or may impair his or her normal mental or physical faculties, whether temporarily or permanently.

This change simply means that if a driver is detected driving while under the influence of a new type of illegal or pharmaceutical substance and the prosecution can establish that a substance meets that description then it will be considered a drug. The change does not create a new offence or change the elements of the existing driving under the influence offence. The change to our definition will align more closely with the law in Queensland, Victoria and Western Australia, and help to future-proof our legislation. Drivers who are not driving under the influence will not be affected by this change. This change is the result of the review completed by KPMG earlier this year to identify commonsense and practical safeguards to reduce the risk of impaired driving and tighten gaps in our legislation. The review included input from NSW Health and medical experts. Input was sought from the Pharmacy Guild as well.

Interlocks are a proven countermeasure to address drink-driving. The US Department of Transportation and the National Highway Traffic Safety Administration have identified alcohol interlocks as an effective deterrent, and schemes are widespread across North America, with research indicating programs reduce drink-driving reoffending by more than 60 per cent and influence both first-time and repeat offenders. Recent analysis of the Victorian interlock program for repeat offenders, which has been in place for longer than the New South Wales program, was published in late 2016. It found that during the alcohol interlock period there was an 81 per cent reduction in drink-driving offences in the group of offenders with an interlock compared to a 10 per cent reduction in a comparison group without an interlock.

New South Wales is not the first jurisdiction to apply interlocks to mid-range offences. In 2014 Victoria expanded its interlock program to include comparable offenders and has now moved to require all drink-driving offenders, including low range, to have an interlock installed. There is no exception, as has been suggested, in places in Victoria. For New South Wales the expansion of the interlock program to mid-range, coupled with our other reforms targeting low-range offenders, is a balanced package and the next step in reducing alcohol-related trauma. Expansion of alcohol interlocks is recognised as a priority in the National Road Safety Strategy. Providing further circumstances of exception would undermine the mandatory nature of the program. Exemptions are already available in cases of a medical condition or if an offender does not have access to a vehicle. Exemptions are currently ordered in about 5 per cent of cases. Measures are already in place to assist drivers to complete their interlock period. These measures include a concession rate for interlock services and the option to apply for severe financial hardship assistance to participate in the program.

I disagree with the comments of the member for Strathfield that it would be easy to cover up a penalty notice. Because this reform is not simply about implementing a penalty notice for low-range drink-driving and drug-driving offences, the penalty notices are combined with a certain three-month licence suspension, a known deterrent. This is an important provision of the bill. More than 50 per cent of low-range offenders do not receive a licence suspension after appearing in court. This is not a deterrent and it is why this Government wants to bring in this change. It is important that we do not use terms such as "cover up". We are trying to drive better road safety outcomes. Victoria has introduced an effective scheme, and we are simply attempting to do the same.

Currently, anyone detected with a lower range—novice, special and low-range—prescribed concentration of alcohol [PCA] or drug presence first offence is issued with a court attendance notice. A first offence of low-range PCA carries an automatic six-month period of disqualification from driving if a driver is convicted. A court has the discretion to order a shorter period of not less than three months. In addition, the court-imposed fine for this offence is up to \$1,100. However, it is currently possible to be found guilty of the offence in court and avoid any disqualification or fine if a magistrate dismisses the charge or releases the offender on a conditional discharge under section 10 of the Crimes (Sentencing Procedures) Act 1999. In the three-year period ending June 2017, 56 per cent of low-range drink-driving first offences resulted in a non-conviction order in court. Similarly, 36 per cent of first offences for driving with the presence of an illicit drug resulted in non-conviction. Do we really want to support these statistics when we are trying to change behaviour?

The lack of certainty surrounding conviction for these offences means that the court-imposed penalties, especially loss of licence, are not operating as effectively as they could. In addition to the prevalence of non-conviction orders by the court, a problem with the current system is that the offender's court appearance usually occurs on average between six and eight weeks after the date of the offence. During that time offenders are free to drive. Research from the United States has shown immediate suspension to be a more effective deterrent of drink-driving than licence sanctions that are applied later. Victorian research has also found a high rate of drink-driving offending occurs between detection and the start of a licence sanction, highlighting the importance of taking action as soon as possible.

These reforms are not about revenue raising, which seems to be the Opposition's first claim whenever we introduce tougher penalties to encourage people to take personal responsibility and make other road users safer. While legislation does not currently require fines, other than speed and red light camera fines, it was this Government—the Liberal-Nationals Government—that set up the Community Road Safety Fund in 2013 to increase transparency and improve road safety. It is also this Government that has announced a record \$1.9 billion investment in road safety over the next five years. We back our words with funding and delivery.

The member for Charlestown commented about the definition of drug charges within the bill. I will make clear to everyone how a driving under the influence [DUI] offence typically operates. If a police officer stops a driver and has a reasonable belief that the driver is under the influence of a drug or alcohol based on his or her manner of driving or his or her condition or behaviour and the driver passes a breath test the police can require the driver to complete a sobriety assessment. If the driver fails that assessment he or she can be required to undergo blood and urine testing. If the laboratory analysis indicates that the driver was under the influence of one or more drugs police may charge that person with a DUI offence.

The laboratory results together with police observations of the manner of the driver or his or her condition on the roadside are used to support the charge in court. Drugs mentioned today including codeine and pseudoephedrine already fall within the definition of drug. People under the influence of those drugs should not be on the road and can already be prosecuted. However, if a person is taking them with a pharmacist's advice and within guidelines it does not mean they are under the influence.

I address the comments of the member for Orange about reoffending. There have been reports that repeat offending in Victoria where penalty notices are issued is double the level of that in New South Wales. The key reason for the difference in the reported number is that the New South Wales research counted repeat offending over a five-year period whereas the Victorian research counted over a 10-year period—double the time. I urge the member for Orange to recognise that important fact. Over the time covered by the research Victoria issued penalty notices for drink-driving offences typically coupled with demerit points, not an automatic licence loss. That changed in Victoria in 2018 and licence sanctions are now applied systematically.

I highlight for the member for Orange that we do not propose to issue penalty notices without a licence sanction. Given his previous role before entering Parliament, I would have thought he would prefer people to get a licence sanction for driving under the influence. I really need him to think about and address that issue. He knows the statistics and he knows the challenges of driving on country roads. I implore him to look at this genuinely. As I said, we do not propose to issue penalty notices without a licence sanction. Drivers will serve time off the road. That is a key benefit of the reform. Currently more than 50 per cent of low-range first offenders who face court are found guilty but do not receive a licence disqualification. To combat drink-driving we need a combination of police on the road enforcing the rules, public education, and strong and certain penalties. That is what the Road Safety Plan 2021 delivers and why this bill includes a comprehensive package of changes.

I reiterate that the Liberal-Nationals Government is committed to improving safety on our roads. While progress has been made, there is more to be done. The reforms outlined in the bill—such as introducing penalty notices coupled with systemic licence suspension for lower range prescribed concentration of alcohol and drug presence first offences, expanding the alcohol interlock program to middle-range PCA offences, extending vehicle sanctions to include drink-drivers, and moving towards mandating education courses for drink- and drug-driving offenders—are intended to help prevent risky behaviour and reduce road trauma. Preliminary data indicates that in 2017 a total of 55 people were killed in alcohol-related crashes in New South Wales and 81 deaths were from crashes involving a driver or rider with an illicit drug in his or her system. The reforms in this package that target drink- and drug-driving offences are intended to deliver road safety benefits across the State.

I reiterate for the member for Orange that as country people we are most at risk. We represent one-third of the population yet two-thirds of road fatalities. We need to be better on our roads in the bush and the regions. I implore him to consider how these changes will improve road safety outcomes for our communities. Data from the Centre for Road Safety shows that from 2015 to 2017 some 79 per cent of alcohol-related fatal crashes and 75 per cent of fatal crashes involving illicit drugs happened on country roads. That trauma has a devastating effect on families and local communities. On average more than 70 per cent of the lives lost on country roads are locals—country residents.

It is paramount that we continue the message of personal responsibility when it comes to road safety. We all have a part to play when thinking about our behaviour on the road—whether we are getting behind the wheel of a car or heavy vehicle, riding a motorcycle or bike, or even walking from A to B. We need to have an ongoing conversation with the community. We recognise it will be important to ensure that the community is prepared and educated about the aims and rationale for the reform package.

The introduction of penalty notices and immediate licence suspension for lower range PCA and drug presence first offences is expected from May 2019. Transport for NSW and the Department of Justice will monitor the impact of the initiatives during the first year of their implementation. The review will examine costs and savings, especially to the Local Court. Once the provisions have been in place for 12 months an operational review will examine any unintended consequences. While the immediacy of roadside licence suspension is known to have a strong impact in preventing reoffending in the longer term, we will also review and monitor the initiatives to understand their effects on people such as those in country areas who have limited alternative transport options.

We know there is strong community support for action to target drink- and drug-driving across New South Wales. In developing the Road Safety Plan 2021, a representative statewide survey of more than 1,200 community members found that 98 per cent of people believed drug and alcohol testing was important to road safety. Our commitment to roadside testing and a certainty of detection must be supported by robust penalties; if not we will not achieve the maximum deterrence provided by our investment in enforcement. The blood alcohol limit of .05 has been in place in New South Wales for almost 38 years. There has been more than enough time for all drivers to adapt to the law and learn to separate their drinking from their driving. We are now taking the next step and sending a simple message to the community that if they commit any drink-driving offence, immediate licence action will be taken.

Prior to their introduction the reform measures for low-range PCA and drug presence offences will be supported by clear and comprehensive public communications. I can assure all members that the effectiveness of the Mandatory Alcohol Interlock Program and its expansion to include mid-range PCA offences will continue to be evaluated. The adequacy of financial support for low-income and disadvantaged participants in the interlock program will be monitored, as well as the capacity of interlock providers to service regional and rural New South Wales.

Lastly, the bill includes amendments to the Road Transport Act to provide a power for the authority to require offenders to undertake an alcohol, drug or other education course. Those changes have been included in the reforms so that we are transparent about our commitment to education as part of a holistic approach to address drink- and drug-driving. However, those provisions will only commence once a strategy and a course content has been fully developed and delivery—particularly in regional areas—has been planned and is available. The strategy is due to be developed and completed this financial year.

Currently, two key, but different, education programs are attended by drink- and drug-driving offenders in New South Wales. The Traffic Offender Intervention Program, while not specifically designed for impaired drivers, is typically a court-ordered program that caters for large numbers of drink- and drug-driving offenders. The Sober Driver Program, on the other hand, is a specialised course that is aimed at changing attitudes and behaviours of repeat and high-risk drink-driving offenders. While both courses have benefits, neither of them are attended by all offenders or are always readily accessible, particularly in regional New South Wales.

Transport for NSW will work with other agencies and key stakeholders including the Department of Premier and Cabinet, Health and Justice to examine best practice in the delivery of evidence-based adult education and targeted courses for different types of offenders to treat diverse patterns of behaviour. This will include considering and leveraging the best from existing programs and approaches in other States. An important aspect will be deliverability in rural and regional New South Wales. The benefits of online and new delivery methods will also be considered. As stated in the Government's Road Safety Plan 2021, achieving our aspirational goal of moving towards zero trauma will require ongoing, whole-of-government collaboration as well as support and action from businesses, road safety advocates and every member of the community. We have backed these words with funding.

The New South Wales Government will spend a record \$1.9 billion over the five years from 2018-19 to deliver against the six priority areas of road safety. The commitment includes an extra \$600 million for infrastructure safety works and enforcement, especially in country New South Wales. The additional funding will support the rollout of life-saving safety barriers and audio tactile line markings to make country roads safer. This record road safety investment will also result in the doubling of our roadside mobile drug testing program to 200,000 tests per year by 2020 to become the largest program in Australia. We will also deliver more highway patrol officers in country New South Wales to further address the road toll.

I am pleased to introduce these drink- and drug-driving reforms, which are intended to improve the safety of our roads by addressing risky behaviour that continues to contribute to our road toll. Along with the tougher penalties to protect the security of the Sydney Harbour Bridge, and expanding the definition of a drug under the Road Transport Act 2013, this bill sends a clear message to the community that risky behaviour on and around our road network will not be tolerated. I implore Opposition members to consider the benefits of the bill and look at the facts around it. I particularly implore the Leader of the Opposition, who in younger days had issues with it,

to look at the facts surrounding our changes to make our roads safer across New South Wales. I commend the bill to the House.

**The ASSISTANT SPEAKER:** The question is that this bill be now read a second time.

**Motion agreed to.**

### **Third Reading**

**Mrs MELINDA PAVEY:** I move:

That this bill be now read a third time.

**Motion agreed to.**

## **CRIMINAL PROCEDURE AMENDMENT (PRE-TRIAL DISCLOSURE) BILL 2018**

### **First Reading**

**Bill introduced on motion by Mr Mark Speakman, read a first time and printed.**

### **Second Reading Speech**

**Mr MARK SPEAKMAN (Cronulla—Attorney General) (11:52):** I move:

That this bill be now read a second time.

The Government is pleased to introduce the Criminal Procedure Amendment (Mandatory Pre-trial Disclosure) Bill 2018. The purpose of this bill is to reduce delays in criminal trials by expanding pre-trial disclosure requirements for indictable criminal matters in the District Court of New South Wales and the Supreme Court of New South Wales. Specifically, the bill requires the defence to disclose four additional matters: any expert reports that it intends to rely on, whether it intends to challenge the continuity of custody of a prosecution exhibit, whether it will seek to amend the indictment or to make an application for separate trials and whether it will seek edits to audio or video evidence that the prosecutor intends to rely on. Courts already reserve a discretion to require the defence to disclose three of these matters. The Law Reform Commission has suggested that their disclosure be made mandatory, a recommendation on which this bill delivers.

The bill also imposes two additional obligations on the prosecution. First, to provide transcripts of audio or visual evidence it proposes to adduce and, secondly, to give notice if it disputes edits to audio or visual evidence proposed by the defence. By expanding mandatory pre-trial disclosure in these selective ways, the bill seeks to make trials more efficient and transparent. There is a strong policy rationale for mandatory pre-trial disclosure. As the Law Reform Commission noted in a 2012 report, pre-trial disclosure "can result in shorter and more streamlined trials" by focusing the trial, and prosecution and defence resources on the main issues in contention. Late disclosure of disputed matters can lead to trials being delayed, adjourned or vacated, sometimes on their first day. This impacts court backlogs as well as prosecution and defence resources, and places strain on victims and witnesses who are on stand-by to give evidence.

For many victims, preparing to give evidence is hugely stressful. Some witnesses may have to travel long distances to get to court, or take time off work. It is therefore desirable to minimise situations where victims and witnesses arrive at court only to find out that a trial is delayed. Mandatory pre-trial disclosure of commonly disputed matters enables issues to be ventilated before trial, allowing more trials to proceed on the listed start day. In this way, mandatory pre-trial disclosure promotes fairness and reduces the length of trials, which is in the best interests of all parties involved. Mandatory pre-trial disclosure has been a feature of criminal trials in New South Wales since 2001. The scope of the State's pre-trial disclosure scheme was expanded in 2009 and again in 2013, including by requiring disclosure of much of the prosecution's case.

Last year the Department of Justice undertook a statutory review of those 2013 amendments to determine whether they had been effective in reducing delays and promoting efficient management of trials. The review found that the pre-trial disclosure scheme had been largely effective at achieving those aims. It also recommended expanding the scheme in specific and targeted ways. This bill delivers on that recommended expansion. It also ties in with other actions that the Government has taken to improve court efficiency and to reduce delays since 2015, including by appointing more judges, prosecutors and public defenders to cut through backlogs and implementing early-resolution measures and case management initiatives such as early guilty pleas, case conferencing and a specialist rolling list court.

These measures have been highly successful. For example, in January data from the Bureau of Crime Statistics and Research revealed rolling list cases are taking 28 per cent less time to progress to finalisation than they were three years ago. The Early Appropriate Guilty Plea Reform, which commenced in April this year, will bring experienced prosecutors and defence counsels into matters earlier with a view to encouraging defendants to

plead guilty before a case goes to trial. This will provide greater certainty for both victims and offenders, and will reduce the number of matters that need to go to court. The bill builds upon these court efficiency achievements, as well as the success of the 2013 reforms.

I turn now to the main detail of the bill. Item [1] of schedule 1 to the bill will amend section 142 of the Criminal Procedure Act to insert a new provision—new section 142 (1) (c1)—providing that, where a prosecutor proposes to adduce the transcript of an audio or visual recording, it must provide the defence with a copy of that transcript. Currently, the prosecution is only required to provide the defence with the recording itself, not a transcript. Late service of transcripts causes inconvenience to the defence and can delay trials if the recorded evidence or transcript need to be edited at short notice. The new provision will therefore address defence concerns about not receiving transcripts or receiving them very late. The note to this new provision will clarify that it does not affect the operation of Part 4B of the Act, which allows domestic violence complainants to give evidence in the form of recorded statements. Transcripts of such statements will not need to be provided to the defence unless the prosecutor intends to provide the transcript to the jury as an aide-mémoire. This exception preserves the Government's sensitive treatment of victims of domestic violence.

Item [2] of schedule 1 to the bill will amend section 143 of the Criminal Procedure Act to require the defence to disclose four additional matters. First, under the newly created section 143 (1) (h), the defence will be required to disclose any expert report that it intends to rely on at trial. This will replace the discretionary disclosure that already exists in section 143 (2) (a). Other jurisdictions, including Victoria and Queensland, also have this requirement.

It is a matter of fairness that defence expert reports should be disclosed to the prosecution before trial. After all, the prosecution must already disclose copies of expert reports that it intends to rely on. Disclosure of expert reports by the defence is also a matter of efficiency. Late disclosure or non-disclosure can lead to delays or adjournments if the prosecution requires time to consider a report and adduce additional evidence to rebut it. It is important to note that the new provision will only apply to reports on which the defence intends to rely. There will be no obligation to disclose expert reports obtained for the purpose of background information, or on which the defence does not intend to rely.

Secondly, the bill requires the defence to disclose whether or not it intends to challenge the continuity of custody of a prosecution exhibit. The newly created section 134 (1) (i) will replace the existing discretionary disclosure requirement in section 143 (2) (c). The issue of continuity of custody commonly arises in matters involving drugs or DNA evidence. For example, drugs seized by police are placed into a sealed exhibit bag, taken to a police station, and then transported for scientific analysis. If challenged by the defence, the prosecution may be required to prove every step of this process by calling every witness in the chain of custody, as well as any corroborating witnesses. In practice, continuity of custody is rarely disputed. However, the prosecution must spend time preparing for this potential line of questioning.

Requiring the defence to disclose in advance whether it will challenge this evidence will save the prosecution preparation time, allowing it to focus on the key issues in dispute. It will also reduce inconvenience to witnesses by informing them in advance whether or not they are needed at the trial. This is particularly significant in the case of police and specialist witnesses who have limited availability to appear due to the nature of their important work. Thirdly, under the new section 143 (1) (j), the defence will be required to disclose whether it will seek to amend the indictment or, if there are multiple charges, make an application to have the charges severed and heard in separate trials. This new requirement will replace the discretionary disclosure requirement in section 143(2)(f). The defence often makes such applications on the first day of the trial, particularly in sexual and child sexual assault matters with multiple charges and victims.

This delays trials in two ways. First, a trial cannot start until both parties have made their arguments as to why a separate trial application should or should not be granted. Secondly, if an application is granted, a trial must be aborted and new dates for separate trials set. Last minute adjournments or trial vacations add to the stresses and trauma of victims who have bravely attended court to give evidence, often after years of waiting to be heard. Mandatory disclosure of the defence's intentions in this regard will allow such issues to be resolved before the first day of trial. The New South Wales Government has a strong track record supporting victims in criminal matters. This amendment ties into that record by reducing instances of this significant stress for victims in criminal trials, without impacting on an accused's rights.

Fourthly, under the new section 143 (1) (k), the defence will now be required to give notice of whether it will seek edits to audio or video evidence that the prosecutor intends to use at trial. There is currently no requirement, mandatory or discretionary, for the defence to give notice of proposed edits to electronic evidence such as surveillance, closed-circuit television footage, lawful telephone intercepts and listening device recordings. This has been the case notwithstanding frequent objections to parts of recordings which the defence considers prejudicial or irrelevant. Often the defence will not raise these objections until the first day of the trial, which can

result in the trial being delayed while the material is edited. When one considers the volume of evidence contained in electronic forms, one can begin to appreciate how time consuming editing these materials must be.

In addition to being complex, this task can only be carried out by specially trained staff at the Office of the Director of Public Prosecutions [ODPP]. As a result, last-minute requests for edits have the potential to seriously delay trials. Mandating early defence disclosure of proposed edits will address this issue, alleviating a modern pressure on court backlogs and ODPP staff. Item [3] of Schedule 1 will repeal section 143 (2) (a), (c) and (f). These will be replaced by the new provisions which I have just discussed. As to the second new obligation that this bill introduces for the prosecution, item [4] of schedule 1 to the bill will insert a new provision into section 144 of the Criminal Procedure Act to require the prosecution to notify the defence about whether it disputes requested edits to audio or visual evidence. As I have already stated, trials can be delayed when the defence objects to portions of recorded evidence on the first day of trial. Further delays can occur if the prosecution does not agree to the edits the defence is seeking.

In these circumstances, the judge will hear submissions from both parties and make a decision. If the defence is successful, then the edits that the defence requested have been delayed. Requiring the prosecution to give notice of whether it disputes requested edits prior to trial will allow time to have the matter listed and argued before a judge if necessary. The bill does not introduce penalties for breaches of these provisions. There are existing sanctions in the Criminal Procedure Act—such as refusing to admit evidence, or allowing juries to draw unfavourable inferences about evidence that was not disclosed—giving courts the power to enforce compliance.

Under this bill, the court will retain the ability to waive compliance with pre-trial disclosure in circumstances where it would not be in the interests of justice. This may be the case where an accused is unrepresented or poorly represented, or when the prosecution has failed to comply with its obligations, making it impossible for the accused to respond. In this way, the bill strikes a balance between the need to increase trial efficiency with the need to ensure matters are dealt with appropriately. This bill puts the days of ambush tactics and excessively adversarial trials behind us by setting an expectation that the defence and prosecution will participate in information sharing at an earlier point.

The reform will help ensure the smooth running of criminal cases in the higher courts through effective and efficient pre-trial disclosures. These disclosures will help to reduce delays in the criminal justice process and promote fairness to both prosecution and the accused. It is appropriate that disclosure of the matters that I have discussed be made mandatory. It is inefficient to require the court to consider specifically each matter when it arises. The bill will continue to deliver on the Government's strong track record of reform that enhances the efficiency of trials and promotes procedural fairness. I commend this bill to the House.

**Debate adjourned.**

## **RSL NSW BILL 2018**

### **First Reading**

**Bill introduced on motion by Mr David Elliot, read a first time and printed.**

### **Second Reading Speech**

**Mr DAVID ELLIOTT (Baulkham Hills—Minister for Counter Terrorism, Minister for Corrections, and Minister for Veterans Affairs) (12:08):** I move:

That this bill be now read a second time.

On this day 73 years ago, Prime Minister Ben Chifley said:

Fellow citizens, the war is over. The Japanese Government has accepted the terms of surrender imposed by the Allied Nations and hostilities will now cease. The reply by the Japanese Government to the note sent by Britain, the United States, the USSR and China, has been received and accepted by the Allied Nations. At this moment let us offer thanks to God. It was Ben Chifley who announced to the people of Australia that the six years of aggression in Japan and Europe were now over. It is appropriate that we choose this day, the seventy-third anniversary of VJ Day, to amend the Returned Services League bill and ensure the survival of this organisation is suitable for the service of our veterans for another 73 years.

I am pleased to introduce the RSL NSW Bill 2018, particularly since in this final year of the Centenary of Anzac it is important that we reflect on the achievements that this Government has made in the Veterans portfolio. We are redeveloping the ANZAC Memorial in Hyde Park. We are investing in the preservation of war memorials in every corner of this State. We are providing school students with opportunities to travel to the overseas battlefields where the Anzacs fought, and most importantly, we are supporting our veterans as they transition back into civilian life through the highly successful Veterans Employment Program. We have also secured the Invictus Games, which I know all members will be excited to attend in Sydney later this year. In each of these areas there have been achievements and successes that prove the New South Wales Government is serious about preserving the

legacy and heritage of our Anzacs, as well as supporting our modern veterans who may struggle with issues of employment and stable home life following discharge from the Australian Defence Force. The RSL has been a much-loved institution to people across this State and this bill is about helping the RSL get back to its core responsibility of supporting our veterans.

The findings of the inquiry under the Charitable Fundraising Act 1991 by the Hon. Patricia Bergin SC, which investigated RSL NSW fundraising activities following allegations of financial misconduct, were handed down in a report delivered to the Government on 31 January 2018 and made public on 12 February 2018. Those findings indicated that the current corporate governance framework of RSL NSW is not sufficient to ensure the organisation is accountable to its members. With such serious allegations of misconduct the Government had to take action. The reforms in the RSL NSW Bill 2018 aim to assist RSL NSW with the reform and rebuilding that was put into evidence during the inquiry. The proposals have been developed closely with RSL NSW and are intended to support changes that RSL NSW is making internally. The bill does not directly address the recommendations of the inquiry as they concern the charitable fundraising activities more generally which are regulated by the Charitable Fundraising Act 1991, administered by the Minister for Innovation and Better Regulation. The Government response to the recommendations regarding charitable fundraising is currently being considered.

The Returned and Services League of Australia (New South Wales Branch) is a body corporate established under the Returned and Services League of Australia (New South Wales Branch) Incorporation Act 1935. The RSL NSW Bill will repeal and replace the existing Returned and Services League of Australia (New South Wales Branch) Incorporation Act 1935 and modernise the language of the Act constituting the body corporate. The bill will constitute a legal entity, rather than incorporating the members of the league as a body corporate. The approach taken in the bill is the modern way in which statutory corporations are constituted.

I will now outline the details of the bill. Part 1—Preliminary, provides definitions for terms used throughout the bill which reflect the modern language of the statutory corporation by using the terms "board", and "director". Part 2—Constitution and management of RSL NSW, incorporates RSL NSW as a body corporate being a continuation of and the same legal entity as the entity constituted by the former Act. It also clarifies that RSL NSW does not represent the Crown. Section 5 introduces new provisions establishing a framework for the board of directors, including prescribing the following features: the board is to consist of at least three, but not more than 10 directors; the directors—other than the independent directors—are to be elected in accordance with the constitution by members of RSL NSW; and the board must appoint at least one, but not more than two persons who are independent of RSL NSW—that is, individuals who are not members of RSL NSW. The board's procedures, including how meetings are called and how business is conducted, are to be determined by the board.

Part 3—Functions of RSL NSW, replicates portions of the former Act in relation to RSL NSW being the guardian of the Cenotaph in Martin Place and the ANZAC Memorial building. However, it also adds new provisions requiring RSL NSW to prepare an annual report each financial year and provide that report to the Minister. Section 7 ensures that RSL NSW has the powers necessary to function as an incorporated body, and these are supplemented by the powers given to all statutory bodies in the Interpretation Act 1987. Section 11 ensures that RSL NSW is able to delegate its functions to a director or employee.

Part 4—Miscellaneous, includes key provisions relating to the reform of RSL NSW. Section 12 provides a codified regime for the disclosure of pecuniary interests of directors. Codifying this obligation will promote transparency and accountability, prevent conflicts of interest, and give members of RSL NSW certainty in respect of the process to be followed by directors. Section 13 provides safeguards for RSL NSW members in the event that RSL NSW moves to remunerate its directors. This section provides a framework within which director remuneration is to be set and prohibits manifestly excessive remuneration. This framework is subject to any restrictions in the RSL NSW constitution or other laws; such as the Charitable Fundraising Act 1991. The section requires RSL NSW to have regard to how the remuneration of its directors compares to remuneration paid to directors of comparable organisations. This reform provides RSL NSW with flexibility in setting remuneration while providing a safeguard to ensure it will not be unreasonable. This provision does not authorise payment of remuneration—all necessary approvals under the entity's constitution and under any law must still be obtained.

Section 14 establishes a mechanism for the entity to sign documents and section 15 provides a mechanism for documents to be served on the entity. Schedule 1 deals with savings, transitional and other provisions. In particular, it provides a mechanism for the transition from the current State Council to the new board and the appointment of the independent directors. The bill omits provisions of the current Act that were transitional from the original incorporation of the league in 1935 and, unlike the current Act, does not seek to replicate issues that are dealt with in part 8 of the Interpretation Act 1987. This bill modernises the establishing act of the RSL NSW and makes important reforms to the corporate governance of the RSL NSW to provide additional accountability of the entity to its members.

The amendments will commence at the date of assent. I put on record my appreciation particularly to the President of the RSL James Brown, General Counsel Leanne Meyer and all those who have worked closely with the Government on these necessary reforms. In preparing the bill I thank officers from the Department of Justice, including Alexandria Adams from the Office of the General Counsel, Caroline Mackaness and the staff in the office of Veterans Affairs, and of course my own staff, Katherine Danks, Tanya Raffoul, Shae McLaughlin and Mitchell Clout. I commend the bill to the House.

**Debate adjourned.**

### **EMERGENCY SERVICES LEGISLATION AMENDMENT BILL 2018**

**Bill introduced on motion by Mr Troy Grant, read a first time and printed.**

#### **Second Reading Speech**

**Mr TROY GRANT (Dubbo—Minister for Police, and Minister for Emergency Services) (12:18):**

I move:

That this bill be now read a second time.

I am pleased to introduce the Emergency Services Legislation Amendment Bill 2018. This bill contains a range of proposals to amend New South Wales' key emergency management legislation, which includes the State Emergency and Rescue Management Act 1989, commonly known as the "SERM Act", the Rural Fires Act 1997, the Fire Brigades Act 1989, and the State Emergency Service Act 1989. The bill will enhance and modernise New South Wales' disaster response and recovery arrangements to provide a clear and consistent statutory basis for the broad range of emergency management functions undertaken by our emergency services and to make other miscellaneous amendments to reflect modern operational emergency management practices, terminology and structures.

Schedule 1 amends the State Emergency and Rescue Management Act 1989. These changes streamline State-level governance arrangements and cut red tape. For example, the bill will abolish the State Disasters Council and transfer its function to advise the Minister on emergencies to the State Emergency Management Committee [SEMC], which is a function that it has been exercising in practice for a number of years. The bill also de-corporatises the State Rescue Board. There is simply no need for the board to remain a separate legal entity. Its day-to-day functions are supported by the Office of Emergency Management, and its procedures and membership will not change. Other amendments to cut red tape in clause 8 make commissioners of our emergency service agencies ex-officio members of the SEMC, and clause 11 enables declarations of a state of emergency to be published on the internet and social media.

The bill amends section 3 of the SERM Act to enable the Minister to designate a non-government agency as an "emergency service organisation" by regulation. Volunteer Marine Rescue NSW and Surf Life Saving NSW will, for the first time, be expressly formally recognised as emergency service organisations. This change reflects the ongoing and significant role that these organisations play in supporting rescue and emergency response in New South Wales, and will provide a clear legislative basis for our emergency services to work closely with and to assist these community-based volunteer organisations.

The bill makes changes to ensure volunteers are protected from victimisation and that government employees do not face personal liability in relation to functions exercised under the Act. The Act already provides for volunteer employment protections upon declaration by the Premier. To ensure volunteer employment protections start as soon as possible, the bill provides for them to be automatically activated upon declaration of a state of emergency. It also allows an authorised officer to make an initial employment protection order lasting up to 48 hours. Authorised officers will include the Commissioner or Deputy Commissioner of the Rural Fire Service or State Emergency Service, and the State Emergency Operations Controller or Deputy State Emergency Operations Controller. The proposed amendment to section 62 will clarify the current exemption from liability for government employees to ensure they are protected for things done in good faith for the purposes of the Act.

Clause 4 amends the definition of "emergency" to include a specific reference to the failure of, or a significant disruption to, an essential service or infrastructure. This recognises, for example, that a significant power outage can pose the same threat to life and property as a bushfire or flood, and therefore requires the same level of planning and the same coordinated response. The SERM Act already enables police officers to enter private property to make it safe during or after an emergency. This includes shoring up walls or disconnecting gas, water or electricity. Police use assistants to do this work, such as skilled engineers.

The bill amends section 61 to enable a directing officer to direct a person to enter premises to exercise functions under section 61 without having to be accompanied by a police officer. It is noted the bill contains a

number of safeguards with regard to this power, including new section 61E (2), which provides that assistants directed to enter a property must carry a written authority.

The bill updates the statutory functions of the NSW Rural Fire Service at clause 2 of schedule 2, and the functions of the Commissioner of Fire and Rescue NSW at clause 5 of schedule 3 to incorporate general emergency management and rescue functions. The changes ensure consistency across Fire and Rescue NSW, the NSW Rural Fire Service and NSW State Emergency Service and their enabling legislation. The provisions use existing language from the State Emergency Service Act 1989; these are not new functions. The change recognises the work the fire agencies already undertake to assist their emergency service partners in situations such as road crash rescues.

Schedule 2 amends the Rural Fires Act 1997. Clause 5 amends section 18 to permit the Commissioner of the Rural Fire Service to appoint rural fire brigade officers if the body or authority that forms a rural fire brigade fails to do so. This amendment ensures that when a bushfire occurs, the local rural fire brigade has local officers in place with whom the Rural Fire Service can work to coordinate bush firefighting efforts. The bill creates new section 45A to permit the Commissioner to delegate coordination of bushfire-fighting functions under part 3, division 1, and for a delegate then to delegate those powers to a sub-delegate. This will ensure operational continuity in situations where the commissioner is absent, ill or otherwise unavailable.

Clause 13 also makes a number of amendments to the process for making total fire ban orders. They include repealing the current section 99(4) to allow total fire ban orders to apply not only to areas experiencing adverse fire weather. At present, a total fire ban order will have effect throughout an entire local government area. This has the perverse effect of subjecting areas to fire restrictions where they are not needed. For example, the weather conditions along the coast around Old Bar or Crowdy Head in the MidCoast local government area are typically different from that experienced further inland in places such as Barrington Tops or Gloucester, which are also part of that local government area. The proposed amendment will allow the New South Wales Rural Fire Service to establish, following changes to the Rural Fires Regulation, fire prohibition zones that more accurately reflect weather zones. Other amendments will allow orders to refer to the set of standard exemptions and for exemptions to be made by the Commissioner of the Rural Fire Service to individuals or businesses by written notice.

Publication of total fire bans in newspapers will no longer be required. Notices will continue to be published in the *NSW Government Gazette*, television or radio, but also by other methods such as social media or the New South Wales Rural Fire Service website. A similar change is made under section 82 (1) relating to publication of bushfire danger periods. Under new section 99 (10), the Minister will now be able to delegate functions regarding total fire bans to a senior executive officer of the New South Wales Rural Fire Service. Clause 8 amends section 64 (1) (b) to require occupiers to report out-of-control fires to 000 rather than to local fire brigade officers. This change is consistent with existing advice that the New South Wales Rural Fire Service provides to the public about reporting fires to 000. Contacting 000 is the best way to ensure a rapid, coordinated response to a fire.

Schedule 3 amends the Fire Brigades Act 1989. Changes to the Fire Brigades Act include changes to terminology, including amending the title of the Act to the Fire and Rescue NSW Act 2018 and replacing the term "volunteer fire brigades" with "retained fire brigades". Retained firefighters are paid and the amendment avoids confusion with volunteer community fire units. Other amendments provide consistency with other statutes. Clauses 8 and 9 will give Fire and Rescue NSW powers to use water to fight fires and for practice in terms consistent with those available to the Rural Fire Service. Clause 10 permits the Fire and Rescue Commissioner to set fees for services other than core fire and rescue activities, where no prescribed fee is set, in terms consistent with the Police Act 1990. This will allow the commissioner to set fees according to a policy, which is reviewed annually and approved by the Minister.

Schedule 4 makes several machinery amendments to terminology within the State Emergency Service Act 1989. The amendments reflect changes to position titles and region designations arising from the program of organisational reform being implemented within the NSW State Emergency Service. The changes in this bill reflect a number of sensible amendments, and will bring real benefits in streamlining, modernising and improving State level governance, disaster response, emergency service coordination, service delivery and practice. I commend the bill to the House.

**Debate adjourned.**

**STRATA SCHEMES MANAGEMENT AMENDMENT (BUILDING DEFECTS SCHEME) BILL 2018**

**First Reading**

**Bill introduced on motion by Mr Matt Kean, read a first time and printed.**

## Second Reading Speech

**Mr MATT KEAN (Hornsby—Minister for Innovation and Better Regulation) (12:32):** I move:

That this bill be now read a second time.

I am pleased to introduce the Strata Schemes Management Amendment (Building Defects Scheme) Bill 2018. The bill amends part 11 of the Strata Schemes Management Act 2015, which commenced on 1 January 2018. Part 11 introduced the strata building bond and inspections scheme, the first of its kind in Australia. The strata building bond and inspections scheme also delivered on a 2011 commitment by this Government to improve and modernise New South Wales strata legislation.

The strata building defect bond and inspection scheme introduced a process to streamline the identification and rectification of defects for the benefit of strata residents, builders and developers. The amendments provided in this bill seek to further improve the operation of the scheme by providing greater certainty, reducing costs and minimising time delays. This Government recognises the importance of strata schemes for the people of New South Wales. Currently more than two million New South Wales residents are working as strata industry professionals or strata owners, or are living in strata-titled townhouses or units.

The amendments in this bill are a result of the New South Wales Government's continuing engagement with the people of New South Wales. When stakeholders requested modifications to improve the operation of the scheme, this bill was created to respond to those concerns and improve the effectiveness of strata laws in this State. In other words, not only has the New South Wales Government led the way in making it easier for strata owners to enforce statutory warranties but also the New South Wales Government continues to improve the strata building bond and inspections scheme.

Under the scheme, developers are required to lodge a bond of 2 per cent of the total contract price with the Secretary of the Department of Finance, Services and Innovation. This bond can then be used by the owners corporation of a building to rectify the defects that have been identified in that building. The scheme applies to building work and building defects for strata schemes consisting of multi-unit dwellings of four or more storeys. These are buildings that are not covered by the Home Building Compensation Fund. Also, the scheme applies to mixed-use schemes where, for example, there are both commercial and residential lots in the building.

I turn now to the substance of the bill, starting with the lodgement of the building bond. Section 207 of the Act currently requires the developer to lodge a building bond of 2 per cent of the contract price with the secretary in relation to the building work before an occupation certificate is issued. The bill amends section 207 to require the building bond to be lodged before an application for the occupation certificate is made. Because the efficient operation of the scheme is dependent on the lodgement of the bond, this will ensure that developers cannot be issued with an occupation certificate if they have not lodged the building bond with the secretary. Section 207 will also be amended to provide that the building bond must be in terms that are acceptable to the secretary before the secretary is required to accept the lodgement of the building bond.

Section 208 of the Act requires that building bonds in the form of a bank guarantee may only be issued by an authorised deposit-taking institution regulated by the Australian Prudential Regulation Authority [APRA], the prudential regulator. This is a necessary safeguard that will ensure that NSW Fair Trading only deals with a fully regulated bond issuer. To provide a further safeguard, section 208 will also be amended to provide that non-bank bonds may only be issued by an approved insurer as defined in section 4 of the Act. Approved insurers are also regulated by APRA.

Section 209 includes the provisions setting out when the Secretary may pay an amount from the building bond. Section 209 (1) (a) provides that whole or part of the amount secured by a building bond may be paid to the owners corporation to meet the costs of rectifying defective building work that has been identified in the final report on the work. The Government is aware that the bond money should be held for the shortest time possible. For this reason, new section 210A enables the Secretary to provide any release necessary to enable a building bond to be cancelled under certain circumstances. Section 209 currently provides that an amount secured by a building bond must be claimed or realised within either two years after the date of completion of the building work for which it is given, or 60 days after the final inspection report on the building work is given to the Secretary, whichever is the later.

Fair Trading has recognised that the latter 60-day limit may be insufficient for the Secretary or the owners corporation to complete the necessary investigations to determine the amount of money to be drawn from the building bond. Therefore, new section 209 will extend the 60-day time limit to a period of 90 days. This additional month will be fair to both owners corporations and the developer. The bill prescribes two circumstances where the Secretary can release the bond. First, if an interim report on the building work did not identify any defective building work, the Secretary can return the bond in full if he or she thinks it is appropriate to do so. Secondly, it

can be released on the application of the developer, if the owners corporation agrees and if part of the amount secured by the building bond has been claimed or realised by the Secretary.

New section 210A will have a regulation-making power to prescribe additional circumstances if this becomes necessary. While new section 209 permits the whole or part of the amount secured by the building bond to be paid to the owners corporation, either on identification of building defects in the final report, or by agreement by both the owners corporation and the developer, Fair Trading has identified other circumstances where payment from the building bond may be required—for example, where the developer has died or ceased to exist, is bankrupt or insolvent, or after due search and inquiry, the developer cannot be found in Australia. As a result of this situation, the developer is unable to pay the cost of the interim and final inspection reports, or his or her share of costs for a report for the Secretary. New section 209 will provide that these costs can be claimed or realised from the building bond by the Secretary to make these payments.

To further ensure that the bond is lodged appropriately, the bill increases the maximum penalty for a developer applying for an occupation certificate without having first lodged the bond from \$22,000 to \$1.1 million, with a further \$22,000 for each day the bond remains outstanding. The bill also introduces a new penalty for providing false or misleading information. Because a strong deterrent is required for developers who may repeatedly understate or provide false information, developers will now be subject to a new offence provision for providing false, misleading or deceptive information in relation to the contract price or the building bond. To reflect the seriousness of this offence, a maximum penalty of \$110,000 for corporations and \$22,000 in any other case will apply. I note that the Home Building Act 1989 has similar offences and penalties.

An amendment to section 271 of the Act will also provide that a regulation may create an offence punishable by a penalty not exceeding \$22,000. Presently, part 11 does not have a mechanism for Fair Trading or an owners corporation to determine the cost of rectification of the identified building defects. This limits Fair Trading's ability to quickly determine the amount of money to be released from the building bond to the owners corporation for this purpose.

The owners corporation and developer are best placed to determine the amount of funds required to rectify a defect. Clause 209 will therefore require the owners corporation and the developer to both agree on the amount that the Secretary should pay to the owners corporation to rectify the building defects identified in the final report. This amount, if any, will then be provided to the owners corporation from the building bond. New section 209 deliberately does not limit the methods that the owners corporation and the developer can use to determine the cost of rectification and the amount of money they recommend be drawn down from the bond. They can use any means they wish, provided that they both agree on the final amount and provide it to the Secretary. They could, for example, use a scope of works provided by a quantity surveyor or any other agreed person.

New section 209A provides that if the owners corporation and the developer cannot reach agreement, the Secretary will intervene and use a quantity surveyor or other means, such as requiring any documentation from either party, to determine the amount of the building bond to be paid to the owners corporation. To provide a further incentive, any costs of obtaining a report by the Secretary will be borne in equal shares by the owners corporation and the developer, except in circumstances that will be set out in the regulation. The agreed cost of rectification will only be appealable by way of judicial review, to ensure the decision-making process is not undermined by spurious claims.

Another important aspect of the bill is providing authorised officers with the necessary investigative powers to undertake investigations to determine the correct contract price. For example, the bill provides officers with the ability to enter and inspect any premises at any reasonable time, but only if it is necessary to do so to conduct investigations, obtain information or records or to investigate breaches of part 11 of the Act or part 8 of the regulation. The powers therefore cannot be used in relation to any investigation relating to any other part of the Strata Schemes Management Act 2015. Officers will also need to obtain the consent of the occupier or a search warrant to enter a residential address.

Authorised officers will also be able to issue "notices to produce" to persons, requiring them to produce any information or records that the authorised officers may require. In addition, authorised officers will be able to ask and require answers to questions of people that they suspect on reasonable grounds to have knowledge of a matter. Furthermore, authorised officers will be able to seize and examine documents and other material or things, and to make copies of them. An obstruction offence will apply to the investigation and compliance powers. The offence will merit a maximum penalty of up to \$4,400 in the case of a corporation and \$2,200 in any other case. These powers will enable officers to verify the contract price and do their job properly. These powers will also enable NSW Fair Trading to undertake investigations to verify that the amount of the building bond was based on the correct contract price for the build. They also reflect similar powers in other comparable NSW Fair Trading-administered statutes.

The bill also introduces a debt recovery process for when a developer has failed to provide a building bond or has provided an incorrect building bond amount. In these cases, the Secretary will require a way to recover the correct amount of the building bond from the developer. New section 211A provides such a debt recovery process. Amounts recovered under this section can be claimed in whole or in part by the owners corporation under section 210. This means that once the determined amount is recovered the owners corporation and developer will still have to determine the amount of the bond required to address the defects. If they cannot agree, the Secretary will use an independent quantity surveyor or other means to determine that amount.

New section 211A (6) will provide that an owners corporation must repay the developer any amount that has been paid to the owners corporation and which is not required to rectify identified defects. The owners corporation must also notify the developer when the rectification of defects has been completed. Section 211 of the Act presently provides that the Secretary, the owners corporation and the developer can apply to the tribunal for a determination of the contract price on which the 2 per cent building bond is based. It is appropriate for the Secretary and the owners corporation to have this right. However, given that the developer was involved in the construction of the property and possesses all of the relevant information, he or she is usually best placed to determine the contract price.

For this reason, developers should not be able to apply to the tribunal for a determination, because they are the ones who have been involved in the construction of the property, unless there are extraordinary circumstances. The only exception to this rule is when the developer has used an independent third party, such as a quantity surveyor, not connected with them, to determine the contract price. In these circumstances, the developer should be able to apply to the tribunal. This issue will be further explored during consultation on the draft amendment regulation.

The first annual general meeting of any owners corporation which is convened by the developer is an important milestone in the life of a strata scheme. It is often the first opportunity owners have to come together after moving into the strata scheme, and have had the chance to examine their lot and identify possible defects. The examination of building defects is a compulsory agenda item for the first meeting. While the Strata Schemes Management Act requires developers to provide certain documents to the owners corporation before the first annual general meeting, there is currently no requirement for the developer to provide documents to the building inspector. Providing a range of designated documents relating to the construction of the strata scheme will assist the building inspector, and whoever the building inspector appoints, in conducting an effective and efficient inspection to identify building defects.

For this reason, new section 198A will require the developer to provide the building inspector with a document that identifies any building defects that the developer is aware of, including any information about defects considered at the first annual general meeting of the owners corporation, and any other documents prescribed by the regulation. The smooth and efficient operation of the scheme will rely on the building inspectors appointed to conduct the interim and final inspections and to provide the required reports. The building inspectors will be drawn from several professional industry associations. During consultation on the bill, these associations expressed concern about the role of the building inspector in the scheme, seeking more clarification of the part they will play. Their role is clarified by a range of amendments to part 11.

Building inspectors are already required to perform their functions impartially and independently when providing a single expert assessment of the building, to help reduce adversarial disputes. Reducing the risk and liability of building inspectors being targeted or joined in law suits will support this aim. Accordingly, under new sections 213A and 213B, an inspector or a professional industry association that appointed the inspector to an inspection panel will be protected from being sued for anything done or omitted from being done in connection with an inspection if it was done or omitted in good faith. This good faith protection from being sued is the same protection already provided to members of strata committees under the Strata Schemes Management Act 2015. This protection comes with an accompanying responsibility. Accordingly, the regulation will provide that professional industry associations or the Secretary can impose conditions on building inspectors in the exercise of their functions, to ensure that the inspectors' functions are carried out competently.

Section 214 of the Act will also be amended to allow regulations to be made about how people are qualified to be appointed as building inspectors. An additional regulation-making power will also be included in section 214 to enable the creation and maintenance of registers of relevant information about people who are qualified to be appointed as building inspectors. This will help ensure that owners corporations can readily access information about proposed inspectors for their scheme, including any conditions imposed on them, before making any decision about their appointment.

It is usual in legislation for the secretary of a department that administers legislation to also be afforded some protection. This was not previously provided for under the Strata Schemes Management Act 2015, as the formal role of the Secretary in the Act was limited. However, as part 11 of the Act and the proposed amendments

place a range of onerous responsibilities on the Secretary and any person acting under the Secretary's direction, it is appropriate that this protection now be afforded. Therefore new section 257A excludes the Secretary or any person acting under the Secretary's direction from liability for any matter or thing done or omitted from being done in good faith for the purposes of executing functions under the Act. The exclusion of liability for the Secretary or any person acting under the Secretary's direction applies to the whole Act rather than just part 11. The bill makes a number of machinery amendments which clarify the meaning and operation of part 11 but do not affect its operation.

In closing, the provisions of this bill will give Fair Trading the appropriate and necessary powers to deal with developers who fail to complete work to the appropriate and required standard. The enhanced ability for Fair Trading to verify the contract price and therefore the correct calculation of the 2 per cent building bond will ensure the scheme is fair for all participants. The regulations will contain much of the detail about matters such as the definition of "contract price". Once the regulations are prepared and in place, the amendments to part 11 will commence. The amended regulation will also contain further detail about qualification requirements, the appointment of building inspectors, the oversight of these appointments by the commissioner through established guidelines, and association-maintained registers of building inspectors. Work has already commenced on this, and the first roundtable meeting of industry stakeholders has already been held.

This Government is committed to ensuring that the detail contained in the regulations is workable and will provide the best chance of ensuring that the objectives of the legislation continue to be met. I am pleased to introduce this bill and look forward to the valuable protections it will bring to the public. This bill is about putting consumers and residents first. It will do that by enhancing the strata defect bond scheme and providing Fair Trading with the appropriate and necessary powers to deal with developers who fail to complete building work to the appropriate and required standard. I commend the bill to the House.

**Debate adjourned.**

### *Budget*

## **BUDGET ESTIMATES AND RELATED PAPERS 2018-2019**

**Debate resumed from 9 August.**

**Mr ANDREW FRASER (Coffs Harbour) (12:49):** When I was last speaking in debate on the budget I was talking about TAFE and the money allocated to a new plumbing and trades centre at the Coffs Harbour Education Campus. I commend the TAFE teachers there for the great job that they do. Last weekend I attended the Sunnys Business Awards in Coffs Harbour, which celebrates small businesses. The Business of the Year was Mr Plummer. Brad Plummer is now in his mid-thirties but I helped him get his education through the plumbing courses in Coffs Harbour. He won not only in his category; he also won Small Business of the Year for Coffs Harbour. That is a great story about how TAFE assists individuals and communities. Brad has a thriving business. Competing with many businesses in Coffs Harbour he won the award last Saturday night. It was a thrill to be there and I congratulate him and all the other businesses that were nominated. [*Extension of time*]

There is a budget line in the budget papers this year for Coffs Harbour Public School. No monetary amount is given because it is out for tender at the moment but it will probably amount to \$5 million or \$10 million. It is for a much-needed and long-awaited extension of the Coffs Harbour Public School. Coffs Harbour Public School is one of the oldest schools in my electorate. It is a timber building in which a lot of us—especially those from regional New South Wales—would have been educated. A new library will be constructed. I have seen the plans that went out for tender. They are futuristic.

I commend the teachers at the school. They run special learning classes. The parents of the children who have attended that school over the years have told me that they are thrilled with the great education that their children receive and the great way that the teachers and staff at the school treat the community generally. There is involvement by mums and dads with the school, which has a great reputation. Over the years many people have thought that with the changing demographic and the opening of schools across the Coffs Harbour electorate the school may close one day but it is going from strength to strength. A lot of people in outlying areas bring their children into Coffs Harbour because they work in town. A lot of the older homes around the central area of Coffs Harbour are now being vacated by older residents and younger families are moving in. The Coffs Harbour Public School is a great school in a good location—right in the centre of town opposite Brelsford Park. Kids whose parents choose to send them there have an opportunity to gain a fantastic education.

We have finally received a commitment from the Federal Government for the Coffs Harbour bypass. As I have said before, governments of all persuasions—State and Federal—have put money into the Pacific Highway but since the Coalition governments have been in power in New South Wales and in Canberra we have seen work progress at such a rate that I think 81 per cent of the Pacific Highway dual carriageway has now been completed.

When Carl Scully promised a dual carriageway from Hexham to the border, Labor had not allowed for a bypass of Coffs Harbour because there was already a four-lane dual carriageway through the centre of town.

Whilst Kempsey, Macksville and other areas close to the highway have now been bypassed, Coffs Harbour is fast becoming a blockage on the highway, especially in peak holiday periods. There are 12 sets of traffic lights on the highway which is the major transport route for B-doubles and other trucks taking goods from Queensland to Melbourne and vice versa. For some time \$200 million has been allocated and more than half of that has been spent on planning and property acquisition. We now have a commitment from the Federal Government so we have a green light to commence the Coffs Harbour town centre bypass.

I have had discussions with the engineers. As we have money on the table I say to the Minister for Roads, Maritime and Freight that rather than continuing planning in the hope that money will come through at some time in the future—the year 2020 has been suggested—we should start the job now and get the tenders out. There are two major interchanges—one on Coramba Road and one at Korora. We need to start those interchanges now because the sooner they are started the sooner they will be finished. It is estimated that this major job will cost somewhere between \$1.2 billion and \$1.4 billion. As I said, \$200 million of State money and \$800 million of Federal money has already been put on the table so let us fast-track the process.

I commend Bob Higgins, who has been the manager of the Pacific Highway for many years. Bob is retiring in two weeks. I know from my experience that Bob's work on the highway has been exceptional—it is second to none. It is sad that he is retiring prior to the works being finished. I was talking to Bob yesterday. He said that the time had come—he had decided to get a life. Many times over the years we have been out looking at problems along the highway—from water problems to the inevitable noise problems. I have never seen a man more dedicated to the task. He has been with me sometimes at 9 o'clock at night sitting on people's verandas and listening to traffic noise and hearing about people's problems. It does not matter where we put a road; someone will be affected. Bob has made sure that those who were affected had their issues resolved. In 98 per cent of the cases we have been able to provide a satisfactory response. I commend Bob for his genial nature. He is a gentleman and he has been willing, 24/7, to resolve the problems relating to bypasses.

Last night we reminisced about the town of Bonville. When it was eventually bypassed the town was divided. The Grandis Road people were on one side. They had built nice big homes right next to a proposed route which they did not think would be used. They were pushing for the existing highway to be utilised as the route. The people in the centre of Bonville, which is only a small village, were saying that it should go where it was originally proposed. Eventually, after negotiations by Bob, the highway was moved about 100 metres. The noise levels for the Grandis Road residents were reduced and the members of that community got on with their lives.

It took a long while to go through that process but eventually the decision that was made, under the guidance of Bob Higgins, was one that meant everyone was happy. The reduction in the number of road deaths on the Pacific Highway over the past seven or eight years has been heartening for me and for those in my electorate. Over the years an incredible number of people have been killed or maimed on that highway—from young people who had just completed university degrees to older members of the community. That black ribbon of death is fast becoming a better road. We were not breaking the speed limit on this magnificent road. There are still bits and pieces of roadwork going on but basically the highway is now complete from Raymond Terrace right through to Coffs Harbour. Large slabs have been completed north of Coffs Harbour, but we still have the bottleneck in the middle of Coffs. Once the contracts are signed, those interchanges can be commenced because there is no need for an environmental impact statement process in those areas. That means the final opening of the Coffs Harbour bypass can be fast-tracked.

Driving on the Pacific Highway can be very frustrating during the Easter weekend, school holidays and, especially, Christmas holidays because of the amount of traffic that comes through the 12 sets of traffic lights in Coffs Harbour. Heavy vehicle drivers are especially frustrated and have in the past been tempted to run red traffic lights. As a result of complaints I have received, red lights cameras have been installed at Combine Street and Bray Street, two intersections where accidents were waiting to happen because habitually truck drivers, mainly late at night, have run red lights. Now if they run a red light they will be fined. Thank goodness there have not been major accidents at those intersections. The red light cameras will ensure that truck drivers and other motorists going through the city late at night will not be tempted to run red lights because if they do they will cop severe penalties.

It is interesting to listen to those opposite whinge about what their electorates have and do not have as a result of the budget. Once again I say to those opposite that during 16 years of their Labor Government in this State regional New South Wales suffered badly. The Labor Government promised a lot but delivered nothing. Bob Carr, as Premier, put on a public works freeze and all capital works in regional New South Wales were frozen. In contrast, this Coalition Government has had the money in its budget to spend in regional New South Wales, including in the Coffs Harbour electorate. We have received \$194 million for the hospital, money which should

have been spent years ago and which is a godsend, along with \$9 million for the TAFE and between \$5 million and \$10 million for Coffs Harbour Public School. There is continuing roads funding and the courthouse has been built at a cost of more than \$70 million, which has been welcomed by police officers.

Those opposite complain that this Government is not funding development in their electorates, but that is not true. This Government has spent money wisely right across the State, from metropolitan New South Wales to regional New South Wales. I have to say that the people of the Coffs Harbour electorate are grateful that the Premier, Gladys Berejiklian, the Deputy Premier, John Barilaro, and the Treasurer, Dominic Perrottet, are in government. Although I will not be in this place after the next election, I hope that the next government is a Coalition government in order that regional New South Wales, and New South Wales in general, can be sure that money is not wasted but spent in areas that will benefit from it. I look forward to seeing prosperity in the regions and right across New South Wales. I commend the budget to the House.

*Senate*

### SENATE VACANCY

**TEMPORARY SPEAKER (Ms Sonia Hornery):** I report receipt of the following message from the office of His Excellency the Governor:

MICHAEL MILLER RFD  
Official Secretary to the Governor

Government House  
Sydney, 15 August 2018

I write at His Excellency's Command, to transmit a copy of a letter to His Excellency from the President of the Senate notifying that a vacancy has happened in the representation of the State of New South Wales through the resignation of Senator the Honourable Lee Rhiannon which occurred on 15 August 2018.

The Senate  
Canberra  
15 August 2018

Your Excellency

Pursuant to the provisions of section 21 of the Commonwealth of Australia Constitution, I notify Your Excellency that there is a vacancy in the representation of the State of New South Wales caused by the resignation of Senator Lee Rhiannon today.

**Mr ANTHONY ROBERTS:** I move:

- (1) That the House meet with the Legislative Council for the purpose of sitting and voting together to choose a person to hold the place in the Senate rendered vacant by the resignation of Senator Lee Rhiannon.
- (2) The message be sent informing the Legislative Council of the resolution and requesting the Legislative Council to fix a time and place for the joint sitting.

**Motion agreed to.**

*Budget*

### BUDGET ESTIMATES AND RELATED PAPERS 2018-2019

**Mr GREG APLIN (Albury) (13:04):** I welcome the New South Wales budget for 2018-19, which demonstrates the economic powerhouse that New South Wales has become under its Coalition Government leadership and management. As we near the end of two terms in power, it is clear for all to see that fiscal strength has secured the policy authority of this Government, as it gets on with the job of building the future we always knew was possible for New South Wales. This is a budget of highlights for all who live and work in New South Wales. The budget is in surplus once again, amounting to \$3.9 billion for this year. New South Wales also enjoys the benefit of having no State debt and a triple-A credit rating. We continue to be the State with the lowest unemployment rate.

This Government is building a world-class regional water management and compliance regime, with a commitment of more than \$23 million over the next two years. Also, we are establishing a new \$3 billion NSW Generations Fund to protect against future State debt and guard against long-term budget pressures. But this is also a budget of compassion. There will be \$1 billion in support of the homeless. A boost to the Family and Community Services front line will result in 100 new workers for the child protection system and more investment in Australia's most successful open adoption program.

Support for farmers and their families facing drought has long been recognised by this Government. In the budget this funding was boosted by \$284 million, bringing the New South Wales Government's drought relief package to well over \$500 million. A recent announcement has lifted this further to a total of \$1 billion in assistance. I have promoted these drought relief programs in my electorate and encourage those on the land to investigate their options. Public education is taking off. A record \$17.3 billion will be spent on education funding this year, with an additional 900 full-time teachers in schools across New South Wales. Up to 1,000 public schools

will receive air conditioning, with a \$500 million funding boost. Funding continues for James Fallon High School hall works and to complete Corowa TAFE's massive expansion. These are two projects that have been close to my heart and which signal the readiness of this Government to seek out needs and opportunities.

Many people in the Albury electorate rely on our rail system for inter-city transport. Though the XPT service is quite old now, it remains the envy of our southern neighbour, which never quite commits to replacing the shocking and unreliable service it provides to Wodonga and Albury residents needing to go to Melbourne. I am pleased to see the budget place \$31 million into the procurement program for the fleet to replace the ageing XPT rolling stock—the sooner the better. From my position as deputy chair of the zonal taxation inquiry, I have been researching ways the State Government can stimulate business in the State and particularly in regional areas. The report was presented shortly before the budget, but it was terrific news that the committee's work on payroll tax was recognised. This is good news for small business.

The payroll tax threshold will be lifted in steps to \$1 million, commencing with a rise to \$850,000 effective from 1 July this year and on the way to having a threshold of \$1 million by 2021-22. This is estimated to return \$881 million to business pockets in payroll tax cuts over the next four years. Funding of \$22 million is going to community legal centres and to support a civil justice strategy which will improve the way small businesses resolve legal disputes. Through another program, there will be a \$50 million investment in the State's primary industries research stations to help bolster on-farm productivity.

It is always good to be able to support businesses that are working hard in the Albury electorate. In May the Ettamogah Rail Hub was successful in its application for \$7.6 million so it could increase siding capacity by more than five kilometres. This funding, as part of the New South Wales Government's Fixing Country Rail Program, will substantially increase freight capacity at the terminal. The siding upgrade will improve rail efficiency, capacity and management by enabling longer trains of up to 1,200 metres in length to be loaded off the main line. The use of longer trains will cut delivery times and allow more goods to be transported by rail, reducing costs for both producers and consumers.

During the Cabinet visit to Albury in November last year, I arranged for the Premier to visit the Ettamogah Rail Hub where she saw first-hand the importance of the project and the long-term benefits for our region. Now we are well underway in realising this plan of border and, indeed, statewide significance.

As ever, health is of critical interest in my electorate. Mental health remains my great focus and I am pleased that the Brain and Mind Centre is currently under development as a community treatment one-stop shop. The centre will house approximately 100 staff with non-government organisations. It will include 12 consulting rooms and many more facilities as well as a health campus featuring established gardens, parking and public transport access. I can advise the House that this innovative project has progressed with a development approval obtained from council. A builder has been selected through the tender process and work is about to commence on the site.

The exciting news from the budget is that Nolan House, the border's acute mental health facility, will be re-imagined and rebuilt with planning funding to commence the process. I thank the Minister for Health, the Minister for Mental Health, the Treasurer and the Premier for their tireless dedication to this task and for committing to the job of modernising all of Albury's mental health infrastructure. The old buildings which characterise Albury's community and acute mental health facilities had become part of the problem rather than facilitators of good health because they were broken down, unsafe and maintenance black holes. The new construction should bring benefits on reduced spending on maintenance and repairs.

As well as infrastructure, an increase of \$82.5 million in the mental health budget boosts it to \$2 billion, which is the biggest single investment in mental health infrastructure in Australia's history. Planning is well underway for a new \$30 million emergency department at Albury hospital, which will see the emergency department expand from 26 treatment spaces to 58, with multiple streams of patient management providing clarity and enhanced safety for the public and staff. The budget continues to provide funding for planning while construction is expected to commence next year.

Recurrent funding from Albury Wodonga Health has climbed to approximately \$120 million, including ongoing funding for the \$60 million rebuild of multipurpose services at Tumbarumba and Culcairn. Across the State an additional investment in technology and staff will advance paediatric precision medicine to help treat childhood cancer and other genetic disorders. Enhanced systems will support safe and timely transfer of pregnant women who require higher levels of care. We can look forward to increased specialist perinatal and infant mental health services which will deliver mental health services to pregnant women and mothers with severe and complex mental illness. The budget provides \$55 million in new initiatives to support mental health workers and workplaces.

The Government will have to watch the push from Victoria to move the border's neonatal and obstetrics services that are currently located in Wodonga to the Albury hospital campus. The Victorian Government has signalled that it will reclassify Wodonga hospital in such a way so that riskier births will no longer be permitted. Their change in policy will require that a fully functioning maternity ward has an intensive care unit [ICU]. There is no plan for the Victorian Government to fund this shift nor to fund construction. The only plan seems to be for Victorian Labor to set standards that it cannot fund in order to push facilities and infrastructure spending onto another government, which means New South Wales.

There appears to be no getting around this rapidly approaching deadline. The consequence of not bringing maternity and ICU together will be that more than 120 women will have to travel to a metropolitan area to give birth. This must not stand. While the Victorian Government shrugs its shoulders, I respectfully request prompt support from the New South Wales Government to liaise with Victoria to obtain a safe solution so that families can stay together at home, particularly when births may be difficult. It is not right and it is not fair. Yet, that is what this Coalition Government must do with Victoria and our shared infrastructure on the Murray border.

This must be seen in a context when the Victorian Government is not funding the new emergency department nor the replacement of the acute mental health facility for the region—dare I say the functional economic region or, rather, non-functional economic region that ties Albury to the dead otter of Victoria's miserly State Government. That means \$50 million for current infrastructure works on our side of the shared equation and essentially zero on the other side from across the Murray. Albury Wodonga is one of the largest 10 urban centres in Australia and difficult births will no longer be able to be managed by its hospitals.

This Government prides itself on keeping a close watch on ways to help us all save dollars in our home budgets. More help is being made available through the New South Wales budget in the following ways. Registration fees for caravans and camper trailers will be reduced by 40 per cent. The One-Click Energy Switch program will help people change providers more easily so that they will have cheaper energy bills. It has been estimated that this could help a typical household save more than \$1,000 a year on its bills. A program to reduce the financial burden on sending three-year-olds to community preschools will receive \$200 million. The new Parents Package includes the \$7.6 million baby bundle for new parents which will support the health, development and wellbeing of their babies. The important role of Police Citizens Youth Clubs [PCYCs] has been recognised by this budget with funding for upgrades. Albury PCYC will benefit from \$150,000 in funding. This will help our PCYCs make more activities available to more children.

### **Business interrupted.**

#### *Community Recognition Statements*

### **NSW POLICE FORCE CHIEF INSPECTOR BILL PEARCE RETIREMENT**

**Mr EDMOND ATALLA (Mount Druitt) (13:15):** I ask members to join me in congratulating Chief Inspector Bill Pearce on his recent retirement from the NSW Police Force after 37 years of service. As well as being stationed in the Blue Mountains, Ashfield and Balmain, Chief Inspector Pearce spent 14 years servicing the people of Mount Druitt. His dedication to helping all members in the community, particularly in the area of domestic violence, did not go unnoticed. While the community is sad that Chief Inspector Pearce is retiring, locals came together to celebrate his hard work in Mount Druitt. More than 100 of his colleagues marched in a parade of mounted officers, a motorcade and a police helicopter. I trust all members will join me in wishing Chief Inspector Pearce the best for his retirement as he enjoys the future surrounded by family and friends.

### **BEAR COTTAGE SUPER HERO WEEK**

**Ms FELICITY WILSON (North Shore) (13:16):** On Saturday 4 August a number of my local constituents came together to raise money at the Mosman Market with a stall in support of Bear Cottage, which is a children's hospice located in Manly. The event was part of Bear Cottage's annual Super Hero Week, which is its main fundraising drive. The stall sold baked goods and Bear Cottage merchandise. I was pleased to join locals Will Spence, Michael Sloan, Cian Byrne, Jo Howe, Julia Preston and David Meehan to support them and Bear Cottage and I commend their efforts for giving back to our community. Their cottage is the only children's hospice in New South Wales, which is a special place that is dedicated to caring for children with life-limiting conditions. Families who care for a child with life-limiting conditions often do so around the clock for many years. The vision of Bear Cottage is not only to be as far removed from a hospital as possible but to be set up to also provide excellence in paediatric palliative care 24 hours a day. I commend those locals and Bear Cottage for their efforts and look forward to the next opportunity to join them in their fundraising endeavours.

### HUNTER ELECTORATE DROUGHT ASSISTANCE

**Ms SONIA HORNER (Wallsend) (13:17):** Last Saturday Hunter residents once again showed their willingness to give when someone is doing it tough. Three weeks ago a local truck driver had an idea to drive his truck to Speers Point to see if locals would help him fill it with items for farmers facing tough times as a result of this horrific drought. Members will not be surprised to learn that Hunter residents filled it in spades. Eight semitrailers were filled with more than 200 pallets of non-perishable items and more than \$80,000 in cash and prepaid cards were donated to farmers. I also thank Wallsend residents who filled my office with more than five tonnes of food and almost \$2,500 in donations. I congratulate Shane and Bianca Worrall and the hundreds of volunteers who helped sort and pack the items.

### PORT MACQUARIE HASTINGS LIBRARIAN VIRGINIA COX

**Mrs LESLIE WILLIAMS (Port Macquarie) (13:18):** I acknowledge local librarian Virginia Cox and recognise her outstanding work over the past 17 years in supporting students and locals in her role at the Port Macquarie Hastings Library Service. Virginia Cox first joined the Port Macquarie Library Service in 2001 as a trainee librarian. When she completed her studies she was offered a position as the Children's and Young Adults Librarian. Virginia has been instrumental in her role in educating people with literacy difficulties, child development and literature support through a variety of services, including the fantastic introduction of a library van service for rural schools.

Virginia's innovative and creative approach to her role has seen a number of initiatives developed under her leadership, including the Book Start Program, which offers a book pack from the library to every baby born at Port Macquarie Base Hospital, and the Little Bang Discovery Club, which introduces a science program to children under five. The Port Macquarie Library offers a range of programs and educational advice to meet the needs of all ages in our community, including the Early Bird, Early Literacy program, Fun with Music program, Baby Bounce program, Teacher-Librarians Group, Hastings Autism and Asperger's Resources Group, and Hastings Festival of Stories and school holiday activities for children, all of which are coordinated by Virginia Cox. On behalf of the Port Macquarie-Hastings community I extend a heartfelt thanks to Virginia and wish her well in her future endeavours.

### ORANGE ELECTORATE LIFESAVERS JAKE CLARK AND LAUREE MULLINS

**Mr PHILIP DONATO (Orange) (13:19):** I recognise Jake Clark and Lauree Mullins of Orange. On the morning of Wednesday 30 May 2018 two strangers became a critical lifesaving team at the Orange Centrelink office, following the sudden and unexpected collapse of a woman in their proximity. Following the ensuing panic, Jake Clark and Lauree Mullins expedited to aid the woman, whom they established to be unresponsive. Jake and Lauree initiated and maintained cardiopulmonary resuscitation until the arrival of ambulance officers, who transported the woman to hospital.

Jake, a practising St John Ambulance cadet, and Lauree, an aged care nurse, relied upon their lifesaving skills and experience to sustain the patient's life, providing her with the chance to live. Both Jake Clark and Lauree Mullins are heroes, having saved the patient's life and provided hope for her future. This woman may have lost her life had Jake and Lauree not have been at the right place and at the right time with their cool-headed responsiveness. I am proud to recognise those two heroes, who not only saved a woman's life but also saved her many loved ones from an irreplaceable loss.

### BIG BUSH FREEZE FUNDRAISER

**Ms STEPH COOKE (Cootamundra) (13:20):** Many members in the Chamber may be familiar with the ice-bucket challenge craze a few years back, raising money for Motor Neuron Disease. On the weekend I was, reluctantly, flung down a slide and into a pool of 200 kilograms of ice, in a torturous Coolamon version of this fundraiser: the Big Bush Freeze. The event is the major fundraiser for John and Wendy Keogh and Brendan and Joanne Gibbons of the Grasshoppers team, which takes part in the annual Daniher Drive. Between the nine sliders and community donations, more than \$22,000 was raised. It is the second year of the event, bringing the total donation to just under \$100,000. Congratulations to all involved with this fantastic day.

### SWANSEA ELECTORATE SURF LIFE SAVING CLUB RESCUE

**Ms YASMIN CATLEY (Swansea) (13:21):** I bring to the attention of the House the commendable efforts of all members of Surf Life Saving Central Coast—Support Operations and The Lakes Surf Life Saving Club, who were involved in the rescue of a man trapped inside a cave at Snapper Point on Wednesday 6 June 2018. Members from both organisations responded to this incident and worked alongside police and emergency services to facilitate a textbook rescue from this notorious stretch of coastline, which has claimed 22 lives since 2007. Notably, David Smith and Paul Dowdell courageously battled dangerous surf conditions using a rescue watercraft

to navigate the break and reach the cave. The large swell prevented the landing of the rescue craft, requiring Paul to swim into the cave, battling one-metre high waves to reach the trapped man. Paul assisted the man onto the rescue craft's rear sled and David once again safely navigated all three back to the shores of Fraser Beach. Congratulations to all members from the various organisations involved in this dangerous yet successful rescue.

#### **NAROOMA NAB BRANCH CLOSURE**

**Mr ANDREW CONSTANCE (Bega—Minister for Transport and Infrastructure) (13:22):** Mr Jason Hextall and Mr Phil Constable have been advocating in the community since the proposed closure of the local NAB branch was made public. I want to support their cause. They are holding a public meeting on Friday 17 August at Club Narooma at 6.00 p.m. One would think that the NAB would know better in light of the current banking royal commission and, of course, the drought. For the community to see a bank close is very hard to cop. A local bank is important. It is not only about numbers through the door but also about providing confidence to existing businesses and future growth in regional areas such as those areas in and around Narooma. For this to happen when there is a drought does not stand NAB in good stead at all in terms of its local relationships, particularly in country areas. NAB owes a level of customer service to the locals. The Narooma branch of the NAB has been much enjoyed and loved by the local community. It is a shame it has decided to close the branch.

#### **FAIRFIELD ELECTORATE CLUBGRANTS PROGRAM**

**Mr GUY ZANGARI (Fairfield) (13:23):** On Thursday 2 August 2018 I had the great pleasure of attending the ClubGRANTS presentation with the Mounties group. The ClubGRANTS program continues to provide funding to the numerous community support and outreach services throughout the electorate. More than \$5.7 million in funding was provided to local services this year alone. This funding enables them to continue their invaluable work throughout our community. The presentation evening also served as a wonderful opportunity for the local support services to network together and it was great to catch up with so many dedicated leaders from the Autism Advisory and Support Service, the Park's Community Network, Vision Australia and the Vietnamese Community in Australia—NSW Chapter Inc, and many others. On behalf of the Fairfield electorate, I extend our admiration and gratitude to the dedicated staff and volunteers from the numerous service providers who assist those in need throughout our community.

#### **WINSTON HEIGHTS PUBLIC SCHOOL BAND**

**Mr MARK TAYLOR (Seven Hills) (13:24):** A few weeks ago it was a pleasure to have the Premier, the Hon Gladys Berejiklian, meet constituents of the Seven Hills electorate. The Premier spent the afternoon visiting The Willows Retirement Village in Winston Hills. The event was a great occasion and we were all delighted to be joined by the Winston Heights Public School band. The band had many fantastic members playing some fantastic tunes. I acknowledge the band members, including Jacob on the piano; Alexis, Kiara and Georgia playing the flute; Elyce and Georgia playing clarinet; Tom and Caeleb playing the trumpet; Josh and Matthew playing bass; Amelia playing the trombone; Kingston on the piano and flute; and Mia aiding the ensemble. The band played superbly, and I thank them for creating a great atmosphere at the event. Extracurricular activities such as music are vital to children's education. I am pleased to see many bright and dedicated students at Winston Heights Public School taking up instruments and playing them as a skill of life.

#### **UNIVERSITY STUDENTS WELFARE**

**Ms JO HAYLEN (Summer Hill) (13:25):** My electorate of Summer Hill is home to one of the highest number of university students across the State. The 2017 Universities Australia Student Finances Survey revealed that one in seven students regularly forgo food and necessities because they cannot afford them. The report found that almost one-third of students were finding it hard to make ends meet, with full-time students living on as little as \$18,000 a year. Meanwhile, students are struggling with the rising cost of living, which includes climbing transport fares, soaring utility costs and sky-high rents. At the same time, the average cost of an undergraduate degree continues to surge, landing university students with unmanageable debt before their career has really begun. When I speak with students in my electorate, they regularly raise with me the Federal Government's attacks on penalty rates, on which they rely. I recognise organisations in my electorate like Marrickville Legal Centre which assist students every day as well as student organisations at universities and campuses across the State. I stand with them in their call for a fair deal because students deserve to pursue their education without fear of living in poverty.

#### **KIAMA COMMUNITY ACHIEVEMENT AWARDS**

**Mr GARETH WARD (Kiama) (13:26):** On Friday 3 August I was very pleased to attend the inaugural Kiama Community Achievement Awards as part of Local Government Week. This was an incredibly well-organised event by Kiama Municipal Council. I commend them for creating an opportunity to recognise and celebrate the significant achievements of our community members. First, my congratulations go to those who

were recognised with community awards: Riley Nicholl, the recipient of the Kiama Sporting Achievement Award; Wil Da'lbarra, who achieved achieving the Kiama Sporting Achievement Commendation Award; and the Hillside Native Food Forest Landcare Group which was awarded the Kiama Service to the Environment Award. Furthermore, I acknowledge the incredible achievements of Brett and Josh Morris, who have been role models throughout the world of rugby league and were recognised on the day. Once again, congratulations to all involved in the proceedings of such a professional event and to the award winners for attaining well-deserved recognition for the tireless work and efforts within the local community. I look forward to attending next year's ceremony.

#### **NATIONAL WHEELCHAIR BASKETBALL CHAMPIONSHIPS**

**Mr PAUL SCULLY (Wollongong) (13:27):** Wollongong once again has a back-to-back national title winning team after the Wollongong Roller Hawks defeated the Queensland Spinning Bullets to win the 2018 National Wheelchair Basketball League. The final series took place over the course of three consecutive days, with the Roller Hawks defeating the Red Dust Heelers, Kilsyth Cobras and then the Spinning Bullets to take the title. Since entering the National Wheelchair Basketball League 2001—the first regional team to do so—this is the fourth time the Roller Hawks have been champions, with the team also having taken the bronze medal in 2007. The Roller Hawks are supported by a team of volunteers on the team's management committee. I add my congratulations to team captain Brett Stibners, coach Brendan Dowler, co-manager James Williams, mechanic and co-manager Hector Bonilla, Geoff Adams, and players Shawn Russell, Nick Scott, Darren Hayes, Tim Markcrow, Hannah Dodd, Brad Fisher, Luke Pople, Nick Taylor, Michael Auprince and Ashley Kennedy on a fantastic result and a fantastic season. I hope for a repeat in 2019.

#### **AARON'S WISH CHARITY DINNER**

**Mr DAVID ELLIOTT (Baulkham Hills—Minister for Counter Terrorism, Minister for Corrections, and Minister for Veterans Affairs) (13:28):** I inform the House of the special event my wife, Nicole, and I were honoured to attend at the Lyls Function Centre in Seven Hills on Saturday 28 July to raise awareness and much-needed funds for brain cancer research. Established in 2013 by the Lori family, Aaron's Wish is an annual black tie charity dinner that commemorates the courageous battle Aaron Lori sadly lost with brain cancer earlier that year and the fight countless others have had to endure against this insidious disease. Many people are still unaware that brain cancer is one of the most malignant yet understudied of all cancers and is the leading cause of cancer deaths in children under 10 and young people under 39. Each year approximately 1,600 patients are diagnosed and 1,200 will pass away. Events like this hold a profound place in my family's heart because, as members may recall, of my wife's battle with cancer a few short years ago. I thank the Lori family for hosting an unforgettable evening filled with delicious foods, bubbly drinks and light entertainment as we reminisced and talked of the hope of Aaron's wish of finding better treatments for this devastating disease and one day a cure.

#### **HOMELESSNESS**

**Ms LIESL TESCH (Gosford) (13:29):** Well done CatholicCare, St Vinnies and UnitingCare, which are doing great work with very minimal resources on the peninsula, an area that seems almost out of reach to the Government services of the Gosford electorate. I thank them for doing an incredible job of caring for our vulnerable people on the peninsula. It is heartwarming and uplifting to hear about the programs they offer, and even better to see community love in situ. As always, the weekday lunchtime feed at Mary Mac's and the monthly community bacon and egg roll for those doing it tough are surrounded by the generosity and unconditional love that is a part of the peninsula community.

Those who are sleeping rough and living on the fringes are appreciative of subtle changes to the debilitating rules that surround the provision of housing. It is great to see that CatholicCare, St Vinnies and UnitingCare are slowly starting to infiltrate the bureaucracy and see success. The increasing number of homeless and those who are suffering under the rising cost of living in our community appreciate all the services on offer, and even more so look forward to additional support to move into a more dignified way of life. A very special thanks to all our volunteers and to Nikki, Jo and Catherine.

#### **RURAL AID BLACK TIE AND BOOTS BALL**

**Mr PAUL TOOLE (Bathurst—Minister for Lands and Forestry, and Minister for Racing) (13:30):** I congratulate the entire Bathurst community on holding a fundraising event last Saturday night to raise money for the community during this tough time of the drought. Many people from the Bathurst community attended the Black Tie and Boots Ball. With more than 700 people in attendance, we raised just over \$150,000, which will go towards the employment of a full-time rural counsellor for the Central Tablelands. I congratulate Grant and Chezzi Denyer on their work in bringing the community together for such an important event. They are ambassadors for Rural Aid. They have also been travelling throughout the area, delivering hampers to families that are most in

need. I congratulate Guy Sebastian and Kyle Manning of the Heydays on providing entertainment on the night. I commend the organisers for providing free tickets to farmers to enable them to attend this event.

#### **INTERNATIONAL CHOCOLATE HERO JODIE VAN DER VELDEN**

**Ms TRISH DOYLE (Blue Mountains) (13:31):** I acknowledge and commend the most fabulous Jodie Van Der Velden, who is a wonderful woman, a most respected and loved resident of the Blue Mountains, a small business owner and a constituent I am so proud of. Jodie, a chocolatier at Josophan's Fine Chocolates of Leura, is a creative genius. Recently she was named an international chocolate hero in tribute to chocolate chefs around the world. The chocolate heroes are passion-fuelled artisans whose weapons are whisks and palette knives. They will not rest until that awesome taste hits every tiny taste bud. They bedazzle with that incredible ganache recipe they have done more than 87 times to get it just right.

Jodie is an inventor. She loves experimenting with new recipes and since opening Josophan's Chocolates in early 2005 she has moved from strength and inspiration to strength and international recognition. Now Josophan's is one of only four places in the world to offer the spectacular ruby chocolate, a Callebaut creation: delicious sour ruby-pink chocolate that took a decade of testing to finesse. Make sure you avail yourself of a taste. I congratulate Jodie and her team.

#### **LORD HOWE ISLAND CENTRAL SCHOOL**

**Mrs LESLIE WILLIAMS (Port Macquarie) (13:32):** As we recently celebrated Education Week, I take this opportunity to recognise the valuable contribution Lord Howe Island Central School makes to the local environment through projects planned to also celebrate World Oceans Day on June 8. Lord Howe Island Central School, in conjunction with NSW Marine Parks, has taken up the campaign to rid our oceans and reefs of plastics that contaminate our environment and threaten our marine species. The Year of the Reef is the slogan used for the World Environment Day theme Beat Plastic Pollution, a fantastic initiative to remove the use of plastic from our schools.

Through Principal Leanne Hedt, Mrs Ginny Retmock and the committed staff of Lord Howe Island Central School a variety of exciting activities are currently being introduced to teach students the importance of a plastic-free future. One policy that the school is focusing on is printed bread bags for students to purchase and carry their bread in, as well as analysing the school's rubbish for the day to determine what is recyclable and how it can be disposed of safely. Recently the school implemented Waste Free Wednesdays, a new initiative designed to encourage students to attend school without plastic wrapping or waste. Students have even begun to carry their lunch in stainless steel lunch boxes. It is a credit to the parents that they are also embracing this school's brilliant policy.

#### **SPORTS COACH HANS TILLER**

**Ms JODIE HARRISON (Charlestown) (13:33):** I congratulate my constituent Hans Tiller on his lifetime of dedication to the development of athletes in the Hunter. Hans got into running while living in a migrant hostel in Matraville after arriving in Sydney in 1957. While trying out water polo and swimming in the 1960s, he realised his passion was running—in particular long distance running. Hans competed as a runner at an elite level for a number of years, but a knee injury forced him to stop running. Not wanting to relinquish his involvement in the sport, he took up a coaching role.

The first young athlete he coached improved so significantly that he won the New South Wales Under-15s 800-metre race. Hans went on to coach runners to successful State and Australian titles. As well as coaching, Hans has taken on a number of administrative roles at his clubs over the years, including club captain, secretary, vice president and president. He says the most enjoyable aspects of his time with athletics were coaching his athletes to improve and achieve results to the best of their ability as well as helping them to enjoy the sport. Well done, Hans. Keep up your amazing work with our young athletes in the Hunter.

#### **MAKE UP INDUSTRY AWARD WINNER KATIE SMALLMON**

**Ms STEPH COOKE (Cootamundra) (13:34):** One might associate special effects and fantasy film characters with big-city productions, but a 33-year-old from Junee has other ideas. Katie Smallmon recently won the peoples' choice award at the Make Up Industry Awards in Brisbane for her out-of-this-world creations. Four thousand people voted for the peoples' choice winner, a hairdresser who began experimenting with make-up in 2015. Her talent and wild creativity has landed her a spot among the country's top three special effects artists and top five fantasy make-up artists. Congratulations, Katie. I hope this recognition leads to big things.

### **CHEMICAL ENGINEER PROFESSOR BEHDAD MOGHTADERI**

**Mr TIM CRAKANTHORP (Newcastle) (13:35):** I acknowledge Professor Behdad Moghtaderi of the University of Newcastle for his contributions to scientific research and technological innovation. Professor Moghtaderi is a world-renowned chemical engineer tackling some of the biggest issues facing us in the twenty-first century, including energy efficiency and renewable energy. His work has brought in more than \$48 million in research funding in the past 12 years and he has a staggering 220 publications to his name. He recently received the Australian Engineering Excellence Award for the development of large-scale detonation tubes designed for the capture and abatement of methane emitted by mining. Congratulations, Professor Moghtaderi. You make a wonderful contribution to the City of Newcastle. We salute you.

### **KIAMA DOWNS INFLATABLE RESCUE BOAT RACING TEAM**

**Mr GARETH WARD (Kiama) (13:36):** As another season of Inflatable Rescue Boat [IRB] racing comes to an end, I am incredibly proud to state that the Kiama Downs IRB team has had an extremely successful year, placing first overall in the New South Wales State Championships, first overall in the Australian Masters Championships, and third in the nation in the Australian Open Championships. What makes this achievement even more astounding is that this is one of the smaller clubs in the State, with a team of 17 competitors, in comparison to some of the large clubs that have in excess of 50 competitors. It is great to see Kiama Downs continue to punch well and truly above its weight. The Kiama Downs IRB team consists of the following athletes: Chloe Backen, Sienna Camilleri, Jordan Dusmanovic, Joshua Ehlbeck, Kathy Foster, Nathan Foster, Eliza Gottaas-Healey, Steven Guy, Aidan Hazell, Bradley Honey, Kirsty Honey, Kaitlin Isabella, Troy Kirby, Matthew Lewis, Jessie Pill, Kylie Strong and Stephen Strong. Once again, I congratulate all involved on achieving an absolutely incredible result and I wish them the best for the future.

### **PAGEWOOD BOTANY FOOTBALL CLUB MEMBER IAN LEVITT**

**Mr RON HOENIG (Heffron) (13:37):** I commend Ian Levitt on his service to his community and to the Pagewood Botany Football Club. For more than 30 years, he has not only served the football community and his club with distinction, but also served the rest of the general community. He is a lifetime member of the Pagewood Botany Football Club. Ian Levitt, a firefighter by profession, dedicates the rest of his time to the club by organising the gear for more than 1,500 members, and also spends considerable effort supporting, coaching and providing equipment to Windgap and the intellectually disabled children that attend the local Windgap School. He is integrally involved in raising funds for breast cancer with his delightful wife, Judith, as well as raising funds for the Sydney Children's Hospital through Carols by Candlelight. Ian Levitt is a wonderful representative of the club and servant of the community. I pay tribute to Ian Levitt for his services.

### **HAY SCOUTS STATE RALLY TITLEHOLDERS**

**Mr AUSTIN EVANS (Murray) (13:38):** I congratulate the Hay Scouts on being the best in New South Wales. They recently returned victorious and elated from the New South Wales State Rally near Sydney, bringing home two State titles. The Hazelnut Patrol of Benjamin Caughey, Emma Johnston, Hannah Shea and Bailey Caughey was announced as the winning patrol from the Riverina region and crowned State champions ahead of Sydney-based patrols from Turramurra and Baulkham Hills. To complete the trifecta, Benjamin was awarded best patrol leader of State Rally.

State Rally is the biggest annual statewide scout event on the New South Wales scout calendar, as more than 1,300 scouts and around 200 patrols participate in it. It is a competition camp where patrols must camp and cook for themselves independently of their leaders and navigate between 40 different activity bases spread throughout Cataract Car Park. The patrol's performance at each base is carefully assessed, with points awarded for planning, teamwork, attitude and completion. Patrol leaders were scored on their leadership capabilities. I congratulate Hay Scouts.

### **EAGLE VALE LIBRARY**

**Mr GREG WARREN (Campbelltown) (13:39):** I acknowledge the fifteenth anniversary of Eagle Vale Library, an achievement that cannot be underestimated. The centre is much more than a building decorated with wall-to-wall bookshelves; it is a space where the community of Campbelltown comes together to learn, engage and communicate. Of course, books are still a major part of the library, but so too is the range of programs and other services now on offer. Like schools, universities and TAFEs, libraries are a major hub for learning. They are where our elderly residents go when they want to brush up on their IT skills and where students go for a bit of tranquillity while studying. Programs such as "story time" cater to the community's youngest residents. I congratulate Eagle Vale Library and wish the community a happy birthday. I thank Campbelltown City Council and everyone who has contributed to the success of Eagle Vale Library and all the other libraries around our city.

In particular, I thank Councillor Margaret Chivers, who has a professional and personal passion for our local libraries.

#### **THE HILLS SHIRE COUNCIL WEST WARD BY-ELECTION**

**Mr DAVID ELLIOTT (Baulkham Hills—Minister for Counter Terrorism, Minister for Corrections, and Minister for Veterans Affairs) (13:40):** I inform the House of concerns raised by constituents within the Baulkham Hills electorate following the resounding endorsement of the local Liberal council team with the election of our new Liberal councillor, Jacob Jackson, at The Hills Shire Council West Ward by-election. On Saturday 28 July, West Ward residents in The Hills shire took to their local polling booths to elect a new Hills shire councillor after former Labor Councillor Raymond Harty resigned before pleading guilty to fraud against his union earlier this year. Concerns were raised that Labor knew all too well that it did not have the numbers to retain its position in the west ward, yet chose to run a candidate and cost ratepayers more than \$200,000 for the by-election. I congratulate Councillor Jackson, who won with a 7 percent swing to the Liberal Party, on securing 70 per cent of the primary vote. I wish Councillor Jackson every success in his new role and thank the local Liberal team, which continues to get the job done in The Hills.

#### **WANGI LIONS CLUB MEMBER TONY PRIOR**

**Mr GREG PIPER (Lake Macquarie) (13:41):** I acknowledge an impressive milestone reached recently by Tony Prior of Fishing Point. For 50 years Tony, a retired pharmacist, has served local communities through the Lions Clubs, showing an unquestionable dedication to his local community. Tony first joined Lions in 1968 when he lived at Branxton. He transferred to the Singleton Lions Club in 1979 before retiring to the beautiful shores of Wangi Wangi in 2012 and joining the Wangi Lions Club. I have no doubt that 50 years of service with Lions means Tony has manned several thousand fundraising barbecues, and his time has been voluntarily invested in countless community programs, including Youth of the Year, arts and cultural events and charitable endeavours. While he has seen great change in the organisation over the past five decades, Tony said the inclusion of women in Lions had been the biggest positive change. More recently, Wangi Lions has been responsible for a large-scale planting effort on Donnelly Road, Arcadia Vale, and the installation of exercise equipment on the Wangi Wangi foreshore. I congratulate Tony on and thank him for his 50 years of service and extend that thanks to the many members of the Wangi Lions Club.

#### **UCI PARA-CYCLING ROAD WORLD CHAMPION EMILIE MILLER**

**Mr PAUL TOOLE (Bathurst—Minister for Lands and Forestry, and Minister for Racing) (13:42):** I congratulate Emilie Miller, a proud Bathurstian who represents the town and nation as a hand cyclist. She pulls on the green and gold as part of the Australian team and has competed for national titles on a number of occasions and for world titles in Italy. She was named in the 15-member Australian team that will contest the 2018 UCI Para-cycling Road World Championships. She has represented our country in Switzerland, South Africa and, recently, in Italy. Emilie Miller got to live out a dream when she was crowned a dual Para Road World Champion in Italy earlier this month. Recently, it was announced that the 2020 Paralympics would include female events in Miller's H1 classification. She will put in countless hours of training. I wish this Bathurst hand cyclist all the best for the future.

#### **GLEN CENTRE CHIEF EXECUTIVE OFFICER JOE COYTE**

**Mr DAVID HARRIS (Wyong) (13:43):** I pay tribute to a well-known man in my community for all his selfless work and dedication to improving the lives of others. Joe Coyte is the Chief Executive Officer of the Glen Centre, a Central Coast drug and alcohol rehabilitation centre. Joe currently sits on a number of local and State boards and is a trusted advisor to all levels of government on social and rehabilitation matters impacting on our community. Joe is an accessible guy who genuinely wants what is best for all the men who come through the Glen and strives consistently to upgrade the facilities and activities on offer to the many people who use the service. I have spoken in this place before about the great work that the Glen does, but it is made possible by the efforts of this man. The Ngaimpe Aboriginal Corporation is now looking at building a women's rehab, which has great merit given the success of the Glen under Joe's leadership. I congratulate Joe on every one of his achievements to date and thank him for his dedication to improving the lives of others.

#### **WHIDDON GROUP LAURIETON DEPUTY DIRECTOR DALE FEENEY**

**Mrs LESLIE WILLIAMS (Port Macquarie) (13:44):** I acknowledge the outstanding achievement of the Whiddon Group Laurieton Deputy Director Dale Feeney in racking up a remarkable 28 years of service in the aged-care industry. Dale has generously committed her life over many years to support the elderly in aged care. With the assistance of her committed colleagues, Dale focuses on ensuring life does not stop when the elderly relocate to an aged care facility. Dale remarked, "It's all good for a person to be well, but they have to be happy. Life doesn't stop, it continues to get better."

At the Whiddon Group, staff recognise the importance of managing the needs and expectations of elderly residents, and providing a safe and friendly atmosphere. The staff aim to incorporate stimulating activities and enjoyable events over the year for residents to look forward to while feeling they are at home. Services provided by the Whiddon Group include domestic assistance with everyday household duties, gardening and maintenance, meals and shopping, advocacy and information, and ongoing care and support by extremely compassionate staff like Dale. I congratulate Dale Feeney on reaching this important milestone—just shy of 30 years of service—and thank all the caring staff at the Whiddon Group in Laurieton for enabling all residents to receive the care and support they require in the latter stages of their lives.

#### **NEWCASTLE OZTAG TEAM**

**Mr TIM CRAKANTHORP (Newcastle) (13:45):** I congratulate the Newcastle Oztag team Captain Stephanie Thompson and team members Truman Smith, Luke Ryan, Baani Purcell, Gemma Swain, Joe Coles and Jackson Nash on their outstanding win in the grand final on Wednesday 8 August. The team lost the first two games of the season, but went on to be undefeated for the remainder of the season. The win would not have been possible without try scorers Dylan Nash and Rhiannon Keddie. The Woman of the Match award went to Brie Gallagher, an outstanding effort given that she was on the field for the entire game. After the match, team member Sam Lawson said, "It was the toughest game of the season, but we really dug deep in the second half and found a way to win." What I liked about the team was that after winning the grand final, they donated a share of their prize money to the Fill a Truck for Farmers cause. That is what we like to see in Newcastle. I congratulate the team.

**TEMPORARY SPEAKER (Ms Sonia Hornery):** I will now leave the chair. The House will resume at 2.15 p.m.

#### *Announcements*

#### **SOUTH COAST BUSHFIRES**

**The DEPUTY SPEAKER:** For the information of members, Madam Speaker has returned to her electorate due to numerous fires burning across the South Coast including two that are currently out of control. Residents have been evacuating suburbs close to the fires since 9.00 this morning. She passes on her apologies, but needed to return for what is expected to be a difficult day for residents and Rural Fire Service crews. The Rural Fire Service has advised that there are unconfirmed reports of damage to a number of properties.

#### *Visitors*

#### **VISITORS**

**The DEPUTY SPEAKER:** I extend a warm welcome to the gallery today to Willoughby electorate senior school leaders from Chatswood High School, St Pius X College, Chatswood, and Willoughby Girls High School, guests of the Premier, and member for Willoughby. I welcome Mosman Council Deputy Mayor Stephen Barbour, former Senator Christopher Puplick and members of the North Shore SEC, guests of the member for North Shore. I welcome David Evans, James Peacock, Maddison Braiding, Mark Thompson, Olivia Cotterill, Jacob Case, Hannah-Rae Madigan and Alexander Leishman from Bendigo Bank in Wyong, guests of the member for Wyong. I welcome to the gallery the 50 participants of the Legislative Assembly public sector seminar. I also welcome Labor Party candidate Andy Higgins and Rick Gainford, President of the Berry branch of the Labor Party.

#### *Members*

#### **REPRESENTATION OF MINISTERS ABSENT DURING QUESTIONS**

**Mr ANTHONY ROBERTS:** On behalf of Ms Gladys Berejiklian: I inform the House that the Minister for Health, and Minister for Medical Research will answer questions today in the absence of the Minister for Mental Health, Minister for Women, and Minister for Ageing.

#### *Question Time*

#### **STATE HERITAGE REGISTER**

**Mr LUKE FOLEY (Auburn) (14:23):** My question is directed to the Minister for Heritage. Given that under the Heritage Act the Minister is required to make a decision on whether or not to list items within 14 days of receipt of advice from the Heritage Council, why is she taking an average of 188 days, or more than six months, to make a decision?

**Ms GABRIELLE UPTON (Vaucluse—Minister for the Environment, Minister for Local Government, and Minister for Heritage) (14:24):** I welcome this question from the Leader of the Opposition;

it is the first question in this Chamber about heritage. We wouldn't think that Labor would get the date or the numbers right, would we? They cannot count, they cannot balance the budget and we cannot rely on anything they say in this Chamber.

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

**Ms GABRIELLE UPTON:** There have been 33 applications for heritage listings that I have signed off on since I became Minister 18 months ago. They are the facts. Seventeen of those have been in the past year. This process is important. Let me explain it to Opposition members so they understand the important steps that it takes for a Minister to sign off on a heritage application.

**Mr Luke Foley:** Why don't you understand the Act? It says 14 days.

**Ms GABRIELLE UPTON:** Sorry? What is the Leader of the Opposition saying?

**Ms Gladys Berejiklian:** Just ignore him.

**Ms GABRIELLE UPTON:** I will just ignore him. If he cannot get the facts right we will ignore everything he says in the Chamber. Let me take the Leader of the Opposition and Labor members through what happens when a heritage matter comes to the Heritage Council. Submissions are made by members of the community or by a council to the Heritage Council, a body that is independent of government and that makes a considered assessment of all the submissions and then forms an opinion about whether indeed—

**Ms Tania Mihailuk:** Are you passing the buck?

**Ms GABRIELLE UPTON:** Is the Labor Opposition going to listen to what actually happens so they understand? No. They would not want to hear about the process, the facts or the data because they are just interested in lies and misinformation. Let me take the Labor Opposition through the process. The Heritage Council—independent of government—looks at all the submissions, visits the site, considers the history and looks at what is actually being proposed for heritage listing.

**The DEPUTY SPEAKER:** Order! The member for Maroubra will resume his seat. The Minister has the call.

**Ms GABRIELLE UPTON:** Then the matter is considered by the Heritage Council, which has a lot of expertise. It makes recommendations to the Minister, who needs to consider them. It is an important, rigorous and concise process. That is how we have signed off on all the great heritage listings such as Cliefden Caves. It is an important dedication of heritage precincts. We think of all other wonderful things including Brett Whiteley's House and Visual Curtilage and the guerrilla garden—the member for North Shore remembers it. I was with the member for North Shore for the dedication of that important heritage asset. There are many examples that I could talk about but I welcome the question, because it gives me a rare opportunity to talk about heritage in this Chamber. I am proud of the work that this Government has done to celebrate and honour the heritage of the State.

## REGIONAL INFRASTRUCTURE

**Ms STEPH COOKE (Cootamundra) (14:28):** My question is addressed to the Premier. How is the New South Wales Government delivering for regional New South Wales?

**Ms GLADYS BEREJIKLIAN (Willoughby—Premier) (14:28):** I thank the member for Cootamundra for her question and I commend her. In the relatively short time that she has been in this place, she has been an outstanding advocate for her people. It is appropriate that the question is about rural and regional New South Wales. Currently, more than 70 bushfires are burning throughout the State. Thirty of them are uncontained. Our thoughts are with all emergency service workers and volunteers who are trying to contain those fires at this moment. The Bells Line of Road has been closed. I ask the communities that are impacted, in particular on the South Coast, to listen to authorities and take their immediate and urgent advice. We do not want any loss of life or property, or unintended consequences. We urge everybody to listen to what the authorities are saying about evacuations.

Today's fires remind us that New South Wales has terribly dry conditions. They are on the top of mind of the Government. I say that with all sincerity. I want our rural and regional communities to know that the Deputy Premier, myself and our entire team are focused on being by their side during this difficult time. Whereas only farming communities were directly impacted before, the impact is now broadening. We want to ensure that all communities know that our package of more than \$1 billion is going where it is needed. We will also do what we can to improve the difficult circumstances of many. I am proud of this Government's record in rural and regional New South Wales. One in every three dollars allocated to infrastructure is going to the bush. This has never happened before in New South Wales. I am proud of the Government's emphasis on health, education, roads and

rail upgrades. I commend the member for Cootamundra, who asked me the question, for advocating to reopen the operating theatres of Temora Hospital. That is a huge win for the community.

**Mr Brad Hazzard:** The mayor, Rick Firman, is very happy.

**Ms GLADYS BEREJKLIAN:** Indeed he is. On Monday the member joined local nurses and doctors to open the refurbished operating theatres. That is a huge win for her community. No matter where you are in rural and regional New South Wales, you can rest assured of the support of the Liberals and The Nationals. I am proud that this Government has upgraded or built 70 new hospitals or health facilities, 48 of those in rural and regional New South Wales. We are proud of that record. The hospitals are in Dubbo, Tamworth, Forbes, Wagga Wagga, Parkes, Bega, Port Macquarie, Byron Central—the list goes on.

We have continued to deliver. This year's budget contained some major announcements for hospitals throughout the State. We are in a position to be able to make those investments only because we have worked hard to have a strong budget. We also deeply care about our communities in rural and regional New South Wales. We know that if there was to come a day when we were not in government anymore, the Opposition would ignore the bush. They talk hot air when they need to, but when it comes down to action, they do not do anything.

The Opposition likes to bandy about its Country Labor brand. We looked up the website, and it had something on it, but it was the last *Country Labor Dialogue* that came out in May 2014. That is how much they care about the bush. This is a pure coincidence but interestingly the last edition of the *Country Labor Dialogue* had an article about hospitals and a photograph of the Wagga Wagga hospital. But there was a problem with the photograph because this Government was delivering stage one of the hospital redevelopment in 2014. Somehow, they managed to Photoshop it out of their own magazine. They are embarrassed by their record. In May 2014 they published a photograph of their version of the hospital. [*Extension of time*]

In November the *Daily Advertiser* highlighted the construction of stages one and two. I am very pleased that stages one and two are complete and that stage three is on its way. Recently I was pleased to visit Wagga Wagga Base Hospital. The locals will understand my emphasis of the word "base". I presented junior medical officers with their accomplishment awards. For the past three years the leading junior medical officer from New South Wales has come from Wagga Wagga Base Hospital. The community is incredibly proud of that. I commend all health professionals and clinicians for supporting those junior medical officers. We hope that many of them will stay to have their careers in the bush. The community will be proud of that.

The Government is working not only in health but also in education. We know that growing communities need more schools. We are pleased that the number of schools that we are building and the number of classrooms that we are providing in the bush has increased. In the last budget we announced new schools at Ballina, Kingscliff, Albury, Queanbeyan, and of course Estella in Wagga Wagga. We know that community is growing and that is why we were pleased to announce funding for a new school in the budget. It is not often that a government of this State can say that one in three dollars of infrastructure—\$26 billion in total over the next four years—will be going to rural and regional communities. We are incredibly proud of that. Every cent of the Snowy Hydro 2.0 money will be going into our rural and regional communities. I finish where I started: the more than 70 bushfires throughout the State remind us of the threat that exists because of the dry conditions. If the drought was not enough, we now have communities bracing themselves to deal with bushfires. I urge everybody to support our emergency workers and volunteers, listen to the authorities and keep safe.

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

#### CONSTRUCTION WASTE MANAGEMENT

**Mr STEPHEN KAMPER (Rockdale) (14:36):** My question is directed to the Minister for the Environment, Minister for Local Government, and Minister for Heritage. In 2016 the Environment Protection Authority [EPA] started work on reforming the management of construction and demolition waste and changes were due to commence in March 2017. When will the Minister implement these important reforms?

**Ms GABRIELLE UPTON (Vaucluse—Minister for the Environment, Minister for Local Government, and Minister for Heritage) (14:36):** It is good to have another question in the House, and one from the member for Rockdale. I welcome the question and I am glad that the member is taking an interest in a regulation that has been out for comprehensive consultation with the community and industry as well. There has been considerable comment, which I am considering at the moment and I expect imminently we will be publishing that regulation for adoption across the community. The reason I know this is the centre of the member's attention is that thanks to this Government's good financial management, getting our facts right, balancing the books, and properly managing this State, we have been able to make an \$82 billion investment in infrastructure, which means that we have investment in new buildings, roads, trains, hospitals and schools at record levels.

**Mr Stephen Kamper:** Point of order: My point of order is Standing Order 129. The question was about the 18-month delay. The Minister's answer has been totally irrelevant.

**Ms GABRIELLE UPTON:** To clarify and make it absolutely clear for the member, the regulation was out for comprehensive consultation. There was much interest in the regulation because this Government has been investing in infrastructure, which has meant that construction is at a record level. Therefore all of those views had to be considered and I assure the member that the regulation will be published shortly.

#### STATE EMERGENCY SERVICES WORKERS

**Mr CHRISTOPHER GULAPTIS (Clarence) (14:39):** My question is addressed to the Minister for Police, and Minister for Emergency Services. How is the Government investing in the men and women on the frontline of our emergency services agencies to best ensure the people of New South Wales are protected?

**Mr TROY GRANT (Dubbo—Minister for Police, and Minister for Emergency Services) (14:39):** I thank the member for Clarence for his question. He knows only too well the significant work being performed by our hardworking personnel and volunteers on the frontline in our emergency services and the necessity to ensure they have all the tools required to protect our communities. On the weekend we were both kept busy with major fires in the Richmond Valley and the Clarence Valley. That certainly rammed home that message to us. I thank him for his assistance and that of the Parliamentary Secretary for the North Coast throughout the weekend. Those two fires are only two of the fires that our frontline men and women were responding to on the weekend. There were 60 bush and grass fires across the State. Over 550 firefighters from both the NSW Rural Fire Service [RFS] and Fire & Rescue NSW were deployed utilising more than 180 appliances.

That says to everyone in this Parliament and this State, this is the reality of living in Australia: mother nature tests us—as the Premier referred to—not just with drought but what we faced throughout the weekend and starkly today. It is not news to members of this place who are binding together to support our communities in this remarkably dry period, as we all gathered for a drought barbecue today. I thank the member for Lakemba for running up a steak sandwich to my office while I have been busy managing these fires. Thanks mate, I appreciate that. The Bureau of Meteorology's August to October outlook shows most of mainland Australia will likely be drier than average. This is a stark and massive wake-up call as we are bracing ourselves for what will likely be one of our busiest bushfire seasons that we have seen in a long time because of our dry winter.

Already 10 local government areas have been declared as being in the bushfire danger period. Those were brought forward in the Northern Rivers and north-west of New South Wales to commence on 1 August. I am advised that the rest of the State will begin the bushfire danger period as early as next month—one month earlier than the usual 1 October. As we are aware, and as the Deputy Speaker alluded to earlier, my thoughts are with the Speaker and her community as she has returned home to assist them with some significant fires threatening properties in the south. We have already had multiple RFS and Fire & Rescue NSW crews on the scene. I thank everyone for adhering to the significant warnings. I thank the media for their assistance in getting those messages out to the community. While there are early reports of some properties lost, at this stage no lives have been lost. There are more than 40 appliances in the Speaker's electorate battling fires in 90-kilometre-per-hour winds—extraordinary. Right now in the communities of Burrill Lake and Kings Point they are doing it tough; they are right up against it. Through the expertise, experience and cooperation across our two fire services, they are doing all that they can to combat this blaze and are doing a spectacularly good job.

As their Minister I am in regular contact. I am getting updates every 10 minutes and the Premier and I are being thoroughly briefed by the commissioners. We appreciate their quick response. I put on record in this place today the appreciation of the Parliament for our fire specialists who work tirelessly around the clock to protect life and property, especially those right now who are on the frontline doing all they can for their community. This is the latest briefing I have received for the advice of the Parliament: We now have 74 fires across the State, 42 of which are currently uncontained; 278 vehicles are out fighting these fires; and 26 aircraft are also being deployed. That was a challenge early with the fires around Ulladulla and Nowra with the strong winds. The assistance of fire aviation support was challenging. There are 830 firefighters working on these fires as I speak right now. That is stretching up the Bells Line of Road and around Bilpin. That has been officially closed. I ask people to continue to watch for updates on that road status. Mr Deputy Speaker, you know only too well the scale of the Government's investment in the Northern Rivers in response to floods. It is extraordinary. Only a couple of weeks ago we went to Lismore to celebrate the return of the fires to their station after it was inundated by floodwater as a result of Cyclone Debbie. Lismore is not alone; the Government is making record investments across the State. We do not discriminate; resources are deployed where they are needed. [*Extension of time*]

I very much appreciate the support I received from the Premier and the Treasurer in ensuring that our frontline emergency services have state-of-the-art equipment, whether it be the State Emergency Service fleet that

was funded in this year's budget or the latest technology supplied to firefighters and our emergency services more generally. That investment is saving lives and I sincerely appreciate it.

Last month I had the opportunity to visit the Riverina, where we opened the new Tarcutta Rural Fire Service station, which was achieved with a more than \$250,000 investment. That is bricks and mortar, and some people ask how that can put out fires. The station houses equipment and allows our firefighters to deploy more effectively and efficiently in response to calls for assistance. The new facility includes additional vehicle bays, store rooms, a kitchen, and an amenity room where training is provided and where firefighters can recover during events. It is a great investment in our emergency services in the electorate of Wagga Wagga. I also had the pleasure of meeting the Wagga Wagga Fire and Rescue crew at Turvey Park, who were presented with a \$325,000 pumper. What a great crew.

It is not only the fires who are the beneficiaries of this Government's investment. Last year, Wagga Wagga State Emergency Service received a \$215,000 medium storm vehicle and The Rock State Emergency Service unit received a \$172,000 light storm vehicle. Those two vehicles were put to use immediately and before I officially handed over the keys. As I said, I am exceptionally proud of the budget and grateful for the support this Government is providing to our emergency services across the State. It does not matter whether they live in the city or which political party represents their electorate, the people of New South Wales know that this Government will support our emergency services in assisting our constituents and their communities.

#### MANGROVE MOUNTAIN LANDFILL

**Ms LIESL TESCH (Gosford) (14:47):** I direct my question to the Minister for the Environment, Minister for Local Government, and Minister for Heritage. Why will the Minister not establish a special commission of inquiry into the Mangrove Mountain landfill site as requested by the Central Coast Council and recommended by the parliamentary inquiry into waste management given the risk it poses to the Central Coast's water catchment?

**Ms GABRIELLE UPTON (Vaucluse—Minister for the Environment, Minister for Local Government, and Minister for Heritage) (14:47):** I welcome that important question from the member for Gosford. Like me, she has been following the situation very closely. As members know, the issue is before the courts, so I will not comment any further. As a Minister of the Crown, it would be unwise of me to comment on an issue before the courts. I welcome the member's drawing the situation to the attention of the House. We will both wait for the right outcome to ensure that her community is given the protection it deserves.

#### STATE INFRASTRUCTURE

**Mr DAMIEN TUDEHOPE (Epping) (14:48):** I address my question to the Treasurer, and Minister for Industrial Relations. How is the Government financing infrastructure for the people of New South Wales, and is he aware of any alternative approaches?

**Mr DOMINIC PERROTTET (Hawkesbury—Treasurer, and Minister for Industrial Relations) (14:48):** I thank the member for Epping for his question. He is always awake to his constituents' needs, and he is always alert but never alarmed. There is no doubt that the Berejiklian-Barilaro Government has New South Wales moving once again. As a progressive, forward-looking government, we know our State is growing. However, importantly, we want to build infrastructure to ensure that as it grows it grows well. To cope with the challenges of the future, large-scale infrastructure projects need to be built. While the Government will fund the majority of that infrastructure, some of the road infrastructure will no doubt require the imposition of tolls. Tolls mean vital infrastructure can be built without putting the State budget under pressure from debt and deficit.

We also know this means new roads are paid for by those who use them rather than by those who do not. Despite what they say, members of the Opposition acknowledge that. As members know, the Labor Party has built the majority of toll roads in New South Wales. Of the nine toll roads in this State, the Labor Party built five: the Sydney Harbour Tunnel, the Cross City Tunnel, the M7 Westlink, the Eastern Distributor, and the Lane Cove Tunnel. The offset on the Military Road component of the Lane Cove costs \$8 a kilometre. That is not only the most expensive toll road in Australia but also the most expensive anywhere in the world. In 2016, the shadow Treasurer said:

Tolls are an important part of the funding mix... The shadow Transport Minister and I understand that more than most members in this place.

The Labor Party not only built the majority of toll roads but it also imposed tolls when it was in government. It continued to acknowledge that they are necessary, but it is now running an anti-tolls campaign. The rank hypocrisy of members opposite beggars belief. That is nothing new, because history repeats itself. In 1995, the then Leader of the Opposition, Bob Carr, promised to scrap the M4 and M5 tolls. Immediately after the election, he backflipped and said he could not fulfil his promise. He wrote in his diary:

The bad press doesn't worry me: four years is secure at least.

Just like his Labor colleagues, for Bob Carr it was all about principle and grabbing power. When the Leader of the Opposition announced his own M4 toll scheme last month, he said he would follow in the footsteps of former Premier Bob Carr. No-one can trust Labor members because they always put power before people. Instead of requiring those who use a road to pay for it, they now want those who will not use it to pay for it. The people of Wagga Wagga will pay the toll, the people of The Entrance will pay the toll, and the people of Port Stephens will pay the toll. People who do not use the road will pay for it. This is not a cash-back scheme; it is a vote buy-back scheme, all financed by the people of New South Wales. [*Extension of time*]

The costings of Foley's policy are, over 10 years, \$3 billion of taxpayer money that could be spent on 21,000 police officers, 24,000 schoolteachers or 23,000 nurses. This is an Opposition leader who has waived his policy and has already put the budget into deficit from opposition. He is already going to have to cancel schools and hospitals because the shadow Treasurer and he have an ideological obsession against asset recycling and now he is going to cut funding for schools, hospitals, health and education to pay for his buyback scheme. Luke Foley and Bob Carr are cut from the same cloth, and we know where that led the people of New South Wales 16 years later. He is a man who knows how to promise everything and deliver nothing. He picks winners across this State whilst every other person loses—

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

**Mr DOMINIC PERROTTET:** While they pick winners, on this side of the House we govern for everyone across this State. That is why our policy assists all families across New South Wales wherever they live. We will never play politics. Unlike those opposite, we will always put the people of New South Wales first.

#### COASTAL MANAGEMENT PLAN

**Mr TIM CRAKANTHORP (Newcastle) (14:56):** My question is directed to the Minister for the Environment, Minister for Local Government, and Minister for Heritage. Why has just \$2.6 million been spent of the announced \$83 million of the coastal and estuary grants to address erosion when communities like Stockton have been pleading for assistances as their beach washes away?

**Ms GABRIELLE UPTON (Vaucluse—Minister for the Environment, Minister for Local Government, and Minister for Heritage) (14:57):** I thank the member for Newcastle for his question. This is just an example of Labor's laziness. Let me talk about Stockton Beach. This Government stands willing to help the community of Stockton but let me remind the member for Newcastle that it was his Labor council, Newcastle City Council, that submitted a draft zone management plan, coastal plan, two years ago in 2016. Two years ago council was asked to do a reassessment, a revision, and guess when we got it in again—two weeks ago. Two weeks ago it came back to the Office of Environment and Heritage for assessment. It is a lazy Labor council.

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

**Ms GABRIELLE UPTON:** Let me just explain, if the member for Newcastle is confused. The department of the Office of Environment and Heritage has assessed the revised plan—it has taken council two years to get it back to us—and it has been assessed as adequate.

**The DEPUTY SPEAKER:** The member for Newcastle has asked the question. He will now listen to the answer.

**Ms GABRIELLE UPTON:** I bring some good news. It has been signed off. This Government is happy to assist his community with that plan that took Newcastle council two years to get right—

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

**Ms GABRIELLE UPTON:** Now that it has been signed off, grants are available and I encourage Newcastle council to do the right thing by its community and make an application now.

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

#### EDUCATION CURRICULUM ENTREPRENEURIALISM

**Mr ALISTER HENSKENS (Ku-ring-gai) (14:59):** My question is addressed to the Minister for Education. How is the New South Wales Government encouraging entrepreneurship across the education system, and how will the curriculum review support students to develop these skills?

**Mr ROB STOKES (Pittwater—Minister for Education) (14:59):** I thank the member for Ku-ring-gai for his excellent question and his interest, as always, in matters of education. It is often said that generals always prepare strategies to fight the last war. We often address the challenges of the future by adopting the lessons from the past. We need to be very careful to guard against this thinking in education. Education by its nature is

necessarily prophetic. We are looking into the future and using our best guess, our best assessment based on the occurrence around us of what society or what the economy is likely to look like and ensure that young people are trained for those eventualities and for those potentialities.

For example, when we look at the state of our economy and the way in which over the past 50 years or so we see the emergence of very large businesses working in many ways in an oligopolistic sense across the economy, traditionally our schools are being used to train young people, through direct instruction, to effectively be wage labourers in these companies. But what we are starting to see is the power of technology and innovation to disrupt existing markets across a range of business activities, whether it is Airbnb, Uber, Netflix, digital disruption communications, online purchasing in relation to disrupting high-street retail stores and so on—there is example after example. Often we are called upon in this place to develop regulation for these new disruptive ways of doing business.

What we need to do is to also ensure that in our education system we are preparing young people to have not just the knowledge they might need to be wage labourers but also the skills and capabilities to use innovation and technology and to put it together with entrepreneurialism to identify opportunities to participate in some of this disruption and acknowledge the opportunity it provides to create great careers and great opportunity for so many young people across this State. That is what we really need to do. We have an amazing opportunity with the once-in-a-generation reform of our State's curriculum to look at the role of entrepreneurialism as a cross-curricular issue that we need to investigate.

I have asked Geoff Masters, who is undertaking this work on behalf of the Government and people of New South Wales, to look specifically at this issue of entrepreneurialism and how to train kids or provide them with the capacity they need not just to come up with great ideas but also to find ways in which they can bring them to fruition. Not only is this important in an economic sense, but it is important in a social sense as well. These skills enable the capacity of people to capitalise on incredible opportunities that they might not otherwise have. This is not just about educational excellence; it is also about equality. Already through our curriculum there are lots of opportunities for young people to engage in understanding how entrepreneurialism works, the reasons and motivations for it, the skill and characteristics of people who are entrepreneurs, whether we are looking at years 7-10 commerce, work education 7-10 or design and technology in particular and the way in which design and technology courses through stages five and six look at the linkages between entrepreneurialism and innovation, recognising that they are two sides of the same coin.

This quote was once attributed to Henry Ford: "If I had asked my customers what they wanted, they would have said faster horses." That points to the challenge that we have to deal with: We have to equip young people not with the knowledge and skills based on our experiences or solely on the lessons of the past but we have to look into the future and identify the sorts of skills, capacities and capabilities that they are going to need to deal with the disruption in our economy and in our society. There are so many who are scared of the future and scared of things like artificial intelligence and the way in which this can disrupt our lives, but we need to provide young people with the enthusiasm and opportunity to be excited about the opportunities the future may bring.

#### **PUBLIC AND SOCIAL HOUSING**

**Ms JENNY LEONG (Newtown) (15:04):** My question is directed to the Premier. Given that the Minister for Family and Community Services [FACS] is responsible for a public housing waiting list of more than 100,000 people; a maintenance backlog of more than \$300 million; considerable inadequacies in FACS staff support and training which, according to last week's Audit Office report, resulted in a serious lack of safety for tenants and staff; and record levels of homelessness in New South Wales, how bad do things have to get before the Premier intervenes to rectify the failures of this Minister?

**Ms GLADYS BEREJIKLIAN (Willoughby—Premier) (15:05):** I acknowledge the question from the member for Newtown and appreciate that I received a similar but not completely unrelated question from the member for Sydney about homelessness. I appreciate the issue she has raised today in relation to challenges in the housing sector and I want to assure her that not only has our Government boosted the Family and Community Services [FACS] budget and boosted the number of frontline workers, but also in relation to housing we are the only State Government in the nation that has a Social Housing and Affordable Housing Fund, which is in excess of \$1 billion and is supported by a number of community-based organisations that are experts in providing community and social housing throughout the State.

Of course the inner city has its challenges, but also throughout the regions, especially in border communities, homelessness is an issue. This is the first time any State Government in the history of our nation has had a fund dedicated to building 3,000 to 4,000 new dwellings over the next four years alone. This is in addition to our Homelessness Strategy, which the Minister so eloquently articulated during Homelessness Week, which was last week. Our five-year strategy is for more than \$1 billion. This is on top of our Social and Affordable

Housing Fund. That is \$1.1 billion, then we have another \$1 billion of new money across government to deal with the issue of homelessness.

The numbers we use for homelessness are not people who are exposed to the elements; the numbers we use are those who are couch surfing, those who are living in overcrowded rooms or those who do not have a permanent place. We are hard on ourselves in the way in which we measure the homelessness challenge because we want to make sure we are doing all we can to support those most vulnerable. I want to assure the members and also the community that we appreciate that mental health issues, domestic violence, and drug and alcohol addiction are the three main reasons people find themselves homeless.

It is not enough to provide a permanent roof over somebody's head; what people really need is the wraparound community services that go along with supporting them to deal with whatever challenges they have and to help them seek independence, because we know there is nothing more satisfying for an individual who is going through challenging times than to receive the support, find a job and be able to support themselves. We know that is not possible in every circumstance, but where it is possible we are making sure that our referral services and our whole-of-government strategy goes towards supporting that person end to end and allowing them to have the potential to be independent and to lead a full life. We know in some circumstances people's challenges are such that unfortunately they require almost 24-hour support. That is where it is important for us to identify those people and make sure they have the support and services they need.

There is a challenge—of course there is—but we are a government that is leading the nation in the way we are dealing with this. As I mentioned in response to the question asked by the member for Sydney, we are also appealing to non-government experts, whether they are community-based organisations or private sector organisations, to help us through social impact investment. Social impact investment allows non-government bodies to come forward with their ideas and incentives to improve what are systemic social issues that have dogged communities for generations. If you keep doing the same thing the same way, you are going to get the same result. One thing I am extremely proud of is that the Minister and her team have managed to reverse the trend in the number of children in out-of-home care for the first time in many years. I am incredibly proud of this and the Minister needs to be commended because this is work that has never happened before in New South Wales. We are now seeing the trend in the number of children in out-of-home care declining, including Aboriginal communities.

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

**Ms GLADYS BEREJIKLIAN:** That is okay. She is a sniper. She does not know what she is talking about. As I was saying, I used that as an example because in dealing with children in out-of-home care we have received support through social impact investment, where non-government organisations who are experts and at the coalface have given the Government advice about some of the strategies we can adopt to reverse the trend. We are relying on similar processes to get expert advice from non-government providers as well as community groups to allow us to consider what other opportunities we have in the homelessness space. It is important to note that when a major change occurs in an area of social policy and when you see positive outcomes you have to get to the root cause of those and apply them to other sections of the community. I would be happy to answer further questions in the future on this topic. [*Time expired.*]

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

#### SHORT-TERM HOLIDAY LETTING

**Mr MICHAEL JOHNSEN (Upper Hunter) (15:11):** My question is addressed to the Minister for Innovation and Better Regulation. How is the Liberal-Nationals Government helping grow New South Wales through the sharing economy and empowering consumers and small business, and are there any alternative views?

**Mr MATT KEAN (Hornsby—Minister for Innovation and Better Regulation) (15:11):** Hello, Mr Deputy Speaker—or should I say, "Kia ora", which as you well know is "hello" in Maori? It is also the name of my favourite listing on Airbnb in the whole of New South Wales and happens to be in the electorate of the member for Upper Hunter, a great member doing great things for his local community, particularly in representing the interests of those people who own investment properties in Gloucester. Why is that relevant?

**The DEPUTY SPEAKER:** Order! The Clerk will stop the clock. The Minister will be heard in silence.

**Mr MATT KEAN:** You might wonder why that is relevant, but yesterday this Government passed the toughest laws in the nation when it comes to short-term holiday letting. We know short-term holiday letting allows billions of dollars to come into the New South Wales economy and it gives consumers in this State more choice at lower cost, so it is a great thing for this State. It took this Government to pass those important reforms in this State. That is why it is so important they were passed. Our laws are the toughest in the nation. What it will mean

under our policy is that if someone has two strikes against the code of conduct in two years, they will be banned from all platforms for five years—that is right: five years. Neighbours should not have to cop bad behaviour in New South Wales, and our laws will make sure that they do not.

In addition to that we recognise that living in strata carries with it unique challenges. For those people who live in a strata scheme, we are allowing owners corporations to restrict short-term holiday letting in those strata schemes with a vote of 75 per cent, which we think gets the balance right between the needs of property owners and the interests of neighbours, who should be able to enjoy the peaceful quiet of their own homes. This is just one of a number of reforms where this Government puts consumers first in this State, whether it is with Airbnb or perhaps gift cards, where we have put \$60 million back in the pockets of citizens right across this State. Perhaps it is in the area of ticket scalping, where our laws are busting the business model of dodgy ticket scalpers in New South Wales. Perhaps it was taking on the New South Wales RSL and cleaning it up so that people can have confidence that when they give donations to charity they will be put to their intended purposes.

These are all the ways this Government is putting consumers first and protecting people in New South Wales. That stands in stark contrast to those opposite, because they never want to put consumers first. They never want to stand up for the little guy. The Leader of the Opposition had no policy in relation to gift cards, no policy in relation to ticket scalping and no—

**The DEPUTY SPEAKER:** The Clerk will stop the clock. The Minister will resume his seat until there is silence. The Minister may continue.

**Mr MATT KEAN:** The Leader of the Opposition opposed our inquiry into the RSL. The Opposition has no policies when it comes to putting consumers first in this State. Those on the other side of the Chamber consider themselves the alternative Government. The Leader of the Opposition wants to be the alternative Premier but he has no policies whatsoever.

Labor does not have any policies but I do appreciate one thing—they supported yesterday in the upper House our proposals to introduce reforms to short-term holiday letting in this State. That brings me back to Kia Ora, the palatial five-bedroom, five-bathroom manor of Gloucester. It is described by the owner as a "luxurious home on 30 acres of rolling hills with one of the best views of the Barrington Tops". Who could be the owner of this property? None other than the baroness of Strathfield. She is not the people's princess; she is the aristocrat of Airbnb.

The member for Strathfield's neighbours are happy that we are cracking down on party houses because partying would go on a fair bit at the manor of Gloucester. The member for Strathfield is particularly happy that she can now rent out her property for 365 days of the year. I am sure—I have it on good authority—that the member for Strathfield has two calendars on her fridge. One calendar is so that she can count the number of days she can let out her property. The second is so that she can count down the number of days until 23 September. You might ask: What is on 23 September? What is the significance of this date? Let me tell you. [*Extension of time*]

The second calendar on the member for Strathfield's fridge is one that counts down the number of days until 23 September.

**Ms Yasmin Catley:** Point of order: My point of order relates to Standing Order 129. Obviously the Minister has strayed from the question. I would like to know if the Minister could tell us about another estate, the Dungowan estate.

**Mr MATT KEAN:** This is relevant to the question.

**The DEPUTY SPEAKER:** The Minister is being relevant.

**Mr MATT KEAN:** It is relevant to the sharing economy: All these people are sharing ambitions for 23 September. The 23 September is the day when Kevin Rudd's protection racket for the Leader of the Opposition officially ends. It is the day when the rank and file of the Labor Party no longer have a say in who their leader is.

**Mr Paul Lynch:** Point of order—

**The DEPUTY SPEAKER:** Order! I want to hear the point of order. The Clerk will stop the clock. I ask members of the House to have respect for their elders—the member for Liverpool and I.

**Mr Paul Lynch:** The Minister is clearly now embarking on something that has nothing to do with the question he was originally asked. I might add: Ray Hadley was right.

**The DEPUTY SPEAKER:** I am sure the Minister is about to show us how he is being relevant to the question.

**Mr MATT KEAN:** One person who is not looking at 23 September is the member for Liverpool, because he is the only one who will not be the Leader of the Opposition after that date.

**The DEPUTY SPEAKER:** Stop the clock. Member of the House to come to order.

**Mr Paul Lynch:** Point of order: My point of order clearly relates to Standing Order 129. That last comment certainly has nothing to do with the question the minister was asked. I am happy to concede that I am not a candidate for leader, but I know a lot more about numbers than the member for Hornsby ever will.

**The DEPUTY SPEAKER:** I ask the Minister to wait; I have not ruled yet.

**Mr MATT KEAN:** I retract my comment about the member for Liverpool. He can be a contender for the leadership. We would be delighted if he was. He knows about numbers in housing commissions. They are all lining up—not just the member for Strathfield. The member for Keira has bought a new suit. He has divested himself of his property empire, which surely shows ambition. There is the member for Kogarah, once the messiah—no-one has promised so much yet delivered so little. The General Secretary would prefer the member for Mount Druitt over the member for Kogarah to be the Leader of the Opposition.

**The DEPUTY SPEAKER:** I ask the Minister to return to the leave of the question.

**Mr MATT KEAN:** Luke Foley is a liability. The Opposition knows it. We know it. The people of New South Wales know it. The sooner he takes flight the better.

### *Senate*

#### **SENATE VACANCY**

**The DEPUTY SPEAKER:** I report receipt of the following message from the Legislative Council:

Madam SPEAKER

The Legislative Council, having taken into consideration the Legislative Assembly's message of this day, agrees to meet the Legislative Assembly for the purpose of sitting and voting together to choose a person to hold a place in the Senate rendered vacant by the resignation of Senator Lee Rhiannon, in the Legislative Council Chamber this day, immediately following the Joint Sitting to fill a casual vacancy in the Legislative Council this day at 3.45 pm.

Legislative Council  
15 August 2018

JOHN AJAKA  
President

I direct that the joint sitting with the Legislative Council to choose a person to fill the Senate vacancy be set down as an order of the day for later today.

### *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**.

#### **Affordable Housing**

Petition requesting legislation mandating a percentage of all new residential developments be set aside for affordable housing received from **Ms Jo Haylen**.

#### **Inner-city Ferry Services**

Petition calling on the Government to fast-track project work for ferry wharves and services at Glebe Point; Johnstons Bay, Pyrmont; Woolloomooloo; and Elizabeth Bay, received from **Mr Alex Greenwich**.

#### **Tuggerah Railway Station**

Petition requesting the prioritisation of the construction of lifts at Tuggerah railway station, received from **Mr David Mehan**.

#### **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**.

#### **Sydney Football Stadium**

Petition requesting that the Government upgrade rather than rebuild the Sydney Football Stadium and invest the money saved into health, education and community sports facilities, received from **Mr Alex Greenwich**.

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

#### **Short-term Letting**

Petition calling on the Government to give owners corporations the authority to control short-term letting in strata buildings, received from **Mr Alex Greenwich**.

### **RESPONSES TO PETITIONS**

**The CLERK:** I announce that the following Minister has lodged a response to a petition signed by more than 500 persons:

The Hon. Anthony Roberts—Delhi Road Pedestrian Bridge—lodged 5 June 2018 (Mr Michael Daley)  
*Business of the House*

### **BUSINESS LAPSED**

**The DEPUTY SPEAKER:** I advise the House that in accordance with Standing Order 105(3) General Business Notices of Motion (General Notices) Nos 2771 to 2790 have lapsed and General Business Notices of Motion (General Notices) Nos 2791 to 2808 will lapse tomorrow.

### **DROUGHT ASSISTANCE**

#### **Reordering**

**Mr KEVIN ANDERSON (Tamworth) (15:24):** I move:

That the General Business Notice of Motion given by me this day [Drought Relief] have precedence on Thursday 16 August 2018.

This matter should be given precedence because we need to acknowledge in this Parliament the difficulties facing farming communities across the State that are experiencing severe drought conditions. Several months ago, when talking to farmers right across regional New South Wales, they told us that this drought was the worst since 1965. We are in the middle of August, and experienced farmers are starting to reach back further into the history books and now believe that this drought is even more severe than the 1965 drought. No matter where one resides in New South Wales, the whole of the State has been drought declared.

We congratulate our communities across New South Wales that have banded together in support of our farmers. Communities right across New South Wales, from Cobar to Caringbah and from Tamworth to Terrigal, have banded together for drought relief. The great divide between city and country is evaporating, just like the dams and rivers in regional New South Wales. I am pleased that today, with the help of the Speaker of the New South Wales Parliament, we held a drought relief fundraiser in Parliament House. I commend those involved in organising the fundraiser, especially the Speaker and her staff, namely Jane Boag, as well as parliamentary catering manager Lee Kwiez for their efforts today. I also commend every member of this Parliament who supported the drought relief fundraising barbecue today. It may be a small step, but it shows our solidarity with our farmers and that we stand as one.

We recognise the extensive emergency drought relief package put on the table by the New South Wales Government. Nearly \$1 billion has been put on the table for drought relief. I will outline some of the drought relief support and assistance measures tomorrow when we debate this motion. I commend the New South Wales Government for continuing to explore further methods to provide relief for landholders in drought-stricken areas. This Government's door will remain open for as long as this drought continues. We are thinking about conditions in December and in January, February and March when farmers should be restocking and replanting. We need to keep our farmers resilient so that they stay on the land. We know that they love their land and we want them to know they are not alone.

**Mr EDMOND ATALLA (Mount Druitt) (15:27):** I say to those opposite that the opportunity to debate my motion should not be missed. Normally, we would all celebrate a first birthday, but when it is the first anniversary of the reintroduction of the M4 toll, there is not much to celebrate for the residents of Western Sydney. On this anniversary, the people of Western Sydney have already been slugged \$235 million. By the second anniversary, Western Sydney motorists will have fully paid for the cost of the widening of the M4, yet this Government will slug them for a further 41 years and collect some \$26 billion to pay for the Berejiklian Government's wrong priorities. The Minister for Western Sydney recently stated that if we removed the toll from one section of the road we would need to increase the toll on other sections. It looks like the Minister has applied

this logic by giving the people of northern Sydney a toll-free Northern Beaches Road upgrade while slugging Western Sydney motorists with a 43-year sentence.

What are residents of Western Sydney—chopped liver? Is the Minister the Minister for Western Sydney or for northern Sydney? On this anniversary I will give those opposite an opportunity to vote for my motion to take precedence, or I can assure Government members that they will have regrets on 23 March 2019, when the member for Penrith, the member for Seven Hills, the member for Mulgoa, the member for Riverstone and many others will be held to account for hurting their constituents with this unfair toll. Only a Labor government will ease the cost pressures on the residents of Western Sydney by reintroducing the cashback scheme for the M4. The Liberals are known to put a toll on anything and everything. I am concerned that the gates in the Parliament's corridors—

**Mr Brad Hazzard:** Point of order: The member has failed to mention that Labor introduced a whole host of tolls on freeways. He should address those tolls in his contribution.

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

**Mr Luke Foley:** Point of order: The time that the Minister has taken on his point of order should be reinstated. If the time is not reinstated, I guarantee that we will move points of order on every Government speaker in debates.

**The DEPUTY SPEAKER:** The Leader of the Opposition will not blackmail me. I call the Leader of the Opposition to order for the second time.

**Ms Jodi McKay:** He had only nine seconds left.

**The DEPUTY SPEAKER:** I call the member for Strathfield to order for the first time. The question is that the motion be agreed to.

**Motion agreed to.**

#### *Motions Accorded Priority*

### **WORKPLACE BULLYING**

#### **Consideration**

**Mr ALISTER HENSKENS (Ku-ring-gai) (15:34):** My motion should be accorded priority because the workers of New South Wales need to know whether the claim of the Australian Labor Party that it stands up for victim workers is reflected in reality. A sustained stream of complaints of workplace bullying have been made against ALP members of Parliament, only a fraction of which have come to public attention. The 20 staff members complaining about Emma Husar are the latest in a long line of complainants concerned with bullying and violence.

**Mr Michael Daley:** Point of order: This is a State Parliament. Why are we talking about a Federal member of Parliament in the New South Wales Legislative Assembly?

**The DEPUTY SPEAKER:** Order! Members cannot take a point of order. Stop the clock.

**Mr Luke Foley:** What did he just do?

**The DEPUTY SPEAKER:** Order! The consideration of a motion to be accorded priority should not be interrupted. The Minister for Health, and Minister for Medical Research will resume his seat. There has been an understanding in this place—and I stand corrected if I am wrong—that during the three-minute contribution of the member seeking to have his motion accorded priority no points of order will be taken. The motion we debated earlier was not a motion to be accorded priority, which is why I allowed the member to take a point of order. That is the end of the story.

**Mr Michael Daley:** Point of order: The Deputy Speaker and Minister for Health, and Minister for Medical Research and I sit on the committee that governs procedure in this place. Whilst the Deputy Speaker is technically correct in relation to motions accorded priority, the understanding we made when we truncated all these debates from seven minutes to three minutes was that we would not bomb each other out or waste each other's time.

**The DEPUTY SPEAKER:** That is not my understanding.

**Mr Michael Daley:** I was at the meeting, but that is fine. If a member takes a point of order during these debates there is a way do to it that does not waste 40 seconds. Clearly that was an attempt—

**The DEPUTY SPEAKER:** That is a debating point.

**Mr Michael Daley:** That is why we are angry. That is why I will be moving that the member be not further heard.

**The DEPUTY SPEAKER:** Order! It is alright for other members to say they were at the meeting—I am pleased that they were—but only interruptions to matters accorded priority were accepted. I do not recall that being the case for every three-minute debate we have in this House. I have made my ruling. If members want to challenge my ruling there are ways and means of doing so. I will ask the Clerk for advice and advise the House shortly.

**Mr MICHAEL DALEY:** Notwithstanding your ruling, I move:

That the member be not further heard.

**The DEPUTY SPEAKER:** Order! I call the member for Strathfield to order for the second time. The question is that the member for Ku-ring-gai be not further heard.

**The House divided.**

Ayes .....27

Noes .....51

Majority.....24

AYES

Atalla, Mr E  
Car, Ms P  
Crakanthorp, Mr T  
Doyle, Ms T  
Harrison, Ms J  
Kamper, Mr S  
McKay, Ms J  
Park, Mr R  
Warren, Mr G

Bali, Mr S  
Catley, Ms Y  
Daley, Mr M  
Foley, Mr L  
Hoenig, Mr R  
Lynch, Mr P  
Mihailuk, Ms T  
Scully, Mr P  
Watson, Ms A (teller)

Barr, Mr C  
Chanthivong, Mr A  
Dib, Mr J  
Harris, Mr D  
Hornery, Ms S  
McDermott, Dr H  
Minns, Mr C  
Tesch, Ms L (teller)  
Zangari, Mr G

NOES

Anderson, Mr K  
Barilaro, Mr J  
Conolly, Mr K  
Coure, Mr M  
Elliott, Mr D  
Fraser, Mr A  
Grant, Mr T  
Gulaptis, Mr C  
Humphries, Mr K  
Lee, Dr G  
Notley-Smith, Mr B  
Patterson, Mr C (teller)  
Piper, Mr G  
Sidoti, Mr J  
Stokes, Mr R  
Tudehope, Mr D  
Williams, Mr R

Aplin, Mr G  
Bromhead, Mr S (teller)  
Constance, Mr A  
Dominello, Mr V  
Evans, Mr A.W.  
Gibbons, Ms M  
Greenwich, Mr A  
Hazzard, Mr B  
Johnsen, Mr M  
Leong, Ms J  
O'Dea, Mr J  
Pavey, Mrs M  
Roberts, Mr A  
Smith, Ms T.F.  
Taylor, Mr M  
Upton, Ms G  
Williams, Mrs L

Ayres, Mr S  
Brookes, Mr G  
Cooke, Ms S  
Donato, Mr P  
Evans, Mr L.J.  
Goward, Ms P  
Griffin, Mr J  
Henskens, Mr A  
Kean, Mr M  
Marshall, Mr A  
Parker, Mr J  
Petinos, Ms E  
Rowell, Mr J  
Speakman, Mr M  
Toole, Mr P  
Ward, Mr G  
Wilson, Ms F

PAIRS

Aitchison, Ms J  
Cotsis, Ms S  
Finn, Ms J  
Lalich, Mr N  
Mehan, Mr D  
Washington, Ms K

Berejiklian, Ms G  
Crouch, Mr A  
Davies, Mrs T  
Hancock, Mrs S  
Perrottet, Mr D  
Provest, Mr G

**Motion negatived.***Members***LEGISLATIVE COUNCIL VACANCY**

At 15:45 the House proceeded to the Legislative Council Chamber to attend a joint sitting to elect a member to fill a seat in the Legislative Council vacated by Dr Mehreen Faruqi, resigned.

*Senate***SENATE VACANCY**

At 15:45 the House proceeded to the Legislative Council Chamber to attend a joint sitting to elect a member to choose a senator in the place of Senator Lee Rhiannon.

*Members***LEGISLATIVE COUNCIL VACANCY**

At 16:00 the House reassembled.

**The DEPUTY SPEAKER:** I report that the House met with the Legislative Council in the Legislative Council Chamber to elect a member to fill the seat in the Legislative Council vacated by the resignation of Dr Mehreen Faruqi and that Cate Faehrmann was duly elected. I order that the minutes of proceedings of the joint sitting be printed.

*Senate***SENATE VACANCY**

At 16:00 the House reassembled.

I report that the House met with the Legislative Council in the Legislative Council Chamber to elect a person to hold the place in the Senate rendered vacant by the resignation of Senator Lee Rhiannon and that Dr Mehreen Faruqi was duly elected. I table the minutes of proceedings of the joint sitting. I order that the minutes of proceedings of the joint sitting be printed.

*Condolences***DEATH OF THE HON. WALLACE CLYDE FIFE, A FORMER MINISTER OF THE CROWN**

**The DEPUTY SPEAKER:** I welcome to the gallery Mrs Marcia Fife, wife of the late Hon. Wallace Fife, his daughter, Sue Killalea, his son, Ben Wallace, and their family friend, Elizabeth Gribble.

**Ms GLADYS BEREJKLIAN (Willoughby—Premier) (16:05):** I move:

That this House extends to the family the deep sympathy of members of the Legislative Assembly in the loss sustained by the death on 16 November 2017 of the Hon. Wallace Clyde Fife, a former Minister of the Crown.

I honour the memory of an outstanding member of this place and an outstanding Minister of the Crown. I welcome his family and friends to the gallery on this important occasion when we consider Wal's legacy and note his contribution to this place and—more importantly—to the people of New South Wales. First elected in 1957, Wallace Clyde Fife would serve 18 years as the member for Wagga Wagga and 10 of them as a State Minister. As we all know, he was subsequently elected as the Federal member for Farrer and then Hume, serving a further 18 years in the Federal Parliament and six of them as a Minister.

Born into a humble family on 2 October 1929 during what could only be described as difficult times for our nation, he was raised during the Great Depression and the war. He would grow to intuitively understand the unique values of our Australian character: resilience, mateship and progress—three virtues that characterised his career and contribution to the community. Between the adversity of the Depression and the tragedy of war, young Wal Fife became fascinated with the political process and the public debates that were shaping the world around him. A self-described political junkie from early childhood, Wal had a singular determination to involve himself in the process.

After being educated locally in Wagga Wagga, Mr Fife was offered the opportunity to choose to attend boarding school in Sydney or the newly established Canberra. The political tragic—as he described himself—chose Canberra due to the school's proximity to Parliament House. On cold afternoons while still a high school student Mr Fife would rush from class to Parliament House to wander its timber corridors and public galleries. Towards the end of his schooling, his fascination for the political process only grew. Upon turning 18, Mr Fife wrote to the founder of the Liberal Party, Australian Prime Minister Sir Robert Gordon Menzies, seeking counsel

and potential employment. To his amazement, a meeting was scheduled and a job ensued: Mr Fife would work at the newly established Federal Liberal Party headquarters. It was also in Canberra that Mr Fife met the love of his life and future wife, Marcia. They would marry in 1952 and have four children.

Wal would in due course leave Federal party headquarters and return home to Wagga Wagga to work in his family's business whilst maintaining an active presence in local politics. He assisted in Sir David Fairbairn's election to the division of Farrer. One year after marrying Marcia, Mr Fife would run for public office as the Liberal candidate for Wagga Wagga in 1956. While not initially successful, Mr Fife's strong showing as a Liberal in a rural seat encouraged him to run again. By the time of the 1957 Wagga by-election Mr Fife had secured enough support to win the seat from the Labor Party, and we are glad he did.

Upon his swearing in to this Chamber aged 28, which is young by any measure but especially so in 1957, Mr Fife was apparently greeted with taunts across the Bear Pit about his relative youthfulness. How misplaced those taunts were. He would go on to make a remarkable contribution to this place and to our State. At 35 he was appointed assistant Minister, then the youngest in our State's history. He would later go on to serve as Minister for Mines, Minister for Conservation, and Minister for Power as well as serving as the assistant Treasurer from June 1972 until January 1975. During his time as Minister for Power he oversaw several utility reforms that steered the State through an energy crisis. He also served as Minister for Transport and Minister for Highways. I was commenting earlier to his family and some colleagues that the first ferries that he ordered have only just run their useful life here in New South Wales. His legacy as Minister for Transport and Minister for Highways, amongst other portfolios, has really stood the test of time; a decade-old legacy.

In 1975 in the election following the dismissal, Mr Fife entered the Federal Parliament in the Fraser landslide as the member for Farrer and there again he was quickly elevated to the ministry where he would go on to serve as the Federal Minister for Education, Minister for Aviation, Minister Assisting the Prime Minister and Deputy Leader in the House. Mr Fife would reform funding to independent schools and made many other changes at a Federal level. I understand that his grandchildren were rather upset because he oversaw the banning of fireworks. Apparently his grandchildren used to rib him about that during the course of many years. It was his service to Wagga Wagga and dedication to conquering the tyranny of distance and delivering tertiary education in regional New South Wales that Mr Fife will be remembered for most by our colleagues here in this place.

Together with his close friend and successor as the member for Wagga Wagga, Joe Schipp, Mr Fife dedicated himself to the establishment of Charles Sturt University, now one of our State's finest education institutions. Charles Sturt University remains a credit to Mr Fife, and his tireless advocacy and determination on behalf of Wagga Wagga and regional New South Wales more broadly. As I remarked yesterday, Wal and Joe Schipp remained close throughout their post-parliamentary career; proud country boys who had dedicated their adult lives to the advancement of the Riverina. Both men were determined to ensure that those who toiled away in our nation's food bowl to provide for the nation had the same access to services and opportunity as those in the cities. Unfortunately, as we know, their friendship took one final incredibly sad turn when Joe, Mr Schipp, dressed in his best suit passed away on the very day he was to deliver the eulogy at Mr Fife's funeral. Thankfully, Mr Maguire was able to deliver a wonderful eulogy off the cuff in Mr Schipp's place.

Between them, Mr Fife and Mr Schipp served the Wagga Wagga region at a State level for more than four decades—42 years. An amazing contribution! A twist of fate saw both men pass on within days of each other. We truly thank Mr Wal Fife for his outstanding service to the people of New South Wales. We also thank his family and friends for their sacrifices in sharing him with the rest of the State. We appreciate the sacrifices and support you provided him so that he could serve the people of this great State. Again, to Mr Fife's family—his wife, Marcia, his children Sue and Ben, and all of his family—we extend our deepest condolences. We will forever be thankful for the service Mr Fife gave to our State and our country. He truly is one of our Parliament's greatest statesmen. His contribution has stood the test of time and his legacy will continue for successive generations. May he rest in peace.

**Mr RON HOENIG (Heffron) (16:12):** I first met Wal Fife in 1975 whilst I was living in Wagga Wagga. I lived there from 1975 to 1977. I was working in the courthouse at the time of the dismissal of the Whitlam Government, which spurred me on to joining the Labor Party where I participated first in a by-election campaign occasioned by Mr Fife's resignation from the New South Wales Parliament. Then on behalf of the Labor Party I participated in the Federal election campaign attending all the campaign rallies for the electorate of Farrer that was easily won by Wal Fife. One cannot live in Wagga Wagga, as I did, and not know or know of Wal Fife. He was a man whom I considered to be a real gentleman.

I left Wagga Wagga in 1977, but as a young Mayor of Botany I crossed paths with him again in 1982. He was the Federal Minister for Aviation when I repeatedly saw him to complain bitterly about the Liberal Party's policy of wanting to build a third runway at Kingsford Smith Airport, which would have involved planes taking off right over the top of houses in my community. I must say, in that relatively short period of time that he was

Minister for Aviation, he was always receptive and polite, and he always had time to meet a young, angry mayor who did nothing other than complain about the Fraser Government. Nobody serves as a member of any House of Parliament without making a huge sacrifice; many of us financially. Not only do members of Parliament make sacrifices but also, as I said to the House yesterday, extensive sacrifices are made by their family.

I repeat what my old friend Gary Punch said—who was formerly a Federal member for Barton and Federal Minister—that the worst job in politics is being the mayor because you have to go to work first. The second worst is being a Federal member of Parliament because you are away for six months of the year. The best job in politics is being in State Parliament because it is only around the corner. That applies only to those of us who live relatively close by. To represent a regional electorate in either the State or the Federal Parliament is a huge sacrifice, not just for the member but also for the member's family. I do not know how many families have broken down, particularly those at a Federal level, because of the contributions members make to the parliamentary process.

Wal Fife served this House with distinction. He was a Minister in the Askin-Lewis Government. He served the Federal Parliament with distinction, becoming a Minister, only to lose office at the election of the Hawke Government in 1983. Wal Fife was a great Australian. Not only did he serve here with distinction, he served his nation with distinction. On behalf of the Opposition I extend to Wal Fife's family our deepest sympathy for his loss. Vale Wal Fife.

**The DEPUTY SPEAKER (16:16):** I doubt whether there has been another time in the history of the Parliament that we have moved a condolence motion for the one electorate twice in two days, recognising the contribution of the Hon. Wal Fife and the Hon. Joe Schipp. I was a consumer back in the seventies and eighties and I had a lot to do with Wagga Wagga as a stock and station, and real estate agent. As I said yesterday, in those days Wagga Wagga had the pinnacle of saleyards when they were rebuilt. We went down there on a number of occasions to visit the saleyards. Each time we saw Joe and/or Joe and Wal. One could tell then that they were very in love with Wagga Wagga and the Riverina, which was well and truly documented and appreciated. Wal's contribution as a Minister and a representative for the Riverina in this Parliament is unequalled, and something that I am sure his family can feel very proud of. There was a time when I met Wal Fife after he entered the Federal Parliament. We were having difficulty with an airport in the north and again I crossed paths with the Hon. Wal Fife.

On occasions such as this we pay tribute and show our appreciation, especially to you Mrs Fife, your two children and your good friend, to thank you for your contribution as a family. Each and every member of this House understands and appreciates that if we do not have the love and support of our loved ones and our family we are not able to carry out the work that our community expects us to. I offer you my sympathy and prayers, and thank you as a family for the way in which you supported the Hon. Wal in his role. I also thank you for the time you spent helping him to truly represent the community of Wagga Wagga. The question is that the motion be agreed to.

**Motion agreed to.**

*Members and officers of the House stood in their places as a mark of respect.*

*Business of the House*

**SUSPENSION OF STANDING AND SESSIONAL ORDERS: MEMBER'S SPEAKING TIME**

**Mr ANTHONY ROBERTS:** I move:

That standing and sessional orders be suspended at this sitting to permit the member for Ku-ring-gai to speak for an additional period of two minutes and six seconds in support of his motion being accorded priority over the other business of the House.

**Motion agreed to.**

*Motions Accorded Priority*

**WORKPLACE BULLYING**

**Consideration**

**Debate resumed from an earlier hour.**

**Mr ALISTER HENSKENS (Ku-ring-gai) (16:21):** When the 20 staff members complained about Emma Husar, theirs were the latest in a long list of complaints about bullying and violence in the Australian Labor Party. They include, but are not limited to, complaints against the member for Prospect and complaints about former Labor Prime Minister Kevin Rudd's outbursts directed at his staff, which involved evidence on a leaked

video. Who can forget former Federal Leader of the Australian Labor Party Mark Latham, who broke the arm of a taxidriver and almost broke John Howard's hand in a pre-election handshake?

The recent Emma Husar affair is instructive of the Australian Labor Party's attitude to bullying workers. The Labor Party engaged John Whelan, a former staffer of Michael Costa, Bob Carr, Kevin Rudd and Julia Gillard, to investigate the bullying allegations. According to information published by the New South Wales Bar Association, Mr Whelan has been a barrister for only two years, he has no barrister's chambers—he is apparently working from his home on the Central Coast—and he does not accept direct briefs. However, the person assigned to protect the alleged workplace bully, Emma Husar, is none other than New South Wales shadow Minister for Industrial Relations, the Hon. Adam Searle, who has been a barrister for 18 years, not two years like Mr Whelan, and is an expert in industrial law.

When the Leader of the Opposition was asked on 23 July about the appropriateness of Mr Searle acting against Ms Husar's worker victims, Luke Foley said, "I don't see anything wrong with that." That is the nub of the problem. The Labor Party thinks it can hide behind a report that it will not release and that was written by an inexperienced barrister who apparently exonerates Ms Husar and believes that she need not resign from Parliament. At the same time, he found that the bullying allegations were made out against her. Luke Foley may not see any problem with that, but this Parliament and the workers of this State do. Therefore, my motion should be accorded priority.

## LEADER AND DEPUTY LEADER OF THE NATIONALS

### Consideration

**Mr CHRIS MINNS (Kogarah) (16:23):** My motion deserves to be accorded priority because this House should demonstrate solidarity with the Hon. Niall Blair, the Deputy Leader of The Nationals. He is at war with his leader; in fact, the Leader of The Nationals has organised a coup against him. Members need look no further than an article in the 7 August edition of the *Australian* to appreciate the situation. The headline states:

Nats leader and deputy brawl over drought relief funding.

They are not brawling about the scale of the relief package being provided to farmers, but about who gets the credit for delivering it. It is clear that members of The Nationals are sick and tired of their leader because he is all style and no substance. He never delivers. He said nuclear power was important and then he said it was a thought bubble. He said that the council mergers would not go ahead and then they did. He also said that subsidies for farmers would not be delivered and then he changed his mind. His failure to deliver extends to his tenure in this House as the member for Monaro. He said to the *Queanbeyan Age*:

It will be my job to find a suitable replacement on my side of politics to run in 2019.

Who did he pick? He picked himself. His ego is amazing. Of all the people who live on the Monaro, he chose himself to represent the electorate for a third term. He is even worse when it comes to delivering for his electorate. He promised to deliver a high school in Jerrabomberra eight years ago, but he has still not delivered. He promised an intersection at Lanyon Drive four years ago, but he has still not delivered. He promised a new police station in Queanbeyan, but he has still not delivered. He is like an Uber Eats driver with a busted GPS: he cannot deliver.

One wonders why the Leader of The Nationals is having such trouble delivering for rural communities. I think it is because he is addicted to the politics of this place. His favourite television show is *House of Cards* and he is a curious mix of Elmer Fudd and Frank Underwood. He is ultimately a political assassin and a cartoon character. This is a bloke who pushed out a member who is, in my opinion, one of the most decent members in this Parliament—Troy Grant. Troy Grant enjoys the respect of members on both sides of the Parliament, and is a pillar of integrity and compassion for our community. He has been shunted aside by the Leader of The Nationals and he is now leaving this place—to the great shame of The Nationals.

I believe that the terrible situation in The Nationals ranks will be alleviated by an up-and-coming member who has the measure of the Leader of The Nationals; that is, the killer from Kempsey, the Minister for Roads, Maritime and Freight, Melinda Pavey. I believe she is squaring him up. She is twice as smart and just as ruthless as he is. The Parliament should rebuke the Leader of The Nationals because he is out of control and out of his depth, and rural New South Wales deserves better.

**The DEPUTY SPEAKER:** The question is that the motion as moved by the member for Ku-ring-gai be accorded priority.

**The House divided.**

Ayes .....42  
Noes .....29

Majority.....13

## AYES

Anderson, Mr K	Aplin, Mr G	Ayres, Mr S
Bromhead, Mr S (teller)	Brookes, Mr G	Conolly, Mr K
Constance, Mr A	Cooke, Ms S	Coure, Mr M
Dominello, Mr V	Elliott, Mr D	Evans, Mr A.W.
Evans, Mr L.J.	Fraser, Mr A	Gibbons, Ms M
Goward, Ms P	Grant, Mr T	Griffin, Mr J
Gulaptis, Mr C	Hazzard, Mr B	Henskens, Mr A
Humphries, Mr K	Johnsen, Mr M	Kean, Mr M
Lee, Dr G	Marshall, Mr A	Notley-Smith, Mr B
O'Dea, Mr J	Patterson, Mr C (teller)	Pavey, Mrs M
Petinos, Ms E	Rowell, Mr J	Sidoti, Mr J
Speakman, Mr M	Stokes, Mr R	Taylor, Mr M
Toole, Mr P	Tudehope, Mr D	Ward, Mr G
Williams, Mr R	Williams, Mrs L	Wilson, Ms F

## NOES

Atalla, Mr E	Bali, Mr S	Barr, Mr C
Car, Ms P	Catley, Ms Y	Chanthivong, Mr A
Crakanthorp, Mr T	Daley, Mr M	Dib, Mr J
Doyle, Ms T	Greenwich, Mr A	Harris, Mr D
Harrison, Ms J	Hoening, Mr R	Hornery, Ms S
Kamper, Mr S	Leong, Ms J	Lynch, Mr P
McDermott, Dr H	McKay, Ms J	Mihailuk, Ms T
Minns, Mr C	Park, Mr R	Piper, Mr G
Scully, Mr P	Tesch, Ms L (teller)	Warren, Mr G
Watson, Ms A (teller)	Zangari, Mr G	

## PAIRS

Barilaro, Mr J	Aitchison, Ms J
Berejiklian, Ms G	Cotsis, Ms S
Crouch, Mr A	Finn, Ms J
Davies, Mrs T	Foley, Mr L
Hancock, Mrs S	Haylen, Ms J
Perrottet, Mr D	Lalich, Mr N
Provest, Mr G	Mehan, Mr D
Upton, Ms G	Washington, Ms K

**Motion agreed to.****WORKPLACE BULLYING****Priority****Mr ALISTER HENSKENS (Ku-ring-gai) (16:32):** I move:

This House:

- (1) Condemns workplace bullying.
- (2) Notes NSW Labor refuses to release the full report into the Federal member for Lindsay.
- (3) Calls upon the Leader of the Opposition to ensure the shadow Minister for Industrial Relations explains his involvement in this matter.

The Australian Labor Party [ALP] machine has simultaneously played good cop and bad cop with the Emma Husar affair, but its endgame has always been to disrespect the interests of the bullied workers and protect the political interests of the ALP. How else can one explain selecting a barrister of two years' experience with strong ALP connections to investigate a matter of such seriousness? A party that truly cared about victim workers would

have engaged an experienced, truly independent investigator and released its findings as an act of full transparency.

Instead, it has conducted a disingenuous investigation by a former ALP staffer and a barrister of only two years' experience, while at the same time protecting the bully of 20 staff members by having the New South Wales shadow Industrial Relations Minister advising Ms Husar. How did the ALP think it was appropriate to have its senior parliamentary spokesman on industrial relations pitted against the victims of workplace bullying? How do members dare scream across the Chamber on a matter of such seriousness? It shows that in so many ways Labor self-interest is always put before the public interest and before the victims of workplace bullying. We do not know the full extent of the evidence against Ms Husar; the report has not been released.

**The DEPUTY SPEAKER:** The Clerk will stop the clock. I will have no hesitation in stopping the clock if members continue to interject. The member for Ku-ring-gai has the call.

**Mr ALISTER HENSKENS:** The report has not been released, and we all know—and certainly Mr Whelan, Mr Searle and the ALP know—that confidential documents can have names blanked out—

**Mr Chris Minns:** Point of order—

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

**Mr Chris Minns:** Why is the clock being stopped?

**The DEPUTY SPEAKER:** The member for Kogarah had three uninterrupted minutes to give reasons as to why his motion should be accorded priority. I made sure of that.

**Mr Chris Minns:** So what? Edmond had 30 seconds to make a brief point.

**The DEPUTY SPEAKER:** I am telling the member that he was able to make his contribution uninterrupted.

**Mr Chris Minns:** It was outrageous—

**The DEPUTY SPEAKER:** It was outrageous, your comment.

**Mr Chris Minns:** Thirty seconds. My point of order is that it is clear that the member for Ku-ring-gai is referring to a script. I wonder whether he would seek the leave of the House and table it.

**The DEPUTY SPEAKER:** What is the member's point of order?

**Mr Chris Minns:** I am asking him to table the script that he is reading from; I think we would all like to read from it. Maybe we can mouth it at the same time.

**Mr Gareth Ward:** To the point of order: Mr Deputy Speaker—

**Mr Chris Minns:** He does not have to do it; it is an honest request.

**The DEPUTY SPEAKER:** Order! The member for Kogarah is deemed to be on three calls to order.

**Mr ALISTER HENSKENS:** Confidential documents can have names blanked out so the facts behind the allegations can be made public and the identity of the complainants protected. Suppression orders in criminal cases do that every day of the week. But all we know about what is in the Whelan report is from an ALP media statement released on 10 August 2018, which says:

Complaints that staff were subjected to unreasonable management including, unreasonable communication, demands, practices and disciplinary methods have merit;

...

Whereas male and female complainants perceive and allege they have found much of the Member's management offensive and unreasonable.

After considering all sides of the relevant issues the Assessment has generally favoured the complainants' perception of events.

It is an extremely strange media statement because, unlike every other media statement that I have ever seen, no media contact is actually on the statement. That is the ALP idea of transparency. It does not release the report, it does not have any contact person and no further correspondence will be entered into. Given the weight of evidence supporting allegations of bullying, the ALP appears to have adopted a strategy that included leaking the allegations so that Ms Husar would be weakened and agree to leave Parliament voluntarily at the next election, but assigning the shadow Minister for Industrial Relations as a minder to the bully to ensure that she does not force an inconvenient by-election, causing damage to the ALP. It shows that the whole basis of the Whelan report was a

cover-up. If Labor is for workers' rights, why has a member of Luke Foley's team supported the bully and not the worker victims?

If Labor want to show that it is for the worker, Luke Foley and Adam Searle should explain why they have supported the bully and not the subordinate employees. It is behaviour entirely incapable of reconciliation with the rhetoric of the Australian Labor Party, frequently used in this House, that they stand up for workers including the conditions of employment of workers. The Whelan report should have found and appears to have found Ms Husar to be a bully. Transparency suggests that the full report, redacted if necessary, be made public. A full explanation should be given by the Leader of the Opposition as to why he has allowed his shadow industrial relations Minister to act against the victims of workplace bullying. [*Time expired.*]

**Mr RON HOENIG (Heffron) (16:40):** The politics of smear: When those in the Government smear people associated with the Opposition, you know they are trying to hide something. You know they are trying to distract everybody's attention from their own failures such as the light rail project that is such an embarrassment to them and their other infrastructure projects which are such an embarrassment to them because they are incompetent—the politics of smear. I know this is the bear pit and for decades there have been the politics of smear, but with all the problems facing New South Wales one would think the Government would use the time of the House productively for the people of New South Wales. Instead they wheel out the member for Ku-ring-gai, a highly respected silk—and that is how they treat the people with brains on that side of the House; they put him so far up the back bench that he is far away from the proceedings of the House.

How dare this eminent silk utilise time in this House to reflect adversely on members of the bar of New South Wales with no evidence and with no basis? How dare the member for Ku-ring-gai reflect on the Hon. Adam Searle, who is a member of the bar and, as one would expect of a member of the bar, has never done anything improperly, unless the member for Ku-ring-gai had evidence? If the member for Ku-ring-gai wanted to know the Hon. Adam Searle's position he need only listen to his personal explanation in the other place. The Hon. Adam Searle assured that House that he did not represent the member for Lindsay but that he was a friend of the member for Lindsay and provided her support when she was under stress.

The Hon. Adam Searle has a track record for protecting people and representing people subject to workplace bullying. To reflect on his integrity as a member of the bar is reprehensible. To reflect on Mr Whelan because he has only been at the bar for two years and happened to work for the Labor Party is a pretty reprehensible act by the member for Ku-ring-gai. Nobody reflected on my integrity when I represented the accused in the Newman murder trial, where I cross-examined Labor Party luminaries. The member for Ku-ring-gai has acted in quite an improper way.

If the member wants to raise the issue of people's credibility in the House, he opens up the issue of his own credibility. I have a document prepared by the Parliamentary Research Service which "updates the list of alleged and actual indiscretions by Ministers and members of the New South Wales Coalition Government". There are 35 instances listed. I am not going to lower the dignity of the House, nor my own dignity, to read out the allegations or the indiscretions of members of the other side of the House because I am better than that—and I would expect the member for Ku-ring-gai to be better than that. The Labor Party released a statement, of which he has a copy. The part that he refused to refer to the House about the referral to Mr Whelan stated:

The referral was made after the Party was advised by complainants that the existing public sector dispute resolution procedures had not been of assistance.

The NSW ALP then responded to complainants by way of an Independent Assessment, despite not being a party to the employment relationship.

The advice is, based on this assessment, there is no basis for Ms Husar to resign from the Australian Parliament.

It then lists the particular findings. The member for Ku-ring-gai forgot to read out to the House the part that stated:

There are concerns for the well-being of many involved, given the stress associated with this matter. Counselling has been and will continue to be made available.

The full Assessment will not be released given the need to preserve the confidentiality of many of the participants.

Many of those participants themselves require counselling because the nature of the allegations, some of which have been established and released, and they have been embarrassed by it. Everybody knows, and the member for Ku-ring-gai knows better than anybody else, that the welfare of those employees is paramount. Many of their complaints have been verified. They are undergoing counselling, they are entitled to privacy and they are entitled to confidentiality. Quite frankly this motion is beneath the member for Ku-ring-gai and is absolutely a disgrace to the Coalition Government in this State.

**Mr GARETH WARD (Kiama) (16:45):** I think the member for Heffron must have been listening to an entirely different speech because some of the things he said about the comments of the member for Ku-ring-gai

were totally irrelevant. There is no smear. There is no mention of anyone in the motion in relation to the current member for Lindsay. In fact, I would say that the member for Lindsay is owed procedural fairness and natural justice as much as anybody else in relation to this matter. I do not want to make any comments or reflections in relation to Mr Whelan. But, given his obvious connections with the Labor Party, if those opposite were serious about conducting an independent investigation, would they not have selected somebody with absolutely no connection and put his character beyond reproach? But they did not do that: They chose to engage someone who had clear connections with the Australian Labor Party. I am not saying his investigation was not fulsome or appropriate, but if that is in fact the case then they should think about releasing the report and allowing the Federal Parliament to review the documents.

I do not know what those opposite are concerned about. If the investigation has been done rigorously and appropriately then there is no reason that those documents should not be revealed. There is no attempt at smear here. All parties to this investigation deserve the right to be heard. They deserve the right to procedural fairness and natural justice. I do not make any reflection, and nor do I think it is appropriate that any Parliament make any reflection. These are matters for independent investigators.

**The DEPUTY SPEAKER:** Order! The Clerk will stop the clock. The last member who made a contribution was heard in silence.

**Ms Yasmin Catley:** That's because he made sense.

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

**Mr GARETH WARD:** I am sorry the member for Swansea disagrees with an independent investigation. I would have thought workplace bullying was something on which all members would want to back, protect and support their staff. I would have thought all members would have supported that and supported the release of information in relation to this matter so it can be heard and scrutinised, if the investigation has been done thoroughly and appropriately. That is all that is being asked for today.

I encourage members of the House to reflect on the comments that have been made. The media statement that has been presented to the House by the member for Ku-ring-gai is quite clear as to what the Labor Party felt was or was not being done. I am keen to hear all of the evidence. I think the public can hear all of the evidence, the Parliament can review that and that is an appropriate thing to be done. I encourage all members of the House to back a motion which clearly demonstrates that we are against workplace bullying and in favour of transparency—that is exactly what this motion seeks to do.

**Mr GREG WARREN (Campbelltown) (16:48):** If there should be a transparent investigation into any member of Parliament it should be an investigation into the member for Kiama. But he knows, like we do in this place, there will be no happy endings about it. No-one will be happy about it. Mate, if you live in a glass house, take a piece of advice: Don't go throwing stones.

If only the Liberal Party of New South Wales had as much interest and consideration for and interest in the people of Lindsay as they have for the member for Lindsay. I want to clarify something for those ignorant troglodytes opposite: the assessment has been sent through to the right place—the Department of Finance Independent Parliamentary Expenses Authority—to complete the investigations. Full stop.

What a joke! This is nothing more than a Government which is on its knees, desperate to divert attention away from all of its incompetencies, such as the light rail and the billion-dollar blowouts. Government members want to talk about releasing reports but they could not even release the KPMG report into council amalgamations. The Government was asked the other day to release all the meetings, documents and everything else of the former member for Wagga Wagga but it will not do it. If those on the opposite side of the Chamber live in a glass house they should not throw stones—but that is clearly what they are doing here.

I make the point that bullying in the workplace is a very serious circumstance. Those opposite have raised a circumstance which is not associated with this Parliament to try to gain political benefit—and that is nothing short of a disgrace. The member for Ku-ring-gai is the bloke who defended the indefensible Chris Hartcher—the ringleader of the corrupt disciples of the Liberal Party. He went into bat for this bloke when the Director of Public Prosecutions [DPP] pushed charges. Chris Hartcher is not in Parliament anymore—he has gone—because he was corrupt, but the member for Ku-ring-gai defended him. Yet he wants to talk about a matter which is not associated with this Parliament. He is kidding himself. It is no wonder that the people of New South Wales know that he is a joke. We know that he is a joke, and that is why he is down on his knees bringing up anything he can. Those opposite have nothing else. They cannot run the State. They cannot run themselves—they cannot control their own members. They should give it away—throw in the towel—because we are going to sack the Government next March anyway.

**Mr ALISTER HENSKENS (Ku-ring-gai) (16:51):** In reply: I speak more in sorrow than in anger and note that the Leader of the Opposition has sat in this Chamber and has not been willing to defend the actions—

**Mr Paul Lynch:** Point of order. Sit down, I am taking a point of order! It is in Standing Orders—

**The DEPUTY SPEAKER:** The Clerk will stop the clock. Does the member wish to raise a point of order?

**Mr Paul Lynch:** I do indeed. As I said a moment ago, despite the fact that the member contemptuously refused to adhere to the Standing Orders and stood instead of sitting down when the point of order was taken—

**The DEPUTY SPEAKER:** Order! Usually members stand in their places to indicate they wish to take a points of order. You were coming to the table at a hundred miles an hour, and I had not even called you. The member for Ku-ring-gai is now seated.

**Mr Paul Lynch:** The point of order is that the member for Ku-ring-gai's reference to the Leader of the Opposition is entirely outside the Standing Orders. If he wants to proceed against the Leader of the Opposition he needs to do that by way of another notice of motion. His attack upon him is entirely outside the leave of the motion.

**Mr ALISTER HENSKENS:** To the point of order: Paragraph 3 of my motion is in these terms:

3. Calls upon the Leader of the Opposition to ensure the shadow Minister for Industrial Relations explains his involvement in this matter.

The motion, in its terms, mentions the Leader of the Opposition. Therefore my reference to him in reply was entirely relevant to that motion. Unfortunately, the learned member who interrupted me when he did not have the call now seeks to do the same.

**Mr Paul Lynch:** Further to the point of order: What the member for Ku-ring-gai said in his speech was outside the wording of this motion. He was going well beyond what was contained in the motion. That is why my point of order is correct. I suggest the member gets on top of his brief.

**The DEPUTY SPEAKER:** The debate on matters that have been accorded priority has usually been broad in scope. I overrule the point of order.

**Mr Luke Foley:** Of course you do. Of course you do.

**The DEPUTY SPEAKER:** Of course I do, Leader of the Opposition.

**Mr ALISTER HENSKENS:** Although the motion calls on the Leader of the Opposition to ensure that the shadow Minister explains it, the Leader of the Opposition sat in the Chamber and said not a word in the debate.

**The DEPUTY SPEAKER:** Stop the clock, please.

**Mr David Harris:** Point of order: My point of order relates to Standing Order 76.

**Mr Luke Foley:** You can thank Brad for this.

**The DEPUTY SPEAKER:** I thank the Leader of the Opposition: We know what the agenda is now: "We'll thank Brad for this so we'll keep interrupting"—

**Mr Luke Foley:** It's that both sides get a fair go and you referee both sides, Thomas.

**The DEPUTY SPEAKER:** I direct the Leader of the Opposition to remove himself from the Chamber.

**Mr Luke Foley:** Are you sure about that?

**The DEPUTY SPEAKER:** I direct the Leader of the Opposition to remove himself from the Chamber. That is exactly what he was aiming for.

*[Pursuant to sessional order the member for Auburn left the Chamber at 16:55]*

**Mr David Harris:** My point of order relates to Standing Order 76.

**The DEPUTY SPEAKER:** You have a lot of support, member for Wyong!

**Mr David Harris:** What the member for Ku-ring-gai is suggesting is not correct, because he has accused the Leader of the Opposition of not doing something when the member in the other place has given a personal explanation and explained himself. The attack is unwarranted and out of order because what he is suggesting has already taken place.

**The DEPUTY SPEAKER:** I thank members for their points of order.

**Ms Anna Watson:** Deputy Speaker, I draw your attention to the state of the House.

[*The bells having been run and a quorum having formed, business resumed.*]

**The DEPUTY SPEAKER:** I place on record that the Leader of the Opposition's comments directed at the Chair and this Parliament were unparliamentary. The Leader of the Opposition's comments followed earlier comments that, in my view, challenged the Chair by saying what he would do if he did not get his way. I will check the exact words used by the Leader of the Opposition when he indicated that Opposition members would interrupt every debate and call for quorums. However, this Government will continue to run this Parliament and will include input from the Opposition when Opposition members are present. Under Standing Order 249A, the Leader of the Opposition may return to the Chamber in two hours.

**Mr ALISTER HENSKENS:** The Leader of the Opposition's behaviour in this Parliament was bullying in nature. His behaviour reflects the matter I bring—in sorrow more than in anger—to the attention of the House. In the two Opposition members' contributions to this debate, which lasted six minutes—and I note that the Leader of the Opposition did not contribute to this debate—not one word was said in sympathy for the 20 worker victims of Labor member of Parliament Emma Husar. These workers were victims of workplace bullying. In many respects that is a sad reflection of where the Australian Labor Party is today.

Labor Party members care only about themselves. They put up faux processes, do not release reports and are not transparent because at the end of the day they only care about themselves. They do not care about the public, as was evident in their 16 years as a State Government. They certainly do not care about workers, although in their rhetoric they pretend to care about workers. However, their actions belie their words. I remind the House of what Gillian Sneddon said. Gillian Sneddon was a former Labor staffer—

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

**Ms ANNA WATSON:** I move:

That the member be no longer heard.

**The DEPUTY SPEAKER:** The member for Shellharbour has moved that the member for Ku-ring-gai be no longer heard.

**The House divided.**

Ayes .....26  
Noes .....40  
Majority..... 14

AYES

Atalla, Mr E	Bali, Mr S	Barr, Mr C
Car, Ms P	Catley, Ms Y	Chanthivong, Mr A
Crakanthorp, Mr T	Daley, Mr M	Dib, Mr J
Doyle, Ms T	Harris, Mr D	Harrison, Ms J
Hoening, Mr R	Hornery, Ms S	Kamper, Mr S
Lynch, Mr P	McDermott, Dr H	McKay, Ms J
Mihailuk, Ms T	Minns, Mr C	Park, Mr R
Scully, Mr P	Tesch, Ms L (teller)	Warren, Mr G
Watson, Ms A (teller)	Zangari, Mr G	

NOES

Anderson, Mr K	Aplin, Mr G	Ayres, Mr S
Bromhead, Mr S (teller)	Brookes, Mr G	Conolly, Mr K
Constance, Mr A	Cooke, Ms S	Coure, Mr M
Elliott, Mr D	Evans, Mr A.W.	Evans, Mr L.J.
Fraser, Mr A	Gibbons, Ms M	Grant, Mr T
Griffin, Mr J	Gulaptis, Mr C	Hazzard, Mr B
Henskens, Mr A	Humphries, Mr K	Johnsen, Mr M
Kean, Mr M	Lee, Dr G	Marshall, Mr A
Notley-Smith, Mr B	O'Dea, Mr J	Patterson, Mr C (teller)
Pavey, Mrs M	Petinos, Ms E	Roberts, Mr A
Speakman, Mr M	Stokes, Mr R	Taylor, Mr M
Toole, Mr P	Tudehope, Mr D	Upton, Ms G

## NOES

Ward, Mr G  
Wilson, Ms F

Williams, Mr R

Williams, Mrs L

## PAIRS

Aitchison, Ms J  
Cotsis, Ms S  
Finn, Ms J  
Haylen, Ms J  
Lalich, Mr N  
Mehan, Mr D  
Washington, Ms K

Barilaro, Mr J  
Berejiklian, Ms G  
Crouch, Mr A  
Davies, Mrs T  
Dominello, Mr V  
Hancock, Mrs S  
Rowell, Mr J

**Motion negatived.**

**The DEPUTY SPEAKER:** The member for Ku-ring-gai has the call.

**Mr ALISTER HENSKENS:** The gag motion was moved when I said the words "Gillian Sneddon". That is significant because Gillian Sneddon is the former Labor staffer who blew the whistle on child sex offender and former Australian Labor Party [ALP] member for Swansea, Milton Orkopoulos. All I had to say was her name because she said that after she blew the whistle on a paedophile, ALP members treated her like a traitor and what she described as "scum of the earth". We have seen that sort of bullying behaviour during this debate, and not a word was said in favour of the victims. [*Time expired.*]

**Mr Clayton Barr:** Point of order—

**The DEPUTY SPEAKER:** The member's time has expired. The question is that the motion be agreed to.

**The House divided.**

Ayes .....42  
Noes .....25  
Majority.....17

## AYES

Anderson, Mr K  
Bromhead, Mr S (teller)  
Cooke, Ms S  
Elliott, Mr D  
Fraser, Mr A  
Grant, Mr T  
Hazzard, Mr B  
Johnsen, Mr M  
Marshall, Mr A  
Patterson, Mr C (teller)  
Roberts, Mr A  
Stokes, Mr R  
Tudehope, Mr D  
Williams, Mr R

Aplin, Mr G  
Brookes, Mr G  
Coure, Mr M  
Evans, Mr A.W.  
Gibbons, Ms M  
Griffin, Mr J  
Henskens, Mr A  
Kean, Mr M  
Notley-Smith, Mr B  
Pavey, Mrs M  
Sidoti, Mr J  
Taylor, Mr M  
Upton, Ms G  
Williams, Mrs L

Ayres, Mr S  
Conolly, Mr K  
Dominello, Mr V  
Evans, Mr L.J.  
Goward, Ms P  
Gulaptis, Mr C  
Humphries, Mr K  
Lee, Dr G  
O'Dea, Mr J  
Petinos, Ms E  
Speakman, Mr M  
Toole, Mr P  
Ward, Mr G  
Wilson, Ms F

## NOES

Atalla, Mr E  
Car, Ms P  
Crakanthorp, Mr T  
Doyle, Ms T  
Hoening, Mr R  
Lynch, Mr P

Bali, Mr S  
Catley, Ms Y  
Daley, Mr M  
Harris, Mr D  
Hornery, Ms S  
McDermott, Dr H

Barr, Mr C  
Chanthivong, Mr A  
Dib, Mr J  
Harrison, Ms J  
Kamper, Mr S  
McKay, Ms J

## NOES

Mihailuk, Ms T  
Scully, Mr P  
Watson, Ms A (teller)

Minns, Mr C  
Tesch, Ms L (teller)

Park, Mr R  
Warren, Mr G

## PAIRS

Barilaro, Mr J  
Berejiklian, Ms G  
Constance, Mr A  
Crouch, Mr A  
Hancock, Mrs S  
Provest, Mr G

Aitchison, Ms J  
Cotsis, Ms S  
Haylen, Ms J  
Lalich, Mr N  
Mehan, Mr D  
Washington, Ms K

**Motion agreed to.***Matter of Public Importance***NATIONAL SCIENCE WEEK**

**Mr JAMES GRIFFIN (Manly) (17:20):** National Science Week, which I know all members support, is being held from 11 to 19 August and is Australia's annual celebration of science and technology. The week features more than 1,000 events around Australia, including those being delivered by universities, schools, research institutions, libraries, museums and science centres. The events attract a wide audience of adults and kids, science amateurs and professionals. Established in 1997, National Science Week provides us with an opportunity to acknowledge the wonderful contribution of Australian scientists to the world of knowledge. It also aims to encourage interest in scientific pursuits and inspire young people to be fascinated by the world in which we live.

Schools across New South Wales have been participating in National Science Week by providing opportunities for students to enjoy and explore the wonders of science through activities and excursions. I commend the National Science Week organisers for their great website where people can simply put in their postcode and find all of the science events on around them. Examples include a talk by Dr Christopher Hall on the history of oxygen and a Game Changers and Change Makers event at Manly Village Public School. I congratulate schools and students across the State on participating in National Science Week.

James Busby High School in Green Valley has some fantastic activities lined up for students during National Science Week. Yesterday in conjunction with Perform! Education a hands-on chemistry-based practical and interactive science experience targeted at years 9 and 10 was held. Today there is a school science exhibition in the hall for all students involving interactive displays and activities and at which the science club will be showcasing its work. Tomorrow the school will throw open its doors as students from nearby primary schools visit the exhibits and displays. Finally, on Friday an interactive learning experience named Snake Tails featuring Australian reptiles will visit years 7 and 8 students. That will be a great capstone for National Science Week at James Busby High School.

A number of government initiatives in science, technology, engineering and mathematics, known as the STEM subjects, support our school students in their activities during National Science Week. This Government continues to enhance science education and support for science and technology learning through the good work of the Department of Education and in particular the STEM Share program, which promotes a series of partnerships between our schools, industry and our tertiary institutions as they seek to deliver real-world solutions to everyday problems. The projects say a lot about the incredible work being undertaken by our students in National Science Week. For example, some students will be investigating and developing technology-based agriculture including glasshouse design and operations.

The Crack the Code project is supporting coding instruction in our schools and includes the development of instructional videos and coding kits, which is a fantastic way to learn. An Oracle car project allows students to not only race remote controlled cars but also learn about scientific and engineering principles alongside the internet of things, which is a passion of mine, and how that applies to everyday life now and in the future. Last but not least in this time of drought, students will look at livestock movements using GPS technology and analyse the data to involve themselves in decision-making around livestock management in rural and regional New South Wales. Last week I had the pleasure of welcoming the Minister for Education to Mackellar Girls Campus where

we inspected a wonderful new science laboratory and preparation room that really spoke to the importance of National Science Week for students across New South Wales. I commend National Science Week to members as today's matter of public importance.

**Mr PAUL SCULLY (Wollongong) (17:25):** I thank the member for Manly for bringing this matter of public importance to the House. National Science Week is about encouraging everyone, particularly school students, to embrace their creativity and look to science, technology, engineering and maths as opportunities for their future. It encourages students to look to some of our great scientists and to consider a future career at one of our universities or science-based workplaces. Events during the week give students an opportunity to see what happens at those places and ask themselves whether they would like to be part of that in the future.

The theme of National Science Week this year, which runs from 11 to 19 August, is Game Changers and Change Makers. Inspiration for that theme came from the 200th anniversary of the publication of Mary Shelley's *Frankenstein* this year. For those looking for the science behind that, the story covers genetic engineering, biotechnologies, prostheses, bionics, genetic modifications, brain enhancement—I will not comment on who might be able to use some of that—and ethics. This year is also the thirtieth anniversary of the birth of the first IVF baby, which also involved genetic engineering, biotechnology and nanotechnologies, and 2018 is the International Year of the Reef, which is inspired by coral reefs and the scientists who study them.

For members who are not aware, before I was elected to this place I was employed by the University of Wollongong as the chief operating officer of the Australian Institute for Innovative Materials. At that time that research facility was funded by a Federal Labor Government and allowed the exploration of nanotechnologies in the fields of materials science and materials engineering. There were some great minds there, including a couple of hundred staff and PhD students from all parts of the world who were exploring science on its smallest scale. With their equipment they were able to manipulate parts of atoms to make electrons move more quickly across them and improve energy flows. They were involved in cooperative research centres that drew upon the best and greatest minds in the nation.

They were part of centres of excellence, particularly the Australian Research Council Centre of Excellence in Electromaterials Science that brought together some great minds not only in Australia but also internationally to explore the fields of nanotechnology, bionics, 3D printing and the like. They looked at how those technologies could be applied to science and one of their aspirations was how we might be able to make the disabled literally walk again. They were also looking at energy technologies in the fields of storage, capture and transmission to make sure that we were not losing energy across our power lines. They looked at efficient technologies that would allow us to more effectively store energy generated from renewable sources. I thank some of the people with whom I worked, in particular, Professor Judy Raper, Deputy Vice-Chancellor (Research and Innovation) at the University of Wollongong; Professor Shi Xue Dou and his wife, Professor Hua Kun Liu; Professor Gordon Wallace; Professor Will Price; Professor Geoff Spinks; and Professor Paul Cooper.

They gave an economist heading into a field of pretty heavy science a good introduction and they took the time to explain it. A key aspect of National Science Week is taking those big concepts, ideas and solutions that people are wanting to introduce, explaining them and translating them in the real world. The other day the University of Wollongong effectively married science and art in *Magnified: A science art exhibition* which raised funds for motor neurone disease research. I thank Rachelle Balez and Clare Watson for putting together the exhibition and introducing us to the great art that is sometimes behind what people see under the microscope. I picked up a piece by Natalie Guthrie, a neuroscientist, which is hanging on a wall in my office. It serves to remind us how science influences and affects our lives and how National Science Week deepens our understanding of the sciences and the discoveries that can be made.

**Mr MICHAEL JOHNSEN (Upper Hunter) (17:30):** It is with pleasure that I support the matter of public importance introduced by the member for Manly—National Science Week. I will focus on some scientists and engineers who helped Australia's agricultural sector in past years. First, I will talk about Dr Helen Turner, an Australian female geneticist whose work revolved around the genetic improvement of sheep in order to help wool production. Her research had a dramatic impact on animal breeding worldwide and also benefited the Australian economy. Her work resulted in sheep-rearing which turned into a major industry in Australia.

Secondly, I will talk about William James Farrer who is best known for his work that uplifted the wheat industry in Australia and turned the country into a major wheat exporter in the world. His most notable achievement was the development of wheat that could withstand rust, disease and harsh weather conditions in Australia. That development included the origination of Federation Wheat, which was resistant to drought and rust and matured early. Federation Wheat quickly became the favourite of farmers all over Australia.

One of the greatest stories of engineering that I like is that of Headline Taylor, a farmer in New South Wales who invented the Sunshine Header Harvester which has benefited countless farmers for decades. Though

he was barely educated, Taylor had a brilliant mind that led him to try to improve existing farm machinery. With hard work and innovation he taught himself engineering and built a machine that could collect grain from not only standing crops but also from damaged or fallen ones, thus saving grain that would otherwise be lost. The machine, called the Header Harvester, also cut the crop heads instead of pulling them out. His idea was well appreciated by several farmers. Hugh McKay of Sunshine Harvester Works, who had earlier invented the Stripper Harvester, urged him to produce it for his company. Taylor was soon engaged in large-scale production of the Header Harvester, which rapidly made the earlier harvesters obsolete.

These are three examples of how science, technology, engineering and mathematics [STEM] has always been important and it continues to be important today. The more we encourage the pushing of boundaries throughout society—we have a great opportunity in our schools—the greater this country will be. On a lighter note, it is believed that the selfie was invented in Australia. More modern inventions are having a major impact on our society.

**Mr JAMES GRIFFIN (Manly) (17:34):** In reply: I thank the member for Wollongong for his contribution and insight into his role as chief operating officer of the Australian Institute of Innovative Materials, nanotechnology and the good work happening at the University of Wollongong. I thank the member for Upper Hunter who provided a great overview of those scientists who made a significant impact on rural activities. It was good to learn about the work of William Farrer, one of the more famous scientists who made a great contribution in uplifting the wheat industry. We might have to dig deeper to establish the truth about the point that the member made about selfies. I take this opportunity to outline the work of Tinker Tank, a fantastic organisation from Manly. Tinker Tank is Australia's first "Maker-Space for everyone ages 5+". Tinker Tank teaches robotics, coding, design and all the skills required in many of today's modern jobs. More than 75 per cent of the jobs that are created today require STEM skills, which are being taught by Tinker Tank. I thank Julia McDowell of Tinker Tank in Manly for doing a wonderful job of teaching kids.

National Science Week has three interesting events in which members would be interested. The first event which will be held on 16 August in Darlinghurst is called Fact or Fiction. I am sure all members would be interested in understanding what is fact or fiction in this House. The second event, which will take place in Mosman on 17 August is a slime-making workshop, which sounds fantastic. The third event, which will be held at the Australian Museum and which will be incredibly useful for a lot of people in this place, is called What's Going On In Your Head? It is showcasing virtual reality equipment that can be used to scan the human brain. What a great insight into how science can be applied in the medical world. I congratulate and thank the organisers of National Science Week and commend this matter of public importance to the House.

*Private Members' Statements*

**REDEEMER BAPTIST SCHOOL**

**Dr GEOFF LEE (Parramatta) (17:36):** I bring to the attention of the House the consistently high academic achievements of students at Redeemer Baptist School. Over the past 20 years they have achieved distinction through innovative science, technology, engineering and mathematics [STEM] education. This year Redeemer has continued its outstanding academic performance and community service. In the Science Teachers' Association of NSW Young Scientist competition, Redeemer students won five Young Scientist awards, four Primary Young Scientist awards, and two Budding Young Scientist of the Year awards.

In the national BHP Billiton Science and Engineering Awards, there have been six national Redeemer prizes, including a second prize this year, and four primary winners. At the Intel International Science and Engineering Fair in America, Redeemer students represented Australia honourably, bringing home five grand awards and four special awards including a \$50,000 scholarship to the University of Arizona. In the University of Wollongong STEM awards, Redeemer achieved winning class and winning teacher awards in 2017 and 2018. In addition, Redeemer students won the National Association of Testing Authorities, Australia [NATA] Young Scientist of the Year, and University of New South Wales ICES Medals in Science and Mathematics.

As well as achieving excellence in STEM, Redeemer students have excelled in the English and Human Society and Its Environment key learning areas. For eight consecutive years Redeemer students have won gold, silver and bronze awards in the New South Wales Education Standards Authority's Write On competition for preparatory school students. For nine consecutive years Redeemer students have won national first or second prizes in the Dorothea Mackellar Poetry Awards. For four consecutive years Redeemer students have won first or second place in the Carlingford Dundas Lions Club Voice of Youth public speaking competition. And for five of the past seven years Redeemer classes have been winners in the History Teachers' Association of NSW History Mastermind. Redeemer students have also won the Australian Government volunteering video competition for young people; national firsts in geography; and the Prime Minister's Community Business Partnership's Corporate Social Responsibility Essay Competition.

I understand that this impressive array of student achievements has been supported by the dedication of a highly committed community of teachers, inspired by foundational leaders Mr Noel Cannon and Dr Max Shaw who were determined to instil a culture of excellence to the glory of God in accordance with Jesus' command to love God with all your heart, soul, mind and strength.

This excellent contribution of Redeemer teachers—not only to Redeemer Baptist School but also more broadly to the teaching profession—has been recognised by two distinguished service awards from the Science Teachers' Association of New South Wales, five Fellowships, a Service Award, numerous World Teachers' Day certificate awards from the Australian College of Educators, a Fellowship from the Royal Australian Chemical Institute, an Outstanding Professional Service Award from the Professional Teachers' Council NSW; and an American Association of Physics Teachers Award. Again this year, Redeemer students have put into action another command of Jesus to "love our neighbour".

Since 2005 Redeemer students have supported 15 remote or disadvantaged communities both in Australia and overseas, including significant construction projects for Aboriginal communities at Muli Muli, Bourke and Boggabilla. This year, with approval from the Kempsey Local Aboriginal Land Council, Redeemer year 10 students built a shelter for the AICM indigenous pastor, Uncle Claude, and his congregation who work to benefit Aboriginal youth and families in the Kempsey region. Redeemer students raised \$30,000 towards this project, and were then joined by a bunch of tradies and experienced labourers who volunteered their time to complete a project that will have long-lasting benefit for the Kempsey Aboriginal community.

The local newspaper front page headline "Prayers Answered" captured the students' contribution. I believe that these Redeemer students and our future New South Wales society will benefit not only from their excellent academic opportunities but also from this real-life engagement in doing good for others who are less fortunate than ourselves. Redeemer is an outstanding institution in our community. I congratulate the leadership team, headed by Jonathan Cannon and Russell Bailey, the teachers, the parents, the students and the whole community on their dedication to academic excellence, and service and contribution to our society.

#### NATIONAL SCIENCE WEEK

**Mr PAUL SCULLY (Wollongong) (17:41):** As members heard in the matter of public importance discussion, this week is National Science Week. While the Government continues to look to Sydney for new science, technology and innovation precincts, I remind members that more than a decade ago the previous Labor Government established a great innovation precinct in Wollongong. At its Innovation Campus in North Wollongong, the University of Wollongong, in conjunction with strategic investments from the Carr, Iemma, Rudd and Gillard governments, is setting a new standard when it comes to science, innovation and technology precincts.

The reputation of Wollongong's innovation ecosystem is growing, with businesses looking to it as a place to start, grow or relocate their business in the Illawarra, looking to its competitive business environment of relatively lower rents, a skilled, multilingual workforce, higher staff retention rates and strong connections to global markets. The Innovation Campus is home to a growing and innovative start-up community. It is home to one of the most, if not the most, successful accelerator and incubator, as measured by the number of start-ups it produces in the country—iAccelerate. Allocating funds for the iAccelerate building was—and I acknowledge the Government on this—a sensible use of a small amount of the proceeds of the privatisation of the port of Port Kembla that the Government allowed to be kept in the Illawarra.

Since iAccelerate started in 2012 it has delivered 386 new jobs, supported 77 companies, reported \$27 million in revenue for resident companies in 2017 and supported more female participation in start-ups with, 44 per cent of companies having a female founder or co-founder—higher than the national average. Impressive results. Central to iAccelerate's success is connecting businesses with the right people to help the founders develop their idea, grow and prosper. Start-up companies do not get in the door; they have to go through a pitch and selection panel process and they are expected to perform. If they do not meet their targets in their six-monthly performance reviews, they cannot continue—they are out.

Connecting businesses with the right people is also central to another successful program that I was involved in establishing while I was at the university—Advantage SME. For too long businesses had told me that they found it difficult to find the right person to help them at the university. That is not unsurprising, given the size of the university and the fact that often the performance metrics of business and research do not often align. Advantage SME encourages connections between small and medium enterprises [SMEs] and the university concentrates on the key areas of advanced manufacturing, knowledge intensive industries in information technology and communication, shared and financial services, engineering technologies and defence. It provides: a one-stop shop for access to university resources; a program of events, workshops and training sessions;

engagement with the university to develop new technologies, innovative products and services; business improvement and industry collaboration; and provides opportunities to develop new collaborations.

Advantage SME is also working with TAFE Illawarra so that the skills, equipment and training available through great TAFE facilities—largely the result of investments by the Rudd and Gillard Governments—are available to SMEs as well. Originally the target audience for Advantage SME was established SMEs, but it has now been opened to the start-up community, and it is working for them too. For its \$3 million in funding it is producing good results, although I note that the funding ends next July. I hope it continues. I congratulate a friend of mine Dr Robert Gorkin and the GELdom research team, which is hoping to "redefine what the condom could be" by improving its feel to make it a more popular choice and equipping it with blocking molecules that will help prevent sexually transmitted infections. Last week the team was awarded a \$1 million Medical Devices Fund grant, which will help to launch human trials.

I raise these programs not to brag about the growing innovation ecosystem in the Illawarra, nor to plead for funding, but rather to point to successful programs that could be supported and added to through a connected network across the State. Makerspaces the world over are helping people turn ideas into commercial opportunities. That is why, if Labor forms government next March, it is committed to providing \$5 million in funding for a makerspace on the Innovation Campus. Wollongong might not always be front of mind as a start-up and innovation hub, but it should be. It is quietly achieving and helping to transform its economy and providing opportunity. We should realise those opportunities to make sure we have the connection. Maximising Wollongong's opportunity must be supported with complimentary government investments in connections to national and global markets through good transport systems—both for passengers and freight—and recognition of the importance of opportunities created by connecting people with ideas with world-class researchers and highly skilled tradespeople.

#### DUBBO ELECTORATE EVENTS

##### **Mr TROY GRANT (Dubbo—Minister for Police, and Minister for Emergency Services) (17:46):**

I compliment some wonderful people in my community and across my electorate. The levels and depths that people will go to to reach out to help others in need never ceases to amaze me. Last Friday I felt privileged to be invited to launch the 2018 Black Dog Ride from Dubbo to Darwin. One hundred motorbike riders assembled at the rotunda at Macquarie and Church Streets, Dubbo. They were a site to behold. The local cafes were pretty chuffed. A fair few bacon and egg rolls, and cups of coffee were consumed before they set off on their mission to raise awareness of depression and suicide prevention in all walks of life in each of the communities they were travelling through en route to Darwin.

The Black Dog Institute—which has a very strong representation in Dubbo—is a fantastic initiative. It is especially important at this time when many of our residents in regional New South Wales are battling one of the worst droughts on record, which is increasing mental health issues in our rural communities, not just on the farms but also across our broader communities. Their message is a simple one: help is available. I thank Marathon Health and headspace, which were there on the day to assist with some materials and wish the riders well. The ride is important because it also supports local investment in our Lifeline services. Awareness and money raised on this trip will come back locally to enhance the mental health services on offer across western New South Wales.

I am enormously proud that the participants in Destination Outback 2018 were also there. They were leaving later in the day on their trip, which they do every second year, organised by the Rotary Club of Dubbo South. It is a magnificent fundraiser. They are heading to Longreach, through western Queensland, visiting places such as Nindigully, Mitchell and out to the far west of western Queensland, which is also suffering from drought. This year Destination Outback comprises 46 cars with 128 participants. They are a credit to our area. The first night starts at the Collie Hotel. Collie is a community north-west of Gilgandra. Before they left they were intent on helping Black Dog out and they presented a significant cheque to that organisation. They are not focused on themselves, as they raise money in each community they visit. They return with the proceeds of their fundraising to donate them to the south-east section of the Royal Flying Doctor Service [RFDS], which is based in Dubbo. The Rotary Club of Dubbo South has raised more than \$1 million for the local RFDS base.

Destination Outback event is held biennially, and in alternate years a ball is held at the RFDS hangar at Dubbo City Regional Airport. Both are successful events. I wish all 128 participants in the ride the best of luck and safe travels. We are very proud of their contribution over the years and the amount they have donated to one of our most iconic institutions. The RFDS base—which we are extremely proud to have in Dubbo—is undergoing an upgrade as a result of a significant investment of \$15 million by the New South Wales Government. The upgrade includes a training facility, a medical facility, and a flight simulator for training pilots. It will also be an incredible tourist attraction for Dubbo.

I thank the riders participating in the Black Dog Ride for their courage in having conversations with people who are doing it tough. They are helping to remove the stigma of mental health challenges, ensuring that people continue to be educated about what services are available, and encouraging as many people as possible who are struggling to access those services. They are demonstrating that there is light at the end of the tunnel, and that we are standing beside them with our hand on their shoulder and wishing them well on their journey.

## RURAL FIRE SERVICE

### FIREFIGHTERS CLIMB FOR MOTOR NEURONE DISEASE

**Mr STEPHEN BROMHEAD (Myall Lakes) (17:51):** About 840 volunteers from the Rural Fire Service are now on the ground fighting fires, including a fire at Caparra in my electorate that is out of control. I pay tribute to the Wallaby Joe Rural Fire Service crew from Wingham and the other crews fighting the fire. My electorate is facing extreme conditions. Bob Pope, the fire captain, and his crew are no doubt doing a fantastic job. What is happening in my electorate and in other parts of New South Wales is a warning to all regional areas that we are facing extreme conditions now, let alone in a week or a month. The fire in Caparra is in extremely rough terrain and it is hard for crews to get to it because bridges are down. Firefighters are dealing with more than 70 bush and grass fires across New South Wales, and I pay tribute to them.

I congratulate Monique Shoesmith, Tayla Battle, Peter Ince and Nathan Cooke, who are members of Taree Fire and Rescue NSW in the Myall Lakes electorate, and Callum Leahy, a member of the Tuncurry Rural Fire Service, who will participate in the annual Firies Climb for MND in October. Teams will be tasked with climbing the 1,504 stairs, or 94 storeys, of Sydney Tower while wearing 25 kilograms of firefighting gear. I would have difficulty walking down the stairs let alone running up carrying 25 kilograms. Participants will have special inspiration at each level, with each floor of the tower being dedicated to patients who have passed away or who are fighting the disease. All funds raised from the event will be used for motor neurone disease [MND] research at Macquarie University, which has the largest MND research centre of its kind in Australia.

The contingent's fundraising kicked off a few weeks ago with members of the Taree Fire Station and Commander Peter Willard collecting about \$400 in donations at Taree Central shopping centre. Peter Willard's brother, David Willard, was the Director of Education on the Mid North Coast and retired recently. He was in the same class as me at high school. The station will hold other fundraising events in the lead-up to the climb, including a doughnut drive with the Tuncurry Rural Fire Service team, which is well underway with fundraising activities to support MND and Callum Leahy's climb to the top.

More than 500 firefighters from Fire and Rescue NSW and the Rural Fire Service are expected to take part in the climb. At the end of the event, awards will be given to the team raising the most funds and the best individual fundraiser, as well as to the fastest team, individual, person aged more than 45 and person wearing structural firefighting boots. Participants will certainly have to show some pace to take the fastest time, with last year's fastest competitor completing the climb in 10 minutes and 14 seconds. If I were an accountant and not a lawyer, I would be able to work out how many steps were taken each second. More than \$1.3 million has been raised through the event since its inception in 2015.

Macquarie University states that motor neurone disease is highly unpredictable, with 10 per cent of patients inheriting it through a defective gene, while 90 per cent of patients have sporadic MND without a known cause. If an individual, a family member or a friend has been diagnosed recently with motor neurone disease, it is likely that they are experiencing many confusing and confronting emotions. They may also be feeling overwhelmed by too much information or worried that they do not have enough. Motor neurone disease involves nerve cells, or neurones, that control the muscles that enable us to move, to speak, to breathe and to swallow.

"Motor neurone disease" is the name given to a group of diseases that cause these neurones to stop working normally. Muscles then gradually weaken and waste. The initial symptoms, rate and pattern of progression, and survival time after diagnosis with MND vary significantly. The average life expectancy after diagnosis is two to three years. In many parts of the world MND is known as amyotrophic lateral sclerosis [ALS], and in the United States as Lou Gehrig's disease. Early symptoms are often mild. They may include stumbling due to weakness of the leg muscles, difficulty holding objects due to weakness of the hand muscles, and slurring of speech or swallowing difficulties due to weakness of the tongue and throat muscles. [*Time expired.*]

## HOMELESSNESS

**Ms LIESL TESCH (Gosford) (17:56):** It has taken a long time, but this type of work usually does. I thank all the non-government and government agencies working in the homelessness sector across New South Wales that provide the best support they can with ever-diminishing resources to an increasing number of homeless people. Since 2011 under this Government homelessness has increased by 37 per cent. That is atrocious. In the week after Homelessness Prevention Week, it saddens me to share the stories of Kim, Luke and Mel with the

House. I have been doing my best to connect with and to support this community since the day I was elected. I have connected with wonderful Mary Macs, which feeds approximately 80 vulnerable people every weekday in our community. I thank all of the staff and volunteers, many of whom have slept rough themselves.

Kim wheeled her trolley of possessions past my electorate office at 7.30 a.m. one cold winter's day a few weeks ago and called out, "Hey, Liesl, I've a cheque for you!" It turns out that in our efforts to get Kim an official piece of paper that recognises her identity, we sent the application and cheque to the wrong State's registry of births, deaths and marriages. Kim now realises we should have sent it to South Australia. Kim and Luke, a local couple who have been living on the streets around Woy Woy for the past four years because their life circumstances took a turn for the worse, came into the office on Monday afternoon to let us know they had been offered a house at The Entrance, which they are taking. Finally! It was 4.30 p.m., they were sober, and they were glowing with excitement and pride at the possibility of a brighter future.

I thank the leadership and the staff at NSW Housing, Gosford, who operate with great integrity despite the pressures on them to provide housing with a decreasing amount of stock and an increasing number of customers. I thank them for supporting our non-government organisations that look after the people sleeping rough, and doing their best to support them in their transition out of homelessness. Since being elected last April I have been doing my best to connect with members of this community with the aim of providing hope, and much more. Many of these people do not have much support wrapped around them; they have no family to turn to and do not necessarily have great personal resources. Some of them are physically unwell, have addictions, and perhaps mental health complications.

When people tell me they do not want to be homed, I fear their lack of desire for a safe place to sleep is a product of a long time trying without success. Why would they not give up? They could have a history of rejection, thrown in with a bit of disorganisation, and they are facing a frightening, large bureaucracy. Even as the local member of Parliament and with my team—many of whom have much more experience than I do—I have floundered. We have found the system very difficult to navigate, despite the fact that we have a phone, personal identification and a reasonably good idea about how to operate within the system.

Mel is another guy sleeping rough, addicted and seeking change. Mel first appeared in my office last October, as the guy who had the lease on the place he was living was moving on. We explained to Mel that the wait list for housing on the coast was more than 10 years. In the end it took me as the local member of Parliament to work with Mel to get a referral from a doctor—a very difficult resource to access on the peninsula, let alone for those sleeping rough and without identification—to drive him to the emergency department at Gosford Hospital, oversee his admission process and wait till he was transported to a bed in the drug and alcohol detoxification unit for this to occur. That is embarrassing, but I say, "Hats off to Mel." He has incredible resilience and survived sober for more than a week before old habits took over and, in all fairness, Mel was out of the refuge and onto the street again. He now knows that he will have to wait his turn again, and hope that a bed will be available in rehabilitation after detoxification. I hope so too. I am grateful for the great work being done at The Glen rehabilitation centre on the Central Coast. And then maybe Mel will be able to sleep at Kim and Luke's new place or join the 10-plus new waiting list.

As human beings we must do our best to improve the lives of those sleeping rough and be able to improve the broken system that has resulted in a 37 per cent increase in rough sleepers in New South Wales over the past five years. The increasing number of homeless in our community appreciates all the services on offer and even more so look forward to additional support to move into more dignified accommodation, but there is still much more to do. This problem is not getting better; it is getting worse. We in this place, especially those with the power to do more, those sitting on the Treasury benches, need to pick up their act.

I thank and congratulate Coast Shelter's founder and Chief Executive Officer [CEO], Laurie Maher, who resigned last month, celebrating his eightieth birthday and 25 years as CEO. In typical Laurie style, we farewelled him as he launched a new charity to continue the contribution of the generous people across the coast to support Coast Shelter, a world's best practice organisation in our own backyard, which feeds approximately 100 people for lunch every day, as well as providing 64,000 beds every year to vulnerable people in refuges and transition-into-life houses across the coast.

#### **RYDE ELECTORATE OVERDEVELOPMENT**

**Mr VICTOR DOMINELLO (Ryde—Minister for Finance, Services and Property) (18:01):** I spent the formative years of my life living in and around the North Ryde and Marsfield area. When I was born our family lived in Cave Avenue, North Ryde. We moved to Blundell Street in my early teens and in my twenties we moved to Danbury Close. My mum now lives in Sobraon Road, Marsfield. Indeed, when my paternal grandfather migrated to Australia about 85 years ago, he established a 30-acre market garden around Bridge Road, North Ryde. The Ryde community is more than just my electorate; it is the place that my family has called home for

generations. I give this background, as I have seen the significant changes that have occurred in Ryde over the years. These changes have accelerated with Sydney's surging population.

When I was first elected 10 years ago, one of the biggest threats facing our Marsfield-North Ryde community was the scourge of illegal boarding homes. Many of us remember how bad the situation was back then. Thankfully, with the support of the community, we campaigned hard and introduced legislation into Parliament that provided authorities with greater power to tackle this scourge. While the current situation is not perfect, it is far better than it was 10 years ago. Currently, the greatest problem impacting on our community is overdevelopment and the invidious by-products of traffic and social infrastructure stress. I have worked hard with the community to ensure that social infrastructure such as open space and schools are being preserved and built. We have preserved Smalls Road, Tennis World, Blenheim Park and TG Milner Field, and we are buying back Peter Board High School area. We will build also a new high school and primary school.

We are building new or delivering significant upgrades to schools at Smalls Road Public School, Kent Road Public School, Denistone East Public School, West Ryde Public School, Meadowbank Public School and Marsden High School plus providing for a catholic high school at Ivanhoe Estate. I have also worked hard with the community to fight against overdevelopment. Apartments, provided they are of reasonable size and scale, should be around the railway line areas of Macquarie Park, but they have absolutely no place in and around the suburbs of Marsfield and North Ryde. Indeed, my firm view is that there should be a significant curtailment of villas and townhouses in Ryde, especially between Epping Road and Victoria Road as the local road infrastructure is under enormous pressure.

Ryde council has indicated that it will take council two years to update its local environmental plan [LEP], which means that we will continue to have, in my view, excessive medium density in our suburbs until the plan is updated. Members can imagine my shock some months ago when I was approached by local residents in Marsfield, indicating that there was a development application before Ryde council to build apartments in Lexcen Place, Marsfield. Given my close connection with this area, I could not understand how this was possible, as this area of Marsfield was zoned residential R2. On further investigation, it appears that when Ryde council was updating its LEP in 2010, it asked for this area to be zoned R3, which allows for apartments, shops, et cetera. The developer seized on this opportunity and made an application to build apartments in what should be a low-rise R2 residential zone.

Since becoming aware of this problem, I have worked hard to ensure that the Department of Planning urgently rezone the area back to R2. This process is well underway. However, the difficulty is that the developer made an application under the council's R3 laws. Council has done the right thing and has unanimously opposed this development every step of the way. The developer has since taken the council to the Land and Environment Court. On Monday 13 August 2018 the Land and Environment Court held a hearing on site at Lexcen Place. A number of witnesses, including me, gave evidence strenuously opposing this application. I submitted that it was an opportunistic development based on an ill-conceived zoning and the zoning is now being remedied. Hopefully, the court will deliver judgement in this matter before the end of the year. I will report back to the community as soon as I hear anything further in this regard.

#### **PENRITH JUNIOR SPORTING TEAMS ACHIEVEMENTS**

**Mr STUART AYRES (Penrith—Minister for Western Sydney, Minister for WestConnex, and Minister for Sport) (18:05):** Junior sport is a great lifeblood of the Penrith region. Every weekend thousands of parents ferry their children across the electorate and in some cases right across the State so that they can participate in myriad different sports. I take this opportunity to highlight a few recent examples of outstanding achievements by teams representing the Penrith district. The Nepean Hockey Association's under-13 boys team was recently crowned joint winners of the division 4 competition at the Hockey State Championships held in Wagga Wagga.

During the lead-up round games, the team was undefeated, winning against Goulburn 5-1, Lithgow 5-0, Canberra 4-0 and Sydney East 3-0. In the semifinals the boys again faced Sydney East where they repeated their earlier success by winning 3-1 before facing Lithgow in the final when a 1-1 draw saw both teams share the title. I congratulate all of the boys—Bradley Camacho, Zye Critchley, Elijah Eagleton, Jarrod Drake, Nicholas Haber, Marshall Hayward, Luke Johnson Leibbrand, Patrick Mortlock, Flynn Nicholls, Issac Nicholls, Tyler Rushbrook, Coady Stone, Brayden Wilson, George Walker, Reece Rousell and James Stevenson, along with coach Mark Walker and manager Belinda Rushbrook on this terrific accomplishment.

I recognise also the Penrith District Netball Association on its success, with the under-12s team being named undefeated champions at the recent 2018 State Age Championships and the under-15s finishing as runners-up. This is the first time in 20 years that Penrith has had two teams finish on the podium. I congratulate all of the under 12 players—Isabella Degei, Jayla Dicker, Olivia Harris, Brianna Johnston, Faith Luai, Sophia Meehan, Hayley Price, Jessica Stevens, Angel Tagaloamatua, Jada Taylor and Holly Thorpe, along with coach

Julie Opie, assistant coach Emma Thornton and manager Michelle Mullampy. I congratulate also the under-15 players—Eleanor Alatini, Leilani Arona, Hayley Campbell, Grace Faauila, Tayla Gallen, Mia Gleeson, Emily Hatcher, Emily McMillan, Shemariah Tagaloamatua, Kyah Vaeila, and Mia Williams, along with coach Jenny Barsby, assistant coach Sarah Thornton and manager Rachael Ghobrial. The hard work put in by all the players to achieve such outstanding results is a credit to everyone at the Penrith District Netball Association where I spent Saturday morning talking to many families.

I recognise also my old school, St Dominic's College at Kingswood for its senior basketball team taking out the Combined Catholic College State Basketball Championships for the fourth year in a row. The championships, held over two days at Penrith Basketball Stadium—so they had home ground advantage—saw the team score an impressive 62-44 win over All Saints College, Maitland, in the final. I congratulate the players—Jacob Zalac, Sam Pares, Ryan Peterson, Lawrence Bognot, Blair Williams, Keegan Brady, Dustin Grand, Sukhman Singh, Russell Bognot, Steven Caruna, Jack Crellin, Nic Bartolio, along with coach Leon Hine and manager, Jeff Killbourne.

Winning the State championships four times in a row is an extraordinary achievement in any sport, let alone an opportunity to take out a State championship across all of the Catholic schools that participate in New South Wales. Everyone involved in the St Dominic's college basketball program should take great credit. This is a fantastic example of some of the outstanding achievements amongst Penrith sporting teams. We are a community that loves its sport, whether in hockey, netball or basketball—it is not just sports like rugby league, where we continue to do quite well; it is across all of these sports that those young players from Penrith are taking on teams right across the State. As you can see, Mr Deputy Speaker, there is no doubt about the quality of their performance. As someone who is passionate about the sport of baseball I have little doubt there will be a Penrith team up in Lismore in the not-too-distant future taking the trophy away from you too.

### MULTICULTURALISM

**Dr HUGH McDERMOTT (Prospect) (18:10):** In recent months we have heard a constant stream of media, speeches and commentary which is racist, prejudiced and seeking to divide us a nation. This came to a head last night with the disgraceful speech by Fraser Anning before the Australian Senate in appalling attacks on the migrant and minority communities and calls to reinstate the most offensive and racist White Australia policy, a policy from the darkest period of our history. How proud I am to be a member of the Australian Labor Party, a party which under the leadership of Prime Minister Gough Whitlam removed this discriminatory immigration policy. Until last night I thought it had consigned it to the dustbin of history. How proud I am also to be a politician who saw the Government after Whitlam, the Fraser Government, open up our borders and let migrants come into this country.

Last night's verbal attack on members of the Islamic faith was disgraceful. It is worth noting that it reflected the same sectarianism and bigotry that was used against Catholics, especially targeting Irish Catholics, in this Parliament and the Commonwealth Parliament in the 1920s. Three weeks ago we heard another far right commentator, imported from Canada no less, attempting to sow discord in Western Sydney by saying that places like Lakemba do not "look like Australia". What does Australia look like in 2018? What is our national identity? I can only give the example of the seat of Prospect. I believe the 81,000 people who live in Prospect—hardworking families, more than half of whom are migrant families—show what it is to be an Australian.

Half of the population of Prospect were born overseas in places such as the United Kingdom [UK] and Ireland, Southern Europe, Eastern Europe, the Middle East, South-East Asia and North-East Asia. Seventy-five per cent have at least one parent or both parents born overseas. Our ancestry is from the UK and Ireland; India; Italy; China; Iraq; the Philippines; the Pacific Islands; New Zealand, including many Maori; Vietnam; Malta; Palestine; Iran; Lebanon; and Equatorial Africa, especially South Sudan. This reflects a massively rich cultural mix. English is the number one language spoken in the home and outside, but it is enhanced by other languages freely spoken, including Arabic, Tamil, Assyrian, Hindi and Spanish.

The religious mix of this electorate includes Christian, Catholic and Orthodox faiths but also the Islamic faith, the Buddhist faith and even a small Jewish community. We are a community of diversity and tolerance and strong social cohesion—an assimilated, integrated and strong multicultural community, proud of our cultural heritage no matter what it is and all proud to be Australians. This is my Australia, the community in which I am proud to raise my family and which I am proud to represent before the Parliament. It is a community in which I am proud to watch as my daughters play and learn with friends from throughout the world. This is the real Australia, not that of the commentary from far right commentators. This is our present and this is our Australian future. I thank the House.

**Mr STUART AYRES (Penrith—Minister for Western Sydney, Minister for WestConnex, and Minister for Sport) (18:14):** As the member for Penrith as well as the Minister for Western Sydney representing

the Government, I say on the record in this Parliament that the Government recognises that a true multicultural Australia builds the strength and the fabric of our society; it does not tear it down. This is a Government that makes sure it backs people who choose to make Australia their home. The stars on the national flag, that "radiant Southern Cross" that is in our national anthem, were first stitched on that flag by people who came across the seas. That national anthem also talks about "boundless plains to share". There are plenty of families across Western Sydney who have made their contribution through nothing short of hard work so they can make Australia a better place for them and their family. That is exactly what the member for Prospect is talking about. Today we are as one on this issue.

**The DEPUTY SPEAKER:** I thank the Minister for that reply.

### EDUCATION WEEK

**Mr ALISTER HENSKENS (Ku-ring-gai) (18:15):** According to the Department of Education's website, "Education Week is a statewide, annual event, held during the first week of August, to celebrate New South Wales public education." Ku-ring-gai people have a strong streak of individualism and self-reliance. These qualities are carried into its nation-leading public schools, which do not feel compelled to celebrate Education Week in the designated five-day period commencing on 6 August. According to Principal Jim Huckerby, "Every week is Education Week at Gordon West Public School." That statement is not only impossible to dispute but also explains why Gordon West has no concerns about waiting until 20 September to hold its always impressive showcase, which I am certain will demonstrate to parents everything that is positive about that school.

Given that the official Education Week clashed with a parliamentary sitting week this year, I am grateful for the non-conformist scheduling of some of Ku-ring-gai's public school principals, because it has provided me with a greater opportunity to join in the fun. While Gordon West's event is still six weeks away, Turramurra North Public School jumped the gun by opening its stage 3 flexible learning space for the local community to see the students' learning in action on 1 August. As compelling evidence of how the school classroom has evolved, all of the grades at Turramurra North work collaboratively across their rooms every day, but the stage 3 space is unique because it features three classes in one space, integrating advanced technology. It is where all schools are heading.

In respect of those schools that did hold their Education Week activities last week, on 6 August, Principal Tom Moth of Wahroonga Public School delivered a thought-provoking address on this year's Education Week theme, "Today's schools creating tomorrow's world", in which he referred to the important role that schools play in preparing students for a future world including artificial intelligence, where there is considerable uncertainty about the necessary workforce skills and opportunities. Beaumont Road Public School at Killara arranged reporting sessions on 7 August in which the children not the teachers led the conversations with their parents as they showed them aspects of their year's work.

On 8 and 9 August, Normanhurst, Pymble, Warrawee and Waitara public schools all staged open classrooms during which parents visited to observe both the learning process and the learning environment, had morning tea with their children and then were entertained by the schools' bands, choirs and dance groups. Warrawee Public School also held its science fair day on 9 August, which included talks from science experts, science, technology, engineering and mathematics [STEM] challenge tasks and online research and investigation exercises.

Killara Public School's open day program involved an entire afternoon of activities on 10 August, including open classrooms, a picnic lunch and a parent workshop, but I had a front row seat for what was undoubtedly the highlight of the day, the Education Week concert. It was no surprise that both Killara Public School's Ryde Schools Spectacular choir and its senior choir had already impressed eisteddfod judges this year because their performances on the day were of a very high standard and a credit to the school's music department, led by Jenny Whiteman. This is not to forget the enchanting string ensemble and the enthusiastic year 2 recorder group who made *Sad Old Song* a happy tune indeed. I congratulate all of those who sang and played, as well as the Killara school leadership team, who emceed the concert with considerable aplomb.

My thanks to Principal Pip Fox for inviting me to visit the school on Open Day, which also provided me with the opportunity to see the new learning spaces, bathrooms and multipurpose sports court that have recently been completed under the Government's \$4.2 billion infrastructure program. Like Turramurra North Primary School, the flexibility of the spaces provides opportunities for learning in small or large groups while ensuring that students receive the individual attention that they need.

Turramurra Public School and West Pymble Public School are two other Ku-ring-gai schools whose Education Week festivities are yet to take place. Turramurra Public School will be combining classroom visits and performances with Grandparents' Day and Book Week on 20 August. The years K-2's mini concert and the years 3 to 6's mini concert will showcase progressive stages of National Aborigines and Islanders Day Observance

Committee [NAIDOC] dance. There will be a book fair in the school library for the duration of a very busy Open Day. I very much look forward to meeting the parents and grandparents of our students at what is sure to be another memorable Turramurra Public School morning tea and to purchasing a book or two in celebration of Book Week.

Not to be outdone, West Pymble Public School is advertising that "there will be something for everyone" at its Spring Showcase on 30 August. While the open classrooms will understandably be the main attraction, this Open Day will also feature a gymnastics display, an art gallery, busking, a Father's Day breakfast, a picnic lunch, robotics, a book fair—sounds as if I will be making another purchase!—a cupcake stall and performances from the school's dance troupe and choirs.

Whenever and however our magnificent public schools are celebrating Education Week, I am full of admiration for the dedication to learning that is invariably demonstrated by their principals and their talented and hardworking staff. These schools truly are equipping our youth with the skills and capabilities they need to thrive in a rapidly changing, globalised world.

### LIONS CLUB INTERNATIONAL CENTENARY

**Mr DAVID ELLIOTT (Baulkham Hills—Minister for Counter Terrorism, Minister for Corrections, and Minister for Veterans Affairs) (18:20):** On Wednesday 30 May, I joined the Lord Mayor of Parramatta Andrew Wilson and my colleague Dr Geoff Lee, the member for Parramatta, at Waterview in Bicentennial Park to mark the centenary of the largest community service organisation in the world, the Lions Clubs International. The evening saw the Lord Mayor recognise those Lions who had contributed immensely to the local government area of Parramatta for over five decades—namely, Lions District No. 5 Governor Ron Gattone, First Vice District Governor Derek Margerison, and Second District Governor, Jennifer Touzel.

For members who may be unfamiliar with this benevolent establishment, Lions Clubs is a secular and politically non-aligned community service organisation that seeks "to create and foster a spirit of understanding among the people of the world". For example, apart from being dedicated to making our communities better places to live, work, and grow, Lions volunteers fundraise unceasingly to meet humanitarian needs, whether on a local, national, or international level.

Since the formation of the first Lions Club in Chicago, United States of America in 1917, Lions Clubs International has grown to over 46,000 clubs and has a mass following of 1.4 million members worldwide. Its founder, the late American businessman Melvin Jones, believed that those who were successful in business were also capable of performing good deeds beyond the world of business. Jones fiercely encouraged business leaders to utilise their talents to generously provide to those less fortunate and to improve the community which had created the environment for them to continually strive and prosper.

In Australia it appears Jones's ethos has resonated with many, as the Lions Club is just shy of its seventy-second anniversary, largely due to the contributions of the late William Tresise, the founder of Lions in Australia. It is said that in the 1940s Tresise was about to exceed the age limit placed on volunteering within the community organisation he was a member of. Eager to continue volunteering, Tresise attended a conference of community service organisations in San Francisco, where he met several Lions members. He discovered that there was not only no age limit in the Lions Clubs but also that the clubs were engaged in significant charitable projects. After speaking to various Lions leaders in America, including Jones, Tresise was tasked to establish the Lions Clubs in Australia. Upon his arrival home, Tresise ignited a discussion about the Lions with the business community in Lismore.

As a result of Tresise's zealous and compassionate fervour, the Lismore Lions Club was established within 12 months and received its official charter in September 1947, making Australia the eighteenth country to join Lions Clubs International. At the time of Tresise's passing in 1975, Lions Australia had almost 1,000 clubs. In 2018 that number has increased to more than 1,200 in Australia and Papua New Guinea.

The Lions acronym stands for Liberty, Intelligence, and Our Nation's Safety. The Lions Australia motto is, "Making our communities a better place to live, work, and grow," and there is no doubt that much has been done by Lions in the name of that motto. Such feats of generosity include disaster and emergency relief; raising funds for local parks and sporting centres; and drug education programs and medical research, including but not limited to involvement in the development of the bionic ear, the cervical cancer vaccine and research into diabetes and childhood cancer. In addition, there is community service, including programs for the visually impaired and children with cerebral palsy.

I note further that in commemoration of the centenary year of the Lions Clubs International, Lions Australia has endeavoured to commit more than \$100,000 to more than 100 local projects across Australia, covering matters concerning youth and the elderly, vision, hunger and care for the environment under its

Community 100 program. I would like to thank Mr Jon Copson, the Secretary of the Lions Club of Parramatta, who co-ordinated with the City of Parramatta Council to arrange a fantastic evening in the name of an incredible organisation. Indeed, whenever a Lions Club gets together, problems get smaller, and communities get better. I hope all members can join me in commending this long-serving community organisation.

**The DEPUTY SPEAKER:** As a founding member of the Parliamentary Lions Club and Melvin Jones award recipient, and as the proud member for Lismore, where Lions started in Australia, I congratulate the member for Baulkham Hills on a wonderful tribute to Lions International. I thank him for bringing it to the attention of the House.

**Mr KEVIN ANDERSON (Tamworth) (18:25):** I also pay tribute to Lions Australia. I recognise the great work that the club does in supporting farmers across New South Wales who are experiencing severe drought. This evening I was talking to the head of the Lions Club in my electorate of Tamworth, who is looking at what that club can do to get much-needed hay and fodder in a very timely fashion to farmers in the Tamworth electorate. I congratulate the Lions Club, as I do all registered clubs and non-government organisations, for the great work they are doing for farmers at this dire time.

## SOUTH COAST BUSHFIRES

### HURSTVILLE STATION COMMUTER CAR PARKING

**Mr CHRIS MINNS (Kogarah) (18:26):** Before I speak about Hurstville commuter car parking I want to associate myself with the views already expressed about the fires south of Sydney today in the Bega Valley, Ulladulla, Nowra and other areas of the South Coast. I wish those who are going through this all the best on this no doubt difficult and chaotic day.

I make special mention of the fire services across New South Wales. No doubt many crews from the St George region have been tasked to help with the fire response. It will be a very difficult time for them. Fire crews will no doubt be working through the entire night on blackout—which means it will be in very difficult and hazardous circumstances—to make sure that these very dangerous bushfires do not rear their heads in the morning. I note that this is occurring in the middle of winter and that, with the drought, it is extremely worrying for the long, hot summer that we have ahead.

I draw the attention of the House to the growing concerns of my community about a lack of commuter parking at Hurstville train station. Hurstville is a vibrant and busy district, with a growing population. Despite this, there is no car park near the station for commuters. I have spoken with many residents who have expressed how important it is that a commuter car park be built. Hurstville is a major transport hub—increasingly so since we have seen services to surrounding stations in my electorate cut in the last two years—but, because there is no commuter car park, residents have to be dropped off to catch a train. This results in excessive traffic around the station, particularly at Woniora Road and Ormonde Parade, which is an already busy area, especially at peak times in the mornings and afternoons. Residents are fed up with the congestion on local roads, while commuters just want a safe place to leave their cars.

Hurstville station desperately needs a commuter car park. The St George area is growing fast, but this growth is not being matched with an increase in public transport railway station infrastructure. I represent a community that has many people who commute, whether by bus, train or car. Notwithstanding the fact that there are seven train stations in my electorate, the most common method of travel for people going to work in the Kogarah electorate, according to the 2016 census, was by car. I would love to see more people able to use public transport instead of causing congestion on our roads with more cars, but the Government is not making that an attractive or easy option when people have nowhere to leave their cars.

If we are serious about encouraging people to choose to travel by public transport instead of by car when heading to work then we need to ensure they have a safe and accessible place to park their cars. Unfortunately, because there is no such option at Hurstville station, this is becoming increasingly difficult. I hope the Minister for Transport and Infrastructure and the Premier listen to the pleas of the people of Hurstville. These good people should not be punished or ignored by the Government as they are entitled to the necessary infrastructure—after all, they pay taxes too.

## RIDE PLUS PUBLIC TRANSPORT SERVICE

**Mr JAMES GRIFFIN (Manly) (18:29):** I congratulate the Minister for Transport and Infrastructure on the recent announcement of the expansion of the On Demand public transport service Ride Plus in my electorate of Manly. More services, more vehicles and more locations are now available throughout the electorate. I joined the Minister to announce the new expansion and the good news that the suburbs of Seaforth, North Balgowlah, the entirety of Manly Vale, North Curl Curl and parts of Dee Why and Brookvale will now be covered by Ride

Plus. Since the launch of the On Demand trial in November last year, it has seen strong success and growth—patronage has increased and the feedback continues to be positive. Based on that data, I have advocated for the expansion of the service to cover the electorate in its entirety, in particular Seaforth and North Balgowlah. Once again, this Minister has listened to my community; this Government has listened to my community and I am delighted to see this trial grow and serve more of my constituents and provide them with even more public transport options.

For members of this place who are not familiar with the On Demand initiative, it allows commuters and travellers to book a vehicle to pick them up from home or transport hubs—for example Manly Wharf, the Balgowlah shopping and transport hub and the Manly Vale and Brookvale B-Line bus stops. It seeks to solve the issue of last mile travel, which has long been a prohibiting factor for people catching public transport. With the expansion of the trial new hubs have been introduced across the service zone and now include Brookvale TAFE, Stella Maris College in Manly and the Northern Beaches Secondary College in Freshwater. The service will continue to operate between 6 a.m. and 10 p.m. Monday and Friday, and will now service the community with an extra vehicle introduced to supplement peak morning and afternoon services.

The Government is trialling many iterations and versions of On Demand public transport services across New South Wales, to see what works best and to tailor services for different communities. Clearly, the point-to-hub trial in Manly has proven highly successful, and I look forward to monitoring it closely and supporting its growth into the future. When the Minister for Transport and Infrastructure visits the electorate of Manly it is always a good day—a good day, because it means more transport and more investment for the people of Manly and, indeed, the entire Northern Beaches. Whether it is the expansion of the On Demand service, building new commuter carparks to service the highly successful B-Line service, which in only its first six months has serviced 2.7 million trips, or new fast ferry services from Manly to Circular Quay or Barangaroo, public transport is going from strength to strength in Manly.

The success of the B-Line provides a key insight into the importance of last mile services such as Ride Plus. These services support patronage growth across the broader network and improve the transport and road system for everyone. Providing greater connections to the B-Line service has been vital to its success. Providing integrated public transport services has no doubt contributed to the 4.6 per cent growth from 2017 of commuters using buses on the B-Line corridor, as well as 10 per cent more people now travelling city-bound in the evening peak between 3 p.m. and 8 p.m.

This last statistic is important. As members on this side of the House would know, public transport and the road network on the Northern Beaches are crippled by the Spit Bridge which, with only four lanes rather than the wider network's six lanes, only carries one lane against the peak in the morning and evening. Giving commuters a regular public transport service during these times, with priority access down Manly Road in the evening peak, is vitally important to the wider network. I am encouraged that the Government continues to look at avenues to fix our local road network, including extending clearways as well as the Western Harbour Tunnel and Beaches Link.

I continue to advocate both for public and private solutions to congestion and transport in my electorate of Manly. I was proud to lobby for and secure the extension of Uber's new service UberPOOL service to the electorate of Manly, which is another technology-based service reducing reliance on cars and providing more options for commuters to reach their destination. I look forward to welcoming the Minister for Transport and Infrastructure to Manly again soon. I will continue to advocate for investment in public transport for the people of Manly and the Northern Beaches. It is the investment my community deserves.

### **COOTAMUNDRA ELECTORATE HEALTH SERVICES**

**Ms STEPH COOKE (Cootamundra) (18:33):** I use this opportunity to celebrate and share with the House some of the wonderful progress in health services, hospitals, ambulance stations and services in the Cootamundra electorate. On Monday, it was my pleasure to officially open the \$2.3 million refurbished operating theatre at Temora Hospital. The upgrade includes a refurbished theatre and new equipment including a new operating table, pendant lights, new service panels and improved workflows for transferring patients in and out of theatre. Our exceptional local clinicians and other hospital staff have worked closely with the architects on the final layout and clinical flow of the theatre. Significantly, for expectant mothers, these upgrades mean caesarean sections can be undergone at Temora instead of travelling to Wagga Wagga or Forbes. The community campaigned to keep this theatre open, and I am very proud to say they were heard.

These refurbishments complement the February 2018 works, whereby the inpatient ward at Temora Hospital underwent a \$390,000 upgrade including the replacement of vinyl floor coverings, air conditioning and painting. Announced by the member for Port Macquarie, Leslie Williams, the Parliamentary Secretary for Rural and Regional Health, in June 2018, a further \$67,000 of refurbishment works will occur at Temora Hospital to

upgrade staff amenities. I am thrilled that both patients and staff in my beloved hometown of Temora will directly benefit from these wonderful upgrades and the New South Wales Government's commitment to health infrastructure in the Cootamundra electorate and regional New South Wales.

I would like to take this opportunity to acknowledge the members of the local community who advocated for the upgrade, allowing the hospital to continue to provide a contemporary surgical service to local patients. In the Emergency Services space, the Cootamundra electorate is a shining example of the success of the New South Wales Government's \$122 million Rural Ambulance Infrastructure Reconfiguration [RAIR] program, the biggest regional and rural transformation of NSW Ambulance infrastructure in the organisation's history. We have six projects in total, with Harden, Ardlethan and Coolamon due to open later this year. In recent weeks, I have announced sites for brand-new stations in Grenfell and Cowra. The new build at 41 Kite Street, Cowra will feature facilities that are a major improvement on the current 38-year-old station on Shelley Street, enabling local paramedics to better meet the mobile emergency medical care needs of Cowra and surrounds well into the future.

The site at the Grenfell Multi-Purpose Service [MPS] will replace a 120-year-old station. We should not underestimate for one second the worth of these upgrades to our country communities. Designed with input from local paramedics, the purpose-built Cowra and Grenfell NSW Ambulance stations will deliver better working environments for paramedics that are tailored to the needs of these communities and serve them well into the future. I hope, in due course, to be able to extend some of this progress to Cowra Hospital, on which I have addressed the House previously, and announce funding for a new or upgraded facility. This is my number one health priority for the Cootamundra electorate and something I am absolutely committed to see delivered.

This infrastructure, the bricks and mortar of our health services across the electorate, is vital in the modern age and it is also worth noting developments in digital infrastructure. Last week, I had the honour of launching the LifeSpan Murrumbidgee initiative with the Deputy Prime Minister, Michael McCormack. LifeSpan is an integrated systems approach to suicide prevention, which aims to build a community safety net. The website provides free access to Question, Persuade and Refer [QPR] training. Estimates suggest that this new approach may be able to prevent 20 per cent of suicide deaths and 30 per cent of suicide attempts. QPR is free for communities within LifeSpan regions and I encourage any of my constituents with access to take part, and anyone in this room to look into the merits of this fantastic program, if it is not already up and running in their area.

These are just a few of the many fantastic health initiatives and programs the New South Wales Government is supporting, planning and building in the Cootamundra electorate. There are few people working as hard as our doctors, nurses and health staff, and I will back them the whole way.

## **SOUTH COAST BUSHFIRES**

### **WATER SECURITY**

**Mr JAI ROWELL (Wollondilly) (18:38):** I thank the brave men and women who are out on the fire front at the moment, who no doubt come from Wollondilly and the Southern Highlands. Fantastic firefighters from all electorates are helping across New South Wales. Our thoughts and prayers are with those affected and with those who are fighting to protect life and property. We know what a wonderful job they do, particularly with the 2012 Wollondilly fires. Water security is an important issue because it ultimately leads to food security. I know too well the importance of water security, with more than 80 per cent of Sydney's water stored in the electorate of Wollondilly. Avon Dam is currently at 63 per cent capacity; Cataract Dam is at 37 per cent capacity; Cordeaux Dam is at 40.3 per cent capacity; Nepean Dam is at 52 per cent capacity; and Wingecarribee Dam is at 62.8 per cent capacity. In the adjoining electorate, Woronora Dam is at 62.9 per cent capacity and, of course, the great Warragamba Dam—which is one of the largest dams in the world—is at 69.1 per cent capacity.

Some people in my community are worried about the drought and the reduction in water supply capacity across the dams, but I am happy to inform the House that Sydney Water has advised me that there is enough water for our drinking supplies over the summer months. We are vigilant and will continue to look at the issue. At this stage, there is no need to impose water restrictions, but I always encourage people to be water wise. Australia makes up 5.6 per cent of the world's land mass but receives only 1 per cent of the world's rainfall. Unfortunately, being a large country means that the availability of water varies from area to area. Most of the country's water is in the tropical and sub-tropical northern part of Australia, but most of our population resides along the coastal areas. A report by the Research Manager of the Global Food and Water Crises Research Program, Sinead Lehane, found that 85 to 95 per cent of rainfall in Australia is lost to evaporation or transpiration. Only 5 to 10 per cent of Australia's annual rainfall reaches streams, water storage or ground aquifers. The report found that managing Australia's water more efficiently and increasing its capture and storage will be critical to ensure ongoing water access under climate change and population growth predictions. I note the pressures that population growth has on finite resources such as water.

I have raised in this place plenty of times the need for additional water capacity, and not only in our existing dams. We know that the water does not always fall where our current dams are and a dam has not been built in this country for a long time. State, Federal and local government need to come together to look at ways to build a new dam or dams. I previously suggested that I do not understand why, when it floods in Queensland in the Wivenhoe Dam or in my electorate of Wollondilly in the Warragamba Dam, the water is wasted. There should be a way that we can connect at least some of the dams to move water around the country, or at least around the State, to ensure that we have water security, particularly during this time of drought.

During the past few weeks, drought has been topical in this place and the New South Wales Government has created a \$1 billion program to drought proof New South Wales for the future and help the farmers. We thank the Premier, the Deputy Premier and the Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry for that support. Of course, as we move forward we will need further support. We need the Federal Government to chip in more and for local government to do what it can, for example, by waiving or deferring rates fees for farmers, which is what Wingecarribee Shire Council is doing. These issues all highlight that water security is important. As the population increases, with the Federal Government allowing 250,000 people a year to come into Australia, we need to do something to secure our water supply. We can do that by building and linking dams. We need to cut through the politics. All sides of politics and all levels of government need to get together and do something about what could be a future national crisis.

### **BOTANY BAY CRUISE SHIP TERMINAL**

**Mr RON HOENIG (Heffron) (18:43):** I draw to the attention of the House an issue of great concern to residents in my electorate and the entire community that lives around Botany Bay. The New South Wales Government has a secretive plan to construct a massive new cruise ship terminal in Botany Bay. In April this year, the *Southern Courier* reported that plans for a cruise ship terminal were being considered at the highest levels of the New South Wales Government after a freedom of information request by the member for Maroubra was rejected on the grounds that the documents were considered "Cabinet in confidence". That a new cruise ship terminal is needed in Sydney is not a new or surprising fact. There has long been an acknowledgement that Sydney has been a victim of its own success. Sydney is so attractive as a destination for cruise ships, it does not have the capacity during the peak six months between September and March to handle the full volume.

Of course, some of the larger cruise ships simply cannot fit under the Harbour Bridge, rendering White Bay an impossible option. Cruise shipping is worth nearly \$2 billion a year to the New South Wales economy, supporting well over 12,000 jobs. If we do not grasp the nettle Sydney stands to lose out on future growth in the industry, losing business to Melbourne or Brisbane. That is why last year the State Government commissioned former NSW Liberal Party leader Peter Collins, himself a retired navy captain, to head a cruise shipping industry review in order to settle on a location for a third shipping terminal to complement Circular Quay's Overseas Passenger Terminal and the White Bay cruise terminal.

I support the concept of berth-sharing at the Garden Island naval base, one of the preferred options recommended by the 2012 Commonwealth "Independent Review of the Potential for Enhanced Cruise Ship Access to Garden Island Sydney". Excess naval capacity could simply be relocated to Glebe Island, which has a much lower key use than the mooted industrial port, which has been met with outrage by Pyrmont and Glebe residents. Garden Island is, I understand, the preference of the cruise shipping industry, and is clearly the preference of Mr Collins and his industry review. He told Fairfax media that it was the "most obvious solution". Garden Island has previously been used for the berthing of large cruise ships. Now it appears that against the recommendations of the Government's own independent review and the Commonwealth's review, the NSW Liberals and their Federal counterparts have dismissed out of hand the prospect of berth-sharing at Garden Island naval base. Instead, the New South Wales Government wants to construct a new terminal in Botany Bay in either Yarra Bay or Molineaux Point.

This proposal involves the environmental destruction of the birthplace of modern Australia. Dredging Botany Bay for a cruise ship terminal will cause the already fragile beaches in the bay to collapse. In fact, it is not widely understood—and how would it be, considering those who represent the North Shore electorates—that Little Congwong Beach and the La Perouse beaches cannot take a cruise ship terminal without the complete construction of a break wall as they face the south-east. Already we cannot move freight into Port Botany by road or rail. The long-awaited duplication of the Port Botany rail line is still many years away, so the hope that this project will spur some new investment in heavy rail for the south-east is fanciful. Moving thousands of cruise ship passengers to the central business district [CBD] after they have been greeted by oil refineries and petrochemical companies at Port Botany will be a great welcome to the land down under.

Would people rather disembark in beautiful Port Jackson and take in the sights of Circular Quay and Woolloomooloo or arrive next to a filthy chemical plant and oil refineries and crawl along Anzac Parade past the light rail debacle? This decision is bad for Botany Bay and bad for the cruise shipping industry and is completely

contrary to the recommendations of the independent Collins review and the Commonwealth review. There is no simple solution because the problem relates to ships that do not fit under the Sydney Harbour Bridge. We are dealing with cruise ships such as the RMS *Queen Mary 2*, which carry many passengers who have considerable funds to spend. We want those funds to be spent in the Sydney CBD. We do not want those passengers to be waving at the petrochemical companies adjacent to Port Botany. [*Time expired.*]

### HEALTH INFRASTRUCTURE

**Mr CHRISTOPHER GULAPTIS (Clarence) (18:48):** Health is without doubt the number one priority for any government. For the New South Wales Liberal-Nationals Government it will account for about \$24 billion this year, which is one-third of the total budget. Health has been a major focus of this Government since 2011. The \$6 million Yamba Community Health Centre was jointly funded by the Federal and New South Wales Liberal-Nationals governments. At the facility a wide range of accessible healthcare services are being provided to people of all ages living in Yamba and the surrounding communities of the lower Clarence.

An amount of \$6 million from the New South Wales Liberal-Nationals Government also funded the Coraki HealthOne, which is providing a range of allied health services to mid Richmond Valley residents. I acknowledge that, like many regional communities, it is struggling to attract a general practitioner. That is disappointing, but I know from my discussions with the local health district that it is working hard to secure the services of a GP for Coraki. The problem is not unique to the North Coast; it is common in all of regional Australia. Nonetheless, we will continue to search for GP services for Coraki and ensure that the HealthOne provides the services our community needs.

It was pleasing that there was a funding announcement of \$6.3 million in the last budget for a HealthOne Centre at Evans Head. Planning is progressing and NSW Health has identified a council-owned site where it currently operates a community health centre as the preferred location. The HealthOne model will bring together a wider range of community health professionals under one roof to service the Evans Head and lower Richmond Valley communities. Also announced in the last budget was an additional \$10.5 million towards a new ambulatory care centre at Grafton Base Hospital, bringing the total contribution by the Government for that state-of-the-art facility to \$17.5 million. The new facility will deliver a comprehensive range of services including renal dialysis, specialist outpatient clinics, allied health services and an improved oncology unit for cancer care and other services. There is a great need for those services, in particular the oncology upgrade. The facility is long overdue and construction is due to commence later this year.

Every community in the Clarence electorate has its health challenges. It is my responsibility as the local member to bring them to the Government's attention. Maclean District Hospital needs an upgrade to its helipad to accommodate new and larger helicopters. That is a priority for the hospital because it does not have the resources needed to deal with complex medical cases and patients often have to be flown to either Lismore Base Hospital or the Gold Coast. I have raised that with the Deputy Premier, who has recognised it as a priority and has committed to investigating every possible option for funding. The remote coastal village of Iluka is a popular holiday destination. It has a high proportion of elderly retirees and its population triples over the holidays. It has been calling for an ambulance station for years. Ambulances have to come from either Maclean or Yamba, if they are available, and it takes them about 35 to 40 minutes with lights flashing. I have raised the matter with the Deputy Premier and have invited him to visit the village, talk to the locals and see firsthand their justification for an ambulance station.

The Clarence and Richmond valleys have greatly benefitted from the New South Wales Liberal-Nationals Government's public infrastructure spend. The Northern Rivers Livestock Exchange in Casino is undergoing a \$14 million upgrade thanks to a \$7 million grant from the Government, and Casino is attracting new and innovative businesses such as Solaris Nutraceuticals, which will be the largest medicinal processing plant in the Southern Hemisphere, and Utilitas, which is proposing to generate electricity from waste. Those businesses are stimulating the local economy and rental properties have now become difficult to find in Casino. That will put added pressure on upgrading the Casino and District Memorial Hospital and it must be on the health infrastructure radar.

Similarly, in the Clarence Valley the \$4.5 billion Federal and State funded upgrade to the Pacific Highway, the \$240 million new Grafton Bridge and the building of Australia's largest prison is stimulating the local economy and bringing in a massive workforce. That will put a strain on all services in the Clarence Valley and in particular Grafton Base Hospital. It is an old hospital that is reaching capacity and an upgrade should be a high priority. I will continue to advocate strongly on behalf of my community for continued funding to improve health services across my electorate. I urge the Government to continue to fund health infrastructure throughout New South Wales as it is the number one priority across the State and in my electorate.

### ABORIGINAL ELDER UNCLE RICHARD ARCHIBALD

**Mr RYAN PARK (Keira) (18:53):** I pay tribute to my friend Aboriginal elder Uncle Richard Archibald, who has been a strong and vocal advocate in our region for many years. Having known Uncle Richard in my capacity as his local member of State Parliament for the past almost eight years, I have enjoyed a strong working partnership with him and admire his personal commitment to his Aboriginal community. Uncle Richard established the Kokoda Aboriginal Servicemen's Campaign that for two years lobbied to have Aboriginal servicemen who fought and died in Papua New Guinea recognised by government and given a proper resting place. Uncle Richard's cousin, Private Frank Archibald, was among those who died on the Kokoda Track more than 70 years ago. In 2012 Uncle Richard led a group of 12 to Kokoda to perform a sacred ceremony and burial with traditional rites. It was the first time that an Aboriginal family had been able to go to Kokoda to honour their relatives by conducting a traditional Aboriginal burial ceremony at the Bomana War Cemetery in the Gumbaynggirr language from northern New South Wales and with traditional song and dance to invite Private Richard Archibald's spirit home.

Since then, Uncle Richard has tirelessly volunteered his time to visit local schools and talk to students about the history of Aboriginal culture in our region. He has demonstrated a personal dedication to ensuring that students know the importance of that history. Uncle Richard was pivotal in organising the Reconciliation Walk that occurs annually in the suburb of Bellambi that I am fortunate to represent. This year more than 2,000 local students participated in the symbolic walk. Uncle Richard also established a northern Illawarra Aboriginal outreach service that has been operating from the Bellambi Surf Lifesaving Club since last year. In fact, Uncle Richard has achieved so many things that I simply do not have time to list them all. He has proven himself to be a true community leader, sharing his insight and vision and demonstrating an ability to inspire those around him.

I have many stories about my friendship with Uncle Richard. He has taught me lessons about significant Aboriginal sites such as Sandon Point, Bellambi Point and Mount Keira, all located within the Keira electorate. They are some of the most significant sites on the eastern seaboard and home to the Dreamtime stories and history of our first peoples, who have made an enormous contribution to our country, our State and the region that I am proud to represent. They are sensitive sites that have a rich Aboriginal history. I have heard those stories in the only way they can be told—enthusiastically by an Aboriginal elder such as Uncle Richard. It is now time for Uncle Richard to return to his country, his hometown of Kempsey. Their gain is our loss. He will be truly missed by a very grateful community.

When Uncle Richard told me he was leaving I will admit I shed a tear. His contribution to our community goes beyond education, storytelling and advocacy. Many of us were not taught much Aboriginal history at school. It is a shame that still today only people who are exposed to elders like Uncle Richard really get a true insight into Aboriginal culture and the important contribution our first peoples have made and continue to make to this land which will always be theirs. But I say this: Uncle Richard has asked me as the local member, in this our oldest Parliament, to always ensure that our policies, initiatives and laws are centred on righting the wrongs of parliaments of the past. We will own up to our mistakes and pledge as a collective of policymakers that we never go back to those times. As a member of a progressive party, I certainly aspire to be a Treasurer who bridges the gap between our first peoples and the rest of our nation, particularly when it comes to education, social, health and economic outcomes. Only when that gap is bridged and then closed can we really say that we have made a difference. I thank Uncle Richard. He has been an inspiration, a wonderful storyteller and a vocal advocate.

### MURRAY ELECTORATE SCHOOLS

**Mr AUSTIN EVANS (Murray) (18:58):** Tonight I speak about three schools in my electorate that are diverse but all have an important place. The first is Pooncarie Public School. A number of years ago the school was down to one student and was unfortunately closed. That was a great blow to the town and something the residents worked hard to fix. We have seen something of a renaissance in the area with the number of young children increasing.

I had the pleasure of working with the people at Pooncarie. They have worked hard and the people in the Minister's office have worked hard to produce very good result that I was able to announce: the Pooncarie Public School will reopen in 2019. It is a fantastic outcome, which speaks volumes to the community spirit. The parents involved were very keen to see this happen for the benefit of their kids. It was tough. Six-year-old children were going to the nearest school at Palinyewah and had to be up at 7 o'clock in the morning. The young daughter of the couple who own the pub at Pooncarie was so tired by the time she got home that she was unable to do anything for the entire week. They are really looking forward to the school opening because they were seriously considering leaving town to ensure their children had a decent education.

The support extended beyond the parents of the children who would attend the school to the people from the School of the Air who come to Pooncarie once a fortnight, and have been doing so for the six years since the

school was closed, running the Pooncarie Outreach Centre where children on isolated stations come together, socialise, play sport and participate in group activities that they could not do through the School of the Air. The community of Pooncarie—townsfolk, shop owners, people who live nearby—all supported it. Wentworth also supported it, as did Mildura to a considerable extent. People got behind the campaign and fought for the school. Special mention goes to Katie Robinson, the lady who took on the responsibility of being the conduit between me and all the people involved. She works on one of the stations while trying to put her kids through school. She would talk to me and then have to talk to half a dozen parents. I thank her for that work.

The other school out that way is Clare Public School, which is one of the most isolated schools in New South Wales. It is about 100 kilometres south of Ivanhoe and 170 kilometres north of Balranald. If members have an idea about that part of the world, it is very isolated. This school was set up on land provided by the local station and supported by the Government. It is a great little school that has done great work. The third school I mention is Tooleybuc. Last week I had the pleasure of having a virtual visit with Minister for Education Rob Stokes. A number of fantastic things are happening in some of these small schools. The school has a strong anti-bullying campaign to make sure that everyone is looked after. Headspace visits the school. It takes strong action against bullying and puts up messages about anti-bullying. It has a breakfast club and a lunch club run by the chaplain and the students' representative council [SRC] to support kids.

The school had a program that particularly appealed to me. This is a central school with kids from kindergarten to year 12—right through to higher school certificate [HSC]. They have a wall where they put up "If I could not fail I would", which encourages the kids to dream, to have something to aspire to. When we spoke to them over the internet they had the wall behind them. It is as big as the Hansard desk covered with post-it notes and information about things that people would do. One of the students talked about coming from a larger school in Victoria, moving to this one and finding a world of difference because of how supportive it was. This school deals with isolation. A couple of years ago I was visiting Tooleybuc and spoke to a young girl there who had been involved in regional sport and had progressed to the State level. She had been to the cross country—my son had been there a couple of weeks before. The local regional competition was in Gundagai, a couple of hundred kilometres away from Tooleybuc. That is the commitment that this community has to make its school and its community work.

#### PEDESTRIAN SAFETY

**Ms YASMIN CATLEY (Swansea) (19:04):** I recently met with a group of parents from Jewells Primary School and other Jewells residents to listen to their ongoing concerns about Ntaba Road in Jewells. These are parents and residents who have been campaigning for years to improve pedestrian safety for those trying to cross Ntaba Road, particularly schoolchildren walking to Jewells Primary School. These days, more than half of the student population at Jewells Primary School lives on the western side of Ntaba Road, and are required to cross it to get to their school, which is located on Lepton Parade.

Ntaba Road is a major thoroughfare through Jewells, between Wommara Avenue at Belmont North and the Pacific Highway. Ntaba Road is not excluded from the traffic problems we are seeing around many parts of the Hunter as our communities transition gradually from sleepy coastal towns to more metropolitan areas. More people means more traffic, and more traffic means we need to have the appropriate pedestrian infrastructure in place to ensure that children can continue to live active lifestyles. There is no doubt that Ntaba Road is becoming increasingly busier as the years go by. The increasing level of vehicle traffic is exacerbated by the road itself. Ntaba Road is a road that is characterised by sweeping bends, sloping topography and wide travelling lanes. Residents tell me that vehicles routinely speed through its 50-kilometre-per-hour speed zone.

Residents and parents of schoolchildren feel that they take their lives into their own hands when they attempt to cross the road. Since the beginning of last year I have been writing to the Minister for Roads, Maritime and Freight about this issue and raising the concerns of the residents. Last year the Principal of Jewells Primary School contacted me to express her frustration and the frustration of the wider community. With about 270 students living on the western side of Ntaba Road, and a total absence of a safe place to cross, most parents drive their kids to school. This leads to significant congestion around the school during school drop-off and pick-up times, and causes problems with the neighbours. Addressing these complaints takes time away from doing the things that are most important—teaching our kids, and running a great school.

Recently I spoke to Alan—a former bus driver and long-term resident of Jewells. He said he had been banging on about Ntaba Road for 30 years and in the time he had lived there and worked as a bus driver around Newcastle and Lake Macquarie the situation had deteriorated. I know that the community had been lobbying Lake Macquarie City Council about this issue for some time, but due to the challenges I noted earlier, a solution that the community believed would work could not be found. When I first wrote to Minister Pavey last year, her response was disappointing. While I note the Minister's commitment to improving safety for road users—particularly children—the Minister simply referred the matter to Lake Macquarie City Council for consideration.

In March, the community was most grateful that Labor's shadow spokesperson for roads, Jodi McKay, was able to visit Ntaba Road and hear their concerns firsthand. I thank the member for Strathfield for her time and understanding. I again wrote to the Minister, reiterating the challenges faced by council concerning Ntaba Road. In August I wrote again seeking a speed zone review and the creation of a 40-kilometre-per-hour school zone. In September last year I received a response from the Parliamentary Secretary indicating that the Government would not support a marked pedestrian crossing. My request for a speed zone review and the establishment of a school zone along Ntaba Road was simply ignored.

I have written again to the Minister about the community's concerns for the safety of schoolchildren trying to cross Ntaba Road, and again asked for the establishment of a school zone marked by flashing lights. This community has been campaigning for decades to improve pedestrian safety along Ntaba Road so that kids can walk safely to school. Recently I spoke with Lis Evans from the Jewells Public School P&C about national Walk Safely to School Day. Lis and other residents have collected more than 1,100 signatures calling on the New South Wales Government to act on this issue. That is 1,100 people who are concerned and 1,100 people who want the Government to do something. Quite frankly, the community is tired of the Government's buck-passing for the past 18 months. The community is demanding action, and so am I.

### SUTHERLAND SHIRE BUSINESS CHAMBER

**Ms ELENI PETINOS (Miranda) (19:08):** I acknowledge the recent launch of the Sutherland Shire Business Chamber. The new chamber will represent businesses of all sizes and act as a trusted and enhanced representative group in providing a greater voice for its members. The chamber was formed following the merger of the Miranda and Districts, Engadine and Menai and Sutherland business chambers. This move solidifies and expands the growing network of existing and newly established businesses in the Sutherland shire region. Micro and small- to medium-size enterprises account for 98 per cent of approximately 21,000 businesses operating in our shire.

I was honoured to attend the recent launch held on 31 July, and was impressed by the array of industries and businesses that came together to celebrate its inauguration. The packed room reaffirmed the important role that businesses play in creating jobs in local communities, driving revenue growth and facilitating investment. The chamber will enable a more efficient and effective way of dealing with the many economic and social issues that impact the entire Sutherland shire region. Inaugural President Joanne Ryan said that the chamber needs to better market the shire as a place to do business, as well as to attract and to retain talent. With more than half of Sutherland Shire workers leaving the area each day for work, creating local job opportunities is a key priority.

The chamber's vision is to boost the shire higher on the liveability index, to promote local business diversity and to drive economic growth in three key areas: the medical precinct, tourism and local jobs. I acknowledge and congratulate the new executive team on being an integral part of leading the chamber in a new direction: President Joanne Ryan; Vice-President Michael Zacharia; Treasurer Brendan Lucas; Secretary Mark Hooper; and committee members Hima Gupta, Karen Johnston, Simon Read, David Querzoli, Louise Greenup, and Paul Sheaffe.

Small businesses are the engine room for the thriving New South Wales economy. There are now more than 710,000 small businesses in New South Wales, which employ almost 50 per cent of the State's workforce. The NSW Small Business Strategy builds on the Government's strong track record of investing in local businesses. Some of the key initiatives include: exploring opportunities for further taxation relief, extending the availability of education and training services to small businesses, creating fair and simplified procurement opportunities, enabling better access to cash flow and capital by improving access to finance options, reducing red tape in the process of starting a business, and providing infrastructure to build business capability and resilience in a dynamic environment.

An excellent example of this Government's providing the tools businesses need to flourish is the launch of the Easy to do Business service. Navigating all the rules to start up a hospitality business was previously complicated and time consuming, with business owners filling out up to 48 forms, liaising with up to 13 government agencies and, in some instances, waiting up to 18 months. Local hospitality businesses in the Sutherland Shire will now be able to set up shop faster and with less hassle thanks to this Government's initiative, which has been taken up by Sutherland Shire Council. The Easy to do Business interface allows local entrepreneurs access to one streamlined online platform containing all the information they need to open a cafe, restaurant or small bar.

The Easy to do Business was initially piloted across four New South Wales local government areas, including Parramatta, Dubbo, Northern Beaches and Georges River, but it has now been expanded statewide. It is a free service for business owners that provides a dedicated concierge to assist them in navigating the complexities of starting or growing their business. New cafes, restaurants and bars create jobs, bring vibrancy to main streets

and centres, and foster a lively night time culture, which is what we all want to see in this State. Once again, I congratulate the committee of Sutherland Shire Business Chamber and extend my best wishes for the future.

### **THE ART HOUSE, WYONG**

**Mr DAVID HARRIS (Wyong) (19:12):** The Wyong Performing Arts Conference Centre's The Art House is a performing arts facility in the centre of Wyong that has brought a new vibrancy to the community and allowed a range of people and groups to show off their talents. The then Wyong Shire Council initiated The Art House project, which cost \$12.7 million. The facility comprises a 500-seat theatre, a 130-seat studio, a foyer exhibition space and meeting facilities. The Art House is a professional theatre that was designed for the community.

Promoting creativity, originality and inclusivity, The Art House has become the Central Coast's home for performers, creators and anyone who enjoys the experience of great theatre. I have not heard any bad reviews in our community about the space or the quality of the performances. However, there is an issue that has some very talented locals upset. The problem is that The Art House is too expensive for locals to access. Even though it is great to have professional performers presenting shows, and that has been a boost for the area, our local musical and dramatic groups cannot afford to use this fantastic facility.

The recent production of the Wyong Musical Theatre Company resulted in a significant loss that the company could not handle. It had about \$20,000 in the bank and the production cost \$24,000. It now has nothing in the bank for the next performance. The award-winning Wyong Drama Group has now resorted to building its own theatre. This ratepayer-funded facility, which also attracted some State Government funding, was to be available not only to professional groups but also to community groups. It is terrible that that the Central Coast Council or the theatre board cannot see their way clear to subsidise local groups to present productions to ensure that our talented young people can perform in the space. It is extremely important that the council has a role in encouraging talented young people and older people to be involved in the theatre. Older people who have retired and joined the drama group or the musical company want to give back to the community through music or drama.

The current cost structure involves paying not only for all the days the theatre is used, including for rehearsals, but also for the theatre staff. In addition, the group putting on the performance receives no proceeds from the kiosk. This situation is extremely difficult for groups that in the past have funded their next production using funds raised by previous productions. As I said, the Wyong Musical Theatre Company made a huge loss on its last performance. The company no longer uses The Art House and is raising funds to build its own theatre. It is ridiculous that the community cannot afford to use this community space.

I would like the Central Coast Council to investigate whether it can adjust the cost structure so that local community groups can use The Art House. Our local groups were extremely excited that they would have a professional performance space to use. The stage is brilliant, the acoustics are fabulous and the facilities are great. They finally had a space of which they could be proud. Less than two years later, they have been forced to find alternative performance spaces because they cannot use The Art House and make money; in fact, they are losing large amounts of money. That is sad for the entire community. As I said, I would like the council to review The Art House access policy. We want professional shows, and we deserve them as much as any other area in New South Wales. We must not push award-winning community groups back onto the street and force them to beg, borrow and steal and to do first-class performances in second-class facilities.

#### *Bills*

### **FAIR TRADING LEGISLATION AMENDMENT (CONSUMER GUARANTEE DIRECTIONS) BILL 2018**

#### **PAINTBALL BILL 2018**

#### **Returned**

**TEMPORARY SPEAKER (Ms Sonia Hornery):** I report a message from the Legislative Council returning the abovementioned bills without amendment.

**The House adjourned, pursuant to standing and sessional orders, at 19:19 until  
Thursday 16 August 2018 at 10:00.**