



**New South Wales**

# **Legislative Assembly**

## **PARLIAMENTARY DEBATES (HANSARD)**

**Fifty-Sixth Parliament  
First Session**

**Tuesday, 18 September 2018**

Authorised by the Parliament of New South Wales



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## LEGISLATIVE ASSEMBLY

**Tuesday, 18 September 2018**

**The Speaker (The Hon. Shelley Elizabeth Hancock)** took the chair at 12:00.

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

*[Notices of motions given.]*

### *Private Members' Statements*

#### **MULGOA PUBLIC SCHOOL**

**Ms TANYA DAVIES (Mulgoa—Minister for Mental Health, Minister for Women, and Minister for Ageing) (12:11):** Since 1883 the students of Mulgoa Public School have been battling 40 degree days, rain and hail, all without a weatherproof, covered outdoor area. During the summer there is no adequate protection to keep students safe from the sun and during wet weather there is no shelter to keep students dry. I have been there on rainy days when all of the students have had to remain in their classrooms during lunchtime and recess. The students and teachers at Mulgoa Public School must battle the elements every day. Often they have to cancel assemblies, presentation days or special events because they have no covered, protected area. Principal Justine Blackley, Mulgoa Public School Parents and Citizens Association President Vicky Penna and the executive team have been strong advocates in fighting to secure funding for a covered outdoor learning area [COLA] for the school. Principal Justine Blackley has been fighting to ensure that a COLA is delivered for the students. She said:

Currently there is no area within our school that accommodates our students and parents that is undercover.

Our assemblies and community events are held outside and are at the whim of the weather.

A COLA at Mulgoa Public School would provide our students with much needed protection from the weather every day and would also provide us with a venue to hold our school events where the scorching sun and rain will not impact on their success.

Vicky Penna highlighted the importance of this piece of infrastructure at the school. She said:

The Mulgoa Public School P&C believe that students at Mulgoa Public School have the right to access a Covered Outdoor Learning Area when participating in outdoor learning, whole school or community events that is protected from the sun and rain. The construction of a COLA would provide the staff, students and community with a sheltered space where everyday school events can be held in an appropriate environment. Trying to facilitate the relocation of often over 150 people into a classroom for a recognition assembly due to wet weather is not fair on the staff, students or wider community. The construction of a COLA at Mulgoa Public School would provide the only learning space within the school with the capacity for the whole school and its community to interact. We believe that the students, staff and wider school community at Mulgoa Public School should have access to this vital piece of infrastructure. I wholeheartedly agree. In the past Mulgoa Public School has missed out on funding because it is a small semi-rural school that does not have the high enrolments of other larger city schools and therefore the capacity to qualify for large amounts of funds to deliver such a piece of infrastructure. On this side of the House we are committed not just to any child but to every child. We are committed to ensuring that every child has the best start in life wherever they may live or go to school. That is why this Government, under Premier Berejiklian, has invested more into public schools than any government has ever done before. A \$6 billion investment in our public schools is an unprecedented investment. That is why in this year's budget we have invested an additional \$160 million as part of the record \$747 million maintenance investment announced last year. This is the largest investment in maintenance in the history of New South Wales and can only be delivered by the Liberal-Nationals Government. That is why I will fight to ensure that an all-weather COLA is funded and delivered for the Mulgoa Public School community—it has certainly waited long enough.

I encourage all members of the Mulgoa school community—parents, carers, grandparents and friends—and everyone in the wider Mulgoa community to join me in fighting for funding for this COLA at Mulgoa Public School. A couple of weeks ago on a Saturday when the Premier was in my electorate we visited the shopping centre at Glenmore Park. A gentleman from the crowd approached the Premier. He was a parent from the Mulgoa Public School and he specifically raised this issue directly with the Premier. This facility is an issue that the school community in Mulgoa has persisted with and suffered long enough without. I urge the community to come with me, back me on my petition and support me in ensuring that the funds that are available are diverted into Mulgoa Public School so this COLA can be built as quickly as possible so that the students and teachers, who put so much effort and work into designing and putting on performances, can participate in assemblies and presentation days without worrying about the weather. I ask everyone to join me in this fight.

#### **MACQUARIE FIELDS ELECTORATE OVERDEVELOPMENT**

**Mr ANOULACK CHANTHIVONG (Macquarie Fields) (12:16):** Let me paint a picture of what my electorate was like when I was growing up. Imagine rolling hills and wide open spaces; imagine green paddocks covered with trees. Let us fast-forward to today. Imagine those same hills full of rooftops; imagine the paddocks

and trees all gone. Over the past two decades I have seen the slow creep of development change the face of our local suburbs. Sadly, in the past few years that slow creep has morphed into a stampede that is now out of control. Recently I announced the result of my Stop the Squeeze survey.

Every household in my electorate received a survey and the response was overwhelming and emphatic: 98 per cent of residents said they had had enough of development in their suburbs; 95 per cent of residents did not support more development such as high-rise flats in their suburbs; 98 per cent of people said it is important to retain our areas of green open space and suburban charm; 96 per cent of people think developers have too much power in the planning system; 88 per cent of respondents think that this Liberal Government will not listen to their concerns. Residents listed the loss of green open space, traffic jams and general overcrowding as their top three concerns about overdevelopment.

Here we have overwhelming evidence that the people of south-west Sydney feel the brunt of overdevelopment, yet we have a Minister for Planning who had the hide to say in the *Sydney Morning Herald* on the weekend that overdevelopment does not exist. This Liberal Government is completely out of touch, does not listen and simply does not care about overdevelopment. My constituents are angry. They know that our area is bearing the brunt of overdevelopment and they want their community to have time to breathe. Residents in my electorate are fed up with the threat of high-rise monstrosities and the obliteration of our green open spaces. They are also sick and tired of infrastructure failing to keep pace with development. They lament the Federal and State Liberal governments' lack of commitment to address the infrastructure deficit.

The recent Western Sydney City Deal is a prime example of where the fundamental needs of our growing area were ignored. The people of Macquarie Fields and south-west Sydney were short-changed in the city deal. Where was our crucial billion-dollar rail link connecting the Western Sydney Airport to Macarthur and Leppington? My local community will not be fooled into believing this was a good deal for our area because the Western Sydney City Deal did nothing to accommodate the explosive growth and to ease congestion.

My motivation behind the Stop the Squeeze survey was to give a voice to my constituents, who have been overlooked by the Liberal Government's out-of-touch planning agenda. The Minister cannot hide from the results of this survey, as they provide facts and evidence. The people of my electorate have rejected this Government's plans to turn our area into a developers' dumping zone. They have said no to congestion, more high-rise buildings and more urban splatter at the expense of our community's character. My constituents want to see firm action on infrastructure before more people move into their local suburbs.

The Liberal Government's scars from its poor and inappropriate planning agenda include more stifling congestion, jam-packed trains, overcrowded schools, roads choked by traffic jams, enormous pressure on our hospitals, and more housing developments that squeeze people in while squeezing out the suburban backyard and green open space. People are feeling disenfranchised knowing that the system is stacked against them and they have little or no say on planning decisions. My Stop the Squeeze campaign provides indisputable evidence that the Liberal Government has got it wrong.

The Government needs to stop its unfair planning agenda which unreasonably targets south-west Sydney. Where is the uncapped high-rise in Wollstonecraft and Roseville? Those areas have maximum height limits of 12 metres or less. Both those suburbs are much closer to the central business district via train but they happen to be Liberal-held seats so they are not subjected to the high-rise monstrosities that my electorate will be subjected to under this Government's Planned Precincts. Stop the Squeeze sends an undeniable message that we will not pander to the Liberal Government's love affair with greedy developers and its poor planning decisions that have been made to the detriment of our community. It really is time to stop the squeeze.

#### INVICTUS GAMES COMPETITOR MATTHEW MODEL

**Mrs LESLIE WILLIAMS (Port Macquarie) (12:21):** I acknowledge in Parliament today the incredible endurance and perseverance of local Bonny Hills resident Matthew Model, who is competing in this year's Invictus Games, to be held from 20 to 27 October in Sydney. A former Army Reserve rifleman, Matthew Model will represent his country, together with 72 other athletes from the Australian Invictus Games squad, by competing in the rowing and athletics events as the team's captain and mentor. The Invictus Games is an internationally recognised multi-sport competition formed in 2014 by the Duke of Sussex and inaugurated at Queen Elizabeth Park in London to support former service men and women recovering from war-related injuries and trauma experienced as a result of their active military service. The games represent healing and mateship and are designed to portray a positive message about life beyond disability to an international audience.

Ex-serviceman Matthew Model joined the Army in 2004 and was deployed overseas on a peacekeeping mission to East Timor from 2006 to 2007 before he was medically discharged in 2008, having sustained injuries during military operations in a mission to capture former Timorese rebel dictator Alfredo Reinado. Matthew

acknowledges that the Invictus Games and the amazing organisers who work tirelessly each year to ensure the overall success of the event are a contributing factor to motivating him to maintain a healthy and active lifestyle. In athletics Matthew will compete in the 200-metre and 400-metre races and 4 x100-metre relay, and in rowing he will partake in a four-minute endurance row and a one-minute "fly and die".

A community-minded member in our local region, Matthew, when he is not training for the Invictus Games, donates his time to the Rural Fire Service, extinguishing fires in a number of areas, including the recent Grafton fires, and protecting landholders' properties and homes from impending disasters. Matthew is now employed by the Forestry Corporation of NSW, a job which he admits keeps him active and contributes significantly to his recovery. This year the Invictus Games will attract upwards of 500 competitors from 18 nations to compete in 11 adaptive sports. Sydney will host around 1,000 families and friends as spectators to the event who will be cheering their loved ones on and supporting their rehabilitation and sporting achievements. The poem, entitled *Invictus* by William Ernest Henley, goes like this:

Out of the night that covers me,  
Black as the pit from pole to pole,  
I thank whatever gods may be  
For my unconquerable soul.  
In the fell clutch of circumstance  
I have not winced nor cried aloud.  
Under the bludgeonings of chance  
My head is bloody, but unbowed.  
Beyond this place of wrath and tears  
Looms but the Horror of the shade,  
And yet the menace of the years  
Finds and shall find me unafraid.  
It matters not how strait the gate,  
How charged with punishments the scroll,  
I am the master of my fate,  
I am the captain of my soul.

I am always honoured to have the opportunity to acknowledge the outstanding service men and women in my electorate who have selflessly served our community and our country to ensure peace and stability are maintained. Their bravery and sacrifice inspire so many people and their contribution to our nation is immeasurable. Once again I congratulate Matthew Model for his selection in the Australian squad to compete at the Invictus Games, which will be held in October, and I wish him all the best in his future endeavours.

**Mr STUART AYRES (Penrith—Minister for Western Sydney, Minister for WestConnex, and Minister for Sport) (12:24):** On behalf of the Government, I put on record how important it is that Australia and especially New South Wales get behind the Invictus Games Sydney 2018. We all know the sacrifice that has been made by our service men and women in order to protect the freedoms that we often take for granted. The Invictus Games give us a chance as a community to be inspired by these amazing service men and women on the sporting field and to say thank you to them. I urge everybody to go to Sydney Olympic Park in October this year and to cheer as loudly as they can for the Australian team and all the other teams participating at the Invictus Games. It is a truly inspiring event which every Australian should aspire to attend if for no other reason than to say thank you to those who have made an immense sacrifice to protect their nation. We look forward to seeing them participate in their chosen events in October.

#### **MATER DEI SCHOOL CAMDEN**

**Mr CHRIS PATTERSON (Camden) (12:25):** I recently attended the annual fundraising ball for Mater Dei, one of my local schools. Mater Dei is a co-educational school for students from kindergarten to year 12 who have been assessed with mild to moderate cognitive disabilities as their primary disability. The school is part of the Wollongong Catholic Diocese and comes under the auspices of the Sisters of the Good Samaritan. The sisters have always made sure that every student is offered a holistic education in a safe, non-threatening environment.

Mater Dei was established as an orphanage by the Sisters of the Good Samaritan Order in 1910 and in 1957 the school was established. The sisters still have a role in Mater Dei today. Mater Dei has a reputation throughout Camden and the wider Macarthur district as well as throughout New South Wales as a school that provides dignity to, and acknowledges the uniqueness of, each student. Every student is given the opportunity to live as independently as possible one day.

Year 12 students participate in a work experience program, giving students the confidence to work with and relate to others in the big world that awaits them post the safe and wonderful educational boundaries of Mater Dei. My office participates in the program. Currently, my staff are blessed to have a lovely student, Daniela, helping them to do the tremendous job that they do. Everybody gains from the experience. We are grateful to Daniela as well as to those who came before her. Kate, a former school captain of Mater Dei, who worked in my

office about four or five years ago, pops into our office every Friday to help out and have a chat, even though she has meaningful employment elsewhere. She does great work, for which I am appreciative.

This year I was pleased to announce that Mater Dei will be receiving \$80,000 from the Community Building Partnership Program to purchase a 22-seater bus which will be used to transport the school students to community programs. The member for Wollondilly, Jai Rowell, was extremely supportive during the grants process and accompanied me at the funding announcement. Mater Dei Principal, Mr Tony Fitzgerald, asked me to pass on his heartfelt thanks for the support that the school and its community receive.

These fundraising events would not be possible without supportive sponsors. On the night, the Macarthur community raised more than \$400,000 to support the school, which is a tremendous effort. I thank the major sponsors: Bob Ingham, AO, and family; Bradcorp; Campbelltown Catholic Club; Perich Group; Wests Leagues Club; Commonwealth Bank; Fresh Creative Styling; Camden Hire; the Hexton family, Ingleburn RSL Club; Macarthur Automotive; Marsdens Law Group; Max and Nola Tegel; Tony Wolf and Son Printing, Vitocco Constructions; Wakeling Automotive; Allenaza; Camden Council; the Marten family; McDonalds; Knapp Property Group; Kelly and Partners Chartered Accountants; JMC Academy; Lexus Macarthur; Combined Real Estate; St Johns Park Bowling Club; Nell Civil; Pinnacle Tax and Accounting; BP Picton; Solutions Outsourced; Dartanyon; My Property Consultants; Chandeliers to Die For; and the Lopresti family. There were more than 150 other donations from people in the local community supporting Mater Dei. I thank them all.

Members can see from the support how loved Mater Dei is in my community. The board of directors, chaired by John Adam, is to be congratulated on its continued guidance to make Mater Dei the success that it is, and of course the dedication of the staff and volunteers who make every day a special day for the students and their families. Thank you to the Mater Dei Foundation dinner committee chaired by Jim Marsden, OAM, along with John Adam, Tony Fitzgerald, Catherine Jeffcoate, Kevin O'Keefe, Kristen Green, Greg Copeland, Tim Knapp, Bryson Shafer, Sarah Ryan and Alison McManus. The night was a wonderful success as every foundation member contributed. I thank Tony Fitzgerald and all his staff for the wonderful job that they do day in and day out. Our community is so much richer for it.

### URBAN GROWTH

**Mr GREG WARREN (Campbelltown) (12:30):** The old saying "Build it and they will come" may work in theory but in reality it is a short-sighted and deeply flawed way of planning for our growing cities in the future. The population of New South Wales shows no signs of slowing down, nor does the growing concern amongst members of our communities about the disparity between the rate of urban growth and the shortfall of vital resources, infrastructure and services. Put simply, the provision of infrastructure has not kept pace with the demands of accelerated population growth. In fact, the divide between population growth and infrastructure is only becoming wider.

I completed a recent research paper titled "Growing pains: The challenges, issues and opportunities of urban population growth". I explored the impact of immigration on population growth, wage growth, gross domestic product growth, and housing affordability and supply, amongst others. However, the primary purpose was to highlight the issues facing many communities, in particular, those on the western fringe of the Sydney metropolitan area, such as my electorate of Campbelltown. Supply and demand is an issue that not only commands a serious conversation but also requires a sensible solution with timelines and outcomes. Hashtags, populist government slogans and glossy signs and brochures promoting the Government's agenda may grab the attention of interested parties and stakeholders but in reality they fail to draw attention to the issue in a manner consistent with the level of seriousness it requires. The same can also be said about other interested-party agendas.

History shows that in order to capitalise on the opportunities associated with rapid urbanisation—most notably economic growth—services and infrastructure must be upgraded, created and maintained appropriately, but this is not happening under this Government to the level required. Particular attention must be given to the discussion around value capture with the primary focus on how it is best engaged to establish a sustainable community. It is one thing to build a building but it is a completely different discussion and agenda to build a community. The term "sustainability" is often associated solely with environmental terms but it needs to be considered in other contexts, including planning. The aim should be to create sustainable communities that can prosper both sociologically and economically. Those communities must be inclusive, accessible and diverse. That is a non-negotiable issue and expectation for many communities. That sense of place and that sense of belonging cannot be bought like a show home; it has to be created through careful planning and thought-out frameworks for a sustainable community. In 2014, Ban Ki-moon, former Secretary-General of the United Nations, told the General Assembly:

[Sustainability] is the pathway to the future we want for all. It offers a framework to generate economic growth, achieve social justice, exercise environmental stewardship and strengthen governance.

Trains are already overcrowded, hospitals are under-resourced and schools are bursting at the seams. Sustainability is fast becoming a concept that will be out of reach for New South Wales, and the Campbelltown and Macarthur regions, unless careful planning is undertaken and delivered now. It is not good living for today if the outlook for tomorrow and future generations is bleak at best. We must create local jobs for local people to ease the stress on the public transport network. We need to create those jobs and not just talk about creating them. The provisions for a successful and thriving local economy are often talked about during planning stages, but in reality those local job targets are often just selling points, not realistic expectations. A sustainable economy is the key to a sustainable community. Money does not buy happiness but it helps to lay a sustainable foundation on which a happy and prosperous community can be built.

Take south of Campbelltown, for example. That area is set to gain thousands of new homes in the not-too-distant future, yet major arterial roads such as Appin Road and Menangle Road still remain single carriageways. Those roads must be widened, other vital links such as the Menangle to Spring Farm link must be constructed, and it needs to happen now. The alternative is a permanent logjam that will plague community roads in that area for a generation. Every new resident of developing communities deserves the same opportunity, prosperity and good lifestyle that existing residents and my family and I enjoy. Whilst this concept is idealistic, it will occur only with the support of government and the subsequent and consistent delivery of services and infrastructure to match urban population growth.

### MONARO ELECTORATE INFRASTRUCTURE

**Mr JOHN BARILARO (Monaro—Deputy Premier, Minister for Regional New South Wales, Minister for Skills, and Minister for Small Business) (12:36):** Often as a local members we have an opportunity to fight for projects and to get funding from the New South Wales Government. When the Government runs its books in the black, makes tough decisions early on and has the ability to respond, we are able to deliver on a range of projects on behalf of our communities, whether that be in health care with new hospitals and health delivery, in transport with roads, or in schools by building new schools and upgrading existing schools to ensure we meet the needs of the growing region and community. When it comes to supporting the community we upgrade sports facilities, grassroots amenities, local parks and community projects, which are important.

A lot of this work is seen through the lens of today and the things that we need today but often we do not look to the future. That is why in August the Premier and the Minister for Transport came to Monaro and made a significant announcement about a project that is transformational when seen through the lens of generational change. They announced the New South Wales Government's commitment to invest \$1 million for a feasibility study into the reopening of the Bombala to Queanbeyan rail line. That rail line was suspended more than 30 years ago, at a time when passenger numbers were low and rail was not so popular. The Monaro region is now growing as a result of a number of factors, such as the Snowy Hydro 2.0. If that project is realised we will see 4,000, 5,000, or 6,000 additional people in the Monaro and businesses that connect to the mountains and the project will ensure prosperity in the region.

A couple of other things that have changed in recent years are the Port of Eden and the Canberra International Airport. The Port of Eden has become an international port—I would call it an international gateway—and Canberra Airport has become an international airport, or another international gateway. South-east Monaro is bookended by two international gateways, one being the Port of Eden and the other being Canberra International Airport, which will result in tourism and freight opportunities. The concept of reopening the old Bombala to Queanbeyan line has merit but we cannot just reopen the line. If we are to make this rail line a reality we must identify a corridor for an extension from Bombala to Eden and through that international port, and we must look at an extension from Queanbeyan to Canberra International Airport.

In my region the idea of reopening the line has been well received. The Government has committed not only to a feasibility study, but also to ensuring the preferred route and costs are identified, to getting an estimate of what sort of money it will take to reopen a line, and to looking for opportunity. With inland rail connecting north and south throughout New South Wales the opportunity will become a reality whereby we can tap into more freight opportunities in the regions. Connections from the inland rail through the Riverina to the south-east line, which would be the Port of Eden to Canberra Airport, would bring many benefits for local producers to get their produce onto the export market.

This is a tip of the hat to the forefathers in the Monaro who hand built the line between the 1880s and 1920s based on a vision of future development for the Monaro and southern New South Wales. The Snowy Hydro is a piece of engineering infrastructure that is as important today to the energy market as it was when first envisaged 60-plus years ago. We now have the chance to relive that period through Snowy 2.0. But to do so we have to look at the broader picture and what it will bring to the region. The south-east, southern New South Wales and the Monaro must be looked at from a perspective that is transformational and generational—that is, by investing in the type of infrastructure that we have dreamt of and spoken about.

We joke about the red tape and green tape that we have today. Rarely do projects such as these come out of the ground, but this is a reality. Reopening that line will change the region forever. It will be investing in the Monaro, Cooma, Bombala, Eden and Queanbeyan and in a connection to Canberra. The face of the community in that whole corridor, the whole Monaro electorate and parts of the Bega electorate, will be changed forever with respect to freight and tourism and people who wish to commute from the Australian Capital Territory into the Monaro. This is a welcome announcement. I congratulate the Minister for Transport and thank him for his support. This project realises what has been an aspiration of my community for many decades.

### WE LIVE HERE CAMPAIGN

**Ms JENNY LEONG (Newtown) (12:41):** Today I bring a message to the Liberal Premier and her Liberal and National Ministers on behalf of the people who live in Redfern, Waterloo, Darlington and Eveleigh—a message that starts with three simple words taken from a social action project started in Waterloo: We Live Here. Yes, that is right: We live here. This is our home, our neighbourhood and our community, and we deserve respect. Our heritage buildings and our narrow tree-lined streets are not empty spaces for your back delivery entrances or garbage pick-up zones, our parks and open spaces are too precious to be used for your infrastructure construction sheds, and our homes that sit on public land are simply not for sale.

The value of our community centres and community services, or the people who work there, cannot be measured or ranked by your competitive tendering processes or your performance indicators. We are the people of this city. We are the caring neighbours who pick up the pieces that break as a result of your cuts to mental health, and drug and alcohol support. We are the community activists who campaign for better public transport, more cycleways, sustainable and accessible active transport solutions, and more investment in community, health and education services.

We are the people who make up the formal and informal networks of groups and organisations that advocate for safe, secure, affordable housing and renters rights. We are the volunteers that make the free lunches and staff the stalls at community open days. We are the organisers of public meetings through resident action groups and parents and citizens associations. We are the problem solvers that try through submissions, public consultations and advocacy to lessen the damage that your so-called State significant infrastructure projects are inflicting on our community.

We are the diverse communities that refuse to be whitewashed by your developers' prospectuses. We are the strong communities that refuse to be silenced by your divide-and-conquer approach. We are not a subsection in your business case that is heavily redacted and often inaccurate. We are the people who live in Redfern, Darlington, Eveleigh and Waterloo and we are facing the brunt of this Liberal-Nationals Government and its privatisation agenda. Last week at two community meetings, one hosted by local resident action groups and community members at The Settlement and another hosted by the City of Sydney at The Factory Community Centre, we came together and heard from the community. Their message was loud and clear: "We have had enough."

This is just a taste of what is going on as a result of the Liberal-Nationals' activities in these neighbourhoods. They sold off Australian Technology Park. At the time they said the profits from the sale would be used to upgrade Redfern station. The station is in the middle of an upgraded, but the project is not delivering on the decades-long need for lifts to make it accessible. Next year the Commonwealth Bank will bring 10,000 workers to Australian Technology Park, but the station will still have no lifts. The University of Sydney is slowly taking over the Darlington neighbourhood. It has turned some of the streets into back entrances to the campus and others are being overrun by private student housing with smaller than normal floor space ratios. This has been allowed under the guise of providing student housing, but it has not delivered affordable housing.

Waterloo and Redfern are at crisis point. The so-called redevelopment of the Waterloo Metro Quarter has failed to deliver on commitments to maintain public housing. It appears to be yet another exercise in selling off public land to private developers. The facts are clear: The Waterloo redevelopment will not deliver on the much-needed affordable housing targets. It will also not meet the Government's own benchmark of 5 per cent public housing in the area. It is shameful that the two organisations that have been active in the area—Counterpoint Community Services and Inner Sydney Voice—have just failed in the competitive tender process because they have been engaging with and activating the public housing community to speak up against the disasters that are happening in Redfern and Waterloo.

The Premier may have no respect for our community and neighbourhood, but I assure her that we do because it is our home. It is where we live and we want to protect it for future generations. People from Waterloo, Redfern, Darlington and Eveleigh came together last week to say we have had enough. We are putting the Premier on notice; we are reminding her that she works for us; we are reminding her that we live here; and we are reminding her that this is our city. We are at its heart; we are its heart. We will not allow the Premier to sell what is not hers,

to profit from our pain or to ignore our priorities in silence. We live here, and whether or not she likes it, we are here to stay.

### SHOALHAVEN ANGLICAN SCHOOL

**Ms SHELLEY HANCOCK (South Coast) (12:46):** It was a wonderful day a month ago when I joined members of my local community to announce that the New South Wales Government had exchanged contracts to purchase the site of the former Shoalhaven Anglican School in Milton. Today, I confirm that we have settled the purchase, with the site now officially owned by the Government and set to be protected as a school. This is wonderful and fantastic news for the South Coast community, which will now have another educational facility located in the southern Shoalhaven. This achievement was a fight, but one which needed to be won and which the community rallied behind 100 per cent. The purchase of the school opens a world of possibilities for our region, with the site containing world-class facilities, including a commercial kitchen and learning spaces on perhaps one of the most beautiful and magnificent sites in Milton.

Already members of the community, including members of Ulladulla Public School, Milton Public School and Ulladulla High School parents and friends associations and local education professionals and school staff, have joined with the Department of Education to inspect the site. Now that we have settled on the site, I am determined the community will have a say in its future, including about what services will be provided and how they will be provided. After all, this is now a community facility, and one which the community fought hard to secure. The community's support has been key in convincing the Government that we needed this facility to continue to provide quality education for our growing region. The community's response to the purchase has been overwhelming. Local businessman and philanthropist Terry Snow, AM, said after the purchase:

Great job with the Shoalhaven Anglican School, terrific result. I'm employing younger people and they have young children and are concerned about the quality of schools in the area. I have seen some great graduates from Ulladulla. Another strong vibrant school in the area is what we need. So well done.

I was also contacted by former local student Luke Geradts, who noted:

I grew up in Ulladulla and now live in Bowral. I went to Croobyar Christian School, then Shoalhaven Anglican School many years ago and my dad did many hours of volunteer work helping build the school in the early years. I was the first school captain of the school. I was very sad when it closed. I have great memories of my time at the school and was very pleased to see the government has purchased the site and look forward to seeing what it will be used for in the future. This great result would not have been possible without the commitment of the dedicated, wonderful Minister for Education, Rob Stokes. While we may have had heated exchanges about this issue over the past 12 months, I have never doubted his commitment to quality educational outcomes. I know the Minister personally visited the site on more than one occasion and fought extremely hard to purchase this site for my community. I thank the Minister on behalf of my community. I thank staff in the Minister's office. Daniel Hill has been particularly exceptional throughout this campaign. I also thank the Department of Education and our local school communities, including our principals and the Parents and Citizens Association at Ulladulla High School, Milton Public School and Ulladulla Public School.

As a former Southern Shoalhaven schoolteacher, I am all too aware of the need for additional facilities in our region. My passion for education drove me to enter this Parliament as I joined with the community to fight for upgrades at my former school, Ulladulla High School. Under the former Government, there were 32 demountables on site. Together we achieved the upgrade, which was finally delivered by this Government. There is no doubt that we have a strong community on the South Coast. When community members want something, they make their voices loud and clear. Ten thousand community members signed my petition calling for the purchase of the Shoalhaven Anglican School by the New South Wales Government, with almost every local business placing it on their shop counters. Community members went door to door, set up tables at the front of their local supermarkets and walked the streets to collect signatures to display to the Government that the community wanted and needed this facility.

Thankfully, the Government listened to the community and listened to me. Our voices were heard. I am thankful to the Premier and to the Minister who made sure this happened. It was a fight, but it was a fight worth having. Together we achieved the result. I look forward to continuing to work with the community now and in the future as we decide what this site will contain. Will it be a Milton High School, a senior college or a middle school? Those are the questions that we will consult with community on because this community fought hard and it deserves this school. We will consult with them in the future as we do now.

### BEEKEEPING INDUSTRY

**Ms JO HAYLEN (Summer Hill) (12:50):** Today I speak about the Inner West Bee Club and the threat posed to our agricultural industries by the Government's plan to introduce a flat fee for beehive registration. This tale serves as a poignant reminder that even the smallest decision government makes can have monumental impacts on our community and, indeed, on our planet. If bees disappear, so do we. Bees pollinate the crops that feed 90 per cent of the world. Without bees, we lose melons, nuts, pumpkins, spices, berries, cucumbers, apples, avocados, broccoli, onions and oranges. We lose those crops and the animals that feed on those crops, resulting in a wave of extinction up the food chain that ends with us.

Around the world, bees are dying at an alarming rate and we should be worried. In the 2015-16 winter the United States of America lost 28.1 per cent of its bee colonies, Canada lost 16.8 per cent, Central Europe lost 11.9 per cent and New Zealand lost 10.7 per cent. While Australia does not have an accurate measure of bee populations, according to the CSIRO we are particularly vulnerable to bee decline because our agriculture industry relies on feral honey bees to do much of our crop pollination. Bees directly contribute \$36 million to the economy of New South Wales and indirectly contribute \$4.6 billion to the economy through pollination. Local bees are at risk from pesticides, climate change, invasive species and a range of natural threats, including the Varroa destructor mite.

The greatest protection Australia has against many of those threats is its excellent biosecurity, including an extensive network of sentinel hives nested in backyards throughout the inner west of Sydney. Those bees and their doting beekeepers are New South Wales finest line of defence against invasive species—mites and diseases. The so-called sentinel hives are located around the port and the airport where nasties such as the Varroa destructor mite first appear after jumping ship. They are detected by diligent amateur beekeepers who raise the alarm. Officers from the Department of Primary Industries then manage the hive and alert other beekeepers in the area thereby containing and eradicating the threat. However, for this system to work, it is imperative that our amateur beekeepers register their hives, which keeps the beekeeper up to date with the latest information on outbreaks, and the best way to manage and mitigate the risks.

To date, Australia remains the only inhabited continent to be free of the Varroa destructor mite. We have had near misses. The mite was picked up by amateur beekeepers in Townsville in 2016 and again a few months ago near the port of Melbourne. It is clear we must do everything we can to assist our amateur beekeepers. In so many ways, they are the only thing that is standing between us and real catastrophe when it comes to our agriculture industry. A few weeks ago the Inner West Bee Club contacted me and other inner west members of Parliament, including the member for Strathfield, concerned about some of the Government's proposed changes, which include the ways that amateur beekeepers register their hives.

At the moment the State Government has plans to introduce a flat fee for amateur beekeepers and also to eliminate discounts for seniors. For some beekeepers that will equate to an increase of over 300 per cent. This is just a thoughtless cash grab that will deter amateur beekeepers from registering their hives and therefore actually potentially ripping holes in our vitally important bee biosecurity net. I am absolutely proud to stand with the amateur beekeepers and with the Amateur Beekeeping Association NSW. I call on the Government to abandon its plans for a flat fee of \$120 for hive registration at the end of the current freeze period and to allocate more resources to assist our amateur beekeepers, and indeed our local bees because our lives really do depend on it.

#### **OXLEY ELECTORATE HOSPITAL AUXILIARIES**

**Mrs MELINDA PAVEY (Oxley—Minister for Roads, Maritime and Freight) (12:55):** In the Oxley electorate I recently had the pleasure of attending the annual general meeting [AGM] of the Kempsey United Hospital Auxiliary and Pink Ladies. But this was not just an ordinary AGM. The auxiliary, with just 20 members, has been working hard to not only volunteer time to assist the functioning of the hospital but also its members have been extremely busy and effective in fundraising, and then donating purchased equipment to the hospital. In the past financial year this has amounted to an incredible \$32,000 worth of much-needed and highly valued goods that have been bought and installed, including four new bladeless fans, two blanket warmers, mobility and body-weight support aids, a fridge for the maternity ward and a Bluetooth speaker for the theatre. On behalf of the Macleay community and all the patients, families, visitors and staff who go to and from the Kempsey District Hospital, I sincerely thank them for their work.

They say our culture has entered an "age of entitlement" and in many cases that holds true. However—and thank goodness—there are still many organisations with members who give so much to the community. The AGM was also an opportunity to present service awards to long-serving members such as Ruth Woodward for 25 years of service; Aileen Lewthwaite, 15 years; and Narelle Mangann, 10 years. How can one let an AGM pass without mentioning the elected executive for 2018-19? Those members were president, Aileen Lewthwaite; first vice-president, Pat Major; second vice president Denise Kelly; secretary Helen Counihan; and treasurer, Ruth Woodward. Mention was also made that Helen Counihan attended the United Hospital Auxiliary [UHA] State Conference with other members in the Tweed several months ago, and was awarded life membership for services to the community through the UHA spanning the past 20 years. The dedication of the hospital auxiliary has to be experienced to be fully appreciated.

Kempsey is not alone. Macksville District Hospital Auxiliary recently celebrated 70 years of hospital auxiliaries in the Nambucca Valley. I recently attended one of its meetings and presented to Dee Hunter—one of the great volunteers for the Nambucca Valley who also does an enormous amount of work for hospital auxiliaries across the district—with an Oxley Woman of the Year Award. Dee is an incredible lady. She had a professional life in the public service in Sydney and is giving back in a very genuine way to the people of the Nambucca

Valley. The Nambucca UHA has been running a cafe in the Macksville District Hospital car park area since 2008, which is wonderful for patients, visitors, families and friends. The auxiliary has a goal in mind—it wants to raise \$32,000 by June 2019. Once that is in the bank it wants to provide a brand new defibrillator for the brand new Macksville District Hospital and also help to install two birthing baths at the new facility. They are great people with great spirit contributing to the community.

It does not end there. The other valley, the Bellingen Valley, had a major benefactor leave money to enable the establishment of a cafe at the Bellingen River District Hospital site. It is called Mary's Cafe. I recently visited the newly opened cafe and it is simply magnificent—a beautiful space and location for patients, visitors, families and friends. It is run on a full-time roster of volunteers to ensure that it stays open, that it contributes and that it raises money. Bellingen River District Hospital Auxiliary President Deb Anderson should be very proud of her work and her effort, along with her team and her volunteers. They are always looking for volunteers and I encourage everyone to be involved. That is what a community is about.

To the other valley in my electorate, the Hastings Valley, I would just like to give a big shout out to Wauchope Hospital Auxiliary President Win Secombe, who recently held a magnificent morning tea, involving approximately 100 people from the district, to raise money for the hospital. The auxiliary does great work. Dee Hunter attended from Macksville to support the other hospital auxiliaries. It is important to acknowledge their work in giving care and comfort. It is also important to understand how the health space is changing at a very fast rate. Auxiliaries understand that care is delivered differently in different settings.

For example, patients quite often have to go to Port Macquarie or Coffs Harbour for specialist treatment, but they come back to after-care or receive care prior to treatment or major surgery at our series of district hospitals at Bellingen, Kempsey and Wauchope. They are a part of the jigsaw of providing good health care to the people on the mid North Coast. Hospital auxiliaries are that human face and that community touch. They raise the money, they stay involved and they communicate the good work that the hospitals are doing through the wider community. I particularly acknowledge the work Nambucca hospital auxiliary is doing in respect of its input into the development of the new Macksville Hospital.

#### **NEW SOUTH WALES JEWISH BOARD OF DEPUTIES ANNUAL GENERAL MEETING**

**Ms GABRIELLE UPTON (Vaucluse—Minister for the Environment, Minister for Local Government, and Minister for Heritage) (13:00):** On 21 August the New South Wales Jewish Board of Deputies held its seventy-third annual general meeting at the Sydney Jewish Museum Education Centre in Darlinghurst. The board is a strong and well respected organisation representing the Jewish community in our great State and is a truly exemplar communal organisation. The board was formed in 1945 in response to the growing Jewish community that arrived in Australia as refugees and as holocaust survivors seeking a better life.

As the member for Vaucluse, the electorate with the largest Jewish community in New South Wales, I am grateful for the support the board provides my constituents. It is also to be commended for the extraordinary way in which it provides leadership to other communal leadership organisations in our State. Yes, there are almost 60 organisations that formally align with the board. Some of those organisations are from my electorate, such as local synagogues and schools, including The Central Synagogue, Bondi Mizrahi Synagogue, Emanuel School, Emanuel Synagogue, JewishCare, Jewish House, Kesser Torah College and Maccabi, just to name a few.

The board also hosts and participates in a wide range of diverse projects, some in collaboration with other multicultural and multi-faith organisations. To name a few, it has the Shared Table Project, the Jewish Educators Program and many collaborations with the We Are All Sydney organisation. The New South Wales Premier, Gladys Berejiklian, was the guest speaker at the annual general meeting. She was very warmly welcomed, of course, having had a longstanding relationship with the board and its dedicated and energetic chief executive officer and backbone, Vic Alhadeff.

On the night we welcomed the new President, Lesli Berger, and Vice Presidents Yaron Finkelstein and Isabelle Shapiro, OAM, who is also a local councillor and past mayor of Woollahra Council. I extend my congratulations also to the Honorary Secretary, Melissa McCurdie; the Honorary Treasurer, Sam Zweig; executive members, Dane Stern, Michelle Filler, Natalie Rubinstein, Glen Falkenstein and Yosi Tal; and War Memorial representative, Dr George Foster. The committee chairs of the board are vital to the diverse operations of the board. I commend Daniel Hochberg, Chair of the Shoah Remembrance Committee; Sandy Hollis, Chair of the Education Committee; David Ossip, Chair of the Public Affairs Committee; Gael Kennedy, Chair of the Community Relations Committee; and Liam O'Callaghan, Chair of the Social Justice Committee. The board is also a strong supporter of youth leadership in the community. Many young Jewish people are part of its leadership group as well.

This annual general meeting was significant. The wonderful Jeremy Spinak ended his four-year term as President. I have worked closely with Jeremy over that time. I have to say he has brought dignity, professionalism and insights beyond his years to his role. He was always level headed, irrepressible and generous when challenges arose during his presidency. At the annual general meeting Jeremy spoke in his usual self-deprecating way. Jeremy now suffers from a rare form of cancer, which he is determined to fight. His sharings at the annual general meeting of this journey—over a relatively short time since his diagnosis—were absolutely gut-wrenching for all of us who were there.

In late June when I spoke about Jeremy in this Chamber he texted me with the news of his rare illness. In his usually straightforward way he said in the text, "Unfortunately, I have been diagnosed with ... a phenomenally rare cancer. There is only one to two other cases known in Australia. If you read about it, it will tell you terrible things that may or may not happen given that no-one knows how it will act given that it is so rare. I'm going home on Friday and will start treatment next week." My heart goes out to Jeremy and his wife. It is clear how much love the community, this Chamber and this Parliament has for Jeremy in his leadership role—particularly over the last four years during his role as president. I note the words of the Premier who, on the night, commended him very warmly. She said:

On behalf of the people of NSW I want to present you with a special commendation for outstanding contribution to building a safer and socially harmonious community in NSW.

She went on:

Very few human beings or community leaders make a difference to NSW, and Jeremy is one of those.

It is a well-deserved award. I sincerely thank Jeremy for the immensely important work he has done in New South Wales. He is, and will remain, a remarkable advocate for the Jewish community in New South Wales—a remarkable Australian. I also want to thank his lovely wife, Rhiannon, and his two beautiful babies, Michael and Grace, for their roles in supporting Jeremy in his leadership of the Jewish community. We know that public service is only possible for people who have loved ones around them who support them fully in their work. I look forward to working with the new executive. I have known Lesli Berger for some time. I know he will do a superb job with the support of his family. I wish Jeremy God's good grace in the fight ahead. I commend my private member's statement to the House.

**Ms TANYA DAVIES (Mulgoa—Minister for Mental Health, Minister for Women, and Minister for Ageing) (13:05):** I endorse the words of the member for Vacluse in relation to Jeremy Spinak. I have known Jeremy for a couple of years, more in his work with Celestino, the company that is developing the Sydney Science Park in my electorate at Luddenham. I have come to know Jeremy as an incredibly well polished, communicative young man who is extremely professional and has an incredible sense of purpose in his life. I just want to add my words to the wishes of this House that have been extended to him as he battles for his health. We extend our love, prayers and thoughts to his wife, Rhiannon, and their two young children. Members of this House are unified as they wish him well in beating this cancer so that he can return to his formidable track record and continue to service his community and my community.

#### **PORT STEPHENS ELECTORATE BUSHFIRE**

**Ms KATE WASHINGTON (Port Stephens) (13:06):** Trapped, anxious, isolated and really, really frightened—that is how the residents of Oyster Cove, Salt Ash, Tanilba Bay and Lemon Tree Passage on the Tilligerry Peninsula felt recently when a large bushfire burned through 2,000 hectares and cut off road access to the area. The residents of Lemon Tree Passage, Mallabula, Tanilba Bay, Oyster Cove and Salt Ash live in a beautiful part of the world. They enjoy the shores of the wonderful Port Stephens and Tilligerry Creek as well as the rich natural environment and the state conservation areas. As with many areas in my electorate, whenever I am on the Tilligerry Peninsular I feel the deep sense of community. It is an area where neighbours know each other and active community clubs and local festivals ensure that there is a regular vibrancy. It is a community with one road in and one road out. Those community resources had to be drawn on suddenly when on Friday 17 August a bushfire broke containment lines and spread rapidly. It was the most dramatic example we have seen locally of a winter bushfire coming amid an already dry and really hot winter.

Today I acknowledge the brave rural fire service volunteers, Fire and Rescue NSW workers, National Parks and Wildlife workers, our police and other emergency services workers, whose courage and skill meant that no lives or properties were lost. For that we are ever so grateful. The fire was so ferocious that crews came from across New South Wales—they were activated to support and save our community. The local NSW Rural Fire Service [RFS] crews of Tilligerry and Salt Ash were supported by other brigades from Port Stephens: Medowie, Raymond Terrace, Soldiers Point, Fingal Bay, Karuah, Anna Bay, Duns Creek and Bowthorne (Wallalong). Some of those crews spent the weekend attending this fire and another one that broke out at Box Beach on the Tomaree Peninsula. Our local RFS was also supported by crews who travelled from further afield, including Sydney, as

well as Fire and Rescue NSW crews—particularly Raymond Terrace Fire and Rescue crew, which attended both the Salt Ash and Box Beach fires.

On that Saturday, when the raging fire jumped the only road in and out of Tilligerry, residents who were away from their homes could not return and people visiting the peninsular could not escape. So our passionate community kicked into gear and doors opened. Late on that Saturday night I took some soup—cooked by my husband, not me—and supplies to Salt Ash Church of Christ, which had opened its doors to stranded residents. When I entered the church there was an immediate sense of calm and care, despite some people not knowing whether their houses would still be standing when they returned home. Members of the church had been knocking on the windows of the cars that lined Nelson Bay Road offering a cuppa and some shelter. They wanted people to know that there were comforts available to them. On my arrival, an elderly woman had just been coaxed from her car, which she had been sitting in for nine hours. The generosity on display from the volunteers at the church and others was testimony to the community spirit in our area.

On the peninsula Club Lemon Tree and Tilligerry RSL Sports Club looked after those whose houses were under threat, as well as people from out of town who were unable to return home. The Worimi Local Aboriginal Land Council's Murrook Cultural Centre opened its doors, and the Salt Ash BP petrol station and others kicked in to support those who were stranded. A number of businesses, including pizza shops, supermarkets and coffee vans, were also very generous; they continued to show their support for firefighters and stranded residents as the bushfire raged on. I am often privileged to witness such community spirit, and I am very honoured to represent such an amazing community.

In the days after the fire the community was keen to show its gratitude to the firefighters. For example, students from Tanilba Bay Public School hosted a special assembly for them. They drew pictures and wrote on cards that were presented to the firefighters about how thankful they were to them for keeping everyone safe. I was also pleased to jointly host a community thankyou event for the firefighters at Club Lemon Tree, where members of the community again showed their gratitude. This bushfire occurred at the beginning of the fire season and we still have a long way to go. I thank the firefighters and emergency service personnel for all they have done to keep our community safe.

#### **CIVIC DISABILITY SERVICES SIXTIETH ANNIVERSARY**

**Mr MARK SPEAKMAN (Cronulla—Attorney General) (13:11):** Last weekend I joined the member for Heathcote and the Mayor of Sutherland to celebrate the sixtieth anniversary of Civic Disability Services at a special function held at the Audley Dance Hall in the Royal National Park. Civic has been at the forefront of support services for adults with disability and mental illness for 60 years. It has played a fundamental role in strengthening participation in the community and empowering people to realise their aspirations. Civic had humble beginnings in 1958, when a group of parents in the Sutherland shire opened a factory to provide meaningful employment for their adult children with a disability. It now provides whole-of-life services across New South Wales, including shared independent living, short-term accommodation, drop-in support, supported employment, leisure activities, community hubs and clinical services.

Hundreds of people in Sydney and regional areas provide vital services and support from Civic. Staff provide person-centred, active support, which focuses on contribution, engagement, communication and person-centred thinking. Civic seeks to ensure that individuals can achieve their goals and participate in the broader community by reaching their full potential. Civic's supported employment program, through its industries division, involves manufacturing, packaging and assembly work for small and large businesses nation wide. Each employee is helped to shape a personal career plan based on realistic and achievable goals, as well as their level of confidence and ability. Tasks are then delegated based on the complexity of work the employee is willing and able to undertake. Each individual is encouraged to work productively in a team environment and to build their skills, and some have successfully transitioned to work in the mainstream labour market.

The enthusiasm of Civic industries staff is infectious. There is a friendly and lively atmosphere on the factory floor and the workers clearly enjoy the interaction with their colleagues and supervisory staff. Civic also employs a range of supported accommodation service models to help clients with their day-to-day activities. This includes drop-in support to provide assistance with tasks such as shopping, banking, food preparation and developing general living skills. This is targeted towards clients living in their own rented or family home, promoting independence.

The Chief Executive Officer of Civic, Annie Doyle, stated, "We are optimising social and economic independence and full participation for people with a disability." In addition to these clients, Civic supports people living in group home accommodation. Residents are encouraged to maintain family links, access leisure and lifestyle activities, and to build self-esteem and personal skills. Short-stay and transitional accommodation

services provide more options for those looking to increase independence and make new social connections. Civic also offers short-stay aged-care facilities that are suitable for those who are frail or who have dementia.

At the other end of the spectrum are innovative, person-centred strategies to assist young people aged 18 to 24 to transition from school to adult life. The School Leaver Employment Supports program provides school leavers with the skills to prepare for the working world. Civic strives to find work experience opportunities to ensure that school leavers can achieve their career goals. Recent trainees have found opportunities in administration, technology, retail, the automotive industry, hospitality and horticulture. This can be a particularly difficult adjustment in the life of a young person with a disability, as well as for their family, and it is great to see service providers offering important guidance that will help set them on a positive path for the future.

Civic has community hubs that offer engaging and enriching activities in various locations across Sydney. The extensive list of skill-building and recreational activities on offer includes gardening, art, music, computer skills, shopping, travel training, cooking and dancing. I congratulate Chair Luke Streater and his active board on all they have done at Civic Disability Services. I congratulate also the management team at Civic Disability Services: Chief Executive Officer Annie Doyle, Chief Financial Officer Mike Churchman and the various general managers, including Nicole Fitze, Peter Moore, Demelza O'Keefe, Kate Smith, Carrie Voysey and Peter McKendry.

When I visited Civic Disability Services I could not help but notice how happy its clients were and how enthusiastic and passionate the staff were. I congratulate Civic Disability Services on all its remarkable achievements over the past 60 years and on continuing to support people with disability to realise their potential. Civic is a terrific asset to the community, and I commend all its staff members for their vision, passion and professionalism in supporting people with disability, their families and carers.

#### *Community Recognition Statements*

#### **TRIBUTE TO DR HENRY NGAI, OAM**

**Ms JODI McKAY (Strathfield) (13:16):** I rise to speak on the passing of Dr Henry Ngai, OAM, the founder and managing director of ABC Tissue. Born in Southern China, Henry moved to Hong Kong at a young age and migrated to Australia in 1985. Henry spent much of his later years focused on philanthropic work. Under Henry, ABC Tissue donated \$2 million towards purchasing a magnetic resonance imaging guided ultrasound machine for St Vincent's Hospital. Generous donations have also benefited the Children's Hospital at Westmead, the Salvation Army, World Vision, the Australian Red Cross, the Cancer Council, Liverpool Hospital and Fairfield Hospital.

Abroad, Henry donated \$2.4 million in winter jackets to 100,000 Syrian refugees in Germany and 100,000 people in China. Through ABC Tissue Vision Express and ABC Tissue Hearing Express, 90,000 cataract surgeries and 712,000 hearing aids have been provided to those in need in China, Vietnam, Cambodia, Fiji and Samoa. Henry was awarded the Medal of the Order of Australia in 2018 for his service to business and to the community. I pay my most humble respects.

#### *Visitors*

#### **VISITORS**

**TEMPORARY SPEAKER (Ms Sonia Horner):** I welcome Audrey and Elizabeth to the Chamber.

#### *Community Recognition Statements*

#### **SPORTSWOMAN HANNAH CHICKEN**

**Mr STEPHEN BROMHEAD (Myall Lakes) (13:17):** As I travel around my electorate, I have the privilege of meeting some talented young Australians, and today I mention Hannah Chicken, who is an amazing sportswoman from Taree. At only 12 years old, she has gained selection in three State sides, as well as being the Captain of St Joseph's Primary School. Hannah was selected to play for the NSW Primary School Sports Association in basketball, netball and touch football. Already these sides have achieved great success at competitions in Darwin and Broken Hill, and soon Hannah will hit the road representing our great state in Hobart and Shepparton. I wish Hannah and her teammates great success.

#### **MERRYLANDS EAST PUBLIC SCHOOL NINETIETH ANNIVERSARY**

**Ms JULIA FINN (Granville) (13:18):** I congratulate the community of Merrylands East Public School, who are celebrating their ninetieth year of public education. I was delighted to attend the school assembly on 6 September. It was a fantastic occasion to celebrate the ninetieth anniversary and my congratulations go to Principal John Goh on his exceptional leadership and to the teachers who work so hard to ensure that students are

equipped with the skills they will need later in life. The school opened with classes from kindergarten to year 2 in 1928 and the community fought for years to expand up to year 6 and to be connected to electricity and to the sewerage system. Today more than 90 per cent of students come from a non-English speaking background and the school is effectively expanding the students' educational experiences through innovative and creative teaching that makes learning relevant and authentic. The school is a leader in environmental education and is renowned for its innovative partnerships, including with Social Ventures Australia, Atlassian, Macquarie University and the Museum of Contemporary Art. "Create the Future" describes the school very well. Congratulations, Merrylands East.

### **SHOALHAVEN BUSINESS AWARDS**

**Ms SHELLEY HANCOCK (South Coast) (13:19):** On 31 August Shoalhaven businesses, community groups and entrepreneurs came together for a wonderful evening at the 2018 Shoalhaven Business Awards, hosted by the Shoalhaven Business Chamber. I had the immense pleasure of presenting the award for Excellence in Workplace Safety and \$10,000 in New South Wales Government funding to the business chamber to help support the great work it does. I congratulate all finalists in this category and to the deserving winner, The Flagstaff Group. I congratulate the night's winners. Business of the Year winner was Cupitt's Winery—of course, well deserved.

Other winners in other categories were My Travel Expert, Nowra Farmers Market, Sonder Youth, Natalie Allan Consulting, Hotondo Southcoast, Cullunghutti Aboriginal Child and Family Centre, Pepperell & Associates, Think Tank Business Services, Kimberlie & Co Cleaning, and Nowchem. I congratulate individual winners Terry Rayner of ANZ Mobile Lending, Elise Gooda of Think Tank Business Services, Dale Berry of Peak Fitness Huskisson, and Sarah Tebbutt of Eliza's Lighting. I congratulate the High Commended awardees and make a special mention of Mt Hay Retreat, The Meadows Swim School and The Artisan Collective.

### **KAHIBAH FOOTBALL CLUB**

**Ms JODIE HARRISON (Charlestown) (13:20):** Today I congratulate the 2018 Interdistrict All Age L Grade grand final winners Kahibah Football Club. It was a fairytale win for the Kahibah underdogs, who went from fifth place to taking out the grand final against all odds. Kahibah secured a place in the finals due to minor premiership winners Tenambit forfeiting, pushing Kahibah up into fourth position. Kahibah brought the heat into the semifinals and put on its biggest win yet of 5-0 against Shortland. Against all odds, Kahibah went on to sneak a win of 1-0 against second ranking team, Cardiff, which brought the Kahibah underdogs to the big dance. In a story for the ages, the Kahibah L Grade team went on to win the grand final against season favourites Hamilton in a penalty shootout with record spectator attendance. Team captain Myles Young was quoted as saying, "This is going to go down as one of the greatest wins in Newcastle sporting history." I agree, Myles, and congratulate Kahibah Football Club All Age L Grade.

### **TRIBUTE TO ELIZABETH TORRANCE**

**Ms TANYA DAVIES (Mulgoa—Minister for Mental Health, Minister for Women, and Minister for Ageing) (13:21):** Dr Elizabeth Torrance of St Clair was a beloved, compassionate and caring doctor who faithfully served the people of St Clair as a local general practitioner for more than 32 years. Dr Torrance died on 24 August 2016, one day before her sixty-second birthday. She was diagnosed with an aggressive brain cancer and had only a few months to live. Fondly known by the St Clair and Erskine Park community as Dr T or Liz, she served generations of families in the region. Long-term patient Melanie Taylor began lobbying for a community memorial to remember Dr Torrance's selfless service to the community shortly after her passing. On 6 September this year the Elizabeth Torrance Park in St Clair was officially opened and dedicated to her memory. Thank you, Dr Liz.

### **NEWCASTLE ARTSPACE**

**Mr TIM CRAKANTHROP (Newcastle) (13:22):** I recognise the work of Newcastle ArtSpace, which had its thirty-fifth birthday on 22 August 2018. It is a testament to its flexibility, integrity and entrepreneurial flair that it continues to remain relevant and responsive to the needs of the community and professional artists. Its longevity allows it to influence citywide policy and support and advocate for the local creative industry. Newcastle ArtSpace started off as a community arts group providing workshops and classes. It has grown into a premier arts organisation in Newcastle. This year alone it has had 94 creatives working with 1,900 community participants engaging in 227 classes, workshops and exhibitions. Over the years Newcastle ArtSpace has been an incubator for the emerging artist prize, Newcastle history society and 2 TIL 5 Youth Theatre, had numerous artists recognised at a national level and has supported festivals such as This is Not Art, Shoot Out and National Young Writers' Festival.

**BURRANEER BAY PUBLIC SCHOOL 125TH ANNIVERSARY**

**Mr MARK SPEAKMAN (Cronulla—Attorney General) (13:23):** I congratulate Burraneer Bay Public School on its 125th anniversary. Last weekend it celebrated that anniversary with a special assembly at the school, which included dance, speech, singing and other performances by students, an evening gala event at Cronulla Sutherland Leagues Club and an open day on Saturday. The performances that I saw at the Friday special assembly were outstanding. I congratulate school Principal Vicki Pantelis, Parents and Citizens Association President Craig Bulmer and all their team for the wonderful school that Burraneer Bay is. I acknowledge past students, past staff, past P&C, past family and other past supporters who have made Burraneer Bay an outstanding example of public education in the shire.

**COOKS RIVER MANAGEMENT PLAN**

**Ms JO HAYLEN (Summer Hill) (13:24):** Today I acknowledge the Cooks River Alliance and its successful Cooks River Catchment Congress. The congress brought together local councils, representatives of community groups and environmental experts to chart the future of the Cooks River. The congress began with a welcome to country by Nathan Moran from the Metropolitan Local Aboriginal Land Council and featured keynote speeches from Professor Tony Wong, who is the Chief Executive Officer of the Cooperative Research Centre for Water Sensitive Cities, Rod Simpson from the Greater Sydney Commission, and Professor Bruce Thom from the NSW Coastal Council.

The congress builds on the work of the Cooks River Alliance in developing a people's plan for the river and advocating for a dedicated Coastal Zone and Estuary Management Plan. I congratulate the Alliance as well as the constituent councils for their visionary work for our river. I especially acknowledge all the local community groups in my electorate, such as the Mudcrabs, who volunteer countless hours to restoring the river's health. I support you in your ongoing work.

**CIVIC DISABILITY SERVICES SIXTIETH ANNIVERSARY**

**Ms ELENI PETINOS (Miranda) (13:25):** Today I congratulate Civic Disability Services on celebrating 60 years of supporting and caring for people with disability. Civic was founded in 1958 and has been an integral part of our community, helping to support people with disability in developing life skills and teaching them to exercise greater choice in their lives. Civic provides a wide range of tailored and responsive services across New South Wales, including shared independent living, short-term accommodation, drop-in support, supported employment, community hubs, and clinical services.

Its sixtieth anniversary dinner was held on 15 September at the Audley Dance Hall. It was a wonderful opportunity to celebrate its achievement of serving our community for six decades and to highlight its ongoing commitment to realise participants' social and economic independence. I congratulate Chief Executive Officer Annie Doyle and Chairman Luke Streater on leading a fantastic team of staff, including Carrie Voysey, Mike Churchman, Peter Moore, Demelza O'Keefe, Kate Smith, Kylie Crofts, Nicole Fitze and Belinda Franklin. I also acknowledge board members Michael Coughtrey, Les Roelandts, Peter Lewis, Dunstan De Souza, Liz Clowes, Glenn Coleman and Kelly Wood. Congratulations to Civic on achieving this fantastic milestone.

**R U OK? DAY**

**Ms KATE WASHINGTON (Port Stephens) (13:26):** Every second Thursday in September is R U OK? Day. This year I was honoured to be part of an R U OK? Day event organised by the Australian Workers Union [AWU] at Weathertex. Since its establishment in 2009 R U OK? Day has encouraged people to speak openly and honestly about mental health. AWU organiser Paul O'Brien and Weathertex Executive Chairman Paul Michael used the day as an opportunity to support their workers as well as reinforce the key message of being open and honest about mental health issues. The barbecue, which was held at the Heatherbrae factory, was a great example of unions and management working together to support their workers.

I commend Weathertex, which is a large local employer in Port Stephens, its management and staff for their commitment to raising awareness and for openly discussing mental health issues with their employees. I also acknowledge and congratulate the AWU for supporting their members and recognising that mental health is a workplace issue too. On R U OK? Day, and every day, we should always remember: One conversation could change a life.

**TERRIGAL ELECTORATE FREE TRADE DAY**

**Mr ADAM CROUCH (Terrigal) (13:27):** Free Trade Day is a not-for-profit group that was first established in Terrigal. It helps match tradespeople and suppliers to local home owners who are doing it tough and need home repairs and maintenance. A few weeks ago on 29 August, the 2018 annual Free Trade Day was held. There were more than 45 local trade and small businesses that supported 60 local projects. Repairs ranged

from replacing taps, unblocking drains, replacing ovens, installing appliances and providing disabled access to a number of homes.

I take this opportunity to pay tribute to Ryan and Yvette Wilson, constituents of mine in Terrigal, and the founders of Free Trade Day Incorporated. Free Trade Day has had such an impact on our local community that it is now running in other locations across the nation. At last weekend's Inaugural Tradies Ball, which was hosted by the Terrigal-Wamberal Lions Club, I was delighted to publicly acknowledge Ryan and Yvette's work by presenting them, on behalf of the New South Wales Liberals-Nationals Government, with a Community Service Award and in addition to that presenting them with a \$5,000 grant on behalf of the State Liberals-Nationals Government and the Deputy Premier. Thank you, Ryan, Yvette and all local tradies and businesses involved.

#### **TRIBUTE TO EARL MORRIS**

**Ms JENNY AITCHISON (Maitland) (13:28):** Today I recognise the sad passing of an important thread in Maitland's social fabric, Earl Morris—a true gentleman whom I have known for many years. Earl passed away in June surrounded by those who loved him. He was well respected and appreciated in our community. Earl worked as a primary school teacher and later became a principal. He served a great deal of his time in rural schools helping to shape the future for so many children and saw so many of those schools achieve great results.

He was recognised with an Order of Australia in 2001. He also was awarded the Paul Harris Fellow three times and East Maitland Rotary's most prestigious Neville Arthur Award for his work with the Rotary Youth Exchange Program and for helping to organise life-changing surgery for a child from Vanuatu. Earl was a relentless advocate for the East Maitland Rotary Club and a positive advocate who tried to encourage more women into the club. Earl's passing is a great loss to the Maitland community and to the East Maitland Rotary Club in particular. Thank you for your work, Earl.

#### **FARMHOUSE MONTESSORI SCHOOL**

**Mr JAMES GRIFFIN (Manly) (13:29):** Recently I had the opportunity to visit the wonderful Farmhouse Montessori School at its campus on North Head in my electorate of Manly. Farmhouse Montessori teaches more than 150 students at its two campuses at North Head and at North Balgowlah. Earlier this year I was grateful to receive a number of letters from the students inviting me to visit their school and to meet them. I was given a warm welcome by the students and Principal Gavin McCormack. The students and I spoke about the importance of persuasive writing. I learned that the students had been tasked with writing to me and that they would know if they had been successful in persuasive writing if I did indeed turn up. I am happy to confirm that the students passed with flying colours.

I was impressed by the intelligent, independent and articulate nature of the students at Farmhouse Montessori, which is a great reflection on their teachers and parents. The school takes a hands-on, self-paced and collaborative approach to learning and there is a great atmosphere at Farmhouse Montessori at North Head. The students who wrote to me know I am listening to them and their families. I thank them for sharing their morning with me. I will continue to speak up for them every day in this place.

#### **GLENWOOD PUBLIC SCHOOL FILM PRODUCTION CHOCOLYPSE!**

**Mr ANOULACK CHANTHIVONG (Macquarie Fields) (13:30):** It is with great pleasure that I congratulate Glenwood Public School on its successful production of the short horror film *Chocolypse!*, which recently screened at the Cannes Short Film Festival in France. It was one of only 56 films from around the world to be accepted in the festival and the only entry from a school. The film was named a winner at the International School Film Festival in Italy and has screened at the Imagination Lunchbox Festival in America. From October, the film will tour Australia as part of the Little Big Shots program, including a screening at the Casula Powerhouse Arts Centre. Exceptionally crafted, *Chocolypse!* pays homage to the film industry's early pioneers and was inspired by classic silent movies. Not only did Glenwood students act in the movie but they operated the cameras, wrote and performed the music and cut the movie together on iPad programs. I commend the students, teachers and everyone involved in the project. I congratulate Glenwood Public School on the film's worldwide critical success.

#### **REGIONAL BUSINESS AWARDS**

**Mrs LESLIE WILLIAMS (Port Macquarie) (13:31):** On Friday night at the iconic Sails Resort in Port Macquarie the 2018 Regional Business Awards recipients were announced to celebrate and recognise those mid North Coast businesses that have achieved industry excellence. The recipients for this year's Regional Business Awards included Stacey Morgan, who received the Outstanding Business Leader Award for launching Port Macquarie Performing Arts in 2011 and teaching young people the incredible power of dance. Managing

Director Tadhg Kelliher and his team from Eire Constructions won the Excellence in Business Award for their speciality in road and utility construction, subdivisions and land development.

Whalebone Wharf Seafood Restaurant took out the Excellence in Sustainability Award, with Nathan Tomkins accepting the honour recognising the team's efforts in sourcing 85 per cent of produce from local providers and self-supplying 40 per cent of all vegetables. Owner Latif Ucdere from Sandbox Café at Flynn's Beach accepted the Start-Up Superstar Award for delivering high-quality, fresh and consistent product all year round. The Excellence in Export Award was presented to Cassegrain Wines. Director John Cassegrain was accredited for his traditional French winemaking methods as well as the company's export growth. On the night the award was accepted by his son and winemaker Alex Cassegrain. I congratulate all award recipients on their many hours of dedication and sacrifice that contribute significantly to our local regional economy.

### **DO SOMETHING! DAY**

**Mr GREG WARREN (Campbelltown) (13:32):** In late July I made the short journey up the road to Wests League Club, Leumeah, with four toasters and four kettles tucked under my arm. Usually all I have is a phone in one pocket and a wallet with enough money for a night out in the other, but on this occasion it was all about supporting the club as part of a fantastic initiative called Do Something! Day. In June those at the club set a goal to collect enough items to support 100 homeless people who were moving into short-term accommodation. The items were then donated to the Macarthur Homeless Steering Committee, which dispersed the goods to those in need. I congratulate everyone involved in the fantastic initiative. Their generosity will significantly help the most disadvantaged and vulnerable people in our community, some of whom I met the other night as I toured around Campbelltown. Sadly, many people continue to live on our streets. That is a standard we cannot walk past. I look forward to continuing to make appropriate representations for them.

### **FREE COFFEE TO FREE SLAVES DAY**

**Mr JONATHAN O'DEA (Davidson) (13:33):** Last month I attended a Free Coffee to Free Slaves day at Café Nate in Roseville, not long after this Parliament passed the Modern Slavery Act 2018. The café owners, my constituents Christopher and Rachel Lafazanis, and their staff made free coffees for the community all day, facilitating donations to support the work of International Justice Mission Australia. International Justice Mission Australia aims to stop modern slavery and partners with police, prosecutors, judges and social workers to restore justice to the poor. I enjoyed hearing the insights of Director of Strategic Partnerships Jacob Sarkodee, Staff Chaplain Jenny Ross, and Mobilisation Coordinator Hsu-Ann Lee. I commend the work of Café Nate and the International Justice Mission in reducing modern slavery practices and promoting justice for poor and vulnerable people.

### **ST BRIGID'S CATHOLIC COLLEGE SMASHED PROJECT**

**Ms YASMIN CATLEY (Swansea) (13:34):** I was thrilled to be able to attend St Brigid's Catholic College recently to watch a performance as part of the Smashed Project. The Smashed Project is a global educational theatre program dedicated to breaking the culture of underage drinking and reducing alcohol-related harm among young people. The recently launched Australian program is sponsored by Diageo and led by Gibber Australia, a provider of theatre-based, in-school education programs. These programs, which aim to connect and engage with young people while delivering key learning objectives, have been proven to increase young people's awareness of the risks associated with underage drinking. The program also supports up-and-coming Australian actors who are involved in the performance team. Ultimately, the aim is to catalyse a cultural change in the next generation and help deliver the World Health Organization's goal of achieving a 10 per cent reduction in harmful drinking by 2025. I had a fantastic time and I could see that the kids were very engaged and got an awful lot out of the project.

### **ALBURY TRANSPORT TO TREATMENT VOLUNTEER DRIVERS**

**Mr GREG APLIN (Albury) (13:35):** Congratulations to the Albury Transport to Treatment volunteer drivers who have been selected as the NSW Volunteer Team of the Year for the Riverina region. The Transport to Treatment initiative is a free program that provides cancer patients with transport to appointments, primarily at the Albury Wodonga Regional Cancer Centre. Areas that are covered now range from Albury-Wodonga to Deniliquin, Holbrook, Kiewa, Seymour, Yarrawonga and Winton. The program was launched after the 2015 Cancer Council Relay for Life fundraising event at Alexandra Park, Albury. The program now has 34 dedicated volunteers who provide a vital service in assisting patients undergoing treatment with transport support and a friendly face. Well done and all the best at the State awards, which are to be held in November.

### INVICTUS GAMES

**Ms LIESL TESCH (Gosford) (13:36):** A massive thank you to Luke Hill and returned veterans Matthew Paige, James Edwards and James Irwin for giving up their time last week to promote the 2018 Invictus Games to primary and infants students across the Gosford electorate. The young people were enthralled to hear about their experiences serving our nation and sat in awe listening as each explained their personal commitment to put up their hand to fight for Australia's freedom and our right to democracy and the impact that has had on their lives.

For the entire Peats Ridge Public School of 25 students, the student leaders from Kariong Mountains High School and the 200 eager years 5 and 6 students at Umina Beach Public School, it was a great opportunity to promote the 2018 Invictus Games and to raise awareness about sport for all. Our returned servicemen spoke with dignity about their experiences serving Australia and informed the young people about the moral challenges of war and the impact of post-traumatic stress disorder [PTSD] on their lives upon their return. A huge thank you and mega good luck to Central Coast athlete and hero Luke Hill who is in his last month of training. Luke—who swam the English Channel some years ago to raise money for cancer research—will be representing Australia in swimming. Go Luke and the Aussie Invictus Team.

### MANNING GARDENS PUBLIC SCHOOL FUNDING

**Mr STEPHEN BROMHEAD (Myall Lakes) (13:37):** I pay tribute to Taree's National Rugby League star Latrell Mitchell, not for his success on the field for the Roosters but for his work off the field. Working with Sue Russell from Communities for Children, Latrell has ensured funding for every student at Manning Gardens Public School to attend the Circus Oz performance at the Manning Entertainment Centre. Latrell's family is very connected to the Manning Gardens Public School. His dad, Matt, was captain of the school in the 1980s, all of his uncles attended the school, and a number of family members attend today. Latrell tries to visit the school every year and is a role model for many students. His visits create a lot of excitement. I pay tribute to Latrell for his continued contribution to the Taree community and wish him all the best on Saturday against the Rabbitohs.

### MARINE PARK LOCKOUT PROPOSAL

**Mr DAVID MEHAN (The Entrance) (13:38):** Flynn Johnston is a resident of The Entrance electorate and I am proud to have this young man as my constituent. Flynn is a year 11 student at St Peter's College, Tuggerah. I met Flynn at the marine park protest meeting held at Davistown RSL on 13 September. Flynn had set up a table in the room and was collecting signatures on a petition opposing the Government's marine park and fishing lockout proposal. Flynn has so far collected more than 1,400 signatures. I commend him for the way he is engaged in this process and for his commitment to the democratic decision-making process behind this proposal. Well done, Flynn Johnston.

### WORLD'S GREATEST SHAVE FUNDRAISING EVENT

**Ms TANYA DAVIES (Mulgoa—Minister for Mental Health, Minister for Women, and Minister for Ageing) (13:39):** Today I celebrate and acknowledge the generosity of Banks Public School student Hollie Kennedy and teacher Katrina King. Last month the pair joined thousands of other Australians in raising vital funds for the Leukaemia Foundation in its World's Greatest Shave event. Hollie, who is only nine years old, decided to take part in the annual shave after seeing some of her close friends battle cancer. Once Hollie declared her involvement in the fundraising event, Katrina did not think twice before joining in. The pair have raised more than \$2,650 for the Leukaemia Foundation, which has massively exceeded their original goal of \$700. The bravery and selflessness of both Hollie and Katrina are to be commended and celebrated. On behalf of the New South Wales Parliament, I thank and congratulate Hollie and Katrina and the Banks Public School community on their remarkable fundraising achievements.

### NSW EDUCATION STANDARDS AUTHORITY WRITEON COMPETITION

**Mr TIM CRAKANTHROP (Newcastle) (13:40):** I congratulate aspiring author Georgie Van Leeuwen of Tighes Hill Public School on being recognised as one of the best young writers in New South Wales. Georgie is one of just five students from years 5 and 6 in New South Wales to receive a gold award in the NSW Education Standards Authority WriteOn competition. The competition required students to write 500 words about Ted Hood's photo "Sydney 1949" of two young boys slipping through an opening in a dilapidated fence. Georgie's short story was told from the perspective of an older man on his deathbed reflecting on his life. On receiving the award Georgie thanked her dedicated teachers Ms Jess Bowman and the school's opportunity class teacher Ms Kerrie Armstrong for their support. I hope that more students follow Georgie's example and I congratulate her on this achievement. Clearly, she has a bright future ahead and, as school captain, George is one to watch.

### **SUTHERLAND 2 SURF FUN RUN**

**Ms ELENi PETINOS (Miranda) (13:41):** Today I acknowledge Belinda Martin of Sylvania who recently secured her fourth Sutherland 2 Surf title. In some of the coldest racing conditions, Belinda was the first female to cross the line, finishing strongly at 37 minutes and one second. Belinda does not let her age, mum duties or the weather stop her from winning the race and achieving new personal bests. This 11-kilometre fun run would not be possible without the Race Director Mick Brannock and the amazing volunteers from Wanda Surf Life Saving Club, who worked tirelessly behind the scenes to ensure the day was a success.

I also congratulate Wanda Surf Life Saving Club's 2017-18 Board of Directors: President Mark Sargeant, Deputy President Nathan Spinner, Club Captain Ken Smith, Administration Director John De Cean, Education Director Ben Vincent, Lifesaving Director Michael Bonnici, Surf Sports Director Greg Pierce, Member Services Director Steve Stavrou, Facilities Director Paul Auglys and Chairperson Tracey Green. I congratulate again all involved in the Sutherland 2 Surf.

### **JUNIOR MATILDAS FOOTBALL PLAYER RUBY JONES**

**Ms YASMIN CATLEY (Swansea) (13:42):** I congratulate Ruby Jones of Swansea, who has been selected as part of a 23-player squad for the Junior Matildas Australian national team. I know you will be impressed by that, Madam Speaker. She is one of the three goalkeepers who have been selected. Ruby plays for the Newcastle Jets Academy and was the only goalkeeper in its national championship-winning side in July this year. She was identified by Football Federation Australia coaches and staff at this tournament and was invited into the second Australian selection camp at the Australian Institute of Sport in Canberra.

During this camp she impressed coaches and was named in the squad to travel to Bishkek in the Kyrgyz Republic for the 2019 AFC Under-16 Women's Championship Qualifiers from 17 to 23 September. She is there right now. The team will play Palestine, Indonesia, the Kyrgyz Republic and Chinese Taipei. I can update the House: They have won all of their games so far, but I will keep the House posted. Ruby was a junior Swansea Football Club member; she is a proud sportsperson and we love her.

### **GOSFORD CITY BASKETBALL AND SPORTS STADIUM**

**Mr ADAM CROUCH (Terrigal) (13:43):** I am delighted to inform the House that the future is secure for basketball on the Central Coast. Thanks to an investment from the State Liberal Government and the Minister for Sport, Stuart Ayres, I recently announced the Gosford City Basketball and Sports Stadium's \$451,333.00 loan has been waived. This will allow the stadium to provide opportunities for locals to continue to participate in sport and active recreation for years to come. As a very proud patron of the Crusaders, this is a great outcome for the very strong basketball community on the Central Coast. It means that future funds will be spent on improvements and development, rather than paying back debt. This year is the twenty-fifth anniversary of the stadium, and I think it is fair to say that this is the best possible birthday present. Congratulations to President Kieren Moore, Vice-President Kellie Hassab, Manager Matt Skinner, and to the Central Coast Crusaders teams on their fantastic performance again this season.

### **NSW JUNIOR DIRT TRACK CHAMPIONSHIPS**

**Ms LIESL TESCH (Gosford) (13:44):** Wowee, what a fabulous weekend of motor sport at the 2018 NSW Junior Dirt Track Championships at Allen Park on the weekend. It was a thrill to see the energy, the colour and the creativity that riders select to make their individual stamp on their racing and their style. Each bike is loaded with stickers from sponsors and heroes, each rider emblazoned with labels and colours, and every competitor on the track has their own unique style and branding as they launch off the start and race and slide around the track.

Mount Allen, home of the Central Coast Junior Motorcycle Club in Somersby, is the quiet culmination of years of hard work and commitment by numerous volunteers, with dedicated community members supported by racing families diligently ensuring all boxes are ticked, all races are safe, and everything runs smoothly across weekends of training and competition. Thanks so much to all volunteers and families, who travelled from Queensland and Victoria and from across New South Wales to stay in Gosford to compete. The future of motorcycle racing in Australia looks to be in good hands judging by the quality of the close, exciting action turned on in Gosford.

### **LIFELINE NORTHERN BEACHES HIGH SCHOOL SURF CHALLENGE**

**Mr JAMES GRIFFIN (Manly) (13:45):** I wish to update the House on the activities of Lifeline Northern Beaches. Lifeline Northern Beaches is an independent organisation with a local board and more than 600 volunteers who have for more than 50 years served those in need. Lifeline recently hosted its inaugural high schools surfing competition to raise awareness of Lifeline and the services it provides, especially those for young

people. The winners of the Lifeline High Schools Surf Challenge will proceed to the Lifeline Northern Beaches Classic, which takes place during the World Surf League event, the Vissla Sydney Surf Pro at Manly Beach in 2019. I commend the hard work of Dave Thomas, Chief Executive Officer of Lifeline Northern Beaches, and his team, as well as the Minister for Mental Health, Tanya Davies, for her contribution in support of this important event on the northern beaches.

#### **NORTHERN BEACHES POLICE AREA COMMAND AWARDS**

**Mr JONATHAN O'DEA (Davidson) (13:46):** I was pleased to see many police officers, along with a number of citizens, recognised for their outstanding service to the community at last week's Northern Beaches Police Area Command awards ceremony. I represented the Minister for Police, Troy Grant, at the awards presentation, which was also attended by the member for Manly, James Griffin, Northern Beaches Mayor, Michael Regan, Acting Assistant Commissioner, Allan Sicard, and Acting Superintendent, Jillian Waters. The presentation of medals and certificates recognised faithful service to the community over many years. We owe much to the men and women of our police force who maintain law and order, respond to emergencies and otherwise assist those in need. Congratulations again to all those who were duly recognised for their service through the Northern Beaches Police Area Command awards and to those who organised the special event.

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

#### *Members*

#### **DISORDERLY CONDUCT**

**The SPEAKER:** I ask the member for Blue Mountains to remove that object from her head. That is considered a prop. She would also be advised by the Clerks that that is a prop. Badges are one thing; hats are another.

#### *Announcements*

#### **MEMBER FOR HOLSWORTHY**

**The SPEAKER:** I wish the member for Holsworthy a very happy birthday today.

#### *Visitors*

#### **VISITORS**

**The SPEAKER:** I extend a very warm welcome to Dr Kerin Fielding, who is the wife of the new member for Wagga Wagga, their daughters, Lara, Natasha and Anna McGirr, and their friend and colleague Anne Hawkins. I also mention their son, Dylan McGirr, who unfortunately is at home sick today. They are, of course, guests of the member for Wagga Wagga. Welcome to student leaders, their parents and teachers from Truscott Street Public School and Kent Road Public School, guests of the Minister for Finance, Services and Property, and member for Ryde.

I welcome the students and their principal, Sister Margaret Ghosn, and teacher Maria Tatsis from Maronite College. I also welcome students and teachers from Arthur Phillip High School, guests of the Parliamentary Secretary to the Premier, Western Sydney and Multiculturalism, and member for Parramatta. I also welcome Mr Don Beck, former member for Byron, his wife, Lynette Beck, and friend Eric Leso. I also welcome Mr Russell Grove, former Clerk of the Legislative Assembly, and members of the Pearl Beach walking group. Be careful with too much walking—it is not good for you. I welcome to the gallery Mr Andy Higgins, and members of the NSW Nurses and Midwives' Association, guests of the member for Shellharbour. I remind people in the gallery to refrain from acclamation, noise or any other unrest, so to speak.

#### *Commemorations*

#### **CENTENARY OF FIRST WORLD WAR**

**The SPEAKER (14:19):** On 1 September 1918, on the north-western edge of Anvil Wood near the village of Péronne, the 53rd Battalion of the Australian Imperial Force encountered a 77-millimetre field gun firing at very close range. According to a later citation for "conspicuous bravery and daring", William Currey, a 23-year-old private, "rushed forward under intense machine-gun fire and succeeded in capturing the gun single-handed after killing the entire crew. Later, when the advance of the left flank was checked by an enemy strong point, [he] crept around the flank and engaged the post with a Lewis gun. Finally, he rushed the post single-handed, causing many casualties. It was entirely owing to his gallant conduct that the situation was relieved and the advance able to continue."

Currey was one of eight Australians awarded the Victoria Cross for their actions that day in the Battle of Mont Saint-Quentin. Only 67 Australians were so recognised during the entirety of the war. The son of a miner from Wallsend, Currey had twice tried to enlist in 1914 without his parents' consent, giving a false age, only to be discovered and rejected. After he was finally accepted into the Australian Imperial Force in October 1916 he fought at Polygon Wood prior to distinguishing himself at Péronne.

After the war, Currey worked as a storeman with NSW Railways and subsequently joined the Labor Party. He was elected to the Legislative Assembly in 1941 as the member for Kogarah, a seat he held until his sudden death in 1948. While more than 50 veterans of the First World War served in the Parliament of New South Wales, Currey was the only one to have been awarded the Victoria Cross. On the occasion of the centenary of the institution of the decoration of the Victoria Cross, a plaque was mounted in Speaker's Square to honour William Matthew Currey, VC, in 1956. I thank the member for Kogarah for his input into the restoration of that plaque and for bringing guests and relatives to look at that plaque. Let's not forget.

### ***Bills***

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

#### **UNEXPLAINED WEALTH (COMMONWEALTH POWERS) BILL 2018**

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

#### **PAINTBALL BILL 2018**

#### **RESIDENTIAL TENANCIES AMENDMENT (SOCIAL HOUSING) BILL 2018**

### ***Assent***

**The SPEAKER:** I report receipt of messages from the Governor notifying His Excellency's assent to the abovementioned bills.

### ***Governor***

#### **ADMINISTRATION OF THE GOVERNMENT**

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

T F BATHURST

Lieutenant-Governor

The Honourable Thomas Frederick Bathurst, AC, Lieutenant-Governor of the State of New South Wales, has the honour to inform the Legislative Assembly that, consequent on the Governor of New South Wales, His Excellency General The Honourable David Hurley, AC, DSC (Ret'd), being absent from the State, he has assumed the administration of the Government of the State.

Government House

Sydney, 29 August 2018

#### **ADMINISTRATION OF THE GOVERNMENT**

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

DAVID HURLEY

Governor

General David Hurley, AC, DSC (Ret'd), Governor of New South Wales has the honour to inform the Legislative Assembly that he has re-assumed the administration of the Government of the State.

Government House

Sydney, 30 August 2018

#### **ADMINISTRATION OF THE GOVERNMENT**

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

T F BATHURST

Lieutenant-Governor

The Honourable Thomas Frederick Bathurst, AC, Lieutenant-Governor of the State of New South Wales, has the honour to inform the Legislative Assembly that, consequent on the Governor of New South Wales, His Excellency General The Honourable David Hurley, AC, DSC (Ret'd), being absent from the State, he has assumed the administration of the Government of the State.

Government House

Sydney, 15 September 2018

#### **ADMINISTRATION OF THE GOVERNMENT**

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

DAVID HURLEY

Governor

General David Hurley, AC, DSC (Ret'd), Governor of New South Wales, has the honour to inform the Legislative Assembly that he has re-assumed the administration of the Government of the State.

Government House

Sydney, 16 September 2018

*Members***REPRESENTATION OF MINISTERS ABSENT DURING QUESTIONS**

**Mr ANTHONY ROBERTS:** On behalf of Ms Gladys Berejiklian: I inform the House that the Minister for Lands and Forestry, and Minister for Racing will answer questions today in the absence of the Deputy Premier, Minister for Regional New South Wales, Minister for Skills, and Minister for Small Business.

**ELECTORAL DISTRICT OF WAGGA WAGGA****Issue and Return of Writ**

**The SPEAKER:** I inform the House that, in accordance with section 76 of the Electoral Act 2017, I issued a writ on 17 August 2018 for the election of a member to serve in place of Daryl William McGuire, resigned.

Nomination Day	Thursday 23 August 2018
Polling Day	Saturday 8 September 2018
Return of Writs	Friday 19 October 2018

I further inform the House that my writ issued on 17 August 2018 for the election of a member to serve in the Legislative Assembly for the electoral district of Wagga Wagga in place of Daryl William McGuire, resigned, has been returned with a certificate endorsed by the Electoral Commissioner advising the election of Joseph Gregory McGirr to serve as the member for the electoral district of Wagga Wagga.

**PLEDGE OF LOYALTY**

Dr Joseph Gregory McGirr took and subscribed the pledge of loyalty and signed the roll.

*Notices***PRESENTATION**

*[During the giving of notices of motions]*

**The SPEAKER:** Order! I warn the member for Keira to cease interjecting or I will place him on a call to order. I call the member for Keira to order for the first time. I warn the member for Keira to cease interjecting or I will place him on a second call to order.

*Question Time***WAGGA WAGGA BY-ELECTION**

**Mr LUKE FOLEY (Auburn) (14:28):** I direct my question to the Premier. After Orange was lost by The Nationals, the member for Dubbo did the decent thing and resigned his leadership. Now that the Premier has managed to lose Wagga Wagga for the Liberal Party, will she draw the obvious conclusion and resign hers?

**The SPEAKER:** Again I warn members to cease interjecting. I will not have the week start and finish in this manner. I call the member for Keira to order for the second time. It is my bias, is it? The member for Keira continues to interject.

**Mr Ryan Park:** I am not the only one.

**The SPEAKER:** You are the only one I can hear as your interjections are so loud.

**Ms GLADYS BEREJIKLIAN (Willoughby—Premier) (14:29):** I start by congratulating the new member for Wagga Wagga and wish him well for his time in this place. I acknowledge his family who are here to witness his swearing in. There is no doubt that the result in Wagga Wagga was disappointing for the New South Wales Government, and I have said that on the record. But at least in 2013, when there was a 26 per cent swing against the Government in Miranda, John Robertson managed to claim the seat for the Labor Party. In this by-election the Labor Party went backwards. That is unheard of.

**The SPEAKER:** Order! The member for Bankstown will cease interjecting with inappropriate comments or she will be directed to leave the Chamber.

**Ms GLADYS BEREJIKLIAN:** It is unheard of in a New South Wales by-election. People know that governments always manage big swings against them in by-elections—it is true.

**The SPEAKER:** Order! I warn Opposition members to cease interjecting. I warn the member for Gosford and the member for Swansea to cease interjecting or they will be placed on calls to order. The Clerk will

stop the clock. I warn Opposition members that if they continue to interject one after another they are deluding themselves if they think I will not remove them from the Chamber.

**Ms GLADYS BEREJIKLIAN:** I say to the Labor members opposite: Watch your leader's performance in that by-election. It is unheard of for an Opposition to go backwards—absolutely unheard of.

**The SPEAKER:** Order! I call the member for Bankstown to order for the first time. I call the member for Keira to order for the third time and give him a final warning.

**Ms Jenny Aitchison:** Point of order: My point of order is Standing Order 73. I thought the new member for Wagga Wagga was part of the Opposition. I do not think the Premier should be saying he is part of her team. She lost the seat.

**The SPEAKER:** There is no point of order.

**Ms GLADYS BEREJIKLIAN:** I simply make this point: It is little wonder that during the weeks of the by-election there was a lot of activity on that side from the member for Strathfield and from the member for Kogarah, but most of the activity was from the member for Maroubra.

**The SPEAKER:** Order! The member for Maroubra will cease interjecting in an aggressive manner.

**Ms GLADYS BEREJIKLIAN:** It is very interesting that during the by-election the member for Maroubra visited a number of other electorates supporting candidates or local members.

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

**Ms GLADYS BEREJIKLIAN:** It was not the leader of the Opposition who was visiting these places; it was you.

**Mr Guy Zangari:** Point of order—

**The SPEAKER:** Order! The Clerk will stop the clock.

**Mr Guy Zangari:** First of all, I ask that the Premier direct her comments through the Chair.

**The SPEAKER:** I uphold that point of order.

**Mr Guy Zangari:** My second point of order is under Standing Order 129. This is about the Wagga Wagga by-election—it is not about any other electorates—and it is about whether the Premier is going to resign as a result of losing the seat.

**The SPEAKER:** Any discussion of by-elections is relevant. There is no point of order. Nice try. At least the member delivered the point of order respectfully and without screaming across the Chamber like some of his colleagues. I thank him for that.

**Ms GLADYS BEREJIKLIAN:** I will repeat this point: In 2013, with a shiny new Government, John Robertson manages to take the seat of Miranda for the Labor Party on a 26 per cent swing. In Wagga Wagga the current Leader of the Opposition has a swing against him. He is the only Leader of the Opposition in the history of New South Wales that takes a lap of honour for coming third. But I digress.

**The SPEAKER:** Order! Opposition members will cease attacking the Premier with inappropriate comments. I do not think the member for Londonderry heard my remark.

**Ms GLADYS BEREJIKLIAN:** We know that many members opposite are counting down the days to 23 September, and little wonder.

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

**Ms GLADYS BEREJIKLIAN:** We do not know where the Leader of the Opposition has been hiding but we know where the member for Maroubra has been. He has been to Newcastle, but he hedged his bets. He met with the member and the mayor in Newcastle. He has been to Ryde, supporting the candidate there. He has been to Oatley—good luck. He has been to Riverstone.

**The SPEAKER:** Order! The Clerk will stop the clock. I call the member for Maroubra to order for the second time.

**Ms GLADYS BEREJIKLIAN:** It is little wonder that when the community had the opportunity to say how much they supported the Leader of the Opposition in a by-election, he went backwards in the by-election. I say lazy Luke has no policies and no values and that is why he went backwards.

**The SPEAKER:** Order! Up to this point the behaviour of the Labor Opposition has been reprehensible. Any member who is on one or two calls to order is now deemed to be on three calls to order. I ask that the inappropriate interjections come to an end.

### COMMUNITY SAFETY

**Mr GLENN BROOKES (East Hills) (14:35):** My question is addressed to the Premier. How is the New South Wales Government ensuring that the people remain safe at music festivals in New South Wales?

**Ms GLADYS BEREJIKLIAN (Willoughby—Premier) (14:35):** I thank the member for East Hills for his question. I know that many of his constituents, as many of all of our constituents, should and do enjoy music and dance festivals. But I also know that all the attendees and parents at home want to ensure that people are safe when they attend these festivals. I appreciate how much tragedy is involved when young lives are taken because of illegal drug use. I was horrified and saddened by the tragic deaths of two people at the Defqon.1 music festival at Penrith on the weekend.

Regrettably, families are suffering now because of those tragic consequences. Tragically, four people have died at that event since 2013 and many more have been taken to hospital to seek medical help. That is why I expressed the sentiments I did on Sunday. I was aghast at what happened. I was deeply, deeply saddened. I do not want any family to go through those consequences. We extend our deepest condolences to the family and loved ones of those two young people and extend our thoughts to everybody who fell victim to the supply of drugs over that weekend, despite the great efforts of police and paramedics and medical personnel.

There is no doubt that the track record of that festival is not good. I said that I did not want that festival to return in its current form, and I stand by that. The operators will have to demonstrate to us what they have done or what they will do to improve safety and change the way the event is managed before we allow it to return next year. That is a reasonable position to take, given the tragic consequences that have occurred. I want to stress again that New South Wales, not only Sydney, proudly holds music and dance festivals. They are places of gathering where in the main young people, but people of all ages, attend to have fun. We want that to continue. Of course we want that to continue but we also want to ensure it is a safe environment. As all of us would appreciate, one of the greatest responsibilities of any government is to keep the community safe.

Unfortunately, another painful reminder of the consequences of the weekend is that there is no such thing as a safe illegal drug. It simply is not the case. That is why the Liberal-Nationals Government has no tolerance for illegal drugs. I make that very clear: There is no such thing as taking a safe illegal drug. We want our communities, particularly our young people, to have fun and to be safe. We need to address those cultural issues. We want to ensure that whenever anybody attends a music festival or a dance festival in New South Wales they have a great time but they also return to their family and loved ones in a safe way. Safety is also why our Government is not supportive of pill testing. I make that clear: We are not supportive of pill testing because we will not provide quality assurance for drug dealers or give people false confidence that illegal drugs are safe. It is a false confidence to give people the assurance that an illegal drug is safe. What might be deemed safe for one person is not safe for another.

Also, you cannot turn a blind eye to illegal activity. When something is illegal, you have to respect the law and adhere to the law, not turn a blind eye to it. That is why my Government took the action today to establish a high-level expert panel comprising the police commissioner Mick Fuller, the New South Wales Chief Medical Officer Dr Kerry Chant, and also Chair of the Independent Liquor and Gaming Authority, Mr Philip Crawford, to provide advice on how we can keep all patrons safe at these events. I am grateful that they have agreed to participate in this important community safety initiative. I have asked that they report back to me within four weeks, but if they choose to come up with any recommendations in the interim I will gladly accept them.

The panel's advice on how to keep people safe at music festivals will include consideration of whether new offences or increased penalties are required to stop drug dealers endangering lives, how music festival promoters and operators can ensure that their festivals are safe, and whether increased drug education is required to address illegal drug use in our community. The panel will report back to me in four weeks. During that time they will conduct a strong stakeholder consultation including representatives from the music industry, operators and local government. Again, I am willing to receive any recommendations they provide to the Government within those four weeks, but my expectation is that they will come back to us in four weeks with their recommendations.  
[Extension of time]

Again, I make it clear that the action we have taken today is about allowing people to have fun in a safe environment. We want these festivals to continue and for people to have fun at these festivals but we also want them to be safe. We also want people to know that it is not okay to take illegal drugs. For that reason and many

others we do not support pill testing. I hope that every member of this Parliament supports the Government in this important safety initiative.

#### MEMBER FOR KIAMA

**Ms JENNY AITCHISON (Maitland) (14:41):** My question is directed to the Premier. Given that the Federal Liberal member of Parliament Ann Sudmalis says that bullying, betrayal and backstabbing are the hallmarks of the member for Kiama, will the Premier stand him aside as the Parliamentary Secretary for the Illawarra and South Coast and have these bullying allegations fully investigated?

**The SPEAKER:** Order! The Premier has the call. I do not need interjections from either side. The Premier does not need assistance.

**Ms GLADYS BEREJIKLIAN (Willoughby—Premier) (14:42):** I want to start by making a generic comment which is not relevant to the question. Generally speaking, I say this: Bullying in any workplace or organisation has absolutely no place. I state that unequivocally on the record. I also state on the record that both members of Parliament mentioned in the member for Maitland's question are decent, hardworking members of Parliament who are focused on their community. I say to every member of Parliament: We all know what our responsibilities are and we undertake them on behalf of our community on a daily basis.

I take this opportunity to commend the member for Kiama for his outstanding community work. He is one of the most enthusiastic, energetic and hardworking local members we will ever find. All of us who know and love the member for Kiama know what he represents. I say to every member of this place: Each of us has a responsibility to show through our actions that bullying has no place in any workplace or in any organisation. I will not take up the time now, because it is an important matter, to highlight the hypocrisy of those opposite, but I will on a future occasion. I do not feel it is appropriate to do that at this time, but I say to those opposite: All of us have an obligation. It is not limited to a particular side of the House or a particular organisation. It is an issue about which every member of Parliament has to be responsible.

#### SYDNEY GATEWAY PROJECT

**Mr LEE EVANS (Heathcote) (14:43):** My question is addressed to the Minister for Roads, Maritime and Freight. In what ways will commuters see the benefits of easing congestion from the game-changing Sydney Gateway?

**Mrs MELINDA PAVEY (Oxley—Minister for Roads, Maritime and Freight) (14:44):** I thank the member for Heathcote for that important question, an important one, an important project for all of Sydney. Last week when the Premier and I announced the congestion-busting Sydney Gateway the big picture actually became clearer: This is not just a new road around an airport; it is one piece of a much bigger transport puzzle, connecting Sydney like never before.

**The SPEAKER:** Order! I remind the member for Maroubra that he is already on three calls to order.

**Mr Michael Daley:** No, two.

**The SPEAKER:** No, I put everybody who was on one or two calls to order on three calls to order; you were not listening.

**Mrs MELINDA PAVEY:** We are already seeing improvements in the area with a half a billion dollar investment—a toll-free road. And this no doubt caught those opposite—the small thinking, shovel-shy fence sitters—by surprise.

**The SPEAKER:** Order! Interjections will cease.

**Mrs MELINDA PAVEY:** With their scaremongering that it will be tolled was the best they could do: complain of a toll that will not be put on there, and complain about potential traffic delays during construction. Thanks to this Government's good economic management, we can deliver the projects the State needs—and you lot hate it. Sydney Gateway will connect the new M5 interchange at St Peters and the airport and port precinct. This will mean a relocation and a reconfiguration of Airport Drive, connecting into the international terminal. We will see major upgrades to Qantas Drive and Joyce Drive around the domestic terminal, including a redesigned intersection into the terminal.

This project will benefit all of Sydney, but especially those in Western Sydney—for example, Penrith to the departure gate at the domestic terminal without a single set of traffic lights, bypassing 26 sets of traffic lights, will slash travel times by 40 minutes. Sydney Gateway will also see the duplication of a three-kilometre section of the Port Botany freight rail line between Botany and Mascot. This will take trucks off local roads by shifting more freight from road to rail, increasing capacity and improving service reliability to Sydney's ports.

**The SPEAKER:** Order! There are too many conversations in the Chamber. If members want to have a private conversation they should take it outside. The member for Balmain should not be distracted by the member for Rockdale.

**Mrs MELINDA PAVEY:** It supports the Government's target of moving 28 per cent of containers by rail by 2021. How will it ease congestion? We know one train is equal to about 50 trucks off local roads. The Australian Logistics Council knows the significance of this piece in the puzzle. The Chair of the Australian Logistics Council, Philip Davies, said, "... the NSW Government will help to provide some of the certainty freight logistics operators have been seeking." He said it delivers certainty.

**The SPEAKER:** Order! It is highly inappropriate for the member for Newcastle to shout.

**Mrs MELINDA PAVEY:** We are delivering certainty for business and local communities—and all Labor provides is commentary. The important question is: What is Labor's alternative? Where is the Labor Party on this issue? Does the member for Maroubra back the project? Does the member for Heffron come out and support the project? Where are they? I will tell you where they were: They were on Twitter. The Labor leader in waiting said, "Staggering incompetence. A withering cost of yet another \$2.2 billion ... and won't connect to Australia's busiest port, which is across the road from the airport." If he had just read beyond the headline of the media release he would have actually understood that the half a billion dollars we are spending currently to get that work finished next year is improving access in terms of freight and rail, as well as extra lanes around the airport. This will feed into that work.

**The SPEAKER:** Order! The member for Maroubra should be careful. He is already on three calls to order. This is his last warning.

**Mrs MELINDA PAVEY:** He does not understand his community. He does not understand that this is going to feed into WestConnex, into the F6 and the Gateway will improve connectivity.

**The SPEAKER:** Order! The member for Lakemba is being vocal today. He will come to order.

**Mrs MELINDA PAVEY:** The most important part of that jigsaw for the people of his community is the fact that we will duplicate the Port Botany rail line.

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

**Mrs MELINDA PAVEY:** As I said earlier, it will take 50 trucks off those local roads when an extra train is put on. That is what we are about: a full connectivity freight plan in terms of improving the access for business and taking trucks out of local streets, as well as the enormous advantages to Alexandria, Rosebery, Botany—all those communities—with the trucks and cars out of those communities, onto Gateway, onto WestConnex, onto F6 straight into Port Botany. That is delivering a solution. But what does Labor offer? The Leader of the Opposition has just said this is a congestion nightmare, but no offer has been put on the table, no solutions and no plans. You are shovel-shy and have no plans for the roads around Sydney and connectivity. *[Extension of time]*

**The SPEAKER:** Order! The Clerk will stop the clock until the Labor Opposition can contain itself. The Leader of the Opposition is very funny. There is too much noise in the Chamber.

**Mrs MELINDA PAVEY:** What is Labor's offer? It said it would offer the public transport fares to the airport, a promise and a commitment that will cost \$1.5 billion over 10 years. So the cash prize and the lack of policy and the lack of connectivity, the lack of thinking about what is in the best interests of Sydney is not at its forefront. This Government is providing connectivity, providing solutions to the freight sector, getting 28 per cent of freight onto rail off our roads, as well as providing traffic-free, light-free alternatives for the people across Sydney to travel to Sydney Airport. The headline in today's *Southern Courier* reads, "Battle lines drawn on transport plan". Bring it on! I am happy to have a battle with anybody, but the enemy surely should be able to bring plans, ideas, solutions and costings.

**The SPEAKER:** Order! I remind the member for Maroubra that he is already on three calls to order.

**Mrs MELINDA PAVEY:** That is what those opposite have failed to do. What about the member for Strathfield? What were her comments? What were her suggestions about the Gateway? All she said, in a lazy news grab, was that it will create traffic congestion.

**The SPEAKER:** Order! I remind members that some of them are on three calls to order, including the member for Bankstown. She will come to order.

**Mrs MELINDA PAVEY:** The people of Sydney can see through the shallow thinking. We are rolling up our sleeves and tackling the tough congestion issues. We will deliver free-flowing roads, better rail connections

making our roads and rail safer while slashing travel times. But if Labor has its way, there will be no Gateway, there will be no free-flowing traffic solutions. The community want this: They want traffic solutions, not more Labor spin. Put simply, Labor does not have the mettle to pick up a shovel. And the people of New South Wales know if they let you lot try to construct this transport network, there will be more than a few pieces missing.

**The SPEAKER:** Order! Members will come to order, and cease interjecting and making personal comments to the Minister. It is offensive.

#### MEMBER FOR KIAMA

**Ms ANNA WATSON (Shellharbour) (14:51):** My question is directed to the Premier. The Prime Minister said, "I've got no truck with bullying. I'm setting the standards for the future of my party and people know what to expect." If the Premier agrees with the Prime Minister's comments why will she not sack the Parliamentary Secretary for the Illawarra?

**Ms GLADYS BEREJIKLIAN (Willoughby—Premier) (14:52):** Of course I agree with the Prime Minister's comments. I note the member for Lindsay is probably in the same position. I refer the member to my previous answer.

**The SPEAKER:** Order! Some members are making stupid, childish comments.

#### ECONOMIC LEADERSHIP

**Mr MARK COURE (Oatley) (14:52):** My question is addressed to the Treasurer, and Minister for Industrial Relations. How has the New South Wales Government shown economic leadership on delivering for the people of New South Wales? Is the Treasurer aware of any alternatives?

**The SPEAKER:** Order! I will not be able to hear the Treasurer with that level of interjection. The member for Rockdale will come to order.

**Mr DOMINIC PERROTTET (Hawkesbury—Treasurer, and Minister for Industrial Relations) (14:52):** I thank the great member for Oatley for his question. Someone sent me a tile, which concerns the member for Oatley, which shows the member for Maroubra, the wannabee Leader of the Opposition, campaigning outside a train station at Oatley. It says, "The awkward moment when you realise you are campaigning outside the local train station that Labor failed to upgrade for 16 years." An objective tile authorised by Mark Coure, Post Office Box 467, Hurstville. Well done. A train station upgraded by us, wrecked by Labor for 16 years, but that does not stop them from campaigning. He has asked me a question about economic leadership. We know that when it comes to leadership the Berejiklian-Barilaro Government is second to none. We have made the tough decisions to fix the budget in order to kickstart the economy, and the State is once again moving. The people of New South Wales are now reaping the rewards of a budget in surplus, a booming economy, and more schools and hospitals are under construction than ever before.

**The SPEAKER:** Order! The member for Cessnock will come to order.

**Mr DOMINIC PERROTTET:** These are the dividends that economic leadership delivers. Indeed, that leadership has been recognised across the board. I am pleased to inform the House that Moody's has reaffirmed our triple-A credit rating—a triple-A credit rating for a triple-A State led by a triple-A government. This makes us one of only 26 sub-sovereign jurisdictions around the world in that position. The shadow Minister for Finance, Services and Property does not understand asset recycling but the rating agencies certainly understand.

**The SPEAKER:** Order! I remind the member for Cessnock that this is not a debate.

**Mr DOMINIC PERROTTET:** They have highlighted our asset recycling strategy and record investment in infrastructure projects. Our financial foundations are built on the very things that the Labor Party has spent the past seven years opposing and that is because of a failure of leadership of those on the other side of the House. For example, let us take the WestConnex project: A road for the working families of Western Sydney and a road that will get people to work faster and to home more quickly.

**The SPEAKER:** Order! Members will come to order.

**Mr DOMINIC PERROTTET:** That road has been opposed by Labor Party members every step of the way. They opposed the plans, the financing and the construction. Those on this side of the House have shown leadership for the people of Western Sydney. Just two weeks ago we finalised the sale of 51 per cent of the Sydney Motorway Corporation and secured \$9.3 billion for the people of New South Wales. That is the largest trade sale in the history of this State. Importantly, those funds will go to the construction of the WestConnex stage three M4-M5 link. But it is better than that: This transaction will also provide billions of dollars to be invested in schools and hospitals, and will make a real difference to people's lives.

As I said, as a result of this transaction the people of this great State will continue to reap the rewards of our financial leadership. While those on this side have been showing leadership, what have we seen from those opposite? Following that transaction a press conference was held at which the member for Maroubra said that he opposed the road and the transaction, but he was still happy to take the money. Nothing typifies the Labor Party mentality more than letting other people do all the work, then taking the money and spending it. So with that approach he never should have been dumped as Labor's shadow Treasurer.

The shadow Treasurer was missing on that day, and for good reason—namely, we had the shadow Minister for Transport, and member for Strathfield. As the transaction was unfolding she decided to provide a public commentary on something she knew absolutely nothing about. She then took it upon herself to write to the Australian Competition and Consumer Commission to get it to knock out the successful consortium as a result of the transaction. Let us get this right: A Labor member of Parliament wilfully tried to sabotage a transaction that has delivered \$9.3 billion for the people of this State. [*Extension of time*]

**The SPEAKER:** Order! Members will come to order.

**Mr DOMINIC PERROTTET:** This is very serious, but it comes straight out of Labor's playbook. Every single time it puts politics before the people of this State. Those actions were so irresponsible that the shadow Treasurer, to his credit, stayed right away. This was a juvenile stunt that could have jeopardised the financial position of this State—\$9.3 billion and a transaction sabotaged by those opposite. When it comes to the lack of Labor's leadership we know that a fish rots from its head and it all starts with the Leader of the Opposition. He is the faceless man who accidentally became the face of the Labor Party—a number 11 batting at number one!

We have a Premier who stands up for what is right and true; she governs for all the people across this State. We have a Labor leader who tries to be all things to all people. In order to secure inner-city votes, he opposes the WestConnex. Then to try to win votes in Western Sydney, he tells the *Daily Telegraph* that he supports the WestConnex and would in fact build it. Just last week at that great Country Labor conference that no-one turned up to, he criticised the Government for spending billions of dollars on a "single Sydney road". It is not a Sydney road; it is a road for the people of Western Sydney. "Two-faced" Foley is trying to be all things to all people. Now we have pill testing, on which the Premier has shown leadership today. Where is the Leader of the Opposition? Nowhere. The Labor Party will have a summit, which we know is the foundation to legalise drugs across New South Wales. The member for Summer Hill wants it, the member for Blue Mountains loves it and the candidate for East Hills is campaigning on it. This Government will always protect the people of New South Wales. [*Time expired.*]

### NURSE-TO-PATIENT RATIOS

**Ms KATE WASHINGTON (Port Stephens) (15:00):** My question is directed to the Premier. Given nursing overtime hours are to be capped at 16 hours a week, but staff, especially those in Wagga Wagga, are often required to work more than this and are receiving multiple text messages pleading with them to work more overtime, when will the Government deliver shift-by-shift nurse-to-patient ratios to guarantee safer patient care?

[*Interruption from the gallery*]

**The SPEAKER:** Order! I remind those in the gallery of their obligations.

**Ms GLADYS BEREJIKLIAN (Willoughby—Premier) (15:01):** On behalf of the Government I acknowledge the nurses and midwives who are seated in the gallery today. My mother was a nurse so I know what shiftwork and caring for people is all about. I know that my mother often did things outside of her working hours to help others in the community and I am sure that you all do that as well. I genuinely, in a heartfelt way, want to thank all the nurses and midwives across our hospital system. None of us could survive without them. Indeed, the health system would not be able to survive without them. I want them all to know how much we deeply appreciate everything they do. We appreciate the stress they are under and the support they provide to the loved ones of patients. We also know that nurses and midwives need a good environment in which to do their jobs. Pleasingly, since 2011 an additional 9,600 doctors, nurses and midwives have been introduced into our health system. It is also important to us to have the number of nurses needed in our new hospitals. Since we have been in government we have built or upgraded 70 hospitals across the State—48 hospitals in rural and regional New South Wales and the balance in greater Sydney. In 2010, a year before we came to office, Carmel Tebbutt, who was regarded by most as a very good health Minister, said:

I have made it very clear that the Government has concerns with the blunt nature of a nurse-to-patient ratio in that it does not provide flexibility.

**The SPEAKER:** Order! The member for Swansea will come to order and cease calling out.

**Ms GLADYS BEREJIKLIAN:** It is important to us to have the right policies to support our nurses and also to support our patients. In this year's budget we announced an additional 1,250 doctors, nurses and midwives. This Government is all about making sure that we employ more nurses and improve their working environment by upgrading our hospitals and health facilities. We are also allowing our health system to have what is referred to as "continuity of care"—namely, having an acute community base and then supporting people through their health needs. I place on record again how much we all appreciate this.

**The SPEAKER:** Order! The member for Shellharbour and the Leader of the Opposition will cease interjecting.

**Ms GLADYS BEREJIKLIAN:** The other point I want to make is to commend the health Minister, Minister Hazzard. He attended the nurses council about six weeks ago. I hope many of you were there and would have heard his impassioned speech.

**Mr Luke Foley:** I was.

**Ms GLADYS BEREJIKLIAN:** No-one listened to you.

**Mr Luke Foley:** Point of order—

**The SPEAKER:** Order! I hope it is a point of order. What is the member's point of order?

**Mr Luke Foley:** I got a standing ovation from the nurses because I am going to give you ratios.

**The SPEAKER:** Order! The Leader of the Opposition will resume his seat. I remind visitors in the public gallery of what I advised them earlier: You have no right to make a sound. The Leader of the Opposition will resume his seat. The Premier has the call.

**Ms GLADYS BEREJIKLIAN:** I am loath to get too political with our hardworking nurses in the gallery, but I say this: During their time in Government, there were actually 2,000 fewer hospital beds whereas—

**Ms Jodi McKay:** You've had eight years.

**Ms GLADYS BEREJIKLIAN:** Exactly! The member for Strathfield says that we have had nearly eight years, and guess what? In eight years we have built or upgraded 70 brand new hospitals, 48 of them in rural and regional New South Wales, and recruited 10,000 more nurses.

**The SPEAKER:** Order! The member for Swansea should not be tempted to interject. Order! That is enough.

**Ms GLADYS BEREJIKLIAN:** I want to end where I finished and I say this sincerely—

**Ms Jodi McKay:** End where you finished?

**Ms GLADYS BEREJIKLIAN:** Where I started, sorry. I want to finish where I started and I say this sincerely: In the gallery we have but a very small number of nurses that represent our system throughout the State. My message to you, and to every nurse and midwife and health professional across New South Wales, is that you have a Government that is investing record amounts in health. We are grateful and appreciative of everything you do and will continue to support you by providing more nurses in our brand-new hospitals across the State.

#### VETERANS EMPLOYMENT

**Ms STEPH COOKE (Cootamundra) (15:06):** Madam Speaker—

**The SPEAKER:** Order! I would like to hear the member for Cootamundra without interjection. Some members are being highly disrespectful.

**Ms STEPH COOKE:** My question is addressed to the Minister for Counter Terrorism, Minister for Corrections, and Minister for Veterans Affairs. How is the New South Wales Government creating jobs for veterans who are transitioning into civilian life? Are there any other approaches?

**Mr DAVID ELLIOTT (Baulkham Hills—Minister for Counter Terrorism, Minister for Corrections, and Minister for Veterans Affairs) (15:06):** I thank the member for Cootamundra for her very genuine interest in veterans' welfare, veterans' issues and I am looking forward to joining her in her electorate this weekend as we celebrate the great friendship between Japan and Australia at the Cowra Japanese Gardens. The gardens are obviously dedicated to the tragedy of the Cowra breakout during the Second World War. Each year 1,100 soldiers, sailors and airmen discharge into New South Wales from the Australian Defence Force [ADF]. We are extraordinarily lucky to have a high number discharging who want to call our State home. They bring invaluable skills, they bring experience and they make an immeasurable contribution to both the community and to the workforce.

I use this opportunity to acknowledge the service of the member for Lane Cove, who served as a peacekeeper. I note the member for Tamworth spent time deployed on operations during his period in the Royal Australian Air Force. There are other members in this House who have served with distinction. I note the member for Prospect and the work he did with the Catering Corps. There is nothing more fulfilling for me than seeing ex-service men and women in civilian life, and the best way to support this transition is to empower veterans to apply their unique skills to the workforce. Three and a half years ago the Premier set me a task find 200 suitable and sustainable jobs for veterans within the New South Wales public service. One of the proudest days I have had in this job was last month when I was able to announce that so far—

**The SPEAKER:** Order! Interjections from members should cease. Some members should leave the Chamber; they are losing the plot.

[Interruption]

**Mr DAVID ELLIOTT:** Churchill was a war correspondent, I will have the member for Kogarah know, as was Sir Keith Murdoch. I think the *Daily Telegraph* will be horrified.

**The SPEAKER:** Order! This is not the subject to interject on, and some members know that. I call the member for Londonderry to order for the first time.

**Mr DAVID ELLIOTT:** One of the proudest days I have had on the job is being able to announce that so far have we found not 200 jobs, not 400, not 600 but 650 jobs for veterans in New South Wales, proving once again that New South Wales is the State of opportunity. We have not only met our target but also we have smashed it by 227 per cent. The sheer success of the program has shown military skills are highly transferable.

**The SPEAKER:** Order! Members will cease interjecting. Is the member for Rockdale really interjecting on this subject? He is smarter than that.

**Mr DAVID ELLIOTT:** Forty-four per cent of the roles have been in the justice sector. I commend the Minister for Police and the Attorney General for their work in that regard. Twenty-eight per cent have gone into transport and many others have gone into health, education, family and community services, planning and even treasury. Governments have a responsibility to empower veterans, support their transition and make sure their skills benefit our State. Our employment program has enabled us to spread the word that veterans have invaluable skills and experience to bring to the workplace, and this is aided by our Veterans Employment Program network, our champions' network, which is taking strides and is being copied by other governments and, indeed, the private sector.

With the Invictus Games opening ceremony just a little over a month away, veterans are at the forefront of our minds. I acknowledge to the House that the Duke and Duchess of Sussex will be going to the wonderful city of Dubbo. Regional New South Wales has a strong connection to our Australian military story. Whenever I visit a regional town to discuss veterans' welfare and announce grant funding, I am always taken aback by the service of those who have come from the bush. Since 2015 we have awarded more than 166 grants totalling \$880,000 to sub-branches and organisations that are working with local veterans to ensure that restoration of our war memorials is complete for the Centenary of Anzac. I am pleased to announce that a new round of funding has been opened and that will bring our investment to community war memorials to \$1 million. This, of course, will complement the wonderful contributions we are making alongside the Commonwealth to the war memorial in Hyde Park, which will be open, hopefully, next month.

Those who walk past that Hyde Park memorial will see the scaffolding is down and the buttresses' figures are on full display. I had the pleasure of taking a sneak peak at the new section of the memorial. I encourage all members to ensure that they not only attend the Hall of Silence but also see the soil samples that were collected from their respective electorates that are taking pride of place. Those samples were taken from villages, towns, suburbs, hamlets and cities right across the State. I did more than 40 and I know most members of this House were involved in some way or another. An Indigenous soil collection was done with me and the member for Balmain. It was organised with a moving ceremony that exemplified the importance of soil to our ancient Australians. I thank the member for Balmain for organising that particular event. [Extension of time]

In Brewarrina I undertook a soil collection where it seemed like the whole town had come to this very small but momentous ceremony. I was welcomed by half a dozen older Indigenous women who brought a hearty country afternoon tea, but the truly moving thing was that each and every woman took the opportunity to show me photos and tell me stories of their forefathers who had served our nation in both the First and Second World War. I will never forget that day. Unfortunately, Labor—those opposite—does not have or share the same interest in veterans. As members of this House will be aware, when they were following the much-anticipated estimates committee of last week, the shadow Minister of Veteran Affairs, who sat on the committee, failed in two hours to ask—

**Mr Chris Minns:** Point of order—

**The SPEAKER:** Order! The member for Kogarah has taken a point of order. The Minister will resume his seat. What is the member's point of order?

**Mr Chris Minns:** My point of order is Standing Order No. 73. Using the service and dedication of returned servicemen to—

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

**Mr Chris Minns:** Do it by a substantive motion.

**The SPEAKER:** Order! The member for Kogarah will resume his seat. There is no point of order. If you continue to argue you will be removed from the Chamber.

**Mr DAVID ELLIOTT:** My point was that the shadow Minister of Veterans Affairs failed to ask one question on veterans' welfare during the two hours that I confronted her in the budget estimates committee. I am not surprised that she took no interest because she failed to turn up to the Anzac memorial trust. She failed to turn up to the annual RSL State congress. She failed to turn up to the schools—

**Mr Michael Daley:** Point of order: My point of order relates to Standing Order No. 73. Personal reflections upon members of either House are disorderly other than by way of substantive motion.

**The SPEAKER:** Order! I will listen further to the Minister. The member for Maroubra will resume his seat. The Minister is not at that stage.

**Mr DAVID ELLIOTT:** I am just saying what is a statement of fact. She has failed to turn up to more than half the trust meetings. She failed to turn up to the Indigenous service. In fact, she is missing in action [MIA]. She is MIA. [*Time expired.*]

#### NORTH COAST CYPRESS PINES

**Ms TAMARA SMITH (Ballina) (15:14):** My question is directed to the Minister for the Environment. What action will the Minister take to ensure that the proposal by Reflections Holiday Parks in Brunswick Heads will meet the Biodiversity Conservation Act requirements for the protection of the endangered 400-year-old cypress pines located on Crown land?

**Ms GABRIELLE UPTON (Vaucluse—Minister for the Environment, Minister for Local Government, and Minister for Heritage) (15:14):** I thank the member for Ballina for her question. She raised concerns like this earlier this year in the House. The Parliamentary Secretary for the North Coast, the Hon. Ben Franklin, has also raised similar concerns with me. I know that he too will be interested in this answer. The coastal cypress pines are remnants of an endangered ecological community at the Terrace Reserve holiday park on the North Coast. I reassure members that maintaining the good health of that endangered ecological community is a priority for this Government and for the Parliamentary Secretary for the North Coast. This can take place in a number of ways. It requires the cooperation of the local council and the management of the holiday park at Brunswick Heads where the pines are located.

It is worth remembering that the New South Wales Crown Holiday Parks Trust has control of the holiday park where the cypress pines are located and that endangered ecological communities such as those pines are already protected under the Biodiversity Conservation Act. I think the member for Ballina has acknowledged that before. My office met recently with Steve Edmonds from the trust. We made it crystal clear that it should work hand in glove with the local council to make sure that the pines are protected and are not damaged by people holidaying in the caravan park. My point is that it is absolutely clear that the park and the council will get no free ride on this. We will be watching to ensure that they protect that endangered ecological community of pines.

I am happy to report that funding from the Saving our Species program has been approved—as it should. It will make a real difference to the preservation and growth of the pines. It is part of a \$166,000 grant program for the North Coast to ensure the survival and protection of not only the pines but also the large forest owls that also call those pines home. As the member for Ballina knows, they include the powerful owl, the sooty owl and the masked owl. Each of those owls are threatened species that need the extra help we are giving them through that grant to survive and to thrive. I again thank the member for Ballina for her question. I also thank the Parliamentary Secretary for the North Coast in the other House for his regular intercessions. He too is concerned and I am happy to report the good news. This is an important environmental initiative for an important environmental issue. It is good news for the member for Ballina and the Parliamentary Secretary. I assure members that the Government will continue to keep a close eye on the endangered ecological community to ensure that it is surviving and thriving into the future.

### INFRASTRUCTURE INVESTMENT

**Mr KEVIN CONOLLY (Riverstone) (15:18):** My question is addressed to the Minister for Transport and Infrastructure. Will the Minister provide an update on the recent progress of infrastructure projects for communities across New South Wales and inform the House of any alternative views relating to infrastructure investment?

**Mr ANDREW CONSTANCE (Bega—Minister for Transport and Infrastructure) (15:18):** I thank the member for Riverstone for his question. Name another member in this House who can deliver a \$20 million train for their electorate. Up goes the hand of the member for Epping.

**The SPEAKER:** Order! The member for Keira will come to order. This is his final warning.

**Mr ANDREW CONSTANCE:** What a big couple of weeks it has been for infrastructure milestones in New South Wales. I am happy to share the progress this afternoon. On Sunday the Premier and I inspected the new metro station at Tallawong. It was an incredible sight. There is a brand-new metro station with glass sliding doors on the platforms. There will be a fully automated train with three doors on the side that will provide a "turn up and go" service and there will be no gap between the train and the platform. Last year alone there were 300 falls between trains and platforms. The new metro system will provide an incredible level of safety to our community and deliver great benefits to people with a disability, particularly those in wheelchairs. It was also great to see 1,000 car spaces being built as we head towards opening the metro in the first half of next year. It was great to visit Newcastle yesterday; Nuatali's Newcastle is just amazing. It was an absolute cracker up there yesterday.

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

**Mr ANDREW CONSTANCE:** I had a cracking day with the Minister for Planning. We had a look at a brand-new tram.

**The SPEAKER:** Order! The Clerk will stop the clock. Members will come to order. I will extend the Minister's time by another three minutes if Opposition members continue to interject.

**Mr ANDREW CONSTANCE:** I am going to give a compliment.

**The SPEAKER:** Order! The Minister can take his time because the clock has been stopped and will remain stopped while this level of interjections continues. I will not restart the clock until I am satisfied that members have come to order. The Minister has the call.

**Mr ANDREW CONSTANCE:** I am going to do something unusual. I am going to thank the member for Newcastle for his full support from the very beginning for the Newcastle Light Rail project.

**The SPEAKER:** Order! The clock will remain stopped until members cease interjecting. I call the member for Londonderry to order for the second time.

**Mr ANDREW CONSTANCE:** By the end of this month the civil work will be completed on that project.

**The SPEAKER:** Order! The Clerk will restart the clock. I call the member for Port Stephens to order for the first time.

**Mr ANDREW CONSTANCE:** In the early months of 2019 the Newcastle Light Rail will be providing passenger services to the people of Newcastle. We all remember 10 years ago the people of Newcastle shouting out, "Fix our city." That causes me to reflect on who the member was at that time. It was none other than the member for Strathfield.

**The SPEAKER:** Order! The member for Cessnock and the member for Swansea will control themselves. I call the member for Cessnock to order for the second time.

**Mr ANDREW CONSTANCE:** I invite the member for Strathfield to go back to Newcastle and look at the transformation that has happened since she was booted out.

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

**Mr ANDREW CONSTANCE:** There is no doubt that Newcastle has got the wow factor since the member for Strathfield was booted out.

**The SPEAKER:** Order! The member for Rockdale will come to order.

**Mr ANDREW CONSTANCE:** I invite the people of Strathfield to do the same—they might also find a transformation once she leaves. From the projects being built across the State and the modernising of existing infrastructure, there is no doubt that this Government has been delivering in spades.

**The SPEAKER:** Order! The member for Port Stephens will cease shouting. I call the member for Port Stephens to order for the second time.

**Mr ANDREW CONSTANCE:** Members opposite are noisy today. Let us look at the Sydney Trains network.

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

**Mr ANDREW CONSTANCE:** Five years ago there were about 300 million passenger trips on Sydney Trains. Last month that number surpassed 400 million. That is an additional 100 million passenger trips.

**The SPEAKER:** Order! I call the member for Blue Mountains to order for the second time. She will cease shouting.

**Mr ANDREW CONSTANCE:** In five years there has been a 30 per cent increase in passenger trips on Sydney Trains. We have a plan to continue to invest in more trains and more services, which is why new Waratah trains are being delivered. They are now being commissioned and beginning to run across the network.

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

**Mr ANDREW CONSTANCE:** Since coming to government, we have implemented a timetable change that has delivered an additional 1,500 weekly services to the people of the Western Sydney. Of course, Labor is going to cancel them.

**The SPEAKER:** Order! I remind the member for Cessnock that he is on three calls to order.

**Mr ANDREW CONSTANCE:** It gets better. Occasionally I have a look at Facebook.

**Ms Yasmin Catley:** You're a stalker!

**Mr ANDREW CONSTANCE:** I am not stalking Luke Foley, trust me. Interestingly, on his Facebook page last week, when talking about the airport line, the Leader of the Opposition said:

Let's be honest, most of the time now the train's just empty, the carriages are empty. That was about the train line to the airport. Guess what, old mate? The numbers have gone from 6.2 million customer journeys in 2014 to 9.4 million last year. The Leader of the Opposition is telling us that nobody is catching the train? Seriously. He came up with an idea—something to do with station access fees—he bowls on down to the airport, decides he is going to tee off on the station access fee, but he does not divulge the cost of his announcement. It is now up to him to explain how he thinks he can abolish the station access fee when the cost of doing so is \$1.6 billion. [*Extension of time*]

The policy that the Leader of the Opposition has come up with—which is not really a policy; it is another example of cancelling things, and this time a contract—will cost around \$1.6 billion. The question is: Which schools and hospitals is the Leader of the Opposition going to cancel to pay for it? I remind the Leader of the Opposition that the current station access fee was negotiated by Labor in 2005 after the airport link company went into receivership and Labor had to invest some money—\$100 million at the time. But Labor also put a shadow fee attached to a fixed contract, costing taxpayers \$29 million a year. It is lazy for the Leader of the Opposition to think he can stand up in front of cameras and say what he likes but not attach the cost of doing it, and then come out with a silly statement saying that nobody is catching the train line to the airport, when the numbers are going up a million a year.

**The SPEAKER:** Order! The member for Blue Mountains will come to order.

**Mr ANDREW CONSTANCE:** Guess what this Government did? It delivered an extra 200 weekly services. There is no doubt about the Leader of the Opposition; he has asked one question today. There are six sitting weeks left before the election, so we are expecting six more questions from him. But does he not look great? He has had an image overhaul, he has put on some spray tan and he is starting to look sharp. But he is yet to explain how he dropped 4.5 per cent from the primary vote in Wagga Wagga. He spent his time on the Rex plane and cannot explain how he dropped 4.5 per cent. At least on our side we knew the festival of democracy in Canberra was the reason for it; he has no excuse. [*Time expired.*]

#### *Documents*

### **NSW OMBUDSMAN**

#### **Reports**

**The SPEAKER:** In accordance with section 31AA of the Ombudsman Act 1974, I announce receipt of the following reports of the NSW Ombudsman entitled:

- (1) "Water: Compliance and enforcement", dated 17 August 2018, received out of session on 17 August 2018.
- (2) "Complaint handling improvement program: Commitments implementation review", dated 31 August 2018, received out of session on 31 August 2018.

- (3) "Report of Reviewable Deaths in 2014 and 2015, 2016 and 2017: Deaths of people with disability in residential care", dated 31 August 2018, received out of session on 31 August 2018.

I order that the reports be printed.

*Committees*

**COMMITTEE ON THE OMBUDSMAN, THE LAW ENFORCEMENT CONDUCT COMMISSION  
AND THE CRIME COMMISSION**

**Reports**

**The CLERK:** In accordance with section 31FA of the Ombudsman Act 1974, I announce receipt of the report of the Committee on the Ombudsman, the Law Enforcement Conduct Commission and the Crime Commission entitled "2018 Review of the Annual Reports of oversighted bodies", Report 4/56, dated August 2018, received out of session on 23 August 2018 and authorised to be printed.

*Documents*

**INSPECTOR OF THE LAW ENFORCEMENT CONDUCT COMMISSION**

**Reports**

**The CLERK:** In accordance with section 49 of the Surveillance Devices Act 2007, I announce receipt of the report of the Inspector of the Law Enforcement Conduct Commission entitled "Report under Section 49 (1) of the Surveillance Devices Act 2007 for the period ending 30 June 2018", dated August 2018, received out of session on 31 August 2018 and authorised to be printed.

**AUDITOR-GENERAL**

**Reports**

**The CLERK:** In accordance with section 63C of the Public Finance and Audit Act 1983, I announce receipt of the following reports of the Auditor-General:

- (1) Report entitled "Procurement and reporting of consultancy services", dated 4 September 2018, received out of session on 4 September 2018 and authorised to be printed.
- (2) Performance Audit Report entitled "Progress and measurement of Premier's Priorities", dated 13 September 2018, received out of session on 13 September 2018 and authorised to be printed.

*Committees*

**PUBLIC ACCOUNTS COMMITTEE (PAC)**

**Report: Inquiry into the Management of Health Care Delivery in NSW**

**Mr BRUCE NOTLEY-SMITH:** As Chair: I table the report of the Public Accounts Committee entitled "Inquiry into the management of health care delivery in NSW", report 8/56, dated September 2018.

I move:

That the report be printed.

**Motion agreed to.**

**LEGISLATION REVIEW COMMITTEE**

**Report: Legislation Review Digest No. 60/56**

**Mr JAMES GRIFFIN:** As Chair: I table the report of the Legislation Review Committee entitled "Legislation Review Digest No. 60/56", dated 18 September 2018.

I move:

That the report be printed.

**Motion agreed to.**

**Mr JAMES GRIFFIN:** I also table the minutes of the committee meeting regarding Legislation Review Digest No. 59/56, dated 14 August 2018.

*Petitions***PETITIONS RECEIVED**

**The DEPUTY SPEAKER:** I announce that the following petitions signed by more than 10,000 persons have been lodged for presentation:

**Coffs Harbour Regional Boat Ramp Precinct**

Petition calling for the creation of a Coffs Harbour regional boat ramp precinct with suitable amenities for boat ramp users, received from **Mr Andrew Fraser**.

**Plastic Bags**

Petition requesting the banning the sale of single-use and heavy retail plastic bags in New South Wales, received from **Ms Gladys Berejiklian**.

**Kingscliff Locality Plan**

Petition opposing increasing allowable building heights in Kingscliff and calling for three-storey height limits on buildings in medium-density and mixed-use zones, received from **Mr Luke Foley**.

**The DEPUTY SPEAKER:** I set down discussion on the petitions as orders of the day for a future day.

**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**.

**Pig-dog Hunting Ban**

Petition requesting the banning of pig-dog hunting in New South Wales, received from **Mr Alex Greenwich**.

**The Star Casino**

Petition opposing construction of a proposed residential and hotel tower on The Star casino site, received from **Mr Alex Greenwich**.

**Sydney Metro Pitt Street Over-station Developments**

Petition rejecting the current proposed Sydney Metro Pitt Street over-station developments, received from **Mr Alex Greenwich**.

**Oxford Street Light Rail**

Petition calling on the Government to include Oxford Street as part of the inner Sydney integrated light rail network, received from **Mr Alex Greenwich**.

**Kings Cross Train Services**

Petition requesting the provision of 24-hour train services in Kings Cross on weekends, received from **Mr Alex Greenwich**.

**Low-cost Housing and Homelessness**

Petition requesting increased funding for low-cost housing and homelessness services, 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 Ministers have lodged responses to petitions signed by more than 500 persons:

The Hon. Anthony Roberts—South-western Sydney Koala Conservation Strategy—lodged 9 August 2018 (Mr Jai Rowell)

The Hon. Anthony Roberts—Sydenham to Bankstown Rezoning Strategy—lodged 8 August 2018 (Ms Jo Haylen and Mr Jihad Dib)

The Hon. Andrew Constance—Central Coast Railway Stations—lodged 16 August 2018 (Mr David Mehan)

The Hon. Brad Hazzard—Griffith Youth Drug and Alcohol Rehabilitation Facility—lodged 8 August 2018 (Mr Austin Evans)

The Hon. Rob Stokes—Globe Wilkins Preschool—lodged 8 August 2018 (Ms Jo Haylen)

The Hon. David Elliott—Shellharbour Electorate Correctional Facility—lodged 8 August 2018 (Ms Anna Watson)

The Hon. Gabrielle Upton—Stockton Beach—lodged 7 August 2018 (Mr Tim Crakanthorp)

The Hon. Gabrielle Upton—Stormwater Drainage Legislation—lodged 8 August 2018 (Ms Tamara Smith)

The Hon. Melinda Pavey—Jewells Primary School—lodged 7 August 2018 (Ms Yasmin Catley)

*Business of the House*

**BUSINESS LAPSED**

**The DEPUTY SPEAKER:** I advise the House that in accordance with Standing Order 105 (3):

- (1) General business notice of motion (for bills) No. 1 [Road Rules Amendment (Slowing Down for Police and Emergency Vehicles) Bill] has lapsed.
- (2) General business notices of motions (general notices) Nos 2809 to 2844, 2846 to 2906 and 2908 to 2929 have lapsed.

*Motions Accorded Priority*

**MEMBER FOR PROSPECT**

**Consideration**

**Mr DAVID ELLIOTT (Baulkham Hills—Minister for Counter Terrorism, Minister for Corrections, and Minister for Veterans Affairs) (15:33):** Today this House has heard allegations of bullying. We have heard allegations of harassment by Emma Husar in the seat of Lindsay and we have heard how the member for Prospect and the member for Strathfield have been found to be bullying staff. This motion should be accorded priority because it deals with the devastating failure of the member for Prospect to support his Western Sydney community. The long-suffering people of the Prospect electorate have had to endure the humiliation of their local member being known more for allegations of harassment and bullying than for representing his community.

**Ms Tania Mihailuk:** Oh come on! They have all been baseless.

**Mr DAVID ELLIOTT:** It is certainly not baseless because his branch members have given me information about the allegations, which I will go through later in debate on the motion. When he is not being accused of harassment, it is branch stacking, pinning his military medals where they are not supposed to be and abusing parliamentary entitlements. This motion should be accorded priority because the member for Prospect—

**The DEPUTY SPEAKER:** Order! The Clerk will stop the clock. There are four members who have been called to order three times and six members who have been called to order. Those members who have been called to order are deemed to be on three calls to order. So 10 members are on three calls to order. The Minister will be heard in silence.

**Mr DAVID ELLIOTT:** This motion should be accorded priority because the member for Prospect claims to be the chair of Waste Watch yet he treats representation of the Prospect community as an entitlement, not a privilege. This is a disgrace. His curriculum vitae is full of inconsistencies and half-truths. It is just not good enough; his electorate deserves better. This motion should be accorded priority today because the Berejiklian Government is the only government that can support the Western Sydney community of Prospect. The member for Prospect claims that he puts Western Sydney first.

**The DEPUTY SPEAKER:** Order! The Clerk will stop the clock. The Minister may continue.

**Mr DAVID ELLIOTT:** The member for Prospect claims that he is putting Western Sydney first, but he does not support the upgrade of Parramatta stadium. Yet he is happy to accept box tickets to a football game from a developer who threatened the life of a bikie, physically assaulting him. Only the Berejiklian Government is listening to the community. Only the Berejiklian Government is delivering on infrastructure and services. We are delivering on skills and taking the pressure off New South Wales families to help them get ahead. Labor, and particularly the member for Prospect, is putting all this at risk.

## WAGGA WAGGA BY-ELECTION

### Consideration

**Mr LUKE FOLEY (Auburn) (15:37):** First, I extend my congratulations to the new member for Wagga Wagga on his election. My motion should be accorded priority because this was a truly remarkable achievement by the Premier: to manage to lose a seat that has been safely held by the Liberal Party since the 1950s and to lose more than half the Liberal Party's primary vote. The Liberal Party's primary vote went from 54 per cent at the last election to 25 per cent at this by-election. But there is a pattern here. Under this Premier, in the Gosford by-election the State's single most marginal seat was turned into one of the Labor Party's safest, with the election of Liesl Tesch—a 13 per cent swing to the Labor Party in a Liberal-Labor head to head.

In Manly the swing against the Liberals under this Premier was 24 per cent; in North Shore, it was 15 per cent; in Cootamundra, 20 per cent; and in Murray, 15 per cent. The member for Blacktown informs me that the swing against the Liberals in his by-election was 31 per cent. But each time the Premier emerges like the Black Knight in Monty Python to say, "Just a flesh wound." Seven by-elections on the trot—seven in a row—and one of the very safest Liberal seats in the State lost; the State's most marginal seat turned into one of Labor's safest—

**The DEPUTY SPEAKER:** Order! The Minister for Counter Terrorism, Minister for Corrections, and Minister for Veterans Affairs will resume his seat.

**Mr LUKE FOLEY:** The Premier says that she has heard the message and she will work harder—work harder delivering her wrong priorities, to work harder on a Sydney stadium splurge, on a scandalously botched light rail project, to work harder at dismembering TAFE—

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

**Mr LUKE FOLEY:** —and to work harder on a northern beaches mega tunnel in her own backyard while regional hospitals are understaffed. We had the entire Cabinet pressed into service—well, not all of them. Our old friend the Minister for Transport and Infrastructure did not turn up—but they did want to keep the swing against them to just double figures. The Minister for Education was nowhere there—of course not, he is too smart for that. His senior staff are camped out at AGL, waiting to be pressed back into service. The Minister for Education has been preening himself since January last year, saying the Liberals have made a dreadful mistake. On the night of the by-election notice how the Premier had skipped town? And she has not been back since—unlike me. Don Harwin, her consigliere, was pressed into service to say, "This is a community that has missed out for too long." Damn right—they have had 61 straight years of Liberal representation. [*Time expired.*]

**The DEPUTY SPEAKER:** Order! I direct the member for Bankstown to remove herself from the Chamber for a period of two hours.

[*Pursuant to sessional order the member for Bankstown left the Chamber at 15:42.*]

**The DEPUTY SPEAKER:** The question is that the motion of the member for Baulkham Hills be accorded priority.

**The House divided.**

Ayes .....47  
Noes .....37  
Majority.....10

### AYES

Anderson, Mr K  
Bromhead, Mr S (teller)  
Constance, Mr A  
Crouch, Mr A  
Elliott, Mr D  
Fraser, Mr A

Aplin, Mr G  
Brookes, Mr G  
Cooke, Ms S  
Davies, Mrs T  
Evans, Mr A.W.  
Gibbons, Ms M

Ayres, Mr S  
Conolly, Mr K  
Coure, Mr M  
Dominello, Mr V  
Evans, Mr L.J.  
Goward, Ms P

## AYES

Grant, Mr T  
Hazzard, Mr B  
Johnsen, Mr M  
Marshall, Mr A  
Patterson, Mr C (teller)  
Petinos, Ms E  
Sidoti, Mr J  
Taylor, Mr M  
Upton, Ms G  
Williams, Mrs L

Griffin, Mr J  
Henskens, Mr A  
Kean, Mr M  
Notley-Smith, Mr B  
Pavey, Mrs M  
Provest, Mr G  
Speakman, Mr M  
Toole, Mr P  
Ward, Mr G  
Wilson, Ms F

Gulaptis, Mr C  
Humphries, Mr K  
Lee, Dr G  
O'Dea, Mr J  
Perrottet, Mr D  
Roberts, Mr A  
Stokes, Mr R  
Tudehope, Mr D  
Williams, Mr R

## NOES

Aitchison, Ms J  
Barr, Mr C  
Chanthivong, Mr A  
Dib, Mr J  
Finn, Ms J  
Harris, Mr D  
Hornery, Ms S  
Lynch, Mr P  
McKay, Ms J  
Park, Mr R  
Scully, Mr P  
Warren, Mr G  
Zangari, Mr G

Atalla, Mr E  
Car, Ms P  
Crakanthorp, Mr T  
Donato, Mr P  
Foley, Mr L  
Harrison, Ms J  
Kamper, Mr S  
McDermott, Dr H  
Mehan, Mr D  
Parker, Mr J  
Smith, Ms T.F.  
Washington, Ms K

Bali, Mr S  
Catley, Ms Y  
Daley, Mr M  
Doyle, Ms T  
Greenwich, Mr A  
Haylen, Ms J  
Leong, Ms J  
McGirr, Dr J  
Minns, Mr C  
Piper, Mr G  
Tesch, Ms L (teller)  
Watson, Ms A (teller)

## PAIRS

Barilaro, Mr J  
Berejiklian, Ms G  
Rowell, Mr J

Cotsis, Ms S  
Hoenig, Mr R  
Lalich, Mr N

**Motion agreed to.**

*Visitors***VISITORS**

**The DEPUTY SPEAKER:** I welcome Dylan Butcher, all the way from Lismore, who is here with a group of Young Nationals. Welcome to the Parliament.

*Motions Accorded Priority***MEMBER FOR PROSPECT****Priority**

**Mr DAVID ELLIOTT (Baulkham Hills—Minister for Counter Terrorism, Minister for Corrections, and Minister for Veterans Affairs) (15:49):** I move:

That this House condemns the member for Prospect for failing to represent his constituents and neglecting his community.

The member for Prospect promised to bring public integrity to the newly created seat of Prospect. Once I have finished, I can assure those opposite that they will not want to defend him.

**The DEPUTY SPEAKER:** Order! The Clerk will stop the clock. The House will come to order. The Minister has the call.

**Mr DAVID ELLIOTT:** During his inaugural speech, the member for Prospect spoke in this place of his Catholic social teachings, stating:

I admire those who did not simply talk about their beliefs, but who put those beliefs into pragmatic action and helped their community.

Almost four years later, how do we judge his comments? Unfortunately for the Prospect community, the member has brought nothing but embarrassment, neglect and shame to his electorate. When trouble called and public pressure demanded investigation of a series of allegations made against the member, Labor did not appoint a retired judge, did not find an experienced mediator and did not provide for an independent authority to seek out the truth. Its response was to appoint a former Labor adviser to the disgraced Gillard and Rudd governments, barrister John Whelan—also known as the Wolf of Sussex Street—to conduct the interview. As we would expect, a Labor inquiry into a Labor member found the Labor member for Prospect had no case to answer. We on this side of the House know a lot different.

The member for Prospect had the hide to state in this place that he had been cleared by an independent inquiry. It was not independent; it was undertaken by a former Labor adviser. If the Leader of the Opposition had any integrity he would stand down the member for Prospect and call for a proper investigation into the member's disgusting behaviour. Why did not the Leader of the Opposition call him out? Why did he protect the member by allowing him to remain in the party room? The Labor leader has shown himself to be soft on alleged misconduct, just as the Labor leaders were who turned a blind eye to the behaviour of Eddie Obeid, Ian Macdonald and Joe Tripodi.

Instead of proudly representing his community and bringing public integrity to office, as he promised to do, the member for Prospect has smeared the community. Instead of talking up the excellent local businesses in Wetherill Park and Smithfield and the benefits of true multiculturalism made up of the Indians, Assyrians and Italians of Bossley Park and Horsley Park and the Lebanese and Maltese of Greystanes, the member for Prospect has been too busy defending himself against allegations and accusations. In the lead-up to Anzac Day, the member for Prospect was forced to apologise for wearing an official Army badge that the military says was not actually issued when he was serving.

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

**Mr Stephen Kamper:** Where did your mates go? George is only there because he has to be.

**Mr Jihad Dib:** Even Troy wants to go but he's on House duties.

**Mr Troy Grant:** I've got to be here.

**The DEPUTY SPEAKER:** Order! The House will come to order. The Minister will resume his speech.

**Mr DAVID ELLIOTT:** Having no positive stories in the media, it was only natural that the member for Prospect sought to generate his own positive publicity. [*Quorum called for.*]

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

In a publicly funded newsletter to address community issues, his long-suffering constituents had to look at more than 20 selfies.

**Mr Michael Daley:** Point of order—

**Mr DAVID ELLIOTT:** The photo montage of himself not only shows extreme vanity—

**Mr Michael Daley:** A call for a quorum should not mean that the Minister gets extra time.

**The DEPUTY SPEAKER:** I am informed that the Minister has 25 seconds remaining. The clock will be reset.

**Mr DAVID ELLIOTT:** The controversy does not end there. The member was so busy looking after himself in publicly funded newsletters that he failed to advocate for the needs of his electorate. I visited the Cumberland Country Golf Club in his electorate to inspect a lack of disability access to the club. I was horrified to learn that he had promised members of that club— [*Time expired.*]

**Dr HUGH McDERMOTT (Prospect) (15:58):** We all know what this motion is about. It is about two things. Wagga Wagga is the main one, with a 30 per cent swing—fantastic. The Government lost the seat to Dr Joe McGirr, who comes from a fine Labor heritage, which is great. This side is looking forward to serving with him this term and for many terms to come, especially under a Labor government after March next year. The other reason for the motion is that it is a diversion from what is happening down in Kiama. What a surprise. I will not get involved in that but once again the member for Kiama is in the papers. I am looking forward to how Andrew Higgins, the Labor candidate down there, will do things.

**Mr David Elliott:** Point of order—

**Dr HUGH McDERMOTT:** I am also looking forward to welcoming—

**The DEPUTY SPEAKER:** Order! The member for Prospect will resume his seat. The Minister has taken a point of order.

**Dr HUGH McDERMOTT:** I had not noticed.

**The DEPUTY SPEAKER:** Because you have not been directing—

**Mr Michael Daley:** Stop the clock.

**The DEPUTY SPEAKER:** No, I will not.

**Mr David Elliott:** Your mother should have thrown you out and kept the stork, fair dinkum. The motion is about the condemnation—

**Ms Kate Washington:** Point of order—

**Mr David Elliott:** Are you going to hit me?

**Ms Kate Washington:** The Minister made a disparaging comment before speaking to his point of order. He referred to the member for Prospect's mother and how she feels about her son. That is the most offensive thing he could say. He should not be a Minister.

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

**Dr HUGH McDERMOTT:** To the point of order: He insulted my mother. I ask him to withdraw the comment. We know his father died of shame a few weeks ago. I suggest he withdraw his comment.

**The DEPUTY SPEAKER:** Order! I will hear the Minister on his point of order.

**Mr David Elliott:** My point of order is that the motion is about condemning the member for Prospect. The member has been talking about Wagga Wagga and other electorates and not speaking to the motion. He has to address the motion.

**The DEPUTY SPEAKER:** Order! There is no point of order. It is generally a wideranging debate. The member for Prospect has the call.

**Mr Paul Lynch:** I move:

That the time of the member for Prospect be reinstated.

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

**Motion negatived.**

**Dr HUGH McDERMOTT:** The Prospect electorate has been well and truly let down by this Government. Time and again we have seen the Premier lose a by-election with a massive swing against her Government and she says, "No, we will reset." Let me tell the House about the things that should be reset in Prospect.

**The DEPUTY SPEAKER:** Order! The Minister will come to order.

**Dr HUGH McDERMOTT:** They are quite simple. After eight long years, the Prospect Highway should be upgraded from a single-lane road. Let Fairfield Hospital suffer? Yes, that is what this Government is doing. Children have died because of a lack of resourcing at that hospital. How much money has been given to it? It has received bits and pieces from the local health district to do up the facade at the front of the emergency department. The master plan needs to be done. It will cost \$6 million to upgrade it. At the same time, the Government is closing down the General Practice Unit, which pushes thousands of people to Liverpool—people who cannot afford to travel that distance.

Then I refer to our local schools. Premier, every school in my electorate needs upgrading. Each one is at capacity or close to it. Girraween High School has 35 demountables, which is the second-highest number of demountables in the State. Nothing has been given towards fixing this problem. Then we have the M4 tolls. Of the people in Prospect, 72 per cent drive to work.

**The DEPUTY SPEAKER:** Order! The member for Oatley will come to order.

**Dr HUGH McDERMOTT:** The people of Prospect have to spend more than \$2,000 a year on M4 tolls, which is more than they pay in petrol. The cashback should be brought back or the tolls should be removed by

this Government. I am very proud to represent Prospect and I know one thing, I will be there after March next year but you guys will not be. [*Time expired.*]

**Mr DAMIEN TUDEHOPE (Epping) (16:04):** I support the motion moved by the member for Baulkham Hills and I will use this opportunity to express my disappointment. When I arrive home of a night-time I like to watch the Paul Murray show, but the member for Prospect is not on it any more. In many respects, it is a lesser show for not featuring the member for Prospect. I wondered why the show's ratings had gone down, but it is because the member does not appear on it anymore. The problem for the member for Prospect is that it was the only time the people of his electorate ever saw him. I note that the member for Londonderry has now taken up the opportunity. There is a serious side to this motion. I like the member for Prospect, who has made a significant contribution to this place through his advocacy on behalf of children who have been sexually abused. That component of his advocacy should not be ignored.

However, when a member of Parliament issues a newsletter on behalf of his electorate which contains only photos of himself, it stretches the notion of a picture telling a thousand words. The only thing we ever find in the newsletter of the member for Prospect are photos of himself. We do not find out anything about what he has done on behalf of his electorate. When I issue a newsletter to my electorate people ring me if there are too many photos of me. There is good reason for that. They do not like it, and I understand. Those who occupy a position as a member of this House have plenty of opportunities to represent their electorate. The member for Prospect has had serious allegations made against him in this place. He should be concerned about the level of advocacy that those who lead his party have shown on his behalf. I sympathise with the member for Prospect for the lack of leadership of those opposite in defending him in this place.

**Mr STEPHEN BALI (Blacktown) (16:07):** I have been a member of this Chamber for less than 12 months, so I am fairly new. I and, I am sure, the new member for Wagga Wagga question this motion, which condemns a member who works very hard for his electorate. In this kangaroo court, based on the numbers, a motion has been moved condemning the member. That could happen to any one of us. A party that has the numbers can move a motion against a member and attack him or her. But where does it get them? The member for Epping congratulated the member for Prospect on his advocacy in relation to the sexual abuse of children. As the former Mayor of Blacktown, I have met my neighbour the member for Prospect many times in the area. He visits commercial areas and together we visited the Arnott's factory. When the Premier came out to open the new manufacturing line, we did not condemn the Premier for engineering a detour from the factory visit so that she could have a special photo from which we were excluded. How ridiculous is that?

When we look at the photos of the member for Prospect in his newsletter or on his Facebook site, we see him with Africans, Syrians, Filipinos and people from different parts of the Subcontinent at citizenship ceremonies. Last week we saw him at the launch for a new university at Blacktown, together with many other Opposition members—but not one Government member was present. Last week the Government made an announcement about a university at Badgerys Creek. Technically it was just a letter of intent by four vice-chancellors but it had no substance. Blacktown will have the next university. The Government has tried to turn it around and has announced that the next university will be at Badgerys Creek. The member for Baulkham Hills has said that the Berejiklian Government is the only government that supports Western Sydney. He said:

Tell 'em they're dreamin' is what I will say if there are moves to put more development in this area without the infrastructure.

...

I don't have a public hospital, an ambulance station, a police station ... the schools are overcrowded, people are unhappy with their bus services—it is time a line was drawn in the sand.

There is something like 1,000 people a week moving into The Hills district and the member for Baulkham Hills cannot even represent his own people. The highest number of demountables are in his electorate. The member does not represent his own electorate yet he attacks another member. The member for Baulkham Hills should be condemned.

**Mr DAVID ELLIOTT (Baulkham Hills—Minister for Counter Terrorism, Minister for Corrections, and Minister for Veterans Affairs) (16:11):** In reply: I hope the member for Blacktown is not a defence lawyer, because if he were we would all be hanging. I am horrified that the best the Labor Party could do to defend the member for Prospect was a speech by the member for Prospect and a speech by the freshly minted member for Blacktown. There was nobody from the front bench or the leadership team. The defence used by the member for Prospect was to attack everybody else. He did not speak to the fact that the Government is accusing him of harassment not only in this place but also of his electorate staff. He did not speak to the fact that he has abused his parliamentary entitlements. He did not speak to the fact that, as the local member, he lied to the Cumberland Country Club, particularly in relation to the promises he made about disability access.

**Ms Kate Washington:** Point of order: There is a long tradition in his House that the word "lied" is not to be used in this Chamber. I ask that the Minister withdraw that comment.

**Mr DAVID ELLIOTT:** I withdraw the comment. He did not lie to the Cumberland Country Club; he misled them by telling them that it was the Government's fault that he did not recommend community infrastructure grants for disabled access to the country club. He did not defend himself against the fact that three of his electorate staff were sacked on Christmas Eve and they took issue with him about it. The only way he could get away with it was to get a Labor lawyer to miraculously clear him—even though I know for a fact that those three staff are still traumatised. He did not defend the fact that he has had to go to his electorate with a lack of good news and he has used public money to issue an electorate newsletter that has only photos of himself.

In this Chamber the member has complained about the hospital and the resources in his electorate. That is what a newsletter is for. A member can use the newsletter to highlight the issues in his electorate that need to be addressed. He did not do that. He used his newsletter to include a lot of photos of himself at various events and to praise himself. Who can forget—and I know those opposite cannot—his famous Christmas card in 2016 showing him semi-naked in a pool, with his wife, wishing everybody a merry Christmas? Who can forget that one? My biggest concern is his relationship with the former electorate officer George Barcha. That is the money shot. I am wondering if George Barcha will be featured in his electorate material or in his next newsletter. That is the money shot. I can assure the House that I will be using his relationship with George Barcha—

**Mr Paul Lynch:** Point of order: Are you going to adhere to the standing orders or just be a thug?

[Time expired.]

**The DEPUTY SPEAKER:** The question is that the motion be agreed to.

**The House divided.**

Ayes .....46  
Noes .....34  
Majority.....12

#### AYES

Anderson, Mr K  
Bromhead, Mr S (teller)  
Constance, Mr A  
Crouch, Mr A  
Elliott, Mr D  
Fraser, Mr A  
Grant, Mr T  
Hazzard, Mr B  
Johnsen, Mr M  
Marshall, Mr A  
Patterson, Mr C (teller)  
Petinos, Ms E  
Sidoti, Mr J  
Taylor, Mr M  
Upton, Ms G  
Williams, Mrs L

Aplin, Mr G  
Brookes, Mr G  
Cooke, Ms S  
Davies, Mrs T  
Evans, Mr A.W.  
Gibbons, Ms M  
Griffin, Mr J  
Henskens, Mr A  
Kean, Mr M  
Notley-Smith, Mr B  
Pavey, Mrs M  
Provest, Mr G  
Speakman, Mr M  
Toole, Mr P  
Ward, Mr G

Ayres, Mr S  
Conolly, Mr K  
Coure, Mr M  
Dominello, Mr V  
Evans, Mr L.J.  
Goward, Ms P  
Gulaptis, Mr C  
Humphries, Mr K  
Lee, Dr G  
O'Dea, Mr J  
Perrottet, Mr D  
Roberts, Mr A  
Stokes, Mr R  
Tudehope, Mr D  
Williams, Mr R

#### NOES

Aitchison, Ms J  
Barr, Mr C  
Chanthivong, Mr A  
Dib, Mr J  
Foley, Mr L  
Harrison, Ms J  
Kamper, Mr S  
McDermott, Dr H  
Minns, Mr C  
Scully, Mr P  
Warren, Mr G

Atalla, Mr E  
Car, Ms P  
Crakanthorp, Mr T  
Doyle, Ms T  
Greenwich, Mr A  
Haylen, Ms J  
Leong, Ms J  
McKay, Ms J  
Park, Mr R  
Smith, Ms T.F.  
Washington, Ms K

Bali, Mr S  
Catley, Ms Y  
Daley, Mr M  
Finn, Ms J  
Harris, Mr D  
Hornery, Ms S  
Lynch, Mr P  
Mehan, Mr D  
Piper, Mr G  
Tesch, Ms L (teller)  
Watson, Ms A (teller)

NOES

Zangari, Mr G

PAIRS

Barilaro, Mr J  
Berejiklian, Ms G  
Rowell, Mr J

Cotsis, Ms S  
Hoenig, Mr R  
Lalich, Mr N

**Motion agreed to.***Bills***CRIMINAL PROCEDURE AMENDMENT (PRE-TRIAL DISCLOSURE) BILL 2018****Second Reading Debate****Debate resumed from 15 August 2018.**

**Mr ALISTER HENSKENS (Ku-ring-gai) (16:22):** I am very happy to speak in support of the Criminal Procedure Amendment (Pre-trial Disclosure) Bill 2018. I congratulate the Attorney General for introducing reforms in this House that will simultaneously ensure the smooth running of criminal trials in the State's higher courts through effective and efficient pre-trial disclosures, the reduction of delays in the criminal justice process and the promotion of fairness to both the prosecution and the accused. But most importantly this bill recognises the human element of criminal trials and the stress on victims of crime and will decrease the stress upon them as a consequence of the criminal trial process. The bill amends the Criminal Procedure Act 1986 to include four additional matters that the defence must disclose prior to commencement of a criminal trial in the District Courts or the Supreme Court. It also clarifies two obligations in relation to the prosecution.

The background to the production of this bill is that statutory pre-trial disclosure obligations were first introduced in New South Wales in 2001 following a report from the Law Reform Commission, "The Right to Silence", and additional obligations were added in 2009 and 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, as the Attorney General has already informed the House, that the pre-trial disclosure scheme had been largely effective at achieving those aims. It recommended expanding the scheme in specific and targeted ways, which this bill delivers upon. It also complements the other actions by the Government to improve court efficiency and to reduce delays since 2015, including the appointment of many 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 court list. Those measures have all been highly successful. In January of this year 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.

I will highlight some of the important measures. The important matter to focus on initially is the position with regard to victims of crime. By facilitating the resolution of potential interruptions earlier in the trial process, the bill will help more trials proceed on the listed start day, and more victims to pass through the justice system without delay. This is important because trials can be very stressful for victims. One can only imagine how difficult it is giving evidence, recounting traumatic experiences and facing offenders in court, even for the bravest of victims. Minimising the duration of trials by removing potential causes for delay will therefore reduce the period of time that victims are placed in this state of heightened distress.

There is one provision contained in the bill that will be of particular benefit to victims and that is the proposed new section 143 (1) (j) requiring the defence to give notice as to whether they will dispute the form of the indictment or seek separate trials where there are multiple charges against an accused. This issue is particularly relevant for serious sexual and child sexual assault matters where there are multiple charges or complainants. In these cases the defence may seek to have the matter split into separate trials. After all, it is in the accused person's interest to have each count of an indictment heard separately before different juries.

Applications for separate trials are often made on the first day of the trial. Not only does it take time for the application to be heard by a judge but if the application is granted it results in the original matter being vacated and listed at a later time, often months or even years later. This causes great inconvenience and distress to the victims, who may have already waited a long time to get justice and have prepared themselves to give evidence.

Some victims may also not understand why they are no longer to take part in the case and why the case has to start again, potentially with a different legal team.

Making mandatory for the defence to disclose its intentions to seek separate trials, as this bill does, will reduce instances where victims of serious crimes arrive at court only to be turned away. If the court grants the application for separate trials, the prosecution will have time to notify witnesses and explain why the court has made its decision. This is far more empathetic than telling victims outside the Downing Centre on a busy Monday that their time for justice will have to wait. In these ways, the measures proposed by the bill are in the best interests of the victims. But that is not the only matter that is introduced.

The other matters in new section 143 (1) include the requirement in new section 143 (1) (i) before trial that the defence give notice whether there will be any challenge to the continuity of custody. As you would know, Mr Deputy Speaker, the matter of the chain of custody of evidence is one that can be challenged and often is challenged by defendants. It can involve a great deal of very formal evidence to prove. Requiring a defence to disclose their intention to challenge that evidence in advance of the trial will allow police resources to be properly allocated towards the matters which are in dispute and not to anticipate every matter which could be in dispute in relation to those matters.

New section 143 (1) (j) requires notice of any challenge to the form of the indictment, severability of the charges or separate trials, as I have already said. New section 143 (1) (h) requires notification in advance of the trial of any expert witness proposed to be called and a copy of that report. This is a procedure which has longstanding antecedents in civil trials. Having regard to the requirements of the case of *Makita v Sprowles* (2001) 52 NSWLR 705, an expert report requires that firstly the expert witness be properly qualified to give the opinions that they propose to give; secondly, that they must give reasons to explain the nature of their expert opinions; and thirdly, they must clearly specify the factual assumptions or matters on which the expert opinion is based.

Not everyone can give opinion evidence. It is an exceptional case for a witness to be able to give that evidence. Under the opinion rule, generally witnesses cannot give evidence of opinion. It is highly desirable—as I have already said, it has been the case in civil trials for many years—for an expert report to be served in advance of the trial so that the prosecution can assess the expertise of the expert witness, assess the facts upon which the expert opinion is said to be based and have an exposure to the reasons for the expert opinion.

The other matters, which are purely matters of common sense, relate to new section 143 (1) (k), where if a request is to be made that the prosecution adduce edited transcripts or recordings at the trial, then that be done in advance to allow the police and the Director of Public Prosecutions to dedicate appropriate resources. It is not just an economic matter that trials proceed fairly, although it certainly is in the public interest to do so, but these reforms heighten the fairness and the quality of justice in our State. I commend the bill to the House.

**Mr PAUL LYNCH (Liverpool) (16:33):** I lead for the Opposition in debate on the Criminal Procedure Amendment (Pre-trial Disclosure) Bill 2018. The Opposition does not oppose what appears to be a non-controversial bill that is largely based on the recommendations of the statutory review of the Criminal Procedure Amendment (Pre-trial Disclosure) Act. The provisions of that legislation commenced in September 2013 and a statutory review was required within three years. The object of the bill is to amend the Criminal Procedure Act. The specific amendments proposed to the principal Act include to require the prosecution to disclose certain material relating to audio or visual evidence in the notice that the prosecution is required to give to the accused person.

This bill also requires that the notice that the accused person in turn gives to the prosecution discloses material relating to expert evidence, gives notice of any proposal to raise any issues relating to the continuity of custody of exhibits and any significant issues relating to the form of the indictment and the prosecution of the counts of the indictment, and to include any request to edit any audio or visual recording or the transcript of any audio or visual recording that the prosecution has disclosed an intention to adduce at the trial and details of the edits required. Finally, the bill requires the prosecution to respond to any request by the accused person to edit audio or visual recordings or transcripts of them. As I indicated, these provisions resulted from the recommendations of the statutory review. Recommendation 1 of the review provided that the principal Act should be amended:

... to require the defence to disclose the following material without a court order:

- (i) A copy of any expert report that the defence intends to rely on,
- (ii) Notice as to whether the defence disputes the continuity of custody of any proposed prosecution exhibit,
- (iii) Notice as to whether the defence will seek to amend the indictment or seek a separate trial on any of the counts on the indictment, and
- (iv) Notice as to whether the defence proposes any edits to audio or video evidence the prosecutor intends to use in the trial.

Recommendation 2 provided that the Criminal Procedure Act "should be amended to clarify that the prosecution must serve any transcripts of recordings where it proposes to adduce the transcript at trial, and that the prosecution must provide a timely response to any edits to audio or video evidence proposed by the defence". I think it is worth noting that not all proposals made to the departmental statutory review were adopted by the review. There have been various steps towards mandatory disclosures at various points of time. There was legislation in 2001, 2009 and 2013. The requirements now are set out in legislation as clear obligations rather than being left to the discretion of the court. Section 148 of the Criminal Procedure Act importantly allows the court to waive any of the requirements if it is in the interests of the administration of justice to do so.

Reducing unnecessary disputes and reducing the time spent on uncontested elements of cases is a good thing if it can be done in a fair way. It makes perfect sense and is an entirely comprehensible basis for the development of pre-trial disclosure. However, as both the statutory review and the Attorney's second reading speech make clear, there is another powerful motivating factor behind such changes. That factor is the overwhelming and often catastrophic delay currently in the District Court criminal trial system.

The New South Wales Law Reform Commission report entitled "Encouraging appropriate early guilty pleas" dates from 2014. The commission at that stage—four years ago—described the District Court criminal trial system as being in a state of crisis. Not much has changed since—and it has been four years. Delay means the memories of witnesses are less reliable and thus the quality of justice less certain. Anguish for victims is extended and uncertainty for the accused increased. Prosecutors, defenders and police are all tied up for longer. To quote from page 2 of the statutory review that gave rise to the bill:

The time it takes for a criminal trial to be listed and to be heard has increased significantly over the last decade ...

It decreased slightly from 2009 to 2011 but has been on an upward trajectory ever since. The report emphasised at page 3:

Trial delays and longer trials have a significant impact on the criminal justice system, including increased cost burdens on the courts, the police, the prosecution, and legal aid providers, as well as a detrimental impact on juries, victims of crime, accused persons and witnesses.

In regard to those held on remand who are subsequently acquitted or not sentenced to a custodial term, leaving aside the personal tragedy of that for them being unnecessarily held in jail, what about the unnecessary costs to taxpayers for someone held in jail? We have all been reminded of these issues by the recent letter from President of the Law Society of New South Wales Doug Humphreys to the Premier dated 14 August 2018. The number of matters committed for trial from the Local Court to the District Court from 2012 to 2016 rose by around 36 per cent while the number of matters committed for sentence rose about 24 per cent. Mr Humphreys pointed out that the 2017 Productivity Commission Report on Government Services, known as ROGS, showed that "The New South Wales criminal justice system was the most inefficient in Australia, a status that has arisen as the workload of the courts has increased."

None of the individually worthy projects and proposals to help around the edges with delay, such as this bill, will make a real impact without the allocation of extra resources. The Government's response is to talk of the appropriate early plea of guilty policy. I will be interested to see it—when it happens. It was recommended four years ago and still has not effectively commenced. I must say I am concerned by the increasing number of senior practitioners who are expressing to me reservations as to whether it will work. As I said when earlier legislation was debated, I think in theory it is an entirely sensible strategy and policy, and I welcomed the Law Reform Commission recommendations when they came out. But, as I say, I am increasingly concerned at the number of people who are sceptical about whether it will work. As I indicated, the Labor Opposition does not oppose the bill, but a great deal more is required to deal with the District Court crises.

**Mr MARK SPEAKMAN (Cronulla—Attorney General) (16:38):** In reply: I thank the member for Ku-ring-gai and the member for Liverpool for their contributions to the debate. As the member for Liverpool noted, administration of serious criminal cases in the District Court has been under considerable pressure, which has led to a large backlog of criminal trials and delays in finalising cases. The current District Court backlog is not unique. Backlogs peaked in 1988 and in 2000, as noted in Bureau of Crime Statistics and Research Justice Bulletin 184 entitled "Trial court delay and the NSW District Criminal Court", published in August 2015.

The principal causes of the substantial backlog are, first, an increase in the number of persons charged with indictable offences and, secondly, the number and proportion of matters set down for trial. The third cause is the increasing length of criminal trials due to: an increase in prosecutions for complex and serious offences such as sexual assault, robbery, prohibited weapons charges and drug trafficking for which there is a higher incidence of people pleading not guilty; and an increase in the use of sophisticated policing methods such as telephone interceptions, physical surveillance and forensic evidence in prosecuting those trials.

In October 2017 the New South Wales Bureau of Crime Statistics and Research publication entitled "Trends in NSW Police clear up rates" demonstrated that while there has been a decrease in incidents of crime there has been an increase in the clear up rates of police, explaining why a decrease in crime does not lead to a decrease in workload for the District Court. Measures introduced by the New South Wales Government have been effective in stabilising the backlog over the past 18 months. They include: additional judges and additional sitting weeks; case management activities including special call overs, readiness hearings and the rolling list court; and additional public defenders.

The Government is also addressing a number of long-term systemic issues that have contributed to the strain on the criminal justice system, particularly through the table offence reform and early appropriate guilty plea reform, which incidentally commenced in April. In December 2015 the Government approved \$20 million to fund a program of immediate measures to address the backlog. We announced a further \$39 million as part of the 2016 budget, which represents five additional District Court judges, four additional public defenders, additional sitting weeks, and case management measures including rolling list court funding and special call overs. A further \$27.1 million has been allocated in the 2018-19 budget to address the backlog.

The amendments in the bill will expand mandatory pre-trial disclosure in criminal trials in the district and supreme courts. Specifically, the bill requires that the defence must disclose the following matters: any reports by experts it intends to rely on; whether it intends to challenge the continuity of custody of any prosecution exhibit; whether it will seek to amend the indictment or make an application for separate trials; and whether it will seek edits to audio or video evidence the prosecution intends to use in the trial. The bill also provides that the prosecution must provide the defence with a transcript of any audio or video evidence it proposes to adduce and provide timely notice if it disputes any edits to such evidence proposed by the defence.

Pre-trial disclosure has been used in New South Wales since 2001. Requiring parties to disclose the evidence, to identify the issues in dispute and to advise of any objections before the trial begins is a successful case management tool for reducing delays and costs in criminal trials. Certain matters, if disclosed late, can result in expense to both parties and the justice system on two bases. First, another party will have been put to the expense of preparing for an issue which is ultimately conceded at trial. Secondly, the trial may need to be adjourned or vacated to allow parties the opportunity to respond to a late disclosure.

The delay and increased costs of such an outcome leads to unfairness to the prosecution and to any co-defendants as well as to victims and witnesses. Pre-trial disclosure provisions attempt to address those issues by requiring the defence and prosecution to disclose evidence and aspects of their case within a reasonable period prior to the trial. The bill expands on an existing process by placing additional obligations on both the defence and prosecution prior to trial. This is to ensure that both parties can focus on the issues that will be disputed at trial, and that the possibility of late adjournments and delay is minimised. I commend the bill to the House.

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

**Motion agreed to.**

### **Third Reading**

**Mr MARK SPEAKMAN:** I move:

That this bill be now read a third time.

**Motion agreed to.**

### **RSL NSW BILL 2018**

#### **Second Reading Debate**

**Debate resumed from 15 August 2018.**

**Mr GUY ZANGARI (Fairfield) (16:43):** I speak on behalf of the New South Wales Labor Opposition and also on behalf of the Hon. Lynda Voltz, a member of the other place, who is the shadow Minister for Veterans Affairs for the Labor Opposition, to make a contribution to debate on the RSL NSW Bill 2018. The primary objectives of this bill are to constitute a corporation with the name of the Returned and Services League of Australia (New South Wales Branch), which may also be called RSL NSW, and to provide that RSL NSW is a continuation of the corporation constituted by the Returned and Services League of Australia (New South Wales Branch) Incorporation Act 1935; to establish a board of directors to govern and act for RSL NSW; and to provide that the directors of the board are to be elected by RSL NSW members and will include at least one independent director.

Other objects of the bill are to require RSL NSW to provide an annual report to the Minister to be tabled in Parliament, to require the directors of the board to disclose any pecuniary interests in matters being considered

by the board and to provide for the remuneration by RSL NSW of the directors of the board. A police investigation into fraud of RSL NSW back in December 2016 was prompted by the Minister for Veterans Affairs following allegations of fraud against the former RSL NSW Secretary, Mr Don Rowe, and the bill followed on from the Bergin inquiry. Since the investigation it has been identified that members of the RSL executive had been receiving remuneration through RSL LifeCare while subsequently providing political donations to the Liberal Party at both State and Federal levels. I note that the New South Wales Liberal Party has identified donations received on the State level; however, to date, there has been no disclosure to the House on the amount of money received by the Federal Liberal Party. The Bergin inquiry noted:

It is recommended that NSW Fair Trading liaise with the ACNC and any other entity, including the Fundraising Institute of Australia, to develop clear guidance for charitable fundraising organisations in respect of political donations and attendance at political functions.

These matters have irrefutably damaged the good name and reputation of RSL NSW, and have undermined the confidence of its members and the general public. In light of this huge mess, it is evident that clear, concise and strict guidelines are required to prevent this from happening again. That is the purpose behind the inception of the RSL NSW Bill 2018 and the consequent repeal of the Returned and Services League of Australia (New South Wales Branch) Incorporation Act 1935. Unfortunately, recurring feedback received by concerned stakeholders indicates that no rank and file consultation took place prior to this bill being introduced, and all the proposed changes to the operations and functions have been drafted behind closed doors. Despite attempts in the new bill to provide greater levels of transparency and integrity, the lack of stakeholder consultation and neglecting to request feedback from concerned rank and file members is truly a misstep that undermines this whole process.

One of the primary objectives of this bill is to establish a board of directors to govern and act for RSL NSW. The board will have full authority over decisions relating to the functions of RSL NSW. The board is required to provide an annual report to the Minister for Veterans Affairs, which must include its audited financial statements and accounts, an independent auditor's report, and information relating to the determination of the remuneration for each director. The board will comprise no less than three and no more than 10 directors. Within the board's composition the board must also appoint at least one, but no more than two, independent directors. Each director of the board must disclose any pecuniary interests in matters that are being considered by the board. Part 4 clause 13 of the bill sets out the provision for the RSL NSW board of directors to receive remuneration from RSL NSW. This remuneration may vary based on the specific role of the director and the amount of remuneration paid to the directors of comparable organisations.

Part 4, clause 13 (3), states that any remuneration paid to a director must not be manifestly excessive; however, this definition relies on the perception of an individual whether something is manifestly excessive or not. Following the first reading of this bill by the Minister for Veterans Affairs, Labor members of this House wrote directly to their local sub-branches with regard to the proposed legislation to obtain their feedback and views on the proposed changes. Responses received by the various sub-branches overwhelmingly objected to and raised concern about the mandatory payments of remuneration to its directors of the board. That is an issue the New South Wales Labor Opposition will be addressing through amendments to this bill.

Justice Bergin referred directors of RSL LifeCare to the Australian Securities and Investments Commission and the Australian Charities and Not-for-profits Commission for receipt of directors fees. It is therefore surprising that this amendment has turned up in the RSL NSW Bill 2018 rather than the Government introducing changes to the Charities Act. It should be noted that Justice Bergin specifically requested that the amendment to the payment of fees be made within the Charities Act. There was no recommendation, implied or otherwise, to include the payment of remuneration to the RSL NSW executive in any proposed changes to the RSL NSW Bill. At page 14.26 of her report Justice Bergin noted:

It is recommended that consideration be given to amending section 48 of the (Charity) Act to clarify that it is the approval to act as an officer rather than approval to receive fees.

To include it in this bill has the potential to place this piece of legislation in conflict with the Charities Act. Indeed, the amendment in this bill is unnecessary as the Charities Act already provides for a mechanism for remuneration. I note that the Act states:

**48 Remuneration of board members of charitable organisations**

- (1) A person is not prohibited (despite any law to the contrary) from holding office or acting as a member of the governing body of a non-profit organisation having as one of its objects a charitable purpose merely because the person receives any remuneration or benefit from the organisation if:
  - (a) the Minister, by order published in the Gazette, has declared that this section applies to that office, or
  - (b) the Minister has given prior approval of a person who receives any such remuneration or benefit holding that office or acting in that capacity, or

- (c) the person concerned holds that office or acts in that capacity by virtue of his or her office as a minister of religion or a member of a religious order.
- (2) An approval under this section is subject to any conditions imposed by the Minister when giving the approval.
- (3) An approval under this section is to be in writing. Applications for such approvals must be addressed in writing to the Minister by the organisation concerned.
- (4) For the purposes of this section, every body, organisation or office referred to in section 7 (1) is taken to be a non-profit organisation having among its objects one or more charitable purposes.

It should be remembered that the members of RSL sub-branches are themselves returned veterans and former defence personnel. They give up their free time to provide assistance to other veterans and defence personnel voluntarily, often particularly dealing with the complexities of the Federal Department of Veterans Affairs. It is an organisation run by those who themselves have served to ensure help is provided to those who have served, suffered loss or injury, and are charged with ensuring the ongoing remembrance of the conflicts in Australia's past and the sacrifice of those who were lost.

Overwhelmingly, in responses received by Labor members of this Parliament, RSL sub-branch members universally believe that the New South Wales Government is removing from them the decision-making ability on the payment of directors' fees and enforcing it within legislation. The Labor Opposition agrees that RSL sub-branch members themselves should be the arbitrators in this regard and should be empowered on the issues of remuneration, rather than having the implied obligation to do so under the current amendments proposed in this bill.

Another area of concern is the insertion of the State into the restructuring of the executive. To set the minimum as only three directors elected by the membership, down from the current 14, is problematic. This has the potential to significantly centralise the decision-making of this organisation to a very small handful and, despite the requirement for annual reports to Parliament, would represent a hindrance to transparency rather than an improvement. As I stated earlier, the current structure of the RSL NSW allows for significant regional and rural representation. It is undoubted that the bulk of members are residents in the Greater Western Sydney area and has the potential to reduce representation outside the Sydney metropolitan area.

Many RSL members also believe that the proposed structure will eliminate regional and rural representation from the executive body. Again, this is a legitimate concern and the Labor Party will be dealing with these concerns by the amendment in consideration in detail. I will now deal with one part of the Bergin inquiry to have escaped the attention of the Minister for Veterans Affairs, that is the diversion of funds from veterans to the Liberal Party of New South Wales and to the Federal Liberal Party. As Justice Bergin noted in the final report:

Any member of the public who donates funds to a charity should be able to have confidence that their funds are not being used to support a political party or for the election or re-election of a particular political party or candidate. Clear guidance needs to be given to charities, and in particular those engaging in charitable fundraising, to ensure the donating public can have confidence in how their money is being spent .

Tens of thousands of dollars were diverted from RSL LifeCare to the New South Wales Liberals, and not one member on the other side of the Chamber has got to their feet to apologise to the veterans around the State. This legislation gives them an opportunity to do that, particularly the member for Pittwater, Rob Stokes, who has in large been the main recipient of these funds—although the Liberal Party is yet to come clean on how much was received by its Federal party. These donations have been centred around the former Liberal Minister Jim Longley, who was not only receiving a parliamentary pension, being paid as a director of a government agency, but also was diverting funds from RSL LifeCare to the Liberal Party of New South Wales, on top of being paid director fees for being a member of the RSL LifeCare board. If members want to understand why the public trust in politicians is so low, then the example set by Jim Longley is a significant reminder.

Since the Minister for Veterans Affairs has failed to move amendments that ban the payment of political donations, such as those to the Liberal Party, and in particular those received by the member for Pittwater, Labor will enshrine it in this legislation returning the RSL NSW to the position it has always held in New South Wales—that of a non-partisan organisation that represents the services of those from all arms of the defence forces regardless of their political affiliations. The Labor Party will move these amendments. If they fail we will not oppose the legislation, but put the amendments again in the other Chamber. Turning to part 3 of the bill, clauses 9 and 10 confer the guardianship of the cenotaph in Martin Place and the Anzac memorial building to the RSL NSW. I note that part 3 clause 11 provides the RSL NSW with the power to delegate the exercise of any of its functions, excluding the power of delegation, to any of its directors, employees, a committee or any other person.

The bill is before the House because of the fraudulent behaviour within the RSL NSW executive, which uncovered an array of wrongdoings, abuse of power and misuse of money. It is clear there is much to be done to regain the trust and confidence of the RSL NSW members and to ensure any future executive remains open, honest

and transparent in its operations with the appropriate ministerial oversight to hold them to account. The members of the RSL NSW sub-branches are returned veterans and former defence personnel, as I highlighted previously. These individuals have made a commitment to assist each other and veterans in need, to assist with the ongoing operations of the organisation that was incepted to assist those who have served, suffered and lost whilst serving our nation. The New South Wales Labor Opposition does not oppose the bill; however, we will move amendments to rectify a number of issues that have been identified in the bill.

**Mr GEOFF PROVEST (Tweed) (16:59):** I make a contribution to debate on the RSL NSW Bill 2018. The aim of the reforms is to make the organisation more accountable to its members, rather than to increase Government control over the entity. I make that quite clear because I think that is very important. I go so far as to say that members on both sides of this House are deeply respectful of the RSL and their commitment to our veterans. Over many, many years all of us in this place have gone to Anzac days, Remembrance days and so on, and we are always very supportive of the RSL movement. All of us were rather horrified when some of these scandals broke and I applaud the Minister for Veterans Affairs, David Elliott, for his firm hand and his immediate action in trying to bring some accountability into the organisation and to restore trust.

All of us in this place at one time or another have contributed to fundraisers, raffle tickets or buying legacy badges, and RSL LifeCare is one of them. The Minister has had a great deal of consultation and the current RSL executive is supportive of the proposals as a way for the Government to support the RSL NSW to deliver more robust and accountable governance arrangements. Further consultation took place following the drafting of the bill with RSL National, ClubsNSW, and RSL and Services Clubs Association. I go on record—I know Minister Elliott has praised him—to thank the new RSL President James Brown for working cooperatively with the Minister and the Department of Veterans' Affairs on these important reforms.

As the RSL NSW is a body established under an Act of Parliament it is necessary for the Government to be involved in any form of regulation of this organisation. However, the aim of the reforms is to make the organisation more accountable to its members, rather than increase government control over the entity. That is very important. The Government currently has no powers of oversight, nor any accountability for the RSL NSW financial position. The proposal does not intend to substantially disrupt this position, but rather intends to increase transparency of the organisation to both RSL members and the Government by requiring disclosure of the annual report and its tabling in Parliament.

The move to one member one vote for board positions ensures that directors reflect the preferences of their membership. There is a provision requiring the disclosure by directors of any pecuniary interest that they may have in a decision, which promotes more confidence in the board. I touch on one point the shadow spokesman, the member for Fairfield raised. The question was posed, and I will read out the answer here. Does the bill authorise the RSL NSW to pay its directors? This bill does not authorise RSL NSW to remunerate its directors. It states that RSL NSW may remunerate its directors provided that certain conditions aimed at preventing excessive remunerations are fulfilled. Also, the RSL will still be subject to any restrictions in the RSL NSW constitution or other laws, such as the Charitable Fundraising Act 1991 in relation to the payment of directors. If the RSL NSW chooses to remunerate its directors, the bill requires RSL NSW to have regard to how the remuneration of its directors compares to the remuneration paid to directors of compatible organisations.

The bill also prohibits manifest excessive remuneration. This reform will protect members against the self-dealing in directors' remuneration that was brought to light in the inquiry. That is very important indeed. The bill incorporates RSL NSW as a body corporate being a continuum of and the same legal entity as the entity constituted by the former Act. It introduces new provisions establishing a framework for directors, including that the directors, other than the independent directors, are to be elected in accordance with the RSL NSW constitution by members of RSL NSW. It requires RSL NSW to prepare an annual report each financial year and provide that report to the Minister. It provides a regime for the disclosure of the pecuniary interests of a director, which promotes transparency and accountability—something that was lacking before. It gives members of RSL NSW certainty in respect of the process to be followed by the directors and provides a framework within which directors' remuneration is to be set and prohibits excessive remuneration, and the framework is subject to any restriction that the RSL NSW constitution or other laws will bring in.

The RSL movement in my local area is fantastic. I am sure the Coffs Harbour, Cootamundra, Heathcote, North Shore, Drummoyne, and Upper Hunter electorates also have proactive RSLs. Unfortunately, while these reforms were carried out there was a prohibition on local RSLs raising money, which has caused angst in some circles. I know Greg Adams at the Tumbulgum Sub-Branch, Joe Russell at the Tweed Heads and Coolangatta Sub-Branch, Gary O'Dwyer at the Pottsville and District Sub-Branch, and Hugh Aitken at the Kingscliff Sub-Branch are all great returned servicemen who work tirelessly for the betterment of their fellow veterans.

I had the pleasure to attend a fundraiser last Saturday, a Team Rubicon. Brad Burton at the Brothers Cafe has done a number of terms in Afghanistan. Team Rubicon is a group of veterans that donates time to natural

disaster relief, even overseas, using the expertise they gained in the army. They do that without cost. Currently they have several teams out west assisting with the drought. They are a great bunch. The Association of Veteran Surfers is another strong group. They all look after veterans when they return from service. When the Minister was in the electorate two weeks ago, he announced support for veterans. We are blessed to have a Minister with such dedication and commitment. I applaud his staff and the department for their ongoing work. The RSL movement faces a challenge as the Vietnam veterans become older; there is a need to attract younger veterans.

The Minister mentioned today the ongoing program to employ veterans. As the Minister stated, there were 200 and we are currently at 650, if memory serves me correctly. That was received very well in my area. I have had no veterans, including those with many years of experience, young and old, come close to criticising these reforms. In fact, they are very supportive. Veterans and the RSL movement are important in my electorate. Unfortunately, over the past five years, we have lost two of our young men in the service of this great nation—one in Iraq and one in Afghanistan. To see the tears and anguish of the families is a sad reminder of the ultimate sacrifice of the hard men and women of the Australian Defence Force in support of their country. We remember our veterans on Anzac Day and remembrance days, but we must support the welfare of our veterans when they return home, often suffering various issues. We should do all in our power to support them in their rehabilitation because they have paid the ultimate sacrifice, as have their families. I commend the bill to the House.

**Ms JULIA FINN (Granville) (17:09):** I make a contribution to debate on the RSL NSW Bill 2018. The Returned and Services League of Australia (New South Wales Branch) was formed in 1917 and currently has 40,780 members in 352 sub-branches throughout New South Wales, including two in my electorate—one at Merrylands and one at Granville. The RSL's objective is the respecting, supporting and remembering of our veterans and their families, and the New South Wales branch plays an important role in doing that in our State. While the most obvious roles played by the RSL relate to 25 April, Anzac Day commemorations being our national day of commemoration, and with significant involvement of registered clubs across our State, the RSL and its sub-branches are a prominent support organisation for men and women who have served or are serving in the defence force.

During my lifetime we have seen veterans from recent conflicts and peacekeeping missions in the Middle East, Africa, Vietnam, Afghanistan and Timor-Leste join those who fought in Korea, Malaya and elsewhere return to our communities and their local RSL sub-branches. The bill follows the calling in of fraud police to the RSL NSW in December 2016 by the Minister for Veterans Affairs following allegations of fraud against the former RSL NSW secretary, and the subsequent Bergin inquiry. But it is also timely to look at reforming the RSL for the future, given many smaller sub-branches have folded in recent years, including Guildford and Wentworthville. We want to support the longevity of the RSL.

As the daughter of a former serviceman I know firsthand how much my father valued his membership of his RSL sub-branch. My father served in the Second World War and as a fitter with the Royal Australian Air Force in Borneo, New Guinea and Darwin. He had a lot of very close friends and he certainly loved getting together with them on Anzac Day. Anzac Day was one of the crucial supports the RSL gave him as a returned serviceman. He really valued his membership and the support and camaraderie he enjoyed at the RSL. There is a long history of Granville veterans being involved in the RSL. At the Gallipoli landings 157 soldiers from Granville died. Soldiers from Granville participated in the first Cooee March, which was a large contribution from a community that was already contributing so much to the essential work of Clyde Engineering.

Private George Cartwright was one of the first Victoria Cross recipients. On 16 December 1915 he enlisted in the Australian Imperial Force and embarked on 4 May 1916 as part of the 33rd Battalion. In 1917 he was wounded in action and in April 1918 he was gassed at Villers-Bretonneux. Private Cartwright was awarded the Victoria Cross four months later for displaying "most conspicuous valour and supreme disregard for personal safety" during an attack by the 33rd Battalion near Peronne. According to the honours and awards citation at the Australian War Memorial:

... on the morning of the 31st August 1918 ... Private Cartwright displayed exceptional gallantry and supreme disregard for personal danger in the face of a most withering machine-gun fire. Two Companies were held up by a machine gun firing from the south-western edge of the wood. Without hesitation, this man stood up, and walking towards the gun, fired his rifle from his shoulder. He shot the No. 1 Gunner; another German manned the gun, and he killed him: a third attempted to fire the gun and he was also killed. Private Cartwright then threw a bomb at the post, and on its exploding, he rushed forward, captured the gun and nine Germans ...

Private Cartwright took an enormous risk and in doing so he made an incredible contribution, which was recognised immediately by his colleagues. He is unarguably deserving of the Victoria Cross. When Private Cartwright returned from the war he settled in Merrylands and remained in the armed forces, serving as an officer in the militia and training young recruits at the Merrylands Drill Hall, which was located on Merrylands Road in what is now Granville Park. A few weeks ago, 100 years after his awarding of the Victoria Cross, the George Cartwright, VC, Memorial in Merrylands was unveiled. It was a solemn occasion organised by the

Merrylands RSL Sub-Branch and marked the recognition of one of Merrylands' most prominent sons. He is remembered forever for his service to Australia and, after the war, for becoming a strong advocate for veterans.

Recently I met with representatives of the Granville RSL Sub-Branch to hear their concerns about the RSL NSW Bill 2018. They believe the new bill will change the whole direction of the RSL. They want to ensure that RSL NSW board members continue to be ex-service personnel and they are concerned that the new structure waters down the consultative and representative role of the district councils. They are extremely concerned about clause 5 of the bill, which states that the board of directors is to consist of at least three directors, meaning that a small number of individuals is given control over the substantial assets of sub-branches across New South Wales. They are also concerned about proposed subsection (4), which gives each service member one vote in the election of directors instead of the current structure, meaning that the votes of larger sub-branches may override the intentions of smaller sub-branches such as Granville or those based in regional New South Wales.

They also told me that the change from State councillors to directors does not deal adequately with the matter of State councillors being paid. It is particularly concerning, given that directors will be able to set their own rate of remuneration. I note that the Bergin inquiry recommended that the remuneration power should stay with the Charities Act. They also told me that there was uncertainty about the future relationship between RSL Australia and RSL NSW, given the proposed change to a corporation. Breaking the link between the national and State organisations has not been justified by the Minister.

There is huge support for the Merrylands RSL Sub-Branch, which is strong and active. Anzac Day commemorations in Merrylands are enormous, with up to 5,000 people attending in recent years. Charles Mance was one of the last First World War veterans. In 2001 he passed away at well over 100 years of age and was honoured with a State funeral. Charles Mance was from Merrylands and lived there for many years after his retirement from active service. He was a strong campaigner for peace. He was injured as a result of being gassed. Charles received many honours and medals for his military service, including the Légion d'honneur, which is France's highest decoration. He was one of the first Allied veterans to receive that honour. He was president of the First World War Diggers Association, and in 1988 the Prime Minister presented him with a medal commemorating the eightieth anniversary of the end of the war.

The Merrylands RSL Sub-Branch and the local council have honoured him through the establishment of the Charles Mance Reserve, which is where the new memorial commemorating George Cartwright is located. The Merrylands RSL Sub-Branch is an active branch. Its members believe local students should learn the lessons of the wars and maintain a strong relationship with the RSL. Its members also have concerns about the bill. They are concerned that the composition of the RSL NSW board is to be set at a minimum of three people and up to 10, which may include up to two independent members. They have expressed concern that a minimum of three directors means that power will be centralised with the executive and not the local sub-branches. During the Centenary of Anzac both the local RSL sub-branches participated in the Anzac soil collection program, and the Merrylands Sub-Branch re-enacted the Cooee March. In his second reading speech, the Minister said:

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.

It is clear from my discussions with members of the local RSL sub-branches that they have concerns about this bill and the lack of consultation, which is contrary to the assertions made by the Minister. With a large membership and a range of diverse views, it can be difficult at times to achieve consensus. But it appears there is little evidence that the Minister has tried to understand the concerns of grassroots members who want to ensure the organisation that means so much to them stays a relevant, effective and respected institution in this State. RSL members across the State have concerns about the small size of the board and the lack of regional representation.

It is surprising that the Minister did not discuss political donations in his second reading speech. The Bergin inquiry was told that RSL LifeCare, the RSL's aged-care arm, was paid to attend Liberal Party functions to support the re-election of Liberal members of Parliament. This included a \$750 payment for staff at the not-for-profit company to attend a breakfast, and \$950 for a three-course dinner. Documents tendered at the inquiry showed that executives at RSL LifeCare attended 16 Liberal Party functions over eight years from 2008, which is incredible. It is not appropriate conduct for an organisation that is set up to be apolitical and to argue only for the benefit of veterans.

The local sub-branches agree that there is a need to change RSL NSW governance, but the lack of consultation about the proposed changes has led local members to question whether the correct approach has been chosen. I have heard the concerns of local sub-branches and will support the proposed amendments to be moved by my Labor colleagues, including banning RSL NSW from making political donations, removing the requirement to pay remuneration to the directors of RSL NSW and changing the minimum number of directors from three to

at least five. The amendments will deal with some of the main concerns that were raised directly with me about the bill. I know that many of my colleagues have heard similar concerns from their local sub-branches.

**Ms STEPH COOKE (Cootamundra) (17:19):** I commend the introduction of the RSL NSW Bill 2018 to the House. I happily attend meetings on a regular basis at more than 10 RSL sub-branches across the Cootamundra electorate. The special place that our RSLs hold in cultural life is well demonstrated in our small country communities. Memorials and monuments stand proudly in the centre of towns and still serve today as central meeting places and sources of immense pride. Soil from the Cootamundra Cenotaph will proudly form part of the beautiful artwork to be unveiled in Hyde Park next week as our Centenary of Anzac commemorations draw to a close. Cootamundra is one of 1,699 towns, suburbs and locations to be included in the Hall of Service, developed by artist Fiona Hall and architect Richard Johnson. I am humbled to have played a part in this legacy project as the local member and a regular attendee at RSL meetings. I know that members of the Cootamundra RSL Sub-Branch are looking forward to the unveiling of the artwork, which will play yet another part in recognising the names of local people who enlisted and made the ultimate sacrifice in the Great War.

I am pleased to note that the Government has worked closely on this bill with RSL NSW President James Brown, whom I had the pleasure of meeting during an RSL South Western District Council meeting earlier this year. I commemorated Anzac Day this year with the tiny communities of Wombat, Grenfell, Barmedman and Stockinbingal and am consistently amazed by the dedication, drive and selflessness of our RSL membership across the Cootamundra electorate. On Anzac Day a massive 42 services were held across the electorate. While I could not attend them all, members can be confident that no corner of the Cootamundra electorate was left untouched by the spirit of Anzac on 25 April. On Remembrance Day last year I had the honour of delivering the address at the Wirrimah Memorial Park service. Members of Bendick Murrell, Crowther and Wirrimah-Koorawatha RSL sub-branches and their family and friends attended a sombre and moving service. It would not be a Remembrance Day service without heading to the Koorawatha pub afterwards for a feed.

On 11 November I look forward to joining my good friends at the RSL in Beckom to recognise the 100th anniversary of Armistice Day. Each sub-branch has many local, active groups that are ultimately split into a number of dedicated offshoots representing our villages. Many of these villages are little more than a hall and a pub, but you can bet your bottom dollar that that pub has hosted countless post-service afternoons in memory of our fallen heroes from those small towns. While those traditions may never falter, it is vital that the RSL moves with the times so that its relevance in supporting and commemorating our returned and fallen war heroes will never be diminished. The RSL NSW Bill 2018 will repeal and replace the existing Returned and Services League of Australia (New South Wales Branch) Incorporation Act 1935 and seek to modernise the language of the Act constituting the body corporate. The bill has the effect of constituting a level 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. The bill simplifies the Act establishing RSL NSW by omitting provisions of the current Act that were transitional from the original incorporation of the league in 1935. Unlike the current Act, it does not seek to replicate issues that are dealt with in part 8 of the Interpretation Act 1987, such as in relation to general powers of a statutory corporation. It establishes a board, which is a feature of modern corporate governance that was not referred to in the previous Act. I believe the many sub-branches in the Cootamundra electorate, and their thousands of individual members, will welcome further democratisation of the RSL, allowing members to elect directors other than independent directors in accordance with the RSL NSW constitution.

In 2018 our RSL plays as important a role in public life as ever. To my mind, any move to improve transparency and accountability of directors to our extremely valued RSL members is a good move. These changes facilitate the Government having visibility over the dealings of the RSL and confidence in its corporate governance, and this too is a great thing for anyone who participates in commemorative events. One element of this visibility requires RSL NSW to produce an annual report each financial year and provide that to the Minister. Further, as we have heard, it provides a codified regime for the disclosure of pecuniary interests of directors, promoting transparency and accountability and giving our members—the heart of this great organisation—certainty in respect of the process that directors must follow. This bill is about protecting the RSL name and the invaluable self-sacrificing citizens whom it represents. Ultimately, it is a bill for the members—our returned service men and women.

Of course, the RSL NSW Bill 2018 is not the only work that the New South Wales Government is doing to support our veterans and their families. I was pleased recently to announce to the electorate the opening of the Government's \$40 million Anzac Memorial upgrade program, and have reached out personally to a number of sub-branch presidents and members who I know are keen to maintain and upgrade these community assets. I look forward to supporting those applications formally in due course before they close on Remembrance Day, and to observing improvements to our memorial sites in the Cootamundra electorate when the grant money is delivered.

This reform further strengthens the RSL and its important place in the lives of modern New South Wales communities, families and veterans, building upon important work undertaken by RSL NSW internally. I commend the bill to the House.

**Ms JENNY AITCHISON (Maitland) (17:27):** The introduction of the RSL NSW Bill 2018 follows some fairly significant poor governance issues within RSL NSW. Fraud police were called in by the Minister for Veterans Affairs following allegations of fraud, which then led to the Bergin inquiry. It exposed that members of the executive had been receiving remuneration through RSL LifeCare and had been making political donations to the Liberal Party at both State and Federal levels. It was a bad time in the RSL and this had a flow-on effect for those people who were fundraising for it because they could not hold raffles. I know sub-branches in my electorate have been struggling with that for the past little while. I have written to the RSL sub-branches in my electorate seeking feedback on the legislation, and I must say that I have been completely shocked by their responses. One said that this was the first time the sub-branch or its membership had been asked about or consulted on the proposed bill. Further, the sub-branch said it had:

... sent a number of letters to the State Minister for Veterans Affairs, seeking information as to the reasons for the proposed changes and to whom he had consulted with and the level of any such consultation. Sadly the responses I have received have been far less than I would expect. Although recently he admitted that he had consulted with RSL National, RSL NSW executive and Clubs NSW as well as relevant government agencies. This is very disappointing, as everyone except for the actual membership seems to have been consulted."

The response continues:

It would be an understatement to say that in general the membership is extremely disappointed at lack of information or consultation, not only from the Minister but also from our own state executive. They feel very much disenfranchised and are becoming disillusioned.

In this Chamber on every sitting day we hear an Anzac statement from the Speaker. We all attend RSL-run commemorative services in our electorates across the State. It is appalling that the men and women who arrange these services in commemoration of their fallen comrades—the many who have made the ultimate sacrifice for our nation—and who raise funds for our returned veterans and their families have been left feeling that they have not been listened to by their Government. If our huge commemorations during the Centenary of Anzac are to have any meaning at all, we must ensure that everyone who served our nation feels supported by government and feels that the country for whose democracy and freedom they fought is listening to them, paying them due respect and offering them a say in the democracy of their own organisation.

I repeat that I was truly shocked by these responses. Given that these people have had no voice in the drafting of this bill—which will control what, for many, is the most important institution in their life—I will read their contributions to the House. I cannot read all of them—there are so many—so I have tried to select those that are germane to the consideration of the bill and also those that reflect a number of commonly held views. I quote:

The NSW Branch only exists due to the existence of the RSL of Australia and cannot, and does not, exist in isolation. However, the RSL NSW Bill 2018 has removed the requirement for it to operate in accordance with the Constitution of the RSL of Australia, by removing any reference to such.

They say:

The ... Bill ... imposes an organisational structure and certain other requirements on the operation of NSW Branch. In effect making it a Government Corporation ... While there is some level of independence there are many legislative requirements. The structure of a volunteer membership based organisation should be up to the membership of such an organisation not the Government.

I acknowledge the presence of the Minister for Veterans Affairs in the Chamber. I hope that he does not interject but will take the opportunity to listen to the representations from RSL sub-branches in my electorate, which say that he has not listened to them.

**Mr David Elliott:** Have you sent them to me?

**Ms JENNY AITCHISON:** They said that they have not been heard by the Minister and have not been consulted.

**Mr David Elliott:** I have not seen a letter from you.

**Ms JENNY AITCHISON:** They further state:

The ... Bill ... legislates the corporate name of the RSL of Australia (NSW Branch) and terms such as RSL NSW. The term RSL of Australia, the RSL of Australia (NSW Branch) and use of RSL etc belongs to the RSL of Australia and is controlled by its Constitution and By-Laws. Legislating such terms facilitates the possible separation of the RSL of Australia and the RSL of Australia (NSW Branch) with the RSL (NSW Branch) continuing to utilise such terms which would imply membership of the organisation while such a situation does not exist. The Constitution and By-Laws of the RSL of Australia prohibits a State Branch from utilising such terms if it was to separate from the national body. In fact, the State Branch must fold while the sub-Branches would move to another existing State Branch or a new State Branch. This implies that while the sub-Branches are associated with a State Branch, they are independent entities with the RSL of Australia.

Another quote states:

When asked as to what the catalyst for the ... Bill ... was the NSW Minister of Veterans Affairs inferred that it was as a result of the findings of the Bergin Inquiry. Ms Bergin made no such findings or recommendations which would warrant the changes imposed on the RSL of Australia (NSW Branch) by the ... Bill ....

**Mr David Elliott:** That's not true.

**Ms JENNY AITCHISON:** This is what the RSL is saying.

**Mr David Elliott:** Who?

**Ms JENNY AITCHISON:** The RSL members whom you will not listen to.

**Mr David Elliott:** Which members?

**Ms JENNY AITCHISON:** It continues:

Interestingly the evidence provided by State President Mr James Brown on the 24 October 2017 provides a number of references to a personal desire to make such changes. This would imply that the personal desires of Mr Brown are the impetus for the changes, not the findings of the Bergin Inquiry.

Another quote states:

The above might have many believe that these changes have been imposed by the Government to facilitate the desires of one person and not the membership of the organisation. Such action would enable the implementation of the proposed changes while enabling one to say it is the Government which is forcing such and there is nothing they can do.

**Mr David Elliott:** Who?

**Ms JENNY AITCHISON:** If the Minister will stop interjecting I can read it out because he clearly does not listen to his members.

**Mr David Elliott:** Can you quote them?

**Ms JENNY AITCHISON:** I am. The quote continues:

One could be led to think that the NSW Minister of Veterans Affairs has let his personal friendship influence his better judgement in facilitating such changes without any consultation with the general membership of the RSL of Australia (NSW Branch).

I must say that several responses have questioned the motives of both the president and the Minister and their lack of consultation and failure to get consensus on this issue.

**Mr David Elliott:** Who said this?

**Ms JENNY AITCHISON:** Another quote states:

It must be remembered that members pay an annual membership and that as a result of their membership they have a personal financial liability should the RSL of Australia (NSW Branch) suffer a financial collapse. However, the Government has not consulted with them.

Another quote:

It is important also to note that the RSL NSW Bill 2018 facilitates the payment of Director's Fees to members of the Board. Thus, for some there is the potential of financial gain. It is this reason that the catalyst for the legislation must be stated. The reason for the Bergin Inquiry was the conflict of interest in regards to the decisions of the members of the State Council. Looking at the changes proposed, there is the real possibility that there is or has been a conflict of interest situation. For this reason, it is extremely important that the impetus for the change and the identification of those involved in suggesting/drafting the ... Bill... are known and publicised.

Yet another quote:

We hear a lot of talk about the need for openness and transparency, however, the proposed Board structure, or possible structure, will make the management of RSL NSW less inclusive, more individual and hence facilitate cronyism, if so desired by the incumbents. There will now be the very real possibility that there will be a financial incentive to stay on as long as possible. The chance of cronyism was demonstrated with the recent changes to the Constitution. State Council can now fill a vacancy with their candidate without the need for endorsement by the members. Interestingly, the ... Bill...will enable the Board to set its own remuneration. Conflict of Interest? This was the foundation reason, Condition 20, for the Bergin Inquiry.

The list goes on. There are lots of quotes from people—

**Mr David Elliott:** Who?

**Ms JENNY AITCHISON:** These are members of the RSL. I will not acknowledge any more interjections by the Minister. I am particularly alarmed about a recent representation I received from the Maitland RSL Women's Auxiliary. I note that the members also wrote to the Minister. They wished to voice their:

... complete and utter dismay at the reported actions of the Central Council of the Women's Auxiliary NSW State President Pauline James and the NSW RSL State President James Brown, with their total disregard of the NSW RSL's Constitution, and the NSW RSL's Women's Auxiliary By-Laws whilst chairing their respective State Congress's meetings held in Albury, NSW.

I will quote directly their comments to me and to the Minister:

There were no motions regarding the "Name Change" put forward at the Women's Auxiliary congress, yet we have been informed by members who attended the Annual Congress at Albury NSW RSL held from 19th May 2018 to the 25th May 2018, that the NSW RSL State President James Brown reportedly misled congress members, by informing delegates, prior to the vote, that the Women's Auxiliary Congress had voted unanimously to remove the word "Women's" from "NSW RSL Women's Auxiliary" title, when there was no such motion and no vote taken place.

The quote continues:

Our Delegates were disgusted in the fact that every time a Delegate tried to voice an opinion in opposition to the removal of the word "Women's" from our title, they were told to sit down, as they were out of order.

It is similar to the Minister interjecting during this contribution—people do not like to hear about what they do not know. The quote continues:

Maitland RSL Women's Auxiliary members believe that both the NSW RSL Women's Auxiliary Congress—

**The ASSISTANT SPEAKER:** Order!

**Ms JENNY AITCHISON:** I seek an extension of time.

**The ASSISTANT SPEAKER:** The member for Maitland has requested an extension of time. I point out to the member that if she continues to quote from purported letters from constituents she should identify the source of the document and the person. That is normal parliamentary procedure. Quoting information in *Hansard* without identifying the source could lead to people being misled. If the member did that the Minister would refrain from interjecting.

[Extension of time]

**Ms JENNY AITCHISON:** If the Minister had been in the Chamber at the beginning of my contribution he would have heard me say that I am quoting from representations made to me by one of the two sub-branches in my electorate.

**Mr David Elliott:** Who?

**Ms JENNY AITCHISON:** I will not be continually interrupted by the Minister.

**The ASSISTANT SPEAKER:** Order! I have asked the member to name not only the source but also the person. It could be anyone within the sub-branch. If the member intends to continue quoting in the House, she should name the person.

**Ms JENNY AITCHISON:** It was from the organisation itself—the president of the sub-branch.

**Mr David Elliott:** They did not speak with one voice. They all spoke in unison, did they? Twenty people sang this to you, did they?

**Ms JENNY AITCHISON:** I cannot believe this. This is so ridiculous.

**Mr David Elliott:** Your speech is ridiculous.

**Ms JENNY AITCHISON:** I will continue to quote from the Maitland RSL Women's Auxiliary—

**Mr David Elliott:** Who?

**Ms JENNY AITCHISON:** I quote:

[The] Maitland RSL Women's Auxiliary members believe that both the NSW RSL Women's Auxiliary Congress—

**Mr David Elliott:** Point of order: The Assistant Speaker has made it very clear that standard operating procedures in this House mean that members who wish to quote an individual and have the quote accepted in *Hansard* must name the individual. This is done so the quote can be tested in the event that it needs to be clarified.

**Ms JENNY AITCHISON:** As I said—

**Mr David Elliott:** I have not finished. The Assistant Speaker has told her that twice but the member for Maitland continues to flout his ruling. She should be called to order. I will be disputing everything the member has said. She was not even at the congress and the delegates from her electorate left the congress early. The shadow Minister was not at the congress; she decided not to turn up. The member for Campbelltown was there. Perhaps he should come to the Chamber and clarify exactly what went on.

**The ASSISTANT SPEAKER:** Order! I uphold the point of order. If the member for Maitland is going to quote from a letter from the Maitland RSL Women's Auxiliary she will advise who the signatory to that letter is.

**Ms JENNY AITCHISON:** Mr Assistant Speaker, with respect, I did say when I started to quote from the women's auxiliary letter that it had also been sent to the Minister. If the Minister does not know who is writing him letters from the Maitland RSL Women's Auxiliary that is his problem and there is no compulsion on me. Is the culture of exclusion of women from our armed services to continue into the next century? What a rebuff to women who only last year were able to march at the front of Anzac Day marches. What a rebuff to the By The Left movement that this decision could be taken without discussing it with those women and including them in their own decision-making. To proceed with such poor process—excluding them from discussing their own future—is a disgrace. I quote:

According to some of my RSL branch, concerns were raised with the NSW Minister of Veteran's Affairs about the conduct of the State Congress and a failure of the RSL of Australia (NSW Branch) to comply with the constitutions of both the RSL of Australia and the RSL of Australia (NSW Branch). The Minister implied that he did not have the power to intervene, however as the Sponsor of the RSL of Australia (NSW Branch) Incorporation Act 1935 it is his duty to ensure that the organisation complies with the legislation by complying with organisation's constitutional requirements.

Labor's amendments have been canvassed by previous speakers so I will not go into them in detail, but there is broad support for improving the governance of the RSL NSW hierarchy. There is a high-handedness and it is very disappointing. Indeed, it is turning people away from this amazing and vital organisation. The contributions of the women and men for whom the Returned Services League was established—the members who have given their service to our nation—and their organisation deserve nothing less than the utmost respect. It is truly shameful that this Government has failed to respect them and that the Minister has been disrespectful in his lack of consultation on this bill.

It is sad that the leadership of the organisation, which has been rocked by scandalous levels of fraud and poor governance, has also failed its members by failing to consult with them—and, in the case of the women's auxiliary, ignoring the history of women's contributions to our nation in times of war as members of the services—and failed to support all veterans, men and women. Mostly, this bill is an indictment of the Minister for Veterans Affairs, who, rather than spending the time and effort to work with veterans—the men and women who have served this nation—has instead taken the time even today to play grubby politics. He has taken taxpayer-funded dirt units to a new level with his unprecedented attacks on other members in this place. But he has failed even to sit and listen to the concerns of the people of Maitland. But I will show the RSL sub-branches a video of my contribution today and I will show them how disgusting the Minister really is.

**Mr GREG APLIN (Albury) (17:43):** The RSL NSW Bill 2018 sets out to make things right again for the wonderful members of this esteemed organisation. As with all national treasures, there are times to look at them afresh and see that they are working as they should—indeed, as the members demand. The bill sets in place reforms to governance, including a codification of the regime for disclosure of pecuniary interests of directors, remuneration of directors, fundraising activities and heightened accountability. They are to be supported. In turn, this Government has supported local RSL sub-branches in the Albury electorate with funding for important projects, ranging from maintenance of facilities to establishing meaningful memorials.

For example, there has been funding of \$37,925 to the City of Albury RSL Sub-Branch towards urgent replacement of the leaking roof and guttering works at its property; \$5,000 to Howlong RSL Sub-Branch for a storage and display facility; and \$1,200 to Tumbarumba RSL to have its Centenary of Anzac quilt properly framed. Support has also been provided over recent years to regional RSL sub-branches for the maintenance of memorials and halls. RSL sub-branches have been there for so long, they are truly part of the framework of our communities. A most unfortunate consequence of the investigation into the State organisation is that our local RSL sub-branches were unable to fundraise in the usual way through the sale of poppies. Indeed, in some areas the members maintained the significance of the act and actually gave the poppies away. These traditions have deep roots.

Some traditions are quite recent; some relate to anniversaries, such as the centenary of World War I. In 2014 the New South Wales Government announced there would be a ballot across New South Wales to select 100 high school students to make the trip to Gallipoli for the Centenary of Anzac. They would attend the dawn service at the Anzac commemorative site and the Australian memorial service at Lone Pine in Turkey in 2015. As members may recall, the New South Wales Government invested \$1 million in the program. One of 25 schools chosen by ballot to go on the tour was St Mary MacKillop College, Albury, which is located in the town of Jindera. Along with the Albury RSL Sub-Branch president, I was privileged to sit on the panel that was formed to choose four suitable students from the school.

It has been an important part of my work for the electorate to attend Anzac Day and Remembrance Day ceremonies, which always involve significant input from the various RSL sub-branches. These events are

presented with due respect and protocol, and much of the thanks for this goes to our RSL sub-branches and their executive. Wreaths are prepared and placed in appreciation of the sacrifices made by our military. Members of the community are warmly invited to attend these ceremonies and parades—and they turn out in large numbers—often commencing with the first rays of dawn. Albury's war widows carry out a particularly moving role in maintaining the relatively new tradition of the Field of Remembrance. Albury's Field of Remembrance is located in St Mathew's Anglican Church in the heart of Albury. Crosses are placed there for the week leading up to Anzac Day: red crosses for the army, light blue for the air force and navy blue for the navy. A closing service takes place the day after Anzac Day and the crosses are collected and held by a local funeral director for use in funerals of returned service persons. Vietnam Veterans Day sees a ceremony conducted by the City of Albury RSL Sub-Branch. The Nashos also hold their own ceremonies of remembrance.

When staff and students at Murray High School developed a memorial garden, the RSL was there for the opening in November 2017 helping to explain the significance of the garden and making events perhaps more real for the students who pass that garden memorial every day at school. Again the Albury RSL Sub-Branch played a crucial role in identifying an opportunity to have a new roadside rest stop on the Hume Freeway, which was named after a prominent local World War I soldier, Lieutenant Albert Borella, VC. This act demonstrates the way in which our regional RSL was alert to developments in its community and sympathetic in bringing various government parties together to realise a fresh memorial within the Albury area.

As has been noted, the RSL publicises that it advocates "for the best possible conditions for our serving men and women and for those who have served the nation in the past" and fosters "respect and thanks from the nation for all those who have made sacrifices in Australia's name and we will provide a strong voice on issues of national unity and security." Albury fulfils a special role within the RSL movement, having been chosen to be the site for the RSL State Congress for the three years from 2017 to 2019. This year progress was made at the congress, with modifications being made to the constitution and members dealing with challenges arising from a raft of legislative changes flowing from the update of the RSL Act, which, in turn, followed on from recommendations emerging from the Bergin inquiry. This work places Albury and its RSL sub-branch members right at the centre of the movement to bring the organisation into a strong position to carry on its vital role into the future.

As we all know, a person's period of military service sets no limit on the years of support provided to that person and their family by the RSL. The City of Albury RSL Sub-Branch operates from a refurbished house at the western end of Wilson Street in Albury. The sub-branch states its principal aim as being "to look after the wellbeing and welfare of ex-service men and women in Albury and surrounding areas." Volunteers are the backbone of the branches. The volunteers keep the door open, boil the kettle and are always ready to listen. There is a pensions officer and a welfare officer and information is at hand for all who need it.

When a returned service person passes away, the RSL is ready to provide an RSL tribute at the funeral. These are key roles in our regional communities. From Yarrawonga Mulwala and Corowa in the west to Tumbarumba in the east, from Albury at the southern end to Holbrook and Henty in the north, our RSL sub-branches faithfully meet to continue their vigil of service and support spanning the Albury electorate. These sub-branches and members have been through a difficult time over the course of recent investigations but, in my experience, have never faltered. The RSL deserves our support into the future and our appreciation and thanks. I support the bill.

**Ms TRISH DOYLE (Blue Mountains) (17:50):** I briefly speak to the RSL NSW Bill 2018. In late August I wrote to local RSL club representatives in my electorate of Blue Mountains seeking their views about this bill, as I knew it would be coming up for debate in the September sittings. As members are aware, the proposed bill will repeal and replace the Returned and Services League of Australia (New South Wales Branch) Incorporation Act 1935. I was, therefore, very keen to hear directly from the RSL grassroots in the Blue Mountains about what this bill means for them.

The Katoomba RSL Sub-Branch, in its response to me, explained that it holds concerns about the proposed changes to the voting system for electing State councillors. It makes the point that since 1935 the RSL NSW has been a representative and democratic organisation, which works towards charitable purposes and aims. This has been achieved because members are able to elect State councillors to represent regions and localities where their sub-branches are located, in much the same way as members of this Chamber are elected to represent various electorates. However, the difference with the RSL and the New South Wales Parliament is that the RSL cannot redraw its sub-branch boundaries to capture a consistent number of members from one area to the next, as we draw electoral boundaries from time to time.

Therefore, the proposed "one member one vote" provisions are of concern to the Katoomba RSL. It is concerned that an unintended consequence of this change will be dominance by Sydney-based sub-branches to the detriment of regional and rural sub-branches elsewhere in the State. The Katoomba RSL Sub-Branch also raises its concerns about the number of directors and the method of their selection. It says, "There is logic in

reducing the number of the elected representatives to achieve a more manageable, functional and effective board." But it goes on to say, "The simple mathematics of sections 5 (2) and 5 (5) of the bill permits the possibility of three directors—one elected through the "one member one vote" system and two further directors appointed by that elected director." It has expressed its concerns that this arrangement could lead to cronyism and to the RSL being controlled by unelected and unaccountable non-members.

In the opinion of the Katoomba Sub-Branch, there should be at least eight directors and a maximum of 12 so as to give proper and effective representation to the large and geographically diverse membership of the organisation. Finally, the Katoomba Sub-Branch is concerned that the new bill will move away from the volunteer ethos of the organisation and bring in salaried director positions. It said, "Remuneration of RSL directors is wrong and contrary to the spirit of the Anzacs and will be detrimental to the character of the organisation." It goes on to make the point that a great many charitable and benevolent organisations across the country attract and retain talented, hardworking and professional directors who donate their time willingly and that this would be the case for the RSL also.

Likewise, Blaxland-Glenbrook RSL Sub-Branch members expressed their concerns to me about board director remuneration. Specifically, they are concerned about the phrase "manifestly excessive". They make the observation that there is no description or definition within the Act that defines the term or provides scope for the restriction it imposes. Therefore, is it any restriction at all? What is there to stop a board director from being paid a salary that is in fact manifestly excessive when there are no parameters limiting their pay? I thank Brian Turner, vice-president of the Katoomba RSL Sub-Branch, and Tom Cowan, honorary secretary of the Blaxland-Glenbrook RSL Sub-Branch, for their feedback on this bill. I encourage Government members to engage earnestly and thoroughly with RSL members in their own electorates.

Whilst the bill is far from perfect, it seeks to make serious improvements to the operation of the RSL organisation at the highest level. Hopefully it will be strengthened by Labor's amendments. The Labor Opposition will not oppose the bill in the Legislative Assembly but will move amendments to remove the requirements to pay directors of the RSL NSW a salary and to change the minimum number of directors from three as drafted to five, with the further requirement that one director be from regional New South Wales.

It is important for this Parliament to closely monitor developments within the governance of the RSL in the coming months and years following this bill, whether the Government adopts our amendments or not, and to ensure that legislation governing the RSL in New South Wales works effectively for its membership and for the communities across New South Wales that rely on its services. I acknowledge and thank all RSL branches and sub-branches in my electorate for their energy and efforts year after year. They are the Blaxland-Glenbrook RSL, Springwood RSL Sub-Branch, Lawson Combined Services Club, Wentworth Falls Bowling Club and Katoomba RSL, and the Blackheath-Mount Victoria RSL Sub-Branch.

**Mr ADAM CROUCH (Terrigal) (17:56):** I make a brief contribution in support of the RSL NSW Bill 2018. I note that the Minister for Veterans Affairs is in the Chamber and acknowledge the great work he does with our RSLs. As the Minister outlined very passionately, the bill includes a number of amendments that will strengthen the governance arrangements of the RSL in New South Wales. The bill will constitute a corporation with the name of the Returned and Services League of Australia (New South Wales Branch), which is a continuation of the corporation under the former Act; establish a board of directors to govern an Act for RSL NSW; provide that the directors of the board are to be elected by RSL NSW service members and will include at least one independent director; require RSL NSW to provide an annual report to the Minister to be tabled in Parliament; require the directors of the board to disclose any pecuniary interest in matters being considered by the board; and provide for the remuneration by RSL NSW of the directors of that board. These amendments will facilitate much higher levels of accountability and transparency of the entity for its members.

I take this opportunity to highlight the Government's success in the Veterans Affairs portfolio. Veterans are men and women who have put their lives on the line to protect us and our way of life. That is why this Government is committed to doing everything it can to support them when they return home from service back to civilian lifestyle. As the Minister mentioned in question time earlier today, more than 650 veterans have found employment within the New South Wales public service. In 2015 the Government pledged to employ 200 veterans over four years. Three years later we have exceeded that by 227 to now employ 654 veterans. It is all about helping veterans to demonstrate their unique skill set beyond the military as they transition back to civilian life.

I highlight the Minister's willingness to work with RSL clubs. I have two sub-branches in my electorate of Terrigal: Terrigal Wamberal RSL Sub-Branch and Davistown RSL Sub-Branch. The Minister has met with both of those clubs many times. Unlike other members who wrote to their clubs, I sat down and met with the presidents of both of my RSLs. They and the hundreds of members that they represent hold the Minister in the highest regard. In fact, they invited him to attend their last Christmas function. Not too long ago the Minister was on the Central Coast to collect soil samples from Erina to be displayed at the cenotaph. I congratulate him on his

drive for that project. It is so important that the cenotaph be finished completely and correctly. The Minister is never backward in coming forward in assisting the sub-branches in my electorate. I know the club members look forward to welcoming him back during his next visit to the Central Coast, which I am sure will not be too far away.

Clause 7 of part 3 of the bill specifies the functions of RSL NSW. Some of the functions of RSL NSW are conferred or imposed by or under the RSL NSW Constitution. Clause 8 requires RSL NSW to prepare an annual report of its operations. The annual report is to include the audited financial statements and accounts of RSL NSW. Clause 9 provides that RSL NSW is the guardian of the cenotaph in Martin Place, and rightly so. Clause 10 provides that RSL NSW is the guardian of the Anzac Memorial Building. Clause 11 enables RSL NSW to delegate its functions.

I acknowledge and thank the Davistown RSL Sub-Branch, including its committee members such as Paul Osborne, Peter Grothen and all of the other guys we meet on a regular basis. I was at Davistown RSL only last week. They do an amazing job. In December last year Minister Elliott and I joined Davistown members to collect soil samples from the Davistown memorial. In addition to the samples from the memorial at Erina, Central Coast locals who contributed to the war effort will be honoured by those soil samples being collected in the Hall of Service at the refurbished Sydney Anzac Memorial so that their service can be appreciated and commemorated for generations to come.

Terrigal Wamberal RSL Sub-Branch is also very active in the community. Each year it organises and hosts the famous Terrigal Beach Anzac Day dawn service. This year it was an honour to attend, lay a wreath and give the keynote address. Between 5,000 to 10,000 locals were in attendance. It has become very difficult to monitor the size of the crowd because it has grown so much over the past few years. It is believed there were in excess of 10,000 people at the service. They were standing on the road, on the beach, on balconies and on shop roofs to witness the service. I may be biased but I think the Terrigal dawn service is one of the best Anzac Day commemorations in the nation.

When the Premier visited the Central Coast in June I was able to announce an additional \$10,000 funding to breathe new life into the Erina War Memorial, which commemorates World War I. The funds will be used to relocate the memorial from Woodport to Terrigal. It is the same memorial at which the Minister and I joined school leaders to take the Erina soil samples. The Erina War Memorial, which was first unveiled in 1923, has significant heritage value and is a well-recognised icon in our area.

As we approach the 100th anniversary of the Armistice, I thank the Terrigal Wamberal RSL Sub-Branch and the Davistown RSL Sub-Branch for their work in safeguarding the legacy of our servicemen and servicewomen. I have to say that every club member was appalled and shocked at what they saw taking place in the RSL. They were not only coming to my office, they wanted to attend their conferences to make sure their voice was being heard. I have had feedback that they are very pleased with the work that new president James Brown has been conducting. They were never backward in coming forward on the issue. They have said that the changes to the RSL and the legislation that has been brought forward is vital to give the RSL continuity and to give its members the confidence to know that the organisation is doing the right thing for them. That is why I am so pleased that the State Liberal Government is introducing this RSL NSW Bill to ensure that the RSL NSW serves its members by remaining both transparent and, more importantly, accountable to all of its members.

In conclusion, I thank the RSL NSW staff—and I outlined before the outstanding job being done by President James Brown—for their involvement in developing this bill. I also acknowledge the Minister's team: Tanya Raffoul, Mitchell Clout and Shae McLaughlin, whom I note is in the gallery this evening, for their work on this legislation. I congratulate the Minister on his passion and drive in ensuring that this legislation is enacted in this Parliament. I commend the bill to the House.

**Ms JODIE HARRISON (Charlestown) (18:04):** I too make a brief contribution to the RSL NSW Bill 2018. This bill, of course, follows the report of the inquiry under the Charitable Fundraising Act 1991 by the Hon. Patricia Bergin, SC, into the Returned and Services League of Australia (New South Wales Branch), commonly abbreviated to RSL NSW. The inquiry included members of RSL DefenceCare and its trustees, members of the governing body and officers of RSL LifeCare. I thank my local sub-branch of the RSL, Merewether Hamilton Adamstown RSL Sub-Branch, for the feedback that it provided to me in relation to this bill.

**Mr David Elliott:** They supported this.

**Ms JODIE HARRISON:** I will certainly be forwarding information that I am providing to the Chamber tonight to that sub-branch following the debate. This was a necessary inquiry. A quick Google search will reveal

to those members who are not aware the various indignities surrounding some people in the RSL NSW, which led to the Bergin inquiry and subsequent bill before the House. Of greatest concern, the public inquiry concluded that the RSL NSW had exhibited financial misconduct through a number of fundraising failures such as a failure to implement accounting systems that accurately track the expenditure of proceeds, a failure to keep fundraising money in separate accounts or ledgers, and an inability to prove that all funds raised from the public were used for the promised purpose. Overall, this financial misconduct highlighted the flawed corporate governance of the RSL NSW. This bill will help the RSL to move forward.

In response to those findings, the bill provides for the following changes. First, the board of paid directors are to be elected by the 40,000 RSL NSW members, rather than by the 360 sub-branches, and must include at least one director from outside the RSL. Secondly, the bill provides for the requirement for the RSL NSW to table an annual report to the New South Wales Parliament so that the Audit Office can examine the organisation's finances. This bill essentially provides for reform to overhaul the RSL NSW by administering greater financial scrutiny and democratisation of the organisation. These changes will provide for greater accountability for the RSL NSW as the league is rebuilt and re-establishes its status as a charity.

I will now address the three key factors that led to my position on this bill. The first and most important is the judgement of my local sub-branches and RSL members, all of whom have expressed no doubts that the RSL NSW has and is continuing to make a lot of positive improvements in its corporate governance and in all areas of its operation as a result of the Bergin inquiry.

**Mr David Elliott:** That is constructive. Thank you.

**Ms JODIE HARRISON:** I would like it if the Minister would not interject while I am speaking. At a State and national level the RSL NSW has formally acknowledged the need to fix and centralise fundraising systems and to change the way fundraising appeals are conducted. I commend them for taking this stance. The second factor is the absolute necessity to have a productive and well-serving RSL for the members of our defence force. The services provided by the RSL cannot be underestimated. They include much-needed advocacy, counselling, crisis and welfare support for members of the Australian Defence Force and their families. There is no doubt that serving in the Australian Defence Force can have a significant impact on health, wellbeing and quality of life during and after service. It is therefore in the best interests of all to support the reform of the RSL NSW. I trust that this bill will ensure that in future the RSL NSW will be in a good position to serve all those service and ex-service members of the Australian Defence Force for years to come at both a State and sub-branch level.

The third and final factor is that in terms of values-based decision-making, which as a member of the Labor Party is at the core of my beliefs, I firmly believe that within this veteran-led organisation members should directly elect their leaders. I have faith in democracy. Democratising the organisation will put the members first. Organisational democracy is also frequently associated with increased employee and member involvement and satisfaction, higher levels of innovation, increased stakeholder commitment and, ultimately, enhanced organisational performance, thereby furthering the RSL's capacity to better support our valued members of the defence force and their families. Corruption by power is something we in this place must never stand idly by and simply watch and ignore. Democratising the RSL NSW will lessen the possibility for corruption and increase efficiency and effectiveness in the organisation. That can only be a good thing for ex-service personnel and for us all as a whole, as returned veterans being properly supported reflects how we value their service for our country.

In the ancient Roman republic, triumphant generals were accompanied by a slave who, among the praise and adoration, repeatedly whispered, "Remember you are mortal" in their ear. Whenever an organisation is democratised, each member in turn takes on the role of repeating that phrase in the ear of directors. The members are the deciders. Does democratisation solve it all? No. Is it a step in the right direction? Yes. I note that I support the proposed amendments to be moved by Labor to ban the RSL NSW from making political donations and to remove the requirement to pay directors of the RSL NSW remuneration. This will ensure that donors can be confident that their funds are not being used to support a political party or candidate and will prevent occurrences such as the donations to a Liberal Party fundraiser for the member for Pittwater—which was brought to light in the Bergin inquiry—where RSL LifeCare paid \$950 to attend.

**Mr David Elliott:** Former member for Pittwater.

**Ms JODIE HARRISON:** Justice Bergin wrote in her final report:

Any member of the public who donates funds to a charity should be able to have confidence that their funds are not being used to support a political party or for the election or re-election of a particular party or candidate. Clear guidance needs to be given to charities, and in particular those engaged in charitable fundraising, to ensure the donating public can have confidence in how their money is spent.

I support also an amendment to change the minimum number of directors from three to five and to ensure regional representation on the board. Finally, as per the recommendations of the Bergin inquiry, I support the remuneration of directors to be clarified within the Charities Act. In closing, the RSL has been a necessary and, in fact, vital institution for our ex-service personnel but unfortunately it carried out financial misconduct under an insufficient corporate governance framework. In consultation with my local sub-branches and the wider community, I believe this bill is a necessary step forward in allowing the RSL NSW to get back to its primary duty of supporting our veterans. To prevent financial misconduct from happening in the future, it is in the organisation's best interests to adopt a more transparent, democratic structure. Two of the fundamental values of the Labor Party are transparency and democracy. In saying that, I do not oppose the bill but I support the amendments that will be moved by Labor.

**Ms FELICITY WILSON (North Shore) (18:13):** I make a contribution to the debate on the RSL NSW Bill 2018 and indicate my support for the legislation. I note that the bill proposes a number of amendments following the inquiry into the RSL under the Charitable Fundraising Act 1991, which, as everyone in this place is aware, was carried out following the allegations of financial misconduct and corruption that faced RSL NSW. This issue has been discussed with me at length by my local RSL sub-branches in the electorate of North Shore: Kirribilli, North Sydney and Mosman. There is significant concern amongst our veterans but also a great sense that these proposals will work to facilitate accountability, transparency and improved governance arrangements, which will ensure that our veterans are represented and protected and that their rights continue to be paramount in the way in which the RSL operates. They were devastated they were not forefront in the minds of those who previously were operating RSL NSW.

The aims of this reform are to make the organisation much more accountable to its members. I would note—as the Minister has already said—this is not about increasing any government control over the entity itself. The Government currently has no powers of oversight nor any accountability for RSL NSW's financial position. This proposal does not intend to substantially disrupt this position but rather intends to increase transparency by requiring the disclosure of the annual report.

The bill has been developed in consultation with the current RSL NSW executive, in particular the New South Wales President James Brown. I know, and the Minister comments regularly, that he has worked very closely with the Government in ensuring that veterans' interests are reflected in this piece of legislation. I thank the RSL NSW executive for their work on this. I note that they are supportive of the proposals as a way for the Government to support RSL NSW to deliver more robust and accountable governance arrangements. I also note that further consultation in detail took place following the drafting of the bill with RSL National, ClubsNSW and the RSL and Services Clubs Association.

When we reflect on the RSL NSW Bill 2018, we need to think about the individuals that this organisation represents and the members that constitute this body, rather than just thinking about the body itself. I have been able to spend a great deal of time in my own community speaking with veterans and members of my RSL sub-branches. I have had the Minister out to meet with my North Sydney RSL Sub-Branch. Last year he joined me in presenting \$10,000, which went towards repairs to the North Sydney cenotaph. The North Sydney RSL Sub-Branch was very happy to meet with him and note his support for them, during a time about 1½ years ago that was much more tumultuous because of the nature of the concerns that they were all facing: a lack of trust and certainty about the future of the organisation.

While a lot of effort has been put into bringing younger and newer veterans into RSL sub-branches, the predominance of the membership remains those who are ageing; people who now often find themselves in vulnerable positions. The RSL sub-branches spend all of their time nurturing and supporting these veterans and individuals and in many ways they were the most betrayed by the actions undertaken by the RSL NSW at that time. I thank the Minister for the work that he has done on this and for working with me and meeting with the North Sydney RSL Sub-Branch. The North Sydney RSL Sub-Branch President Alex Wilson is a strong leader but so is the secretary Bronte Pollard, whom I acknowledge.

Alex Wilson and Bronte Pollard have done a lot of work in raising community awareness and support for veterans, in particular in reinvigorating the North Sydney dawn service for Anzac Day. When I attended this year there were many thousands of participants, including at least a dozen local schools. That has turned around from about five or six years ago when the numbers were dwindling and there was discussion about whether or not to retain the service. I thank the North Sydney RSL Sub-Branch for the work it has done in reconnecting our community to our Anzac history and to the history of our servicemen and servicewomen locally. I know that it and all my other clubs do an outstanding job serving our local community and providing a place for recreation and support for our returned servicemen and servicewomen, their families and their friends.

I have also done a lot with the Kirribilli RSL Sub-Branch. It is a smaller sub-branch but it is a tireless contributor to our community as well. It works within the Kirribilli Club itself. I most recently saw members for their Sunday service over the Anzac period. I also joined them shortly before that to present them with a new flag,

which flies above their memorial. I acknowledge the president of the Kirribilli RSL Sub-Branch, David McDowell, in particular for the work that he does. It was founded in 1946, fairly early, as the ex-servicemen's sub-branch after it was given its charter in 1943, with the purpose of truly being a community club serving Australian Defence Force personnel and their families local to the Kirribilli and Milsons Point area. The actual RSL club itself as a venue continues to do this today in its home on the harbour.

The Mosman RSL Sub-Branch is my third local RSL sub-branch. I had the great privilege of joining members last year for Anzac Day and Remembrance Day. President Victor Danko has played a significant role in increasing the participation of servicemen within the Mosman RSL Sub-Branch and increasing its influence across the community. Every year with their Anzac Day dawn service—which I did not attend this year because I was at North Sydney's—they have many thousands of local attendees at Georges Heights. It is a day that brings the entire community together.

This year I joined the Mosman State Emergency Service [SES] for its preparatory meetings leading up to the dawn service. There is intense detailed precision in the way it runs the operational elements. It brings together the Lions club, who put on the sausage sizzle, and they work with the Sydney Harbour Federation Trust in utilising the parade grounds, which are preserved by the trust and are used not only to reflect this very important day for us on Anzac Day but also throughout the year as a lasting monument and memorial to our servicemen and servicewomen.

This is in an area of Sydney that used to have significant defence lands and some areas were used during World War II. For example, we still have a naval base just across the road with HMAS *Penguin* and the land where we have the ceremony and parade grounds was once a large swathe of defence holdings. The history of the area dates back to the Crimean War. One can see outposts overlooking Middle Head that were used to detect whether we were under attack. My community also recognises the battle of Sydney Harbour when Japanese midgeet submarines entered the harbour—the day that war came to Sydney. That is something that residents in Mosman still reflect on. It is part of the history and folklore of our local community.

Not only do we have a prolific number of families and individuals who either served or had loved ones who served historically; we also have two current navy bases in the community: HMAS *Penguin* and HMAS *Waterhen*. We also have the former navy base of HMAS *Platypus*, where we now have the submariners' memorial. That was opened last year by the Federal Minister for Defence at the time, Senator the Hon. Marise Payne. We also have the fact that war visited our community locally with the battle for Sydney Harbour. My own story incorporates the history of my family's service as well. I was listening to the member for Terrigal's contribution earlier when he spoke about Wamberal RSL Sub-Branch. My grandfather was a Lancaster bomber pilot who served with distinction and was awarded the Distinguished Flying Cross for his 31 missions over Nazi Germany and Europe. That is where his uniform from his period of service during World War II is prominently displayed. Thank you again to the Minister for investing in our veterans with this legislation. I commend the bill to the House.

**Mr DAVID MEHAN (The Entrance) (18:23):** I speak in contribution to debate on the RSL NSW Bill 2018. The Returned and Services League of Australia New South Wales Branch was formed in 1917 and currently has more than 40,000 members in 352 sub-branches throughout New South Wales. The mission of RSL NSW is respecting, supporting and remembering our veterans and their families. The RSL NSW Bill 2018 seeks to repeal the Returned and Services League of Australia (New South Wales Branch) Incorporation Act 1935. The objects of the bill are as follows:

- (a) to constitute a corporation with the name of the Returned and Services League of Australia (New South Wales Branch) which may also be called RSL NSW and to provide that RSL NSW is a continuation of the corporation constituted by the *Returned and Services League of Australia (New South Wales Branch) Incorporation Act 1935*,
- (b) to establish a board of directors (the **Board**) to govern and act for RSL NSW,
- (c) to provide that the directors of the Board are to be elected by RSL NSW service members and will include at least 1 independent director,
- (d) to require RSL NSW to provide an annual report to the Minister to be tabled in Parliament,
- (e) to require the directors of the Board to disclose any pecuniary interests in matters being considered by the Board,
- (f) to provide for the remuneration by RSL NSW of the directors of the Board.

There are two RSL sub-branches in The Entrance electorate. One is The Entrance Long Jetty RSL Sub-Branch, whose president is Allan Fletcher, OAM, and secretary, Lieutenant Commander Steve Reynolds. The other is the Ourimbah RSL Sub-Branch, whose president is Dave Pankhurst and secretary, Barbara McNab. Both sub-branches were formed soon after the end of the First World War and they established memorials in their respective areas. The Entrance Long Jetty Sub-Branch holds what I consider to be the pre-eminent dawn service and commemoration of Anzac Day on the Central Coast each year. I thank both sub-branches for their service to the community. Both conduct very well-run and inclusive community celebrations of Anzac Day and Armistice

Day and provide great service to returned servicemen in the area who need the assistance traditionally provided by RSL sub-branches.

In May 2017 the Minister for Innovation and Better Regulation launched an inquiry under the Charitable Fundraising Act 1991, which was led by Patricia Bergin, SC, to investigate the fundraising activities of RSL NSW following allegations of financial misconduct. In the report published in February 2018 the inquiry found that the corporate governance framework of RSL NSW was not sufficient to ensure the organisation is accountable to its members. In his second reading speech the Minister noted that the reforms in the RSL NSW Bill 2018 aim to assist RSL NSW to reform and to support changes that RSL NSW is making internally. The bill goes some way to address the governance issues within RSL NSW. However, it does not address directly the financial misconduct identified by the inquiry, including donations made by RSL NSW to the Liberal Party.

My sub-branches have expressed concern about what the relationship between the sub-branches and RSL NSW will be as a consequence of the bill and as a consequence of other internal changes being promoted and proposed by RSL NSW. The bill does not address those concerns. I will read to the House the letter that was provided to me by The Entrance Long Jetty sub-branch outlining their concerns. I would like those concerns to be heard by the House and for the Minister, in reply, to address those for the benefit of the sub-branch. On 3 September the sub-branch wrote to me in these terms:

Thank you very much for giving this sub-Branch the opportunity to voice our concerns with the RSL NSW Bill 2018 which was introduced into the NSW State Parliament on the 15 August 2018.

At our General Meeting, held on Saturday 1 September 2018, your letter was tabled to all our members at the meeting. Discussions were held, in regards to the Bill, and the following concerns were voiced.

1. How will the minimum of one (1) and maximum of two (2) independent Directors be sourced? How will this be advertised and what will be the mandatory requirements of a person submitting an application for these two (maximum) positions?
2. How will the remuneration, of the Directors, be funded? Will this have to be paid by members of the RSL or individual sub-Branches? Noting that a maximum of 10 Directors will be allowed, the remuneration bill could be over \$1,000,000.00 per annum.
3. Who will set the remuneration rate for Directors? Will the amount of payment be set by an independent organisation or NSW Parliament?

All members, of this sub-Branch agree that tighter compliance and governance of the NSW RSL must occur and this new Bill is definitely a move in the right direction. However, given that the NSW RSL is in financial damage control, the questions above must be answered before we can move on to re-establish RSL NSW as a credible organisation within the NSW community.

Yours respectfully

LCDR Steven Reynolds CSM RANR J.P.

I note that the Labor Opposition has flagged a number of amendments to improve the bill. These include a ban on political donations and to provide for a guaranteed regional representation on the board of RSL NSW. I ask the Minister to address the concerns raised by The Entrance Long Jetty Sub-Branch and I ask the House to support the amendments to this bill to provide a better deal for RSL members across the State.

**Mr BRUCE NOTLEY-SMITH (Coogee) (18:30):** I make a short contribution to the debate on the RSL NSW Bill 2018. I have three RSL sub-branches in my electorate of Coogee. The combined Coogee Randwick Clovelly RSL Sub-Branch, Bronte RSL Sub-Branch and the Bondi Junction Waverley RSL Sub-Branch. I thank all of the club members and their executives, both now and in the past, for their service to our returned servicemen and servicewomen. This bill is essential to ensure that reform of the RSL takes place and that it regains and maintains the level of trust that it deserves and has previously had in our community. The RSL NSW executive are, despite what some opposite have said, supportive of the proposals as a way for this Government to support the RSL to deliver more robust and accountable governance arrangements.

Further consultation on this bill took place with the following entities following a drafting of the bill: the RSL National, ClubsNSW and the RSL and Services Clubs Association. I thank the RSL NSW President, James Brown, a veteran himself, for working co-operatively with the Minister and the Department of Veterans Affairs on these important reforms. For almost 20 years now I have been attending my local RSL clubs but in particular the dawn service at High Cross Park in Randwick, which goes back to the 1930s. Originally it was organised by the Coogee Randwick RSL, which is a club close to my heart. It is the club my grandfather joined when he returned from the Second World War.

My grandfather was a member of the 7th Division 2/16th Battalion Field Company, Royal Australian Engineers. They had the misfortune of running into the Japanese in Java, being captured and spending the remainder of the war on the infamous Thai-Burma Railway. That club in particular as well as all my clubs mean a great deal to me. That is why I want to see the reputation of the RSL movement restored. Over the 20 years

I have attended dawn services, innumerable club events, local marches, annual dinners and war widows functions at the clubs. I have seen dozens upon dozens of veterans who have committed so much of their lives and time to the RSL and to the fine principles of their local RSL.

Many of those people have aged and passed into memory with dignity and grace. We owe it to them to ensure that the reputation of the RSL is maintained and heightened for future generations because it is a cultural icon of Australia. It is also essential to ensure that the nation remembers and recognises the sacrifice and commitment that men and women, veterans, have given in service of their country so that we can maintain places such as this the Legislative Assembly where we are free to speak our minds without fear of violence or litigation and exercise our rights as representatives of our communities to stand up for our communities. It is such a fragile thing. We owe it to our returned servicemen and servicewomen to ensure that the club—which is for so many a special part of their lives—is maintained. It is an organisation that has helped many recover from the traumas of conflict.

I thank the Minister and all those who have participated in bringing the reforms to the House. The episode that we have seen over the last few years has hurt a lot of decent, honest people who have committed so much. We never want to see it repeated. Any light we can shine onto the governance of any organisation, but particularly of one which is so venerable, deserves the support of this House. I support the bill and commend it to the House.

**Mr EDMOND ATALLA (Mount Druitt) (18:37):** I make a brief contribution in debate to the NSW RSL Bill 2018. My contribution will be confined to a series of questions that I hope the Minister can address in his reply speech. Recently I met with the Rooty Hill RSL Sub-Branch members, which is one of the largest sub-branches in the State, to consult on the proposed bill and seek their feedback. As a result of that meeting, a number of concerns and vague issues were raised. I was unable to address those issues. I raise those concerns and issues tonight and seek some clarification from the Minister.

The first concern is that the number of directors proposed under the bill is to be set from three to 10 directors. The question is: Who determines the number of directors? It is unclear how the number of directors will be determined. I presume the constitution amendment will stipulate the number of directors, but to get to the constitution amendment, how will this decision be made? I understand the constitution is a separate subject to the bill. The members of my sub-branch are seeking clarification as to whether the rank-and-file sub-branch members will be making a contribution to the constitution amendment to determine the number of directors. That is the first area of vagueness that has not been clearly spelled out in the bill.

The second issue that members have concerns about is the remuneration of board members. In accordance with the bill, the board will set its own remuneration. Members are concerned about the board members' self-interest when setting their own remuneration. They are seeking that this authority not be given to the board, but rather that it be determined independently or at the annual general meeting of sub-branch members. The third area needing clarification relates to the representation of each of the sub-branches. Under the current system, each of the sub-branches has a delegate that is represented on their metropolitan council and from there they select delegates to the State council.

I understand that once the board is established, those councils will be abolished. The question raised is: What is the vehicle of communication between the local sub-branch and the board? It is unclear how their direct representations will be made. They are seeking clarification on how this will work practically. They hope that the decision-making process undertaken by the board will come from grassroots members of the local sub-branches. Those are the main areas of concern. I hope that the Minister in his reply will be able to address some of them. I understand the Opposition is supporting the bill, as do my sub-branch members, on the basis that those issues can be further clarified and that transparency is applied to the bill. I commend the bill to the House.

**Ms ELENI PETINOS (Miranda) (18:42):** I speak in support of the RSL NSW Bill 2018. As members are no doubt aware, the Returned and Services League of Australia, New South Wales Branch, is a national non-political, non-sectarian organisation of returned and ex-service men and women, formed to promote the interests of veterans and their families. The league was formed in 1917 and currently has 40,780 members across 352 sub-branches throughout our State. The aim of the reforms proposed in this legislation is to make the organisation more accountable to its members rather than to increase government control over the entity. With this in mind, the bill includes amendments to strengthen the league's democratic and governance processes. The Government currently has no powers of oversight nor any accountability for the financial position of RSL NSW. The proposal does not intend to substantially disrupt this position but does intend to increase transparency by requiring the disclosure of its annual report.

The bill was developed in consultation with RSL NSW executive members. I understand that the RSL NSW executive members are supportive of the proposals as a way for the Government to support RSL NSW to deliver more robust and accountable governance arrangements. I take this opportunity to commend RSL NSW

president Mr James Brown with whom the Government has worked closely to develop and bring the reforms forward. I also commend the efforts of the entire executive who have worked diligently to restore and to improve the league's governance processes.

By way of background, further consultation took place following the drafting of the bill with the following entities: RSL National, Clubs NSW, and RSL and Services Clubs Association. I also acknowledge these entities for working cooperatively with the Government on these important reforms. This bill provides a number of important objectives. First, it will constitute RSL NSW as a continuation of the existing corporation, the Returned and Services League of Australia (NSW Branch). Secondly, it will introduce new provisions to establish a framework for electing the board of directors in accordance with the RSL NSW Constitution. The board will consist of at least three, but not more than 10, directors, elected and comprising service members. The board will also appoint at least one, but not more than two, independent directors. All decisions relating to the function of RSL NSW will be made by or under the authority of the board.

This bill also provides a codified regime for the disclosure of pecuniary interests of directors. This regime will address issues related to blurred accountabilities and potential conflicts of interest. It will promote transparency and accountability within the corporation, and provide greater certainty to its members in respect of the process that must be followed and which directors must abide by. On a similar note, these reforms will strengthen the entity's financial and remunerative processes by providing a framework within which director remuneration must be set. This framework will prohibit manifestly excessive remuneration, and ensure that participation in the league is based on the right reasons—that is, to respect, support and remember Australian veterans and their families.

RSL NSW will be required to prepare an annual report of its operations. This report will include the audited financial statements and accounts, and will be submitted to the relevant Minister. These measures will support and maintain the integrity of the league to all its members, and provide greater clarity in instances of governance breaches. These reforms do not increase government control in the entity but, instead, are aimed at facilitating visibility over the entity's dealings and driving confidence in its corporate governance. The RSL has a proud and long-standing tradition of serving current and former members of the Australian Defence Forces.

There is no better example of this than my local RSL branch, the Miranda RSL Sub-Branch. The sub-branch celebrated its eightieth anniversary in 2015. It is very active in local primary and secondary schools on educational matters relating to Anzac Day and other significant commemorative events. The branch is also supportive of many local charities and organisations connected with the welfare of veterans. The branch was started by ex-servicemen in Miranda in 1935, and has gone on to become one of the largest branches in the southern metropolitan district.

I acknowledge the hardworking and dedicated executive committee for its continued focus on its members: president Mike Molloy, vice-presidents John Goodger and Alan Lark, secretary Brian Senior, treasurer Arie Havenaar, and committee members Barry Fletcher and Ian Sonneman. The sub-branch offers a wide range of services to members, including welfare, pension advice, social outings and luncheons, transportation, library resources and commemorative services. Welfare officers visit members in hospitals, nursing homes and those confined to their homes. On occasion, welfare officers also assist in conducting funeral services for RSL members. To help transport its less-mobile members, the sub-branch has a welfare bus that is used for community outings and which is run by volunteers. I was very proud to contribute to the funding of that project via the Premier in 2016. Additionally, the pensions officer provides advice, consultancy and helps veterans and war widows with new and updated claims to the Department of Veterans Affairs.

The sub-branch has an active entertainment committee to organise social activities for members, including visiting the Richmond Air Force Base, the Canberra War Memorial and Kokoda Walkway. Its members have access to a large collection of official historic military books in its library. Many of these resources have been donated by members and their families. The Captain Cook Day Club provides active programs for older people, and was set up as a joint venture between the RSL NSW Branch and the Department of Veterans' Affairs. I acknowledge Rose Ninness and Lesley Neil, who work tirelessly to organise fun and stimulating programs for their older members.

The Miranda RSL Sub-Branch even has a youth club, which is another great initiative that was implemented in 1962. It provides physical activities for young people up to 25 years of age, including karate, trampolining and tumbling classes. I acknowledge the youth club executive for its role in ensuring our youth are involved in physical sports and activities—president Anthony Bull, junior vice-president Pina Budd, secretary Ann Corey-Hewitt, and chief instructor Robert Bull. I, like so many other members who have spoken in this debate, value and truly appreciate the work of our RSL sub-branches. I feel privileged to have had the opportunity this evening to highlight some of the work of the Miranda RSL Sub-Branch. With this in mind, I commend the bill to the House.

**Mr GARETH WARD (Kiama) (18:50):** It is my great pleasure to support the RSL NSW Bill 2018. On behalf of my community, I take great pleasure in supporting RSL clubs. One of the reasons this bill came about was the work of one man—Glenn Kolomeitz. Glenn Kolomeitz was the Labor candidate for Kiama at the last election. He was an opponent in terms of the political process but the RSL will benefit from his work for years and years. He is a man of great proportion, who was maligned. He did everything he could to ensure that one of the largest charities in New South Wales reflected the interests of its members.

He came into the role of chief executive officer with the intention to ensure that the money that had been raised for veterans was spent on veterans' causes. He was stymied by the board and by many members who did not want to see him succeed. He wanted the transparency and accountability that every veteran in this State should expect from an organisation dedicated to helping those who have served our nation. I want to say, for the record, that this legislation has certainly come about as a result of the hard work of the Minister, his department and his officials, but I also acknowledge Glenn's extraordinary contribution.

I am sure that the issues in the RSL would not have been exposed if it were not for his extraordinary courage, dedication to service and commitment to an organisation that he wanted to see made better. On Glenn's advice, one of the things I asked the Minister to do was to make sure that, through this bill, the Parliament would have the opportunity to scrutinise the accounts of the RSL. That is something that this bill will require. It will also require the interests of board members to be exposed and it will allow members to have one vote, ensuring that they get the board representatives that they want.

There are many great RSL clubs across my electorate. Their members are passionate about serving veterans and veterans' communities—in Nowra at Greenwell Point Sub-Branch through to Shoalhaven Heads and Berry, the Kiama Jamberoo RSL Sub-Branch and Albion Park RSL Memorial Club. They are all serviced by volunteers who are passionate about defending the legacy of the RSL while planning for its future, which will include programs such as housing for veterans and veterans' employment—things that change lives.

The fact that this organisation was used and abused by its directors is something that every member of this House should be concerned about. Evidence has been given that directors were taking advantage of their positions by using allowances to fly to all sorts of locations. I am sure that no member would support that. Glenn Kolomeitz was one of many brave individuals who spoke out on this issue, and I have no doubt that this legislation would not be before this House today without their work.

Although my contribution has been brief and although I have reflected on someone who was once my political opponent, I am proud to call Glenn Kolomeitz my friend. I am proud to call him a friend because he stood up for veterans. He stood up for transparency and accountability. He showed that "service above self" is more than words or lines. He said that he wanted to make the organisation that he was given carriage of for a very short time a better place. He did that, alongside the Minister who has ensured, in perpetuity, that the interests of the RSL will be protected through the transparency and accountability measures of this legislation. I want to know that when I buy a badge or a poppy or when I make a donation to an RSL raffle that every cent will go to an organisation we can be proud of.

The history of late of the RSL and some of the claims relating to the misuse of expenses and the treatment of Mr Kolomeitz should be of concern to every member in this place. The Minister, who is a proud veteran himself and understands the issues faced by veterans, has introduced this legislation to make a real difference. I cannot underscore enough the importance of this bill. It will leave a legacy. Indeed, it will provide protection and security so that many members of the RSL will be proud to go out and fundraise. It will ensure that the RSL and its very special membership receive the protection, security and accountability each and every one of them deserves.

**Mr KEVIN ANDERSON (Tamworth) (18:54):** I make a contribution to debate on the RSL NSW Bill 2018. The amendments to the Returned and Services League of Australia (New South Wales Branch) Incorporation Act 1935 will establish a board with a minimum of three and a maximum of 10 directors, including at least one independent director; introduce a representative voting system where each member has one vote; ensure that directors disclose any financial interests; enable remuneration of directors; and ensure that RSL NSW tables an annual report to the New South Wales Parliament. These reforms will ensure that the people leading RSL NSW are voted in by the members and act appropriately for those members.

In my electorate of Tamworth we have a number of sub-branches, but I take this opportunity to highlight the Tamworth RSL Sub-Branch, which is a self-funded registered charity. In addition to pension and welfare work, it conducts regular commemoration and memorial services such as on Anzac Day and Remembrance Day. It also sponsors the 209 Army Cadet Unit and the Tamworth RSL Brass Band. As part of the Returned and Services League of Australia, the sub-branch is also involved in lobbying the Government for better pay, conditions and benefits for all serving and ex-service military personnel, and for the further development and maintenance of a

modern and viable Australian Defence Force. The important reforms in this bill will ensure that transparency continues across our sub-branches.

The Tamworth RSL Sub-branch committee office bearers are president and museum curator, Bob Chapman; senior vice-president, assistant secretary/functions and events coordinator, State councillor for Northern Country, Sandra Lambkin; secretary, Vonny Taynton; honorary treasurer, Max Hyson, JP; assistant secretary, Pam Follington; pensions officer and trustee, Bruce "Biggles" Clark, JP; pensions officer, "China" Thomas; pensions officer, Terry Dries, JP; patron, chaplain and trustee, Father Tom Shanahan, OAM, and we wish him well in his time of ill health; assistant chaplain, Reverend Chris Wright; trustee, John Drysdale; committee member and cadet liaison, Captain Leigh McDonald; committee member and fundraising coordinator, Emily Herden; committee member and fundraising assistant, Rebecca Linich; committee member and transport and stores assistant, Chris Linich; and firearms officer, Barry Follington. The fine group of people who run the Tamworth RSL Sub-branch want to ensure that the amendments to the Returned and Services League of Australia (New South Wales Branch) are in the best interests of all sub-branches across New South Wales.

In Tamworth we also have many memorials, including the Boer War Memorial in Railway Park; the Anzac Park Memorial Gates in Brisbane Street; the World War II Memorial in Bicentennial Park; the Gipps Street Memorial Avenue of Honour; the Memorial to the Australian Light Horse; the Sandakan Memorial in Anzac Park; the 2/30th Infantry Battalion, 8 Division AIF Memorial; the Australian General Hospital for Servicemen at Nazareth House; the Grave of the Unknown Soldier in the Tamworth Regional Council Cemetery; the Bridge Street Memorial; the Forest Road War Cemetery; the Ex-Services Last Post Memorial in Lincoln Grove Lawn Cemetery; the Royal Australian Air Force Memorial in Barnes Street at Taminda; the Man-O-War Gates at Bicentennial Park; the Korea, Malaya and Borneo Memorial in Railway Park; the Vietnam Memorial in Railway Park; and the National Servicemen's Memorial in Railway Park.

There is also the Post 1973 Memorial for all who served in Railway Park, the HMAS *Arunta* Memorial in Arunta Place, the HMAS *Tamworth* Memorial in Bicentennial Park, the Tamworth War Memorial Town Hall in Fitzroy Street and Westdale Memorial Park on the corner of Flinders Street and Blaxland Way. The memorials highlight how important our commemorative war memorials are to people in our region. The Post 1973 Memorial for all who served in Railway Park was recently opened on 2 March. I had the pleasure of joining with young vets—and I am classed as a young vet, having served six years in the Royal Australian Air Force as a signals operator at three telecommunications units and a joint telecommunications unit in Melbourne—and members of the Tamworth RSL Sub-Branch for the sod-turning of the new memorial to honour young vets in Tamworth. It is hoped that the memorial will continue to be visited.

We know how important the memorial is because we are seeing younger vets attend more and more commemorations and memorials across the Tamworth electorate. The young vets are returning from conflicts and theatres of war of recent times. We want to ensure that they are made to feel welcome, that this is home for them and that home is a place of welcoming. We know that they are standing on the fringes at these commemorations and memorials; we know that they want to get involved, but are holding back. It is incumbent upon us and the many others who are part of the Tamworth RSL Sub-Branch to welcome those young vets and to encourage them to take part, to turn up and to be involved so that they can integrate into the communities that they are a huge part of. We thank them for their service.

Tamworth soil also played a part in the centenary Anzac memorial and we thank Tamworth RSL Sub-Branch senior vice-president Sandra Lambkin for coming to a very special event in the New South Wales Parliament, which was hosted by Premier Gladys Berejiklian and Minister for Veterans Affairs David Elliot. It was the announcement of the 100 significant sites where soil samples were collected for a special artwork as part of the centenary of Anzac commemorations. The 100 international sites across 31 countries and jurisdictions have been carefully chosen to represent the States' involvement in Australia's international military history. As part of the State's representation, a number of soil samples were taken from local memorials in the Tamworth electorate and will form part of the Hall of Service, recognising the locals who gave the ultimate sacrifice. Ms Sandra Lambkin, who is also a State councillor for RSL NSW, said she thought it was very special that we recognise where World War I soldiers came from and that Tamworth had a wonderful record of providing servicemen in all wars, especially World War I. She said that we are known for punching well above our weight.

In addition to the number of memorials and commemorative sites across Tamworth, we recently joined with the Werris Creek RSL Sub-Branch to announce \$2,200 in grant funding for that sub-branch for the construction of a service roll for the 920 people from Werris Creek who served. We sincerely thank them for their work in commemorating at Werris Creek. In addition to that, soldiers from across the Tamworth area have been honoured by the support for the revitalisation of the Tamworth Boer War Memorial and the sharing of the Invictus spirit with local schools. Minister for Veterans Affairs David Elliot joined me to award a \$1,800 grant to the Tamworth RSL Sub-Branch, as well as ministerial commendation awards to local veterans. These veterans turned

up just as they did when Australia called them throughout the theatres of war, whether it was Vietnam, the National Servicemen's Association [Nashos], the young vets or Afghanistan. They turned up and they are still turning up. We sincerely thank them for their great work.

We acknowledge the great work of our defence force personnel, regardless of who they are and where they come from. We acknowledge the men and women from the army, the navy and the air force as well as our Australian peacekeepers who have been in the field continuously since 1947, serving in more than 50 multinational operations over the past 70 years. Among their many duties, they treat casualties, help with or make possible the delivery of humanitarian aid and stand between hostile armies and report on ceasefire operations. I simply say that these reforms will be most welcome and I congratulate not only the Tamworth RSL Sub-Branch but all RSL sub-branches across New South Wales, which do a magnificent job supporting our vets and looking after those who need help the most.

**Mr JONATHAN O'DEA (Davidson) (19:05):** I will make a relatively brief contribution to debate on the RSL NSW Bill 2018. The bill seeks to strengthen RSL NSW' corporate governance arrangements. In part, it does this by establishing a board of directors to be elected by RSL NSW—in particular, its members—with at least one independent director and disclosure of any pecuniary interests in matters being considered by the board. It also requires the submission of an annual report to the Minister for Veterans Affairs, to be tabled in Parliament. The bill complements many of the recommendations arising from the public inquiry under the Charitable Fundraising Act 1991 into the Returned and Services League of Australia (New South Wales Branch), RSL Welfare and Benevolent Institution and RSL LifeCare Limited, which was overseen by the Hon. Patricia Anne Bergin, SC.

Transparency and accountability are very important in organisations such as RSL NSW, just as they are within the New South Wales Government. I focus particularly on the excellent work of RSL NSW and especially the efforts of a number of its local sub-branches that reside within my electorate of Davidson. The excellent work of RSL NSW is, in many ways, the sum of the efforts of local sub-branches across New South Wales. The two outstanding RSL sub-branches that fall within my electorate are Roseville RSL Sub-Branch and Forestville RSL Sub-Branch. I acknowledge Roseville RSL Sub-Branch president Mike Askey, vice-president and trustee Malcolm Whitney and members of the sub-branch for their tireless efforts in supporting veterans and their families. In particular, Mike Askey has significant army reserve military service in the Royal Australian Engineers, including in Vietnam. He served more than 18 years on Commonwealth veterans welfare tribunals, wrote a history of the army small ships units, and is a long-term member of the RSL NSW and honorary auditor to various service organisations. He was also a member of the Bradfield Committee that assessed applications for the Department of Veterans' Affairs Armistice grants.

In May this year the Roseville RSL Sub-Branch made a \$5,000 donation to the Invictus Games Foundation. The sub-branch is also currently flying an Invictus Games Sydney 2018 flag at Roseville Memorial Park next to its main premises in support of next month's Invictus Games. I wish all those involved in the Invictus Games all the best. I look forward to the Roseville RSL Sub-Branch's upcoming Remembrance Day ceremony at Roseville Memorial Club involving, as it does on a regular basis, approximately 30 schools in the Ku-ring-gai municipality. The ceremony will feature an official dedication in honour of Major Blair Wark, VC, who was awarded the Victoria Cross for his bravery in operations against the Hindenburg Line during World War I.

I also acknowledge on the other side of my electorate the Forestville RSL Sub-Branch, which actively cares for the welfare of northern beaches veterans and their families. I acknowledge the admirable contributions of Forestville RSL Sub-Branch president John Scifleet, vice-president Bob Lunnon, and members of the sub-branch. As mentioned in this place previously, the sub-branch runs annually an Australia My Country competition for local schools. Students from year 3 to year 10 are encouraged to enter an artwork, poem or essay that reflects the Anzac sacrifice. In conclusion, I believe the proposed reforms in the bill ultimately will assist RSL NSW to continue to advocate and to support our Australian Defence Force veterans and their loved ones. How can we but commend the bill to the House and thank the Minister for its introduction?

**Mr MARK TAYLOR (Seven Hills) (19:10):** On behalf of Mr David Elliott: In reply: I thank all members who contributed to debate on the NSW RSL Bill 2018: the member for Tweed, the member for Cootamundra, the member for Albury, the member for Terrigal, the member for North Shore, the member for Coogee, the member for Miranda, the member for Kiama, the member for Tamworth, the member for Davidson, the member for Fairfield, the member for Granville, the member for Maitland, the member for Blue Mountains, the member for Charlestown, the member for The Entrance, and the member for Mount Druitt. I note that all members who participated in the debate made particular mention of their local RSL and to the sacrifices that past and present service personnel have made for this great nation.

Before concluding my remarks, I wish to address some matters raised during debate. The member for Fairfield expressed concern about consultation with the rank and file. I point out that the bill was developed in

consultation with the executive of RSL NSW, which supports the proposals as a way for the Government to enable RSL NSW to deliver more robust and accountable governance arrangements. Following drafting of the bill, further consultation took place with RSL National, ClubsNSW, and the RSL and Services Clubs Association. It is important to note that any moves to remunerate directors will require an amendment to the constitution that will be decided by a vote of the members.

Consultation also took place with the State congress, which the Minister attended with the member for Campbelltown, who is the shadow Minister designate. I also note the Minister's community engagement activities with various RSL sub-branches—this will interest the member for Maitland. I will list some but not all of them. They included: Seven Hills, Smithville, Brewarrina, Castle Hill, Lismore, Tamworth, Wagga Wagga, Scone, Gloucester, Bathurst, Raymond Terrace, Karuah, Armadale, Nowra, Parramatta, Padstow, Liverpool, Kempsey-Macleay, Cumberland, Albury, Queanbeyan, Toongabbie, Taree, The Entrance-Long Jetty, Forster-Tuncurry, Terrigal, Gosford, Coogee and Engadine—and the list goes on. I note that the member for Fairfield and the member for Granville expressed concern about possible disadvantages to subregional sub-branches, but the impressions their remarks convey are entirely opposite to what will occur as a result of this bill.

The transition to fully representational voting will change the distribution of the proportional vote for the board of RSL NSW. Notwithstanding that, the change to one member, one vote will mean a shift to a more equitable system for electing the director. The current system of voting means that sub-branches with larger memberships will have the same number of votes at the State congress as do those sub-branches with smaller memberships, which currently prevents the board from being fully reflective of the preferences of the constituency of the RSL NSW membership. The new voting system will encourage directors to consider the preferences of all RSL NSW members when making decisions. The new voting system will give increased agency to each individual RSL NSW member to determine who will best represent that member's views.

In response to concerns expressed by the member for Granville and the member for Maitland in relation to links to RSL National, I point out that the bill undertakes reform to the corporate governance of RSL NSW but does not seek to implement any changes to the structure of the organisation or to disturb the distribution of any of its assets or liabilities. Any reforms of the corporate structure, including the division between the various entities comprising RSL NSW, will be undertaken solely by RSL NSW. The reforms set out in the bill will assist to provide members of RSL NSW with additional assurances of the accountability of the RSL NSW executive, but any changes to how RSL NSW manages its assets—given that many assets are managed at the local level and in light of the recent mismanagement of funds—will be the decision of RSL NSW. As RSL NSW is the only relevant entity that is a statutory corporation, it is only the statutory corporation that the Government has any interest in.

The member for The Entrance raised concerns about from where the minimum of one or the maximum of two independent directors would be sourced. That is a matter for RSL NSW to determine. The member also raised concerns about potential remuneration of directors. The bill does not authorise RSL NSW to remunerate its directors but states that RSL NSW may remunerate its directors provided that certain conditions aimed at preventing excessive remuneration are fulfilled. If RSL NSW chooses to remunerate its directors, the bill requires RSL NSW to have regard to how the remuneration of its directors compares with comparable organisations.

The bill has the necessary safeguards in place and prohibits manifestly excessive remuneration. The funding of remuneration, if the RSL NSW chooses to remunerate its directors, is a matter for RSL NSW. I commend those members who paid tribute to the work of the great organisation RSL NSW. It supports the welfare of its members and is very important in our society. That is certainly recognised in this House. The aim of the bill is to support and strengthen RSL NSW in doing its good work. I commend the bill to the House.

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

**Motion agreed to.**

**Consideration in detail requested by Mr Guy Zangari.**

#### **Consideration in Detail**

**TEMPORARY SPEAKER (Mr Greg Aplin):** By leave: I will deal with the bill in groups of clauses and a schedule.

**Mr GUY ZANGARI (Fairfield) (19:17:2):** By leave: I move Opposition amendments Nos 1 to 4 on sheet C2018-100B in globo:

No. 1      **Composition of Board of directors**

Page 3, clause 5 (2), line 15. Omit "3". Insert instead "5".

No. 2      **Composition of Board of directors**

Page 3, clause 5. Insert after line 19:

- (5) At least 1 of the elected directors is to be a member of a sub-Branch established under the RSL NSW Constitution for a district or area in regional New South Wales.

No. 3 **Political donations**

Page 4. Insert after line 8:

**8 Ban on making political donations**

RSL NSW is prohibited from making a political donation within the meaning of the *Electoral Funding Act 2018*.

No. 4 **Remuneration of directors**

Pages 6 and 7, line 37 on page 6 to line 2 on page 7. Omit all words on those lines.

Amendment No. 1 relates to a minimum of five directors. The amendment increases the minimum number on the board of directors from the Government's proposed three to five directors, ensuring a more representative and less centralised board structure. Increasing the board minimum size provides an additional safeguard when sensitive decisions are being made. Amendment No. 2 relates to at least one director being from regional New South Wales. The amendment inserts an additional requirement in the composition of the board of directors requiring at least one of the elected directors to be from regional New South Wales. The amendment ensures that regional voices are not lost from the RSL board and addresses concerns of many regional sub-branches about a potentially Sydney-centric board.

Amendment No. 3 relates to the ban on political donations by RSL NSW. The amendment inserts an explicit ban on political donations by RSL NSW. The rationale for the amendment is self-evident, given the RSL NSW and RSL LifeCare donation scandal. The amendment seeks to enshrine in law a ban on political donations and thereby to return the RSL to the position it has always held as a non-partisan organisation that serves veterans and their families.

Amendment No. 4 seeks to remove the provision on remuneration of directors. This amendment removes the entirety of clause 13, which provides for the remuneration of directors. The clause states that remuneration must not be manifestly excessive, which is undefined, and implies that the board of directors determine its own way. There are numerous reasons for removing this provision. First, the Charities Act already provides for a mechanism for directors to receive remuneration. Including such a mechanism in the RSL Act could lead to inconsistency between the two Acts. Secondly, the Bergin inquiry explicitly recommended that the question of remuneration be dealt with in the Charities Act, and particularly that the amendment of payment of fees be made within the Charities Act.

Thirdly, the inclusion of this provision creates an implied obligation of remuneration, rather than empowering RSL sub-branch members themselves to rightly be arbiters in this regard. Fourthly, the idea of directors deciding their own rate of remuneration, rather than the membership deciding, is clearly problematic. Labor's amendment is consistent with Justice Bergin's recommendations and the RSL membership's democratic right to decide when remuneration is appropriate and the terms on which it should be granted.

**Mr MARK TAYLOR (Seven Hills) (19:20):** I will go through the Government's reasons for opposing Opposition amendments Nos 1 to 4. Amendment No. 1 refers to the number of board directors. The Government opposes this amendment. The Australian Institute of Company Directors indicates that three is best practice for the minimum number of directors. Prescribing a minimum of three ensures that the minority views do not dominate. A minimum of one and a maximum of two independent directors will support board capacity. Their appointment will be subject to the requirements of the Charitable Fundraising Act 1991. As indicated, the Government does not support this amendment. Amendment No. 2 concerns appointing a director from a regional area. The Government opposes this amendment. The change to the system of voting will provide the best possible opportunity for RSL NSW to elect directors from regional areas. The Government encourages members of sub-branches from regional areas to stand for board positions. This amendment is not necessary and is not supported by the Government.

The Government does not support amendment No. 3, moved by the Opposition. The Government response to the Bergin inquiry recommendations is being developed by the Department of Finance, Services and Innovation separately from this bill. Some of the recommendations of the report have already been dealt with, being referrals to the police, the Australian Charities and Not-for-profits Commission and the Australian Securities and Investments Commission, which have been made by the Minister for Innovation and Better Regulation. It is not the aim of this bill to address the recommendations of the inquiry that were primarily directed to the charitable fundraising industry in general. This bill is distinct from those reforms. The bill concerns only the corporate

governance of the RSL NSW organisation, not the wider fundraising sector. This is not the time to consider political donations in the context of charitable fundraising. The Government opposes this amendment.

The Government does not support amendment No. 4. The bill does not authorise RSL NSW to remunerate its directors. It states that RSL NSW "may" remunerate its directors provided that certain conditions aimed at preventing excessive remuneration are fulfilled. The RSL will still be subject to any restrictions in the constitution of the RSL NSW or other laws, such as the Charitable Fundraising Act 1991, in relation to the payment of directors. If RSL NSW chooses to remunerate its directors, the bill requires RSL NSW to have regard to how the remuneration of directors compares to remuneration paid to directors of comparable organisations. This reform will protect members from the self-dealing in director remuneration that was drawn to light in the inquiry. The Government does not support this amendment.

**TEMPORARY SPEAKER (Mr Greg Aplin):** The question is that Opposition amendments Nos 1 to 4 on sheet C2018-100B be agreed to.

**The House divided.**

Ayes .....30  
Noes .....45  
Majority.....15

**AYES**

Aitchison, Ms J  
Barr, Mr C  
Chanthivong, Mr A  
Donato, Mr P  
Harris, Mr D  
Hornery, Ms S  
McDermott, Dr H  
Mihailuk, Ms T  
Scully, Mr P  
Washington, Ms K

Atalla, Mr E  
Car, Ms P  
Crakanthorp, Mr T  
Doyle, Ms T  
Harrison, Ms J  
Kamper, Mr S  
McKay, Ms J  
Minns, Mr C  
Tesch, Ms L (teller)  
Watson, Ms A (teller)

Bali, Mr S  
Catley, Ms Y  
Dib, Mr J  
Finn, Ms J  
Haylen, Ms J  
Lynch, Mr P  
Mehan, Mr D  
Park, Mr R  
Warren, Mr G  
Zangari, Mr G

**NOES**

Anderson, Mr K  
Bromhead, Mr S (teller)  
Constance, Mr A  
Crouch, Mr A  
Elliott, Mr D  
Fraser, Mr A  
Goward, Ms P  
Gulaptis, Mr C  
Humphries, Mr K  
Marshall, Mr A  
Patterson, Mr C (teller)  
Provest, Mr G  
Speakman, Mr M  
Tudehope, Mr D  
Williams, Mr R

Ayres, Mr S  
Brookes, Mr G  
Cooke, Ms S  
Davies, Mrs T  
Evans, Mr A.W.  
George, Mr T  
Grant, Mr T  
Hazzard, Mr B  
Johnsen, Mr M  
Notley-Smith, Mr B  
Perrottet, Mr D  
Roberts, Mr A  
Stokes, Mr R  
Upton, Ms G  
Williams, Mrs L

Berejiklian, Ms G  
Conolly, Mr K  
Coure, Mr M  
Dominello, Mr V  
Evans, Mr L.J.  
Gibbons, Ms M  
Griffin, Mr J  
Henskens, Mr A  
Lee, Dr G  
O'Dea, Mr J  
Petinos, Ms E  
Sidoti, Mr J  
Taylor, Mr M  
Ward, Mr G  
Wilson, Ms F

**PAIRS**

Cotsis, Ms S  
Daley, Mr M  
Foley, Mr L  
Hoenig, Mr R  
Lalich, Mr N

Barilaro, Mr J  
Hancock, Mrs S  
Kean, Mr M  
Pavey, Mrs M  
Toole, Mr P

**Amendments negatived.**

**TEMPORARY SPEAKER (Mr Greg Aplin):** The question is that clauses 1 to 18 be agreed to.

**Clauses 1 to 18 agreed to.**

**TEMPORARY SPEAKER (Mr Greg Aplin):** The question is that schedule 1 be agreed to.

**Schedule 1 agreed to.**

### **Third Reading**

**Mr MARK TAYLOR:** On behalf of the Hon. David Elliott: I move:

That this bill be now read a third time.

**Motion agreed to.**

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

### **Second Reading Debate**

**Debate resumed from 15 August 2018.**

**Mr GUY ZANGARI (Fairfield) (19:31):** I speak on behalf of the New South Wales Labor Opposition in debate on the Emergency Services Legislation Amendment Bill 2018. The bill makes a broad range of amendments which will affect the various emergency services in New South Wales. This will be achieved through various amendments to the State Emergency and Rescue Management Act 1989, the Rural Fires Act 1997, the Fire Brigades Act 1989 and the State Emergency Services Act 1989. A number of consequential amendments also will be made to other Acts in order to update references to the "Fire Brigades Act 1989" and the definition of "firefighters" and "fire brigades". The introduction of this bill will see the abolition of the State Disasters Council and transfer its functions to the State Emergency Management Committee [SEMC].

Schedule 1 [8] provides that the SEMC consists of the Chief Executive of the Ambulance Service of New South Wales and the commissioners for the State Emergency Service, Fire and Rescue NSW, NSW Rural Fire Service and NSW Police. Furthermore, the functions of the SEMC have been amended to allow the SEMC to advise the Minister on all matters relating to the prevention of, preparation for, response to and recovery from emergencies. This may include the coordination of activities from government and non-government agencies. Proposed amendments set out in schedule 1 [4] will amend the State Emergency and Rescue Management Act 1989 to change the definition of "emergency" to include an event which causes a failure of, or a significant disruption to, an essential service or infrastructure. The emergency organisations which are included in the State Emergency and Rescue Management Act 1989 will be expanded to include the New South Wales Volunteer Rescue Association, Surf Life Saving NSW and Volunteer Marine Rescue NSW.

In his second reading speech the Minister said, "This change reflects the ongoing and significant role that these organisations play in supporting rescue and emergency response." However, what is unclear is who was calling for this change or why it was necessary. It has left a number of stakeholders bemused by this introduction as it had not been identified as a problem. Schedule 1 [41] provides additional personal liability protections for government sector employees and members of emergency services organisations when executing directions under the Act. The object of this amendment was to protect volunteers from victimisation in the same way that government employees are protected, to ensure that they do not face personal liability in relation to functions exercised under the Act. It is unclear as to why this section was not amended to reflect all emergency service workers instead rather than just volunteer emergency service workers. That is one for Minister Grant to detail.

Schedule 2 to the bill will amend the Rural Fires Act 1997 to provide that, during a bushfire danger period, if the occupiers of the land are unable to extinguish the fire on their land they now have a legal requirement to report the fire immediately to 000, rather than to their local fire service. Additionally, the Minister will now have the option to expedite total fire ban orders in writing if he or she believes it is in the interest of public safety to do so. Total fire ban orders may now have exemptions, be declared in only parts of a local government area, and the requirement to put notice in the newspaper has been removed. Further provisions have been included in this section to provide for a variety of ways for the commissioner of either the Rural Fire Service or Fire and Rescue NSW to provide notification that fire permits have been cancelled due to weather conditions.

Schedule 3 [5] to the Fire Brigades Act 1989 provides the Commissioner of Fire and Rescue NSW with the ability to set out an amount to be recovered for services performed if there is no chargeable amount prescribed. It is unclear why the commissioner is being provided with the ability to determine the cost for services provided, rather than keeping the costs for all payments in line with the existing regulations. For a government that is addicted to levies, fines and additional hidden charges, this amendment remains in step with the position of those opposite—of fleecing the public for as much money as possible. A range of other miscellaneous and consequential

amendments have also been made to other pieces of legislation to update references, operational requirements and reporting requirements from various emergency services agencies.

Throughout our stakeholder consultation on this bill it became abundantly clear that the Government's consultation with stakeholders had little to no effect on the final outcome of this bill. Numerous amendments proposed in this bill have left some of our emergency services perplexed and uncertain as to whose idea it was to enact such changes or what their intent was behind the changes. Many parts of this bill are innocuous or unnecessary, with other sections standing out as confusing with a hazy intent. While Opposition members do not oppose the bill we will be moving amendments in the other place to address a number of issues raised by key stakeholders who will be impacted by it.

**Mr GEOFF PROVEST (Tweed) (19:38):** I speak in debate on the Emergency Services Legislation Amendment Bill 2018. Members on both sides of the House are supportive of emergency workers in the Rural Fire Service [RFS], Fire and Rescue NSW, the NSW Volunteer Rescue Association, Marine Rescue NSW and other organisations. Many are run by volunteers. The electorate of the member for Albury is not immune to natural disasters. We have cooked at Bunnings fundraising barbecues together with volunteers and we have arranged funding and new buildings for them.

I am pleased to speak in support of this legislation. Even though the amendments are minor, they are important. They will help to deliver a consistent statutory framework across emergency services and will update each agency's enabling legislation to reflect the changes in modern operations. The bill proposes the adoption of language from the State Emergency Services Act 1989 in both the Rural Fires Act 1997 and the Fire Brigades Act 1989 to encompass functions, including general emergency management, medical responses and rescues, recognising the work that each agency already does. Each agency already carries out rescue activities such as responding to road crashes and rescues under the accredited framework within the State Emergency Rescue and Management Act 1989.

The bill also proposes to update the name of the Fire Brigades Act to the Fire and Rescue Act to recognise the rescue function. I note, Mr Temporary Speaker, that you and I and the Minister, who is the member for Northern Tablelands, unfortunately witness road accidents and are involved in searches for missing people in our electorates. This bill uses simple language that will enhance emergency services operations. Most importantly, the changes introduce consistency across agency functions and will ensure that each agency's Act reflects existing practice. The bill does not create new functions. Rather, it ensures that each agency's enabling legislation recognises the important work that the Rural Fire Service and Fire and Rescue NSW do in supporting their emergency services partners and the people of New South Wales.

The bill proposes to allow the Rural Fire Service commissioner to appoint Rural Fire Brigade officers where a local authority—that is, a local council—has failed to do so. There may be occasions when agreements between the Rural Fire Service and local councils regarding rural fire brigades have lapsed and a council has not appointed the appropriate officers to its rural fire brigade. This can hamper the command and control of local brigades in emergency situations. The proposed changes will ensure that there is no delay in coordinating local responses when a bushfire breaks out.

Many of us from regional New South Wales have faced the threat of bushfires and floods. Like many other natural disasters, bushfires are extremely frightening and we put our lives in the hands of many professionals. Local rural fire brigades are very valuable to our local communities. We are now using modern technology to advise people who are threatened by bushfire to evacuate. As I said, I live in a rural area and I have a Bush Fire Survival Plan that was prepared with the help of the local Rural Fire Service. I encourage everyone living in rural areas to prepare a plan and to encourage others to do so. We can provide as much as advice as possible, but at the end of the day everyone needs to act to protect themselves and their families.

I have been in bushfires and their speed and ferocity are incredible. The roar sounds like a train coming up the track and there is no way to outrun them. The last thing members on both sides of the House want to see is loss of life as a result of natural disasters. I applaud the Minister for Emergency Services for introducing this legislation. As I said, the proposed changes will ensure that there is no delay in coordinating local responses when a bushfire breaks out. The bill also proposes to streamline administrative requirements regarding total fire ban notices. Under the current legislation, bans must be gazetted and the Rural Fire Service Act requires a great deal of information to be included in each gazetted ban.

This includes what have become 18 standard exemptions for things as diverse as mining operations or electric or gas barbecues in residential homes. The eighteenth exemption is a catch-all that covers exemptions issued by the RFS commissioner to individuals or businesses. It is administratively impractical for the RFS and the Parliamentary Counsel's Office to refer to each and every exemption within each and every gazettal. It is thus proposed to amend the Act to allow exemptions to be referred to in each order instead. This will mean the list of

standard exemptions and individual exemptions can be published or stored elsewhere rather than being repeated in every gazettal.

Another change to the total fire bans [TOBANS] is an amendment to the fire prohibition zones in which they apply. Presently the zones are aligned with local government areas. However, local government areas are not aligned with weather zones, particularly following council amalgamations. This means that prohibitions might be applied in areas which are not experiencing extreme fire weather. These changes will ensure the TOBAN process is practical, sensible and enforceable and will be accompanied by an extensive communication strategy to ensure occupiers, local government and others are well informed.

Another change relevant to TOBANS, but also applying to fire danger periods and the suspension or cancellation of fire permits in exigent circumstances, is to allow each of these notices to be published via social media and the internet. This will ensure that the RFS is able to provide information to the public on each of these matters in the most timely and most effective manner via its website or social media such as Facebook or Twitter. Publication via newspapers inevitably delays the publication of what should be timely information. The bill also proposes changes to notifying the emergency services when a land occupier is unable to extinguish a fire on their property. The current legislation provides an occupier is required to inform an appropriate officer of a rural fire brigade, fire control officer or employee of the Department of Industry, Skills and Regional Development or Office of Environment and Heritage.

The NSW RFS has put in a considerable effort to encourage landholders not to call localised numbers or individuals in an emergency situation. It is not a reliable or timely method for activating an appropriate and coordinated response and contradicts the core messaging of using the 000 service in an emergency. The bill will change the Act to reflect best practice and require occupiers to call 000 instead. The bill broadens powers of delegation under the Rural Fires Act to cover situations where the RFS commissioner is absent. This includes the issuing of TOBANS and the exercise of or appointment of persons to use take-charge provisions in relation to the control and coordination of bushfire responses. These changes ensure that the RFS can respond without delay when an emergency situation arises and where, for whatever reason, the RFS commissioner cannot be contacted.

No charges can be levied for the provision of firefighting services within a fire district. This is funded under the Emergency Services Levy. However, the Act and regulations already permit Fire and Rescue NSW to charge for hazardous materials incidents and other user services such as fire safety inspections. The changes the bill makes are sensible and practical and will allow emergency service agencies to spend more time preventing, preparing for and responding to emergencies. I commend the bill to the House.

**Ms JENNY AITCHISON (Maitland) (19:48):** I speak on the Emergency Services Legislation Amendment Bill 2018. Broadly, this bill will make amendments to the State Emergency and Rescue Management Act 1989, the Rural Fires Act 1997, the Fire Brigades Act 1989 and the State Emergency Services Act 1989. We on this side of the House do not oppose the bill, but there a number of issues for which we will propose amendments, including amendments to employment protections for volunteers which currently relate to emergency declarations made by the Premier. This will be amended to any local emergency operation deemed necessary by the NSW State Emergency Service [SES] or Rural Fire Service [RFS], which could have tremendous flow-on effects for employers and businesses across New South Wales.

As the member for Maitland, I was only in this job a matter of weeks before I had my first experience with a major natural disaster. The April 2015 super storm and flood quickly revealed to me, as their new State representative, the calibre of professional and volunteer emergency services personnel that I represent. When the majority of our community was seeking refuge in their homes and ensuring their loved ones were safe, an army of the willing headed out to show that the worst of nature brings out the best in our emergency services personnel. I am particularly reminded of the Thornton Rural Fire Brigade, who went out very late that evening and came back in the morning to find that all of their cars had been flooded, as had their new station.

The protection of workers' rights should be paramount in these amendments, for without these frontline volunteers we have no State Emergency Service, no Rural Fire Service and no Volunteer Rescue Association, for example. One thing that is starting to emerge from climate change is that storm and flood events are more intense and destructive while bushfires can take days and in some cases weeks to extinguish. Aircraft may strengthen our capability to deal with these events but ultimately it is boots on the ground which are just as vital to saving lives. Volunteers sign on because of a sense of community. It is the Government's job to acknowledge that contribution and to provide support for the businesses that make the sacrifice to free up staff for the greater good of the State. Ensuring legislation is fit for purpose should, however, be only one part of the debate.

Maitland is a microcosm of modern New South Wales. It is the fastest growing city outside of the Sydney area. As the local member I see a rapidly expanding city which is located on a floodplain and is struggling with its growth due to under-resourcing, especially by the State Government. Flood is one of our challenges but so too

is fire, as thousands of Maitland residents will tell you. Over recent fire seasons many suburbs have looked to the horizon around them to see plumes of thick smoke from bushfires and grassfires in the neighbouring Cessnock and Port Stephens local government areas—and of course there are also house fires. Thankfully, our NSW Fire and Rescue and Rural Fire Service brigades have joined the fight to keep those blazes from our city's doorstep, but we can never become complacent.

The vigilance to ensure Fire and Rescue and the RFS are adequately resourced and equipped so they can fulfil their role requires strong representation to advocate for them. To Maitland's firefighters and emergency services personnel of all of the different brigades I say: I have your back, not only to ensure legislation is on your side but so that you can have the tools to do the job when they are needed. In my role as the member for Maitland I have met with many of the local firefighters and spoken to them about issues. I have also had representations and I would like to take this opportunity to put some of their voices into this debate. One local community member talked about the new Rutherford Fire Station and Lower Hunter zone headquarters, which has not been opened with around-the-clock full-time staff. Their letter stated:

Legislative Council member Scott Farlow said, "This new fire station and zone headquarters will provide a bigger and better base for the firefighters who work hard to protect the Telarah, Rutherford, Aberglasslyn and broader Maitland communities." Now that sounds fantastic that the hard working firefighters get better facilities but what about the public? Why wasn't this upgraded to permanent staffing? Maitland is listed as the fastest growing regional city in New South Wales so it would make sense that emergency services increase with the population. I believe that a fire truck that leaves in under a minute is far more beneficial to the community than one that leaves in 10 minutes under the "Retained" model. Studies now show that 40 years ago individuals had 17 minutes to escape a house fire. In 2018 it is now three minutes.

Another local firefighter said:

Rutherford Fire Station is staffed by Permanent Firefighters during the hours of 08:00-16:30 Monday to Thursday and 08:00-16:00 on Fridays. Outside of these hours the station is staffed by retained firefighters who are notified of incidents via pager/telephone who then have to drive to station, wait until four members arrive and then respond to incidents. No twenty four hour permanently manned fire station to the West of East Maitland within the Hunter Valley, with the next closest permanently manned fire station to the West being located at Tamworth.

A local business owner and resident has expressed his concerns about this matter to me. He said:

I am a resident and business owner within the Maitland area, and have recently noticed and also brought to the attention of other major stakeholders within the Maitland area, the inadequacies of the NSW Fire Rescue service. With the New shopping centre at Greenhills, new schools, new hospital under construction, new retirement villages and the new developments, yet there is only one permanent 24 hour fire station at Rutherford which is only manned Mondays to Fridays 8.00 to 4.00 and therefore retained (on-call) outside of these hours. There are also other retained stations (on-call) Morpeth and Maitland. These retained stations have an average turn out time of more than 10 minutes, whereas a permanent station is only a few minutes.

I have also received many representations from all our services about ageing equipment—that is a big concern and it is something I would like the Government to turn its attention to. I take this opportunity to talk about concerns I have had raised with me, particularly by members of the SES in the current environment. There are some really big challenges for the SES particularly in my electorate and I know these would extend to other areas where major bushfires occur.

People in our communities no longer live and work close to their homes. In this modern day life of work, education and needing to access services for health, et cetera, we are finding that when natural disasters strike people are more resistant to following the orders of the SES and other emergency services than they were in past times. We also have people in the community who are less mobile and less able to leave their homes, and many more own pets. These are challenges for our emergency services workers. I place on record my admiration for them and the work they do in negotiating those difficulties. In Maitland, when up to 2,000 people were cut off from shops, work and education, the SES bore the brunt of the frustration of community members who, in this modern day, have to live and work in different locations. I support the SES and I urge the House to support the bill.

**Ms FELICITY WILSON (North Shore) (19:55):** I speak in support of the Emergency Services Legislation Amendments Bill 2018. All members in this place know that the men and women who work for the New South Wales emergency services are the everyday heroes of our society. They battle fires, keep us safe from crime and keep us safe on our waterways. In responding to our health and wellbeing in our greatest times of need they achieve the extraordinary every day. That is why I support this bill. We need to support those who support us. This Government gets people. It understands why we are building a stronger, better future for New South Wales. It creates opportunities for all and puts our people at the centre of everything it does. The objectives of the bill ensure that we take care of our emergency services workers while they are at work taking care of us. It aims to support them in their work and create safer and better workplaces.

The bill contains important changes to the State Emergency and Rescue Management Act 1989 to assist disaster response and recovery in New South Wales. The amendments will improve the equality and efficiency of response to emergencies by streamlining State level governance arrangements and cutting red tape for our frontline

emergency services. For example, the bill makes changes to ensure that volunteers are protected from victimisation and it streamlines the process to ensure that the volunteer employment protections are activated as soon as possible. Upon declaration of a state of emergency, the bill provides that the employment protections provisions will be activated automatically. In other emergency situations, the bill enables 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 [RFS] or State Emergency Service [SES] and the State Emergency Operations Controller or Deputy State Emergency Operations Controller.

Unfortunately, we are all too aware of how quickly emergencies can escalate. We have only to look at recent events in Tathra as an example of an extremely fierce and quick-moving emergency that, sadly, our agencies deal with routinely. Another change to support our agencies and communities in the immediate aftermath of an event includes the provision of a strong and clear exemption from liability for government employees undertaking emergency work in response to an emergency and in accordance with the Act. 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. This change provides certainty to Government employees such as those working in engineering services and energy or infrastructure services when undertaking emergency work in response to an emergency.

The bill also amends the Act 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. The State Emergency and Rescue Management Act already enables police officers to enter private property to make it safe during or after an emergency. This includes shoring up walls and disconnecting gas, water or electricity. Police will often use skilled engineers to do this work, which has the potential to cause significant disruption and delay in those functions being performed, particularly when a large number of properties are affected. The amendment acknowledges the need to reduce delays in an emergency situation. The amendment will facilitate important assessments that need to be undertaken in the aftermath of an emergency so that people can return to their properties at the earliest opportunity.

A number of safeguards have been included in the bill under proposed section 61E (2) requiring assistants to carry a written authority outlining the name of the person to whom it is issued, the nature of the powers conferred, the source of the powers, the date of expiry, a description of the kind of premises to which the power extends, and the signature of the directing officer or the police officer who issued the directive. A number of amendments in the bill streamline State level governance arrangements to modernise and bring the Act into line with the current operational practices. 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, which is a function that it has been exercising in practice for a number of years. The bill 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. The board's procedures and membership will not change.

I am also pleased to see that volunteer Marine Rescue NSW and Surf Life Saving NSW will, for the first time, be expressly formally recognised as emergency services organisations. I represent an electorate that is bounded on three sides by waterways, so we all know the importance of the work they do in keeping us safe across Sydney Harbour and Middle Harbour. Non-government volunteer rescue organisations, such as Surf Life Saving NSW and Marine Rescue NSW, are not specifically mentioned within the Act, but they play a key role in emergency and rescue management. The amendment facilitates access to elements of the Act for these organisations, including local and regional emergency management committees, local and regional rescue committees and volunteer employment protections.

Marine Rescue NSW has more than 3,000 volunteers and operates 44 professionally trained and equipped volunteer rescue units, including within my own community of North Shore. This volunteer-based organisation provides marine rescue along the New South Wales coastline and at inland locations. Surf Life Saving NSW, as everyone would know, provides vital lifeguard and rescue services, and works with the community to improve safety on our beaches and other coastal areas. In 2016-17 volunteer surf life savers performed close to 5,000 rescues, 127,000 preventative actions—direct actions to reduce or eliminate the probability of a rescue, first aid or other reportable incident—and 15,500 first aid treatments. The express inclusion of these two organisations reflects the ongoing and significant role in rescue and supporting emergency response in New South Wales.

I am proud that this Government continues to support Surf Life Saving NSW and Marine Rescue NSW, and for the volunteers who give freely of their time and effort to make our beaches, waterways and other coastal areas safer. The bill also includes a number of other amendments to cut red tape, including making commissioners of our emergency service agencies ex-officio members of the State Emergency Management Committee, and enabling declarations of a state of emergency to be published on the internet and social media. Importantly, the amendments to State level emergency management arrangements proposed in the bill streamline activation of

employment protections for emergency services volunteers in emergency situations, clarify liability protections for government employees, and modernise and strengthen governance and emergency response arrangements. These sensible and important amendments will enhance disaster response and recovery in New South Wales and support the very people who are supporting us

I also want to reflect on local volunteers and professionals who support my community of North Shore. We all know that Fire and Rescue NSW personnel, our SES personnel and Marine Rescue NSW personnel play a significant role. Even in a small geographical electorate like mine we are very well represented by those different agencies and services. I note that the Minister for Emergency Services, who has carriage of this legislation and these reforms, is in the Chamber. Earlier this year I welcomed him into my electorate to present a brand new fire truck to Mosman Fire Station. The staff were very chuffed with it. I was less au fait with the technology than the Minister.

Our Fire and Rescue personnel know that this Government is investing in them having the best equipment to do their job to keep us safe and to keep them safe while they are on the job. Very recently the Minister joined me to announce the \$53,500 million statewide Future Proof equipment initiative at my North Sydney SES. That initiative ensures that we have the right kinds of technology, including radios, across the State, which will mean that the SES can do its job quicker and better, and its members will be safer as they do their work.

I thank all the personnel and volunteers, including those in the Crows Nest, Neutral Bay and Mosman fire stations. I commend our Zone Commander Superintendent Kel McNamara and officers, including Mosman Station Commander Stephen Schreiber, Neutral Bay Station Officer Ian Schmarr and Crows Nest Inspector Kim Simpson. This weekend marks Get Ready Weekend and the New South Wales RFS brigades will be hosting more than 600 events across the State. I encourage all members of every community, including the North Shore community, to take part by making sure that their homes are fire safe.

Our police do an incredible job of keeping us safe and stopping crime, often in dangerous situations. North Shore is fortunate to have two local stations—North Shore and Mosman—which work as part of the North Shore Police Area Command. I was grateful to welcome six new police officers to that command earlier this year, and I thank the Minister for Police and the Premier for delivering a record number of frontline police for New South Wales. I commend the bill to the House.

**Ms TANYA DAVIES (Mulgoa—Minister for Mental Health, Minister for Women, and Minister for Ageing) (20:05):** I support the Emergency Services Legislation Amendment Bill 2018. I lend my support to the endeavours to update the various Acts, to make the terminology in the legislation more relevant and to reflect how operations now occur in the three emergency service areas—the State Emergency Service, Rural Fire Services [RFS], and NSW Fire and Rescue. The bill will update the State's key emergency management legislation. It will enhance and modernise New South Wales's 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. It will make other miscellaneous amendments to reflect modern operational emergency management practices, terminology and structures.

The bill will amend the State Emergency and Rescue Management Act 1989, the Rural Fires Act 1997, the Fire Brigades Act 1989 and the State Emergency Service Act 1989. The amendments to these Acts have been proposed following consultation with emergency services agencies. I focus particularly on changes to the Rural Fires Act as that legislation is most relevant to my electorate of Mulgoa in Western Sydney. Mulgoa is largely a rural electorate which has, from time to time, experienced bushfires or has been threatened by them. The amendments to the Rural Fires Act 1997 will include updating the functions of the New South Wales RFS to include general emergency management and rescue functions consistent with other emergency services, allowing total fire ban orders to apply to part of a local government area to better reflect local weather conditions, permitting the Minister to delegate functions of total fire bans to the commissioner or senior executive officers of the RFS, and permitting the commissioner to nominate a senior executive officer to exercise the commissioner's powers and control over fire-fighting operations.

I take this opportunity to put on record my very deep appreciation of the extraordinary volunteers who loyally, faithfully and regularly attend the local RFS in my electorate and band together when there are accidents or emergencies. Often they drop family members at birthday parties or other family events in order to race to support the local community in emergency situations. I personally thank some individuals in the RFS in my electorate, including Ian Walther from Mulgoa RFS. I met with the volunteers at Mulgoa RFS a little while ago. I noticed that the building they occupy is beyond its use-by date. I know that the RFS and the local Penrith City Council are working hard to find an alternative location. I will continue to stand with my local community to find the very best location. The RFS and the council are very much involved in making sure that the location will remain close to or on the Mulgoa main road so that crews can quickly get to the locations they need to access.

I also highlight Jody Preston from Wallacia Rural Fire Service. I have known Jody and his wife, Megan, for a number of years. I have visited the Wallacia Rural Fire Service not only to participate in various awareness days but also to identify any additional needs. I note that the Minister for Emergency Services is in the Chamber. He recently joined me at the Wallacia Rural Fire Service to announce funding for some new lockers. The lockers were very old and many were unusable. When I last saw Jody Preston at his daughter's netball competition finals he told me that new lockers had been purchased and they were eagerly awaiting my visit.

**Mr Troy Grant:** To cut the ribbon on the lockers.

**Ms TANYA DAVIES:** Yes. Over the years I have also supported the Wallacia Rural Fire Service in the Community Building Partnership program. It has a fantastic facility and I will continue to support it. Yesterday Mick Smee from Erskine Park Rural Fire Service popped in to my electorate office to discuss access to Luddenham Road, which is very close to a major intersection with Mamre Road, in emergency situations. When the traffic banks up on Luddenham Road it restricts emergency vehicles from turning onto Mamre Road. I will be writing to the General Manager of Penrith City Council and hopefully we can work out a solution with Roads and Maritime Services to support the Erskine Park Rural Fire Service in this regard. I also highlight the Regentville Rural Fire Brigade, which is co-located at the Cumberland Zone headquarters in Regentville. I have visited the Regentville Rural Fire Brigade on countless occasions to attend various awareness days and present long service medals.

All the Rural Fire Service volunteers I have met are down-to-earth, honest, hardworking and community-focused individuals. I have noted at the Wallacia Rural Fire Service, in particular, that many school-age people are being trained as junior Rural Fire Service volunteers. It is wonderful to see the next generation of volunteers coming through. I place on record my heartfelt appreciation and thanks to everyone involved in community-awareness programs such as R U OK? Day, which was last Thursday. This weekend is Get Ready Weekend to help people prepare for the upcoming fire danger period. New South Wales is in drought and it is predicted that this year's will be one of the worst fire seasons on record. The NSW Rural Fire Service is encouraging people to attend a local event this Get Ready Weekend and meet their local firefighters. The service also conducts a lot of school education programs.

The changes proposed in this legislation are sensible, practical and necessary. I thank all the wonderful volunteers for their commitment and for the service they give to communities in crisis. For example, at about 5.00 p.m. last Christmas Eve, whilst I was cooking dinner for my extended family, Jody Preston phoned to say that the Wallacia Rural Fire Service was on its way to attend a fire. Those volunteers dropped everything on Christmas Eve to help others and many of them also travel overseas to places such as California to assist other fire services. I again place on record my absolute appreciation for all they do. I also thank Minister Troy Grant. Whenever I have asked him for support he has come in really strongly and backed me in supporting my local RFS crews. I thank him for what he does. We will always be here to support him.

**Mr TROY GRANT (Dubbo—Minister for Police, and Minister for Emergency Services) (20:14):** In reply: I speak in reply on the Emergency Services Legislation Amendment Bill 2018. Our emergency services agencies provide assistance to all communities in New South Wales when they are at their most vulnerable. I know I speak for all members of this place when I say that our emergency services agencies deserve our utmost respect and praise. I thank honourable members for their contributions to the debate on the bill and their recognition of outstanding service before self across New South Wales. I thank the member for Fairfield, the member for Tweed, the member for Maitland, the member for North Shore, and the member for Mulgoa and Minister for Mental Health, Minister for Women, and Minister for Ageing. I also note the presence in the Chamber of the member for Epping and the member for Ku-ring-gai and Parliamentary Secretary for Finance, Services and Property.

I am proud to be the Minister for Police, and Minister for Emergency Services in this State. I am humbled to have the role. I have to check my records, but I am reasonably confident in saying that I have visited all 93 electorates in this State to talk to police and emergency services at stations, units, brigades and divisional headquarters. I had the great privilege to hand over equipment. As the member for Ku-ring-gai and member for Epping would recall, the Rural Fire Service has new fleets in their electorates, and as the Minister and member for Mulgoa also alluded to, there was a great opportunity to help out a brigade that does remarkable work in a highly active fire area. In addition to the resourcing of our emergency services, the New South Wales Government is determined to provide our services with the best possible legislative framework so they can continue to serve our State with distinction.

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. It will make other amendments to reflect modern operational emergency management practices, terminology and structures. I note that Labor has indicated that it will move amendments to the bill in

the other place. However, I have not been provided with the details of those amendments, and they are unclear at this stage. Despite that, I commend the bill to the House.

**TEMPORARY SPEAKER (Mr Adam Crouch):** I thank the Minister and put on the record my thanks, as he has visited my electorate on multiple occasions in his role. The Rural Fire Service appreciates all the support that it gets. The question is that this bill be now read a second time.

**Motion agreed to.**

### Third Reading

**Mr TROY GRANT:** I move:

That this bill be now read a third time.

**Motion agreed to.**

### *Private Members' Statements*

#### WALLSEND ELECTORATE BUS SERVICES

**Ms SONIA HORNER (Wallsend) (20:17):** In July last year, when this Government abrogated its responsibility to deliver public transport in Newcastle, Wallsend residents experienced a sharp drop-off in the quality of bus services. It was remarkable. It was as if on midnight 1 July 2017 someone flicked a switch and reduced the quality of our bus services by several notches for both passengers and workers. Services were cancelled without warning, leaving commuters and schoolkids stranded. Even the busiest routes in the network—such as the 225, which ferried people to the University of Newcastle and was, without fail, packed to the rafters throughout the day—were cancelled. I encouraged my constituents to report cancellations or problems with the service and network. Before long, we learnt that close to 600 services were cancelled in the first months after the handover. One frequent commuter said: I used to be able to count on Newcastle buses. They might have been running a bit late sometimes, but that's understandable due to changing road conditions. After July last year, I found myself having to catch Ubers to get to work on time because my bus just never showed up. It was expensive and stressful. In January the *Herald* reported:

... on-time running fell from 90 per cent in July to 68 per cent in November.

The private operator blamed congestion, special events in Newcastle and, bizarrely, school formals for the drop-off. If things were bad for commuters, then they were even worse for staff. Staff were left unpaid. Staffing shortages crippled the network, putting pressure on workers who were already getting less than their due in wages and conditions. Unbelievably, the provider tried to blame the spike in cancellations to workers taking time off for the flu. Unfortunately, this chaos was just the start of what was to come. When the new routes and timetables were rolled out at the beginning of the year, there was widespread confusion amongst both passengers and drivers. Services that people had come to rely on to get to work, appointments or social events disappeared.

Overnight my office was inundated with complaints. Every one of those complaints—received via physical or electronic mail, over the phone or on social media—was forwarded to the Minister for Transport and Infrastructure and to the private provider within days of my office receiving it. Despite this, the Minister insisted in February that there had been no complaints about services in Wallsend. Ignorance must be bliss. Responses to representations to my office had been coming from the Parliamentary Secretary. When I spoke to a 10,000-signature petition on this issue, the Minister did not seem to be able to hear what was going on in the Chamber. He literally turned his back on the residents of Wallsend.

Do not get me wrong: Newcastle bus services needed to be upgraded. Changes needed to be made, and not all of the new routes or new timetables should be thrown out just because some of them could be. There have been some improvements. But it is simply not good enough that there was such limited consultation before the changes were rolled out. It is not good enough that the concerns of Wallsend residents and commuters have been ignored. There have been complaints. I have been sharing them with the Chamber all year—and not because I like the sound of my own voice; I do not. I invite the Minister for Transport and Infrastructure to come to Wallsend. I assure him that he has an open invitation to grab a cup of coffee on Nelson Street with me. We can have a chat, he can speak to some of the locals and we get a real feel for the community and their concerns with transport. We are very welcoming in Wallsend.

#### NEWPORT PUBLIC SCHOOL 130TH ANNIVERSARY

**Mr ROB STOKES (Pittwater—Minister for Education) (20:23):** This evening I note the extraordinary anniversary of Newport Public School in my community of Pittwater. Next month Newport Public School turns 130, having provided 130 extraordinary years of service to the Pittwater community. Amaroo, Cabarita, Biala and Beranghi—these are the school houses of Newport Public School. I am often struck by the

aptness of these school house names and the images that their meanings evoke: Amaroo, beautiful place; Cabarita, by the water; Biala, I understand; and Beranghi, friendship. Generations of Newport Public School pupils have sung these words with pride in their school anthem. Nestled between the magnificent Pittwater and the limitless Pacific, the school has faithfully served the surrounding Newport community since 1888. One hundred and thirty years ago, schoolteacher Elizabeth Giles taught the first classes in a tent, but in 1890 the first schoolroom was built. The land had been part of the Boulton Farm and it is said that William Boulton placed a note in the foundation stone on the day of dedication. I paraphrase the content of the note:

This tablet stone was laid for the purpose of educating our rising generation—that they may be so educated as to know their best paths in life to walk, to be some of the leading men and women of the world. May they be the light, be honest and upright in all their dealings with their fellow men and women.

That is precisely the mission that the Newport Public School has been directed towards ever since. It is extraordinary to think back over that history of 130 years and the number of families and children whose lives have been profoundly enriched by their experience of receiving education at the Newport Public School. Many of the leading families of Pittwater today either send their children to the Newport Public School or the parents have been educated at the Newport Public School; indeed, there are leading families within which both is the case. When I look at the Newport War Memorial in Trafalgar Park, which is right next to the Newport Public School, I think of the names of young people who attended the school and then made the ultimate sacrifice in World War I and in subsequent wars of last century.

The school is situated on Queens Parade, which was named after Queen Victoria because it was designed to be the main avenue of Newport, leading from the Newport Arms Hotel, which is still a renowned local landmark. While the centre of Newport has moved further towards the beach, this grand boulevard, which is now more bucolic and peaceful, provides a sylvan setting for the Newport Public School, where incredible work is being carried out by the school leadership team, teachers, volunteers, the P&C and all the incredible children who are so fortunate to attend that school. Leaders associated with the school include Mr Phil Paterson and Mr Harry McErlean, who has been a long-term principal of the Newport Public School and even today is a much-loved leader of the Pittwater community.

In 2018 the Newport Public School continues this great tradition that has been established over many generations. The current principal, Natalie Baldi, is an exceptional school leader and a champion of the Newport Way—a school that is bright, warm, and welcoming, built on the values of honesty, kindness, and shared success. Mrs Baldi and Newport's excellent teachers—so many of whom I am proud to call my friend—too numerous to mention by name, help to bring out the very best in every child and are dedicated to equipping their students to take a rightful place as leaders of our society. That is really what the school is training them to be.

The Newport Public School delivers a high quality education and extensive curriculum that develops skills in literacy, numeracy and technology. The school also has a proud tradition of excellence in cultural and sporting areas, as well as an extensive performing arts program that encourages participation in a range of music, dance and drama opportunities. I am mindful of the time, so I will conclude my speech by reading the Newport Public School's pledge, which symbolises and summarises all the virtues that are so important:

This is our school.  
Let peace dwell here.  
Let the school be full of contentment. Let love abide here.  
Love of one another;  
Love of mankind;  
Love of life itself;  
And love of God.  
Let us remember:  
So many hands build a house;  
So many hearts make a school.  
Amaroo, Cabarita, Biala, Beranghi  
A beautiful place by the water,  
Where there is cooperation and friendship.

I offer my hearty congratulations to the entire school community of the Newport Public School on 130 wonderful years. We look forward to the next century.

#### **RAPID RELIEF TEAM DROUGHT ASSISTANCE**

**Mr KEVIN ANDERSON (Tamworth) (20:28):** New South Wales is in the grip of one of the most serious droughts in decades. Many organisations are supporting farmers across this great State. One organisation is going quietly about its work to support the community in times of need, not only in drought but also in periods of fire and flood, and it supports our emergency services. On 7 September 2018 the efforts of the Rapid Relief Team brought hope to approximately 200 farming families in the north-west of New South Wales when the team distributed 2,000 bales of hay at the AgQuip site near Gunnedah.

It was an emotional day. The hay distributed gave those families the strength to go on. The farmers and their families who came to receive bales of hay expressed their gratitude and said that the hay will give them hope. We know that they know there is love, care and support for the farmers in this unprecedented drought. I thank the Rapid Relief Team for setting up the hay drop. There was a simple screening process for farmers to go through to ensure that help was given to those most in need. Each recipient received 10 bales of hay, which means 200 farming families were given help on the day. Farmers with young families experiencing hardship were also offered the additional support of \$100 food vouchers, which will be posted out or delivered to them. The Rapid Relief Team had tractors on hand to load the tray trucks that turned up. The team provided lunch, coffee, fantastic support and a chat.

They say there is money in mud. With some overnight rain the night before, there was a little bit of mud at the AgQuip site for the hay drop—adding to the hope of the farmers who came to collect their hay. I congratulate David Firth and his Tamworth team, as well as the New South Wales support team for the Rapid Relief Team, on their donation of hay. The day was about community, compassion and support. Those things are needed not only in times of drought but also during fire and flood. We must support our emergency services and communities in times of need.

### HEALTH SERVICES

**Ms JENNY AITCHISON (Maitland) (20:31):** I begin my contribution by thanking everyone in my community, members of the House and most particularly my family for the support I have received over the past two months as I have been recovering from a mastectomy and reconstruction after experiencing cancer last year. People who want to know the full story can look at my Facebook page; it is all on there. I raise this issue because I have been back at work for about four weeks and the other day I went to see a woman living in public housing in my electorate. She has been battling Housing NSW over termites in her house for many months. It has reached the stage that she now does not even have power in her kitchen.

After we went around the house and looked at the mould that is still there following the April 2015 super storm, the single mother of three children said to me quite matter-of-factly, "I just need this to be sorted out before I go to hospital to have surgery for cervical cancer." That brought home to me the struggles that women who are the sole breadwinners for their families are facing with health, particularly in regional communities. Another woman in the room talked about a third woman, a single mother, who had just been diagnosed with breast cancer. She was complaining that she had paid in the order of \$500 for a magnetic resonance imaging, the implication being that if she had known what it would cost she would not have had the MRI because it meant that her family was not able to eat for the next fortnight. They had to go without groceries.

From 3 to 7 September was Women's Health Week. I believe the Government was singularly silent on that this year. In regional areas we have a crisis of access to health services. I was in Forster on the weekend when Leader of the Opposition Luke Foley talked about the fact that mastectomies are no longer able to be performed in that community. Women are having to travel for two to four hours to access the procedure. I had to come to Sydney to be able to have my surgery. The state of public health in New South Wales is a disgrace. I spent 52 hours in the emergency department of St Vincent's public hospital after experiencing complications. During my time in the emergency department I was not fed for 16 hours, not due to an oversight by staff but just due to a total lack of resourcing.

Other distressing incidents during my time in hospital were that in the middle of Friday night a duress alarm went off and I did not know where I could take a shower. I had many difficult experiences during my time in the hospital. As a woman from a regional area, I had these experiences without the support of family and friends, which is the case for most women who travel from regional areas to hospitals in major centres for medical treatment. I have talked to women in my community about their lack of access to radiotherapy. Many of them have had to travel for a minimum of three hours to get five minutes of radiation therapy. Women who do not have a partner, family member or friend to drive them to where they will get their therapy then have to add probably another two hours to that journey time because of being reliant on public transport and sometimes a 10-minute walk to get to the treatment centre.

There are many social determinants of health. They include transport, access to funds and enjoying stable employment. The social determinants of health are particularly lacking in regional communities for those experiencing health issues. Many members know the story of the woman from the University of Wollongong that was recently highlighted in the media. Only four days after a second mastectomy she had to return to work because she was a casual worker, although she had been employed by the university for 10 or 11 years. This highlights the precarious nature of work. On top of that, women often raise their families alone. Many women in regional areas experience these diseases in their prime due to the lack of access to adequate screening. These issues feed into a very poor picture of health for women, particularly those in regional areas. Labor has run a successful awareness campaign to highlight the need for schools and hospitals before stadiums. We need to highlight the stories of

women and men who are suffering in our regional communities while this Government plans to build stadiums in Sydney. These stadiums will not save the lives of anyone in this State.

### AGED CARE FACILITIES

**Mr PHILIP DONATO (Orange) (20:36):** Tonight I call on members of this place to join me in standing up for our most vulnerable people and to give a voice to the voiceless: the elderly and infirm in our State's nursing homes. In the face of the recently announced Royal Commission into Aged Care Quality and Safety, I hope that the plight of our nearest and dearest will receive the attention these people deserve. Members will remember that last year in this place I attempted to pass the Public Health Amendment (Registered Nurses in Nursing Homes) Bill through Parliament. This bill was drafted to reinstate a requirement enshrined in New South Wales legislation from at least 1972 to 2014: the requirement for at least one registered nurse to be on shift at all times in nursing homes. This protection was inadvertently abolished when Federal amendments to the Commonwealth Aged Care Act 1997 changed the definition of the words "nursing home" as they were applied to section 104 of the New South Wales Public Health Act 2010.

Unfortunately, this bill was opposed by The Nationals and the Liberal Party one week after passing in the other place unanimously. Members of the Liberal Party and The Nationals, especially, blindly ignored the care needs of our State's seniors, and I shudder to think of the impact their actions have had on thousands of people and their families. Of note is the betrayal of the member for Northern Tablelands, Adam Marshall, as he was caught out running a secret campaign to oppose my bill in cahoots with Sue Thompson, the chief executive officer of McLean Care, a private nursing home operator in his electorate.

This email I have in my hand is irrefutable evidence. Obviously, it is up to 50 per cent cheaper to employ an assistant in nursing than a registered nurse, and therefore profit-driven facilities have an interest in not reinstating this vital protection because it would cost them money. Worse still is the fact that Adam Marshall did not vote on this bill in this place, despite his campaign of treachery. The member for Northern Tablelands should not think his silence since then means that we did not take notice—in fact, it was foremost in our minds—

**Mr Alister Henskens:** Point of order: This is a private member's statement by the member for Orange. The matters he is raising appear to have no relationship to his electorate, and he appears to be attacking the member for Northern Tablelands. Secondly, the member for Orange is casting aspersions upon a member, and that ought to be done by way of substantive motion.

**TEMPORARY SPEAKER (Mr Adam Crouch):** I remind the member for Orange that private members' statements are not to contain attacks on other members or on the Government about general State issues. I remind the member for Orange that private members' statements are to reflect issues in members' electorates and should not contain attacks on other members of Parliament.

**Mr PHILIP DONATO:** Such was the Government's desire to not support the bill, the Minister for Health accused the Shooters, Fishers and Farmers Party of not consulting with his office when proposing the bill in 2017. That is the email to which I referred. The fact remains that earlier this year, the Shooters, Fishers and Farmers Party staff had telephone conversations and exchanged emails with Minister Hazzard's staff on 28 March and 3 April, and held a meeting with his Chief of Staff and Director of Policy, as well as a number of other meetings before and after this bill passed the other place. My colleagues advised them of our plans to pass this bill through both Houses of Parliament and invited amendments, but nothing was provided.

Registered nurses have a vital role in front-line care and can provide the clinical leadership to advise the assistants in nursing working alongside them. They can provide pain relief stronger than a Panadol tablet, respond to critical incidents instead of defaulting to an ambulance, and can perform complex procedures. Without them, routine catheter changes or care of feeding tubes require hospital admissions. Make no mistake, under the shadow of a royal commission, aged care will be a key issue in the upcoming State election in March next year. My colleagues and I will keep fighting for better standards of care in all nursing homes. We will remind the electorate of this Liberal-Nationals Government's conscious decision to oppose a bill that would have delivered improved care and service to the elderly and vulnerable in our community. All 45 members of The Nationals and the Liberal Party are on notice that they will be held to account for their treatment of nursing home residents in this State.

**TEMPORARY SPEAKER (Mr Adam Crouch):** I listened to the entire private member's statement of the member for Orange and not once did he mention his electorate. A private member's statement should contain information that addresses matters concerning a member's electorate. The Parliamentary Secretary was within his rights to raise the point of order earlier. I know the member for Orange is upset about that. This is not for debate; I am just informing the member for Orange that private members' statements are to reflect matters in their electorate, yet he did not mention the electorate of Orange once.

**Mr ADAM MARSHALL (Northern Tablelands—Minister for Tourism and Major Events, and Assistant Minister for Skills) (20:41):** I will give the member for Orange—who I believe is a very decent man—the benefit of the doubt in his contribution, which is almost a direct copy of a contribution given by his colleague in the upper House. The reason that I as the member for Northern Tablelands did not vote on that bill was that I was on leave from this Parliament because I was attending the funeral of a very close person in my electorate. To accuse me of betraying my electorate by not voting on a bill in this House when I had leave and was attending a funeral is a disgrace, not my non-appearance to vote on that bill. The member for Orange knows why that bill was voted down, but if he needs any evidence on why it was voted down he should talk to people in the communities of Ashford, Bundarra, Bingara and Moree and to the residents, their families and the people who work in those facilities, because that bill would have seen those facilities close.

#### **WYONG RUGBY LEAGUE CLUB GROUP MAX POTENTIAL PROGRAM**

**Mr DAVID HARRIS (Wyang) (20:43):** The Wyong Rugby League Club Group Max Potential program came to an incredible close at its wonderful showcase on Monday 27 August 2018. Members of the community, supporting schools and sponsors were there to celebrate the achievements of the community coaches—or mentors—some of them staff from these organisations, and the amazing young adults. More than 120 people celebrated with the young adults and learnt about their journeys in the program and about the great work they had done with their community service projects, all of which had a unique impact on the community of Wyong and surrounding areas. I particularly honour Julie Stevens, known affectionately by many of us as Jules. Jules has run the Wyong program from its early struggles to the great program it has become today. Jules is now finishing up to go back to England and be with her grandchildren. She will be greatly missed, as she has been a great driver of this valuable project.

The Max Potential project offers a 22-week course of personal leadership development, including coaching to young leaders from schools and the community to help them maximise their potential during the final years at school and beyond. I am pleased to have been able to attend as they started their journey and throughout their journey, talking to them about leadership and participation in the community. I assume that quite a few other members in this place do the same thing. It is pleasing to see the growth from when they first start the program to when they finish their community projects. While most year 11 students are trying to adjust to the difference in expectations moving from year 10 to senior school in years 11 and 12, this year's group of 25 emerging young leaders across the Wyong shire in nine high schools have participated in a world-class coaching program, Max Potential.

The Max Potential program encourages young adults to focus on the local community and the ways that they can work to improve it by planning and executing community projects whilst developing their own personal leadership skills through a series of coaching conversations. One student I met on the day was Gorokan High School year 11 student Charlotte McMurtrie, who was sponsored by the Rotary Club of Northlakes Toukley. She was awarded a scholarship to participate in the Max Potential Program this year. With the wonderful assistance of her personal coach Dr Kylie Twyford of the Rotary Club of Northlakes Toukley and the University of Newcastle, Charlotte's community service project was focused on lending a helping hand to ill children and their families. Charlotte was inspired by personal experiences of being very unwell as a toddler as well as the overwhelming number of peers who shared similar stories throughout their childhood and adolescence.

The feeling of isolation and missing out seems to be universal among sick children. To combat this, Charlotte organised donation drives throughout Wyong shire in order to create gift packs to entertain and brighten the lives of ill children and relieve stress from their families while staying at the Ronald McDonald Family Room at Gosford Hospital. From the generosity of the school and community through donated goods, a total of 23 gift packs were presented during the program, along with \$357 raised from the students and staff of Gorokan High School to the Ronald McDonald Family Room. Jenny Abourizk, Family Room Coordinator, was thrilled with the donations and said:

Sixty-two percent of our visitors to the family room at Gosford are from the Wyong Shire, so it is fantastic to see a young person giving back to other young people from their area.

Charlotte hopes that she has created a legacy at Gorokan High School and that the school will continue to run the fundraising program. Schools involved from the northern part of the coast are MacKillop Catholic College, Lakes Grammar School, Gorokan High School, Tuggerah Lakes Secondary College, Wadalba Community School, Wyong High School, Northlakes High School, St Brigid's Catholic College, Wyong Christian Community School, and TLK Alesco, which is a special school. I thank all the sponsors involved, including Wyong Rugby League Club Group, AVS Windows and Doors, Mingara Recreational Club, Bendigo Bank Wyong, Central Coast Council, several Rotary groups, Doyalson Returned and Services League and Clubs NSW. All the community service projects undertaken by the young adults during their Max Potential program were showcased at Wyong Leagues Club on Monday afternoon. It was an absolutely fabulous event. The member for Dobell,

Emma McBride, and I were honoured to present the certificates. The personal growth of these young people under the coaching was very apparent. I am continually inspired by the young people in our area.

**WESTERN SYDNEY LOCAL HEALTH DISTRICT CHIEF EXECUTIVE DANNY O'CONNOR**

**Dr GEOFF LEE (Parramatta) (20:48):** I bring to the attention of the House the retirement of one of New South Wales' more visionary public health leaders. The Chief Executive of Western Sydney Local Health District Danny O'Connor will retire in October 2018. He steps down after almost 38 years in public service. Danny is held in high esteem by industry leaders and his peers alike. NSW Health Secretary Elizabeth Koff reflected:

Danny's contribution is valued in every place he has worked.

She said:

His leadership, vision and commitment to service, has positioned WSLHD at the cutting edge of what a health district can be and do for its community.

Ms Koff further said:

We thank Danny for his enormous contribution to NSW Health over the span of his career, and his passion and commitment to improving health and service delivery outcomes for patients, staff and the system as a whole.

Emeritus Professor Stephen Leeder of the University of Sydney and Menzies Centre for Health Policy said:

Danny has been a rock of optimism for all staff—medical, nursing and support people during tough times of budget restraint and the uncertainty of the redevelopment projects at Blacktown/Mt Druitt and Westmead. He values teamwork and has used it to good effect in running the health service. His own clinical experience in previous times and 38 years in cities and the country gave him an exceptional background of warmth, respect for staff and humane concern.

Professor Leeder echoes the sentiment of many when he said:

I enjoyed working with him and will miss him personally and professionally.

University of Sydney Vice-Chancellor and Principal Dr Michael Spence said:

The University of Sydney—as an education and research partner with many of the organisations Danny has led—is deeply grateful for the leadership, integrity, dedication and collaborative spirit that have been the hallmarks of his approach to work and life. It has been enormously rewarding working with Danny and I wish him all the very best for his future.

University of Sydney Director Westmead Initiative Professor Chris Peck added:

At Westmead, Danny has led collaboration and transformed the precinct from a collection of independent entities to a truly united centre for innovation. His willingness to push himself and others to do the best we can for our communities has enabled Westmead to become truly recognised as a global precinct renowned for improving health and wellbeing.

As the member for Parramatta, I have witnessed firsthand his commitment to reshaping and improving health services in Western Sydney. His passion and commitment to better outcomes for patients, our community and the health system as a whole have characterised his career. I thank Danny for the enormous contribution he has made to NSW Health. He has had a long and illustrious career, starting as a clinician at St Vincent's Hospital. He went on to work in drug and alcohol policy and treatment, moving on to become General Manager of Sydney Dental and Concord hospitals. In 2009 Danny took on the position of chief executive of the then Greater Western Area Health Service. In 2011 he became chief executive of the Western Sydney Local Health District [WSLHD].

Danny's legacy lies not just in what he has achieved but also in what is still to come. He currently serves on the boards of the WSLHD—ex-officio; Westmead Institute for Medical Research; HealthShare NSW; and the Westmead Medical Research Foundation. If we note the development of Blacktown Hospital and Westmead's new clinical acute services building, we see investment of well in excess of \$2 billion in the future of public health under Danny's stewardship. In helping to bring together a wide range of health, research and academic collaborators, Danny, particularly in Westmead, began to build a network of partners to match the infrastructure growth.

Danny's voice has been one of the first in Western Sydney that began to articulate a dream of what health care would be like in 2030. The emergence of the Westmead health precinct and the powerful and willing institutions of the Westmead Alliance are steps towards making this blue sky thinking a reality. It is in his belief in the global possibilities of the Westmead health precinct that we will find his lasting legacy. On behalf of the New South Wales Government I thank Danny for his vision, his commitment and his dedication and I wish him all the best for the future.

**The House adjourned, pursuant to standing and sessional orders, at 20:53 until  
Wednesday 19 September 2018 at 10:00.**