



**New South Wales**

# **Legislative Assembly**

## **PARLIAMENTARY DEBATES (HANSARD)**

**Fifty-Sixth Parliament  
First Session**

**Tuesday, 23 October 2018**

Authorised by the Parliament of New South Wales



## TABLE OF CONTENTS

Private Members' Statements .....	1
Oatley Electorate Schools .....	1
Oleh Sentsov .....	2
Invictus Games Team Ukraine.....	2
Cootamundra Electorate Small Businesses.....	2
Wauchope Public School 150th Anniversary .....	3
School Road Safety.....	4
Canberra to Eden Rail Line.....	5
Westconnex.....	6
Central Coast Infrastructure.....	7
Blacktown Electorate Infrastructure Projects .....	8
Cost of Living .....	9
Wallsend Electorate Bus Services .....	10
Men's Sheds .....	10
Community Recognition Statements .....	11
Bobin School of Arts Hall.....	11
Blacktown District Soccer Football Association Fortieth Anniversary.....	12
Glenmore Park Phantoms Softball Club .....	12
Glenmore Park Football Club Division 1 Soccer Team .....	12
Lambton Time Capsule.....	12
Shoalhaven City Turf Club .....	12
Bankstown Bulls Junior Rugby League Club.....	13
Tribute to Victor Moar.....	13
Strike Force Wehl .....	13
Castle Hill Cricket Club 160th Anniversary.....	13
Beautiful Minds Waratah Day .....	13
Babewatch, Manly .....	14
Central Coast Mental Health – Art Works! Exhibition .....	14
Thornleigh Post Office Care Packages .....	14
Cancer Council Saving Life 2019 Campaign Launch .....	14
Rotary Police Officer of the Year Nominee Glen Fanning.....	14
Tuggerah Lakes Police District NSW Police Awards .....	15
Dame Marie Bashir Peace Awards .....	15
Maronite Sisters of the Holy Family Golden Jubilee.....	15
Out of the Shadows Walk .....	15
Newcastle RSL Sub-Branch Life Member Ken Fayle.....	16
Taekwondo National Champion Luca Montone.....	16
Brooke's Car Rally.....	16
Westpac Rescue Helicopter Service Crew Man Graham Nickisson .....	16
Hornsby Rockets.....	16

## TABLE OF CONTENTS—*continuing*

Durga Puja Celebration.....	17
Bimbi War Memorial.....	17
Coolaburoo Neighbourhood Centre.....	17
Community Language Schools.....	17
St Merkorious Charity Group.....	17
Friends of Milton Library.....	17
Lake Macquarie City Council.....	18
Garden Clubs of Australia Gwendy Hansford Award Recipient Betty Bradney.....	18
Visitors.....	18
Visitors.....	18
Commemorations.....	18
Centenary of Anzac.....	18
Notices.....	19
Presentation.....	19
Question Time.....	19
Liberal Party.....	19
Music Festival Safety.....	20
The Nationals.....	21
Regional Jobs.....	22
Liberal Party.....	24
Concord Repatriation General Hospital.....	25
Federal Government Leadership.....	27
Royal Commission into Institutional Responses to Child Sexual Abuse.....	28
Newcastle Container Terminal.....	29
Jobs growth.....	30
Documents.....	32
Law Enforcement Conduct Commission.....	32
Reports.....	32
Information and Privacy Commission.....	32
Reports.....	32
Office of the Children's Guardian.....	33
Reports.....	33
Inspector of the Law Enforcement Conduct Commission.....	33
Reports.....	33
Ombudsman.....	33
Reports.....	33
NSW Child Death Review Team.....	33
Reports.....	33
Auditor-General.....	33
Reports.....	33
Committees.....	33
Legislation Review Committee.....	33

## TABLE OF CONTENTS—*continuing*

Report: Legislation Review Digest No. 63/56 .....	33
Business of the House .....	33
Valedictory Speeches .....	33
Petitions .....	34
Petitions Received .....	34
Responses to Petitions .....	34
Motions Accorded Priority .....	34
F6 Extension .....	34
Consideration .....	34
Medowie Public High School .....	35
Consideration .....	35
F6 Extension .....	36
Priority .....	36
Bills .....	40
Betting Tax Amendment (Point of Consumption) Bill 2018 .....	40
Second Reading Debate .....	40
Consideration in Detail .....	49
Third Reading .....	52
Statute Law (Miscellaneous Provisions) Bill (No 2) 2018 .....	52
Second Reading Debate .....	52
Consideration in Detail .....	53
Third Reading .....	53
Building and Development Certifiers Bill 2018 .....	53
Second Reading Debate .....	53
Third Reading .....	64
Crimes Legislation Amendment Bill 2018 .....	64
Crimes (Domestic and Personal Violence) Amendment Bill 2018 .....	64
Mental Health (Forensic Provisions) Amendment (Victims) Bill 2018 .....	64
Victims Rights and Support Amendment (Motor Vehicles) Bill 2018 .....	64
Second Reading Debate .....	64
Third Reading .....	75
Private Members' Statements .....	75
Wollongong Electorate Capital Expenditure .....	75
Heathcote Transport .....	76
Port Macquarie Tidal Pool .....	77
Western Sydney Infrastructure .....	78
Wagga Wagga Electorate .....	79
National Carers Week .....	80
Housing Affordability .....	80
Kiama Electorate Community Recognition Awards .....	81

## LEGISLATIVE ASSEMBLY

**Tuesday, 23 October 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*

#### **OATLEY ELECTORATE SCHOOLS**

**Mr MARK COURE (Oatley) (12:10):** Today I acknowledge some of the fantastic achievements of local schools in my electorate, starting with Peakhurst West Public Schools junior and senior debating teams, who had their first formal debate in the Inter-school Debating Challenge. The topic was "Should all zoos be closed?" and they were competing against Mortdale Public School. The juniors had the affirmative argument and I hear they worked exceptionally well as a team; unfortunately they lost that debate. The school's seniors then argued for the negative and had a win. The adjudicator praised their arguments and rebuttals. Debating is such a valuable skill to have, and I am impressed that the students showed teamwork, cooperation and support. Learning how to interact with peers in a competitive context, regardless of the outcome, is an important lesson. It is great to see these skills being fostered in many local school programs and competitions, such as debating. Congratulations to the junior team: Ahana, Maya, Marcus, Aliya, Silvia and Siena. Well done also to the senior team: Vienne, Stephanie, Shibaduti, Ai, Suzane and Anabelle.

Another school in my electorate, Narwee Public School, will hold Grandparents Day on Sunday, 28 October. Grandparents Day celebrates the role grandparents and older people play in our society, both in the things that they have done and the things they continue to do. Narwee Public School appreciates that this is a day to spend time with an older loved one and connect across the generations. Narwee Public School is opening its school gates on Wednesday 31 October, inviting all grandparents to come in and either read to their grandchild or have their grandchild read to them. This will be followed by a morning tea in the library. I am so pleased that local schools are getting on board with this important day by extending a warm invitation to older people to interact with the students. Grandparents and seniors contribute so much to our local communities. I congratulate Narwee Public School on recognising the significance of engaging with older generations and celebrating their input into the lives of those around them.

I also acknowledge today the fantastic achievement of Oatley Public School's Jump Rope for Heart event. More than \$8,900 was raised by the school to support the work of the Heart Foundation. To celebrate the school's achievements, eight teachers were selected to put on a skipping performance for the whole school and I hear that it was a huge success. Jump Rope for Heart is a fun physical activity program for schools—keeping kids healthy while raising funds to fight heart disease. Students are kept physically active and learn new skipping skills along with healthy heart habits. Students also learn the value of community service by fundraising for an important cause. I wish to again congratulate students at Oatley Public School for their generous fundraising contributions and willingness to get involved in physical activity for a greater cause. Of course I also say well done to the teachers for organising what I am sure was an outstanding skipping performance.

I recognise St Joseph's Catholic Primary School Oatley, my former school, and congratulate year 6 students who participated in an initiative named the City Country Connect program. That program invites year 6 students to write letters of support to the year 5/6 students of St Michael's Catholic Primary School in Manilla, 50 kilometres north of Tamworth. Currently, many of these families are experiencing the drought. As a way of supporting these families, the students at St Joseph's are sending messages of support, extending kindness through words of encouragement. The principal of St Michael's said that the students thoroughly enjoyed reading the letters received from the students and were equally excited to respond to these letters. The positivity that has come from this great initiative has been overwhelming and the students really appreciate this kind gesture. I wish to recognise all students of St Joseph's who participated in the City Country Connect program for their kindness and thoughtfulness in such a tough time for rural families.

Finally, I wish to rise to acknowledge the retiring principal of Peakhurst Public School, Christine Geelan. Christine truly made Peakhurst Public her second home and I know how much she enjoyed her time there. She is a capable and outstanding asset to the field of education, and I know that she will be greatly missed by parents and students alike. I would also like to take this opportunity to acknowledge and thank Christine for her contribution not only to the school but also to the broader local community. I have had the privilege of visiting

the school many times over the years as their member of Parliament. It is clear how the quality of teaching and standard of staff have upheld its respectable reputation in the local community. On behalf of both sides of this House, the families and the children of my local community who attend that school, I wish her the very best for the future.

### **OLEH SENTSOV**

#### **INVICTUS GAMES TEAM UKRAINE**

**Mr LUKE FOLEY (Auburn) (12:16):** I add my voice to the many thousands of voices around the world calling for the immediate release of Oleh Sentsov from his frozen Russian prison. In recent months many Australians of Ukrainian background from my electorate of Auburn and beyond have raised with me the plight of Oleh Sentsov. Mr Sentsov is a Ukrainian filmmaker who was arrested after protesting against Russia's annexation of Crimea. He was arrested following an allegation that he had been involved in a plot to blow up a statue of Lenin, but no evidence to support the allegation has ever been produced. Sentsov was tried as a Russian citizen—which he has never been—under the pretext that Crimea was now Russian.

Amnesty International says, "The case against him should have collapsed when the key prosecution witness stated in court that he testified against Sentsov under duress." In 2014 he was sentenced to 20 years hard labour and was initially sent to Yakutsk in Siberia. He is currently imprisoned in a jail known as the "Polar Bear" at Labytnangi, north of the Arctic Circle. The situation of Oleh Sentsov is similar to the Moscow show trials of the 1930s, with innocent people on concocted charges sentenced to decades in Stalin's gulags. The United States Department of State has said that the allegations and charges against Oleh Sentsov are "widely regarded to be without merit and a cynical reprisal for his opposition to Russia's occupation of the Crimea." The Canadian Government has called for him to be released without delay.

The European Union has said that he and all illegally detained Ukrainian citizens in Russia and on the Crimean peninsula should be released without delay. On 14 May this year Mr Sentsov began a hunger strike, calling on Vladimir Putin to release all of his Ukrainian political prisoners. There are deeply concerning reports about the state of Oleh Sentsov's health. The most recent report is that the hunger strike ended on 6 October when he was threatened with being force-fed. Kurt Volker, the Trump Administration's Special Envoy to the Ukraine, has said Russia should release Oleh Sentsov "before it has another death on its hands. Confession apparently extracted under torture ... Russia should be better than this."

The European Parliament has nominated Oleh Sentsov for this year's Sakharov Prize. This prize was named in honour of the Soviet physicist and dissident Andrei Sakharov, and was established to honour individuals who defend human rights and fundamental freedoms. Sentsov is in his early forties. He is married and has two children. He has done nothing wrong; he is an innocent man. He has a full and talented life to lead. He has a family to care for. He has movies to make. I stand with Oleh Sentsov. I hope that all members of this Parliament share my view that it is now well past the time for Russia to do the correct and honourable thing and release Oleh Sentsov immediately.

On a far happier note, last Friday it was my privilege to welcome to Parliament many members of the Ukrainian community in Australia—including those from my electorate of Auburn—to greet members of Team Ukraine, representing one of 18 nations participating in the Invictus Games Sydney. This team is unique in that at the moment Ukraine is fighting a war against Russian aggression on its own soil. Crimea and parts of eastern Ukraine are occupied by an aggressive Russia under Putin. Last Friday I met and was able to honour the heroes from Team Ukraine who came to Australia's oldest Parliament. It was an honour for me to welcome them.

There is great pride in Australia's Ukrainian community. There is great distress at current events in occupied Crimea and eastern Ukraine, and this has been a great fillip to the Ukrainian community in New South Wales and in my electorate of Auburn, which is the traditional home of Ukrainian migrants since the wave of post-World War II migration. It has been a great boost to that community's morale and spirits to have the heroes of Team Ukraine, their wounded warriors, here to participate in the Invictus Games Sydney. I stand with the Ukrainian community in my electorate and across the State.

#### **COOTAMUNDRA ELECTORATE SMALL BUSINESSES**

**Ms STEPH COOKE (Cootamundra) (12:20):** Small businesses across the Cootamundra electorate are the keystone of regional communities. They provide employment opportunities for those who choose to make their homes in regional New South Wales. They bring income to local economies to keep them thriving. Many businesses welcome visitors, bringing in valuable tourism dollars. Over the past few weeks, businesses across the Cootamundra electorate have been marking NSW Small Business Month and I have been visiting them to celebrate and to listen to their stories.

Leanne Ivanoff started off the month with a truly inspiring account of how she started her fabric shop, Sew Fab, at home five years ago. Not only is she now the proprietor of a premises in the heart of Narrandera; she is also secretary of the Narrandera Business Group. She shares her passion for textiles by holding classes and workshops, and has created a wonderful hub for a thriving community of fabrics fans. A community of a much more compact dimension has given rise to Harden's House of Honey. Owners Ken and Arlyn Tanson have spent a decade building their business and they now have regular customers who travel from as far away as Brisbane and Adelaide to get a taste of the honey.

Ken comes from a family of beekeepers whose history with bee communities goes back to 1854. As far as Ken is aware, his is the oldest beekeeping family in Australia. It was a wonderful visit and a joy to hear from Ken how his 90-year-old father would tell of his great-grandfather's herculean efforts to deliver bees via horse and dray, and then by Ford Model T from Gundaroo to Harden. I enjoyed my time talking bees, so it was only fitting that I should then spend some time talking flowers. Sim Bastick owns studio36A in Cowra and together we hosted a floral-arranging workshop, calling on my past experience as a florist. An enthusiastic and creative group worked away to create some fabulous bouquets, which were wonderful blends of colour and shape.

Sim used the opportunity to discuss with me the challenges she has been facing in business. It is a sad reality that in these harsh times of drought, small businesses across the Cootamundra electorate are feeling the pinch. Purse strings are being tightened as farmers face the prospect of a poor 2018. This Government is making huge efforts to assist primary producers through the drought and I am proud to be able to play my part in this. But so too am I proud to be playing a part in NSW Small Business Month. It is vital to keep this sector of our economy healthy despite the increasing challenges that our small businesses are facing in regional New South Wales.

The New South Wales Government's willingness to encourage shire councils and regional councils to hold workshops and seminars is a sign of a positive approach to growth. Across the Cootamundra electorate, our business leaders have been sharing their insights and experiences with regional entrepreneurs. Having the passion and the idea is what gets a business off the ground. Having the knowledge to drive expansion is what really gets that business on the road to being established and stable.

Jill Funnell and members of Business West Wyalong linked up with Craig Fawcett of Evolution Mining and the Bland Shire Council to hold a dinner marking NSW Small Business Month in West Wyalong. The guest speaker was Tom O'Toole of Beechworth Bakery fame, who shared his insights into what it takes to run a successful business chain. The Cowra business community benefits from the enthusiasm and experience of the town's award-winning business chamber. Under the presidency of Jordan Core, the group is a proactive and energetic source of information for businesses at all stages of development. With treasurer Nicholette Savage and the rest of the committee—Kim Jones, Annie Crasti, Ponie De Wet, Lex Webster, Ben Casey, Robyn Roberts and Olivia Howarth—the team celebrated 80 years of support for the local economy.

It has been fantastic to see how entrepreneurs and the New South Wales Government have worked hand in hand to celebrate Small Business Month and I thank all the businesses across the Cootamundra electorate who have participated in events so far and allowed me the time to drop in and visit them and hear their stories. It has given me a chance to talk about my own experience of just on a decade in small business and to share with them the joys and the trying times that come with owning a small business. I wish all the shires and businesses who still have events to come all the very best for the remainder of the week.

**Mr STUART AYRES (Penrith—Minister for Western Sydney, Minister for WestConnex, and Minister for Sport) (12:25):** On behalf of the Government, I thank the member for Cootamundra, who prior to entering this place was a passionate small business operator. On this side of the House we understand just how important small businesses are in driving the economic success of local communities. They are the fabric that holds those communities together. The member has travelled across her electorate during Small Business Month to visit those businesses. Whether it is Jobs for NSW, the Jobs Action Plan with payroll tax reductions, Resources for Regions or reducing mobile coverage black spots, the Government is improving opportunities for small business across regional New South Wales. With both the Deputy Premier and the member for Cootamundra championing small business, it has a strong and passionate voice in this Government. There is nothing small about small business.

#### **WAUCHOPE PUBLIC SCHOOL 150TH ANNIVERSARY**

**Mrs MELINDA PAVEY (Oxley—Minister for Roads, Maritime and Freight) (12:27):** On Saturday the mighty town of Wauchope celebrated the 150th anniversary of Wauchope Public School. The P&C provided morning tea while community members looked at historical photos and toured the school. It was a wonderful day. People travelled from Queensland and Western Australia to return to the town where they started their education. On Saturday night there was a formal ball in recognition of this momentous event in the history of Wauchope



organised by the Wauchope Public School. I congratulate Cameron Osborne, a great principal who has served at many schools in this State, including Moree. We are fortunate to have his leadership at Wauchope.

Deputy principal Richard Thomas is a former Wauchope Public School student. He did a splendid job as master of ceremonies at the ball. Former principal Di Reynolds also attended. Ms Reynolds was a much-loved principal of Wauchope Public School for 15 years, and she was recognised and supported on the night. Also in attendance was the member for Lyne, Dr David Gillespie; director of education for the Hastings district Graham Small and his wife, Penny; and Lisa Intemann, Deputy Mayor, Port Macquarie-Hastings Council. They all participated in the night's activities. My favourite people were the P&C life members who have given many years to their local school. The P&C members give and give. I spoke with many of them over the course of the evening, and a large number had been involved with the committee for 15 years while they saw all their children progress through the school. It is a school with enormous community spirit. It is important to recognise that the school has been waiting a long time for improvements and it is our Government that is finally delivering some of those improvements.

Wauchope Public School commenced in 1868 with one room, a hardwood floor, slab walls and a shingled roof on Tomas Suter's land on the south-west corner of High and Cameron streets. The school had 42 children and the first principal was Mr John Hume, who was 67 years of age. Many of the children attended school on some days of the week and then on other days had to help on the bullock drays. That was a sign of the times and the history of that community. In 1905 the school had 95 students and it was one of the first schools in the State to have a parents and citizens [P&C] association. That reflects the significant part the community has played in the school. It is also reflected by the number of people who were present on Saturday night enjoying the history and stories and the involvement at the school on a weekly basis by the Lions Club of Wauchope and the Rotary Club of Wauchope to support the students.

I formally acknowledge the ongoing efforts of the P&C association. In recent weeks I received correspondence from the P&C asking that one of the buildings at Wauchope Public School be retained for the future. In the building there is a room where students gather and eat and upstairs science, technology, engineering and mathematics, or STEM, education is provided and there is a large open learning area. With the number of people moving to the Port Macquarie-Hastings Valley area, the P&C has made it clear to me that, contrary to the plans of the Department of Education, it wants to retain that building. On behalf of the P&C and the Wauchope community, I will be working with the Minister for Education, Rob Stokes, to ensure that the Government listens to what the P&C members have to say. Their voice is strong and needs to be respected.

A great number of teachers who were present on the day had also been students at Wauchope Public School; they had lived a full journey and had come home. We are about to see the construction of a two-storey building with 13 classrooms and indoor and outdoor learning areas. Over the years the school has had many demountables. This investment by our Government in this community is long overdue but is well supported. With the current population of 725 students and 80 staff in 34 classes, the upgrade will ensure it continues to be a great school. This iconic country school has very strong community support as well as strong leadership provided by the Principal, Cameron Osborne. It was a pleasure to be part of this significant event in our community's history.

### SCHOOL ROAD SAFETY

**Ms JO HAYLEN (Summer Hill) (12:32):** Safety around our schools is no accident. The stress of balancing family and work is often most keenly felt in the morning drop-off or afternoon pick-up at our schools when tense parents are jostling for car spots at the kiss-and-ride or are double parking out of sheer necessity. When the bell rings, kids enthusiastically leave school and often dash across the road without looking or dart between cars on their scooters or bikes. It is no wonder accidents happen. Much of this behaviour is sheeted home to parents, and much of it can be remedied with better education and enforcement. But responsibility for safety around our schools lies with us, the people entrusted to build the infrastructure we need to keep our communities safe.

Earlier this year, I launched the Summer Hill School Safety Survey, which gave local parents, students, carers, educators and residents an opportunity to report any concerns they had about road safety around our schools. More than 200 people responded, as did school principals and parents and citizens representatives from each school in the electorate. The community raised a number of concerns including parking problems, reckless driving, the inadequacy of pedestrian crossings, cycling laws, school drop-off and pick-up zones, congestion, confusing street signage and the impact of State government major projects.

Of these, by far the greatest concern was the inadequacy of pedestrian infrastructure around our schools. This includes pedestrian crossings, traffic lights, flashing lights, crossing guards and signage, all of which are the responsibility of our elected representatives. The community noted that pedestrian crossings are often in the wrong places, fail to reflect the pathways used by students or have poor sight lines for motorists. Schools continue to

beg for flashing lights to slow speeding drivers and for crossing guards to make sure kids make it across to the other side of the road.

Time and again respondents complained that the formula used by Roads and Maritime Services is deeply flawed. Currently a crossing guard will be deployed only if a count demonstrates a high number of children are crossing without parental supervision. This utterly fails to recognise that parents and carers will not let their children cross the road at these dangerous crossings. Perversely, it means that school communities with the most dangerous crossings miss out simply because, understandably, they refuse to put their kids at risk. Many respondents noted the lack of adequate parking around our schools and argued that that encourages bad driving. There was broad agreement that current cycling laws fail to encourage kids to ride to school, leading to more congestion at our school gates.

Haberfield Public School continues to bear the brunt of WestConnex construction. Construction workers regularly use parking spots around the school, which adversely impacts drop-off and pick-up at the school. Heavy construction vehicles use streets around the school, which are already filling with cars rat-running to and from Parramatta Road. While the school community is relieved that the Muirs sites will not be used for tunnelling, it will, however, be used for parking and that means an additional 200 cars of workers on the site. A pedestrian bridge is being built across Parramatta Road to keep workers safe—and that is a good thing—but I am disappointed that it is for workers only and not for parents and children, who are left to run the gauntlet of Parramatta Road trying to get to Haberfield Public School.

Despite many requests, the Minister for Roads, Maritime and Freight has refused to provide a crossing guard on Bland Street. I ask the Minister not only to reconsider her determination for a crossing guard to keep our kids safe at Haberfield Public School but also to review the formula that is used across the State to determine the need for a crossing guard. Many schools noted the need for additional flashing lights, including Dulwich Hill Public School and St Joan of Arc Haberfield. Many schools asked for the traffic lights adjacent to schools to be better timed to prioritise pedestrian use, such as at Wilkins Public School, Petersham Public School and Marrickville West Public School.

Many schools, such as Ashbury Public School, were eager to see greater investment in wayfinding programs to help students identify the safest walking and cycling routes. Nearly all respondents wanted to see a greater responsiveness from councils and government when complaints about safety are made. It is clear that together we can make a difference. The parents at Marrickville Public School and the owners of the Henson Pub spoke to me about the dangerous pedestrian crossing outside the school. We signed petitions and lobbied the local government, and I am thrilled that the work on a new pedestrian crossing is almost completed. It is a fantastic achievement. I want to thank each and every respondent to my survey. I look forward to working with them to make our kids safe.

### CANBERRA TO EDEN RAIL LINE

**Mr JOHN BARILARO (Monaro—Deputy Premier, Minister for Regional New South Wales, Minister for Skills, and Minister for Small Business) (12:37):** Imagine being able to hop on a train in Sydney and disembark in Cooma for an annual ski trip at Kosciuszko National Park or being able to hop on a train at Queanbeyan and head to the beautiful South Coast for a family yearly summer holiday. These opportunities could soon become a reality. Recently I announced with Premier Gladys Berejiklian and the transport Minister, and member for Bega, the allocation of \$1 million towards a feasibility study into reopening the Canberra to Eden railway line. This project will be a game changer for our region. At Bombala, this could open up forestry opportunities and breathe new life into the region's timber sector.

Thirty years after the suspension of services, the feasibility study will examine the reopening of the rail line as well as the extension of the line between Bombala and the Port of Eden and between Queanbeyan and Canberra international airport. This is a tip of the hat to our forefathers who, based on a vision of future development in southern New South Wales, hand built the line between the 1880s and the 1920s. This rail line could potentially provide a new link from Canberra as a global gateway for passengers and trade. Canberra Airport is now an international airport and the Port of Eden, which is an international gateway for cruise liners, will become a new international port. This is an opportunity the region has not seen before. The vision for the south east and tablelands is one of a borderless region in Australia's most geographically diverse natural environment, with the nation's capital at its heart. A thriving cruise ship terminal out of the Port of Eden and the rail corridor link to Canberra international airport will open up the region like it has never seen before.

This rail line has long been a dream for our local communities, and I pleased we are able to this important first step. I believe the project has the ability to breathe new life into the southern communities beyond the Monaro and Bega, and right across the south-east, by opening up freight and tourism opportunities, which is why I look forward to the results of the study, which will consider reinstating the currently non-operational rail line between

Queanbeyan and Bombala, plus the development of new tracks to extend the line to Canberra Airport, as well as the Port of Eden. The investigation will comprise a detailed engineering study, finalise a preferred route, and confirm detailed construction cost estimates.

This rail line could provide a new link from Canberra as a global gateway for passengers and trade to the Port of Eden, an emerging cruise destination and the home to one of the largest fishing fleets in New South Wales. The Bombala line is 304 kilometres long. Commencing from the Australian Rail Track Corporation and Country Regional Network boundary at Joppa Junction near Goulburn, the line is operational at a 20.25 tonne axle load to Queanbeyan and on to Canberra. The line to Bombala via Cooma was progressively closed between 1986 and 1990. Sections have reopened briefly for heritage and tourist operations, however the line is currently in an un-trafficable condition as its age and disused status has led to rail breakage, sleeper degradation and timber bridge deterioration. Beyond Bombala, no rail line has ever existed. The feasibility study will identify the potential opportunity to open up a new corridor to the Port of Eden.

This project could have a transformative effect on our region, and will change the region today and for future generations. With Snowy Hydro 2.0 about to begin, over the next decade we will see the region grow at a rate never seen in the south-east, reliving the era of the original Snowy scheme, where we saw tens of thousands of people come to the region to call places such as Cooma home. Over the next decade, we envisage another 7,000 people moving to Cooma as a result of Snowy Hydro 2.0, together with supporting businesses and industries. That is why it is important that the Government continue to invest in the infrastructure and services that will underpin that growth. It is an exciting time in the south-east, be it in tourism, agriculture or the timber industry. It is a good time to be in the region.

There is a lot of growth, a lot happening, and a lot of investment by the New South Wales Government. It is important that we start thinking about the generations to come. Connectivity is the key. Connectivity to major centres will always be the key if people are going to move to regional New South Wales. If people are going to work, play and live in regional New South Wales, we need to ensure not only that we deliver services at a local level but also that we remain connected to the main cities. That is why the potential to reopen the rail line between Canberra and the Port of Eden, Queanbeyan to Bombala, is exciting and emerging infrastructure, and is one that the Liberal-Nationals Government is focused on. I look forward to the study results coming back in the months ahead.

## WESTCONNEX

**Ms JENNY LEONG (Newtown) (12:42):** Members in this place and the people of the electorate of Newtown whom I represent will know that on many occasions I have spoken in this Chamber, at public meetings and at actions on the street to expose the scandals and issues involving the polluting toll road disaster that is WestConnex. In the past couple of weeks even I have been shocked by what has come to light. When a local constituent shared with me a link to Michael West's article entitled "Post Mates: State monopoly capitalism fuses government with big business" and I saw what it contained I was beyond appalled, so much so that it is crucial to spend some time putting it on the record. Here are some of the facts: Goldman Sachs was paid \$16.5 million of public money to oversee and facilitate the sale of WestConnex and the Sydney Motorway Corporation, the private company established in 2014 to build and manage WestConnex.

The New South Wales Liberal-Nationals Government sold off decades-long toll concessions and seven separate roads, as well as the ownership and control of further construction and financing of the project to the Sydney Transport Partners in August this year for \$9.3 billion. The sale was obviously a bonanza for Transurban, the major partner in the Sydney Transport Partners consortium, which paid for the controlling 51 per cent interest. Goldman Sachs—wait for it—has a \$6.2 million investment in Transurban. In his article, Michael West asked: Was this monumental conflict of interest disclosed? It is unclear; we do not know. Anyone who is listening to this or is aware of this has to start asking: Was the Government aware of this? Did the Premier know? Did the Treasurer know? Did the Minister for WestConnex or Minister for Roads, Maritime and Freight know? Who knew this? As Michael West puts it simply and powerfully in his article exposing this connection:

... if Transurban does well, Goldman Sachs does well. Goldman Sachs does well regardless of how the NSW Government fares too, as it reaps fees from taxpayers whatever the outcome (\$16.5 million for 11 months' work).

The sale to Transurban was described by Michael West as "securing the stranglehold of one company over Sydney's toll roads". The claims in this article are of huge concern to the residents of Newtown who alerted me to it. Examples of the revolving door connections between these individuals and what is happening here can be seen in the article. The New South Wales roads monopoly is now entirely dominated by the private sector and by private sector appointments. I urge members to look in detail at West's article in which he discusses the impact and the connections with the likes of Philip Gardner and Christopher Swann—people who have revolving door connections with Macquarie Bank, the Sydney Motorway Corporation and Roads and Maritime Services—and

others who have connections with former roads Minister Duncan Gay, and the companies and organisations that are now involved.

This is, as we knew from the start, an outrageous transfer of public money into private hands under the guise of solving Sydney's congestion problems. The scandals will continue to be exposed. In highlighting those scandals, I acknowledge the incredible community members who have stood up and spoken out at hearings held as part of the inquiry into WestConnex. Despite all of the outrage and the scandals, incredibly brave, resilient, determined residents, community activists, local representatives and experts have made submissions to the WestConnex inquiry. Despite the odds stacked against them, they have not given up. I particularly acknowledge the residents of the Rozelle community panel who gave evidence—Rozelle Against WestConnex and north-west Rozelle residents. I acknowledge the Annandale and Leichhardt community panel, NOW Annandale and Sydney Secondary College Leichhardt Parents and Citizens [P&C] group.

I give a particular shout-out to Mary Court, the Penrith Valley Community Unions spokesperson, who spoke passionately about the fact that the WestConnex Minister's electorate of Penrith does not want this polluting toll road disaster either. We heard from the Beverly Hills North Progress Association, the Haberfield Association, the Haberfield Public School P&C Association, Newtown Residents Against WestConnex, Alexandria Residents' Action Group and Camperdown Residents Against WestConnex. I also acknowledge the incredible contributions from the residents of St Peters, the WestConnex Action Group, and the moving and heartbreaking evidence provided by former residents of St Peters whose homes have been taken by this Liberal-Nationals Government, which is doing nothing but using public money to serve its own interests. It is despicable.

### CENTRAL COAST INFRASTRUCTURE

**Mr ADAM CROUCH (Terrigal) (12:47):** The Central Coast is one of the fastest-growing regions in New South Wales. Each year, many retirees from Sydney move to our local area, as well as many families who move to the coast to raise their kids. In fact, the Central Coast Regional Plan 2016 estimates that by 2036 an additional 75,500 people will call the Central Coast home. The projected population growth in our local area could put pressure on our public facilities and infrastructure, which is why I am fighting for our fair share of State funding. It is essential that our community has the best infrastructure and facilities, whether it is in roads, health care, or education. This year's budget includes a \$168.2 million package for Central Coast roads, as well as further funding for the \$348 million Gosford Hospital redevelopment and \$200 million redevelopment at Wyong Hospital.

I have just made announcements relating to \$1 million for upgrades to mental health services at Gosford and Wyong hospitals. I note that the Minister for Mental Health is present in the Chamber and acknowledge her outstanding work in this field. The Government has also committed to a new school at Warnervale and significant upgrades for Terrigal Wamberal public schools. Last week, education Minister Rob Stokes visited the Central Coast for the official sod-turning ceremony at Wamberal Public School. Having fought hard for this \$20 million upgrade in my electorate, I was delighted that the State Liberal-Nationals Government is committed to upgrading this outstanding local school.

The project will deliver cutting-edge facilities, including 15 new classrooms, an extension to the school hall and upgrades to the canteen, toilets and school administration block. In light of projected population growth in the Central Coast over the next few decades, these infrastructure upgrades will future-proof public education in our area and in my electorate. I thank Wamberal Public School captains Ben Stephens and Skyla Barrie for doing a fantastic job as emcees at the sod-turning ceremony last week. I also congratulate Stage 1 student Charli Rudd, who gave a fantastic, engaging and persuasive speech and presentation. It is also a real credit to the school's Principal, Paul Miller, the P&C and School Infrastructure NSW that the development application proposal was approved without a single objection.

Last week the Minister and I also visited Kincumber High School to discuss the need for a covered outdoor learning area, or COLA, over the basketball courts. Kincumber High School has limited covered playground area, which poses a challenge during the hot summer months and also when it rains. Coverings on the basketball courts would also act as a bus shelter for students at the end of each school day. It was great to hear a student's perspective from new school captains Kaya Ardita and Polytra Luisalani. They told the Minister and I how an all-weather court would support students. I thank Principal Janine Debenham for her strong advocacy of this project on behalf of the school community. In 2017 Kincumber High School's Higher School Certificate results were among the highest on the Central Coast. With triple the number of band sixes achieved in 2016, it was a significant improvement on previous years. I am absolutely committed to continuing to work with Janine, her staff, and Schools Director Karen Jones to secure a fair share of funding for Kincumber.

Right across my electorate of Terrigal there are 21 fantastic schools, and I am very proud to represent them all, including Avoca Beach Public School, Brisbania Public School, Chertsey Primary School, Copacabana

Public School, Empire Bay Public School, Erina Heights Public School, Holgate Public School, Kincumber Public School, Pretty Beach Public School, Terrigal Public School, Wamberal Public School, Woodport Public School, Erina High School, Kincumber High School, Terrigal High School, Central Coast Adventist School, Central Coast Grammar School, Green Point Christian College, Holy Cross Primary School, Our Lady Star of the Sea Primary School and Coast Christian School.

I acknowledge the exceptionally hard work of each school's principal and staff in educating and growing our next generation of leaders for the Central Coast and beyond. Teachers have an extraordinarily positive impact on our local communities and deserve recognition for the important role that they play. I am delighted to have been able to secure funding to improve facilities at our schools on the Central Coast. I again thank Wamberal Public School for allowing the Minister for Education and I to take part in its sod-turning ceremony last week. I look forward to seeing construction begin soon, as it already has at Terrigal Public School, where there will be an upgrade worth significantly more than \$20 million. Real investment and real money is being put back into education on the Central Coast. That is because I am part of a strong Liberal-Nationals Government that can run the economy well and deliver the important infrastructure needs of the entire Central Coast.

**Ms TANYA DAVIES (Mulgoa—Minister for Mental Health, Minister for Women, and Minister for Ageing) (12:52):** I commend the member for Terrigal for bringing this subject to the attention of the House and for highlighting the excellent work that the New South Wales Liberals-Nationals Government is delivering for his community on the Central Coast. I have been to his electorate a number of times to have a look at the investment that this Government is delivering in health. I have toured the new Gosford Hospital and I was present when we launched the rollout of the Project Air Strategy for Personality Disorders, which is being delivered on the Central Coast. I toured the mental health inpatient unit and met and spoke with the amazing staff that do an exceptional job to help people who are experiencing acute mental illness. I also visited the Men's Shed. The community has established an extraordinary set-up. I also gave some funding for the Save Our Kids Smiles program, a suicide prevention strategy initiated by the community on the Central Coast. I commend the member for Terrigal for his private member's statement and for his effervescent and never-ending energy in representing his community.

#### **BLACKTOWN ELECTORATE INFRASTRUCTURE PROJECTS**

**Mr STEPHEN BALI (Blacktown) (12:53):** Blacktown City Council is committed to transforming Blacktown's centre into a modern, metropolitan city of talent, where economics and social development go hand in hand and benefits are shared throughout the community. Blacktown City Council has given the go-ahead for two major infrastructure projects to proceed to the next stages of consultation, planning and development. Councillors have voted unanimously to embark on extensive community consultation and to progress detailed planning and business cases for the proposed International Centre of Training Excellence [ICTE] at the Blacktown International Sportspark and for the Warrick Lane Precinct project in the Blacktown central business district [CBD].

The first step is to remove the current at-grade car parking in Warrick Lane and build a 450-space underground car parking station to provide more than 100 additional parking spaces. Warrick Lane will then be transformed into a modern mixed-use development anchored around a new public plaza that will link seamlessly to Main Street. The precinct will then be opened up to offer new retail and commercial opportunities including a university campus, student accommodation and new council offices. I place on record my thanks for the support that the Minister for Planning and the Minister for Education have offered for council to proceed on the projects. Council has already begun the process of soliciting expressions of interest from universities to collaborate with council to see what they have to offer for local residents.

Blacktown is in a unique situation where our weakness has become our strength. The lack of commercial space in the Blacktown central business district has spared us from the pop-up private colleges offering degrees and the shopfront universities that have littered many CBD landscapes. We seek collaboration with universities to focus on their strengths to match community needs and construct a modern purpose-built university and community campus. The university is encouraged to deliver a broad range of courses to assist Blacktown city's goal of a sustainable, livable city to support a population anticipated to reach 522,000 by 2036—meaning more people living in Blacktown city than currently living in Tasmania.

The economy of Blacktown city has been growing at an average of 4.5 per cent per annum for the past five years, making it one of the fastest growing economies in the State if not the country. Currently, almost 18,000 university students leave Blacktown city daily to commute for their studies. Most are travelling for up to two hours a day and then attempting to get to work to support their families and study costs. A university campus in Blacktown city makes good policy sense. The university will also be part of our proposed International Centre of Training Excellence. The ICTE will be a world-leading multisport and health facility providing high

performance training, education, sports medicine, research, accelerated recovery and rehabilitation that will be available to everyone.

The ICTE and the Warrick Lane Precinct are vital projects forming major parts of our vision for transforming Blacktown city into a modern metropolitan city of talent and a magnet for economic and social investment and growth. Council is driven to build facilities that can be seen as "elite for all" so Blacktown city can establish itself as one of the leading centres in Sydney and provide opportunities for all residents. Council will shortly undertake further public consultation to gauge community support and get valuable feedback on both the ICTE and Warrick Lane Precinct projects.

Council ran an expert panel to peer review its ICTE proposal headed by experts including leading British sports physiologist Dr Stephen McGregor, former Socceroos goalkeeper Ante Covic, Paralympic athletics champion and coach Louise Sauvage, co-owner of the Western Sydney Wanderers David Slade, University of Technology Sydney Professor Aaron Coutts, Peter Mould and sports administrators and performance experts Anthony van Rooyen and Kathryn O'Regan. I personally thank them for all of their analysis, commitment and insights into how to make a successful multisport and health facility. These projects will result in transformational changes to Blacktown city and we would welcome any State funding support. It is time for the State Government to recognise groundbreaking projects that generate education, health and employment benefits for all the community. I hope the State Government will look favourably on these opportunities.

### COST OF LIVING

**Ms TANYA DAVIES (Mulgoa—Minister for Mental Health, Minister for Women, and Minister for Ageing) (12:58):** The New South Wales Liberals and Nationals are committed to supporting families by easing the cost of living wherever possible. The cost of living is a pressure faced by many families and individuals in Western Sydney and across New South Wales. The cost of raising a family, paying household bills and covering car expenses can leave little money to spare. This Government is targeting cost-of-living pressures through initiatives such as free preschool for three-year-olds, vehicle registration rebates for drivers who spend more than \$25 a week on tolls, a \$100 voucher for kids sports and compulsory third party [CTP] green slip savings. The Liberal-Nationals in government have developed more than 40 cost-of-living rebates to help ease the cost of living for people across New South Wales.

So that families can find out about all the rebates that are available to them and to make it easier for people to claim those rebates, in this year's budget the Government announced \$19 million to turn Service NSW into a one-stop-cost-of-living shop. Now people can find all the rebates available to them and claim them on the spot. The pilot schemes at Parramatta and Wetherill Park have resulted in more than 90 per cent of customers walking away with rebates and savings after their visit. As of this week, cost-of-living appointment services are now live at Liverpool and Mount Druitt Service NSW centres. In my electorate of Mulgoa the community is saving big, thanks to this Government's cost-of-living measures. First, in the Mulgoa electorate, there has been a total of \$4.69 million worth of savings for 67,305 CTP green slip policies. There is still \$848,546 worth of savings that remain unclaimed in the Mulgoa electorate, based on 15,876 policies.

In Cecil Hills alone there is still \$112,000 worth of savings yet to be claimed, which is why this Government is extending the deadline for claiming to 30 June 2019. Vehicle owners will now have more time to cash in on their CTP savings. I commend Minister Victor Dominello for undertaking extensive work to introduce the CTP green slip reform, which is to the advantage of the people of New South Wales. It took an extraordinary amount of dedicated hard work to ensure that from every possible angle this Government is putting downward pressure on the cost of living for families. Secondly, in the Mulgoa electorate alone, 1,465 people have claimed \$626,986 worth of savings through the Toll Relief program. Within just one week of the Toll Relief program opening, 36 motorists in St Clair already had claimed this cost-of-living measure, totalling \$15,000 worth of savings. However, still more work needs to be done on toll relief.

Let me highlight how other people in my community can benefit from the 40 cost-of-living measures. A family with two children could find savings of more than \$800 if they are eligible for the Family Energy Rebate, Active Kids vouchers, CTP green slip refund and free vehicle registration through the Toll Relief program. Thirdly, pensioner concession card holders could be eligible for savings of almost \$1,100 if they are eligible for the Low Income Household Rebate, CTP green slip refund, appliance replacement offer, pensioner water rebate and free vehicle registration for pensioners. Other rebates and savings include a fair go for safe drivers, the Return and Earn scheme and many more. I am very excited that next year the Liberal-Nationals Government will implement the \$100 Creative Kids Rebate that is available for children who take up music and dance or other creative arts. That is another way in which this Government is supporting families.

The Seniors Card program will enable 1.6 million cardholders to access more than 5,800 business deals. Discounts available for our seniors through the Seniors Card program include energy, gas, broadband, mobile

phone plans, restaurants, hairdressers, cafes, mechanics, entertainment—you name it. I encourage seniors who are eligible who may be reading this speech or listening to this speech on a podcast to ensure that they download the NSW Seniors Card app. If they are travelling across New South Wales, the app will provide savings information based on their current location. The NSW Seniors Card app information is intended to help our senior citizens so that they do not have to know where the savings are available off the top of their heads. It is important that our community takes advantage of all cost-of-living measures that this Government is working hard to deliver so that people can continue to live life well.

### WALLSEND ELECTORATE BUS SERVICES

**Ms SONIA HORNERY (Wallsend) (13:04):** The *Newcastle Herald* has reported that Opal card trips are falling on Newcastle buses. Nine months after sweeping changes to bus routes and timetables caused chaos for Wallsend residents and commuters, people are still staying off public transport. Senior and pensioner Opal trips are down 4½ per cent over the September quarter as compared to last year, and any gains in full-fare adult riders were cancelled out by a year-on-year fall in school student travel—there were 45,000 fewer student trips on the Keolis Downer network in 2018.

Newcastle public transport was privatised by this Government last July. Once the private operator took control, network reliability and worker conditions dipped considerably. After the network changes in January, my office was flooded with complaints. All year, I have relayed these concerns to the private provider, to the Minister for Transport and to this Chamber. My Hunter colleagues and I have presented two petitions carrying 10,000 signatures for debate and I have given notices of motion, questions on notice and private members' statements on the matter. There were some minor changes to the network in July, and I happily admit that some of the alterations have been positive, but the horror stories from my constituents keep coming. Deidre wrote of the need for a direct route from Broadmeadow Road, like the old 226 service:

My son stopped catching the bus into town as it took longer from Broadmeadow to the ferry wharf than the 136 from Stockton to Medowie! Makes no sense at all ... he now relies on his service provider to drop him in.

Amanda wrote about how she has had to stop taking public transport altogether:

I've given the 14 the flick and back to driving into CBD. I do not need to go on a worldwide tour of Lake Macquarie and Newcastle to get to work. I could deal with a 50 minute trip from Belmont North, but now it's 90mins with the additional walk time factored in. If I drive 45mins tops in Peak traffic.

In the western suburbs the problems are even more pronounced. Two examples really highlight the issues in the Wallsend area. Dave wrote:

I quite often have to go to the Hunter Sports Centre for an evening athletic meet and have to catch two buses to get back to Wallsend after 6.30 at night. 13 into the hospital then 23 home or take the 13 into town then 12 out making a trip that would normally take 10-15 mins up to an hour or more depending on connections.

If Dave runs from the Hunter Sports Centre after practice, he might get lucky and catch the 46 bus, which will get him to Wallsend in half an hour. But if he is held up by even a couple minutes, he has to catch the 13 at 6.41 p.m. and change to the 23, for a total trip time of just over an hour. The 7.15 p.m. bus 13 means he has to change to the 26 to get home, for a trip time of more than fifty-five minutes. It takes 10 minutes to drive from Hunter Sports Centre to Wallsend via Lake Road, and 15 minutes via Jubilee Road. It takes an hour and eight minutes to walk that distance. Maryland resident Kara-Lee said on *Facebook*:

If my kids want to go to Charlestown, Glendale or Kotara it takes them two buses.

For the benefit of those who are familiar with Wallsend and its environs, getting from Kara-Lee's area to the major shopping centres at Charlestown, Glendale and Kotara by car takes 20 minutes, meaning taking two buses takes significantly longer. I call on the Minister to look at public transport in Wallsend please.

### MEN'S SHEDS

**Ms SHELLEY HANCOCK (South Coast) (13:09):** For many generations men have had instilled in them the ideals of what "makes a man". Men were always expected to be tough and stoic. There has often been a "cone of silence" surrounding the issue of men's mental health and, with that, men are sometimes reluctant to talk about their problems and feelings or ask for help. In part as a result of those attitudes, men are more likely, even today, to suffer from depression, relationship breakdowns and isolation and are more likely to be less healthy than women and to drink, smoke and take risks.

In recent years this culture within our society has slowly been changing as we educate communities on the realities of mental health. One such initiative that began in the early 2000s has been hugely successful on the South Coast—and of course throughout the country—in providing men with a safe and healthy environment in which to find support and good old-fashioned "mateship". Across the South Coast, from Ulladulla in the south to the Bay and Basin area in the central Shoalhaven and Nowra in the north of my electorate, men's sheds have been

established to provide men with—pun intended—the tools they need to improve their mental health and better engage with the community. An often quoted statement that sums up men's sheds is, "Men don't talk face to face; they talk shoulder to shoulder"—a philosophy which has been applied to the work and structure of men's sheds with great success.

Men from all walks of life and backgrounds come together at their local shed to swap stories, share their skills and knowledge or simply have a cuppa. Over the years they have developed into far more than just an outlet and have become integral to the fabric of community life on the South Coast. Each club is unique, with club memberships and focus completely a matter for its members to decide. Some have expanded their programs to include women; others are limited to those who can tick the over-50 box. Yet no matter the club, each has found its niche and a way to provide what is needed most, both in terms of giving back and in supporting its members.

Nowra Men's Shed's latest project involved making furniture and pot plant holders for local aged-care homes. Culburra Beach Orient Point Men's Shed builds, amongst other things, specially designed boats for use by children with disabilities in partnership with the local Sailability NSW Shoalhaven Club program. The range of activities and projects that men's sheds are involved with are too many to list completely here today, but include woodwork, gardening, cooking, art, beekeeping, music, media skills, home maintenance and metalwork.

Since 2003 I have had the pleasure of visiting—on numerous occasions for many of them—all of the 11 men's sheds located on the South Coast and can attest to the atmosphere of acceptance, friendship and simple fun that each espouses. Men's sheds truly provide an invaluable service, and I am proud to support them and the work they do. Just like men's sheds themselves, the New South Wales Government has lent a helping hand when needed, ensuring our local sheds are equipped to meet their growing membership and expanding programs. The Greenwell Point Men's Shed had grown so much that it was in need of a new home and had been producing items to sell to fundraise towards that goal. Thanks to a New South Wales Government grant of \$68,000 that goal is one step closer. Similarly, the Ulladulla Men's Shed was fast outgrowing its facilities. A total of \$109,500 over a couple of years has helped it to expand the shed. President Roger Halls stated:

Without the support of the NSW Government it would be impossible for the Ulladulla Men's Shed to provide the essential services it does each and every day. This funding has ensured we were able to grow our facility and provide a location for local residents to share skills, stories and friendship.

Not to be confused with the Ulladulla Men's Shed is the Milton Ulladulla Men's Shed—we have two in the Shoalhaven—or MUMS, as it is known locally, which has received \$57,000 in New South Wales Government funding for the construction of its new home. At Sanctuary Point an \$85,000 investment from the Berejiklian Government saw construction of a new clubhouse, which opened in December last year. Construction of the clubhouse was a real community effort, with local tradesmen assisting with discounts on their services and the men's shed members doing the rest. With a new and improved facility the group is able to continue to invest considerable time in partnership with community groups such as Little Athletics, The Salvation Army, Sanctuary Point Community Pride and the community food garden.

Nowra Men's Shed has also benefited, with \$70,000 in funding secured to assist it with the construction of a new shed and the addition of disability access and bathrooms. Murramarang Men's Shed, way down south in my electorate, received \$40,000 towards its new facility. Additionally, Sussex Inlet Men's Shed, a very impressive facility, has received nearly \$80,000 in grants since 2011 for the construction of new premises and wonderful community gardens. I thank all of the men and women who work in the South Coast men's sheds for their commitment to our local community and to giving back. I also applaud each of them for their bravery and leadership in helping to remove the stigma around men's mental health.

#### *Community Recognition Statements*

#### **BOBIN SCHOOL OF ARTS HALL**

**Mr STEPHEN BROMHEAD (Myall Lakes) (13:14):** I recently had the pleasure of visiting the Bobin School of Arts Hall in the Upper Manning Valley. When I first approached it I was impressed to see that the hall had recently been painted on the outside and new signage had been put up, with a beautiful black cockatoo painted by local resident and internationally renowned artist Peter Schouten. On my tour, led by committee member Kim MacDonald, I was delighted to see the initiative and pride the hall committee had taken to paint the interior, make roof repairs and carry out upgrades to the kitchen. It gave me great pleasure to announce \$32,000 from the Crown Reserves Improvement Fund program during my visit. The hall is a central meeting place for the Bobin community. Every Friday night the hall is open from 5.00 p.m. for a community catch-up where locals can stop by, share a drink, sit around the fire on the cooler nights and share a story with Bobin's mayor, Ronnie Miller. I pay tribute in this House to the Hall committee for its stewardship over the Bobin School of Arts Hall.



**BLACKTOWN DISTRICT SOCCER FOOTBALL ASSOCIATION FORTIETH ANNIVERSARY**

**Mr STEPHEN BALI (Blacktown) (13:15):** I pay tribute to the fortieth anniversary dinner held by the Blacktown District Soccer Football Association last Friday. The current custodians, President Bill Owen and Secretary Bill Kostandas, paid tribute to their predecessors including Jack Taylor, former secretary with 38 years of service to the association, who played a pivotal role in managing the growth and administration of the sporting association that today has 23 clubs and more than 13,000 players, coaches, managers and referees. Life members including Dane Sim, who was previous long-term president, and Robyn Palmer and others were in attendance.

The night honoured various category winners including fair play, club person of the year, golden boot, outstanding long service and many other awards. Congratulations to all the players, coaches, managers, administrators, volunteers, sponsors, family and friends who provide so much fun, enjoyment and building community spirit. The Blacktown District Soccer Football Association is a credit to the City of Blacktown, and I wish it many more successful years.

**GLENMORE PARK PHANTOMS SOFTBALL CLUB****GLENMORE PARK FOOTBALL CLUB DIVISION 1 SOCCER TEAM**

**Ms TANYA DAVIES (Mulgoa—Minister for Mental Health, Minister for Women, and Minister for Ageing) (13:16):** I congratulate the Glenmore Park Phantoms Softball Club on their five premiership-winning teams this past softball season. The under 11 and under 13 boys, the under 16 girls, Division 1 Ladies and Division 2 Men all saw wins this year and are some of the favourites for the beginning of the next season. The Glenmore Park Phantoms also saw a member of their club participate in the under-19 Men's World Championships that won in Canada in July, and two club coaches were chosen to coach New South Wales. The New South Wales Government provided a grant that allowed the club to rebrand and provide new shirts to all current and new members. With the help of new sponsors, the club will continue to grow and provide new opportunities for its players and officials. I wish all members of this talented club all the best in the future.

Speaking of sporting champions within Glenmore Park, I congratulate the Glenmore Park Football Club under 12s Division 1 soccer team on being the first team ever in the local club's 25-year history to win the title of Football NSW State Cup Champions this past July. The under-12s have worked tirelessly to ensure they were at their best for the big game. The young boys showed great sportsmanship, with three cheers for the opposing team whilst thanking their own coaching staff, parents and supporters. The under-12s pride themselves on a variety of qualities that make them a winning team, such as possession, teamwork and hunger. Congratulations to everyone involved.

**LAMBTON TIME CAPSULE**

**Ms SONIA HORNER (Wallsend) (13:17):** One hundred years ago, as the diggers were returning from the World War I battlefields of Europe and the Middle East, a team of dedicated women, which the *Newcastle Morning Herald* referred to as the "Lambton Welcome Home Committee", raised funds to celebrate and help the returned soldiers. The ladies, led by Miss Mary Ott and Miss Vera Darling, whose descendants I had the pleasure of meeting on Saturday, buried a time capsule 100 years ago. Local historian Robert Watson was instrumental in bringing the capsule up and gathering stories of the committee women and the many veterans they assisted. On 20 October I joined Robert, many dignitaries and many citizens from Lambton as we buried a new time capsule—100 years after one of my predecessors as member for Wallsend John Estell helped bury the original capsule. My gratitude goes to Robert for all his hard work and to the women of the Lambton Welcome Home Committee—their hard work is remembered and celebrated a century on.

**SHOALHAVEN CITY TURF CLUB**

**Ms SHELLEY HANCOCK (South Coast) (13:18):** Today I offer my congratulations to Shoalhaven City Turf Club on its win of the Outstanding Award at the Racing NSW Country and Provincial Awards. The club was nominated for its recent upgrade, which, thanks to \$520,000 in funding from the New South Wales Government, allowed it to increase capacity and improve disability access. Shoalhaven City Turf Club is a major local employer for our region and hosts a wide range of events that extend well beyond the annual racing season. I am proud to support the club and the role it plays within the South Coast community and region. The benefits of this upgrade will be felt not just by the club, but also by our region, increasing visitation and employment opportunities. Congratulations go to all the Shoalhaven City Turf Club team, including Chief Executive Officer Lynne Locke, who drove this project, and Chairman Michael Martin and Vice President Ian Whitby. Well done to everyone.

### **BANKSTOWN BULLS JUNIOR RUGBY LEAGUE CLUB**

**Ms TANIA MIHAILUK (Bankstown) (13:19):** Last Saturday I was delighted to attend and present awards at the Bankstown Bulls Junior Rugby League Club presentations. The Bankstown Bulls is a Junior Rugby League Club that takes part in the Canterbury-Bankstown Junior Rugby League and the Sydney Combined competitions. The Bulls welcome all new players, coaches, volunteers, supporters and sponsors. It is undoubtedly a family club. I pay tribute to president Michael Rodrigues, secretary Lawrence Karam, assistant secretary Matthew O'Neil, senior vice president Stan Hetaraka and treasurer Anthony Samuel for another great season. I thank Bankstown Bulls for giving me the opportunity to be a patron for a number of years. I was very honoured to present the player awards to the under-12s for winning the State premiership.

### **TRIBUTE TO VICTOR MOAR**

**Mr ADAM MARSHALL (Northern Tablelands—Minister for Tourism and Major Events, and Assistant Minister for Skills) (13:20):** I recognise and commend the contribution to the agricultural community of Armidale's Victor Moar. Along with his wife Deborah, Victor was the popular, ever-smiling principal of Armitage & Buckley livestock and real estate business. He was known across the region for his positivity, brilliant smile, upbeat manner and kindness, and for treating every person equally. Victor was tragically killed during an electrical storm near Dubbo last Saturday, as he pursued his passion of working dog trials. I stand here today to offer heartfelt condolences on behalf of the community to his wife, Deborah, and his family, Jai, Cayne and Clancy, their families and Victor's parents, Jim and Eileen Moar.

The community will be so much poorer for Victor's loss. He was one of those people who walk the earth making life better for those they meet along the way. He supported those less fortunate, he worked hard to promote the region as an agricultural powerhouse and he was a much-loved boss to his team at Armitage & Buckley. No livestock auction in Armidale or in the region will be quite the same without Victor's presence on the catwalk and his signature line, "God bless you all."

### **STRIKE FORCE WEHL**

**Mr DAVID HARRIS (Wyong) (13:21):** After six long years there is finally some positive news for Sandi Harvey, the distraught mother of Liesl Smith, aged 23, who disappeared from Tuggerah railway station. Strike Force Wehl was set up in the Tuggerah Lakes Police Command following the disappearance and suspected murder of Liesl in 2012. It is regrettable that this strike force had to be formed at all; however, it was with gratitude that our community learned last week of the arrest of a 48-year-old man on the Gwydir Highway west of Inverell by Tuggerah Lakes detectives. The man was subsequently taken to Inverell police station and charged with Leisl's murder. This case was known to many locals and has been ongoing for more than six years. I take this time to thank all those involved with Task Force Wehl and commend their work on the investigation. They do not do it for recognition; they do it to bring justice and to keep us safe. On Friday I personally thanked the Tuggerah Lakes police commander, John Gralton, and today I thank those detectives who were involved with the investigation for their diligence in bringing this person to justice.

### **CASTLE HILL CRICKET CLUB 160TH ANNIVERSARY**

**Mr RAY WILLIAMS (Castle Hill—Minister for Multiculturalism, and Minister for Disability Services) (13:22):** This year marks the 160th anniversary of Castle Hill Cricket Club, and I was honoured recently to attend the anniversary dinner at Castle Hill RSL. Castle Hill Cricket Club played its first game in 1858—19 years before the first test match in this country. It was reported in the *Bell's Life in Sydney* newspaper that Castle Hill lost outright to Kellyville Cricket Club—another longstanding club in my electorate—after leading in the first innings. The leading cricketer of this period was none other than Jack Wood of Castle Hill who, over six seasons in the 1890s, scored 4,069 runs, with an average of 32.04, and took 414 wickets, with an average of 9.02. In 1891 Jack played for Parramatta and District against England, which was captained by W. G. Grace. Today the club is thriving, with 216 players including juniors, girls and seniors. Current Australian under-19 representative Hayley Silver-Holmes started her cricketing career at Castle Hill Cricket Club. Congratulations to everyone at Castle Hill Cricket Club on an amazing 160 years.

### **BEAUTIFUL MINDS WARATAH DAY**

**Mr ANOULACK CHANTHIVONG (Macquarie Fields) (13:23):** Each year the not-for-profit organisation Beautiful Minds hosts Waratah Day during Mental Health Month. The beautiful blooms are sold at key points across south-west Sydney to raise awareness of mental health in the local area. This year, close to 3,000 blooms were sold and \$6,000 was raised. All of the funds will be directed towards mental health inpatient units attached to Campbelltown Hospital, enabling Beautiful Minds to continue music and art therapy workshops and support outings as well as enhance courtyards and staff units. I acknowledge the hard work of Beautiful Minds president Cheryl Paradella and her fantastic team. More than 40 volunteers helped out on the day, and I thank

them for their tremendous commitment. As in previous years, I joined the Beautiful Minds team at Minto Marketplace to lend my support for such a great cause. I acknowledge Beautiful Minds for its continued advocacy for people with mental illness, their families and carers. Thank you, Beautiful Minds, for doing a great job for our local area.

### **BABEWATCH, MANLY**

**Mr JAMES GRIFFIN (Manly) (13:24):** Today I recognise the amazing swimmers and volunteers of Babewatch. Babewatch is a wonderful Manly community-based ocean swimming group that encourages its members to be social and active and to support mental health initiatives. The Babewatch crew promote social connectedness and recognise that it is a key element for positive mental health and wellbeing. Through its various activities, Babewatch supports batyr, which aims to increase the number of young people seeking support for mental health issues by empowering them through the telling of lived experiences with mental ill health. It recently raised \$20,000 for batyr. I look forward to attending Babewatch's season launch and continuing to support members with their ocean swims and activities up and down the northern beaches this summer. I thank Murray Colderick and Matt from the Babewatch crew who met with me earlier this year to advocate on behalf of their organisation. I look forward to supporting the crew at Babewatch and joining them in the water sometime this summer—they do important work for our community.

### **CENTRAL COAST MENTAL HEALTH – ART WORKS! EXHIBITION**

**Ms LIESL TESCH (Gosford) (13:25):** Congratulations to all the artists and their families, carers and support networks involved in the Central Coast nineteenth Mental Health – Art Works! Exhibition held at the Gosford Regional Gallery this Mental Health Month. There were more than 150 artworks on display, showing an incredible depth of talent, and it was an absolute privilege to share the journey. We were all united in acknowledging the lived experience of those with mental illness, and it is always good to be reminded that their preferences, wishes, needs and aspirations need to be at the heart of all we do. It was also good to share the journey of the families and carers, recognising their commitment and vital contribution to supporting people who experience mental illness. Artists generously shared their own personal stories—in a vibrant range of colours, styles, and mediums—educating the gathered friends and families about the very different perspectives of mental health. Congratulations to all the winners and all the artists—who are all winners at the 2018 Mental Health – Art Works! Exhibition. I thank those involved with Central Coast Primary Care, which continues to work for better health and better care across the Central Coast.

### **THORNLEIGH POST OFFICE CARE PACKAGES**

**Mr MATT KEAN (Hornsby—Minister for Innovation and Better Regulation) (13:26):** For Australian troops posted overseas it can be very tough to be away from loved ones, especially at Christmas time. I was thrilled to hear of one Hornsby business that has been assisting to make those hard times just a little bit easier. For months Thornleigh Post Office has been collecting donations to put together 100 care packages to send to our troops for the Christmas period. Owners Kevin Shah and Sunil Shukla were supported in the drive by local schools Normanhurst Public School and Thornleigh West Public School, that contributed more than 100 Christmas cards written by the children. I thank Kevin and Sunil for giving back to our defence forces and I know these care packages will be appreciated by the troops who receive them at Christmas. I thank the Thornleigh Post Office team for their incredible work and all they do for our community.

### **CANCER COUNCIL SAVING LIFE 2019 CAMPAIGN LAUNCH**

**Mr GUY ZANGARI (Fairfield) (13:27):** On Sunday 21 October 2018 I had the great pleasure of attending the Cancer Council's Saving Life 2019 campaign launch at the Uruguayan club in Hinchinbrook. The event received a fantastic show of support as local residents, business owners and community leaders were present to celebrate the launch and help raise awareness within our local community. Present at the launch was the member for Cabramatta, Mr Nick Lalich, who delivered a tremendous heartfelt speech about his own journey and recovery and the impact cancer had on his family and friends—not to mention on him. Since coming to office, both Nick and I have been staunch supporters of the Cancer Council and the great work it does in our local community. The Saving Life 2019 campaign aims to ensure that people are safe from second-hand smoke at work, reduce the risk of smoking and help smokers to quit, tackle issues concerning childhood obesity and so much more. Well done to everyone involved in the campaign and congratulations to Cancer Council and the Fairfield Relay for Life volunteers on an incredibly successful campaign launch.

### **ROTARY POLICE OFFICER OF THE YEAR NOMINEE GLEN FANNING**

**Ms STEPH COOKE (Cootamundra) (13:28):** Today I bring to the attention of the House an addition to the hardworking team at the Junee Police Station, Glen Fanning. Mr Fanning has been described as a local legend who is renowned for his involvement in all manner of community work in Junee. Recently he has been

nominated for recognition in the volunteer category of the Rotary Police Officer of the Year Awards. He is also part of Fire & Rescue NSW and volunteers at Junee Public School to help kindies with their reading. Inspector Rob Vergano and Sergeant Bernie Nix have expressed their delight at having Mr Fanning on their team to help with data collection. I congratulate Mr Fanning on the nomination and I look forward to hearing of his contributions to the excellent work of the Junee police officers.

#### **TUGGERAH LAKES POLICE DISTRICT NSW POLICE AWARDS**

**Mr DAVID MEHAN (The Entrance) (13:28):** It was a great honour to represent the people of The Entrance at the recent NSW Police medal and award presentation ceremony for the Tuggerah Lakes Police District, hosted by Superintendent John Gralton and held on 19 October 2018. I congratulate all the sworn and unsworn staff on receiving their awards and thank them for their service. I mention two officers in particular. Senior Constable Kerie Wells was awarded the New South Wales Police Medal with First Clasp and Sergeant Steve Wade was awarded the New South Wales Police Medal with Second Clasp for their years of diligent and ethical service to the NSW Police Force. Sergeant Wade and Senior Constable Wells were also awarded the National Police Service Medal. With the number of sworn and unsworn police declining over the past eight years on the Central Coast, these members are a credit to the service. I thank them for their service and wish them all the best in their careers.

#### **DAME MARIE BASHIR PEACE AWARDS**

**Ms FELICITY WILSON (North Shore) (13:29):** The National Council of Women of New South Wales rewards and encourages a sense of resilience and compassion in young women. One of the ways it does so is through the Dame Marie Bashir Peace Awards. Young women driven by a sense of social justice, some humble and self-effacing and all having the desire to engender peace and harmony in their communities—these are the 17-year-olds and 18-year-olds from diverse backgrounds who have been recognised in the awards. I was proud to host them at Parliament House and to join the award service to support Madison Ueland from Monte Sant'Angelo Mercy College and Emmanuelle Bouris from Queenwood School, who received a Highly Commended certificate. We were joined by Dame Marie Bashir, the former and second longest serving Governor of New South Wales and a Mosman local, in my community. I acknowledge her work as she continues to be a strong role model for youth in New South Wales and I thank her and the National Council of Women of New South Wales for organising the event.

#### **MARONITE SISTERS OF THE HOLY FAMILY GOLDEN JUBILEE**

**Ms JULIA FINN (Granville) (13:30):** On Saturday 13 October I was delighted to attend a special mass at our Lady of Lebanon Co-Cathedral to celebrate the golden jubilee of the Maronite Sisters of the Holy Family in Australia. For 50 years the Maronite sisters have provided spiritual support to the growing Maronite community in Australia. Forty years ago this year, they were instrumental in the establishment of Our Lady of Lebanon at Harris Park. The sisters have a deep involvement in the community through child care and schools as well as missionary outreach to people at all stages of their lives. One of the first Maronite sisters to arrive from Lebanon and one of the three remaining from those early pioneers is Sister Madeleine De La Croix. It was wonderful to see her honoured. At the same time, it is wonderful to see the younger generation who have been raised in Australia embrace their faith, such as Sister Margaret Ghosn, the Principal of Maronite College of the Holy Family. The Maronite Sisters of the Holy Family have a wonderful history in Australia. I again congratulate them on their fiftieth anniversary.

#### **OUT OF THE SHADOWS WALK**

**Mrs LESLIE WILLIAMS (Port Macquarie) (13:31):** I recognise the Out of the Shadows annual bereavement walk, which was held on 9 September 2018 in my electorate of Port Macquarie to acknowledge the people who have lost their lives to the tragedy of suicide and mental illness. The Manager of Lifeline Mid Coast, Kelly Saidey, joined with 50 other grieving locals to raise awareness and highlight the impacts of suicide and mental illness on regional communities. Kelly Saidey acknowledges the importance of dedicating a morning to commemorate those who have lost their lives to suicide and to support people who have contemplated suicide as an option to relieve themselves from a traumatic experience or an illness of depression.

In 2016, sadly, 2,866 people lost their lives, according to data collected by the Australian Bureau of Statistics, and research has shown that some 65,000 Australians each year have contemplated suicide as an option. This year the walk at the breakwall in Port Macquarie coincided with World Suicide Prevention Day so as to shine a spotlight on warning signs and indicators for people most vulnerable to suicide and to offer advice and support on how we can best connect with each other to reduce the incidence of suicidal behaviour. I thank Kelly Saidey and her dedicated team for organising this year's Out of the Shadows.

**NEWCASTLE RSL SUB-BRANCH LIFE MEMBER KEN FAYLE**

**Mr TIM CRAKANTHORP (Newcastle) (13:33):** I congratulate Mr Ken Fayle, President of the Newcastle RSL Sub-Branch, on receiving life membership of the RSL. Ken is the third generation of his family to achieve this feat, with his father and grandfather also being awarded life membership. A Vietnam veteran, Ken has been a continuous member of the branch for 39 years and for the past 18 years as a member of the executive. Ken has made an enormous contribution to the Newcastle sub-branch. Along with his great team, Ken is responsible for the city's Anzac and Remembrance Day services. Under Ken's stewardship, the Nobbys Beach dawn service crowd has grown from 1,500 to 55,000. Vice-president Stephen Finney said of Ken, "He's the type of person who rolls up his sleeves and gets into it." On behalf of all Novocastrians, I thank Ken for his outstanding contribution to our community.

**TAEKWONDO NATIONAL CHAMPION LUCA MONTONE****BROOKE'S CAR RALLY**

**Ms TANYA DAVIES (Mulgoa—Minister for Mental Health, Minister for Women, and Minister for Ageing) (13:34):** I bring to the attention of the House two outstanding young people from my electorate. I congratulate Horsley Park resident Luca Montone on his achievements in this year's taekwondo national championships. Year 6 student Luca has achieved national champion for the second year in a row at the taekwondo national championships where he competed in the 38 to 42 kilogram red belt 11-year division. Luca has proved that age is no barrier to pursuing one's passions. This amazing achievement has made his family very proud. I wish Luca all the best in his future training and competitions. Well done Luca.

How amazing is the work of Glenmore Park resident Brooke Jones. For the last five years Brooke has raised funds to support the Nepean Cancer Care Centre. Through diligent planning, she has successfully raised over \$55,000 through her event Brooke's Car Rally. Those funds have provided local people suffering from cancer with the additional services and comfort they need. On 18 November the sixth Brooke's Car Rally will be run. She aspires to raise a further \$10,000 for cancer care and encourages all those within her community to register for the amazing event and support her passion for helping those suffering from this terrible disease. Brooke reminds us of how cancer affects us all. Well done Brooke for doing something about it.

**WESTPAC RESCUE HELICOPTER SERVICE CREW MAN GRAHAM NICKISSON**

**Ms JODIE HARRISON (Charlestown) (13:35):** The Westpac Rescue Helicopter Service was established in 1975 by the surf life saving movement and now undertakes nearly 2,000 life saving missions each year. Redhead local Graham Nickisson has been involved in many of those missions. Today I pay tribute to his 38 years as a rescue helicopter crew member. During this time, Graham accumulated an amazing 7,100 flying hours and controlled 2,639 winching operations in his role as the pilot's left-hand man. His experience and knowledge is without peer in the service and he is considered the longest serving aircrew officer in Australia. Peers have praised Graham's efforts, stating:

Nicko has always gone above and beyond and this has made him one of the most loved characters in our service. He has given remarkable service to our region.

Thankfully, Graham will not be lost to the Westpac Rescue Helicopter Service, as he is moving from the air to work on the land in a promotional role guiding students through school visits. Graham, thank you for your ongoing service.

**HORNSBY ROCKETS**

**Mr MATT KEAN (Hornsby—Minister for Innovation and Better Regulation) (13:36):** I am proud to represent a very special sporting group in Hornsby, the Hornsby Rockets. This bowling league for people living with a disability is run by a group parents and carers who volunteer their time to ensure the success of the league. Headed up by Lesley Constable, the team does an amazing job. I thank Lucy Mandarano, Tony McFadden, Annette Seymour, Natham Constable, Anna Peters and Jo Eslick for their dedication to ensuring the success of the amazing Hornsby Rockets. Having visited the Rockets many times, I can attest to how seriously they take their bowling. They are serious competitors—so serious that 14 players competed in the thirtieth national tenpin bowling championships for people living with a disability. The competition was held in South Australia and bowlers travelled from all over the country to compete. The Hornsby Rockets did us proud bringing home two gold medals, three silvers and three bronze. Congratulations to all the medal winners: Adam, Ben, Candice, Karina and Mark. I congratulate also Natham Constable, who earlier in the year was awarded Bowler of the Year by the NSW Tenpin Bowling Association.

### DURGA PUJA CELEBRATION

**Ms JULIA FINN (Granville) (13:37):** The celebration of the victory of the goddess Durga over the buffalo demon Mahishasura symbolises the victory of good over evil and is the most significant festival for Hindus in Bangladesh and West Bengal. It is celebrated across Nepal and eastern States of India. Brahma, Vishnu and Lord Shiva came together and formed the shape of a young goddess who was empowered with eternal power. She had three eyes and ten hands with a celestial weapon in each and was mounted on a lion with awesome power. She was the only one in the whole universe who could kill Mahishasura and abolish the evil power. Over the last two weeks, it has been wonderful to join with the Australian Bengali Hindu Association and the Vakta Mandir Trust to celebrate Durga Puja. The Granville Nepalese Community Club celebrates Dashain, a festival in which all Nepalese return to their families and communities from around the world, and for those that are Hindus Durga is also honoured. I congratulate all the organisers of these celebrations for the wonderful events.

### BIMBI WAR MEMORIAL

**Ms STEPH COOKE (Cootamundra) (13:38):** Today I acknowledge the hard work of a phenomenal couple, Max and Robyn Mara, who recently have donated their time and money to give Bimbi's World War One memorial the love it deserves. They had the names re-engraved and repainted the fence repainting and with the help of Weddin Shire Council organised a new door for the amenities block. Mrs Mara's father, Norman Carr, is listed on the memorial for his service. I am sure he would be truly proud of the work that has been undertaken to honour his name. It is a true example of the spirit of remembrance. I look forward to exploring how we might further the Maras' great work with government grants for war memorials. I encourage the Bimbi community to attend the local service on Remembrance Day when the memorial will be unveiled.

### COOLABUROO NEIGHBOURHOOD CENTRE

**Ms TANIA MIHAILUK (Bankstown) (13:39):** Last Friday I had the privilege to speak and present awards at the Coolaburoo Neighbourhood Centre annual general meeting and its Volunteer Acknowledgement Day event. Coolaburoo Neighbourhood Centre has worked for many years with a range of different community groups, providing support groups, programs, activities, resources, counselling and more for the benefit of the residents of south Bankstown. I congratulate president Arthur Ray and vice-president Kaye Davenport for their work in those roles. I also extend my thanks and congratulations to the rest of the executive including the manager, Rossanna Umansky, her staff and the entire volunteer team at Coolaburoo for their amazing work throughout the year in supporting our community. Volunteering is an integral part of our community. Coolaburoo Neighbourhood Centre has done a fantastic job in supporting our residents south of Bankstown.

### COMMUNITY LANGUAGE SCHOOLS

**Ms FELICITY WILSON (North Shore) (13:40):** Community-run language schools in the electorate of North Shore will share in more than \$5 million in funding from the New South Wales Government. School age children of non-English speaking backgrounds will be able to maintain their heritage languages thanks to this funding. I recognise Datong Chinese School, which received \$63,000; Ruslingvo Inc, which received \$14,000 for its Russian classes; and the Association of Brazilian Bilingual Children Development, which received \$13,000. All of these organisations run classes at North Sydney Demonstration School. Huaxia Chinese Culture School runs classes at Neutral Bay Public School and received \$66,000. The Greek Orthodox Parish of Northern and Western Suburbs runs classes near to my community at St Michael Greek Orthodox Church in Crows Nest and received \$8,000 in funding. I am proud to support the tireless and dedicated work of these community language schools that support our young people and help them maintain strong links to their heritage and cultural identity.

### ST MERKORIOUS CHARITY GROUP

**Mr GUY ZANGARI (Fairfield) (13:41):** On Monday 22 October 2018 I had the opportunity to visit the St Merkorious Charity Monday Fairfield service lunch gathering at the Fairfield Community Centre, Barbara Street, Fairfield. St Merkorious Charity assists those in need with gift hampers, meals, #sharingthebread, and spiritual, emotional and mental health support. Every Monday locals gather to be inspired by the wonderful work that the St Merkorious Charity does in Fairfield and surrounding areas. I pay tribute to the hardworking and dedicated volunteers and staff from the St Merkorious Charity.

### FRIENDS OF MILTON LIBRARY

**Ms SHELLEY HANCOCK (South Coast) (13:41):** I congratulate the incredibly hardworking and dedicated volunteers of the Friends of Milton Library, which was first formed a few years ago to save Milton Library from closure. I am thrilled to say that not only is the library still open but it has expanded its operating opening hours, running an expanded program of activities and currently undergoing a refurbishment. The Friends of Milton Library are responsible for saving the library, for its staffing and more recently for the mammoth task

of packing up its thousands of books so new shelves and furnishing can be installed. They truly go above and beyond to ensure Milton Library remains at the heart of the community. I thank them for all that they do and make special of Alison Pakes, who, alongside me, spearheaded the campaign to save the library. I also thank the Berejiklian Government for providing a grant of \$50,000, which has made the much needed refurbishment of the library possible.

#### LAKE MACQUARIE CITY COUNCIL

**Ms JODIE HARRISON (Charlestown) (13:42):** I recognise the innovative efforts of Lake Macquarie City Council for installing a solar powered "smart" bench on the Warners Bay foreshore. Smart cities are a hot topic these days as the use of technology can make our lives easier and councils, including Lake Macquarie City Council, are increasingly adopting smart city concepts. The bench at Warners Bay is the first of its kind installed in the area and there are plans for more to be delivered. The smart bench has USB ports, provides wireless charge for compatible devices and will soon be a wi-fi hotspot. The almost two-metre long bench also includes cooling fans to help provide comfortable seating in summer. Sensors embedded in the bench monitor air temperature, humidity and air quality information, which is transmitted back to council. I have no doubt that my local constituents and visitors alike will greatly enjoy this state-of-the-art installation and I hope to see more installed around the electorate of Charlestown. I congratulate and thank the forward-thinking team at Lake Macquarie City Council.

#### GARDEN CLUBS OF AUSTRALIA GWENDY HANSFORD AWARD RECIPIENT BETTY BRADNEY

**Ms STEPH COOKE (Cootamundra) (13:43):** Betty Bradney from Narrandera brings new meaning to the term "green thumb". The 92-year-old garden guru has won the Garden Clubs of Australia 2018 Gwendy Hansford Award for outstanding service by an individual to the environment. A valued member of the Narrandera District Garden Club, Coleambally Garden Club, Narrandera Landcare, the Murrumbidgee Field Naturalists and the Narrandera koala regeneration group, Mrs Bradney also helped establish the stunning Narrandera Wetlands project and continues that work to this day. I look forward to personally congratulating Betty in November. Her passion is inspirational and the fruits of her labour are a gift for future generations.

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

#### *Visitors*

#### VISITORS

**The SPEAKER:** Welcome to our guests at question time. I personally welcome an old friend, a Shoalhaven resident, Brad Stait from the Department of Justice. It is lovely to see you. I also extend a very warm welcome to staff from the Samoan and Vanuatu parliaments who this week are working in the parliamentary library and the Legislative Assembly committees, guests of the Parliament of New South Wales. I welcome students and their teachers from Kendall Public School, guests of the Parliamentary Secretary for Regional and Rural Health, and member for Port Macquarie. I acknowledge Mark and Heather Power and Lionel Farghur from Terrigal, guests of the member for Terrigal. I welcome members of the Tenambit-Morpeth Probus Club, guests of the member for Maitland. I also welcome students from Studiosus to the Chamber this afternoon.

#### *Commemorations*

#### CENTENARY OF ANZAC

**The SPEAKER (14:17):** Sixty thousand Australian soldiers were killed in the First World War. For more than a third of the families affected, their grief was made worse by the awful phrase "missing in action". Twenty-five thousand Australian sons, brothers, husbands and fathers were lost without trace on the battlefields of the Middle East and Western Europe between 1915 and 1918. Almost half of the Anzacs who died at Gallipoli have no known final resting place. In most cases their families received no other information. They were never to know how their loved one died, where or even on which day.

Years after the war had ended, when a newspaper printed the story of a shell-shocked amnesiac veteran living unidentified at the Callan Park Repatriation Hospital in Sydney, hundreds turned up at the gates of the facility hoping for a miraculous deliverance. Thousands more wrote letters describing their missing relative, many enclosing precious photographs. Eventually, the coverage resulted in his identification as a New Zealander, and he was reunited with his mother and sister. For other families, there endured a blend of anguish and hope. One bereaved family placed a poem in the Adelaide *Advertiser* on 12 October 1918, which read:

He is wounded, he is missing  
That is all the tale they tell

Of our dear young lad that loved us  
Of the lad we loved so well.  
Alive, dead, wounded, missing  
One of these must be true  
Let this little token tell, dear Walter  
How we long for news of you.

Lest we forget.

*Notices*

**PRESENTATION**

*[During the giving of notices of motion]*

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

*Later,*

**The SPEAKER:** Members will come to order, and cease the arguments and aggression.

*Question Time*

**LIBERAL PARTY**

**Mr LUKE FOLEY (Auburn) (14:22):** My question is directed to the Premier. The New South Wales Liberals have given the public three Prime Ministers and three Premiers of this State in the past four years. Does this not confirm that the Liberal Party is totally focused on itself and ignoring the needs of eight million people in New South Wales?

**The SPEAKER:** Government members will come to order. The Premier does not need any assistance.

**Ms GLADYS BEREJIKLIAN (Willoughby—Premier) (14:23):** The Leader of the Opposition chooses to have amnesia pre-2011, but I will not go there. What I will say is that every day we serve the people of New South Wales as this Government, the Libs and the Nats, we are proud to focus on those issues that matter to the community.

**The SPEAKER:** The member for Keira will be warned shortly and ejected from the Chamber before he knows it if he continues to interject.

**Ms GLADYS BEREJIKLIAN:** The Government inherited from the Labor Party a budget position wracked with deficits and debt.

**The SPEAKER:** The member for Cessnock will also be warned.

**Ms GLADYS BEREJIKLIAN:** The Government has worked hard. I realise at times how much it had to do to make those difficult decisions, which the Opposition opposed at every opportunity, to bring the budget into the black, to ensure that there is record spending in health, education, roads and rail. Our infrastructure program includes \$90 billion over the next four years. The national infrastructure program includes \$70 billion over a decade, just to demonstrate how far ahead New South Wales is. I am incredibly proud that while the former Labor Government cancelled projects and said it was all too hard, we have come into government and we are delivering for the people of New South Wales. Every time we open a new school, a new hospital, a new road or a new rail project, we know we are doing what is right by the people of New South Wales. I am very pleased to say—and I always say this to all of my colleagues—that it is not enough to run a strong economy, strong budget, strong infrastructure program or have strong job creation; we also need to be a compassionate government. That is why, in the last 10 days alone—

**The SPEAKER:** The Clerk will stop the clock. If members of the Opposition continue to interject they will be removed from the Chamber for the rest of the day and if they then want to contribute they will not be able to. Last week, some members of the Opposition were shocked when that was the case. They will not be removed for only two or three hours.

**Mr Guy Zangari:** Point of order: My point of order relates to Standing Order 129. The question was about the leaders—the three down in Canberra and the three in New South Wales—but the Premier is talking about compassion.

**The SPEAKER:** Compassion has a lot to do with leadership. The member will resume his seat.

**Ms GLADYS BEREJIKLIAN:** Their tactics committee did well this morning, didn't it? Anyway, we will keep going. In the last 10 days alone, because the Government is focused on being compassionate as well as competent, we were able to announce record funding for suicide prevention in New South Wales.



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

**Ms GLADYS BEREJIKLIAN:** How can Opposition members interject? We are already providing more than \$1 billion.

**The SPEAKER:** I call the member for Port Stephens to order for the first time.

**Ms GLADYS BEREJIKLIAN:** I do not know what they have against extra funding for suicide prevention.

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

**Ms GLADYS BEREJIKLIAN:** I do not know what those interjections are about, because the Opposition would not have the money to do anything.

**The SPEAKER:** I call the member for Port Stephens to order for the second time.

**Ms GLADYS BEREJIKLIAN:** That is just in the last week alone. I was also extremely proud to stand next to the Attorney General and the Minister for Family and Community Services to announce the additional support we are giving to survivors of child sexual abuse and to improving the safety standards for all children in care. It is easy for Opposition members to forget—because everyone wants to forget—their 16 years in government, but we—

**Mr Clayton Barr:** No—

**Ms GLADYS BEREJIKLIAN:** Everyone wants to forget that. What bit of it do they want to remember?

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

**Ms GLADYS BEREJIKLIAN:** Every morning when Government members get up, we are working hard for our communities. We are building infrastructure, we are providing services and we are tackling the issues the former Labor Government was too incompetent to tackle. We will keep going.

#### MUSIC FESTIVAL SAFETY

**Mr JAMES GRIFFIN (Manly) (14:27):** My question is addressed to the Premier. How is the New South Wales Government ensuring that young people are safe while attending music festivals?

**Ms GLADYS BEREJIKLIAN (Willoughby—Premier) (14:28):** I thank the member for Manly for his question. I know this is an important issue for many members of this place. We were all very shocked, disturbed and upset when two young people died at the Defqon.1 Festival just over a month ago. I again extend my condolences to the families of those two young people. The loss of life anywhere at any time is tragic, but if there is anything governments can do to make these festivals safer we will do it. That is why I was pleased to appoint three very eminent people—Dr Kerry Chant, the Chief Medical Officer, Mick Fuller, the Commissioner of Police, and Philip Crawford, the Chief Executive Officer of the Independent Liquor Gaming Authority [ILGA]—to give advice to the Government on how we can make our music festivals safer. I put on the record that we want more festivals and we want people to enjoy themselves, especially young people, but we want to make sure that these festivals are safe.

It concerns me that at these festivals, unfortunately, there is a growing culture that says it is okay to take illicit drugs. It is not okay. There is a growing culture that says it is okay to take the risk of ingesting one of those drugs. It is not okay. It can lead to serious physical harm and, worse, can cause death. I am pleased that the expert panel came back with recommendations to the New South Wales Government. The recommendations were extremely balanced and are critical for us to adopt. I will go through them for the benefit of members. The first recommendation is to have a more consistent and better licensing regime for some of these festivals. If the expert panel or their representatives determine that a festival can be safer or has a high risk then that festival should have extra guidelines to make sure that all those safety components are met. On occasion, we will have to consult councils because the councils are the last body to have to approve the development application.

We know that most operators do a great job in keeping their festivals safe; some could raise their standards, which is why we will make sure that there is a consistent licensing regime across all festivals. We want to see more of these festivals. We want young people to be outdoors and enjoying themselves. But we also need to make sure that these environments are as safe as possible. I am also pleased to inform the House that we will be accepting recommendations on education on drug and alcohol minimisation attitudes so all people can appreciate the risks and dangers of drug- and alcohol-fuelled activities and so we can better educate people about making decisions in both those areas. That was a recommendation the panel put forward and we were pleased to accept it because if there is anything we can do to increase education we will do it, especially if that education

will also inform decision making on whether we need to increase the presence of medical staff and personnel at these festivals.

Another recommendation that the Government will be adopting in consultation with the Attorney General, his department and the NSW Police Force is the lack of a separate category of crime in New South Wales that holds accountable a person who provides someone with an illicit drug that kills them. They should be held accountable. If someone provides a person with an illegal substance that causes their death they should be held accountable. We do not apologise for making a stand on that issue because we do not want to see more lives lost, whether they are at music festivals or elsewhere—but especially at music festivals. At the most recent music festival, when hundreds of people were approached, one in five people were picked up for the possession of an illicit drug. We know that issue has to be addressed. For that reason, the Attorney General, his department and the NSW Police Force, with the support of the Minister for Police, will be making sure that that law comes before this place.

We have also taken up the recommendation for a trial of on-the-spot fines for people in possession of drugs for their personal use. At the moment, if a person is picked up for having a certain amount of drugs for personal use they have to go to court. We listened to the advice of the expert panel and their view is that it would be more of a deterrent if people were given an on-the-spot fine when they were identified. We are going to trial that to see what impact it has. We want to do everything we can to reduce the incidence of illegal drug taking at these festivals to improve safety and to make sure that those who conduct themselves irresponsibly and illegally are held to account. This is all part of the Government's objective to make sure that we do not have a heavy-handed approach but that we have a reasonable approach. Again, most music festival operators do a very good job, but some need to lift their standards. *[Extension of time]*

That is why the panel's recommendations will be adopted by the Government. When we spoke publicly earlier today, the panel made the point that they wanted to thank many of the stakeholders who participated in the panel's work. Many leaders in the music industry and other critical stakeholders provided input to the panel's recommendations. I am pleased to advise the House that I believe that the panel's recommendations are sensible, well considered and well balanced. We want to improve safety but we also want to see if there are other things we can do, which we are not doing, to reduce the incidence of illicit drug taking. We also want to hold people to account. If a person provides someone with an illicit drug that causes their death they need to be held accountable. The New South Wales Government will be passing laws in that regard.

I again thank the expert panel members for their advice and information, in particular Chairperson of the Independent Liquor and Gaming Authority Mr Philip Crawford, who pointed out that we can have better consistency in how some of these events are licensed and managed. We want to make sure that that is done appropriately and according to the risk that the event poses. The police will be able to identify and provide advice if a particular event is in a higher risk category than others, and therefore action will be taken. We also will involve local community organisations such as councils, who sometimes make the final decision when providing a development application.

I thank all three panel members. I thank the Minister for Police, the Attorney General and the Minister for Health for their support and input. All three of them, represented by the panel members and their agencies, have come together to provide a balanced and reasonable approach which will improve safety and provide people with confidence that, whether they attend an event or whether they are a parent at home stressing about if their child will come home safely, the Government has done all it can to improve safety at these events.

### THE NATIONALS

**Mr MICHAEL DALEY (Maroubra) (14:35):** My question is directed to the Deputy Premier and Leader of the Nationals. Given that the New South Wales Nationals have delivered three Deputy Prime Ministers and three Deputy Premiers in the last three years, how can the Deputy Premier continue to claim that the Nationals are the stable partners in the New South Wales Coalition?

**The SPEAKER:** Order! We do not need any interjections. I remind the member for Kiama that the Deputy Premier does not need any help. We will not start until the House has come to order. All the experts are offering assistance to the Deputy Premier and telling him what to say. He does not need one bit of help.

**Mr JOHN BARILARO (Monaro—Deputy Premier, Minister for Regional New South Wales, Minister for Skills, and Minister for Small Business) (14:35):** I thank the member for the question because it allows me an opportunity to speak about all the wonderful achievements of members on this side of the House. We are a strong coalition of the Liberals and Nationals working together with the sole focus of delivering for our communities. We have already heard the Premier touch on what we have inherited from those opposite. After 16 years of non-delivery for regional New South Wales, our track record proves that it is not about what we say;

it is about what we have achieved on the ground and that is now being acknowledged. At the Local Government NSW Annual Conference on the weekend down in Albury, many of those local governments and councils were saying that this Government is delivering in regional New South Wales like it has never delivered before.

As the Premier touched on, while the Federal Government boasts a \$75 billion 10-year infrastructure plan, we have allocated more than \$87 billion over the next four years to build the infrastructure that grows the economy. It is enabling infrastructure that delivers for our communities. Be it hospitals, roads, schools or rail, these things are all important for growing the economy. Those opposite often debate us on what members on this side of the House have done. In the first term we made some tough decisions to bring the books back into the black. Now we have budget surpluses, no debt and a record infrastructure spend.

According to the national figures released last week, New South Wales has the lowest unemployment rate in the nation. The national average is at 5.3 per cent and New South Wales is running at 4.4 per cent. Anyone can clearly see that we have our hands on the levers in growing the economy. Those opposite will argue, "You sold off all the assets. You privatised or leased poles and wires." What they neglect to tell you is that the net worth of the assets owned on behalf of the taxpayers of this State has increased in value by more than 35 per cent.

**The SPEAKER:** Order! I call the member for Rockdale to order for the first time. The member for Rockdale will stop calling out. I call the member for Rockdale to order for the second time.

**Mr JOHN BARILARO:** We are the only State that can claim to be valued at more than a quarter of a trillion dollars. This State is running the national economy. New South Wales is the engine room for the national economy. The Government is creating jobs both in metro and regional New South Wales. We can only do that through a stable Government that is focused on delivery. We have had Premiers in the past who have made tough decisions and delivered one of the most significant economic reforms of all time—the policy of leasing assets. It has underpinned the infrastructure spend of this State. We use the assets that we have today to turbocharge the economy of tomorrow, building infrastructure that makes a difference.

Because our balance sheet is now in the black and we are able to manage the books in a sustainable, long-term way, we have surpluses as far as the eye can see. According to the forward estimates, it is clear that under the stable Liberal-Nationals Government we will be able to deliver surpluses. What does that mean to the voters in the gallery? It means the ability to respond to need. We heard about responding to need with suicides in this State. Over the past seven or eight months I have travelled throughout regional New South Wales. One of the most shocking and alarming statistics I heard was in the electorate of Clarence and in places like Grafton where there have been 60-plus suicides in almost three years. We have a real issue with youth suicide, mental health, youth unemployment, depression and bullying. Because we have managed the books, we are building the infrastructure and we are doing what taxpayers expect their tax dollars to do, the Government now has an opportunity to build roads, transport, schools and hospitals.

Now we have the ability to do something remarkable—to meet the needs of our communities, safeguard our children and make sure we invest in policies and programs that support the next generation. My greatest fear for regional New South Wales is the loss of the next generation of kids to the ice epidemic, drugs, substance abuse, mental illness or suicide. We have an opportunity because we have managed our books in a sustainable way that means that this State continues to be the engine room of the nation. But we will not squander the opportunity brought by all the tough decisions of the past that have made sure we can now deliver for the future. I know it is a cliché, but we have a once-in-a-generation opportunity to invest in the resources that make a difference to individuals. We care about you. We want to make sure that you and your family are safe, that you have a prosperous future regardless of whether you live here in Sydney or in regional and rural New South Wales. A government can only do that if it has balanced the books. The greatest threat to those books, to our kids and to the economy are those opposite, because their 16 years of inaction is proof of exactly that.

### REGIONAL JOBS

**Mr CHRISTOPHER GULAPTIS (Clarence) (14:41):** My question is addressed to the Deputy Premier, Minister for Regional New South Wales, Minister for Skills, and Minister for Small Business. How is the New South Wales Government's strong economic management unlocking jobs growth in regional New South Wales to ensure a stronger, better future for those communities?

**Mr JOHN BARILARO (Monaro—Deputy Premier, Minister for Regional New South Wales, Minister for Skills, and Minister for Small Business) (14:41):** That is the sort of question I would expect in the House. I feel like my previous answer was a prelude to this question. I thank the member for Clarence for his question. As I said in my earlier response, he has been a strong advocate for the electorate of Clarence and for the people of places like Grafton. It was because of Chris championing the issue of mental health that the Federal

Government has responded by providing a headspace. Before that headspace arrived in Grafton, Chris Gulaptis was able to secure investment from the New South Wales Government to fill that void.

On a recent trip to his electorate, I sat in a room with a whole lot of stakeholders in the local community, stakeholders in the youth community and representatives of the headspace. One of the most alarming things I heard was that over a period of about three months, about 3,000 people had gone through that headspace or youth hub. That is remarkable. It shows that this community has need. As a government, we must continue to respond to that need. But to do so, we have to balance the books, create jobs and build healthy communities in the regions. To do all that, we need to build strong local economies.

**Ms Jodi McKay:** Point of order: The Minister has not at all directed his comments through the Speaker. Not once has he said "Madam Speaker". He has his back turned to the Speaker and is giving a soliloquy but not once through the Speaker.

**The SPEAKER:** Order! The member for Strathfield will resume her seat. I do not think it is necessary for a member to face me when answering a question. The Deputy Premier has been directing his comments to the member for Clarence but they are through me. I do not mind the Deputy Premier addressing the gallery.

**Mr JOHN BARILARO:** I am answering through the Speaker, but I am also addressing the member for Clarence, who sits on the backbench. I thought it appropriate that I speak to that member.

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

**Mr JOHN BARILARO:** We also have guests in the gallery who I think are interested, unlike those opposite. I will continue answering through the Speaker, but I will face the gallery because I think it is important that the people in the gallery hear the answer. We have talked about how strong the New South Wales economy is, but the New South Wales economy is a mix of and a collection of smaller local economies. Regional New South Wales is doing its fair share to carry the load, create jobs and build prosperity, be it in agriculture, tourism, the mining sector or manufacturing. Right across regional New South Wales we are seeing fantastic industries and businesses thriving off the back of the investment by the New South Wales Government in building the infrastructure that connects business and produce to port or to markets and connects businesses back to Sydney. The investment in the mobile phone towers is about connectivity. Our investment in airports, roads and rail is all part of what is important in growing our economies. But under the regional growth fund, this Government made an absolute commitment to growing local economies, not only for jobs today but also for the jobs of tomorrow. To do that, this Government is looking to build local economies through the Growing Local Economies fund, which is a \$500 million fund.

Local government communities, industries and businesses can apply for funding for what we call "shared infrastructure" to build the infrastructure from which many will benefit when jobs increase. The funds might be used for unlocking an industrial park, installing gas or electricity, or doing headworks or roadworks for which councils do not have the financial capacity to undertake solo. The Government has been working in conjunction with local government authorities because the Government genuinely believes that, in partnership with the State Government, local government authorities have an opportunity to do something wonderful in regional and rural areas of New South Wales by building diversity in our economies and industries. Why? I believe those policies have proved to be right and I cite the example of the drought. While the drought bites—we know that agricultural and primary producers are doing it tough—and while farmers are not making money, there is no money circulating in local economies. That means that small businesses also are doing it tough and job opportunities come under stress.

This Government wants to build diversity in New South Wales because a strong regional New South Wales is a resilient regional New South Wales. That is why, through the Growing Local Economies Fund, the Government is investing in shared infrastructure. In the electorate of the member for Clarence, the Government invested \$700 million in the Northern Rivers Livestock Exchange, which is major infrastructure. The investment is designed to support the beef industry of northern New South Wales with significant flow-on benefits for the regional economy. That modernisation project will increase the capacity of cattle throughput by 40 per cent. Improved facilities will increase productivity and deepen value chains for stakeholders. The Government is building infrastructure that will enable industry to grow.

If members take into account the Government's 20-year vision for regional New South Wales, they will realise that that is a blueprint for success and a blueprint for tomorrow. The Government has identified 10 industries and seven principles to unlock potential. The State's economy is growing, but this Government wants to turbocharge local economies for the future. It is important for the Government to continue to invest in industrial parks, such as the Narromine Aerodrome Industrial Park, through the Growing Local Economies fund. The New South Wales Government has invested in the development of 8.6 hectares of industrial land, roads, electrical

installations and drainage infrastructure as well as the upgrading and widening of kerbs and guttering. The Government is doing that to make absolutely sure that we unlock industrial land that attracts industry investment, connects industries, creates employment and grows the economy. [*Extension of time*]

The Government's investment in regional economies will mean that our kids will not have to leave regional areas of New South Wales to find a job. They will be able to find a good job, a local job, and will be able to remain a part of the community in which they were born and bred, and where we hope they will raise their own families. Right across regional areas of New South Wales and in major centres, significant investment is taking place. I acknowledge Mr Scot MacDonald, the Hon. Catherine Cusack and Councillor Jaimie Abbott for their work and their advocacy in the Port Stephens electorate. The local member has been missing, so it has been left to two members of the Legislative Council, Mr Scot MacDonald and the Hon. Catherine Cusack, together with Jamie Abbott, to deliver for the people of Port Stephens and Newcastle. Recently I announced an \$11.8 million upgrade of the Newcastle Airport for the Hunter defence and aerospace development—a new precinct that will attract investment.

The Government recognises that already one of the strengths of the Hunter economy is the aerospace defence industry. The Government is working with the Port Stephens Council and the Newcastle City Council. With the advocacy of Jamie Abbott, the Hon. Catherine Cusack and Mr Scot MacDonald we are seeing significant investment in the Newcastle Airport. The Government's \$5.4 million investment in the Birubi Point Aboriginal Place transport interchange—also in the Port Stephens electorate—will bring new transport infrastructure to alleviate tourism traffic congestion and its impact on cultural heritage sites. The Government is providing enabling infrastructure through the Growing Local Economies fund to grow local economies, such as the defence and aerospace industry in Newcastle or tourism in Port Stephens. Over the next few months leading up to Christmas, 40 more projects worth close to \$450 million will be assessed and announced to underpin regional and rural economies so that our kids will have a future in the regions.

#### LIBERAL PARTY

**Mr RYAN PARK (Keira) (14:48):** My question is directed to the Premier. In the light of comments made by her colleague and elder statesman in the Legislative Council, the Hon. Peter Phelps—

[*Interruption*]

**The SPEAKER:** Order! The member for Keira will ask the question. I ask Government members to cease interjecting. The member for Keira simply will ask the question instead of dancing and prancing around, and putting on a performance.

**Mr RYAN PARK:** In the light of comments made last night by the elder statesman, the Hon. Peter Phelps, MLC, that the Federal Liberal Party was a drain on the Liberal vote in New South Wales, when will she take responsibility for a disastrous light rail, a disastrous decision to reinstate the tolls on the M4, a disastrous decision to spend billions on Sydney stadiums, and a failure to stand up for regional New South Wales?

**The SPEAKER:** Order! Is this a speech or a question? The member for Keira will resume his seat. The Premier would be here until 10 o'clock answering a question in that form. The Premier has the call.

**Ms GLADYS BEREJIKLIAN (Willoughby—Premier) (14:49):** For the benefit of those in the gallery, I point out that the person who asked the question hopes to be the next Treasurer of New South Wales.

**The SPEAKER:** Order! There is too much noise in the Chamber. Whatever is the conversation between the member for Rockdale and the member for Kogarah, they will cease. Several members who are on two calls to order are now on three calls to order. The Premier has the call.

**Ms GLADYS BEREJIKLIAN:** The shadow Treasurer has not yet asked a question about the economy, the budget, or jobs growth—all the things that matter to the people of New South Wales.

**The SPEAKER:** Order! I call the member for Keira to order for the second time, yet he continues to interject.

**Ms GLADYS BEREJIKLIAN:** I just want to ask this question: Has the member for Keira learnt the difference between recurrent and capital yet? I hardly know where to start. The question, or rant, of the member for Keira alluded to a number of different topics.

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

**Ms GLADYS BEREJIKLIAN:** I did not quite hear all of them, but why not begin with infrastructure projects. When Labor was in government, Labor invested half a billion dollars in the Rozelle Metro but then had

to compensate all the companies involved because the Labor Government axed the project. There was not a single sod turned, yet it cost half a billion dollars.

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

**Ms GLADYS BEREJIKLIAN:** It was half a billion dollars down the drain. I have retained a cap advertising the Parramatta rail link in my electorate office to remind me that the previous Labor Government was so good at building projects that the link stops at Epping and it became the Chatswood to Epping rail link. That rail link was supposed to go to Parramatta, but we got half the rail line at double the cost. That is Labor's record on infrastructure projects. What about the Opal card? Everybody loves the Opal card. Labor had the Tcard and could not deliver it, not even for the Sydney 2000 Olympics as promised.

**The SPEAKER:** Order! I remind the member for Rockdale that he is on three calls to order. This is my final warning.

**Ms GLADYS BEREJIKLIAN:** Labor promised the inner-west light rail extension, but of course did not deliver. The Coalition came to government and delivered it. Labor promised the north-west rail line and did not deliver it, but this Government delivered it. Labor promised to build the south-west rail line and did not deliver it, but this Government delivered it.

**Ms Kate Washington:** Point of order: My point of order relates to Standing Order 129. The Premier was asked specifically about light rail, but I have not yet heard a mention of light rail.

**The SPEAKER:** Order! There is no point of order. The Premier has the call.

**Ms GLADYS BEREJIKLIAN:** That is just Labor's record on transport. Let me now address Labor's record on health. Since the Liberal-Nationals Government came to office, 78 hospital and health facilities either have been built or upgraded, 48 of which are in regional areas of New South Wales. Labor promised to deliver all those hospitals but did not deliver any of them—not a single one. Labor kept promising but never delivered. The Liberal-Nationals Government is now delivering where Labor could not. When it comes to education, I am incredibly proud of this Government's record. I pause to ask the Minister for Education: How many extra classrooms will be built over the next four years? I forget.

**Mr Rob Stokes:** Fifteen hundred.

**Ms GLADYS BEREJIKLIAN:** At least 1,500 additional classrooms will be built over the next four years.

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

**Ms GLADYS BEREJIKLIAN:** Labor members want everyone to forget that Labor closed 92 schools when in government.

**The SPEAKER:** Order! I call the member for Lakemba to order.

**Ms Jodi McKay:** Madam Speaker, perhaps cast your eye on the Government side of the Chamber.

**The SPEAKER:** Order! The member for Strathfield will mind her own business. The Premier has the call.

**Ms GLADYS BEREJIKLIAN:** I have dealt with health, education and transport. Roads is too long a topic. The list of road projects completed by this Government is very long. I have a document that I am happy to table that lists 430 projects this Government has completed since being elected. I will finish where I started—none of this would be possible if we did not run a strong budget and a strong economy. The member for Keira has no clue how to do that. He asked a question which demonstrates his incapacity to be shadow Treasurer, let alone Treasurer of this State. I am proud of the fact that through those difficult decisions—whether it was fiscal discipline, our wages policy or asset recycling—other States in this nation are copying what we are doing in New South Wales. The Labor States are doing what we are doing because they know it is in the best interests of the people. The only people who have not woken up are those sitting on the Opposition benches.

#### CONCORD REPATRIATION GENERAL HOSPITAL

**Mr JOHN SIDOTI (Drummoyne) (14:55):** My question is addressed to the Minister for Health, and Minister for Medical Research. How is the New South Wales Government's strong economic management enabling investment in hospitals to deliver a stronger and better future, particularly for our veteran community?

**The SPEAKER:** There are too many audible conversations in the Chamber. The House will come to order.

**Mr BRAD HAZZARD (Wakehurst—Minister for Health, and Minister for Medical Research) (14:55):** I thank the member for Drummoyne for his question. He has done an extraordinary job in his community and on Sunday morning I saw the evidence of that when he and I attended Concord hospital. As we arrived we met many people who were very appreciative of the work that the member for Drummoyne has done for the local community. There are moments in every Minister's job when they are in the presence of people who are quite overawing, and Sunday morning was one of those mornings.

The member for Drummoyne and I were in the presence of Damien Thomlinson, who is a former member of the Australian Army 2nd Commando Regiment. He is a two-time Invictus Games veteran and currently is a commentator on the Sydney Invictus Games. He came along because on Sunday morning we were announcing the major work going forward on the \$341 million commitment that this Government has made to the rebuilding of Concord hospital. As the Premier just said, the New South Wales Liberal-Nationals have been very hard at work to ensure that our economy is able to be in such a good state that we can build a great range of hospitals across New South Wales. Concord is one of those hospitals that has waited a long while to be rebuilt. The Premier and I attended Concord in June of last year. I am not sure if she remembers that.

**Ms Gladys Berejiklian:** I do remember. Hackers was there too.

**Mr BRAD HAZZARD:** And John Sidoti. When we announced what we were going to do the doctors cried because they were so happy that we were able to commence the redevelopment of Concord hospital. Concord hospital was built around 1940-41 during the Second World War. It was a military hospital. A lot of people, particularly our service men and women, still refer to it as the "repat hospital". That \$341 million will provide substantial new facilities to the hospital, but one addition to the hospital that we are proud of is a new National Centre for Veterans' Healthcare. That is why Damien Thomlinson was there and that is why a number of other people were there that day. Professor Bob Lusby, chair of the veterans' healthcare centre planning committee, was present. Also present were Tom Pulleine, who served in the defence forces, and his wife, who also serves. When I spoke to them it really hit home that this new national centre for our veterans is one of the greatest steps forward that any government, any community, could take for our returned service men and women.

They were describing that, once injured, whether physically or mentally, it is really difficult to receive services. As they said, we have excellent surgeons, orthopaedic specialists, neurologists, psychologists and psychiatrists, but when people return from war injured it makes it much harder to access the services they need. They both described how they had to get around Sydney to try to find various services and that there was no coordinated support for them. Damien was in Afghanistan when an improvised explosive device exploded under his military vehicle and he lost both legs. He described that moment to some of us while we were there. The impact on him has been enormous, although I have to say being in his presence was the most amazing experience for me. To think that a man who went through all that he had been through could have—

**Mr Troy Grant:** Humbling.

**Mr BRAD HAZZARD:** Humbling is the word. I thank the Minister for Police for that interjection.  
[Extension of time]

It was humbling to realise that a man could rise above what had occurred to him as a result of that Taliban bomb. He said that they can get on with life but it would be much more beneficial for many of our service men and women if they could go to one place to receive medical, psychological and psychiatric services. It was enormously rewarding for me and the member for Drummoyne to make that announcement on Sunday morning and to see their reaction. Damien has risen out of the depths. He now has the capacity to move around. He has legs that work extremely well for him. He has completed the Kokoda Track. He has done and is doing things today I could not imagine doing in my life. He also understands that we need to support his colleagues who have served this country.

Tom was there with his wife. He said that one of his problems is that his wife is also in the military and it is problematic to get someone to support him and drive him to all the services. As a result of this Government's efforts to create a strong economy, we are able to commit this money to rebuild Concord hospital and to build the National Centre for Veterans' Healthcare. Once this centre is complete I would like to add more beds to the service. If we can go strongly forward economically as a government, we will be able to do more and more, and we intend to do more and more for Concord. I thank Damien and Paul for the service they gave, and promise them that we will try as a government to return that service to them and all their colleagues.

**FEDERAL GOVERNMENT LEADERSHIP**

**Mr CLAYTON BARR (Cessnock) (15:03):** My question is directed to the Deputy Premier, and Leader of The Nationals. Given that last year he called on Malcolm Turnbull to resign as Prime Minister—

**The SPEAKER:** Order! Government members will come to order. I call the member for Kiama to order for the first time. I call the member for Kiama to order for the second time. There is too much audible conversation in the Chamber. The member is entitled to be heard in silence. There are too many interjections from Government members.

**Mr CLAYTON BARR:** My question is directed to the Deputy Premier and Leader of The Nationals. Given that last year he called on Malcolm Turnbull to resign as Prime Minister, what is his response to community calls for the return of Barnaby Joyce to the Deputy Prime Ministership?

**The SPEAKER:** Order! I remind the member for Kiama that he may soon be called to order for the third time. He is teetering on the edge.

**Mr JOHN BARILARO (Monaro—Deputy Premier, Minister for Regional New South Wales, Minister for Skills, and Minister for Small Business) (15:05):** If there are lessons to be learnt over the weekend, from the past month, the past six months or the past 10 years, especially from the Federal political scene, it is that people are sick to death of self-interest—government members that are focused on themselves and their own careers. That is why the New South Wales Government, under our leadership, over the last 7½ years has been focused on the people of New South Wales.

**The SPEAKER:** Order! I remind Opposition members that a number of them of them are on three calls to order.

**Mr JOHN BARILARO:** The reason that, in our first terms after the 2011 election, we made some tough decisions was in order to focus on the people of New South Wales and continue to deliver for the people of New South Wales. That is why, in our second term after the victory of 2015—it was about then—that, with the leasing of the poles and wires, the Government was able to unlock the infrastructure spend and turbocharge the economy so that we could start focusing on the people in the communities of regional and metro New South Wales.

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

**Mr JOHN BARILARO:** In recent times, if you look at the investment that has come out of this year's budget and last year's budget—the full terms since 2015—it is clear that we are focused on the people of regional and metro New South Wales. We are focused on delivering.

**The SPEAKER:** Order! If the member for Bankstown continues to interject she will be removed from the Chamber for the rest of the day.

**Mr JOHN BARILARO:** The Government is focused on delivering the large projects of infrastructure—which I spoke about earlier—that have grown the economy, and the Government is now delivering the small stuff in spades. Through the Regional Growth Fund and the Stronger Country Communities Fund we are seeing more than \$300 million being invested in regional communities for upgraded Country Women's Association halls, showgrounds, sporting grounds, change rooms, lights for ovals, and arts and culture. One of the most significant announcements—

**Mr Clayton Barr:** Point of order: My point of order relates to Standing Order 129, relevance. The question was about leadership.

**The SPEAKER:** Order! The Deputy Premier is talking about leadership. The member for Cessnock will resume his seat.

**Mr Clayton Barr:** The question was specifically about leadership at the Federal level, which he has previously been very happy to comment on.

**The SPEAKER:** Order! The member for Cessnock is getting what he asked for.

**Mr Clayton Barr:** I asked for his thoughts about Federal leadership, so I am not getting what I asked for.

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

**Mr JOHN BARILARO:** If the question is about leadership and the self-interest and naval-gazing that we have seen in the Federal Parliament, that is what was occurring during the Rudd-Gillard-Rudd turmoil that saw the Government, for a long time, fall apart. Or is the question about the change of leadership federally or the



lack of focus that we are seeing from the Federal governments—past and present—on our regions? There is a stark difference. Those opposite want somehow to equate the New South Wales Liberals with the Federal Liberals and the New South Wales Nationals with the Federal Nationals.

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

**Mr JOHN BARILARO:** We are focused on the people of New South Wales and we are delivering in spades. We are focused on making sure that we are talking about the stuff that matters.

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

**Mr JOHN BARILARO:** Those opposite have an opportunity to come to this House during question time to ask the big questions about the economy, jobs, depression and youth suicide.

**The SPEAKER:** Order! The member for Kogarah will come to order. I call the member for Gosford to order for the first time.

**Mr JOHN BARILARO:** They have the opportunity to ask questions that matter to the people in the gallery today and to the people of New South Wales. But those opposite choose to come into this Chamber to talk about leadership speculation.

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

**Mr JOHN BARILARO:** I have known Michael McCormack for a long time. He was a strong Minister for Small Business. As the Minister for Small Business in New South Wales I had the opportunity to do a lot with Michael McCormack. Under Michael McCormack we have seen some of the most significant tax cuts in this nation for small and medium enterprises. If the Government is cutting company taxes from 30 cents to 25 cents people must give credit to the Federal Government to be able to achieve this—to get the changes through a tough Senate. The Government has been able to do that because of strong leadership.

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

**Mr JOHN BARILARO:** The Federal Government has been able to do that because it is the right policy for this nation.

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

**Mr JOHN BARILARO:** Michael McCormack, as the Minister for Small Business, has been a champion and advocate for small businesses. In his role as Leader of The Nationals and in his role as Deputy Prime Minister, which I completely support, he has an opportunity to make sure that we continue to see investment in the regions. A few months ago, I was lucky enough to be at Parkes with Michael McCormack, the Deputy Prime Minister of this nation, and we were able to announce the inland rail—the most significant piece of infrastructure that will go through regional New South Wales.

It will be a spine that will open up opportunities for investment in places such as Parkes. There will be opportunities to build new industries. When new industries are built that creates new opportunity—opportunity to fix and grow the local economy and to grow local jobs. That is what the Government is focused on. Michael McCormack will be instrumental to The Nationals in New South Wales when we line up and fight for the Wagga Wagga electorate at the general elections. That will happen because of the leadership of Michael McCormack as the local member and Deputy Prime Minister, along with a candidate that will wrestle back the electorate.

#### **ROYAL COMMISSION INTO INSTITUTIONAL RESPONSES TO CHILD SEXUAL ABUSE**

**Mr ADAM CROUCH (Terrigal) (15:10):** My question is addressed to the Minister for Family and Community Services, Minister for Social Housing and Minister for the Prevention of Domestic Violence and Sexual Assault.

**The SPEAKER:** Order! I remind Opposition members that a number of them are on three calls to order.

**Mr ADAM CROUCH:** Will the Minister update the House on the New South Wales Government's response to the Royal Commission into Institutional Responses to Child Sexual Abuse?

**Ms PRU GOWARD (Goulburn—Minister for Family and Community Services, Minister for Social Housing, and Minister for the Prevention of Domestic Violence and Sexual Assault) (15:11):** I thank the member for Terrigal for his question. Yesterday, along with the Premier and the Attorney General, I attended the telecast of the National Apology at the Sydney Opera House. We have all been humbled and inspired by the survivors—for their bravery and their courage in speaking out. In speaking to survivors before the event I was reminded of the lifelong impact of the trauma they experienced. It was sad to see so many who have been so badly hurt. That hurt travels with them still today.

Throughout the royal commission hearings, survivors gave their evidence with dignity and in full public view. They should know that they have profoundly shaken and changed our nation for the better. The Premier, the Attorney General and I—on behalf of the people of New South Wales and personally—expressed our deepest sorrow for the abuse children endured in institutions that were supposed to protect them. We expressed our sorrow that as children they were not listened to and not believed, and that they were not safe. I have been moved by the many accounts of survivors who resisted, fought back and protected their friends.

Over the course of its five-year inquiry, the royal commission heard from thousands of brave souls who shared stories of betrayal and unimaginable cruelty. During its course, we learned three eternal truths: that children must always be believed; that sexual abuse is not restricted to certain parts of society—wherever there are children, there is a risk of abuse; and that the effects of child sexual abuse can be felt for a lifetime, contributing to lifelong trauma, family breakdown and mental health struggles. In 2014 I was at the royal commission hearings to listen to the testimony of the women who were abused as children at the Parramatta Girls Home. I sat and listened to their horrific stories of harsh discipline and physical and sexual abuse perpetrated against them by the people who were entrusted with their care—the people they should have trusted. These were women of my own age—my own vintage—and I left unable to speak. Although we can never right the wrongs that have been suffered by survivors, they should know that they have done a great thing and that generations of children to come will thank them for it.

The New South Wales Government has embarked on a number of historic reforms and these include legislating a maximum life sentence for a strengthened offence of persistent child sexual abuse, introducing new offences for failure to report and failure to protect against child abuse, requiring courts not to take into account an offender's good character when sentencing for historic offences where their reputation actually facilitated in the offending, and introducing a new offence of grooming an adult to access a child and strengthening the grooming offence to include providing a child with gifts or money.

In June 2018 the New South Wales Government accepted the overwhelming majority of recommendations made by the Royal Commission into Institutional Responses to Child Sexual Abuse. We have announced a substantial funding package of \$127.2 million over five years to implement reforms to promote child safety, to better prevent and respond to child sexual abuse, and to support survivors. Of this funding, \$19.5 million is being committed to develop a scheme to regulate child safe standards within organisations. The standards will assist providers to create an environment that significantly reduces the risk of exposing children to harm. They will embed children's safety at the core of an institution's operations. An additional 72,000 workers and volunteers will be trained by the Office of the Children's Guardian to identify and prevent abuse of children in their care. Central to a child's safety are their parents and carers. Parents will be empowered with the resources they need to help them decide whether an organisation is child-safe. This emphasises the shared responsibility of parents, carers, community, institutions and Government keeping children safe. [*Extension of time*]

Over the next two years the New South Wales Government will support community-based support services to manage the increase in demand for their services. We will release a report on its progress in response to the royal commission later this year, as we have committed to doing. I acknowledge the critical role that the non-government sector and community also play in keeping children safe. Together, we will work, and continue to work, to protect children so that they can live free from harm and, most importantly, are adequately protected and supported by the very institutions entrusted to care for them.

#### NEWCASTLE CONTAINER TERMINAL

**Mr TIM CRAKANTHORP (Newcastle) (15:17):** My question is directed to the Minister for Roads, Maritime and Freight. Given the comment by the leader of The Nationals that farmers would benefit from a container port at Newcastle, what action will the Minister take to drop the anti-competitive arrangements that are making it economically impossible to establish a container terminal at Newcastle?

**Mrs MELINDA PAVEY (Oxley—Minister for Roads, Maritime and Freight) (15:17):** I was reading a significant message from my electorate. I apologise I was not concentrating 100 per cent on the member for Newcastle because it is easy not to. Our Government is absolutely 100 per cent supportive of the Port of Newcastle and growing its capacity. Members opposite are completely ashamed of one thing: It is the most significant coal export terminal in the world. It sustains and is the backbone of the economy of the Hunter and New South Wales. I am also aware of the Deputy Premier's support of growing the capacity of that terminal. I agree that we need to do what we can to increase the amount of container traffic going through that terminal with new markets. The Government is focused on looking at new markets for agricultural products.

**Mr Luke Foley:** You can't.

**Mrs MELINDA PAVEY:** You are wrong again, Luke. Do your homework.

**The SPEAKER:** Order! The Minister will resume her seat. The Clerk will stop the clock.

**Ms Kate Washington:** Point of order: I ask that you direct the Minister to refer to the Leader of the Opposition by his correct title and also address the question, which is about the port rort.

**The SPEAKER:** Order! The Minister is being relevant to the question she was asked. The Minister will refer to the Leader of the Opposition by his correct title.

**Mrs MELINDA PAVEY:** I acknowledge a comment made to me by the Minister for Transport and Infrastructure. Last night the first testing of the light rail at Newcastle took place, a project that was delivered through the recycling of assets in this State by the port.

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

**The SPEAKER:** Order! The Clerk will stop the clock. Government members will come to order.

**Ms Kate Washington:** My point of order relates to relevance. The Minister has been asked specifically about the port and the removing of the handcuffs that this Government put on the Newcastle port.

**The SPEAKER:** Order! It is the same point of order. The Minister for Port Stephens will resume her seat. The Minister is being relevant to the question she was asked.

**Mrs MELINDA PAVEY:** Madam Speaker—

**The SPEAKER:** Order! Government members will come to order. I cannot hear the Minister.

**Mrs MELINDA PAVEY:** It is important to acknowledge that the port transaction has created investment in the Hunter like it has never seen before. Having the testing of those light rail trams on that light rail yesterday—

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

**Ms Jodi McKay:** Point of order—

**Mrs MELINDA PAVEY:** Really? You are really going to go there, are you?

**Ms Jodi McKay:** My point of order relates to Standing Order 129.

**The SPEAKER:** Order! I just ruled that the Minister is being relevant. The member for Strathfield will resume her seat.

**Ms Jodi McKay:** The question was not about light rail.

**The SPEAKER:** Order! The member for Strathfield will resume her seat.

**Ms Jodi McKay:** The question relates to anti-competitive agreements signed by this Government.

**The SPEAKER:** Order! The member for Strathfield will resume her seat or be removed from the Chamber for the rest of the day.

**Mrs MELINDA PAVEY:** That was a very interesting interjection from the member for Strathfield, considering the interest that she and her office have in this project and the commercial arrangements. It is very interesting. The Port of Newcastle is the largest coal terminal in the world. Despite this, we are interested in diversification and in creating new markets for this port. New markets are not precluded from being developed. We support them, because this Government and the Federal Government is investing in inland rail. Where we have opportunities, we will develop more opportunities to have freight coming from the north-west of New South Wales, in particular, more cotton into container, more grain, more chickpeas, whatever it takes. We are underwriting that with a \$400 million investment in rail through fixing country rail.

**The SPEAKER:** Order! The member for Maroubra and the member for Gosford will come to order.

**Mrs MELINDA PAVEY:** We are interested in growing. We are interested in growing new markets and new opportunities. Any future decision of the Newcastle port to diversify would need to be made with respect to commercial arrangements entered into by that operator, but that does not preclude new markets being created.

## **JOBS GROWTH**

**Mr BRUCE NOTLEY-SMITH (Coogee) (15:22):** My question is addressed to the Treasurer and Minister for Industrial Relations. How is the New South Wales Government delivering better job-creating opportunities for small businesses across the State, ensuring a stronger and better future? Are there any alternative approaches?

**The SPEAKER:** Order! I remind members that a number of them are on three calls to order with several warnings. Members will come to order or be removed from the Chamber for the rest of the day.

**Mr DOMINIC PERROTTET (Hawkesbury—Treasurer, and Minister for Industrial Relations) (15:23):** I thank the member for Coogee. How much better is he than any of the previous members for Coogee? We have the greatest member for Coogee and we have had the worst approach from Labor in question time with only three weeks—ever. It shows that it is not fit to govern, unlike the Berejiklian-Barilaro Government on this side of the House that has transformed New South Wales into a jobs-creating machine. In the past 12 months alone New South Wales has added more than 134,000 jobs.

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

**Mr DOMINIC PERROTTET:** That is more than Victoria, Queensland, South Australia and Tasmania combined. Since 2015, employment has increased by more than 360,000—double the target we set at the last election. Since coming to office in 2011, New South Wales has added more than half a million jobs—more than any other State in this period. The best thing that governments can provide is security for families across New South Wales by creating the right conditions for jobs to grow. There is no doubt that our infrastructure program—\$87 billion over the next four years—which was opposed by those opposite, has played a significant part in the jobs boom across our State.

So too has our support for small business. Over the past three years we have cut \$4.2 billion in taxes to ensure that business can grow and prosper. As part of the budget, we increased the payroll tax threshold from \$750,000 to \$1 million over the next four years. I thank Stephen Cartwright from the NSW Business Chamber for its advocacy in this space. As a result, 5,000 businesses will no longer pay payroll tax at all, with all others set to benefit from this tax cut. This means that businesses can increase wages, hire more people and invest in their business. This means more jobs and opportunities for people right across this State. This is what good governments can achieve when we get the right economic settings in place: lower taxes, lower regulation and a willingness to partner with the business community.

In contrast, those opposite deliver higher taxes and more red tape and treat the private sector like it is an enemy of the State. While people and families across New South Wales are today getting on with the job, what are the union movement and the Labor Party doing today? They are walking off the job right across this country. This is the same union movement whose membership among the working class is in freefall and is now at its lowest in our nation's history. Minns knows it; we know it. The unions have announced six days of industrial disputes. The Australian Chamber of Commerce and Industry has said that these strikes will strip \$250 million out of the national economy.

The unions say they want to change the rules. You do not need to change the rules of industrial relations. The unions need to learn the laws of economics: If you want wages higher, you need taxes lower. If you want more jobs, you need less regulation. This is not new. It has been said that you cannot strengthen the weak by weakening the strong, you cannot lift the wage-earner by pulling down the wage payer, and you cannot further the brotherhood of man by inciting class hatred—and that is what the unions are all about. But this is a lesson that Labor will never learn. Who was the architect of this campaign? It was none other than Wayne Maxwell Swan, the worst Treasurer in our nation's history—six budgets, six deficits. He is the only Treasurer with a 100 per cent deficit strike rate and he has come up with a new campaign.

**Mr Clayton Barr:** Point of order: That is not true. Mike Baird and Gladys Berejiklian both had a 100 per cent strike rate for deficits.

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

**Mr DOMINIC PERROTTET:** When those opposite were in power they delivered deficits; we have delivered surpluses as far as the eye can see. Anyway, good old Swanny is back. He is on Twitter a lot—a bit like Shaoquett, although Shaoquett has been silent for six days actually. Swanny has come up with this new idea called "inclusive growth". What is inclusive growth? It is where under Swanny everybody is included in growth in unemployment, growth in debt, growth in deficit—sharing in misery.

**The SPEAKER:** Order! The member for Gosford will come to order. I call the member for Kogarah to order for the second time.

**Mr DOMINIC PERROTTET:** That is the difference, mate—\$5½ billion writing it down, still substantially in surplus. [*Extension of time*]

Here in New South Wales we have done the reverse Swanny: We have reduced regulation, we have reduced tax and we have reduced red tape. And what is the outcome of reducing red tape, of reducing tax, of reducing regulation?

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

**Mr DOMINIC PERROTTET:** We have the lowest unemployment, at 4.4 per cent, that we have seen in more than 10 years. Whatever Wayne Swan does, the lesson is that we on this side of the House will do the exact opposite. It is no wonder. Not only did he deliver six deficits; he is mentor to the shadow Treasurer. I know the Labor Party has been trying for a long period to resurrect the myth around Swanny, saying that he was the best Treasurer of all time. Over the weekend we heard from his former boss—the father of the modern Labor Party—Kevin Rudd. And what did he say? He said:

The treasurer should always be one of your top order batsmen.

I agree. He continued:

At best, Swan would come to the crease in the low to middle order, often in trouble, always defending his wicket and ever-so-rarely on the front foot.

**Mr Clayton Barr:** Point of order—

**The SPEAKER:** Order! There can be no point of order. The member for Cessnock has no sense of humour. What is the member's point of order?

**Mr Clayton Barr:** This is New South Wales and we are talking about a Federal Treasurer who is no longer the Treasurer.

**The SPEAKER:** Order! The member for Cessnock has been asking questions all day—

**Mr Clayton Barr:** I cannot understand how these issues possibly impact on New South Wales.

**The SPEAKER:** Order! The member for Cessnock will resume his seat. Has he heard the Opposition questions today?

**Mr DOMINIC PERROTTET:** The mentor to the shadow Treasurer.

**Mr Clayton Barr:** You are a one-trick pony, Dom. Sell, sell, sell—that is all you do. What are you going to do when there is nothing left to sell?

**The SPEAKER:** Order! I direct the member for Cessnock to remove himself from the Chamber for a period of one hour.

*[Pursuant to sessional order the member for Cessnock left the Chamber at 15:31.]*

**Mr DOMINIC PERROTTET:** That is what the Labor Party believes about Wayne Swan's legacy.

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

*[Pursuant to sessional order the member for Kogarah left the Chamber at 15:32.]*

**Mr DOMINIC PERROTTET:** That is what those opposite always do: increase tax, increase regulation, increase costs for businesses. That is why our philosophy works and theirs fails.

#### *Documents*

### **LAW ENFORCEMENT CONDUCT COMMISSION**

#### **Reports**

**The SPEAKER:** In accordance with section 142 of the Law Enforcement Conduct Commission Act 2016, I announce receipt of the report of the Law Enforcement Conduct Commission for the year ended 30 June 2018, received out of session on 22 October 2018. I order that the report be printed.

### **INFORMATION AND PRIVACY COMMISSION**

#### **Reports**

**The SPEAKER:** In accordance with section 39 of the Government Information (Information Commissioner) Act 2009 and section 61D of the Privacy and Personal Information Protection Act 1998, I announce receipt of the report of the Information and Privacy Commission for the year ended 30 June 2018, received out of session on 22 October 2018. I order that the report be printed.

**OFFICE OF THE CHILDREN'S GUARDIAN****Reports**

**The SPEAKER:** In accordance with section 190 of the Children and Young Persons (Care and Protection) Act 1998, I announce receipt of the report of the Office of the Children's Guardian for the year ended 30 June 2018, received out of session on 22 October 2018. I order that the report be printed.

**INSPECTOR OF THE LAW ENFORCEMENT CONDUCT COMMISSION****Reports**

**The SPEAKER:** In accordance with section 142 of the Law Enforcement Conduct Commission Act 2016, I announce receipt of the report of the Inspector of the Law Enforcement Conduct Commission for the year ended 30 June 2018, received out of session on 22 October 2018. I order that the report be printed.

**OMBUDSMAN****Reports**

**The SPEAKER:** In accordance with section 31AA of the Ombudsman Act 1974, I announce receipt of the report of the NSW Ombudsman for the year ended 30 June 2018, received out of session on 22 October 2018. I order that the report be printed.

**NSW CHILD DEATH REVIEW TEAM****Reports**

**The SPEAKER:** In accordance with section 34I of the Community Services (Complaints, Reviews and Monitoring) Act 1993, I announce receipt of the report of the NSW Child Death Review Team for 2017-18, received out of session on 22 October 2018. I order that the report be printed.

**AUDITOR-GENERAL****Reports**

**The CLERK:** In accordance with section 63C the Public Finance and Audit Act 1983, I announce receipt of the report of the Auditor-General entitled "Report on State Finances", dated 19 October 2018, received out of session on 19 October 2018 and authorised to be printed.

*Committees***LEGISLATION REVIEW COMMITTEE****Report: Legislation Review Digest No. 63/56**

**Ms FELICITY WILSON:** As Chair: I table the report of the Legislation Review Committee entitled "Legislation Review Digest No. 63/56", dated 23 October 2018.

I move:

That the report be printed.

**Motion agreed to.**

**Ms FELICITY WILSON:** I also table the minutes of the committee meeting regarding Legislation Review Digest No. 62/56.

*Business of the House***VALEDICTORY SPEECHES**

**Mr ANTHONY ROBERTS:** I move:

That the business of the House be interrupted:

- (1) At 6.45 p.m. on Wednesday 24 October 2018 to permit the presentation of a valedictory speech by the member for Lismore.
- (2) On Wednesday 14 November 2018 at:
  - (a) 11.30 a.m. to permit the presentation of valedictory speeches by the members for Albury and for Coffs Harbour; and
  - (b) 5.30 p.m. to permit the presentation of a valedictory speech by the member for Dubbo.

- (3) On Thursday 15 November 2018 at 12.30 p.m. to permit the presentation of a valedictory speech by the member for Camden.
- (4) On Wednesday 21 November 2018 after the conclusion of consideration of the motion accorded priority to permit the presentation of a valedictory speech by the member for Wollondilly.

**Motion agreed to.**

*Petitions*

**PETITIONS RECEIVED**

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

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

Petition rejecting the current proposed Sydney Metro Pitt Street over-station developments, 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**.

**Affordable Housing**

Petition requesting that 15 per cent of all new residential developments be set aside for affordable housing, that councils be permitted to levy developers for affordable housing, that inner-city housing stock sales be halted and that the wholesale conversion of residential homes into short-term holiday lets be banned without zoning changes, received from **Mr Alex Greenwich**.

**Inner-city Ferry Services**

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

**Sydney Football Stadium**

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

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

**Short-term Letting**

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

**RESPONSES TO PETITIONS**

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

The Hon. Gabrielle Upton—Plastic Bags—lodged 18 September 2018 (Ms Gladys Berejiklian)

*Motions Accorded Priority*

**F6 EXTENSION**

**Consideration**

**Ms ELENI PETINOS (Miranda) (15:36):** There is no better demonstration of why my motion should be accorded priority than the interjection by the member for Keira—the man trying to carry the State's chequebook in the future—as I gave notice of this motion that the F6 is a "stupid project". That is a complete and utter disgrace from the man who is supposed to represent a southern electorate, someone who should want to connect his constituents to the city and his Potts Point home to his home in Keira. The Government is trying to make your life easier. Why do you not want the Government to make your life, and the life of everyone in southern Sydney, easier?

**The DEPUTY SPEAKER:** Order! The member for Miranda will direct her remarks through the Chair.

**Ms ELENi PETINOS:** This corridor has been reserved since 1951.

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

**Ms ELENi PETINOS:** The people of southern Sydney have been waiting for this road for nearly 70 years. On this side of the House, we are committed to ensuring that the F6 is delivered for the people of southern Sydney. On 25 July 2017 Potts Point Parky said:

The F6 corridor must not be prioritised over rail upgrades.

He continued:

Labor's priority is investment into the South Coast Rail line in the first place.

Not only is this side of the House delivering on stage one of the F6 extension, but also we are upgrading the T4 line through an \$880 million investment. I do not understand what the member for Keira is upset about, because on this side of the House we can do both. We are doing what is best for the people of southern Sydney and New South Wales. We are excited that the F6 is finally happening. The Opposition had 16 years in government and failed to make any progress. In October 2017 the Premier announced that stage one is finally happening. There will be a four-kilometre tunnel connecting underground from the new M5 motorway at Arncliffe to President Avenue at Kogarah.

This is history. As I said earlier, the people of southern Sydney have been waiting for 17 years and it took a Liberal-Nationals Government to deliver this project. It is something the Government is proud of. Stage one of the F6 extension alone will bypass 23 sets of traffic lights and remove 2,000 trucks and 10,000 cars from local roads. It will improve travel times for the people of southern Sydney. It will bypass southern Sydney airport traffic. Only this Government can deliver what is right for the people of southern Sydney and only the Liberal-Nationals Government will ensure a stronger and better future for the people of New South Wales.

## **MEDOWIE PUBLIC HIGH SCHOOL**

### **Consideration**

**Ms KATE WASHINGTON (Port Stephens) (15:39):** In 2006 my husband and I moved to Medowie with two toddlers in tow and a baby on the way. As a new resident, I joined a push for a public high school in Medowie. I was part of a Department of Education working group looking into the provision of secondary schooling in west Port Stephens. I nursed my baby through those meetings, and now my baby is in year 7 and my eldest is at TAFE. Locals who thought they would be part of the first cohort at a new high school in Medowie are now seeing their own children attend public primary schools. Those parents share the decades-old hope that their children might one day attend a public high school in Medowie.

In 2011 the former Liberal Minister for Education, Adrian Piccoli, came to Medowie and said, "We will make this project shovel ready." What has happened since then? The Coalition was elected and it has done nothing. In contrast, Labor committed to a public high school in 2011 and 2015 and it remains committed to building a public high school in Medowie. All we need to do is change the Government. This Liberal Government continues to refuse to understand that there is a need now for a public high school in Medowie and there is a need to plan for the future. In Medowie alone, there are two primary schools and a Christian school. One of the primary schools has more than 600 students, the other more than 350. What about the local feeder schools? Tanilba Public School has 600 students, and Salt Ash and Karuah schools add another 200 students. Our schools are overflowing and there is only one direction this is headed.

The council's planning strategy allows for an additional 7,000 dwellings in Medowie by 2036. The Government's Hunter Regional Plan lists Medowie, Kings Hill and Fern Bay as housing growth areas. Where does the Government think this is going? Medowie already has 650 homes in the pipeline but those opposite continue to insist that existing resources are adequate; that existing schools in Raymond Terrace are capable of meeting the area's need. It would be hard to find a bigger supporter of those schools than me. Irrawang High School and Hunter River High School are amazing, but they are both at capacity as of next year. New housing developments in Raymond Terrace are also underway. The Government made a promise and broke it. That broken promise means that Medowie does not get anything. My community is fed up. We are sick of the waste on stadiums. Only Labor will build a Medowie Public High School. Only Labor will put kids before stadiums. [*Time expired.*]

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

**The House divided.**

Ayes .....46

Noes .....36



Majority..... 10

## AYES

Anderson, Mr K  
 Barilaro, Mr J  
 Conolly, Mr K  
 Coure, Mr M  
 Elliott, Mr D  
 Fraser, Mr A  
 Griffin, Mr J  
 Henskens, Mr A  
 Kean, Mr M  
 O'Dea, Mr J  
 Perrottet, Mr D  
 Roberts, Mr A  
 Speakman, Mr M  
 Toole, Mr P  
 Ward, Mr G  
 Wilson, Ms F

Aplin, Mr G  
 Bromhead, Mr S (teller)  
 Constance, Mr A  
 Crouch, Mr A  
 Evans, Mr A.W.  
 Goward, Ms P  
 Gulaptis, Mr C  
 Humphries, Mr K  
 Marshall, Mr A  
 Patterson, Mr C (teller)  
 Petinos, Ms E  
 Rowell, Mr J  
 Stokes, Mr R  
 Tudehope, Mr D  
 Williams, Mr R

Ayres, Mr S  
 Brookes, Mr G  
 Cooke, Ms S  
 Davies, Mrs T  
 Evans, Mr L.J.  
 Grant, Mr T  
 Hazzard, Mr B  
 Johnsen, Mr M  
 Notley-Smith, Mr B  
 Pavey, Mrs M  
 Provest, Mr G  
 Sidoti, Mr J  
 Taylor, Mr M  
 Upton, Ms G  
 Williams, Mrs L

## NOES

Aitchison, Ms J  
 Car, Ms P  
 Crakanthorp, Mr T  
 Donato, Mr P  
 Foley, Mr L  
 Harrison, Ms J  
 Kamper, Mr S  
 Lynch, Mr P  
 McKay, Ms J  
 Park, Mr R  
 Scully, Mr P  
 Warren, Mr G

Atalla, Mr E  
 Catley, Ms Y  
 Daley, Mr M  
 Doyle, Ms T  
 Greenwich, Mr A  
 Haylen, Ms J  
 Lalich, Mr N (teller)  
 McDermott, Dr H  
 Mehan, Mr D  
 Parker, Mr J  
 Smith, Ms T.F.  
 Washington, Ms K

Bali, Mr S  
 Chanthivong, Mr A  
 Dib, Mr J  
 Finn, Ms J  
 Harris, Mr D  
 Hornery, Ms S  
 Leong, Ms J  
 McGirr, Dr J  
 Mihailuk, Ms T  
 Piper, Mr G  
 Tesch, Ms L (teller)  
 Zangari, Mr G

## PAIRS

Berejiklian, Ms G  
 Dominello, Mr V  
 Gibbons, Ms M  
 Lee, Dr G

Cotsis, Ms S  
 Hoenig, Mr R  
 Minns, Mr C  
 Watson, Ms A

**Motion agreed to.****F6 EXTENSION****Priority****Ms ELENi PETINOS (Miranda) (15:50):** I move:

That this House supports the Government's extension of the F6 motorway.

As New South Wales continues to grow and expand, so do our transport network and transport challenges. Stage one of the F6 extension is a key element of the New South Wales Government's transport vision for the State, providing a 32-kilometre motorway connection between the new M5 motorway at Arncliffe in the north and the M1 Princes Highway at Waterfall in Sydney's south. At present, there is no efficient connection to Sydney's motorway network from the southern suburbs. The existing F6 corridor road reservation was first identified in 1951 to serve the growing populations of southern Sydney and the Illawarra. Peak hour travel speeds on the Princes Highway between Kogarah and the city are among the slowest for arterial roads in Sydney, which is why this is a priority for the Berejiklian Government. Stage one of the F6 extension program is expected to cost between \$2.2 billion and \$2.6 billion.

The Liberal-Nationals Government has allocated \$1.2 billion in new funding over the budget and forward estimates to ensure continued progression in the planning and development of this important project. The link to the south was identified as a priority in the NSW Long Term Transport Master Plan 2012 and the State Infrastructure Strategy 2014 as one of the future strategic priorities for Sydney's road network. The F6 extension will improve connectivity between southern Sydney, the Illawarra and the central business district [CBD], reduce travel times, ease congestion on local roads and return local streets to local communities. It is the missing link in the Sydney motorway network and is a vital piece of investment that will deliver significant benefits to the community. Stage one of the F6 will give motorists better access to safe and reliable roads, and reduce the number of heavy vehicles on surface roads.

A large section of stage one of the F6 will be built underground to minimise disruption to the community. The four-kilometre underground twin tunnels will reduce traffic congestion along the Princes Highway through Arncliffe, Banksia and Rockdale, and on the Grand Parade through Brighton-Le-Sands. These tunnels are designed for free-flow traffic travelling at 80 kilometres an hour, which means fewer vehicle emissions compared with stop-start traffic. Motorists will be able to bypass up to 23 sets of traffic lights on the Princes Highway between St Peters and Kogarah, so people can spend more with their families and less time on the road. Why is Labor subjecting people to longer commutes when they could be spending that time with their families?

The new infrastructure provided by stage one of the F6 extension will also take into account pedestrians and cyclists through the construction of new shared cycleways and pedestrian pathways. Tunnel stubs will be installed as part of stage one for a future connection south to extend the F6 extension. Unlike the Labor Party, we are a government that is looking forward and is looking after the people of New South Wales. People travelling from Kogarah to the Anzac Bridge and between Miranda and Macquarie Park will have their travel time cut by 15 minutes. Commuters from Kogarah to South Sydney and Taren Point to Mascot will have their travel times reduced by 10 minutes. Stage one, Arncliffe to Kogarah, will remove between 1,000 and 2,000 trucks per day from the Grand Parade, Princes Highway and West Botany Street. It will also reduce traffic on General Holmes Drive by 10,000 vehicles a day.

Traffic congestion currently costs our economy \$6.1 billion a year. By 2030 this figure will increase to \$12.6 billion. Our commitment to this project involves engaging openly with all stakeholders, minimising property needs, developing designs that reduce construction impacts, and working in an environmentally responsible and sustainable manner. Stage 1 of the F6 extension will contribute to a more livable and productive Greater Sydney, and provide greater access to jobs, education and lifestyle opportunities. The New South Wales Liberal-Nationals Government is working closely with the community, residents and stakeholders to ensure that the infrastructure it installs and designs now will be equally as valuable to future generations. We are firmly committed in our support of stage 1 of the F6 extension, we are committed to seeing this project through to delivery, and we are the only members of this House who will ensure a stronger and better future for the people of New South Wales.

**Mr RYAN PARK (Keira) (15:55):** The member for Miranda had just under five minutes to speak. She did not quite use all of her time. I was just talking to the member for Wollongong, and he has raised an interesting point. In during that whole four minutes and 50 seconds, the member for Miranda did not mention two words—toll road. Why is that an issue? Why do I reckon that might be a problem? It might be a small issue.

**Mr Mark Coure:** Because you've put more of them in. More Labor tolls. The party of tolls.

**Mr RYAN PARK:** As the member says, "More tolls." Okay.

**The DEPUTY SPEAKER:** Order! The Clerk will stop the clock. Is the member for Oatley taking part in this debate?

**Mr Mark Coure:** I am now.

**The DEPUTY SPEAKER:** Order! Members will take part in the debate when they stand at the lectern and not from their seats.

**Mr RYAN PARK:** The issue is that this will be a massive toll road. The member for Miranda has spoken about why people like the member for Wollongong and the member for Rockdale, and I may not be excited about this. One of the small problems is that this will cost our community about \$100 a week.

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

**Mr RYAN PARK:** Another problem is that to get the benefits that the Government seeks to achieve for the people of Illawarra, there is a small problem—massive destruction of the second oldest national park in the world. But do not worry about it. It gets even better than that. I read with interest an article by Peter Martin published last year in that great read, the *Sydney Morning Herald*, which said:

The NSW Government has been instructing transport officials to ignore public transport alternatives to motorway projects.

A small issue. But wait for it—a document titled "Failure in critical options analysis", which was given to the *Sydney Morning Herald* under freedom of information says the decision not to benchmark the cost of the toll road against the cost of rail solutions "represents a serious and significant shortcoming of the F6 Extension Business Case." Here is why we may not think this toll road is a priority at the moment: It will cost our people about \$100 a week. I know the member for Kiama has a lot of money. I get it. I understand he is well off, and I am sure the member for Miranda is not short of a quid either. But we on this side of the House are a bit short. We do not have that money. We represent communities who may not have it. Despite what those opposite say, this extension will involve the destruction of the second oldest national park in the world.

**Mr Mark Speakman:** Point of order: That is an outright lie and the member for Keira knows it. He is misleading the House.

**Mr RYAN PARK:** It gets even worse. What is Labor's priority? We will prioritise the South Coast rail line. The member for Miranda says, "We have already done that because we are upgrading T4." I ask the member for Kiama: What is the problem with that statement? I will give him a tip—the T4 is not the South Coast rail line. Wow! This is incredible. Now we have the member for Miranda saying, "Come up here. We are already doing both of these projects." She is talking about the wrong rail line. We are talking about upgrades to the South Coast rail line, not the T4. So, coming back to the member for Kiama's question and interruption, where would we put the money? We would put it into upgrades for the South Coast rail line and the T4 line to ensure public transport is first and foremost, and not into huge tolls for local commuters. That is what Labor is about and that is what we will argue for all the way to the election.

**Mr LEE EVANS (Heathcote) (16:01):** First of all, I am the member for the electorate that includes the Royal National Park and I am the custodian of the Royal National Park. It is Australia's oldest official national park and it covers more than 15,000 hectares. We all know the significance of this famous national icon. The F6 will not impact the Royal National Park in any way. That is my opening statement for the dummies on the other side. I support the Government's decision to move ahead with the planned project development for the first section of the F6. The existing F6 corridor was identified in 1951. Along with many people of southern Sydney, I grew up wondering if this infrastructure was necessary and if it would ever be built. Over the years, many have said that it could not be built, but I am proud to say the Government is able to and it will build the F6. The New South Wales Government is fully committed to funding the F6 extension stage 1.

Twin underground tunnels will run four kilometres and reduce traffic congestion along the Princes Highway through Arncliffe, Banksia and Rockdale, and on the Grand Parade through Brighton-Le-Sands. The tunnels connect with the new M5 at Arncliffe, passing under Rockdale to an intersection on President Avenue at Kogarah. Peak hour travel speeds on the Princes Highway between Kogarah and the city are among the lowest for arterial roads in Sydney, which is why this project is a priority. The Government is progressively developing the F6 extension to provide the missing link in Sydney's motorway network. This new 19-kilometre motorway will make it easier, faster and safer to travel to, from and through southern Sydney and the Illawarra.

The F6 extension was identified in the NSW Long Term Transport Master Plan and the NSW State Infrastructure Strategy as one of the future strategic priorities for the Sydney road network. Stage 1 is the logical first stage because it provides motorway link between the new M5 at Arncliffe and President Avenue. The F6 extension stage 1 is another piece in the wider motorway network connecting Sydney like never before. The Government is proceeding to the next phase of the development of the F6 extension stage 1. It will reduce travel times from Kogarah to south Sydney to 13 minutes. Travel from Taren Point to Mascot will take only 12 minutes and travel from Kogarah to the city will take eight minutes. The final decision for the tunnel has not been made. Community consultation began in October 2017. In June 2018 key project design information was released. Roads and Maritime Services is preparing a comprehensive environmental impact statement, which will be exhibited publicly soon.

**Mr STEPHEN KAMPER (Rockdale) (16:04):** I cannot believe this mob—Government members. Almost 12 months to the day they have come up with the same motion. Last year they were belted around the park, but they are back to selling the same empty boxes they were selling last year. If Government members speak to the people of the Sutherland shire, they would know they think they are getting a road that goes from the south of Sydney all the way into the city and links up to the Eastern Distributor—not a link that is heading west. This is the falsehood that Government members are selling and they all know it.

I challenged Government members to doorknock with this documentation and maps around the Sutherland shire to tell the people that the Government is building a road that does not link up to the Eastern Distributor. Tell the people the Government is not taking traffic off the Eastern Distributor. I challenged Government members to do that, but none of them has. Whenever I speak to people they say, "Oh, they're building

the F6", but this Government is building a road from Kogarah to Arncliffe. It is not an F6; it is a SouthConnex, and is recognised as such in the budget papers. It is a SouthConnex to feed the WestConnex business model. It is a toll trap. Sell it for what it is. Stop lying to the people in our communities. The member for Cronulla and the Attorney General know.

I feel sorry for Government members. I love the member for Miranda, who is a great friend of mine. The members for Miranda, Kiama, Cronulla and Oatley are good people and they should not have to do this. The Government should not do this to them. They are five months away from an election. They should not be going out into their communities and selling this lie. The Government is building a road from Kogarah to Arncliffe with a toll. It is not serving the identified purpose. It is not fit for purpose. It is not what the people want.

**Mr Mark Coure:** So you're getting the supporting upgrades, are you? What about the community's benefit?

**Mr STEPHEN KAMPER:** My friend the member for Oatley knows this. The Government intends to create 24-hour clearways on all the arterial roads that link to this stupid road, and that will disturb all the small businesses along the way. As members of the Liberal Party, the members for Cronulla, Oatley, Kiama and Miranda are all proud of that. As I said earlier, Liberal Party members should be ashamed of themselves. Unfortunately, they have been sold this "something" sandwich. As we draw closer to election time, this is the business end of the parliamentary cycle and Government members are doing the very same thing again. Government members will have to cop what they are going to get on 23 March 2019.

**Mr Gareth Ward:** I seek leave to make a contribution to the debate.

**The DEPUTY SPEAKER:** Is leave granted?

**Mr Ryan Park:** No.

**Mr Gareth Ward:** So you are not allowing a local member to make a contribution to the debate?

**The DEPUTY SPEAKER:** Order! The member for Kiama will come to order. The member for Kiama is debating whether leave will be given, but has not put the request through the Chair.

**Mr Gareth Ward:** Mr Deputy Speaker, I seek leave to make a contribution, as a local member who is affected by this debate, for which any member can deny leave.

**The DEPUTY SPEAKER:** Order! That is the correct way in which to seek leave, but I do not need an explanation or a speech. Is leave granted?

**Mr Ryan Park:** No.

**The DEPUTY SPEAKER:** Leave is not granted.

**Leave not granted.**

**Mr Mark Speakman:** Mr Deputy Speaker, I seek leave to make a contribution to this debate.

**The DEPUTY SPEAKER:** Order! Is leave granted?

**Mr Ryan Park:** No.

**The DEPUTY SPEAKER:** Leave is not granted.

**Leave not granted.**

**The DEPUTY SPEAKER:** Order!

**Mr Mark Coure:** Mr Deputy Speaker, I seek leave to make a contribution to this debate.

**The DEPUTY SPEAKER:** Is leave granted?

**Mr Stephen Kamper:** No, because the Parliamentary Secretary—

**The DEPUTY SPEAKER:** Leave is not granted?

**Mr Stephen Kamper:** Yes.

**Leave not granted.**

**The DEPUTY SPEAKER:** Order!

**Ms ELENI PETINOS (Miranda) (16:08):** In reply: That was an absolutely appalling display by the Opposition.

**The DEPUTY SPEAKER:** Order! The member for Miranda will direct her comments through the Chair.

**Ms ELENi PETINOS:** The Opposition has denied debate to three local members—the member for Cronulla, the member for Oatley and the member for Kiama—the opportunity to contribute to this debate despite the issue impacting directly on their local communities and all the people they represent. The problem with Labor members is that when they do not like what they hear, their only answer is to shut down debate. God forbid that we should actually have a productive and meaningful debate in this Chamber that actually affects the people we represent. Labor members cannot handle hearing the truth and cannot handle hearing things they do not like. They are absolutely gutless. It is little wonder that Opposition members whose electorates are affected are not even present in the Chamber. They left the Chamber. I cannot believe that Labor members will not allow the member for Cronulla, the member for Oatley and the member for Kiama—who want to make a meaningful contribution to the debate—to join in the debate.

That aside, "Potts Point" Park says he may or may not be excited about the proposal, which is now recorded in *Hansard*. Like that will help the people he represents! How on earth will they get better access to the road network when he cannot bring himself to support that road network? The member for Rockdale went down the path of absolute fake news in relation to the national park. I point out by way of clarification, as the member for Heathcote and the member for Cronulla said, there are absolutely no plans to further investigate the remaining area between Loftus and Waterfall for a motorway connection. What the member for Rockdale said is completely untrue. The national park will not be impacted by the proposal that is on the table at this time.

The member for Rockdale said that this motion is the same empty boxes motion that we debated a year ago. The last time I checked there is a concrete design and plan for the motorway dated June 2018. The member for Rockdale is referring to something from October 2017. As is very evident in the material from Roads and Maritime Services [RMS], there are plans, which the community has now seen and on which the community has been consulted. The Government is very committed to delivering stage 1 of the F6 extension.

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

**Ms ELENi PETINOS:** The Government has designed it and has consulted the community. This Government is delivering it. The Government side of the Chamber is the only side of the Chamber that has any credibility in relation to delivering stage 1 of the F6 extension.

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

**Ms ELENi PETINOS:** Government members are proud of that record. As I stated earlier, the Government is committed to the rail network and our motorway network.

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

**Ms ELENi PETINOS:** The Opposition cannot commit to the rail network and the motorway network. The member for Keira could not even remember that the T4 line has to pass through to enable his constituents to get to Sydney. Government members support stage 1 of the F6 and we support our constituents. [*Time expired.*]

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

**Motion agreed to.**

### *Bills*

## **BETTING TAX AMENDMENT (POINT OF CONSUMPTION) BILL 2018**

### **Second Reading Debate**

**Debate resumed from 17 October 2018.**

**Mr RYAN PARK (Keira) (16:13):** I lead on behalf of the Opposition in debate on the Betting Tax Amendment (Point of Consumption) Bill 2018. At the outset, I acknowledge the Treasurer's staff member, Julian Whealing, for offering the member for Maroubra, and shadow Minister for Gaming and Racing and me the opportunity to discuss the bill. I also acknowledge the input I have received from Harness Racing New South Wales, Thoroughbred Breeders New South Wales Ltd, Racing NSW, Greyhound Racing NSW and the Greyhounds Breeders, Owners & Trainers Association [GBOTA]. This is complex legislation that is now in place in most other jurisdictions. Last week I was talking to my friend and colleague the Treasurer of Victoria, who has recently introduced a point of consumption tax [PoCT] at 8 per cent. A different jurisdiction. Other jurisdictions have it at 15 per cent. The Treasurer has decided to make it 10 per cent. The Opposition does not oppose that, but I give warning that we will move amendments in this place around the hypothecation and review of its impact.

This bill provides a 10 per cent point of consumption tax to be applied by the New South Wales Government on all betting operators wagering revenue derived from New South Wales activity. In addition, this bill provides for an additional funding stream to be provided to the racing industry equal to 2 per cent of all taxable net New South Wales wagering revenue each year. The bill sets out the formula for distributing the revenue to the codes: Racing NSW receives approximately 72 per cent; Harness Racing New South Wales, 15 per cent; and Greyhound Racing NSW, 13 per cent. The bill states that the proportions are the same as the proportions for the distribution of funds under the Racing Inter-code Deed 1998.

The proposed point of consumption tax will fit with the existing arrangements for betting tax payable by the NSW TAB. Existing arrangements will remain in place, but the TAB operator can offset any betting tax and tax parity payments made in a given financial year against its tax liability under this tax. Accordingly, the point of consumption tax revenue raised is a tax contribution made entirely by corporate bookmakers, as opposed to the NSW TAB. It is a tax raised in proportion with market share performance of each of the three racing codes. The Government estimates—I acknowledge they are estimates at this stage—it will raise approximately \$100 million in annual revenue, with approximately \$40 million going back to the racing industry.

I have had detailed discussions with the racing codes. I outline some of those and say to all three codes that I respect their input. A new tax always comes with challenges and different perspectives. The Greyhound Breeders Owners & Trainers Association is extremely concerned with the bill as it stands. It has pushed for a reduction in the PoCT rate from 10 per cent to 8 per cent. This is based on its fear that it will lead to less funding from corporate bookmakers into greyhound racing in general. The current revenue flow into the racing industry from corporate bookmakers is substantial, particularly in greyhound racing. The GBOTA has outlined that it is critical that this revenue flow is not disturbed as a consequence of the introduction of this tax.

According to the GBOTA, corporate bookmakers are understood to have sponsorship arrangements in place with New South Wales greyhound racing clubs worth approximately \$1.4 million. The greyhound racing industry proposal to reduce the tax to 8 per cent would align New South Wales with Victoria, but the Opposition is not proposing that in its amendments. In addition, the GBOTA and others in the greyhound industry have proposed that any distribution of the revenue from the PoCT must be distributed in the same proportion as the tax generated by each of the codes. Under the intercode methodology applied in the bill greyhound racing will receive around \$5.2 million, or 13 per cent.

I acknowledge that the New South Wales Government, through the Treasurer, has offered \$4 million as a one-off payment—and I will talk about that in a moment—to go to the regulatory regime and the implementation of those requirements that we all expect. If the methodology were changed to the proportion of the market share, greyhound racing—putting aside the one-off \$4 million—would receive approximately \$8.8 million, or an additional \$3.6 million. As best one can get across this, greyhound racing generates between 20 per cent and 22 per cent of racing revenue across New South Wales when racing is looked at overall. That does not include when it is looked at per sport, but it does include when it is looked at in relation to racing. A distribution back of less than 22 per cent to greyhound racing ongoing means that it essentially would be subsidising the other racing codes.

All of this at a time when the industry is rightly expected to reform on the basis of community expectations, particularly in relation to animal welfare concerns that were raised over the past few years. We have all become a lot more aware of the issues within the greyhound racing industry; certainly the many inquiries undertaken into it have highlighted problems. It needs a stable and reliable funding source to ensure that it puts in place the mechanisms that the community rightly expects, particularly in relation to animal welfare, breeding arrangements, the way that the dogs are treated and trained, the way that the tracks are set up, and support for the animals once they leave the industry. That is what everyone in this place expects. I say that with a genuine sense of bipartisanship.

The horseracing and harness racing industries—I am not an avid bettor so if I get the terms wrong please excuse me—are generally supportive of the Government's bill. I acknowledge the time taken by representatives of both those racing codes who have come to see me to put their case strongly. I also acknowledge the several discussions we have had with the Treasurer's office. However, we are concerned about the long-term sustainability of greyhound racing, even with the one-off payment of \$4 million, ensuring that the integrity measures and track upgrades are put in place, and the local training facilities are up to speed. We need to put them on a reliable footing. We believe that the hypothecation of this revenue should be conducted on the basis of market share, which would ensure that moving forward if the industry performed, did the right thing and developed its product, it would continue to grow. If it does not, I think the greyhound industry, together with any of the racing industries, will be put on fair notice that if it does not perform that will not be the case.

The second amendment relates to a review of the point of consumption tax. In his second reading speech the Treasurer commented that a review at approximately 18 months would be put in place. If I have that wrong,

I am happy to stand corrected. We believe that the legislation should include an independent review occur after 12 months and a report on the outcome be tabled in the House within six months after the end of the 12-month period. Any new tax is a challenge. I am not saying this one is easy, or that it is easy to navigate, but the reality is that 12 or 18 months ago we on this side of the House fought very hard to save the greyhound industry. With all good faith we must ensure that we are doing everything possible to give the industry certainty in its funding going forward and every opportunity to improve, and to show to the community that we are following up our actions with real dollars.

Again, I acknowledge the one-off payment by the Treasurer, but if the new tax is to be distributed in accordance with the intercode—and I do not want to debate the intercode at this stage—I am concerned that there will be cross-subsidisation, and the greyhound industry and the code will not have the security of income going forward, which will put at risk many of the measures that we think are important, and to be blunt, many of the measures that the community thinks are important. They are the two amendments the Opposition will propose. Again, I acknowledge the Treasurer and his office for the frank discussions they have had with my colleague the Shadow Minister for Gaming and Racing and me. I also acknowledge the three codes—Racing NSW, Harness Racing NSW, and Greyhound Racing NSW—and others who have made a contribution to arriving at the position we have reached. This is a challenging issue given what we have experienced over the past few years. However, it is important to the long-term prosperity of the greyhound industry and we must take it very seriously.

**Mr GEOFF PROVEST (Tweed) (16:25):** I make a contribution to the Betting Tax Amendment (Point of Consumption) Bill 2018. As we heard in the second reading speech, from 1 January 2019, betting operators—for example, Sportsbet, Ladbrokes, Betfair Exchange and others in Australia—will be liable to pay a point-of-consumption tax of 10 per cent on their net wagering revenue in excess of \$1 million derived from New South Wales bets. Many online wagering operators who offer bets in New South Wales are located in other jurisdictions and do not pay the existing New South Wales wagering tax on racing and sports betting. There is currently only one taxpayer of New South Wales betting tax, that being TAB Limited. Most of the tax revenue is derived from bets placed at the physical point of sale. The existing taxation system in New South Wales does not capture most of the online wagering, which is predominantly provided by operators in the Northern Territory. That segment of the industry has experienced significant growth over recent years. The point-of-consumption tax ensures that wagering operators will pay tax in New South Wales on the bets they sell to the people of this State. It fixes the disconnect between jurisdictions where gaming activities occur and where they are taxed, thereby capturing the significant growth in online gaming in recent years.

The New South Wales point-of-consumption tax rate has been set at 10 per cent of the net wagering revenue from New South Wales bets. This is below the rate of 15 per cent currently levied by South Australia and Queensland, and due to be introduced by Western Australia and the Australian Capital Territory, and it is higher than the 8 per cent due to be introduced in Victoria. The rate of 10 per cent strikes the right balance. As a low-taxing government, the Coalition does not wish to tax the online operators out of existence. However, it is clear that because they earn revenue from people in New South Wales they should contribute to New South Wales for the critical services and infrastructure that are needed in our State. I am pleased about the significant consultation that has occurred between the Minister, the Hon. Paul Toole, the member for Bathurst, and those involved in thoroughbred racing, trotting and greyhound racing.

Mr Deputy Speaker, as you may know, a dispute has erupted just north of my electorate in Queensland involving thoroughbred racing and the Queensland Labor Government. Apparently trainers in Brisbane and on the Gold Coast, which have significant Melbourne Cup celebrations that are fast approaching, have gone on strike. There will be no physical horses races in Brisbane or on the Gold Coast on Melbourne Cup day. Events where there are no physical races are called "phantom races". Punters go to the racecourse to see horseraces on the big screen, to watch the grass grow and to admire the ladies' and men's fashion.

**The DEPUTY SPEAKER:** They could go to Murwillumbah.

**Mr GEOFF PROVEST:** Yes, they could go to Murwillumbah, which is in the electorate of Lismore.

**The DEPUTY SPEAKER:** They have horses there.

**Mr GEOFF PROVEST:** I am sure they have the same standard of facilities as those in Brisbane and on the Gold Coast. The implementation of any tax places an administrative burden on both the taxpayers and the tax collector. In the case of the point-of-consumption tax, the administrative burden is proportionately greater for smaller taxpayers. In addition, because of the structure of the betting industry, the point-of-consumption tax revenue that can be collected from smaller operators is unlikely to constitute more than a small proportion of the total. There are about 180 on-course bookmakers in New South Wales who do not currently pay wagering tax in this State. This reflects the importance of these small businesses to the race day experience. One of the highlights

of going to any country race meeting is the betting rings and the characters who frequent them, and this measure will protect them.

By setting a tax-free threshold of \$1 million per annum, the Government will ensure that 95 per cent of New South Wales bookmakers will not be required to pay point-of-consumption tax. It will ensure that the cost of the collection of the tax from each of the operators is small in relation to the amount of revenue collected. The New South Wales threshold matches that legislated in Victoria, with both States providing the equal highest tax-free threshold in Australia. All States except Queensland and South Australia, where free bets are not allowed, currently include or intend to include free bets in the point-of-consumption tax base at full face value.

This treatment is easily understood and easy to administer. Free bets are used as a promotional device to encourage gambling. In future, the provision of entitlements to free bets could involve multiple parties going through more complex arrangements. Tracking the flow of funds between the parties to determine which party is funding the free bets and how much the customer is contributing could be difficult in practice and such arrangements could provide avenues for future tax avoidance. The inclusion of free bets avoids the need to determine the origin of funds placed as bets by the customer and treats all bets equally.

Historically, wagering on sporting, racing and other events has taken place in person. People go to a TAB outlet or place a wager with an on-course bookmaker. The existing taxation model in New South Wales reflects this. However, considerable growth in online wagering has resulted in the existing tax system needing an update. This new tax will not only bring New South Wales into line with other Australian jurisdictions by closing this loophole but will also ensure that online wagering operators who generate revenue from New South Wales customers contribute to services and infrastructure in the racing industry. This is a commonsense approach. My only concern relates to online gambling, which is prevalent in the community. I come from the club industry, which has supervision of gambling.

In contrast, people can use their credit card at home to engage in online gambling and that presents a danger. I obviously support our club industry, which has done some great things in our communities. Mr Deputy Speaker, you once held a hotel licence in that great town of Casino. I have been told by locals that you were known as the "publican with a smile". I will not say that gambling does not cause any harm. When I was a club manager, we identified about 10 per cent of gamblers as problem gamblers. They have access to a great deal of help from gambling referral centres and they can self-exclude. As I said, online gambling is a different kettle of fish. I have said many times in this place that people can sit in the privacy of their own home and gamble using every credit card they have. That cannot be done in clubs and pubs because of the supervision and control.

I have sometimes found it difficult when we try to legislate to protect the more vulnerable in our community while not impinging on the rights of the majority. A balance must be struck. As technology develops, we will find it more and more difficult to keep legislation on track. I commend the bill to the House. I think it is a positive step. It will ultimately see more money going back to the thoroughbreds, trotters and greyhounds. A lot of great people are involved in those industries and a lot of people give those industries a lot of attention. A good example is the Melbourne Cup, where people may go to the track to get dressed up or to bet—two different things. I commend the bill to the House.

**Mr ANOULACK CHANTHIVONG (Macquarie Fields) (16:35):** I wish to make a brief contribution to the Betting Tax Amendment (Point of Consumption) Bill 2018, which is reflective of the changing times, where legislation and regulatory reform needs to keep up with technology in our current economy. Disruptive technology—whether it is with Uber, short-term stays or many other apps—is changing the ways that people interact in the market economy. Our legislation should try to keep up with the times; otherwise we will be left behind. Internet gambling is not new but it is growing at a very fast rate and the laws of New South Wales need to catch up. I am glad that this bill was introduced to the House. In one sense New South Wales should have been leading the charge on this type of legislation rather than following some of our contemporaries in the other jurisdictions. Nevertheless, amendments need to be made to the legislation framework to meet the needs of the current market economy.

Betting can now be done virtually anywhere and under division 1, proposed sections 13B and 13L oblige operators to identify people who are located in New South Wales to ensure that we get an estimation of the tax payable to the people of New South Wales—tax that will be used to fund important and essential services in our local communities. The introduction of taxation of any form is always hard. With respect to corporate Australia, major international companies have used tax minimisation strategies such as transfer pricing through overseas subsidiaries and tax minimisation, where companies use advantages of lower-taxed jurisdictions. Those strategies cheat the people of New South Wales and the people of Australia of the tax they are owed for activities that are conducted in our local community. The estimate of the annual review of \$130 million to \$140 million will be important to ensure that the industry grows. Some of that money will be used to support the three racing codes:



harness racing, the thoroughbreds and the dogs. The funds that are raised will not be used merely for general revenue but will support the industry as it adjusts to the new regime.

I make another point with respect to division 2, proposed section 13. Implementation of a new taxation will have an impact on a range of businesses, small and large. In this case, the threshold of \$1 million will ensure that local small businesses—particularly family-run operations—are not burdened with majority administrative issues that they have to endure as part of running their businesses. It is important that we take that into account and support small businesses to grow. If those businesses grow and meet the threshold they will be caught by that net, but we do not want to prevent them from growing until they reach that step. Any new legislation may sometimes have unintended consequences so it is important for us to review the effects of the legislation.

I noted that the Treasurer stipulated 18 months in his second reading speech. The shadow Treasurer's suggestion of 12 months is a reasonable one. It is probably a better option because we do not want to wait an extra six months for no particular reason. If there are unintended adverse consequences to the market, the operator or the consumer we must act quickly to iron out the problem. The shadow Treasurer made the point that it will be an independent review, which is important. It will give it credibility to ensure that any changes that are made are reflective of the market circumstances and will ensure that market operators and competition works much more efficiently.

Any review should also focus on any adverse social consequences that internet gambling may have on the community. This is a growing market and the member for Tweed made some very good comments about those who may be susceptible to internet gambling. They may get themselves into all sorts of financial and social problems just by a press of a button on their phones or iPads—perhaps in some darker places around their homes—without having to go out. There is a big difference between going to the TAB and handing over \$1,000—if you have that sort of money—and betting that amount of money via a phone. It is much easier to bet by using the phone because the transaction involves no physical handling of money. I hope the review looks at the impact of the taxation regime and also at the impact that internet gambling has on local communities—particularly on those who are vulnerable.

In new section 13O some allocation of funds is made to the greyhounds. The best way to manage any industry is through regulation. But regulation can come in many different forms. There have been some animal welfare issues in the greyhound industry. Applying funds to an integrity welfare commission is a welcome response to ensure that the industry is able to survive but is regulated in a way that meets the community's expectations with respect to animal welfare. Those lovely animals—those pets—are not only for racing but also for human enjoyment. Any industry that operates in New South Wales or the nation operates under a social licence and the integrity commission is part of that social licence. We must support and fund it to ensure that the industry does the right thing by all punters.

Lastly, with respect to allocation of the codes—I think it is proposed section 13M—in the financial markets there is a term "mark to market", which is to make sure things move contemporaneously in the market and that they meet moves that different participants are making. A 1998 code is probably a little bit outdated; hopefully that will be part of the review. I think that consideration should be given to a much more flexible model that may be able to adapt, particularly where there may be unintended and unforeseen consequences. As much as we would like to, we cannot predict the future, and having these clauses in the legislation will allow us to adapt. I will leave my comments at that. The internet gambling industry is changing. Taxing it is important not only to support the industry but also to support responses to any social issues and adverse impacts that internet gambling may have. I am hoping the review will look at the industry, the tax and the social consequences of internet gambling, particularly for those who are vulnerable.

**Mr ALEX GREENWICH (Sydney) (16:43):** I have long campaigned for the scaling back of gambling in this State, and strongly believe we urgently need to cut the massive hold that the gambling industry has on policy decisions made by governments and oppositions in this House. The Betting Tax Amendment (Point of Consumption) Bill will introduce a long-overdue tax on wagering at the point of consumption to ensure that tax can be collected for bets made with online bookmakers located out of the State when the bet is placed by someone in the State, which I strongly support.

Online gambling is growing. Australia is now the world's, second largest sports betting market, and data shows that sports bets in the 2016-17 financial year were up 15.3 per cent on the previous year to more than \$1 billion. Expenditure on racing bets also grew by 6.9 per cent to a whopping \$3.3 billion. It is vital that these industries contribute to State revenue. However, it is disappointing that the Government will not set a 15 per cent tax rate as adopted in Western Australia, South Australia and Queensland, but will instead impose a smaller 10 per cent rate. That will result in significant lost revenue for the State in order to help an industry that has, as its core business model, profit from people losing money they cannot afford to lose.

A total of 2 per cent of the tax will also be reinvested in gambling through promised subsidies to horseracing and greyhound racing. In 2015 when the Government introduced the greyhound racing ban, it was a move to be proud of. It proved that it could act on principle to end an abhorrent form of animal cruelty despite a tough campaign from a very vocal industry of bullies that the Opposition took political advantage of when it could have worked to end suffering. The backflip was a massive blow and we know that the deaths, culls and cruelty in greyhound racing continue worse than ever. That makes it all the more disappointing that the new consumption tax will be used to further prop up racing.

This year Greyhound Racing was already delivered an additional \$500,000 to use as prize money for the Million Dollar Chase. That taxpayer money is being used to encourage people to lose their money in an industry that the Government admitted only three years ago was inherently and irreparably cruel. Another embarrassing example of the racing and gambling industry's hold on this Government is the Government's interference through antiquated laws that allow it to direct an independent trust in order to ensure The Everest horse race could be advertised and displayed on the Sydney Opera House sails. The community outrage was about more than just the commercialisation of this country's most iconic and World Heritage-listed building, but about where power lies in this State.

The political decision had nothing to do with community benefit but was made purely to appease the racing and gambling industry, which most see as destructive. The Sydney Opera House fiasco happened during the Responsible Gambling Awareness Week. Ironically that week the Coalition also entered into a memorandum of understanding [MOU] with clubs that will extend their lowest pokies tax in the country and their ability to use the most addictive gaming machines. Gaming machine losses have surged and are now expected to continue to grow. The majority of the loss is from the almost 70,000 poker machines in clubs.

We have the world record for gaming machine loss and harm. Since the Coalition's last MOU, about \$24 billion have been lost on poker machines alone, equivalent to \$1,000 per New South Wales resident each year. New South Wales spends the most on gaming machines in Australia in a country that has more gaming machines than any other country in the world and the largest number of problem gamblers. Anti-gambling campaigner Tim Costello compares gambling industries to the American gun lobby. I agree that gambling remains an area of policy and law where protecting the community from harm is sacrificed to prop up a vocal and destructive industry. We need to break this cycle and it will require courage from all sides of this House. I support the consumption tax and hope it will be strengthened and redirected away from racing, and that we see future governments work to protect our most vulnerable from the harms of gambling instead of bowing to a greedy and predatory industry.

**Ms TAMARA SMITH (Ballina) (16:48):** I speak to the Betting Tax Amendment (Point Of Consumption) Bill 2018. The Greens share the concerns of the member for Sydney, which we consider to raise in a different context in terms of problem gambling, online gambling, what that is doing for people with gambling addiction and also the humane treatment of animals. This bill is about revenue and it goes to the heart of the undue influence, as was foreshadowed by the member for Sydney, that the gaming and gambling industry has on the Government. Whilst we do not oppose the bill, we flag amendments here and in the other place. Wagering in Australian jurisdictions has historically been taxed to provide governments with a revenue stream to fund a range of activities and services, including assistance for problem gamblers. In New South Wales tax revenue from wagering represents a small portion of around 0.4 per cent of total State tax revenue. Changes in the way the wagering industry is structured, including the growth of online wagering, have led some jurisdictions to change the way they tax wagering. This is reflected in this legislation.

Wagering tax in New South Wales is currently levied on a location of supply basis, that is, on wagering operators located and licensed within the State. In practice, wagering tax on racing and sports betting is currently only paid by Tabcorp, the New South Wales retail wagering and totalisator licensee. All other bookmakers, including on-course bookmakers in New South Wales and corporate bookmakers who are licensed in other States and Territories, do not pay the New South Wales wagering tax. The place of consumption or location of a wagering customer, whether in New South Wales or another State or Territory, is of no relevance to the way wagering taxation is currently imposed in New South Wales before this legislation. Historically wagering has taken the form of in-person transactions in retail outlets such as a TAB or an on-course bookmaker—my uncle was a bookmaker—and the existing taxation model reflects this. However, considerable growth in online wagering in recent years has displaced the need for wages to be placed in person and online wagering is not captured by the current wagering tax framework. So, The Greens support this aspect of the bill.

In the case of online wagering, there is now a disconnect between the location of wagering activity, the jurisdiction where the profits from wagering are being earned and taxation revenue from wagering. As part of the budget last year, the New South Wales Government indicated that it would assess the impact of these changes. Other jurisdictions have responded to the changing landscape and shifting consumer preferences within the

wagering industry, most notably in South Australia, as we have heard, where 15 per cent point-of-consumption tax was introduced on 1 July 2017 and applied to the net wagering revenue of operators above the tax-free threshold of \$150,000 that is derived from South Australian residents. Another example is that in December 2014 the United Kingdom introduced a point-of-consumption tax called the Remote Gaming Duty, levied at a rate of 15 per cent of an operator's net wagering revenue. In its 2017-2018 budget, Western Australia announced a 15 per cent tax to be introduced from 1 January 2019. It will replace all current wagering tax arrangements and apply to all forms of wagering and would be a similar structure to the South Australian point of consumption.

The change in the wagering industry, as I have said, is the fastest growing segment of the Australian gambling market, worth approximately \$1.4 billion in net wagering revenue in 2014. Between 2004 and 2014, online wagering grew at around 15 per cent annually compared with just 3 per cent growth in the general gambling market. The shift towards online wagering is expected to continue due to increased accessibility and convenience as well as increased competition and breadth of offerings available to consumers. Much of the growth in wagering activity in New South Wales is occurring outside of New South Wales points of supply and outside of our wagering tax and regulatory structures. That means that although online wagering continues to grow, the revenue is not being delivered in the State. The bill introduces a 10 per cent point-of-consumption tax on wagering in New South Wales from 1 January 2019. The Greens will move an amendment around that percentage in this place and in the Legislative Council. It addresses the change from in-person wagering to online wagering. It also closes the loophole of betting operators located in areas where tax regime is less onerous, such as the Northern Territory.

However, this Government is so close to the racing industry that it has offered a range of concessions and refunds that reduce the impact of even this tax. The Government has done the bidding of industry by introducing a refund scheme that will see 2 per cent of the 10 per cent point-of-consumption tax—essentially 20 per cent of the tax—go back to Racing NSW, Harness Racing New South Wales and Greyhound Racing NSW, effectively reducing the tax to 8 per cent before it has even been introduced. The 2018-2019 budget provided that the point-of-consumption tax is expected to raise \$355 million in revenue over 3½ years to 2021-22. However, the Treasurer stated in his second reading speech that he expects only \$131 million of this to be net revenue for the Government after various deductions are made.

For an industry that is worth more than \$3 billion, this is a pittance and reflects more effective lobbying by the racing industry. We know that the bill will apply to customer gamblers in New South Wales. We have seen that the point of consumption tax in South Australia is 15 per cent. The Treasurer in his second reading speech provided that this was a \$3.3 billion industry and we consider this industry needs to be taxed appropriately, at the rate of 15 per cent. As provided above, the bill applies a range of reductions and exemptions including a tax-free threshold of \$1 million a year for all betting operators.

In South Australia, however, there is a \$150,000 threshold, which The Greens consider is more reasonable. I foreshadow that we will move an amendment to reduce this rate so that more industry participants come under the new tax regime. Astonishingly, the bill includes a new industry refund of 2 per cent of taxable wagering revenue to the racing industry. As I have said, this essentially brings the 10 per cent down to 8 per cent and is a gift back to the industry. According to the Treasurer's second reading speech, this gives the industry approximately \$40 million a year in additional funding. The 2 per cent, as I have said, will be divided between the industry codes.

The Greens welcome the \$5 million a year to be invested in the Responsible Gambling Fund. It is usually funded from a levy on The Star casino and is forecast by the Government to invest \$25 million in 2018-19. The Greens support harm minimisation but note that many programs run under the Responsible Gambling Fund have failed to properly reduce gambling harm and support victims of gambling addiction. We also welcome the \$4 million a year that has been committed to fund the Greyhound Welfare and Integrity Commission. This funding will be reviewed at the end of 2022.

The public is still paying for the Government's backflip through the Greyhound Welfare and Integrity Commission. It is The Greens' position that we do not need this and the industry needs to come to an end. Not only is the greyhound industry receiving \$4 million a year; it is also receiving \$5.2 million from the refund provisions. We know that the Greyhound Racing Industry Alliance lobbied the Government for these changes in 2017. I will move a few short amendments to the bill in the House, but The Greens support the bill.

**Mr PHILIP DONATO (Orange) (16:56):** I make a short contribution to debate on the Betting Tax Amendment (Point of Consumption) Bill 2018. While I support the overall objectives of the bill, this was an opportunity to address the parity breakdown specifically in relation to the greyhound industry. I note that amendments will be moved in relation to the tax parity breakdown, especially the ratios. My colleagues in the other place will move those amendments in relation to reducing the point of consumption from 10 per cent to 8 per cent.

My election to this place was contributed to in part by the greyhound ban introduced by former Premier Mike Baird in 2016. I live in an electorate rich in greyhound history—from the racetrack at Wade Park, which is no longer, there to the many trainers, breeders and operators involved in the greyhound industry. Orange and the Central West have a strong connection with the greyhound racing fraternity. It is for this reason that I feel compelled to speak on this issue and raise, represent and prosecute the issues to assist the industry to continue to operate, thrive, grow and be sustainable. I accept that there is an inter-code agreement, or deed, in relation to the parity breakdown. In division 6 of the bill, "Hypothecation of tax revenue", clause 13M, entitled "Appropriation and payment of revenue to industry", has a breakdown of proportions to the various racing codes. It states:

- (a) to Racing New South Wales—72%,
- (b) to Harness Racing New South Wales—15%,
- (c) to Greyhound Racing New South Wales—13%.

There is a note beneath those breakdowns that states provision in relation to the Racing Inter-Code Deed dated 27 February 1998—which is more than 20 years ago—is applicable to those proportionate ratios. This is an opportunity to enshrine in law not a deed but a statutory instrument to provide a framework for fairness across all the industries, but especially the greyhound industry. Considering the greyhound industry contributes approximately 23 per cent of market share revenue but only receives 13 per cent in return, a person does not need to be a Rhodes scholar to work out that this is disproportionate and unfair. It would not happen to the thoroughbred industry and it should not happen to the greyhound industry. It has a stench of class warfare.

I hope that the Treasurer sees fit to exercise his discretion, as specified in clause 13M (3), in relation to parity and equity. I ask that the Treasurer give an indication of a commitment to this in his speech in reply. As I stated, I support the bill but note that my Shooters, Fishers and Farmers Party colleagues in the other place will move amendments to it, which I ask the Government to consider favourably and to support. If the Government is genuine about its commitment to ensuring that the greyhound industry remains viable, competitive and able to support itself it should support the amendments.

**Mr KEVIN HUMPHRIES (Barwon) (17:00):** I make a short contribution to debate on the Betting Tax Amendment (Point of Consumption) Bill 2018. Crossbench and Opposition members expressed some concerns in relation to gambling, and the greyhound industry in particular. There were also some references to the Sydney Opera House. I remind the member for Sydney that the Opera House was funded by a lottery to which his and my parents and grandparents probably contributed. Whilst I understand the angst from some parts of the community, I find their concern quite ironic—not that I think the Opera House should be used as a billboard too much in the future.

The Government is very cognisant of the issues addressed by this bill. I vehemently defended the greyhound racing industry, and will continue to do so. The industry obviously also received support more broadly from others in this place. Whilst we cannot go back on the inter-code agreement, the betting consumption tax gave government an opportunity to reconsider with industry how the funds will be distributed. While the inter-code agreement was used as an initial instrument to determine that distribution, I acknowledge—as everybody does—that the greyhound racing industry turns over a larger amount in betting than it receives back in terms of redistribution. The Government has provided redress through this bill.

The distribution of the additional tax that is coming our way will benefit all the community as well as the racing codes. Some concessions have been made to the greyhound racing industry to receive additional funds on top of the 13 per cent distribution that it would receive to get its share up to around 23 per cent or 24 per cent. The larger amount of funding received will go to the integrity component of the greyhound racing industry, which will get it to where it should be. I encourage those people in the racing industry, particularly those in the greyhound industry, to play the long game. The industry had to clean up its act regarding some animal welfare issues and training practices. Some \$30 million has been set aside for infrastructure upgrades, and I look forward to seeing the plan for how they will be implemented across regional New South Wales, in particular.

In the interim, the Government has made good on its commitment to equalise the tax through this bill. I will not support any amendments moved by those opposite. The industry is here for the longer term, and we need to support it. Good governments fix things when faced with difficult circumstances; they do not whinge about it. On this side of the House, we are getting on with it. I thank the Treasurer, in particular, and others who have supported the industry and helped to get it where it is today and to where it will go in the future.

**Mr MICHAEL JOHNSEN (Upper Hunter) (17:04):** It is with pleasure that I contribute to debate on the Betting Tax Amendment (Point of Consumption) Bill 2018. Much has been said about the details of the bill. Upper Hunter is the home of world-class mines, wines and, importantly, equines and bovines. It is the horse capital of Australia, and second only to Kentucky in the world. We have a strong, well-recognised thoroughbred breeding industry. A track operates at Muswellbrook and both professional and mum and dad investors are involved in the

greyhound industry. The point of consumption tax introduces a level of fairness. Regardless of the comments by the member for Ballina, the tax injects more funds into the industry and the Greyhounds Welfare Integrity Commission to assist with animal welfare.

Much has been said in the past about the greyhound industry and animal welfare. The Government recognises the importance of animal welfare. Therefore, it is reasonable that income from this source is used to assist the industry, mum and dad investors and the greyhound tracks around New South Wales to run their sport efficiently and effectively with the greatest amount of integrity as possible. The tax will provide a boost for the racing industry as a whole, and no-one should apologise for that. It is important that funds are set aside to assist and educate problem gamblers. We should not shy away from that; the Government cannot bury its head in the sand. Some people do not like betting. I must admit I am not a gambling person; I do not bet. I might have one \$5 each-way bet on the Scone Cup on the third Friday in May each year, but I always lose—which reminds me why I do not bet.

**Mr John Sidoti:** It is a donation.

**Mr MICHAEL JOHNSEN:** Nothing more than a donation. I profess that I am not a big gambler in any way, shape or form. But many of my constituents and people around New South Wales are gamblers. They gamble responsibly and they enjoy it. There is no problem with that. The Government should not apologise for that or bury its head in the sand when it comes to online gambling. People will use those methods of gambling, whether the Government likes it or not. I think it is right to introduce a point of consumption tax on gambling to generate revenue for the State of New South Wales and the industry. I commend the bill to the House.

**Mr DOMINIC PERROTTET (Hawkesbury—Treasurer, and Minister for Industrial Relations) (17:07):** In reply: I acknowledge all the members who have contributed to debate on the Betting Tax Amendment (Point of Consumption) Bill 2018: the shadow Treasurer, and member for Keira, the member for Tweed, the member for Macquarie Fields, the member for Sydney, the member for Ballina, the member for Orange, the member for Barwon and the member for the Upper Hunter. I particularly acknowledge the shadow Treasurer, the member for Keira, for his considered views in respect of the challenges of tax reform. When it comes to stakeholders, the Government has landed the bill in a place that resolves many of the issues raised during the consultation period.

The bill fulfils the Government's commitment to introduce a 10 per cent point of consumption tax on wagering in New South Wales. That will be effective from 1 January 2019. The bill will update and modernise our tax system to reflect today's wagering environment, which has shifted away from in-person wagering to become an activity conducted more and more with online wagering operators. It will also ensure that all wagering and betting entities pay their fair share of gambling taxes in New South Wales and make a contribution to the infrastructure and services upon which the people of New South Wales depend. New South Wales is not the first State to undertake this important reform—the matter has been discussed at the Council of Financial Regulators by State Treasurers and the Commonwealth Treasurer for some time.

South Australia was the first to introduce a point of consumption tax of 15 per cent. Queensland, Victoria, Western Australia and the Australian Capital Territory have all either introduced or committed to introduce a point of consumption tax. The New South Wales point of consumption tax has been set at 10 per cent of net wagering revenue from New South Wales bets. This is below the rate of 15 per cent currently levied in South Australia and Queensland, and due to be introduced by Western Australia and the Australian Capital Territory. It is above the rate of 8 per cent due to be introduced by Victoria. The rate of 10 per cent for the New South Wales point of consumption tax strikes the right balance. I understand from comments made in this Chamber that amendments will be moved in the other place in respect of the rate of the tax. The Greens, from the Left, hate the racing industry and want to amend the tax to a rate of 15 per cent.

**Mr Jamie Parker:** That is the South Australian rate.

**Mr DOMINIC PERROTTET:** In my considered opinion, the South Australians got it wrong. The consideration of a similar tax in the United Kingdom, where GST is not levied on these operators, shows that that was not the right approach. The Shooters, Fishers and Farmers Party wants to have a tax rate of 8 per cent. That means, in essence, it is putting the views of and support for online bookmakers—many of whom are located overseas—above the people of New South Wales. Therefore, 10 per cent is the considered, moderate middle where the Liberal Party and The Nationals are right at home. The views of The Greens and the Shooters, Fishers and Farmers Party have demonstrated that the Government has landed the tax rate of 10 per cent right where it needs to be.

It is known that online wagering operators have existing funding arrangements with racing and sporting bodies. An additional impost on those entities needs to be fair and reasonable. As a low-taxing government, we

do not wish to tax online operators out of existence but it is clear that, as they earn revenue from people in New South Wales, they should contribute to the people of New South Wales and the critical services and infrastructure that are needed in this State. A rate of 10 per cent strikes the right balance. I set out in my second reading speech the measures that will be funded by revenue raised as a result of this new reform. These include additional funding for the Responsible Gambling Fund of \$5 million per year to support programs and activities targeted specifically to minimise the risk of harm associated with online wagering, with \$2.5 million provided in this financial year of 2018-19 so the work can begin straightaway.

There is additional support for the New South Wales racing industry to ensure that it is not affected negatively as a result of the introduction of this tax. Approximately \$40 million per year will be shared between the three racing controlling bodies, with funding to be provided on a quarterly basis. The Government will provide \$4 million per year in addition to that amount from the proceeds of the new tax to the operational costs of the Greyhounds Welfare Integrity Commission. That will include \$2 million in the 2018-19 financial year, with the ongoing funding needs of the commission to be reviewed at the end of 2021-22. It is important to note that there has been, and will continue to be, debate—and I understand there is an amendment—in respect of market share and the inter-code. There are challenging issues in respect of the breakdown and the agreement that was entered into. I accept those issues but it is important to note that the additional proceeds of \$4 million per year—which will be directed to the Greyhounds Welfare Integrity Commission—are funds that the greyhound industry would have had to contribute anyway.

If we then look at the addition of those funds as part of this change, it would get the industry to a 22 per cent to 23 per cent market share—which is what it says its share is. In my view, that strikes the right balance. There have been issues in the past and putting those funds into the Greyhounds Welfare Integrity Commission will support the greyhound industry with the matters it is facing and, at the same time, give it the assistance it needs as a result of the imposition of the 10 per cent point of consumption tax that we are introducing. This new tax is a necessary reform. The wagering landscape around Australia has changed. Once conducted exclusively in person, we know that more and more wagering is now being conducted via online wagering operators. This bill updates the taxation system in New South Wales to reflect that shift in the landscape. What is more, the bill ensures that online wagering operators contribute to New South Wales and the services and infrastructure that the people of the State rely on. I commend the bill to the House.

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

**Motion agreed to.**

**Consideration in detail requested by Mr Ryan Park and Ms Tamara Smith.**

#### **Consideration in Detail**

**The ASSISTANT SPEAKER:** By leave: I will deal with the bill in groups of clauses and schedules. The question is that clauses 1 and 2 be agreed to.

**Clauses 1 and 2 agreed to.**

**The ASSISTANT SPEAKER:** The question is the schedule be agreed to.

**Ms TAMARA SMITH (Ballina) (17:16):** By leave: I move The Greens amendments Nos 1 to 3 on sheet C2018-137 in globo:

No. 1 **Rate of point of consumption tax**

Page 7, Schedule 1 [4], proposed section 13C (2) (b), line 13. Omit "10%". Insert instead "15%".

No. 2 **Rate of point of consumption tax**

Page 7, Schedule 1 [4], proposed section 13D (3), line 20. Omit "10%". Insert instead "15%".

No. 3 **Rate of point of consumption tax**

Page 7, Schedule 1 [4], proposed section 13D (4) (b), line 29. Omit "10%". Insert instead "15%".

The Greens propose three minor amendments to the Betting Tax Amendment (Point of Consumption) Bill 2018 that relate to increasing the proposed tax from 10 per cent to 15 per cent. This is in line with South Australia, and The Greens consider it to be a more appropriate tax rate in light of the racing industry being a \$3.3 billion industry, with revenue expected to increase by 13 per cent over the next four years. While the Treasurer suggests that he is taking a middle path with this rate—between the Shooters, Fishers and Farmers Party and The Greens and Labor—we do not think that is a good reason to keep the tax rate so low when it is a multibillion-dollar industry.

The Government has not made the case for a 10 per cent point of consumption tax and has not provided any cost-benefit analysis that considers the implications of a higher tax rate. We were told that a 10 per cent point

of consumption tax was decided upon in light of concerns raised about the impacts on the racing industry and that it is a highly taxed industry. We do not think that is a good enough reason to keep the tax rate relatively low compared with other jurisdictions. Not only did the Government appease the racing industry's concerns and introduce a 10 per cent tax, but also the Government, which is very close to the racing industry, provided a range of tax reduction measures as well. I commend the amendments to the House.

**Mr DOMINIC PERROTTET (Hawkesbury—Treasurer, and Minister for Industrial Relations) (17:18):** As I have outlined, as a moderate government, we are striking the right balance at 10 per cent. It is important to note that the Victorian Labor Government introduced a point of consumption tax rate of 8 per cent. We chose what I believe is a sensible tax rate of 10 per cent. I acknowledge the statements by the member for Ballina in respect of other jurisdictions such as South Australia and Western Australia, which introduced a 15 per cent tax rate. I believe at the time—and I will raise it with the former Labor Treasurer of South Australia—the 15 per cent tax rate did not incorporate or acknowledge some of the issues with regard to the United Kingdom tax rate, which it was based it on, in circumstances where operators here make payments in relation to the goods and services tax for which operators are not liable in the United Kingdom jurisdiction.

Simply because other States do something does not mean it is right. We have chosen a position that is unique to our State. Some States have chosen 15 per cent; Victoria has chosen 8 per cent. As I outlined previously, on consideration of all the factors, I believe the 10 per cent tax rate is correct. I acknowledge that the shadow Treasurer will move an amendment to ensure that there is a review within 12 months. We suggest, as part of this bill, a review in 18 months. We can consider any of those issues at that time.

**The ASSISTANT SPEAKER:** The question is that The Greens amendments Nos 1 to 3 on sheet C2018-137 be agreed to. A division has been called for. There being five or fewer members for the question, the question is resolved in the negative.

#### **Ayes, 5**

Mr A. Greenwich  
Ms J. Leong  
Mr J. Parker  
Mr G. Piper  
Ms T. Smith

#### **Amendments negatived.**

**Mr RYAN PARK (Keira) (17:24):** By leave: I move Opposition amendments Nos 1 and 2 in globo on sheet 2018-130C:

##### **No. 1 Hypothecation of tax revenue**

Pages 9 and 10, Schedule 1 [4], proposed section 13M (2), line 41 on page 9 to line 8 on page 10.

Omit all words on those lines. Insert instead:

- (2) The amount determined under subsection (1) is to be paid to those bodies in quarterly instalments in proportion to the share of taxable net NSW wagering revenue in the financial year that is attributable, in the opinion of the Treasurer on reasonable grounds, to each of those bodies' racing industries.
- (3) For the purposes of determining a proportion in subsection (2), taxable net NSW wagering revenue in the financial year that is attributable to non-racing industries or events is to be ignored.

##### **No. 2 Review of Amendment Act**

Page 13, Schedule 1 [4]. Insert after line 32:

#### **13T Review of impact of point of consumption tax**

- (1) The Minister is, as soon as possible after the period of 12 months from the date of commencement of this Part, to commission and publish an independent review into the impact of the point of consumption tax.
- (2) A report on the outcome of the independent review is to be tabled in each House of Parliament within 6 months after the end of the 12-month period. These amendments, as I mentioned earlier in my contribution to the second reading debate, are simply about trying to make sure that we get the industry—particularly the greyhound industry—back on a certain and stable footing. The first amendment would make it so that the distribution of tax revenue would be at a new rate, not based on the Racing Inter-Code Agreement of 1998, and instead implemented

based on a market share. The second amendment is that, given the sensitivity around this tax, we would review this tax after 12 months.

**Mr DOMINIC PERROTTET (Hawkesbury—Treasurer, and Minister for Industrial Relations) (17:24):** The Government will not support the two amendments moved by the shadow Treasurer. I will briefly explain why. In relation to the Inter-Code Agreement, the Government has committed approximately \$40 million to be shared between the three racing bodies on a quarterly basis. This support will be distributed in line with the Racing Inter-Code Agreement, which has been entered into by the NSW Thoroughbred Racing Board, the Greyhound Racing NSW and Harness Racing New South Wales.

Why have we chosen to follow the Racing Inter-Code Agreement? It is a certain method of distribution. Using anything else, including the proposed market share, would introduce uncertainty. It is not clear how that market share would be calculated and on what basis, and no guidance has been provided by the Opposition in that regard. I also note that the Government will provide \$4 million per year from the proceeds of the point of consumption tax to the operation and costs of the Greyhound Welfare and Integrity Commission. From the introduction of the tax on 1 January, \$2 million from the 2018-2019 year will flow immediately to assist the commission. The Government must make certain and informed decisions based on the information in front of it. This is the decision it has made on that issue.

I appreciate the other concern raised by the shadow Treasurer, and the shadow Minister for Gaming and Racing, that a review ought to be conducted within 12 months. I have considered that, but I believe that by having the review in 18 months we will have enough time to ensure the new tax has been administered effectively and efficiently, and that it is achieving its purpose. While I understand the genuine concern of those opposite and that they would like a fair review, a faster review does not necessarily equate to a better review. We want to make ensure there is enough time for the review to not only capture the transitional issues, which I believe a 12-month review would cover, but also to investigate some of the ongoing impacts that have been raised by numerous members of this place. We want to make ensure there is a full dataset. By specifying an 18-month review of the introduction and operation of this tax, we will have better data and a better chance to assess the changes that have been made.

**The ASSISTANT SPEAKER:** The question is that Opposition amendments Nos 1 and 2 on sheet C2018-130C be agreed to.

**The House divided.**

Ayes .....30  
Noes .....49  
Majority..... 19

#### AYES

Atalla, Mr E  
Car, Ms P  
Crakanthorp, Mr T  
Donato, Mr P  
Harrison, Ms J  
Kamper, Mr S  
McDermott, Dr H  
Mehan, Mr D  
Park, Mr R  
Warren, Mr G

Bali, Mr S  
Catley, Ms Y  
Daley, Mr M  
Doyle, Ms T  
Haylen, Ms J  
Lalich, Mr N (teller)  
McGirr, Dr J  
Mihailuk, Ms T  
Scully, Mr P  
Washington, Ms K

Barr, Mr C  
Chanthivong, Mr A  
Dib, Mr J  
Harris, Mr D  
Hornery, Ms S  
Lynch, Mr P  
McKay, Ms J  
Minns, Mr C  
Tesch, Ms L (teller)  
Zangari, Mr G

#### NOES

Anderson, Mr K  
Bromhead, Mr S (teller)  
Cooke, Ms S  
Davies, Mrs T  
Evans, Mr A.W.  
Goward, Ms P  
Griffin, Mr J  
Henskens, Mr A  
Kean, Mr M

Aplin, Mr G  
Brookes, Mr G  
Coure, Mr M  
Dominello, Mr V  
Evans, Mr L.J.  
Grant, Mr T  
Gulaptis, Mr C  
Humphries, Mr K  
Leong, Ms J

Ayres, Mr S  
Conolly, Mr K  
Crouch, Mr A  
Elliott, Mr D  
George, Mr T  
Greenwich, Mr A  
Hazzard, Mr B  
Johnsen, Mr M  
Marshall, Mr A



## NOES

Notley-Smith, Mr B  
 Patterson, Mr C (teller)  
 Petinos, Ms E  
 Roberts, Mr A  
 Smith, Ms T.F.  
 Taylor, Mr M  
 Upton, Ms G  
 Wilson, Ms F

O'Dea, Mr J  
 Pavey, Mrs M  
 Piper, Mr G  
 Rowell, Mr J  
 Speakman, Mr M  
 Toole, Mr P  
 Ward, Mr G

Parker, Mr J  
 Perrottet, Mr D  
 Provest, Mr G  
 Sidoti, Mr J  
 Stokes, Mr R  
 Tudehope, Mr D  
 Williams, Mr R

## PAIRS

Cotsis, Ms S  
 Finn, Ms J  
 Foley, Mr L  
 Hoenig, Mr R  
 Watson, Ms A

Barilaro, Mr J  
 Berejiklian, Ms G  
 Constance, Mr A  
 Gibbons, Ms M  
 Lee, Dr G

**Amendments negatived.**

**The ASSISTANT SPEAKER:** The question is that the schedule be agreed to.

**Schedule agreed to.**

**Third Reading**

**Mr MARK SPEAKMAN:** I move:

That this bill be now read a third time.

**Motion agreed to.**

**STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL (NO 2) 2018****Second Reading Debate**

**Debate resumed from 17 October 2018.**

**Mr PAUL LYNCH (Liverpool) (17:36):** I lead for the Opposition on the Statute Law (Miscellaneous Provisions) Bill (No 2) 2018. The Opposition does not oppose the bill. This bill is of a type used during several decades by governments of all persuasions to adopt numerous miscellaneous and what are said to be non-controversial amendments to Acts and statutory instruments. Schedule 1 to this bill has amendments to what I think are 22 separate Acts and instruments. Schedule 2 makes amendments to Acts and instruments in a manner that might be referred to as pure statute law reform. Schedule 3 repeals various Acts and provisions of Acts and instruments.

I do not think I need to detain the House at great length on any of the provisions. If I have one concern it is that several of the Acts being amended are quite recent from this year or last year. While it is obviously better that such corrections are pursued rather than not, it is slightly concerning that so many amendments are needed so quickly after the bills became Acts. Desirably, those issues might have been picked up in the original drafting. Amendments to the Food Act concerning service look like they should have been included in previous legislation, but would have been missed. I understand from the brief conversation I had with Government representatives that the Government will move amendments to remove a couple of items. I indicate now that I do not have any difficulties with that. Apart from that, I indicate that the Opposition does not oppose the bill.

**Mr MARK SPEAKMAN (Cronulla—Attorney General) (17:37):** In reply: I thank the member for Liverpool for his contribution to the debate on the Statute Law (Miscellaneous Provisions) Bill (No 2) 2018. Schedule 1 to the bill contains policy changes of a minor and non-controversial nature. They are too inconsequential to warrant the inclusion of a separate amending bill. There are amendments to 21 Acts and related amendments to an instrument. The bill also deals with matters of pure statute law revision, repeals various Acts and provisions that no longer have any operation, and includes savings and transitional provisions as well as other technical amendments.

The amendments contained in this bill are of a minor and non-contentious nature. As part of the ongoing statute law revision program, the bill enables minor policy changes to be made efficiently and redundant

legislation to be repealed. Overall, it ensures that New South Wales legislation remains as up to date and effective as is possible. The bill enables minor policy changes to be made efficiently and redundant legislation to be repealed. I commend the bill to the House.

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

**Motion agreed to.**

**Consideration in detail requested by Mr Mark Speakman.**

#### **Consideration in Detail**

**The ASSISTANT SPEAKER:** By leave: I will deal with the bill in groups of clauses and schedules. The question is that clauses 1 to 3 and schedules 1 to 4 be agreed to.

**Mr MARK SPEAKMAN (Cronulla—Attorney General) (17:39):** I move Government amendment No. 1 on sheet C2018-145B:

No. 1      **Modern Slavery Act 2018 No 30**

Page 13, Schedule 1.18, lines 5-7, 11-13, 17-20 and 24-27. Omit all words on those lines.

I have moved the deletion of lines five to seven, 11 to 13, 17 to 20 and 24 to 27 on page 13 in schedule 1.18 to the bill.

**The ASSISTANT SPEAKER:** The question is that Government amendment No. 1 on sheet C2018-145B will be agreed to.

**Motion agreed to.**

**The ASSISTANT SPEAKER:** The question is that clauses 1 to 3 and schedules 1 to 4 as amended be agreed to.

**Clauses 1 to 3 and schedules 1 to 4 as amended agreed to.**

#### **Third Reading**

**Mr MARK SPEAKMAN:** I move:

That this bill be now read a third time.

**Motion agreed to.**

### **BUILDING AND DEVELOPMENT CERTIFIERS BILL 2018**

#### **Second Reading Debate**

**Debate resumed from 17 October 2018.**

**Ms YASMIN CATLEY (Swansea) (17:41):** I am pleased to lead for the Opposition in debate on the Building and Certifiers Bill 2018. In New South Wales, there is a system that sets out requirements for the safety, health, amenity and sustainability of buildings. This involves four key elements: first, the national building standards under the National Construction Code, which includes the Building Code of Australia; secondly, the approval process for development by State or local council authorities that grant approval or exemption and otherwise deal with complying development; thirdly, processes for checking building plans and construction are undertaken in accordance with standards and approvals—in other words, certification; and, fourthly, licensing and accreditation of building professionals and certifiers.

The building industry in New South Wales contributes approximately \$25 billion a year to the State's economy, which is 5 per cent of gross State product [GSP] and employs approximately 250,000 workers, which equates to 10 per cent of the New South Wales workforce. Can I say that it affects us all. In fact, for most of us the buying and, in particular, the building of our home is one of the, if not the, largest economic decisions a person will ever make. In the past 15 years there have been nine reviews of building regulation, which have all identified problems with the existing regulatory approach. We are yet to get the right balance and the best regulatory framework for the building of homes.

The problem as I see it is that our regulatory approach has not reflected the importance and value of the industry and the need to maintain a positive regulatory approach that supports good design and construction above all else. Building better homes is in everybody's interest, and any regulatory response should have that principle as its central focus. The Minister's contribution to the debate has addressed much of the content of the bill. The bill follows a number of recommendations of the Independent Review of the Building Professionals Act 2005 undertaken by a former Treasury Secretary, Michael Lambert. The bill replaces accreditation of certifiers with

registration of certifiers. It extends the duration of certifier's licences from one to five years. It provides for more disciplinary actions against certifiers. It introduces conflict of interest provisions and introduces a revised set of offences for certifiers who falsely issue occupation certificates.

The bill strengthens the code of conduct for certifiers and provides for penalties for noncompliance with the code; prohibits the transfer and lending of a registration and introduces the voluntary surrender or suspension of a registration; repeals the Building Professionals Act 2005 and associated regulation; abolishes the Building Professionals Board and brings these functions back within the purview of the department; provides the secretary and authorised officers with a range of compliance and enforcement powers to monitor and assess the requirements of the proposed Act; and provides more information to consumers about the role played by certifiers and seeks to stop consumers being unduly influenced in the selection of a registered certifier.

Many of these reforms are welcomed developments and at this stage, despite a number of misgivings, the Opposition will not oppose the bill. Yet there are genuine concerns over some aspects of the bill, as well as disappointment that the Government has not seized the initiative and introduced bolder reforms to address a wide range of problems in the building industry. The construction industry is vitally important. As I said, the industry contributes \$25 billion annually to our economy and employs approximately 10 per cent of the total New South Wales workforce. Again, we are dealing with important legislation that is being rammed through both Houses at the tail end of the parliamentary term.

The industry is aghast that this bill is being rammed through without adequate consultation. It is concerned we are debating this bill this week while there is another options paper, "Improving Certifier Independence", for consideration until 30 October. Has the Minister simply run out of time and needs to put something through Parliament? These regulations and other work required may be one to two years away. We and the industry are concerned that the Government and the Minister wants to be seen to be doing something. This is not the way to carry out consultation or proper reforms, and adds to the overall mistrust and despair felt by many in the industry. I quote from a release by the Association of Accredited Certifiers:

Minister Kean's 'Improving Certifier Independence—Options Paper' comes as a surprise to the AAC and its members. We've been working with government on improving governance around Accredited Certifiers, but there was no consultation on this or the recently released 'Building and Development Certifiers Bill 2018'.

This is not the first time this has occurred with this Government. Time and time again we get half-baked bills from the Minister, more about media releases than genuine, significant policy development, and time and time again industry needs to scramble to digest the changes, seek improvements, or simply despair at another failure or another lost opportunity. This rushed approach reflects poor planning on the Government. It has been sitting on a report, prepared by a former Treasury Secretary Michael Lambert for three years now—eight long years of government, three years after receiving a report, and now a mad rush at the end of 2018. At the centre of the Lambert review was a new Act and a consolidated building authority that would work with industry and oversee all aspects of building regulation. Despite broad support, the Government has rejected this, without providing a reason. Despite Victoria and Queensland taking this approach, and despite these States having a superior regulatory approach to building, the Government dismissed this critical reform out of hand.

The Lambert review made 150 recommendations. We are debating a small number today. But what we are not debating are the central tenets of the review—a new Act, the new bureaucratic structure. Not only did it make sense and would provide greater rigour and greater resourcing, but it also paid for itself many times over. Like a good former Treasury Secretary, Lambert even undertook his own cost-benefit ratio. It concluded that for every dollar spent, \$4.61 would be generated in benefits. In the construction industry that could generate millions upon millions of dollars in benefits. Again, this is common sense. If money is spent upfront, it will be saved five-fold down the track. Building things right the first time saves everyone time and money. This was the spirit that imbued the Lambert review.

The findings of the Lambert review have been backed by other independent assessments. They paint an alarming portrait of elements of the building industry and add weight to calls to address some of the systemic deficiencies. The Building Ministers' Forum commissioned a study into the construction industry, which was undertaken by Western Sydney University Vice-Chancellor and former head of the Australian Public Service, Peter Shergold. The Shergold review found significant failings in the construction industry, including non-compliant material and poorly constructed homes, weak oversight by State and Territory regulators, with enforcement hampered by a lack of skills and resources. These failings have led to a lack of public confidence in the building and construction industry. The report concluded that compliance and enforcement systems needed to change "as a matter of priority, along with the industry generally lifting its standards".

On 16 May 2018 the NSW Ombudsman tabled a report entitled "Is your builder 'fit and proper': the weaknesses of the home building licensing scheme in NSW". The report found serious and systemic issues with both the public register and the home building licensing system. The information that Fair Trading records on the

public register does not have sufficient detail and contemporaneous information to make it fit for purpose, that is, to provide consumer protection and help stop the actions of unscrupulous builders. The Government is largely deaf to these concerns, more focused on defending the neo-liberal agenda against the spectre of socialism, rather than focusing on practical ways of improving building regulation.

The bill will continue to place the burden of problems on the certifiers and overlooks the fact that issues within the quality of builds is not simply a matter of a bigger stick with which to beat certifiers. Bashing certifiers does not and will not address some of the fundamental challenges of building better homes. There is a chain that runs right across the building system, and the certifiers sit at the end of that chain. Unfortunately, the pressure is building on certifiers, and this bill does little to address the problem. There is a looming crisis in certification, which affects us all. More than 85 per cent of certifiers have seen their insurance premiums increase—one in four has seen them double. These costs are passed onto homeowners.

Almost 60 per cent of certifiers had difficulty in securing fully compliant cover—which is a worry for us all—and four in five certifiers were either extremely or very concerned about their ability to obtain compliant insurance down the track. But the most disturbing figure, perhaps a result of the statistics just mentioned, is that almost two in three certifiers responded that they have considered leaving the industry over issues with professional indemnity insurance. This is a recent snapshot undertaken by the Association of Accredited Certifiers. It is not a rosy picture. Yet, this bill is largely silent on such matters.

Should we be spreading risk and coverage through all elements of the build? Should we be considering good faith clauses for private certifiers to match similar protections for those in local government? This is not simply the view of the certifiers. Concerns over placing total responsibility upon the shoulders of private certifiers is also a real concern of Local Government NSW. While welcoming the reforms contained within the bill, it is concerned that issues outside the scope of this bill need to be addressed. The Minister should be aware of this. Its submission on the draft bill raised the accountability of other building practitioners, noting that the Building Professionals Board [BPB]—the body this bill is getting rid of—notes:

... 'one of the emerging trends associated with defects in buildings is that some accredited certifiers, as the only holders of mandatory professional indemnity insurance, are reportedly being pursued in legal claims for building work'. This is not a sudden revelation, but noted by the BPB way back in November 2011—almost seven years ago. Local Government NSW wants to look at proposals that will help to ensure that the principal contractors and other professionals involved in the design and construction of a building are accountable for their work and hold professional indemnity and runoff insurance. Unfortunately, the bill is silent on these matters. I ask the Minister whether the Government is looking at these broader issues, which go to the heart of the serious concerns with the current state of affairs in building certification?

The Minister seems to be relying on the cab rank system for certifiers as a means of addressing the myriad issues plaguing the industry. This is contained in the options paper that is being prepared while we are debating this bill. It is ludicrous that a significant piece of work is being done and will not be addressed as part of the debate on this bill. There are strongly held reservations; in fact, some are saying that, despite good intentions, it may do more harm than good. Some of the concerns about this issue include that the bill would effectively give equal status to poor performers as to excellent companies, and that it does not recognise the benefit and existence of specialised certifiers who have become expert in particular sectors and who do not operate in others. The arrangements would effectively require them to operate in all areas of expertise and not specialise. Jobs allocated on a rotational basis give all equal access to work, but provides no certainty and would tend to drive certifiers to become virtually solo operators.

At present, a number of larger firms in the business have the capacity to train graduates and to bring them through the ranks of certifiers. However, unless they can actively engage new business they will not have the resources to do that. Once training was part of the local government certification process. Now training for councils is often provided by the private certifier industry. What will happen? I would like the Minister to respond. Finally, none of the options addresses the primary concern, which largely centres on residential high-rise developments where fly-by-night builders can do a marginal job and the eventual owners—that is, strata unit owners—have no say in the process yet inherit all of the problems. These cowboys often go into voluntary liquidation, only to reappear in another guise for the next job.

The suggestion of a lockout period is equally unworkable, because a fly-by-night builder can be reincarnated and as a new entity would no longer be in lock out. How this would be policed is a mystery. These are serious issues, yet we are being asked to support the bill without considering the outcomes of the Government's consultation on the options paper. This typifies its approach to building regulation: piecemeal, slow and an insult to those in industry who want to get it right.

Another salient element completely missing from the bill is resourcing. The Minister is giving away a lot of revenue, yet he intends his department to have a stronger role. The magic pudding view simply does not stack up. We must question whether the bill contains fine words and sentiments, but no real plan on how to deliver these

changes. The bill makes no mention of resources. Without resources to conduct audits and reviews and to manage the process properly, the department will achieve little. Certifiers report that even when they ask for an audit, they are generally greeted by silence, and repeated prodding gets nowhere. There is little point in having strong regulatory rhetoric if it is not backed up by resources to implement it effectively.

This is a missed opportunity. The Government has chosen at the eleventh hour to present a bill that is restrictive in its view. It dumbs down these broader concerns into a view that sees most problems lying at the feet of a few dodgy certifiers. There are real concerns about the viability of the private certification industry, and we need to address them upfront rather than ignore them and wish they would all go away. Besides the availability of trusted and respectable certifiers, these issues unaddressed leave consumers exposed and force higher costs onto the industry, which in turn will pass those costs onto the customer.

A spectre is haunting the construction industry in New South Wales. My concern is that eight years of Coalition Government has left thousands, if not hundreds of thousands, of citizens exposed. The spectre is a lax, incoherent, and thoroughly insufficient building regulatory environment. It has flourished in this State and allowed shonks and cowboys to operate alongside the majority. In doing so, it has weakened the quality of buildings in this State and eroded public confidence. It is something on which the Government been reluctant to take action. It is something that the Labor Party will be cleaning up for many years. It is a failure on the part of this Government to respond in a timely and proactive way to deficiencies in building regulation.

This bill is another wasted opportunity to deliver real reform and long-lasting changes. It does contain good elements, but it does not go far enough. As I said, the Lambert review and its recommendations represented a real chance for change and for meaningful reform. However, this Government has dithered, delayed and that real, meaningful reform is not being delivered. As I also said, it was only the potential disasters posed by flammable cladding that got the Government moving. Even that took too long. Even in the aftermath of the Grenfell tragedy there was a reticence to act. Freedom of information documents showed that the Government was concerned that by coming down hard on dangerous cladding it could create red tape and stifle innovation. This Government was seriously balancing the pros of saving people's lives with the cons of red tape. That demonstrates its warped outlook.

The Government has played around the edges of reform to building regulation and has failed to bring industry and other stakeholders along with it. It will be left to a Foley Labor government to sort through the mess left by this Government and to realise genuine reform that makes a real difference to people's lives. The old adage "build it right the first time" should be the overarching goal while saving time, money and heartache for those who simply want their home to be safe, secure and strong. Unfortunately, that is more and more left to chance under this Government. It has presided over an industry in which money dictates quality and, sadly, safety.

In failing to achieve real reform and to strengthen the building regulatory environment in New South Wales, we are condemning countless homeowners to ongoing confusion, laxness and buck-passing when it comes to building one of the biggest investments in their lives. I do not believe this Government understands that. The Labor Party does and it will deliver in government. Despite its piecemeal nature and the fact that it does not represent real reform, I commend the bill to the House.

**Mr ADAM CROUCH (Terrigal) (18:02):** I support the Building and Development Certifiers Bill 2018. I commend the Minister for Innovation and Better Regulation and his team for introducing this incredibly comprehensive 60-page bill and for the hard work and diligence that has been a part of its creation. In 2015, the Independent Review of the Building Professionals Act 2005 identified a number of issues with the manner in which certification work was regulated and, as outlined in the Minister's second reading speech, made a number of recommendations to strengthen the framework. The Government committed to pursuing a wide range of reforms, including overhauling the certification legislation. I commend the Minister for his passion, diligence, enthusiasm and drive in delivering this bill. Its delivery symbolises the fulfilment of that promise for New South Wales.

The bill enhances requirements relating to the registration, investigation, auditing and disciplining of certifying authorities. The independent review proposed extending annual accreditation renewals for all accreditation holders from three years to five years. The bill directly adopts this recommendation and allows for renewals to arise at periods of one year, three years or five years. The reform is intended both to reward compliant certifiers with less frequent renewals and to make it easier for the sector to operate by reducing the administrative burden related to renewals.

I note that the Opposition does not oppose this bill—nor should it—but some of those opposite were making doom and gloom comments about the sky falling down with respect to home building in New South Wales. Considering there have been a record number of home approvals and record investment in building infrastructure in New South Wales, it is pretty rich for those opposite to lecture the Government about how it has

failed New South Wales. One only has to look out the door in this city to see cranes in the skies—whether for residential or commercial buildings. The same can be said for the Central Coast; there are more cranes in the skies, building more homes and more apartments and dwellings than ever before. So those opposite should not be telling Government members that we are not doing a good job. Opposition members had 16 years to deliver. The Government has delivered more in the last eight years than they did in 16 years.

The bill also establishes a full registration scheme, incorporating relevant processes contained within the Licensing and Registration (Uniform Procedures) Act 2002, such as granting, amending and renewing a registration. Adopting these processes will increase the efficiency of managing and administering registrations, and align the requirements of the bill with other occupational licensing and registration schemes managed by NSW Fair Trading. To ensure that the administration of the certifiers is consistent with other legislation in the Fair Trading portfolio, such as the Home Building Act 1989 and the Fair Trading Act 1987, the bill introduces a range of standard disciplinary processes. This includes the process for internal review under the Administrative Decisions Review Act 1997 and the "show cause" process for taking disciplinary action.

While many of the regulatory processes contained in the bill will be new for the certification sector, they are applied in most other occupational licensing and registration frameworks currently administered by NSW Fair Trading. I therefore commend the bill for finally bringing the New South Wales certification sector into line with the standard processes that apply to many other regulated activities. One of the key commitments of the Government's response to the independent review was to introduce industry accreditation schemes to be recognised as the basis of, or instead of, Government issued accreditation for certain types of work. This bill delivers on this and introduces a regulatory mechanism for competent fire safety practitioners and other practitioners undertaking "regulated work" to be accredited by private organisations.

While the Environmental Planning and Assessment Regulation 2000 was updated in late 2017 to include the system for accrediting "competent fire safety practitioners", the bill establishes the formal regulatory mechanisms by which competent fire safety practitioners can be accredited by non-government organisations. Such accreditation schemes will be developed in accordance with guidelines prescribed by the secretary and requirements prescribed by the bill. The process for accreditation schemes was designed largely to mirror the requirements for Government registration of certifiers to ensure that accreditation authorities can meet the provisions for approval before accrediting other practitioners.

An accreditation authority will be required to abide by a number of conditions, such as acting in the public interest when exercising their functions and appropriately managing records in accordance with the requirements of the regulations. These conditions empower the secretary to oversee accreditation authorities to ensure that only compliant authorities can issue an accreditation for an accredited practitioner. Under the bill, accreditation authorities will be closely monitored, and it will be an offence to falsely claim to be or act as an accreditation authority, attracting a maximum penalty of \$1.1 million in the case of a body corporate, or \$330,000 in any other case.

It will also be an offence for an accreditation authority to fail to provide or publish information to the secretary as required. Of course, protections will be available for those who are affected by the secretary's decisions under the bill. For example, a person who is affected by a secretary's decision to refuse, suspend, cancel or vary an accreditation authority's approval, or the decision of the secretary to impose a condition on the approval, will be able to apply to the NSW Civil and Administrative Tribunal for an administrative review of the decision. The bill strengthens and streamlines regulatory processes—provisions which are vital to ensuring that New South Wales has a robust certification system.

The key provisions in the bill include: clarifying the definition of certification work; requiring certifiers to carry out certification work under a written contract; prohibiting the transfer and lending of a registration; and introducing voluntary surrender or suspension of a registration. The bill also: provides for new conflict of interest provisions that cover all types of certification work; introduces a revised offence for certifiers who falsely issue certificates; strengthens the code of conduct and allows for the issuing of monetary penalties in cases of non-compliance.

The bill disbands the Building Professionals Board and secretariat and integrates their functions into the Department of Finance, Services and Innovation; provides the secretary and authorised officers with a number of compliance and enforcement powers to monitor and assess compliance with the requirements of the bill; enables the secretary to issue any material that can be enforceable as a condition of a certifier's registration; enables the secretary to act immediately on disciplinary matters if it is in the public interest to do so; and recognises non-government accreditation schemes for certifiers, in addition to Government schemes, such as accredited practitioners—fire safety. It extends licence durations from one year to five years, as I outlined earlier.

As pointed out by the Minister in his second reading speech, the bill responds to key recommendations of the Lambert review, which recommended that the current Building Professionals Act be rewritten to improve the operation of certification work in New South Wales. The Minister also outlined that, overall, this creates a more effective legislative regime for the licensing and accreditation of certifiers, will increase the independence, integrity and professionalism of the industry and will provide stronger oversight of the conduct of certifiers and reduce red tape. The Minister also outlined the fact that this bill will ensure that our community can continue to have faith in the role of certifiers. Certifiers are different from other personnel in the construction industry in that they may be responsible for inspecting work and making sure that it is done appropriately. The certifiers make up an integral part of the building industry.

Once again, I commend the Minister and his team for the extensive consultation period that was undertaken. This bill is almost 60 pages in length. It is incredibly detailed, so I think it was a bit rich for the member for Swansea to come into the Chamber and criticise the bill but then support it. That is what we have come to expect from those opposite. This is a very good bill and I commend the Minister for his hard work and diligence. I commend the bill to the House.

**Ms JO HAYLEN (Summer Hill) (18:11):** The Building and Development Certifiers Bill 2018 repeals the Building Professionals Act 2005, Building Professionals Amendment Act 2008, and the Building Professionals Regulation 2007, and forms part of the Government's response to the 2015 Lambert review. The bill clarifies the process required to register as a certifier, and establishes a series of requirements that delineate the responsibilities of that work.

It strengthens the powers of the Secretary of the Department of Finance, Services and Innovation to undertake disciplinary action, to reward certifiers deemed to be low risk with less frequent license renewals, and to suspend or cancel a license approval. Importantly, the bill sets a series of offences and penalties for certifiers who mislead, misuse or fraudulently undertake certification work, including when there is a conflict of interest, when certifiers work without sufficient insurance coverage, and when a certifier does not have the proper registration. Finally, the bill amends the Home Building Act 1989 No. 147 to require building contractors to inform customers about the role of certifiers, and makes it an offence to try to unduly influence the appointment of a building certifier.

There can be no doubt that certifiers play a considerable role in the building and construction industries. For an idea of just how considerable that role is, it is estimated that an average of \$4.4 billion worth of development certificates were issued in New South Wales in 2014-15, and that 91 per cent of them were completed by private certifiers. In communities such as those that I represent in the Inner West, more and more landowners choose to utilise certifiers for home renovations and extensions under complying development.

The promise of many certifiers is that applications will be streamlined and expedited and that the pain of applying to labyrinthine council planning departments will be removed with the dash of the pen. In most cases, the system works, simplifying the process of applications and providing oversight and engagement for neighbouring residents. That is the idea, but as too many Inner West residents in my electorate know, it sometimes goes wrong. I am regularly contacted by residents concerned about what they believe to be a lack of accountability in the building industry.

One Marrickville resident visited my office to report issues with his front fence. In the course of their work, the builders next door had splattered the entire fence with concrete and stucco. The resident had tried to fix it by first speaking with the builder, then the owner, then the certifier, then the Building Professionals Board and he had no luck at any turn. An Ashfield resident contacted me about work being undertaken at a nearby site that had led to the flooding of her property. The complaints were met with silence from the registered certifier despite repeated calls. Eventually, they were promised that things would be resolved but nothing happened.

Recently a Haberfield resident contacted me after he decided to install a swimming pool. The family were given the green light by the certifier. He picked the pool and dug the hole in his backyard. The day before the pool was due to arrive, carried by a \$2,000-a-day crane that they had hired, the certifier called to say that there was a misunderstanding and that there was no approval for the work. Seven months later, they are still waiting to dip their toes in before Christmas. In the meantime, they have spent thousands of dollars in extra fees to the certifier and a lengthy process to obtain council approvals. This is why they paid the certifier in the first place. Then there are the reports of dodgy deals between major developers and certifiers with white elephants across our suburbs signed off by hand-picked certifiers in cosy deals with developers themselves. I have spoken in this place many times about the need for better regulation of the building construction industry. Too often, our communities are being foisted with development that is entirely unsympathetic to the character of our suburbs and built with substandard materials as the result of cutting corners at every turn.

Frankly, I am sick of seeing buildings that bear no resemblance to the glossy artistic renderings offered in development applications and developer prospectuses, of seeing new buildings which, instead of what is promised in the glossy brochures, have cracked and water-stained facades, to say nothing of mounting defects and structural damage inside. Developers often promise the world, the highest quality materials money can buy, all of which are switched out at the last minute for cheaper options. Brick facades are replaced by concrete and stucco or wooden features are replaced with particle board; mature trees and lush landscapes give way to barren grassy patches; windows with higher efficiency standards are replaced with less efficient options; and decorative elements like canopies, wooden screens and the like are abandoned altogether. The bustling street-side cafes too often are soulless concrete boxes. Left empty, they suck the life out of our streets.

We are forced to accept more and more density in our suburbs without the proper standards to ensure that they are safe and built well. It is no wonder that people doubt that these buildings will still be standing in 10 or 20 years. What state will they be in at that point? What kind of problems are we leaving for our kids? A total of 85 percent of new apartments built in New South Wales since 2000 have had defects, including structural work, plumbing, facades, guttering and roofing, according to the University of New South Wales City Futures Research Centre. Consumers are sick to death of being ripped off by greedy developers and the community is sick of seeing heritage buildings and public places replaced with buildings that are not sympathetic at all to what they want their community to look and feel like. New homeowners, too, have often bought off the plan and they should not be left high and dry by dodgy developers who have cut corners.

I note the recent reporting of apartment owners in Castle Hill who were granted an interim occupancy order, only to find blocked exits, half-finished paint jobs and construction crews on site on moving day. Currently developers are able to self-select the certifiers tasked with signing off on their projects. That is inherently flawed and clearly leaves open the door to bad practices at best and collusion at worst. I note that the Minister raised this as one of the primary rationales behind the bill when he said:

It's ridiculous that developers can choose their own certifiers. While there are many good certifiers in NSW, we have to get rid of any crooks, cowboys and shonks in the industry.

It is clear that people have lost faith in the current system. The Government has released an options paper that offers three options to resolve this issue. One option it proposes is a rotating system or lottery whereby developers are matched with three possible certifiers at random and permitted to choose from the three. The Government also proposes a cab rank type system whereby developers are matched with the next available certifier in the queue against selection criteria. The third option is limiting the amount of time that developers can work with a certifier to three years. The options paper is open for consultation until the end of the month.

To me all these options seem reasonable. This poses the real question as to why we are debating the bill here today. Is it the case that the Minister cares so little about the consultation that he is prepared to rush it through and rewrite the Act without this information, or is he happy to leave this critical element of the reform hanging? The closest the bill comes is to prohibit contractors from unduly influencing or attempting to influence the appointment of a certifier in the proposed section 11C in division 1A. If the purpose of the bill is to strengthen the quality of certifiers, it is clear that much more work has to be done to ensure this result. It clearly would have been better to have considered all the feedback from the relevant stakeholders rather than debating this bill today. It is also clear that much more must be done to strengthen the powers to enforce certification standards. Local councils and their peak body, Local Government NSW, have persistently raised concerns with the Department of Fair Trading's Building Professionals Board. In its submission to the Government, Local Government NSW raised issues with the lack of teeth by the Building Professionals Board. It said:

LGNSW has maintained for some time that many of the problems with building certification and regulation stem largely from the unclear roles and responsibilities of all players, but also from a lack of regulatory clout and oversight of the entire process by the BPB.

Clearly, the bill promises to simplify and clarify the complaints process by investing greater responsibility and powers in the Secretary of the Department of Finance, Services and Innovation. [*Extension of time*]

The bill introduces a show-cause approach, whereby the secretary can demand a certifier prove why action should not be taken, and to act immediately in the event if there is a risk to public safety. I note that bodies like Local Government NSW have also signalled support for the introduction of new offences and greater penalties and fines. I am of the strong view that anything that enhances oversight and accountability for building certifiers is a good thing. However, I reiterate the concerns raised by Local Government NSW in its submission that it is unclear as to whether councils or individual members of the public can initiate the complaints process. I seek clarification from the Minister given the large number of constituents who have raised with me and my office the lack of responsiveness of the Building Professionals Board. I conclude by drawing the attention of the House to a recent article in the *Sydney Morning Herald* by Ross Taylor, Managing Director of Ross Taylor and Associates waterproofing consultants. He notes in response to the bill:



The recently announced proposed overhaul of certifiers won't make much difference to the quality of buildings. The fundamental flaw in the concept of certifiers is that their role is to check paperwork and not to check actual construction as it goes up. The amount of visits and time on site actually verifying the construction is very limited. The so-called overhaul does little to change this.

I support the bill as a step in the right direction but it is clear that it must go much further if it is to meet the intent and recommendations of the Lambert review. It is right that we break down the cosy relationship between certifiers and dodgy developers. It is right that we create stronger accountability by increasing penalties and introducing new offences to protect consumers. It is right, too, that we work to improve the complaints process so that the community can have a greater say about development in their neighbourhood. But I call on the Minister to give this new regime teeth by bringing forward a more detailed discussion about the options that he has in his paper. I call on the Minister to empower consumers by providing better information about developers from whom they are buying and by working towards greater oversight of building quality overall.

**Mr ALEX GREENWICH (Sydney) (18:23):** Private certification has been plagued by reports of defects, heritage destruction, non-compliance, poor oversight and inadequate enforcement action. Major problems have arisen from the conflict of interest inherent in the system, which allows developers and builders to select and pay the person who checks and confirms whether their development complies with requirements. I regularly hear from constituents concerned about work endorsed by private certifiers. I hear from neighbours of new developments who have lost sunlight or their privacy because a private certifier signed off on noncompliant setbacks.

I hear from home owners who have ended up with defects because the private certifier signed off on faulty or substandard work. The proliferation of exempt and complying development has made private certification, and therefore illegal building work, more widespread. As the local member, I have referred many constituents to the Building Professionals Board but constituents have rarely been satisfied with action taken. It has long been clear that the board lacks the teeth to deal with complaints and rogue operators.

I welcome the Building and Development Certifiers Bill, which is a positive step in improving the private certification system through much-needed reform to enforcement and compliance. The bill will abolish the Building Professionals Board and transfer its regulatory role to the Department of Finance, Services and Innovation while strengthening its powers to address complaints and poor performance. The bill includes a more streamlined disciplinary process for private certifiers. The "show cause" approach will replace the existing two-stage process and make it easier to take disciplinary action against noncompliant certification work.

Higher penalties for not complying with one's obligations and requirements will complement this new process and encourage better conduct. The bill attempts to address the problem of improper relationships between a private certifier and builders and developers. The notion of private influence will be introduced into the Act, making it clear that the chief role of a private certifier is to protect the public interest, with statutory objectives to set out that private certifiers have a duty to protect public health, safety and amenity. The bill puts a greater focus on private certifiers being public officials, in contrast to the role of serving developers and builders.

I welcome the new test for professional misconduct or unprofessional conduct, which is in line with the obligations on council certifiers not to accept benefits. I also welcome new bans on builder contracts that aim to influence the appointment of a particular certifier. However, if private certifiers continue to be hired and paid for by builders and developers, there will always be pressure on them to sign off on construction in order to maintain good commercial employer relations. Removing this problematic relationship would solve many of the problems with the private certification system. I understand that the Government is consulting on a rotation system of private certifiers, thereby removing the ability of developers and builders to select certifiers. I strongly support such a change. It is also vital that the department conduct regular audits of construction signed off by private certifiers to check for compliance. A monitoring system is needed in the system. Developments that pose any threat to heritage, the environment or neighbourhood amenity, for example, should never be ticked off by a private developer due to their sensitivity and therefore not be classed as complying development.

Local Government NSW states that many problems have arisen from the lack of clarity over the roles and responsibilities of private certifiers. The bill provides clarification both in strengthening definitions for certification work and providing the community with more information about private certification. The success in fixing the private certification industry and improving building compliance will depend on whether the Department of Finance, Services and Innovation is properly resourced to take on its new role in replacing the Building Professionals Board and to provide the oversight required of the industry. The board's funding should be used entirely for improving the system, including to ensure the department can audit developments signed off by private certifiers and appropriately monitor the system. While I support the bill, a lot of the detail will come with the regulations. I ask that the Government introduces draft regulations for industry consultation as quickly as possible. I commend the bill.

**Mr JAMIE PARKER (Balmain) (18:28):** On behalf of The Greens I address the Building and Development Certifiers Bill 2018. I welcome the fact that the Government is taking action to clean up this racket. We have heard a lot of discussion about private certification. It was the Labor Party that privatised the certification process, destroyed good union council jobs and gave them to the private sector for dodgy certifiers to rot the system. That was introduced in 1998. I was first elected to Leichhardt council in 1999 and I saw the impact of the privatisation of the certification process including the sacking of council staff, because people were leaving in droves to go to their cowboy mates to get certification rather than have council workers do the certification. At that time there was no rigorous oversight. It has continued over the years.

The 2015 review showed that the private certification board had no staff, no infrastructure and no capacity—it was a pathetic joke. I spent 12 years on the council as a councillor and then as a mayor. Any local representative worth their salt will know how the private certification system has been abused. We know there are good people out there who are certifying and doing the right thing. The private certification organisation is saying, "Only a few hundred people have complaints." As the member for Summer Hill did and others have done, I can go through complaint after complaint in Balmain, Lilyfield, Leichhardt, Glebe, Camperdown, Forest Lodge and Ultimo where people have come to me with development issues whereby they believe the certifier has done something incorrect.

The resident cannot find the certifier; they cannot get in touch with them. It is very difficult to have a conversation with them, they are aggressive, they do not want to know. They are building their relationship with the developer rather than with residents in the local area and we see real problems. Then the council has to step in and say, "We have no responsibility," but the residents are at their wits' end saying, "Please—this has been built incorrectly and it has been signed off by the certifier." The board has been ineffective in dealing adequately with issues that have been raised. We see that with exempt and complying development, which makes it even worse. In my area, I can say which certifier to hire for an easy certification process. We know which ones are able to certify just about anything and we also know which ones do the right job and hard work. To me that says that the system needs root and branch reform.

The former State Government should never have privatised this system. It should not have been taken out of the hands of local government. For many the genie is out of the bottle but it is my view that it should be taken within councils so it can be managed by council staff who are employed with proper wages and conditions, who do not try to undercut each other, and who have all the resources and expertise of council as well as the democratic oversight of council. If there is a problem with the council staff member, all the internal processes exist and also democratically elected representatives can act on a resident's behalf. At the heart of this issue is the fundamental problem and the inherent conflict of interest that the private certifier is being chosen by the developer and is therefore dependent on the developer for their pay cheque.

This is very different from an arrangement whereby someone gets a consultant to write a report about something. As challenging and conflict-riddled as that process may be, a report written about a particular issue which is submitted with a development application, the certification process is a very different process. Certifiers can be seen going hand in hand with a developer on job after job. That certifier relies on that developer in many instances for their ongoing employment. It is clear that the supposedly independent private certifier can be compromised by that relationship. That is something that needs to change. I understand the Government is examining options, which I welcome.

In 2013 when the Government tried to ram through a pretty terrible planning bill, The Greens moved amendments in the other place to change the private certifier scheme to a more independent one in which the nexus between money and the decision is severed. We will again be seeking to move those amendments in the upper House because we believe severing that relationship is very important. We have heard members talk about the need to resource compliance and enforcement, and that is very important. There must also be a customer service capacity in government when people make complaints about these issues.

People who make complaints about developments are often very distraught. They are under a lot of pressure. Obviously their home is their largest investment—for many people it is their only investment. It is a challenging process to listen to people who have no planning experience, but we must do that. We must talk people through the process and defend local residents from the shonky certification process, not to mention all the problems with exempt and complying developments. Although the Minister is not the Minister for Planning, he knows there are major issues that require significant reform around exempt and complying development certificates. They have been abused in many cases.

They may work well in Western Sydney—Penrith and Baulkham Hills—but in Leichhardt and Lilyfield, areas in which people live very close to each other, the demolition of people's homes with basically no development application and the replacement of them with two-storey buildings is something that has caused major concerns, let alone overshadowing, setback and so on. There is a lot to be said for the work the department

has done in this area. I acknowledge the work the Minister has done to address issues that have been raised by the community but we believe it is important to take it a step further. Addressing private certification has challenged many governments. It should be returned to local government. I encourage the Government to move forward with the regulations and attack that nexus between money and outcome, to ensure it is not about a developer making a deal with a private certifier who follows them from development to development. There must be a separation.

The breaking of that nexus would undermine all the conflicts of interest and improve the result not only for residents adjoining developments or residents who may be concerned about them but also for the building industry. The building industry is important for our State, but shonky certifiers and developers undermine confidence in the industry. It is recognised that the building industry has a lot to contribute to our State environmentally and socially in respect of providing housing, but if the certification issue cannot be dealt with, confidence is undermined. This important bill will be talked about in the upper House. The Greens will not be opposing the bill and recognise there is a range of benefits in the bill which, if implemented correctly, should make a significant difference to the community.

**Ms JODIE HARRISON (Charlestown) (18:35):** I make a brief contribution to the Building and Developers Certifiers Bill 2018. I welcome the Government progressing reforms to strengthen and simplify the building and certification system in New South Wales. The bill provides a long overdue tightening of the regulatory framework governing certification to include a greater range and size of penalties, clarifying certifier roles and responsibilities, improving independence of certifiers, tightening licensing probity requirements and improving licensing administration, complaint handling and disciplinary measures. Strengthening the regulation of building and development certification has long been anticipated.

For too long Local Government NSW and councils have had to argue for a stronger, more effective regulatory regime for building certifiers on behalf of their residents. The bill has been developed to replace the Building Professionals Act 2005, which regulates accredited certifiers and was announced as part of the Government's response to the 2015 Lambert review. I agree with Local Government NSW and local councils and am disappointed that despite it being two years since the release of the Government's response to the Lambert review, stakeholders such as councils and the building industry are being given a very limited consultation period on the draft bill. In its submission to the Lambert review, Local Government NSW stated:

Local Government NSW and all councils call for the NSW Government to commit to changes that will implement an effective and efficient building certification system in NSW, which facilitates construction of approved development and compliance with relevant consents and building regulations. Local Government wants to see a system which ensures that all parties are responsible and accountable for their actions, and the community and public interest is at the forefront.

When that was written, Local Government NSW was effectively advocating for a wholesale root and branch rebuilding of the certification system. The shadow Minister for Innovation and Better Regulation and member for Swansea has identified ways in which the bill does not go far enough to improve the industry, and the member for Summer Hill also identified significant concerns with the bill. I will not repeat all of those concerns. As the former mayor of Lake Macquarie City Council, which deals with one of the highest number of development applications across the State, I understand the need to achieve better building safety and quality outcomes.

From my time on council, on the Local Government NSW board and as a State member, I am also aware of the current issues with private certifiers. I have been regaled with many tales of private certifiers simply not meeting community expectations when certifying buildings. There is a need to clean up poor practices in the industry, and those largely relate to the relationships that can be built between developer and certifier. I have heard multiple stories of a developer choosing to use a certifier who is not as strict in their application of standards as others.

I believe the introduction of the cab rank scheme to be a step in the right direction, because it will break that nexus, but I have concerns that it is missing the mark slightly. The risks associated with this is that a certifier could be allocated to a developer who is not skilled in that particular type of development. It is also unclear whether a certifier would have a right of refusal if they were to be appointed. I ask that the Minister address this in his reply. Although the stronger penalties and other regulatory powers in the bill are welcomed, like all legislation, the Building and Development Certifiers Bill 2018 will only be effective if it is sufficiently resourced and enforced. I note one key provision of the bill is to disband the Building Professionals Board and secretariat, and integrate their functions into the Department of Finance, Services and Innovation.

There must be a commitment from the New South Wales Government to sufficiently and effectively resource the secretary and the Department of Finance, Services and Innovation—effectively NSW Fair Trading—in its role overseeing building industry activities. Without such priority and focus, it is more likely that the move to a single agency will be no guarantee of success. Although I am pleased to see the Government is making improvements to many aspects of the certification process, I am concerned the bill may have some inadvertent consequences, which the Minister has indicated he will address in his reply. I do not oppose the bill.

**Mr MATT KEAN (Hornsby—Minister for Innovation and Better Regulation) (18:40):** In reply: I thank all members for their contribution to the debate on the Building and Development Certifiers Bill 2018. I particularly thank the member for Swansea, the member for Terrigal, the member for Summer Hill, the member for Sydney, the member for Balmain and the member for Charlestown for their contributions and support of this important reform to give the public confidence that certifiers are doing their job properly and protecting the public. When members of the public purchase a property in New South Wales they want to know that it has been signed off to meet the appropriate building standards.

The Government must ensure that the public can have confidence in that system. The Government will do that by increasing the independence of certifiers from the developers whom they work for and are paid by. I have enormous regard for the member for Swansea, my shadow counterpart, but I object to the issues that she raised. The Labor Government privatised certifiers in this State and it failed to put any of the governance structures around that process to give the public confidence that there is independence between the certifier and the developer who they work for and are paid by. That has got to end.

The bill will simplify and strengthen the certification system in New South Wales. It will allow the Government to more effectively register and regulate the conduct of certifiers. The bill introduces a range of reforms to the existing certification framework by providing clarity around a certifier's role and responsibilities, strengthening disciplinary procedures, enhancing independence and improving the facilitation of a certifier's function. The bill also disbands the Building Professionals Board and integrates its compliance and enforcement functions into NSW Fair Trading by vesting the board's powers with the secretary of the Department of Finance, Services and Innovation.

The fact that certifiers play a crucial role in the development and construction system by providing checks and balances at key stages of development, and supporting the work of other building practitioners to ensure that building work complies with approvals, codes and standards is not disputed. Those checks and balances are hugely important to identifying defects and non-compliances before completion and occupation of a building. It is of utmost importance that the regulator has powers to oversee the conduct of certifiers to ensure that every certifier is held to the standards that are expected. The strengthened powers introduced by the bill will target shonky certifiers who continually fail to comply with the law, and are deliberately tough to mitigate the harm that could be caused to the safety of buildings and the greater community.

The Government is committed to ensuring public confidence in the certification system. That means increasing the independence of certifiers from the developers whom they work for and are paid by. Registered certifiers are entrusted with providing a public function. The community and the consumer have a right to expect that certifiers will provide services without prejudice and that the decisions they make are robust, independent and in the public interest. That is the critical driving force behind this bill. We are cleaning up Labor's mess. Labor privatised this system and we are fixing it. I want to address the concerns raised by the member for Swansea. I disagree wholeheartedly with the alarmist speech that was given. Some of the claims made were completely ridiculous, especially when the Labor Party is responsible for the system that we have today and that we are now cleaning up. The former Labor Government privatised the system so that the relationship between certifiers and developers had no independence. We are fixing that.

The member for Swansea said that the bill has been rushed; the bill has not been rushed. In fact, the Government makes no apology for taking its time to get this reform right, which is something Labor could not achieve. Given the range of reforms recommended by the Lambert report, the diverse stakeholders and the need to ensure public safety, the Government has taken the time needed to engage in detail on its reforms. This engagement has included the public through an exposure draft bill and extensive consultation with stakeholders. The member for Swansea had concerns about certifier rotations and why that is not in the bill. The bill introduces a range of reforms that seek to improve the independence of certifiers, including the strengthening of conflict of interest provisions and greater penalties for non-compliance. Those provisions will work alongside the certifier rotation proposals, if introduced, to deliver a most robust certification framework. The head of power contained in the bill will give the department an opportunity to undertake greater research and public consultation on the certifier rotation to ensure that any proposed measure can support the strengthened independence provisions introduced in the bill.

I note the concerns of the member for Charlestown and I acknowledge her experience as a local government official. I acknowledge and thank her for her contribution to the debate. The concerns that the member raised are legitimate. We are getting that feedback from certifiers in the consultation process that we are undertaking. We note that we do not want to create a monopoly for some certifiers to be able to bump up their prices. We also note that as a result of the consultation we want to ensure that developers are getting qualified certifiers who know the industry and the risks and are not just using the next certifier off the rank. Some concerns

have been raised by industry members and we will continue to consult with them. We have heard them loud and clear. I assure the member for Charlestown and the member for Swansea that we want to get this right.

Members on both sides of the House have said that this is an important reform. We all want to increase the independence of certifiers without adversely affecting their ability to do their job and contribute to the construction and development sector. The member for Swansea raised some concerns about the disbandment of the Building Professionals Board. There was an independent review of the Building Professionals Act, which recommended consolidating the regulation of the building industry in New South Wales. Currently, NSW Fair Trading and the board secretariat perform similar licencing, investigation and disciplinary activities related to professionals in the building industry. Integrating those services provides an opportunity to strengthen the processes and capture efficiencies. I note the member for Swansea's concerns about additional rate resources. It is not the first time the member for Swansea has raised this issue. But as the key principles of the bill largely reflect the existing requirements of the Building Professionals Act 2005, it is not anticipated that there will be a significant administrative burden placed on Fair Trading.

The bill removes the statutory provisions that established the Building Professionals Board and integrates its functions within Fair Trading. This will facilitate the alignment of similar licencing investigation and disciplinary activities that are currently undertaken by Fair Trading through the regulation of other professionals in the building industry. This consolidation within Fair Trading, which began in 2015 with the transfer of the Building Professionals Board, completes the integration of the key regulatory functions governing certifier registration in a single agency. Additional resources were allocated to Fair Trading when the board functions were transferred in 2015 and, as such, the administration of the legislation will continue to be met from existing resources. I assure the member for Swansea that I am as committed as any member in this House to clean up dodgy certifier practices in this State. We will make sure that Fair Trading has the resources necessary to give that effect.

Tonight I have heard many members tell stories about dodgy certifiers in their communities. We want to stamp that out. We want to give the public confidence that certifiers are doing the right thing by the public, not the developers. The New South Wales Government is committed to ensuring public confidence in the certification system. Registered certifiers are entrusted with providing a public function. The community and the consumer has every right to expect that certifiers will provide services without prejudice and that the decisions they make are robust, independent and in the public interest. The bill seeks to improve and support the important public function of certifiers and aligns the certification framework with other occupational licencing legislation administered by Fair Trading. The bill implements much-needed reforms to simplify and strengthen the certification system in New South Wales. I commend the bill to the House.

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

**Motion agreed to.**

### **Third Reading**

**Mr MATT KEAN:** I move:

That this bill be now read a third time.

**Motion agreed to.**

## **CRIMES LEGISLATION AMENDMENT BILL 2018**

### **CRIMES (DOMESTIC AND PERSONAL VIOLENCE) AMENDMENT BILL 2018**

### **MENTAL HEALTH (FORENSIC PROVISIONS) AMENDMENT (VICTIMS) BILL 2018**

### **VICTIMS RIGHTS AND SUPPORT AMENDMENT (MOTOR VEHICLES) BILL 2018**

### **Second Reading Debate**

**Debate resumed from 17 October 2018.**

**Mr PAUL LYNCH (Liverpool) (18:50):** I lead for the Labor Opposition in the debate on the Crimes Legislation Amendment Bill 2018, the Crimes (Domestic and Personal Violence) Amendment Bill 2018, the Mental Health (Forensic Provisions) Amendment (Victims) Bill 2018 and the Victims Rights and Support Amendment (Motor Vehicles) Bill 2018. The Opposition does not oppose the bills. As a preliminary point I note that it looks as though each of the bills could have been a standalone bill. However, they have been made cognate so they can be dealt with before this Parliament rises. The process reflects the by-now typical mismanagement of

what passes for this Government's legislative agenda. I turn to the Crimes Legislation Amendment Bill. The objects of the bill are set out to be:

- (a) to amend the Crimes (Domestic and Personal Violence) Act 2007 to make further provision for the period for which apprehended domestic violence orders remain in force,
- (b) to authorise senior police officers to provisionally vary the conditions of apprehended domestic violence orders made under the Crimes (Domestic and Personal Violence) Act 2007 to address an increased risk of domestic violence against a protected person,
- (c) to provide that a person is not ineligible to receive victims support under the *Victims Rights and Support Act 2013* in respect of a terrorist act involving the use of a motor vehicle,
- (d) to extend the types of agencies that may provide documentary evidence to support applications for victims support under the *Victims Rights and Support Act 2013* to include non-government agencies funded by the Commonwealth,
- (e) to include in the *Crimes Act 1900* an indictable offence of intentionally choking, suffocating or strangling another person without the other person's consent and provide for the offence to be dealt with summarily in accordance with Criminal Procedure Act 1986 unless the prosecutor or person charged elects otherwise.

Some of the proposals in the bill stem from the "NSW Domestic Violence Death Review Team Report 2015-2017", especially those provisions dealing with apprehended domestic violence orders [ADVOs]. At page 77, the Domestic Violence Death Review Team [DVDRT] report states:

ADVO expiry can highlight that the orders are often of insufficient length to protect the victim's safety. In other cases, ADVOs expire while the abuser is in custody, meaning that when the abuser is released to the community the victim is unprotected.

The report also states:

In a number of cases during this review period the Team expressed concerns over the length of ADVOs and queried the sufficiency of short ADVOs (of 6 or 12 months in length) in cases involving significant histories of violence.

The team went on to state that lawyers and prosecutors were not requesting orders of sufficient length to protect victims of violence. Those comments gave rise to recommendation three in the report. The bill responds in a number of ways. Proposed section 49AA provides that the default period for an ADVO is two years when the defendant is 18 years or older and 12 months if under 18. The applicant may request a longer period, including for an indefinite period. Reasons obviously have to be advanced for this and the criteria are set out in the new section. Proposed section 79A allows the court to make ADVOs longer than the default period.

The considerations that are relevant are set out in proposed section 79A (4). Proposed section 79A (6) provides an order longer than the default period can only be made if the court is satisfied that the defendant has been given a reasonable opportunity to be heard. Presumably that deals with the issue of possible ex parte applications. Proposed section 79B provides the criteria for apprehended domestic violence orders [ADVOs] of indefinite duration. The problem of defendants serving a period of imprisonment for a domestic violence offence and its relation to an ADVO is dealt with by proposed section 79C. The order stays in force for the duration of the head sentence together with an additional two years. That may be altered by the court if it is appropriate to do so.

Another provision of schedule 1 gives police the power to vary the conditions of an ADVO relating to a defendant aged 16 years or over. It must be made or approved by a senior police officer. The matter must then be referred to a court on "the earliest day on which the matter can be listed at an appropriate court". A police variation can only be made if there has been a change in circumstances with a consequent increase in risk to the protected person, requiring an urgent response. For clarity, I point out that this was not a recommendation from the Domestic Violence Deaths Review Team [DVDRT].

Allowing police to vary court orders is a fairly serious issue and has some challenges in principle. Having said that, the various restrictions and criteria built into the section mean, I think, that in practical terms the proposal can be supported. The real challenge with the length of ADVOs is perhaps not the default period. The team report, as I mentioned earlier, commented that prosecutors and lawyers were not asking for longer periods. I suspect that the focus has been on whether or not an order is made, rather than on how long it should be. Changing the default period will not necessarily change that. I do not oppose that proposal but it seems a longer term solution might be needed.

Schedule 2 makes amendments to the Victims Rights and Support Act. Schedule 2.1 qualifies the existing section 25 of the principal Act by allowing victims who are otherwise eligible to obtain victims support as a result of an act of violence that was a terrorist act, which includes the use of a motor vehicle or a motor accident. Presently section 25 (2) prohibits victims support concerning an act of violence that was a motor accident. Schedule 2 [2] includes non-government agencies funded by the Commonwealth in the category of agencies providing support services to victims of crime whose report can be accepted as part of the documentary evidence supporting applications for victims support. Those provisions of the principal Act were legislated comparatively

recently and have not yet commenced. I assume this provision is merely rectifying an oversight; it makes perfect sense.

Schedule 3 to the bill inserts a new additional offence of strangulation into the Crimes Act. The Attorney General's second reading speech seems to locate the origin of this amendment in the DVDRT report. It is fair to say that concern about the strangulation provisions are far wider than just the team, however well regarded it is—including by me. I have had multiple approaches from advocates and advocacy groups about this issue. Earlier this year, I asked questions on notice about the existing section 37 of the Crimes Act following meetings with advocates. In 2014, when the current Minister for Health was Attorney-General, a new offence was introduced that amended section 37 of the Crimes Act. That did not seem to deal with the problem where acts of domestic violence were charged as common assault rather than an offence under section 37. The second reading speech then noted that 70 per cent of domestic violence assaults involving strangulation were charged as common assault. The DVDRT report concluded:

The 2014 amendments have had limited effect on the issues they sought to address.

The report and advocates more generally have pointed to the Queensland model as a desirable one to emulate. Section 315A of the Queensland Criminal Code does not have the qualification of section 37 (2) (b) of requiring to prove the intent of committing another indictable offence. The Government's position is to leave the current section 37 on the statute books and to add 37 (1A). The good news is that the new provision seems to be very similar to the Queensland provision and is provided as a table offence.

The second of the cognate bills is the Victims Rights and Support Amendment (Motor Vehicle) Bill. The object of the bill is to ensure that, if a person is intentionally killed in a crime involving a motor vehicle and another person has been charged with the murder of the person, someone who is a member of the deceased's immediate family will, if otherwise eligible, be able to receive victims support under the Victims Rights and Support Act. As I mentioned earlier, under section 25 (2) of the principal Act, there is a general prohibition on receiving support for motor vehicle accidents. The prohibition is overturned in a narrow sense to meet the object of this bill. Proposed section 44 (6A) allows postponing the determination of an application if there is an entitlement to damages under the Compensation to Relatives Act or payments under the Motor Accident Injuries Act arising from the act of violence.

The third of the cognate bills is the Crimes (Domestic and Personal Violence) Amendment Bill 2018. The objects of the bill are to provide that stalking may include conduct that involves contacting or otherwise approaching another person using the internet or any other technologically assisted means and to make it clear that cyberbullying is a form of intimidation. Schedule 1.1 amends section 7 of the principal Act. Section 7 (1) of that Act currently provides:

(1) For the purpose of this Act, "**intimidation**" of a person means:

(a) conduct amounting to harassment or molestation of the person, or

(b) an approach made to the person by any means (including by telephone, telephone text messaging, e-mailing and other technologically assisted means) that causes the person to fear for his or her safety...

The bill inserts the words "including cyberbullying" in brackets after the word "conduct" in 7 (1) (a). A note is also inserted after 7 (1) (a). Whether that makes a substantive change to the law seems to me to be a moot point. The bill also replaces the current definition of stalking in the Act and replaces it with a new one. The difference is the inclusion of this in the definition:

(c) contacting or otherwise approaching a person using the internet or any other technologically assisted means.

That does seem to be a substantive change to the law and is to be welcomed. As the Attorney-General noted in his second reading speech, these provisions should be seen in conjunction with the relevant Commonwealth offences. I now turn to the final of the four cognate bills, the Mental Health (Forensic Provisions) Amendment (Victims) Bill. The object of the bill is primarily to amend the Mental Health (Forensic Provisions) Act, although some other legislation is also affected.

The proposed amendments include enabling a court to obtain a psychiatric report about an accused before making orders following a verdict at a special hearing or a verdict of not guilty by reason of mental illness; providing that periods of unlawful absences are not to be included when determining whether a limited term has expired; establishing a victims register for the victims of certain forensic patients; providing for victims' submissions to the Mental Health Review Tribunal when release or a grant of leave is being considered; providing for information to be given to registered victims; extending the maximum period for an interim order; extending a status as a forensic patient; enabling the tribunal to make an order for temporary detention after a breach of a condition of leave or release; providing for victim impact statements and submissions by carers and care providers; preventing the destruction of forensic material after a person is found unfit to plead or not guilty by

reason of a mental illness; preventing disclosure under the Government Information (Public Access) Act of some information relating to the Commissioner for Victims' Rights; and setting out matters comprising the charter of rights of victims of forensic patients.

The Government presents this bill as giving victims a stronger voice in forensic mental health proceedings. It is said to respond to recommendations made by Anthony Whealy, QC, after his review of the Mental Health Tribunal. The reviewer's foreword squarely sets out what he sees as the two parallel systems that are in many respects irreconcilable with each other. He argues that the review has recommended:

... practical improvements and advances in its recommendations that are beneficial to victims and the system generally.

Of course, forensic patients do not have the personal moral guilt of those who commit offences while not being mentally ill. Some of the bill's provisions are sourced from Law Reform Commission Report 138, "People with cognitive and mental health impairments in the criminal system: criminal responsibility and consequences", which dates from 4½ years ago.

Schedules 1 [2] and 1 [3] amend the Mental Health (Forensic Provisions) Act to allow courts to obtain reports from experts, being a forensic psychiatrist or another specified by the regulations. This is specifically designed to occur following a special hearing or a verdict of not guilty by reason of mental illness. The report is specifically as to the condition of the person and whether the person's release is likely to seriously endanger the safety of the person or any members of the public. The common sense of that seems fairly obvious.

Schedule 1 [4] inserts a new object into the principal Act to protect the safety of victims of forensic patients and to acknowledge the harm done to victims. Proposed section 52A provides that any unlawful absence from a mental health facility is not to be counted as part of a limiting term to determine if it has expired. Proposed section 74A provides that a victim of a forensic patient may make a submission to the tribunal when considering the release or grant of leave of absence to a forensic patient. The victim may request the tribunal not to disclose the whole or part of a submission made by the victim to the patient, with which request the tribunal must agree unless it considers that it is not in the interests of justice to do so. Presumably that qualification allows the principles of procedural fairness to be observed. The Charter of Victims Rights must be adhered to when conducting a review of a forensic patient.

Schedule 1 [14] provides a new part 5A establishing a victims register to be kept by the Commissioner for Victims' Rights. The commissioner is to notify registered victims of applications for the grant of leave and other relevant matters. Schedule 1 [17] means that the register currently maintained by the tribunal is to be transferred to the victims register maintained by the Commissioner. Schedule 2 to the bill provides an exception to the provisions of section 88 of the Crimes (Forensic Procedures) Act that forensic material from a person who is a suspect is to be destroyed if no conviction is recorded or a person acquitted. The destruction is no longer required if a person is found not guilty of an offence by reason of mental illness or the person has been found unfit to be tried for an offence and is then found after special hearing to have committed an offence.

Schedule 3 amends the Crimes (Sentencing Procedure) Act. It enables a submission to be made to a court by a victim of an accused person found not guilty of an offence by reason of mental illness or who has been found unfit to be tried but found after a special hearing to have committed the offence. The statement may be considered by the tribunal when it considers what conditions are to be imposed on the release of an accused person. I must say that makes perfect sense. It cannot consider it when determining the limiting term, which is consistent with what happens now to people who have committed criminal offences.

Proposed section 28B allows a court to seek submissions from a designated carer or principal care provider as defined by the Mental Health Act. Schedule 6 provides amendments to the Victims Rights and Support Act. It confers on the victims of forensic patients the same rights as apply to the other victims covered by the Charter of Victims Rights. Such victims are to be informed in a timely manner of relevant matters before the tribunal. As indicated, the Opposition does not oppose the bills.

**Ms FELICITY WILSON (North Shore) (19:05):** I support the Crimes Legislation Amendment Bill 2018 and cognate bills, and will particularly acknowledge the changes the bills make in the domestic violence space. We know that those who experience domestic violence and those who work with them are on the front line of one of society's most complex problems. We also know that one in four women has experienced violence from an intimate partner. I congratulate the Attorney General on the legislation. I will comment in particular on the reforms to the operation and duration of apprehended domestic violence orders [ADVOs] and the reforms that will ensure that stalking and intimidation by means of technology, otherwise referred to as cyberbullying or online abuse, are captured by existing stalking and intimidation offences, which is known as Dolly's law.

The Crimes Legislation Amendment Bill 2018 tightens the apprehended domestic violence order regime to better protect victims of domestic violence in New South Wales. ADVOs are important safeguards for people



in need of protection from the risk and threat of domestic violence. They can deter and prevent behaviour such as assaulting, threatening, stalking and approaching the protected person. ADVOs can deter reoffending by increasing the risk of detection and punishment, restricting access to victims and counteracting trivialisation of the impact of domestic violence attacks. The bill, which will enhance the protections that orders can provide to protected persons and strengthen the scheme as a whole, is an important development in preventing domestic violence and reducing reoffending in this State.

The bill amends the Crimes (Domestic and Personal Violence) Act 2007 to extend the default period for a final ADVO for adult defendants from 12 months to two years. The 2017 report of the Domestic Violence Death Review Team [DVDRT] found that while ADVOs had been present in a number of the homicide matters reported for the 2000 to 2004 period, in many cases the orders had expired before the homicide occurred. The DVDRT considered that the expiration of ADVOs in those cases indicated that the default duration of the orders is insufficient to provide adequate protection for protected persons, and that the time of expiry may be a time of particular risk. The amendments will double the default duration of ADVOs, providing protected persons with a further 12 months protection. It is a tough but necessary reform that clearly puts victims at the centre of the policy.

The bill also amends the Crimes (Domestic and Personal Violence) Act 2007 to provide clear legislative guidance to applicants for ADVOs about how long they should seek the ADVO to apply where the default period is not appropriate. The bill makes our ADVO scheme more accessible to victims. The amendment will ensure that applicants are prompted and assisted to think clearly about how long they consider the order applied for should run to ensure that it provides the appropriate level of protection for the protected persons. The bill also amends the Crimes (Domestic and Personal Violence) Act 2007 to set out the factors that a court may consider in determining the duration of a final ADVO. Various factors can indicate the degree of risk of reoffending and harm that a person subject to an order may represent to the persons in need of protection. By providing a non-exhaustive list of factors that may be considered, the amendment is designed to encourage and assist courts in determining the appropriate duration of orders in particular cases. That will help to ensure that ADVOs are tailored to a victim's specific circumstances and that the law works for victims of domestic violence.

The Crimes Legislation Amendment Bill 2018 further amends the Crimes (Domestic and Personal Violence) Act 2007 to extend the duration of ADVOs to two years after an adult defendant is released from custody. In its 2017 report the DVDRT identified that protected persons can be at an elevated risk of harm when an ADVO issued against a person who is in custody expires before that person is released. Offenders who are not on parole may enter the community without any restrictions. The amendment seeks to address that risk by enabling a final ADVO to remain in force for a minimum of two years after expiration of a custodial sentence to mitigate the risk that protected persons may face at, and shortly after, the offender's date of release. The reform balances the rights of offenders who have served their term of imprisonment with the need to protect victims following the offender's release when an offender is likely to try to make contact with the victim.

The bill also amends the Crimes (Domestic and Personal Violence) Act 2007 to allow the court to make a final ADVO of indefinite duration. The amendment will ensure that when there is an ongoing risk of lethality or serious physical or psychological harm to a protected person there is no chance that the order will expire while that risk remains extant. It further relieves the protected person—or an applicant on the protected person's behalf—from the stress and burden of continually seeking further orders or extensions to the duration of existing orders to provide protection from an ongoing risk. It will also reduce pressures on courts in processing the applications.

Finally, the bill amends the Crimes (Domestic and Personal Violence) Act 2007 to allow police to provisionally vary ADVOs in circumstances of urgency, with those changed conditions to be confirmed or rejected by the court as soon as practicable. Currently, only a court can vary the conditions of an order. That can make it difficult to ensure that urgent risks arising from rapid or sudden changes in circumstances are addressed promptly and that those at risk are suitably and immediately protected. Allowing police to provisionally change ADVO conditions will provide greater immediate protection to victims while also ensuring that urgent changes remain subject to suitable review by the courts. The bill enhances safety for victims of domestic violence by ensuring that apprehended domestic violence orders are more closely tailored to victims' needs and circumstances.

The Crimes (Domestic and Personal Violence) Amendment Bill 2018, known as Dolly's law, introduces changes to the definitions of stalking and intimidation in the Act to ensure that those terms cover stalking and intimidation of persons by any means including telephone, text message, email, social media message or other technological or online means, which is known as cyberbullying. We have seen several instances of cyberbullying in domestic partnerships and in other relationships but that behaviour is not covered by existing legislation. The reforms will modernise our system and acknowledge that in 2018 people can be significantly stalked, harassed, intimidated and bullied online or through the use of other technology including text messages.

I have spent some time with local North Shore community organisations to try to understand the challenge of addressing and reducing incidents of domestic violence in my electorate and across the State. I acknowledge the significant work of the Attorney General and the Minister for the Prevention of Domestic Violence and Sexual Assault. Some of the reforms have been included in the bill because of their close relationship with victims and victim advocates. I put on record my thanks to the hardworking local advocates in my electorate, including Josie Gregory, who is the North Shore area coordinator for the Northern Sydney Women's Domestic Violence Court Advocacy Services. I have spent quite a bit of time with Josie and have taken on board her advice about reforms required across the system.

Josie has been complimentary of our work to introduce the Domestic Violence Safety Assessment Tool [DVSAT] as well as Safety Action Meetings [SAMs], which is an initiative of the Government to bring all agencies together so we can best identify those at the most serious risk of harm. The DVSAT and the SAMs are powerful tools to ensure that we can identify and respond to risk appropriately.

I have also spent some time with the North Shore Local Area Command, including with my domestic violence liaison officer Rob Nielsen and my superintendent Allan Sicard. I have spent time at Manly courthouse and I have worked a bit with some of the local shelters including Manly Women's Shelter and Mary's House in North Sydney. I know that there is still a lot of work to be done, but I commend this Government, the Attorney General and his team and the Cabinet for pursuing incremental changes and improvements that will make a significant difference to the lives of people who are attempting to flee from some of the most horrific threatening incidents, which may lead to the death of a victim. I commend the bills to the House.

**Ms TANYA DAVIES (Mulgoa—Minister for Mental Health, Minister for Women, and Minister for Ageing) (19:15):** I speak in support of the Mental Health (Forensic Provisions) Amendment (Victims) Bill 2018, one of the three cognate bills to the Crimes Legislation Amendment Bill 2018. Forensic patients are persons who have a mental illness or a cognitive impairment and who were charged with a crime and found not guilty by reason of mental illness. Forensic patients also include persons who were unfit to plead, and were subsequently found to have committed an offence following a special hearing, and have been given a term that is the best estimate of what the person would have received after a normal trial. These are called limiting terms.

Under part 5 of the Mental Health (Forensic Provisions) Act, forensic patients are reviewed by the Mental Health Review Tribunal every six months. The tribunal can make orders regarding the leave and release of the patient, but only if the tribunal is satisfied that the safety of the patient or any member of the public will not be seriously endangered if the leave or release is granted. Forensic patients are not criminally responsible for their crimes but, as with all crimes, the impact can have lasting and devastating consequences on victims.

In 2017 I requested the Hon. Anthony Whealy, QC, to undertake an important review of the Mental Health Review Tribunal in respect of forensic patients. One of the key reasons for requesting this review was the concern that had been raised with me and the Attorney General that the voices of victims were not being adequately heard by the tribunal in its decision-making about the leave and release of forensic patients. The review, which the Attorney General and I commissioned, had four areas of inquiry, two of which are relevant to the bill that is before the House. Those two areas of inquiry were: to test if leave and release decisions made by the tribunal strike an appropriate balance between the interests of community safety, the victims affected by the Act and the care and treatment needs of forensic patients, and what options could be considered to improve the support available for victims and mechanisms for victims' voices to be heard by the tribunal.

The review consulted widely via site visits to health facilities, a series of face-to-face consultations and a series of eight round table consultations. Importantly, there were round tables held for victims' representatives and two round tables were held specifically for victims of forensic patients. More than 120 people participated in the face-to-face consultations and 74 written submissions were received. It was a far-reaching and extensive consultation process. I acknowledge all those who contributed to the review and, in particular, thank the many victims who participated. I recognise it may have been a very difficult process for many people to share their story, but it was absolutely vital that we heard from everyone who has an interest in this issue.

I also formally recognise and thank Justice Whealy and the review team for undertaking this important piece of work on behalf of the Government. I have no doubt it would not have been an easy task at times, but the report provided to the Government made a number of important recommendations which, once implemented, will greatly improve the forensic mental health system in New South Wales. Justice Whealy's review considered that the existing provisions for the tribunal assessing whether to grant leave or release were appropriate. However, he made a number of recommendations to improve outcomes for victims of forensic patients by increasing the support available for them and giving them a greater voice in the justice system. The New South Wales Government accepted all of the recommendations from the review in respect of forensic patients.

I am pleased to support the bill, which makes the necessary changes to legislation to give effect to those recommendations from the Whealy review. These legislative reforms acknowledge the harm victims have suffered. To reflect this, the bill amends the objects of part 5 of the Mental Health (Forensic Provisions) Act by including an object to protect the safety of victims of forensic patients and to acknowledge the harm done to victims. The bill provides a greater voice to victims by allowing them to make a victim impact statement after the court has delivered a verdict of not guilty by reason of mental illness or, if a person is found unfit to plead, after a verdict following a special hearing that, on the limited evidence available, the person committed an offence. Victim impact statements are a powerful tool that give victims a greater voice in the justice process and acknowledge the harm they have suffered.

The bill will also strengthen victims' engagement with the Mental Health Review Tribunal. Victims will be given a greater voice by being allowed to make submissions to the tribunal on their views about the risks to them, and the impact on them, should a forensic patient be granted leave or release into the community. This will provide a more comprehensive picture for the tribunal when deciding whether, and under what conditions, to release forensic patients into the community. Victims will be able to ask that victim impact statements to the court and submissions to the tribunal are not disclosed to the forensic patient. The court or the tribunal is to agree to these requests unless it is not in the interest of justice to withhold the details from the forensic patient.

The bill will improve public safety by enabling the tribunal to make orders regarding monitoring of forensic patients while they are on leave or conditionally released. This order can include monitoring by electronic means. The bill also pauses a limiting term where the forensic patient is unlawfully absent and the tribunal has ordered their apprehension. This will ensure the limiting term reflects the original order of the court. Of critical importance in the bill are provisions to establish a specialist victims' support service. This service will provide support for victims of forensic patients to help them navigate the forensic mental health system. The New South Wales Government will invest \$1.6 million to establish the service, which will begin operating in early 2019. The service will have 10 staff members to provide trauma-informed wraparound support and referrals to victims. It will be established under Victims Services in the NSW Department of Justice, benefiting from Victims Services' existing expertise and resources.

The service will assist registered victims of forensic patients and will also support other primary victims through the complicated court and tribunal process. The service will identify victims at an earlier stage of the criminal justice process, ensuring that victims have support at this critical stage. It will also provide a triage service and case management support to address the varied needs of victims, including mental health needs. The service will also provide victims with referrals to approved counselling services. The service will offer victims advice and support in preparing and updating victim impact statements to the court and submissions to the tribunal. Victims will be supported to attend and participate in tribunal hearings, including being provided with representation at hearings where appropriate. The service will provide trauma-informed support and information to victims in plain English, including information on their rights regarding the tribunal.

There has been extensive consultation with victim support groups in the development of the bill and in particular on the operation of the victims unit. I know it will be of immense benefit to the victims of forensic patients, and it is a long overdue addition to the forensic mental health system. I would also like to put on the record my thanks to the President of the Mental Health Review Tribunal, His Honour Richard Cogswell. Richard and his team were very candid with me early in my tenure as Minister for Mental Health about the lack of supports for the victims of forensic patients and the fact the tribunal lacked the capacity and expertise to offer such support. The tribunal has been a strong supporter of the victims unit and has worked very cooperatively with Victims Services as the victims unit is developed.

Through the establishment of the victims unit, the register of victims of forensic patients will move from the tribunal to the service. On behalf of the Commissioner for Victims' Rights, the service will manage the register and deliver timely notification to victims of hearings and determinations regarding forensic patients. Overall, these reforms acknowledge the harm suffered by victims of forensic patients and give them a greater voice in the justice system. In doing so, they also provide the Mental Health Review Tribunal with a more comprehensive picture when deciding whether, and under what conditions, to release forensic patients into the community. These important changes will not only improve outcomes for victims but give them greater confidence that community safety is a priority in the tribunal's decision-making process. I commend the bill to the House.

**Ms PRU GOWARD (Goulburn—Minister for Family and Community Services, Minister for Social Housing, and Minister for the Prevention of Domestic Violence and Sexual Assault) (19:24):** The Crimes Legislation Amendment Bill 2018 makes a number of important amendments to better protect victims of domestic violence in New South Wales. Domestic violence comes in many forms, including physical, financial, emotional, verbal, social and sexual abuse. It has lasting impacts on victims' mental and physical health. The abuse can also affect those who witness it, including children and other members of the household. Victims of domestic

violence often suffer multiple forms of abuse and trauma concurrently, which can hinder their confidence and ability to leave an abusive relationship.

This Government's approach to tackling domestic violence in New South Wales is making a real difference. I welcomed the release earlier this year of a report by the NSW Bureau of Crime Statistics and Research [BOCSAR], which revealed that New South Wales is leading the nation in recording a significant decline in domestic violence assault rates. BOCSAR found that the significant drop in victimisation over the eight-year period from June 2008 to June 2016 indicates there has been "a real change" in the prevalence of domestic violence. BOCSAR noted that this reduction had not been recorded elsewhere in Australia. That same analysis found a 15.5 per cent reduction in the rate of domestic violence assaults occasioning grievous bodily harm—that is, hospitalisation—over the same period. We have much to be pleased about, but more to do.

We will continue to provide more support services and accommodation options to help domestic and family violence victims. Our investment of more than \$390 million over four years will support survivors to rebuild their lives and it will hold perpetrators to account. That is in addition to the hundreds of millions of dollars the Government spends each year to combat domestic and family violence through mainstream services in justice, police, health, child protection, social housing and homelessness. The Government is committed to making sure women in crisis have immediate access to a range of support options that are part of a system that has the interests of women and their children at the centre. This Government is tougher than ever on the criminals who perpetrate domestic and family violence. We know there is always more that can be done. That is why we are taking tough action against domestic violence in this bill.

The Crimes Legislation Amendment Bill 2018 demonstrates the Government's commitment to ensuring that the laws in New South Wales provide appropriate protections and support to victims of domestic violence. The bill introduces a new, simpler strangulation offence and reforms the current apprehended domestic violence order [ADVO] regime. These amendments arise from recommendations made by the Domestic Violence Death Review Team—the DVDRT—in its most recent report, presented to Parliament on 14 November last year. In its 2017 report the DVDRT found that, of the 1,132 homicides that occurred in New South Wales between 1 July 2000 and 30 June 2014, 30 per cent occurred in a domestic violence setting.

It also found that non-fatal strangulation is an important risk and vulnerability indicator for domestic violence victims, with strangulation having occurred in 26 per cent of the 78 intimate partner homicides prior to the fatal assault. However, the DVDRT's 2017 report also showed that strangulation in domestic violence contexts is often charged as common assault or assault occasioning actual bodily harm because it does not apply neatly to a domestic violence context. This gap in the law fails to acknowledge the seriousness of this conduct and its connection with homicide, so the Government has taken steps to rectify it.

The Crimes Legislation Amendment Bill 2018 amends section 37 of the Crimes Act 1900 by introducing a simpler strangulation offence. The new offence applies when a person intentionally chokes, suffocates or strangles another person without consent. Under the new offence, there is no need for the prosecution to demonstrate that the victim was unconscious, insensible or incapable of resistance in order to prove the offence. The offence also applies when the perpetrator chokes, strangles or suffocates the victim intending to incite fear or exert control, which is often the reason for strangulation in domestic violence settings. The simpler offence will make it easier to prosecute and prove strangulation committed in a domestic violence setting, again ensuring that perpetrators are held to account and that the penalties imposed for this conduct in these circumstances adequately reflect the seriousness and harm that this conduct can cause.

The new offence will acknowledge the seriousness of strangulation in domestic violence contexts, including its red-flag status as a predictor of future domestic violence homicide. Overall, this new, simplified offence will enhance the response of the criminal justice system to domestic violence, holding perpetrators to account and keeping victims safe. Apprehended domestic violence orders are important safeguards for people in need of protection from the ongoing risk and threat of domestic violence. They can deter and prevent behaviour such as assaulting, threatening, stalking and approaching the protected person. This bill, which will enhance the protections that ADVOs can provide to protected persons and strengthen the ADVO scheme as a whole, will be an important development in preventing domestic violence and reducing reoffending in this State.

The Crimes Legislation Amendment Bill 2018 amends the Crimes (Domestic and Personal Violence) Act 2007 to extend the default period for a final ADVO for adult defendants from 12 months to two years. The DVDRT's 2017 report found that, while ADVOs had been present in a number of the homicide matters reported for the 2000 to 2004 period, in many cases these ADVOs expired before the homicide occurred. This amendment will double the default duration of ADVOs, providing protected persons with a further 12 months protection. This is a tough but imperative reform that clearly puts victims at the centre of our response. The bill also amends the Crimes (Domestic and Personal Violence) Act 2007 to provide clear legislative guidance to applicants for ADVOs

about how long they should seek the ADVO to apply for when the default period is not appropriate. The bill makes the New South Wales ADVO scheme even more accessible to victims.

This amendment will ensure that applicants are prompted and assisted to think clearly about how long the ADVO they are applying for should run to ensure that it provides the appropriate level of protection for the protected persons. The bill also amends the Crimes (Domestic and Personal Violence) Act 2007 to set out the factors that a court may consider in determining the duration of a final ADVO. Various factors can indicate the degree of risk of reoffending and harm that a person subject to an ADVO may represent to the persons in need for protection. By providing a non-exhaustive list of factors that may be considered, this amendment is designed to encourage and assist courts in determining the appropriate duration of ADVOs in particular cases. This will help to ensure ADVOs are tailored to a victim's specific circumstances, ensuring that the law works for all victims of domestic violence.

The Crimes Legislation Amendment Bill 2018 amends the Crimes (Domestic and Personal Violence) Act 2007 to extend the duration of ADVOs to two years after an adult defendant is released from custody. In its 2017 report the DVDRT identified that protected persons can be at an elevated risk of harm when an ADVO issued against a person who is in custody expires before that person is released. This means that offenders who are not on parole may enter the community without any restrictions. This amendment seeks to address that risk by enabling a final ADVO to remain in force for a minimum of two years after expiration of a custodial sentence. This reform balances the rights of offenders who have served their term of imprisonment with the need to protect victims following the offender's release, when they are likely to try to make contact with the victim.

The bill also amends the Crimes (Domestic and Personal Violence) Act 2007 to allow the court to make a final ADVO of indefinite duration. This amendment will ensure that when there is an ongoing risk of lethality or serious physical or psychological harm to a protected person, there is no risk that the ADVO will expire while that risk remains. It further relieves the protected person, or an applicant on the protected person's behalf, from the stress and burden of continually seeking further extensions to the duration of existing ADVOs to provide protection from an ongoing risk, and will reduce pressures on courts in processing those applications.

Finally, the bill amends the Act to allow the police to provisionally vary ADVOs in circumstances of urgency, with those changed conditions to be confirmed or rejected by the court as soon as practicable. Currently only a court can vary the conditions of an ADVO, thus making it very difficult to ensure that urgent risks are addressed properly and promptly and that those at risk are protected immediately. The Crimes Legislation Amendment Bill 2018 contains many important amendments. I commend the bill to the House.

**Mr GREG PIPER (Lake Macquarie) (19:34):** I too contribute to debate on the Crimes Legislation Amendment Bill 2018 and cognate bills, the Crimes (Domestic and Personal Violence) Amendment Bill 2018, the Mental Health (Forensic Provisions) Amendment (Victims) Bill 2018, and the Victims Rights and Support Amendment (Motor Vehicles) Bill 2018. I suggest that, given enough time, most members will find that they will all too often be frustrated in trying to assist victims of crime. Occasionally it is due to the significant complexity of the case, but often it is due to the inadequacy or absence of laws for a given situation. Each of these bills goes some way towards reforming laws, and that will provide greater protections, clarity and security to victims.

In his review earlier this year of the Mental Health Tribunal, former Court of Appeal judge the Hon. Anthony Whealy, QC, found that in some cases we become so obsessed with crime and punishment that we forget about the victims. I believe that is not due to a lack of concern for victims as such; it is just that all too often victims' rights get lost in the debate and sometimes the rights of offenders are given greater attention than are the rights of victims. That must change. I turn first to the Crimes Legislation Amendment Bill 2018, which introduces new penalties for the offences of strangulation, choking and suffocation. Victims of domestic violence, and groups in my electorate who endeavour to assist them, have long called for reform such as this, particularly when it comes to formally recognising this type of behaviour is the red flag that indicates more serious harm is to follow.

I note the work that the NSW Domestic Violence Death Review Team has done in this area. I must say that I was astounded to learn that in 25 per cent of domestic violence homicides, the victim had been subjected to strangulation or choking in violent incidents by a domestic partner long before they were actually killed by that domestic partner. That is horrific. I also note the statistics produced by the Attorney General in his second reading speech: Women are eight times more likely to be killed by an intimate partner if that person has previously attempted to strangle or choke them.

The only way we can attempt to mitigate these senseless and violent deaths is to make the deterrents and penalties greater, as well as, most importantly, educate. I believe this bill attempts to do that, but I worry that too often offenders are so removed from the normal empathy and social conscience we want or expect from them that education will be unlikely to change them as a person. However, awareness and perhaps fear that the maximum penalty for strangulation or choking will be five years in jail may still be a helpful deterrent to some. I note that

this bill addresses five other recommendations that came from the NSW Domestic Violence Death Review Team. I do not intend to address each of those, but I am broadly supportive of them.

I turn now to the Crimes (Domestic and Personal Violence) Amendment Bill 2018—or "Dolly's law", as it has become much better known in the community outside this House. I acknowledge the tireless campaigning by the Everett family following the very sad death of their daughter Amy "Dolly" Everett earlier this year following a lengthy and despicable period of harassment and bullying on social media. When I consulted my community on this particular issue, the response was overwhelming. Of the many people who responded to those discussions, not one said that this reform was not needed. It seems that everyone has been subject to, or knows someone who has been subject to, some very serious forms of online stalking or cyberbullying.

I do not hesitate to point out that while this type of bullying has grown in line with the rapid growth in online media and conversation, it is not limited to young people but also common in adults who should know better. It is also worryingly now an extremely common form of abuse in most domestic violence cases. This bill will change the definitions of intimidation and stalking to include what occurs online. Stalking and intimidation no longer will be just a physical thing, but will be extended to the bullying of a person online "with the intention to cause fear of physical or mental harm". I also note among other reforms that apprehended domestic violence orders will be varied to take in cyberbullying, stalking and harassment. I believe this bill brings the law into line with modern community needs, and indeed expectations. It also keeps us somewhat in step with rapid technological advances. We know that this type of intimidation, sadly, has become common in our modern world and we are seeing some tragic consequences—including, of course, the very sad and avoidable death of young Dolly Everett.

I will now quickly address the Victims Rights and Support Amendment (Motor Vehicles) Bill 2018. I commend the Attorney General's efforts to broaden eligibility for compensation and support to the victims of homicide. Legislators cannot predict every scenario that may occur. Therefore, there are often new scenarios and previously unthought-of scenarios and criminality that are not covered by those laws. In the case of Nick McEvoy, it is hard to imagine that a motor vehicle might be used as a weapon by someone with the intention to kill deliberately, and even harder to envisage that the victims of such a crime should be included specifically in compensation programs. It took the very sad death of Nick for the shortcomings of existing legislation to be exposed, but I am pleased that those shortcomings will be rectified by this bill.

Finally, I will comment briefly on the Mental Health (Forensic Provisions) Amendments (Victims) Bill 2018. The Attorney General covered the provisions of the bill during his speech. As I have mentioned in this House on numerous previous occasions, while my experience is not contemporary, for many years I worked as a psychiatric nurse at Morisset Hospital. During that period I saw many things, including the broad impacts of crimes committed by some mental health patients. This legislation provides greater support to victims. Specifically, I note amendments to section 28A of the Crimes Sentencing Procedures Act, which will give victims the right to make victim impact statements in court proceedings even when the perpetrator has been found not guilty of an offence on the grounds of mental illness, or was determined to be unfit for trial.

As we saw most recently in the Royal Commission into Institutional Responses to Child Sexual Abuse, giving victims an opportunity to speak publicly in a court, and in a protective and supportive environment, significantly improves their recovery or healing process. I note that there has been extensive stakeholder engagement on this issue and it has been met with broad support from victims' support groups. I also acknowledge that victims will be better informed. The bill establishes a victims' register, administered by the Commissioner of Victims Rights, to keep victims better informed about court hearings, decisions and the release of offenders that may further impact on victims and their families. That is a welcome initiative.

As I said previously, this bill is in line with the findings of the Whealy inquiry. While I am aware that further reforms are needed, I accept the Minister's word that those reforms are in the process of being formulated and are coming. I believe the reforms in these bills allow us to refocus on the rights of victims—the rights of those who are bullied into submission and sometimes suicide; the rights of many women who are subject to the most vile forms of domestic abuse; the rights of victims' families; and the rights of victims who are sometimes excluded from the legal process. I believe, and I certainly hope, that these amending bills will improve trust in a system that will provide much stronger protections to the innocent and give victims a stronger voice. I commend the bills to the House.

**Mr JAMIE PARKER (Balmain) (19:43):** I participate in debate on the Crimes Legislation Amendment Bill 2018, the Crimes (Domestic and Personal Violence) Amendment Bill 2018, the Mental Health (Forensic Provisions) Amendment (Victims) Bill 2018 and the Victims Rights and Support Amendment (Motor Vehicles) Bill 2018 on behalf of The Greens. Because I know that there are many matters before Parliament this week, my comments will be relatively short. I state at the outset that The Greens are generally supportive of the bills. However, there are additional measures that The Greens consider to be important and should be pursued. I will

use the time allocated for my speech to address the Crimes Legislation Amendment Bill 2018 and one of its cognate bills, the Crimes (Domestic and Personal Violence) Amendment Bill 2018, to focus on the strangulation offence.

Over the years, my electorate office has had a great deal to do with female victims of strangulation. Many members of the public may not be aware that strangulation and attempts to strangle women are not uncommon and that they are a very serious sign. In 2010 a United States national survey found that 9.7 per cent of all women reported experiencing at least one incident of choking by an intimate partner in their lifetime and as many as 68 per cent of women in domestic violence shelters reported experiencing strangulation. According to a Queensland study, 90 per cent of strangulation allegations are made by women. It is important that these matters are addressed in the bill.

We understand it is challenging and that under existing legislative arrangements the prosecutor has to prove the victim was rendered unconscious, insensible or incapable of resistance and recklessness. As has been seen from the Coroner's Domestic Violence Death Review Team, that means strangulation offences were not being charged under the New South Wales offence of strangulation, but rather as common assault or assault occasioning actual bodily harm. It is important to address those issues and improve the legislative environment. I note the commitment of the Attorney General. There is obviously a lot to do in this space and it is important we continue that work. It is critical that political parties recognise that sexual violence and violence against women needs to be taken seriously. We need cultural change and support for people experiencing violence. We need to ensure that people experiencing violence have a safe home and can access justice. We need to ensure there are specialist workers in the wider community and that the community of non-government organisations offer the support that is needed.

I know groups such as the NSW Women's Alliance have brought together a range of organisations that have been working on developing this approach, which it is critical for the New South Wales Parliament to adopt also. New South Wales should and can lead the country when it comes to these issues. These cognate bills are important. The amendments may seem relatively small—I confess I did not realise the Victims Rights and Support Amendment (Motor Vehicles) Bill 2018 contained an exclusion in this area and I am glad that has been identified in this legislation. The Greens support the initiative that is being demonstrated here. However, we believe more needs to be done and that in the run-up to the 2019 election the Government should listen—as all parties should—to proposals for managing sexual violence, and violence against women and children in particular, to ensure this State is safe.

**Mr MARK SPEAKMAN (Cronulla—Attorney General) (19:46):** In reply: I thank members representing the electorates of Liverpool, North Shore, Mulgoa, Goulburn, Lake Macquarie and Balmain for their helpful contributions to debate on the Crimes Legislation Amendment Bill 2018, the Crimes (Domestic and Personal Violence) Amendment Bill 2018, the Victims Rights and Support Amendment (Motor Vehicles) Bill 2018 and the Mental Health (Forensic Patients) Amendment (Victims) Bill 2018. These four bills introduce important amendments that will make meaningful improvements to the lives of those who have suffered. I thank the Opposition, The Greens and the member for Lake Macquarie for their support of these bills.

I address some particular matters that have been raised in debate. The member for Liverpool suggested that the number of these bills and their cognate nature somehow suggested Government mismanagement of its agenda. I make no apologies for being a busy Attorney General. Since I became Attorney General, I have been responsible for the carriage of 22 bills through Parliament. These four bills now before the House form part of the Government's broader achievements supporting victims of crime. Examples of the Government's achievements include: rolling out Safer Pathway for victims of domestic violence; the Child Sexual Offence Evidence Pilot; the Canine Court Companion pilot; criminalising intimate image abuse; criminal and civil reforms in response to the Royal Commission into Institutional Responses to Child Sexual Abuse; entry into the National Redress Scheme; and transformational changes to sentencing parole law, among others.

I note that the member for Liverpool made a comment about the change of the definition to "intimidation" under section 8 of the Crimes (Domestic and Personal Violence) Act, suggesting it was not substantive. It is important to note that some cyberbullying conduct is already captured by the existing definitions of "stalking" and "intimidation" under sections 7 and 8 of the Act. However, these amendments will remove any doubt and be more flexible and responsive to developments in communications and other technologies. In this way, they aim to build on existing legislation in New South Wales, and complement the Commonwealth legislation.

While the Crimes (Domestic and Personal Violence) Act's current definition of "intimidation" may, in some cases, already capture cyberbullying conduct, there is a risk that not all forms of this conduct are captured—for example, when a person harasses another person by posting material about them on a social media account without necessarily sending or addressing it to them directly. Modernising the definitions of "stalking" and "intimidation" will clarify beyond doubt that cyberbullying conduct is captured by the Act; ensure that police

and courts have the power to respond appropriately; create a strong deterrent for this behaviour; and, in addition to ensuring cyberbullies can be charged under section 13 of the Crimes (Domestic and Personal Violence) Act and face criminal sanctions, the amendments will also ensure that courts may make apprehended violence orders to protect a person from cyberbullying conduct that intimidates them.

I thank the following people for their work on the amendments: Mark Follett, Carolyn Thompson, Nick Wilkinson, Kate Denning, Pritha Zaman and Rebekah Hitchenson for their hard work on the strangulation and apprehended domestic violence order reforms; Clare Wesley and Carole Ruthchild for their work on Nick's law; Laura Goodwin and Amy Simpson for their work on Dolly's law; and Shanna Satya, Hooma Mishra, Kav Salvakumar and Bobbie Wan for the forensic patient reforms. I thank all my policy staff, including Mary Klein, Alex Gibson and Sean Robertson. I also thank Bryce O'Connor.

The Government is committed to supporting victims of crime. Taken together, these measures strengthen the protections for vulnerable people and victims, strengthen criminalisation of harmful conduct, and expand access to support for family members of victims of certain crimes. Finally, I thank all those who advocated for and supported these reforms—whether they be peak groups, such as Domestic Violence NSW or families who have been touched by tragedy, such as the McEvoy and the Everetts. I commend the bills to the House.

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

**Motion agreed to.**

### **Third Reading**

**Mr MARK SPEAKMAN:** I move:

That these bills be now read a third time.

**Motion agreed to.**

### *Private Members' Statements*

#### **WOLLONGONG ELECTORATE CAPITAL EXPENDITURE**

**Mr PAUL SCULLY (Wollongong) (19:51):** In April I tore apart the Government's shameless claim that it has invested more in the Wollongong electorate than the former Labor Government because the facts did not support it—primarily because the Government was claiming credit for projects approved, funded and started by the previous Labor Government. Almost half of its spending claim evaporated because it was for projects that this Government had nothing to do with. Unsurprisingly, that embarrassing inflated expenditure claim is no longer used, but it has been replaced. In response to a question on notice, the Treasurer came up with the claim that, "Comparative to the last seven years of the Labor Government, Wollongong has received \$201 million more in infrastructure funding for 2011." That is a big claim and, given past experience, one that required checking.

I compared the last seven budgets of the previous Labor Government with the last seven budgets of the current Government. That comparison revealed that not only does the claim of additional funding for the Wollongong electorate not stack up but also it is blown apart by basic arithmetic. Over the last seven budgets of the previous Labor Government—that is 2004-5 to 2010-11—total capital spending in the Wollongong electorate was \$535.7 million. I have even been generous and knocked out expenditure on cars by the former State fleet to make it a more direct comparison. The fact is that in nominal terms the previous Labor Government spent more than half a billion dollars in the Wollongong electorate in its last seven budgets. Projects included road upgrades, school and TAFE improvements, port expansion, improvements to Wollongong Hospital, investments in housing, the relocation of Pillar; and of course the construction of lifts at Unanderra station was started—all initiatives welcomed by Wollongong residents.

Then I had a look at the Government's past seven budgets. The total capital expenditure in the Wollongong electorate was \$424.4 million. We have \$535.7 million under the previous Labor Government and \$424 million under this Government. Primary school maths immediately reveals that spending in the Wollongong electorate under the Liberals is \$111.3 million less than in the last seven years of Labor—not more, as the Treasurer has claimed. If we adjust for the fact that almost \$1 in every \$2 spent by this Government in the Wollongong electorate has been on projects conceived, approved and funded under Labor, the expenditure gap widens. Adjusting for inflation, the comparison becomes much worse. This gap is the Liberals' investment and opportunity deficit in Wollongong. The Wollongong investment deficit means that the current Government has invested more than \$5,400 less per family than the previous Labor Government did. That is about \$800 per family per year for the life of this Government. That is correct, \$5,400 less each for the more than 20,000 families in the Wollongong electorate. That is the complete opposite of the Government's bold, but it appears factually incorrect, claim.



It means that despite the Premier's claims on 2GB last month to have "worked our guts out to make sure that we spread the success of our budget and our economy to all corners of New South Wales", it has not been spread to Wollongong. It is proof that the Wollongong electorate saw considerably more investment under the Labor Government than it has under this Government. It means that the Treasurer cannot make comparisons and is hopeless at basic arithmetic. It means that the State's third-largest city will continue to miss out should this Government be re-elected next March. It means that at the next election voters in Wollongong, like voters in the rest of New South Wales, face a stark choice between two different futures. It means that the Treasurer's claim that "Wollongong always does better under a Liberal-Nationals Government" is R-U-B-B-I-S-H, rubbish.

It is also proof that only Labor governments are willing to build on Wollongong's strengths, to back Wollongong's potential and to invest in the Illawarra's future. As I have said before, the Government can try to fool some of the people some of the time but it cannot fool the people of Wollongong. They know this Government overlooks them because they see it every day. They know Unanderra station lifts remain unfunded after eight years of this Government. They know the WIN Entertainment Centre celebrates its twentieth anniversary this year without any hint from this Government about the upgrade it needs. They know they have been left out of all of this Government's sports facility funding programs. They know there has been nothing funded by this Government from its privatisation of electricity poles and wires. They have also watched the Government try to scrap the free Gong Shuttle and are staggered at the years it has taken to convince it of the need to add carriages to two overcrowded afternoon services.

Despite all of the evidence to the contrary, the Premier claims that the Illawarra has never had it so good. Today the Berejiklian Government faces a choice: It can start to pay down its Wollongong infrastructure and opportunity deficit by matching Labor's \$225 million Illawarra Jobs Action Plan, or it can stop pretending and admit that it is letting Wollongong down and that it will allow it to slip even further behind by continuing to ignore our needs. That is how this Government rolls.

#### HEATHCOTE TRANSPORT

**Mr LEE EVANS (Heathcote) (19:56):** In recent times pressure has been building on public transport in the electorate of Heathcote. Increasing patronage has increased the need for more rail parking in the area. We have many carparks for public transport, but I want to discuss the elephant in the room. Why are there so many people travelling into the electorate of Heathcote from as far south as far as Kiama Downs and Shellharbour? This has burdened my railway stations with thousands more motorists each day seeking parking to access more connections and more frequent services to the city from stations like Helensburgh, Waterfall, Heathcote, Engadine, Loftus and Sutherland. There has been an expedient increase in commuters from outside the Heathcote electorate. What is the answer? Is it to build more and more carparks, following the theory that if we build them more will come? That happened at Sutherland. People are concerned about their suburbs being overrun by unit blocks if something is not done. It will not be units we need to worry about; it be will carparks.

One solution suggested by Mr Neil McCormick, a constituent of mine, is to have a super carpark built between Engadine and Loftus. The 3,000 to 4,000 car spaces would remove a large proportion of those southern commuters from local carparks and into Yarrawarrah, a convenient new hub station. The station was part of the plan in 1970 when Yarrawarrah was first opened up for housing. The plan was to have the infrastructure adjacent to what is colloquially known as the "mad mile". By excavating, the carpark and new railway station would be hidden from the Princes Highway. Mr McCormick also suggested that an entertainment centre, a concert hall or an eco-hotel could be built above the carpark. During office hours the carpark would be full of commuters' cars and at night and on weekends it would accommodate the cars of theatre lovers and those involved in community activities.

Roads and flyovers would need to be built to connect Loftus and Yarrawarrah residents, and those returning south need safe flyovers to return in the evening. This piece of infrastructure could also act as a carpooling base for those who choose to drive into the city and beyond on the completed F6. Mr McCormick also made the point that it could be the base for the Sutherland shire highway patrol and Fire and Rescue NSW, and it could include a small convenience shop for commuters. As parking becomes more and more difficult to access, measures will need to be considered to keep commuters in their own patch. I am in no way suggesting that this is part of a plan. However, at the current rate, we will not have enough space available within walking distance of railway stations to build any more carparks.

That brings me to question why commuters travel extraordinary distances to catch an express train from Sutherland. There is a train service every few minutes at Sutherland, but why do commuters from Kiama Downs and Shellharbour travel by car and add stress to their already stressful lives and wear and tear to their vehicles and relationships as a result of being away from home from sunup to sundown? I feel for those who drive like maniacs to get to a station more than two hours from home, find parking and then race to the station to catch the 8.05 a.m. express train to Central. There must be a better solution.

I spoke earlier this year about better services for the electorate of Heathcote, and some members representing electorates south of Heathcote called foul. I ask them to get on the train. We need to take a bipartisan approach to removing the two rail pinch points in my electorate at Stanwell Park and Coalcliff by making it four tracks all the way to Thirroul. I am happy to work with my colleagues from the electorate of Keira and the electorate of Wollongong to achieve once-in-a-generation rail improvements that will futureproof the Illawarra line and increase capacity and services to the south of Heathcote. Hopefully we can at last end the decades of this being in the too-hard basket.

The mooted plan to tunnel through the side of the hill has been discounted due to mining subsidence. My preferred option would be to build a bridge similar to the Seacliff Bridge which allows trains to travel freely in the construction period and which simply joins up to the existing line on completion. This would also make the Illawarra line a tourist attraction with views that would take one's breath away. We need real solutions. I do not want to keep asking the same questions because I keep getting the same answers.

### PORT MACQUARIE TIDAL POOL

**Mrs LESLIE WILLIAMS (Port Macquarie) (20:01):** I draw the attention of the House to a proposed infrastructure project that has long been the topic of conversation among constituents in the electorate of Port Macquarie. The provision of a tidal pool is not a new idea for Port Macquarie. In fact, such a safe ocean enclosure was originally approved for development by the local council in 1991. Regrettably, factors including economics and indecision resulted in the project's collapse. Our community owes its gratitude and thanks to advocates who have taken up the baton in recent years: Kathryn Butler, Fred O'Toole, and those who have assumed positions on the Port Macquarie Tidal Pool Committee. These hardworking locals are championing the push because of their passionate view that the increased safety and welfare of residents and holidaymakers and the additional protection afforded by a tidal pool would be an enormous asset for Port Macquarie.

By way of background, in May 2016, the committee members led by Kathryn Butler presented to the then Mayor of Port Macquarie-Hastings Council, Peter Besseling, a petition containing 15,401 signatures supporting the proposal for a tidal pool to be located at either Flynns Beach or Lighthouse Beach. At that time, council assured the committee that the petition would be included as a submission to the draft operational plan, which was on display for exhibition. Sadly, no further meaningful action was taken to investigate the feasibility of a tidal pool in Port Macquarie.

The proposed Port Macquarie tidal pool became a vehemently debated topic in the lead-up to the most recent mayoral election in 2017. The issue attracted much interest from both the community and the media. The five mayoral candidates were all invited by Fairfax Media to have their say on the issue following a readers' survey that ranked the tidal pool as the second out of 10 priorities. Councillor Sharon Griffiths expressed her support for such a community initiative, explaining that a tidal pool offered an "alternative to swimming in the ocean, which of late poses risk". I believe she was referring to recent drownings and shark attacks on the North Coast. Councillor Lisa Intemann said, "Personally, I'd love a local ocean pool, but I couldn't support council funding the construction of one." At the time she also questioned the cost of maintaining the associated structure.

Candidate Lauren Edwards urged the community to watch closely the Ballina proposal for a tidal pool, and also flagged the need for further community consultation. Mayoral candidate Peta Pinson outlined the research she had already undertaken through discussions with the New South Wales Department of Planning and Environment with regard to council's local environment plan and its capacity to rezone E2 land for a tidal pool. In closing, she commented that the pool was a very real possibility and that she strongly supported it. Councillor Rob Turner iterated his support for an ocean pool, and in an article in the *Port News* on 19 July 2017 congratulated the committee on its "energy and commitment in pursuing this project".

At a meeting in April this year, Mr Fred O'Toole, representing the Port Macquarie Tidal Pool Committee, addressed the council to support a recommendation requesting the general manager write to me as the member for Port Macquarie requesting that the Government make funding available to the committee to enable it to undertake a detailed feasibility study. While the motion was amended, the objective remained in place, and it was supported by all councillors present except Councillor Cusato, who opposed the motion. Subsequent to this a notice of alteration of a motion, being that for the ocean pool, was moved at a council meeting on 16 May this year. Again, Mr O'Toole addressed the meeting, this time in opposition to the recommendation. Interestingly, the new motion resolved by councillors Turner and Cusato made a number of significant changes to the original motion.

First, they altered the motion, noting that an ocean tidal pool in Port Macquarie is not a priority for council and, secondly, the instruction to write to me requesting funding for a feasibility study was removed from the motion. The motion was carried six votes to three. The Tidal Pool Committee was understandably very disappointed with this change of heart and direction. Despite these setbacks committee members have been

consistent and determined in their advocacy for this worthy project. They continue to push forward, with strong backing from the community. In fact, their ongoing campaign has attracted more supporters, with the quantum of petitioners increasing now to more than 18,000 signatures.

This year I have met with Kathryn Butler, Fred O'Toole and other members of the committee on a number of occasions to discuss the possibility of funding for a tidal pool feasibility study in light of council's backflip on the original motion to correspond with my requesting financial support. I put on the public record my appreciation of the consistent approach by the now Mayor of the Port Macquarie-Hastings Council Peta Pinson, who continues to support and back the community on this issue. I am disappointed that it appears that some internal politics have come into play and that, as a result, a number of councillors have changed their view about the proposal for a tidal pool for Port Macquarie.

While a number of councillors have placed on the record that they do not consider the tidal pool a priority, it seems that the community has a different view. As well as the 18,000-strong petition, my most recent online community survey suggests that the tidal pool is one of the highest priorities within my electorate and therefore I believe it warrants further and serious consideration. As someone who grew up in a regional community with a tidal pool I think the apprehension about supporting the progress of the proposal to a feasibility study is unfounded. [*Extension of time*]

There are 100 recognised pools in New South Wales alone, with the MidCoast Council successfully managing a 56 by 50 by 69 metre long tidal pool in Forster since 1936. It is evident that one of the reasons that so many locals support a tidal pool in Port Macquarie is as a response to the growing number of incidents on our beaches, particularly the recent loss of a 14-year-old boy who was sadly swept out to sea by a rip off Flynn's Beach in December 2017 and more recently the tragic death of a 60-year-old man off Oxley Beach in April of this year. As an elected representative of a community that has so stridently outlined its wish for a tidal pool in such an organised and respectful manner, buoyed by an 18,000-strong petition, I will give the issue the deference and due diligence it warrants.

Despite the irresolute backing from council I can assure the community and the committee that they have my unwavering support. I support the committee's and the broader community's proposal for further investigations into a tidal pool for Port Macquarie and on their behalf I will advocate for funding to support this proposal. On receipt of recent correspondence from the Tidal Pool Committee, I have met with, and subsequently written to, Deputy Premier John Barilaro requesting serious consideration be given to the provision of financial support to advance the proposal of a tidal pool. I thank Kathryn Butler, Fred O'Toole and the Tidal Pool Committee for passionately representing their community and for continuing to forge ahead with their proposal for a tidal pool despite ongoing challenges and obstacles.

## WESTERN SYDNEY INFRASTRUCTURE

**Ms PRUE CAR (Londonderry) (20:07):** I will use my private member's statement this evening to talk generally about Government service delivery in some of Sydney's fastest growing suburbs. I consider it a great personal privilege to represent many of these extremely rapidly growing communities in Sydney's west. People talk a lot about the growth in Sydney; we are certainly living it in the electorate of Londonderry. There is so much going on in the region, generally. Housing continues to be in high demand. Thousands and thousands of new homes are being built as I speak. I am a strong supporter of the Western Sydney Airport and I believe the people of my electorate are behind it as well. The airport will catalyse growth in Western Sydney such as we have never seen. Probably more importantly, the construction of the North South Rail Link will provide a further impetus for growth. I hope that it will be responsible growth.

Since being elected in 2015, I have seen entirely new suburbs grow in the electorate of Londonderry—suburbs that did not exist at the time of my election. This represents a new challenge for government, especially the State Government—the government of service delivery. One of the new suburbs in Marsden Park, built by Stockland, is the suburb of Elara. The developer recently informed me that 10 houses being completed every week. Imagine what demand that creates on the State Government. What was once thousands of hectares of farming and market gardening land now contains thousands of houses.

New suburbs like this do not come without their challenges. The suburb of Elara in Marsden Park has a particular challenge at the moment. I have spoken about it in this Chamber before. I wish to raise it again because it is an ongoing challenge. People in that suburb cannot get a public bus to the local train station, which provides express services to the city. The problem of the employment deficit in Western Sydney arises from a lack of diversity of employment opportunities there, which means that people who buy or build homes cannot work close to home. Most people who live there have to catch a train from Schofield station to get into the city, but they cannot get a public bus to the station.

I would forgive members for not believing some of the stories that I can tell them about the ridiculous lengths that people go to in order to get a train from Schofield station or from other stations. I know a couple that used to get in their car and drive to Westmead, where the husband would get on an early train and the wife would sleep in the car from two o'clock in the morning to get a train from Westmead into the city. If she left any later she would not be able to get a park at Schofield station, and the rest would be history. The Government must prioritise the delivery of basic services, but that is just not happening in many of these growing communities.

In another community I represent, Jordan Springs—it is a little bit older than Elara—we still do not have any movement in construction of the public school, which has been promised time and time again. That school was promised by the then Treasurer, Andrew Constance, and the Liberal candidate for Londonderry outside the site where locals know there should be a school. The Government recently announced an architect for the school, but we still do not know when construction will be finished, even though thousands of families bought into this suburb on the promise that there would be a public school in that community. That campaign continues.

People have to face extreme circumstances. I urge the Minister for Transport to take heed of his own comments on Channel 9 recently that there will be a review of bus services in Elara in particular. I have written to him to seek further information about this. The community is eagerly awaiting that response from the Minister. I do not think it is too much to ask that people can get to work on time. It is a pretty basic request. Those people have to pay their mortgages. I acknowledge the force of nature that is one of my constituents, Nadia Lobovo. She drew my attention to this situation and is campaigning to fix it. It was a good day when I doorknocked Nadia. I urge the Minister for Transport to take heed of the needs of the people of Londonderry for basic services.

### WAGGA WAGGA ELECTORATE

**Dr JOE McGIRR (Wagga Wagga) (20:13):** I will update the House on positive events in the electorate of Wagga Wagga. Over the weekend of 13 and 14 October the town of Lockhart hosted the annual Spirit of the Land festival. The festival began in 2006 when Lockhart was experiencing one of its worst droughts. The idea is to celebrate the resilience of those who live and work on the land, and the courage and determination of the community battling the difficult circumstances of the environment. Since the time of the festival's founding the community of Lockhart has twice battled severe floods and is now again facing the effects of drought.

The Spirit of the Land festival is home to the famous National Farm Art Sculpture award and also includes exhibitions of photography, fine art and Indigenous art. The main street with its famous and picturesque verandahs is closed off and the town hosts a vibrant gathering of market stalls with live music, and a wonderful variety of food and fireworks on the Saturday evening. In addition, there are open gardens, farm tours and even a cycling event, which now in its third year. I congratulate the winner of the \$10,000 National Farm Art award this year, Sean Meany, on his piece entitled *Bunyip from Burra Creek*. Other winners included Matt Bye who got the Spirit of the Land sculpture award, Max Thomas who got the local artist award, Michael Cudmore who got the youth sculpture award, Ann Rayment who got the Spirit of the Land fine arts award, Debbie Wood who got the Indigenous award, Mark Slater who got the Fine Arts Photography award and Ruby Bergmeier who got the fine arts youth award.

I also acknowledge the work of the Spirit of the Land committee with Peter Veneris as chair and the Lockhart Shire Council as well as the major sponsors Lockhart and District Community Bank, GrainCorp, Lockhart IGA, Rotary Club of Lockhart, Lockhart Ex-Servicemen's Club, Riverina Water County Council, Delta Agribusiness, Tasco, Lockhart Anglers Club, John Bance and Son, Lockhart Lions Club and Friedlieb Fox McLeod and Bush and Campbell Accountants. The festival took place a week after the annual Lockhart Picnic Races. On 12 October the town saw the launch of the Lockhart Water Tower Mural and Walk of Fame. These events reflect the success of the town and the energy of the local community and are a credit to the council and community.

I was also fortunate to attend the ninety-second annual conference of the Riverina Group of the Country Women's Association [CWA] held at The Rock Hall and Museum with acting president Ann Adams in the chair. The convention was opened by Miss Annie Kiefer, State vice-president, and the guest speaker was Dr Mavis Gaff Smith. I particularly note that the group branch of the year was won by the newly formed Uranquinty branch whose president is Rachel Whiting. At a time when it can be difficult for organisations to attract new members, it is encouraging to see the CWA growing in this way. It aptly reflects the words, "Pride in our Past, Faith in our Future". I also note the serious concern of the group convention on the issue of access to public cancer services in rural and regional areas.

Finally, I congratulate Neal Molineaux who has become National President of Apex Club this year. Neal hails from the South Wagga Apex Inc, which successfully hosted the Apex National Convention this year, which involved delegates from throughout Australia and overseas. Neal is the third national president to come from Wagga and the first since 1956. Apex has a proud history of building better communities and nowhere is this more

evident than in Wagga where it has relaunched the World Championship Gumi Race, promoted to national level the Biggest Ever Blokes Lunch to create awareness and funding for the Prostate Cancer Foundation, and run public speaking competitions for schools. It has also held the Fisherama to clean up the local lagoon and sponsors soccer teams for disabled children.

### NATIONAL CARERS WEEK

**Mr DAVID ELLIOTT (Baulkham Hills—Minister for Counter Terrorism, Minister for Corrections, and Minister for Veterans Affairs) (20:16):** National Carers Week provides an opportunity to reach out and thank our carers in New South Wales. Day in and day out, informal or unpaid carers volunteer and provide critical care to loved ones in need of support and, for this reason, it is essential that we consider how we can better support a carer we know as they continue to make outstanding contributions to our nation.

As members may be aware, National Carers Week was celebrated from Sunday 14 October to Saturday 20 October, with the 2018 Carers Awards presented at the Carers NSW biennial conference on Thursday 11 October and Friday 12 October. This year was another tremendous success and, without a doubt, an excellent way to acknowledge every carer assisting a family member or friend and to provide a break from the responsibilities of their caring role. I thank the Minister for Disability Services, the Hon. Ray Williams, in addition to Carers NSW, for recognising everyone and encouraging them all to celebrate carers during National Carers Week. Carers from across the State were invited to be recognised for their significant support and care to loved ones, including a big-hearted and compassionate constituent from the Baulkham Hills electorate, Mrs Ivy Lau, who was also awarded the 2018 Carer of the Year.

Year after year, I am continually surprised by the wealth of incredible and dedicated individuals in my electorate, and I feel privileged to have selfless and inspiring people who strive to put their family and friends before their own needs. Mrs Lau has been caring for her daughter who lives with Down syndrome for the past 28 years and her husband who lives with Parkinson's disease for the past decade. I am sure all members can agree that caring for one family member or friend is a tremendous and time-consuming feat. In light of this, Mrs Lau describes herself as an optimistic person who always sees the positive and believes every cloud has a silver lining.

Indeed, this cannot be any more true as, on top of her caring role, Mrs Lau works full time as an information technology application specialist and is an active member of the Chinese Parents Association—Children With Disabilities Inc, where she has assisted with the design of its website and continues to run computer sessions for people with disabilities. I commend Mrs Ivy Lau for her remarkable contribution to our community as part of National Carers Week. Mrs Lau's exceptional efforts are one example of the inspiring carers in New South Wales who provide invaluable support to family members and friends who are in need. For those who may be unfamiliar, one in 10 people are carers, with more than 904,400 people across New South Wales providing unpaid support to members of the community.

Anyone at any time can become a carer. In fact, the Australian Bureau of Statistics has estimated that there are more than 2.7 million carers across the nation, contributing 36 million hours of support and assistance every week to a family member or friend who has a disability, mental health issue, drug or alcohol dependency, chronic condition, terminal illness or who is frail. The replacement value of all unpaid carers is estimated to be \$1.1 billion each week. I hope all members can join me in commending the 2018 Carer of the Year, Mrs Ivy Lau, and the efforts of all carers in New South Wales who have the biggest of hearts.

### HOUSING AFFORDABILITY

**Ms JODIE HARRISON (Charlestown) (20:20):** Housing security and affordability is an issue affecting many of my constituents, as it is across the State. In recent years we have seen housing affordability plummet. First-home buyers have been driven out of the housing market, the waiting list for social housing has blown out and specialist homelessness services have closed. In relation to social housing, information that the Government released in April revealed that the average social housing wait time in my electorate of Charlestown is 10 years. Every day my office receives several phone calls and emails from people on the social housing wait list. These people are frustrated and have very limited options. Not only does the 10-year wait list for social housing indicate we are in the midst of a housing crisis, but also the private ownership and rental market is difficult to enter.

Home ownership rates for young people aged 25 to 34 have spiralled downwards in recent years from 60 per cent to 48 per cent. Young people are being priced out of the market and forced to rent a lot longer, but it is worth noting that the private rental market is also extremely competitive with, more often than not, many applications being received for each rental property. Many applicants get knocked back because they are not seen as being as desirable a tenant as another applicant. These people are still looking for housing. Just outside my electorate is a service called My Backyard, which is a facility completely funded by non-government sources,

providing a safe space for people who have nothing but their car to live in. People can sleep in their cars and have access to a bathroom, a kitchen, and a computer and internet facilities. While I acknowledge that it is wonderful to have a group of people who have come together to develop such a facility, I must say it is an indictment on our ability to provide affordable housing.

Evidently, there is a strong need for a range of affordable housing options amongst the community. What does affordable housing in Charlestown look like? It includes a mix of build-to-rents, community housing, social housing, transitional housing and shared accommodation. In response to the housing crisis, Charlestown has recently seen development proposals for boarding house, group home and supported crisis accommodation. However, these development proposals have, in some cases, sparked misinformed outcry from residents who incorrectly labelled the potential occupants of these places as criminals or attractants of criminals. This is simply not the case. Against the current economic backdrop, people are being pushed out of the housing market and at the end of the day, group homes and boarding homes are a realistic option for many people, some of whom are the most vulnerable in our community. Everyone has the right to a home.

Unfortunately, we cannot legislate against stigma, but this must be addressed so that the people living in these homes do not feel targeted. The role of a council is to ensure that developments meet building standards; not to assess the people living in the property. That is discrimination and, in my experience, to the credit of the staff and the councillors on the local council assessing these proposals, they do not discriminate. An essential aspect of affordable housing is that it needs to be located near key services, shops and schools to ease commute times and commuting expenses. I commend Lake Macquarie City Council for the Mount Hutton Precinct Area Plan, which acknowledges the area as an important location for affordable housing and provides accessibility to these services and facilities.

In that context I welcome the announcements that a Labor government will tackle housing affordability in my electorate by increasing taxes on foreign investors, introducing a tax on properties that are vacant for longer than six months, reforming negative gearing and halving the capital gains tax discount, auditing all publicly owned land and creating the affordable housing land register. Such a policy will produce thousands of real homes each and every year in perpetuity for people to live in at an affordable price. Such a plan will make it easier for people to own their own home, increase the supply of affordable rental and social housing, and improve support for the people of Charlestown who desperately require affordable accommodation. Housing is a human right. Whatever a person's history, personal circumstances or background, they have the right to be housed. Until we are able to have a holistic affordable housing policy in this State I ask that anybody who has any proposals nearby them to think about what might happen if somebody they knew and loved was homeless.

#### **KIAMA ELECTORATE COMMUNITY RECOGNITION AWARDS**

**Mr GARETH WARD (Kiama) (20:25):** On Monday I hosted the 2018 Kiama Electorate Community Recognition Awards at the Kiama Pavilion. This year we presented 50 awards and each of the recipients are an outstanding credit to our local community. Today I acknowledge the recipients of these awards, recognising their significant contribution to the life and times, the essence and flavour of the Kiama electorate. Kiama is truly blessed with these talented and passionate local people. I also make special mention of some very important attendees: the Deputy Mayor of Kiama Municipal Council, Andrew Sloan, whom I thank for his civic welcome; Councillor Mark Way whom I thank for his attendance; Auntie Joyce Donovan, who performed a wonderful welcome to country; the master of ceremonies, Adam Straney; and the Albion Park High School Band, which did a wonderful job entertaining us on the day.

There was a variety of categories to reflect the diverse pool of talent within our electorate. Due to the expansive selection of recipients, I will focus and expand on the work of individuals through the category of the Outstanding Citizen Award. I will list the categories and give a brief explanation of each of the recipients. Recipients of the Outstanding Local Volunteer Award were: from the Illawarra Light Rail Museum in Albion Park Rail, Brad Johns, Carolyn Dumont, Peter Wright and Garry Bailey; Vivienne Marris of Jamberoo; Matthew Vout of Shoalhaven Heads; and Heidi Fletcher of Shoalhaven Heads.

The recipients of the Outstanding Local Community Organisations Award were Albion Park Youth and Community Care Inc. and the Gerringong Men's Shed. The recipients of the Conservation Champion Award were Green Caffeine and Bonnie Cassen. The recipients of the Outstanding Young Citizen Award were Sarah Young of Gerringong, Sam Aubin of Kiama, Reagan Strong of Shellharbour and Toby Streamer of Kiama. Recipients of the Outstanding Small Business Award were Rose Valley Florist, Bouquiniste and Posy Jones Floral Company. For the Outstanding Emergency Services Volunteer awards, the Rural Fire Service award, which was jointly presented with Superintendent Mark Williams, Rural Fire Service Shoalhaven District Manager, went to Robert Johnston of Bomaderry; the State Emergency Service awards went to Therese McQuade of Albion Park and Keiran Clough of Kiama; and the Volunteering in Policing award went to Raymond Kearin of Kiama.

Recipients of the Junior Sports Award were Stephen Pearson of West Nowra and Wil Daibarra of Kiama. Recipients of the Local Sports Award were Lauren Farquhar, Taylah Doosey and Maja Moore from the Oak Flats Albion Park Gymnastics & Acrobatics Club; and Bob Morgan of Kiama. Recipients of the Outstanding Local Sports Administrator Award were Karl Poulton of Bomaderry, Greg Walsh of Jamberoo, Karon Dawson of Kiama Downs, Paul Brannigan of Albion Park and Grant Tilling of Albion Park.

The Outstanding Citizen Award was received by Reverend Steve Stanis of Kiama Anglican Church. Reverend Stanis and the Kiama Anglican Church make a significant contribution to our local community through a number of programs including Green Connect, partnering with Kiama Community College; SHINE Women programs; Care Cafes on topics relevant to care in our community—dementia, mental health and seniors rights; support of a village in India; the folk festival weekend; and annual Anzac Sunday and National Police Remembrance Day services at the Kiama Anglican Church.

The Outstanding Citizen Award was also received by Nancye Hawke of Gerroa. Ms Hawke has a significant role within the local Gerroa community through the Gerroa Combined Probus club, Gerroa Neighbourhood Watch, Gerroa Neighbourhood Centre and the Kiama piano and organ club. For many years Nancye also served as Secretary of the Gerroa Community Association, formerly the ratepayers association. She also served on many rural committees, including the Holstein-Friesian Association of New South Wales. Nancy's body of work has also been recognised by former Prime Minister John Howard for her contribution to our community along with the former Mayor of Kiama the late Joyce Wheatley.

Other recipients of the Outstanding Citizen Award were Allan Davies of Shoalhaven Heads—Allan's presence throughout the Shoalhaven Heads community is evident through his role as the Secretary of the Shoalhaven Heads RSL Sub Branch; John Dawson of Kiama Downs, who is President of the Kiama Cricket Club, has been a volunteer driver to assist Blue Haven Care residents since 2012, is the Secretary of the Kiama and District Sports Council, and has been presiding officer of Higher School Certificate exams at Kiama High School since 2016; Robert and Helen Curll of Kiama, from Kiama Garden Club Inc—Robert as Coordinator and Helen as President—who also do a tremendous job holding the Kiama Municipality Garden Competition with a special presentation coming up on 23 November with eight different categories.

Other recipients of the Outstanding Citizen Award were Tamara Campbell and Dave Evans of Kiama for their involvement with the annual KISS Arts Festival in Kiama and surrounds. It is a fantastic, well organised and fun festival—a seaside celebration of spectacular, sometimes silly and sometimes sublime art. Other recipients were Deidre Hindmarsh of Gerringong, who has made an enormous contribution to the local Kiama and Gerringong communities through her work with Sureway Employment and Training, and her involvement and support of the Kiama and District Business Chamber and the broader community. [*Extension of time*]

Another recipient of the Outstanding Citizen Award was Laurie Talbot of Shoalhaven Heads for long-term involvement with the Shoalhaven Heads Community Forum and an annual community concert event in Shoalhaven Heads. This year is the fourth annual concert and Laurie has been involved in organising it. Christine Talbot of Shoalhaven Heads is another recipient of the Outstanding Citizen Award, as she has played a significant role in the recent launch of *Snapshots of a Village: An illustrated history of Shoalhaven Heads, once Jerry Bailey*. Christine poured eight years of research into the publication.

Other recipients of the Outstanding Citizen Award were Allen Marsden of Kiama, who impacted the Kiama community through Kiama Rugby, Kiama Sevens, hosting trivia nights to raise money for various charities and as a comic entertainment duo with Michael Cook; Michael Cook of Kiama, who has made a huge contribution to our region through Kiama Rugby, Kiama Sevens, hosting trivia nights to raise money for various charities and as a comic entertainment duo with Allen Marsden; and Shane Bitschkat, President of the Tullimbar Town Centre Action Group, who has spoken up on behalf of many local residents—congratulations, Shane. The last award for 2018 was the Grandparent of the Year Award, which went to John and Cheryl Bryce. It is the first time this award has been presented by the New South Wales Government. I thank my office, particularly Ben Blackburn but also Jacob Sich and Jasper Brewer, who helped on the day. I congratulate everyone who received an award.

**TEMPORARY SPEAKER (Mr Lee Evans):** I remind the member for Kiama that private member's statements are five minutes in length, which is about 767 words.

**The House adjourned, pursuant to standing and sessional orders, at 20:33 until  
Wednesday 24 October 2018 at 10:00.**