



**New South Wales**

# **Legislative Assembly**

## **PARLIAMENTARY DEBATES (HANSARD)**

**Fifty-Sixth Parliament  
First Session**

**Wednesday, 21 November 2018**

Authorised by the Parliament of New South Wales



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# LEGISLATIVE ASSEMBLY

**Wednesday, 21 November 2018**

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

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

## *Visitors*

### **VISITORS**

**The SPEAKER:** I welcome to the gallery this morning the Mayor of Randwick City Kathy Neilson, Deputy Mayor Danny Said and members of the Save the Bay Coalition.

## *Bills*

### **RETIREMENT VILLAGES AMENDMENT BILL 2018**

### **BUILDING AND CONSTRUCTION INDUSTRY SECURITY OF PAYMENT AMENDMENT BILL 2018**

### **FAIR TRADING LEGISLATION AMENDMENT (MISCELLANEOUS) BILL 2018**

### **PROTECTION OF THE ENVIRONMENT OPERATIONS AMENDMENT (ASBESTOS WASTE) BILL 2018**

### **First Reading**

**Bills received from the Legislative Council, introduced and read a first time.**

**The SPEAKER:** I order that the second reading of the bills stand as orders of the day for a later hour.

*[Notices of motions given.] [During the giving of notices of motions]*

## *Notices*

### **PRESENTATION**

**The SPEAKER:** I ask members of the public in the gallery to refrain from applause or any kind of noise; otherwise, you will have to leave. The member for Oatley and the member for Newcastle can leave the Chamber if they wish to continue arguing. I am addressing the gallery to ask respectfully that they refrain from making any noise; otherwise, they can be removed, either individually or as a group.

## *Business of the House*

### **VALEDICTORY SPEECH: ORDER OF BUSINESS**

**Mr ANTHONY ROBERTS:** I move:

That the Business of the House be interrupted at 5.30 p.m. today to permit the presentation of a valedictory speech by the member for East Hills.

**Motion agreed to.**

## *Petitions*

### **YARRA BAY CRUISE SHIP TERMINAL**

### **Discussion**

**Mr MICHAEL DALEY (Maroubra) (10:12):** We are here today because in a nutshell the Government is saying this to the local community: That it wants the taxpayers of New South Wales to fork out \$500 million or \$600 million for a cruise ship terminal in Yarra Bay to which the cruise ship industry has said it will not contribute financially; that the terminal will destroy the heritage of our bay; that it will destroy the last skerrick of beach on the northern side of Botany Bay; and that it will have serious implications for the environment and rob the Yarra Bay Sailing Club and the youngsters who use that bay as a place in which to sail. I acknowledge the Bidjigal people, who still inhabit La Perouse and have done so for 40,000 or 50,000 years. I thank Trevor Walker for representing them here today.

I thank the people who have assembled here today en masse: the Mayor of Randwick, Councillor Kathy Neilson; the former mayor, Lindsay Shurey; and councillors Danny Said and Dylan Parker. I have messages of support from councillors Carlos Da Rocha, Christina Curry, Scott Morrissey and Bill Saravinovski. I particularly thank our Federal member, Matthew Thistlethwaite, who has been joined at the hip with me, Ron Hoenig, all the councillors and citizens of all political colours in fighting this horrible proposal. I say this to the Premier and the people who concocted this scheme: If they want to see a strong, united and determined community, look to the people who are sitting in the gallery. They will not be pushed around; we will not be pushed around.

**The SPEAKER:** Again I warn the people in the gallery. I will clear the gallery if the noise continues.

**Mr MICHAEL DALEY:** As is usually the case with this Government and all the things it does, there was no warning. This plan was contrived in secret. There was no consultation with local people; there is no respect for communities. That is how this Government rolls. We intend to stop them at the border of the electorate of Maroubra. Our community has a port. We have an airport to deal with. We have polluted soil and polluted water. We have a rubbish light rail being built on our northern border and we are suffering from inappropriate development foisted upon us not by councils but by this rotten Government. Now those opposite say, "We want to take your beach." On behalf of the people of this community, I say to the Premier: "No way. Enough is enough. This is pure folly."

I have met with many representatives from the cruise industry and the message they give us time and again is "We do not want this facility built. There is no need for it. Garden Island is there; that is the place for a modern cruise ship facility in the best city in the world." Let us be clear: This is being pushed by one cruise ship company. I have met representatives of other companies and they have said, "We don't want Yarra Bay; we want Garden Island." There is space at Garden Island. They need a facility for only eight to 12 weeks a year, in the peak season from February to April. The Navy can make a berth available at Garden Island, and that is what should happen.

I call on Prime Minister Scott Morrison, whose electorate shares Botany Bay and who is a former tourism Minister, to stop this madness. His State counterparts under Premier Berejiklian and a Liberal-Nationals team that is tearing itself apart are visiting a madness upon Sydney; he should not join them. He is a member of Parliament who shares Botany Bay with our community. He knows the beauty, the importance and the heritage of that bay. I call on him to tell the bureaucrats and the private profiteers who want to march in here, take our beach and wreck our community: "Wrong way, go back." In the absence of leadership from this Government, I call on the Prime Minister to join with us and say no. I thank Randwick City Council and—what is it called now? Bayside?

**Mr Mark Coure:** Bayside.

**Mr MICHAEL DALEY:** Not for long, my friend; I can tell you that. They are unanimously in support of the residents. I thank Maria Poulos and Bill Burst for forming the group that is spearheading this attack. To the people of our area, wherever they live on Botany Bay, I make this promise: If Labor wins the election in March, if I am your Premier, I will kill this thing stone dead.

*[Interruption from gallery]*

**TEMPORARY SPEAKER (Mr Lee Evans):** Order! If there are any more interactions I will clear the gallery.

**Mr KEVIN ANDERSON (Tamworth) (10:18):** On behalf of the Government, I speak to the petition to abandon plans for a cruise ship terminal at Yarra Bay. I thank those in the gallery for taking the time to come to the New South Wales Parliament today to hear the plans and the process and what happens when development starts to occur in New South Wales. I am the Parliamentary Secretary for Regional Roads, Maritime and Transport and I have been asked by the Minister to speak on her behalf today. Over the past decade the cruise industry has been the fastest-growing tourism sector in New South Wales..

**TEMPORARY SPEAKER (Mr Lee Evans):** I call the member for Newcastle to order for the first time.

Over the past decade, the cruise industry has grown by 20 per cent a year. The New South Wales Government recognises the benefits of this growing sector and is considering how we can support the cruise industry and further grow the visitor economy. New South Wales is a popular destination for tourists and an extremely popular destination for cruise vessels. In 2017-2018, cruise tourism contributed \$4.8 billion to the Australian economy. New South Wales receives 59 per cent or \$2.8 billion of this benefit. In 2018, Sydney hosted 800,000 cruise passengers. By 2040, the number of passengers cruising through Sydney is expected to have doubled. On average each cruise ship brings approximately 2,500 passengers to Sydney. In 2017-18, domestic



cruise passengers spent \$934 million in Australian port destinations, with international passengers spending \$257 million.

Approximately 84 per cent of international visitors stay up to four nights in Sydney either before or after their cruise. Sydney is Australia's most popular tourism destination and cruise passengers make up a growing part of this. In 2018, New South Wales hosted 380 ship visits by 50 different ships, 352 of which were visits to Sydney. Regional New South Wales also benefits from the cruise industry. In 2016-17 cruise ships made 23 visits to regional New South Wales ports, carrying 45,000 passengers and adding \$27 million directly into regional communities. By 2040 it is expected that more than 10 per cent of New South Wales' population will take an annual cruise. Industry figures indicate that the cruise industry supported more than 12,800 jobs and added \$1.6 billion to the State economy in 2017-18.

The industry is expected to continue to grow, and with that growth comes jobs and value to the New South Wales economy. In July 2018 the Government released the NSW Cruise Development Plan to ensure that New South Wales builds on its existing reputation as a world-class cruise destination and reaps the economic benefits from expected growth in cruise tourism. The plan recognises that around the world the cruise industry is investing in larger cruise ships to meet the growing demand. This will result in lost economic benefits and jobs for our State. The cruise industry is important to New South Wales and the tourism industry.

In June 2017, the Government formed the Cruise Industry Reference Group to investigate a range of short-, medium- and long-term options to address capacity issues in Sydney. The reference group was brought together to provide expert advice about what would be needed from a technical perspective to make a third cruise terminal work. The independently chaired Cruise Industry Reference Group assessed a range of potential locations based on criteria, including navigation, site, terminal, access, transport, environment, heritage, Indigenous and residential suitability. Following a preliminary analysis of 14 sites, the list was refined to seven. Detailed analysis of the sites led to the reference group recommending that four potential sites located at Garden Island West, North East Garden Island, Molineux Point and Yarra Bay be further evaluated.

The Federal Government ruled out Garden Island due to its use by the Navy, advising that shared use of Garden Island is not feasible due to significant challenges in managing berth space and infrastructure alongside Navy operations. We are at the very start of the process of considering the options for another terminal for cruise ships. The community will be consulted and will have their say. I thank all in the public gallery for coming to Parliament today. We want to hear their views and appreciate their time.

**Mr RON HOENIG (Heffron) (10:23):** Mr Temporary Speaker—

**TEMPORARY SPEAKER (Mr Lee Evans):** Order! I call the member for Oatley to order for the first time. I call the member for Oatley to order for the second time.

**Mr RON HOENIG:** This is a shamble of a proposal by a shamble of a government, which is able to reach the pinnacle of New South Wales as the new *Fawlty Towers*. We only have to look at the central business district light rail project to see what a shambles the Government is. There is a reason why the Minister for Roads, Maritime and Freight is hiding and has sent in the Parliamentary Secretary. Where is the member for Coogee? The Labor candidate for Coogee, Councillor Marjorie O'Neill, is in Parliament, supporting the residents who collected the 10,000 signatures on the petition. Where is the Minister? Not here. You know why? Because it is embarrassing. I draw the attention of those opposite to these words of the former Leader of the Liberal Party and former Attorney General for New South Wales, who began an investigation into this process. He said:

"... we can come up with a solution that allows the navy to stay exactly where it is at Garden Island but also makes way for the cruise ships that are coming," Collins told reporters on Wednesday ...

Their own people who looked at their own proposal recommend it. But he is not the only person who has recommended it. In the "Independent Review of the Potential for Enhanced Cruise Ship Access to Garden Island Sydney" a proposal was put to the Government of New South Wales with a cost of \$143 million, which those opposite can accommodate. But they want to spend hundreds of millions of dollars raping and pillaging Botany Bay. For what purpose? Carnival Cruises does not support it going to that location. And who is going to go to Botany Bay?

I said to the residents at their meeting: This industry adds \$5 billion to Sydney's economy—just imagine that the *Queen Mary II*, full of the rich and famous—with pockets full of cash, paying a squillion dollars to go onto a cruise ship—instead of turning in to Sydney Harbour and passing the Sydney Opera House and the Sydney Harbour Bridge, goes past South Head and turns in to Botany Bay, where its passengers are faced with an oil refinery, chemical plants and stinking tanneries and where, when they alight, they are bussed through the gridlock of Sydney. Are they going to be faced with the stench of the tanneries and pollution and the sight of containers stacked to the rafters? It would be the most embarrassing result for the people of New South Wales and Australia,

and those opposite do not even want to look at their own reports. They do not even want to read the material that comes from their own side of the House. No wonder the Minister is up on the eighth or ninth floor hiding from the people of the electorates of Maroubra and Heffron.

**Mr STEPHEN BROMHEAD (Myall Lakes) (10:26):** I begin by congratulating those who signed the petition and brought it to this place. It is a wonderful thing that you can come to the oldest Parliament in Australia and have your say through the petition. It is fantastic that you can do that. It is something that we on this side introduced in 2011. Before that it was not possible, but we introduced it and now through the petition you are being heard in Parliament.

**TEMPORARY SPEAKER (Mr Lee Evans):** Order! I call the member for Cabramatta to order for the first time.

**Mr STEPHEN BROMHEAD:** Over the past decade global cruising passenger numbers have doubled. In Australia they have increased fivefold, making Australia one of the world's fastest-growing cruise destinations. Sydney is Australia's most popular tourism destination. Cruise passengers make up a growing part of this. In 2018 New South Wales hosted 380 cruise ship visits and 352 of these were visits to Sydney. On average each ship brings approximately 2,500 passengers to Sydney. In 2017-2018 cruise tourism contributed \$4.8 billion to the Australian economy.

**TEMPORARY SPEAKER (Mr Lee Evans):** I call the member for Blacktown to order for the first time.

**Mr STEPHEN BROMHEAD:** New South Wales received 59 per cent of this overall benefit, meaning \$2.8 billion was injected into the New South Wales economy. And that means jobs. There is no greater thing we can give people than a job, and that is what that money coming into our economy means. Not only does it come into Sydney's economy; it comes into the economy of all of New South Wales and into the economy of regional New South Wales—that is why I am so passionate about supporting the tourism industry. Australians also enjoy the pleasure of cruising. According to industry figures Australia has the world's largest cruise market penetration rate of 5.7 per cent, with 1.34 million Australians enjoying a cruise in 2017. In 2017-18 domestic cruise passengers spent \$934 million in Australian port destinations, with international passengers spending \$257 million.

By 2040 the number of passengers coming to Sydney is expected to double. Australians love to cruise. Last year more Australians took a cruise than visited the United States, and twice as many took a cruise as visited the United Kingdom. This growth, while incredibly beneficial to the State's economy, has led to the Overseas Passenger Terminal at Circular Quay being over capacity during the peak. In order to continue to create jobs and contribute to the New South Wales economy, we need to continue to provide world-class facilities capable of supporting the larger cruise ships.

The Cruise Development Plan, released in July 2018, provides the New South Wales Government's plan to support cruise industry growth and its growing contribution to the New South Wales economy. Sydney currently has two terminals. However, the Overseas Passenger Terminal is the only Sydney cruise terminal able to accommodate the growing fleet of large and mega cruise ships. For this reason, one of the initiatives included in the Cruise Development Plan was the preparation of a strategic business case to assess the viability of potential sites for a third cruise terminal.

**TEMPORARY SPEAKER (Mr Lee Evans):** I thank people for attending the Legislative Assembly to witness the discussion of this petition of 10,000 signatures or more on Yarra Bay Cruise Ship Terminal and for their good behaviour during the discussion.

*[Interruption from gallery]*

**TEMPORARY SPEAKER (Mr Lee Evans):** Order! Special constables will remove disruptive people from the gallery and escort them from the parliamentary precinct.

## LUNA PARK

### Discussion

**Ms FELICITY WILSON (North Shore) (10:33):** I contribute to the discussion on a petition lodged on behalf of Luna Park last week, which brings to the attention of the House a decision in the NSW Land and Environment Court on 20 July 2018 that Luna Park must seek planning approval every time it moves or replaces a ride. The petition states:

Since reopening in 2004 Luna Park has always met the very strict operating conditions put in place by the New South Wales Government, including overarching restrictions on the height of rides, noise levels, lights and hours of operation. During that time Luna Park has introduced or upgraded at least 190 new rides on the site within these restrictions and its existing consents without any significant problems or issues. The court interpretation places in doubt the long-term future of Luna Park, as the operators

would be required to lodge development applications on an almost monthly basis. With the future of one of Sydney's most loved family destinations at risk, the undersigned petitioners therefore ask the Legislative Assembly to protect Luna Park's future as a viable and successful amusement park by

1. Reaffirming Luna Park's regulatory scheme, established by the NSW Government after extensive community consultation in 2003, and;
2. Introducing a scheme of exempt and complying development that will provide legal certainty to move or replace rides.

While this petition, signed by well over 10,000 residents of New South Wales, has been signed by members of the community, Luna Park is an entertainment venue—an historic entertainment venue—within my community and the electorate of North Shore, so I was a happy to bring this petition to the Parliament for discussion today. There is a diverse range of views about the operation of Luna Park and its potential impacts on residents. When an amusement entertainment facility such as Luna Park is located in close proximity to residents—as it has been throughout its existence—there will be questions about community impacts and the best management of those impacts.

After the petition was commenced by Luna Park, the New South Wales Government put forward a State Environment Planning Proposal [SEPP] to assess the introduction of specific thresholds and requirements for planning decisions regarding the installation and movement of rides within the park precinct. This consultation with the community has recently closed but I have encouraged any residents or local businesses that are still interested in having a say to speak with me and share their views. The Minister for Planning and the Department of Planning and Environment have been open to hearing from any interested parties about the best way to ensure that we get the planning decisions right for Luna Park and the community.

At the end of the day planning has to reflect community interests. It has to reflect the needs of businesses to operate in a viable manner—including such historical businesses as Luna Park—which contribute so much to the Sydney community. It also has to reflect the needs and interests of local residents. That is why in my meetings with the department, the Minister's office and local residents we have spoken particularly about the potential impacts concerning noise, height, lighting and hours of operation. The three proposed thresholds to codify the planning requirements for Luna Park within the SEPP looked at exempt development—that is, the notion that some ride limitations imposed on Luna Park would self-regulate in a certain way around exempt development; restrictions would apply to the number of rides, and rides would be temporary rather than permanent; and restrictions would also apply to the height of rides to ensure compliance with noise and lighting requirements.

The complying development proposal has a slightly higher threshold, and there is a pathway to a full development application proposal process for rides considered potentially to have a greater impact on the local community. My view has always been that, if we have clear planning rules and guidelines that identify what is acceptable to the community and what is necessary for Luna Park to operate effectively, and those planning rules and guidelines are codified, they can be enforced. Such enforcement will ensure that the community's interests are protected and that Luna Park can remain viable and able to make rapid decisions when introducing new rides—responding to seasonal changes and different ride technologies across the globe. I am grateful to Luna Park for putting in this petition today and I am grateful to the many community members who have worked closely with me to ensure we get this right. The Government continues to listen and will make sure that all interests are included in the final outcome.

**Mr TIM CRAKANTHROP (Newcastle) (10:39):** The petitioners can be assured that they have the support of the Labor Opposition and that we are determined to see the continue the operation of Luna Park now and well into the future. Luna Park has operated on the Milsons Point site since 1935. It is not just a bona fide cultural icon for the people of Sydney but a drawcard for tourists and visitors to the city, with over a million patrons passing through the iconic facade every year. The park's iconic status was recognised by the precinct's inclusion on the State Heritage Register in 2010. Its 83-year history has not been without hiccups, with the park temporarily closed several times, but since 2004 it has operated year-round.

I acknowledge the concerns raised in the petition. As part of a \$20 million overhaul of the park last year, the owner lodged a construction certificate for the Flying Carousel amusement ride, which was rejected shortly afterwards by the certifying authority. In the Land and Environment Court case that followed, Luna Park's ability to make changes to rides and amusements without a full development application was put in doubt, leaving the operators concerned that the park may not be able to survive. While the operators have previously installed temporary rides and amusements—by one count more than 200 such temporary attractions over the previous 12 years—the ruling significantly impacted the operator's ability to do so in the future.

Labor raised the issue facing Luna Park in budget estimates in August this year. The Hon. John Graham put to Minister Roberts that it is unfair for the ongoing operation of a cultural icon—older than most of us in this room—to be curtailed by people who have chosen to move next-door to an operational amusement park. This brings me to the issue of agents of change, something we are investigating closely in our live music roundtables.

An agent of change is someone who moves into a precinct or area which they know has music, entertainment, activity and noise. That brings to mind the first apartments built on the working port in Newcastle at Honeysuckle. Not long after they were finished and people moved in, the residents began calling the Port Corporation, saying "Can you get these ships to stop blowing their horns when they come into the city? They're disturbing my sleep." If somebody has just bought an apartment in a working port, what would they expect?

I return to the petition. The Minister has rightly noted that the planning system must be fair, take into consideration the interests of all parties and seek a balance. We are pleased that the Minister has acknowledged the important place Luna Park holds in Sydney's cultural landscape and has looked at some practical ways to ensure its continued existence and success. We are glad the Minister took these concerns on board and has had his department prepare draft amendments to the State Significant Precinct's State Environmental Planning Policy [SEPP], which recently finished public exhibition. Labor is pleased that the Minister and his department have listened to the community and to common sense. They have proposed changes to the SEPP that will, in the words of the Luna Park spokesman, help ensure the long-term survival of Luna Park as a viable business and one of Australia's most loved destinations.

This issue goes back to 2003, when Bob Carr and the Labor Government established a regulatory scheme after extensive consultation with the community and all relevant stakeholders. It is good to see that the Government is following Labor's lead—seeing sense on this issue—conducting proper consultation and investigating regulatory requirements that will bring about a fair and balanced outcome for all involved. The amendments to the SEPP are yet to be finalised but the Minister and the petitioners, as I said at the beginning of my contribution, can be assured of the Labor Opposition's support. We are determined to see the continued operation of Luna Park now and well into the future.

**Mr JAMES GRIFFIN (Manly) (10:43):** I make a contribution to the discussion on this petition regarding Luna Park, as the member for the neighbouring electorate of Manly. Luna Park is well known to my constituents and to many members in this place. To ensure the continued viable operation of Luna Park Sydney and to simplify the planning approval process of low-impact rides and amusements, the Department of Planning and Environment is consulting on proposed planning controls. It is important to note in the context of this petition that in the last 12 years Luna Park has had more than 1,200 new and temporary rides and amusements, entertaining families and visitors and drawing them back with the promise of more new and exciting attractions. For many years Luna Park management has continued to install, modify, relocate or replace new or existing rides without significant problems or issues.

The department is consulting the community about introducing a simpler pathway for approving low-impact rides and amusements. These changes will establish exempt and complying development controls under the State Environmental Planning Policy (State Significant Precincts) for Luna Park. An exempt and complying development rides and amusements zone is proposed to identify the location for these activities. The current heritage, noise, safety and lighting protections and hours of operation will continue to apply, thereby seeking to balance the customer experience to ensure the longevity of Luna Park while at the same time appreciating the amenity of local residents and businesses. To date the department has received 1,407 submissions on the proposed planning controls, of which 93 per cent supported the proposed changes.

No public authority submissions have been received. The key concerns listed in the submissions received not in support of the proposed changes included allowing rides as an exempt and complying development on land known as Lavender Green, negative impacts from strobe lighting and possibility of no further community consultation for rides and amusements installed as an exempt or complying development. Given the demonstrated high level of public interest in the proposed amendments, the Minister for Planning has requested advice from the Independent Planning Commission. It is my understanding that, subject to all necessary advice and counsel being in place, the Minister intends to make a decision on this State significant matter before the summer holidays commence.

**Mr STEPHEN BROMHEAD (Myall Lakes) (10:46):** I make a contribution to the discussion on the Luna Park petition. Luna Park is an icon of the Australian tourism industry. One cannot imagine the smiling face at the entrance to Luna Park not greeting visitors to Sydney or to this great State. For the past 80-odd years Luna Park has played a role in the lives of so many families. Indeed, it is crucial that it remains a viable business for not only the Australian tourism industry but also families. Luna Park is a good corporate citizen. It has tried to work with its neighbours and also within the confines of its location, and it is supported in those endeavours by the people of Sydney, the tourism industry and the Government.

I can remember going to Luna Park as a child with my brothers and sisters. I can remember the excitement in knowing we were going there and the wonderful times we had while there. In fact, it was one of those places where, no matter how affluent or poor a family was, there were things to do that cost no money at all. For example, it was fantastic to go on the Spinning Penny and walk on the boards that would start to move backwards and

forwards, and up and down. The wind would blow my sister's skirt up—a bit like a Marilyn Monroe moment. Those activities were part of a free entertainment area. It would be terrible to lose Luna Park because the business is no longer viable. I was very pleased that the Minister for Planning has heard the views expressed by families and the tourism industry as to why Luna Park needs to remain, but to ensure that it remains a viable business some changes need to be made. I support Luna Park and I thank the House for allowing this discussion.

**Mr JONATHAN O'DEA (Davidson) (10:49):** By leave: I am delighted to contribute to discussion on this petition regarding Luna Park. It is an icon in Sydney that I have had a close association with for almost 50 years. As a child growing up in the Wollstonecraft area I can remember going to Luna Park with family and enjoying the wonderful experience that families continue to experience. I then had the opportunity to work at Luna Park over a school holiday period. I only lasted a couple of months because it was the school holidays and I decided to go back to school—a decision that was well made. Thousands of people have been employed at Luna Park over many decades. Luna Park's history goes back to the 1930s. In 1979 there was the tragic fire at Luna Park where people died in a ghost train. That was a low point for Luna Park. A number of the boys who died were my age, and I knew one of them. Forty years later it is still poignant.

In the 1990s as a North Sydney councillor I had the opportunity to witness a range of experiences, tussles and tensions. I was a member of the council from 1991 to 1995, which was quite a tumultuous time for Luna Park. In the 1990s North Sydney Council built a boardwalk along the promenade, which was a wonderful addition to public open space. It also went through the tussle with the Big Dipper. The Big Dipper had various issues regarding consideration of its suitability and viability for the park, as opposed to the rights of residents. I make the observation now, somewhat objectively, not being associated with the area—and I know the difficulties the member for North Shore experiences with balancing best interests—that a vocal minority of residents is unduly affecting the ongoing viability of the park and not respecting its longstanding heritage and contribution to the wider community.

I have also been involved with the tourism industry and witnessed Luna Park's contribution to it. I thank members for their contributions to this discussion, and I look forward to the decision of the Minister for Planning. I believe that we ought to enable entities such as Luna Park to contribute to the vitality, vibrancy and atmosphere of Sydney in a reasonable way without accommodating the interests of residents who are unduly narrow in their perspective.

**TEMPORARY SPEAKER (Mr Lee Evans):** The night before the fire I was at Luna Park with my now wife and we rode on the ghost train, so it is quite poignant for me as well.

#### *Bills*

### **SNOWY HYDRO CORPORATISATION AMENDMENT (SNOWY 2.0) BILL 2018**

#### **Second Reading Speech**

**Mr ANDREW CONSTANCE (Bega—Minister for Transport and Infrastructure) (10:54):** On behalf of Mr John Barilaro: I move:

That this bill be now read a second time.

As this bill was introduced in the other place on 24 October 2018 in the same form, and the second reading speech appears at pages 40 to 42 of the proof *Hansard* for that day, I commend the bill to the House.

#### **Second Reading Debate**

**Mr RYAN PARK (Keira) (10:54):** I lead for the Opposition in this place in debate on the Snowy Hydro Corporatisation (Snowy 2.0) Bill 2018. However, the lead for the Opposition is the Hon. Adam Searle, the shadow Minister for Energy in the other place. The Opposition supports the Snowy 2.0 project and will not oppose the bill, which will enable leases and other approvals needed for the construction and operation of Snowy 2.0 to be granted under the National Parks and Wildlife Act 1974, subject to the project being approved under the Environmental Planning and Assessment Act 1979. This legislation is required because the National Parks and Wildlife Act does not contemplate as its normal function power generation as a purpose for which a lease in the area can be granted. Under the legislation, the Minister for the Environment can consider the objects of the National Parks and Wildlife Act, the management principles for national parks and other matters when negotiating any lease and other approvals when deciding what conditions to impose.

The Opposition understands that other members may move amendments, particularly The Greens, and it will consider them carefully. The Labor Party has always prioritised ensuring that we continue to invest in this type of renewable energy and move to more sustainable energy. It also supports the fact that the transaction involving the move of Snowy Hydro to the Commonwealth Government will release a significant amount of

money that will be available for rural and regional New South Wales to ensure the people living in those areas get the infrastructure they need in their communities to drive investment and to grow their local economies.

I acknowledge that Snowy Hydro in its current form is obviously a landmark piece of infrastructure, and we as Australians should be very proud of it. The Opposition wants to ensure that Snowy 2.0 is just as visionary. However, it also wants to ensure that both Snowy Hydro and rural and regional New South Wales benefit from the transfer to the Commonwealth. The Opposition will not oppose the measures that the bill proposes, because it has a strong focus on investing in renewable and more sustainable energy. I congratulate my colleague the Hon. Adam Searle on his efforts and policy work in achieving that goal.

**Dr JOE McGIRR (Wagga Wagga) (10:58):** In speaking in debate on the Snowy Hydro Corporatisation Amendment (Snowy 2.0) Bill 2018 I acknowledge the value of the Snowy Hydro 2.0 project in providing additional sustainable power to Australia, increasing employment and boosting the economy of the Snowy Mountains region. However, I bring to the attention of the House concerns raised with me about the potential impacts of this development on local tourism and relevant stakeholders. I understand that the bill does not restrict the power of the Minister for Planning to impose any conditions on any development approval and nor does it restrict the power of the Minister for the Environment from considering any relevant provisions and protections in the National Parks and Wildlife Act when negotiating the terms of the lease or approvals and when imposing appropriate conditions. It is important that the Ministers and the Government retain these powers, particularly in light of the concerns that have been raised with me.

Business owners from Talbingo, who are worried that the proposed spillway closure will significantly affect tourism, have approached me. They believe an alternative facility associated with the current boat ramp should be developed. That facility should include a beach area of sufficient size to compensate for the closure of the spillway and provide a safe and accessible swimming area and upgraded parking and boat launching areas to allow safe and appropriate access especially at the height of the tourist season. There were discussions with members of the community concerning this alternative facility. Unfortunately, the proposals put to the community appear to have changed, which to some extent has undermined trust in the Snowy Hydro. There is strong community support for Snowy Hydro. I am simply using this forum as an opportunity to improve the tourism outcome for the Talbingo community. The Legislative Council Regulation Committee undertook a review of the proposed legislation and recommended:

That the Department of Planning & Environment conduct consultation with key stakeholders for each stage of the Snowy 2.0 and Transmission Project.

The committee also recommended liaison with affected councils and local State members of Parliament before declaring an order on State-significant infrastructure. I urge the Government to ensure that the full tourist potential of Talbingo is enhanced by the Snowy Hydro development and that thorough consultation with all affected local stakeholders is undertaken.

**Mr GREG PIPER (Lake Macquarie) (11:01):** I am surprised that there are not more speakers in debate on the Snowy Hydro Corporatisation Amendment (Snowy 2.0) Bill 2018, which will result in a significant project for the people of New South Wales and anybody connected to the national grid. I support the bill because it will enable Snowy Hydro to lease land that would be required if and when Snowy Hydro 2.0 gains the necessary approvals. The project will result in substantial benefits for the people of New South Wales by delivering good, clean energy and by complementing and adding to the effectiveness of other renewable energy sources, most notably wind and solar power. The original Snowy Mountains hydro-electricity scheme was a nation-building project. I expect that its expansion will do the same for a new generation. This significant project will assist in a gradual transition to cleaner energy production.

I do not intend to repeat much of what has already been stated about the Snowy Hydro in the second reading debate, but I will refer briefly to the effectiveness of hydro-electricity and how it stacks up against other forms of energy production. Make no mistake, I am in favour of cleaner energy production but as things stands we currently rely on coal-fired power stations to provide more than 81 per cent of our electricity needs in New South Wales. Lake Macquarie is home to Australia's largest coal-fired power station. Eraring Power Station has four turbines each of which generate 730 megawatts of dispatchable power a day—that is, 2,920 megawatts each day, or about 20 per cent of the State's peak electricity demand.

The extra capacity of Snowy 2.0 will provide about 2,000 megawatts of energy to the national energy market, making it the third largest individual generator behind Eraring and Bayswater in the Hunter Valley. It is extremely important to securing the State's energy supply and no doubt it will be for the foreseeable future. Just down the road from Eraring is the Vales Point Power Station, where Delta recently announced it would build a \$114 million solar farm over 80 hectares of its land. While I applaud this investment, it will generate 55 megawatts of energy, which shows starkly the significant area of land that is required to be occupied, and

subsequently sterilised from other beneficial uses, by large-scale solar farms. By their very nature, photovoltaic systems have limited time in which to produce energy. Their efficiency will be maximised only when affordable complementary storage is available. That is what Snowy Hydro 2.0 does.

The examples that I have mentioned sum up where we are. While I embrace the shift to clean energy, including rooftop solar photovoltaic systems, we are yet to find or adequately deploy the technology to bank solar power. However, pumped hydro can do this and it can provide cheap dispatchable power. Hydro-electricity systems have the ability to provide reliable, clean energy with effective demand management under most circumstances. That is what Snowy Hydro has done for many years and will be able to do with even greater capacity and reliability when integrated with other renewable energy production technologies that deliver a massive energy store through pumped hydro.

I acknowledge former Prime Minister Malcolm Turnbull for adopting the vision of those who understand the engineering and the complexities of this project. One such person was Paul Broad, the chief executive officer [CEO] of Snowy Hydro. I have known Paul for many years. I believe he was previously the CEO of Infrastructure NSW. He certainly has a big picture idea of what is needed. This is an important transition away from our reliance on fossil fuels and wind and photovoltaic energy systems will greatly benefit from the ability to bank energy in this way. In today's *Sydney Morning Herald* is an article about the impact of pollution from coal-burning power stations. Eraring Power Station is obviously one of the major targets. We are talking about particulate matters and other emissions such as nitrous oxide, sulphur dioxide and PM2.5—matters that clearly concern the community and that create health risks for people in our communities.

Air sheds in these areas convey pollutants from the Hunter Valley along the coast and into the Sydney metropolitan area at a huge cost to the coal industry and to coal-fired power stations. We must embrace technology and be ready to respond to what industry produces. Given the right regulatory environment, industry will surprise us with what it comes up with. The provisions in this legislation, which were proposed by industry, will go a long way towards improving energy reliability and producing clean and safe energy for many years to come. This bill contains provisions to free up the Government to deal with necessary leaseholds but it will also have widespread implications. I commend the bill to the House.

**Mr JOHN BARILARO (Monaro—Deputy Premier, Minister for Regional New South Wales, Minister for Skills, and Minister for Small Business) (11:08):** In reply: I acknowledge all those members who spoke in support of the Snowy Hydro Corporatisation Amendment (Snowy 2.0) Bill 2018, which amends the Snowy Hydro Corporatisation Act 1997 so that Snowy 2.0 will be able to receive the necessary leases and approvals under the National Parks and Wildlife Act. The bill does not restrict the power of the Minister for Planning to impose any conditions on any development approval, or the Minister for the Environment from considering any relevant provisions and protections in the National Parks and Wildlife Act when negotiating the terms of the lease or approvals and when imposing appropriate conditions.

People often bring their ideas, views, and ideologies to this place but it was surprising to find that The Greens is a party of hypocrisy—a party that always promotes the idea of clean energy renewables yet it opposes this legislation, which will enable the implementation of Snowy Hydro 2.0. Snowy 2.0 is about pumped hydro—the opportunity to use pumped water like battery storage—which will underpin more investment, especially around renewables in this State. I think The Greens have lost their way and do not know what they stand for. They often get caught up in ideology versus practicality, although practicality represents the sentiment of the community.

This bill will enable the State and Federal governments to get on with Snowy Hydro 2.0. Sixty years ago people used to joke about going to Adaminaby and saying, "Hey guys, we are going to move you up the hill. We are going to flood the old Adaminaby and turn it into a dam to underpin our vision—a nation-building piece of infrastructure called the Snowy Mountains scheme to generate hydro-electricity." Sixty years ago that community took on board the need for a nation-building project—an engineering feat renowned across the globe. That project brought many skilled migrants to my region, underpinning the legacy that we have today—a multicultural and migrant community that has made a positive contribution to the region. Those migrants were skilled workers who went on to run the businesses that built the nation's capital.

It is great to have the member for Bega, Andrew Constance, in the Chamber as his electorate is adjacent to mine. The Snowy Hydro is important for employment in the region and because of its legacy for the people of the Monaro, and it is important to the electricity market. Snowy Hydro will result in more investment in electricity. Paul Broad, the chief executive officer of Snowy Hydro who headed Infrastructure NSW, has the vision and the drive to ensure that this project continues. When I think about the legacy of the Snowy Mountains scheme I recall the period of construction. The New South Wales Government is investing about \$87.2 billion in infrastructure projects that will be on par with that scheme—that is, it will provide infrastructure for the next generation. The Government is playing catch-up after the Labor Government did nothing for 10 years.

This Government is building infrastructure not only for today but also for tomorrow. The WestConnex project is an example. It is the largest infrastructure project in the nation and it will benefit future generations. Unfortunately, politics are being played with respect to that piece of infrastructure. That did not happen with the original Snowy Mountains scheme when governments of different political persuasions—State and Federal—headed by Prime Ministers and Premiers from different parties got together. They lived at a time when being in politics was about being statesmanlike—when governments invested in what was best for the next generation and not what was best for them in the next election cycle. Whenever governments put up big infrastructure projects that are significant and that will cross a number of election cycles, they often become political footballs. Recently Labor Party members talked about going through some consultative process and adding a lot more red tape for projects worth more than \$1 billion, of which there are about 30 in New South Wales. We believe that will stop projects from being built in New South Wales.

Let us take the lessons learned from the original Snowy Mountains scheme—to be courageous, to show leadership and to invest in infrastructure for the next generation—and let us do so in a bipartisan way. We are investing in the next generation—our kids having a strong future. The Snowy Hydro Corporatisation Amendment (Snowy 2.0) Bill 2018 gives us an opportunity to cut red tape without losing the environment or dismissing all the reports that are required when embarking on such a significant infrastructure project, especially somewhere like the Kosciuszko area, in some of the most sensitive wilderness areas and the most pristine environment. The Kosciuszko National Park is the largest national park in this State and it is this Government's duty to ensure that this project proceeds in a way that will have minimal impact. We all know that a project such as this will have some sort of impact but the Government believes that the broader good that will come from this investment will benefit the next generation.

The electricity market requires investment by this Government and the Federal Government. I congratulate the Federal Government on its vision. This Government is looking forward to getting the final business decision and the green light to go ahead. We know what the benefit will be in my region, in the communities of Cooma, Adaminaby, Tumut, Jindabyne, Berridale, Dalgety and Bombala—the whole Monaro south-east region right down to the Bega Valley and over the valley into Tumut and the Snowy River Valley. This will be like reliving the fantastic years of the Snowy Mountains scheme in its heyday, when thousands of skilled workers came into the region, when people invested in the region and delivered services. It was a vibrant region in its time and we will get to relive that over the next few years.

This significant investment of more than \$4 billion will create between 1,000 and 2,000 jobs during peak construction times. That will have a ripple effect of more jobs and more businesses coming to the region, changing opportunities in the Monaro. The Opposition is supporting this bill because of what it will mean to the region and the electricity market. Most importantly, it supports the Federal Government's significant vision for the region. Every cent of the almost \$4.2 billion that this State has received from the Federal Government for our 58 per cent shareholding will be spent in regional New South Wales. But this Government will not squander the opportunity or use this as some sort of war chest during an election cycle.

As I said earlier, I want to use this money in the same way as the investment in the Snowy Mountain scheme was used—by creating a legacy for future generations. This Government has already announced, through the Snow Hydro Legacy Fund, where the \$4.2 billion will be spent. We have not named specific projects but we outlined five pillar areas. One is water security for regional New South Wales. At a time of drought we all accept that now is the time to have a conversation about water security. Dams are needed in this State if we are to try to drought proof regional New South Wales as best we can. We need pipelines to connect communities to water because water is the lifeblood of any community.

The Government announced an ambitious target of making regional New South Wales mobile phone blackspot free. The Government will use the \$4.2 billion to make sure that we build mobile phone towers, a better internet and broadband, and better data centres in regional New South Wales. If we want people to live in the regions and run businesses there we have to provide connectivity. That is the key. A third area of investment will be through roads and passenger rail. There will be an opportunity to invest in rail and roads to move people around regional New South Wales and to move people in and out of regional New South Wales. In the old language, "connectivity" was provided by road and rail; in the new language "digital connectivity" is very important.

Another area that we are focused on is primary production. This Government knows that the regions provide the best produce. The State is renowned for what is produced. The Government wants to make sure that farmers have direct access to international markets. Rather than sticking freight on roads and rail to get it to Sydney Airport—or Badgerys Creek, when that is open—we want three or four international freight airports located in regional New South Wales. North of the State, the Central West and down south in the Riverina would be prime sites for international freight airports, which would open up international markets.



The final pillar consists of the special activation precincts. This Government wants diversity in regional New South Wales by investing in new businesses and new industries. That has been highlighted again by the drought. The impact of the drought on the communities and economies of regional New South Wales is significant. When the mining boom was over we saw a decline in the mining industry and that had an impact on our regions. The Government has the opportunity, using Snowy funds, to invest in special activation precincts, unlock commercial land to build industrial precincts and technology parks, and encourage investment.

The best example of that is what is happening in Parkes, which has become an inland port as a result of the Federal Government's \$11 billion investment in inland rail. That rail line will create a spine in regional New South Wales and we will find opportunities by tapping into that spine—moving freight like we have never moved freight before. Parkes plays such an important role with inland rail because it becomes an inland port. We already have an east-west rail connection, but with current inland rail we get the north-south connection. That gives us an opportunity.

That is why the Government already has announced that Parkes will be our first special activation precinct. The Government is working with the local council, communities and industry to unlock industrial land and to attract industries. I can update the House that two or three different industries are coming from across the border—it is always nice when businesses come in from Victoria, Queensland and abroad—that are now looking to invest in Parkes. Some of those industries are probably worth approximately \$50 million apiece. That is significant because they are new industries and they will create new jobs, thereby growing local economies in the regions.

That is why the Snowy 2.0 funds—the \$4.2 billion—are a windfall. The New South Wales Government will not waste this opportunity. The truth is that by the time the next State election occurs, we will not have spent any of those funds, besides perhaps making \$50 million or \$60 million available to do preparatory work. The reality is that the Government is thinking beyond the election cycle. The Government is thinking about the next decade and investing in regional areas of New South Wales in a way that has never previously happened. That represents a stark contrast to the Opposition, which proposes to use the \$4.2 billion to promise schools and investment in marginal electorates. Really the Opposition intends to use those funds for pork-barrelling in an effort to win seats. The Labor Opposition puts politics in front of capacity, politics in front of people, and politics in front of the next generation. That lies in stark contrast to the Liberal-Nationals Government's view of the future. The difference is that Labor is focused on one thing, and one thing only: 23 March 2019.

The New South Wales Government is thinking about not just 23 March 2019 but, rather, the next four years, eight years or 12 years. The investment by the New South Wales Government of the proceeds from Snowy Hydro is about future generations. The New South Wales Government is making sure that the next State election campaign will be fought on that clear fact—an option to spend the money in the manner proposed by the Labor Party or an option to support the Government's investment in the regions. In two consecutive replies to the budget speeches by the former Leader of the Opposition, it became obvious that Labor members have gone back to their old skill, which is to spend the money three times. They will put expenditure on the credit card, they will throw the budget back into the red, and we will go back to the use of debt and deficit versus surplus and prosperity. What Labor already has offered is cancellation of infrastructure projects, how to put the budget back into the red, how to get rid of the cash surpluses and a sea of red in budget papers over the next four years and forward estimates.

What Labor members get upset about is that they talk about schools versus stadiums. What this Government is saying is that we will have schools, hospitals and stadiums. Labor members do not get it. The investment in stadiums supports our communities and our economy, it supports tourism and underpins small business. It creates jobs and it drives the economy. When Sydney is doing well, New South Wales is doing well. When New South Wales is doing well, Australia is doing well. It is clear to see that the engine room, which is New South Wales, is probably the reason that Australia has not gone into recession whereas States such as Queensland and Victoria have failed to make courageous decisions around investment. We can put New South Wales at the top of the list because this Government is underpinning what is happening in regional areas of New South Wales and Australia.

**Ms Jodie Harrison:** Is New South Wales enough?

**Mr JOHN BARILARO:** I acknowledge the interjection. This is the New South Wales Government's track record. What I am saying today is, "Have a look at what this Government has done." In regional New South Wales over the last eight years of the Labor Government, there was a spend of about \$23 billion. Over the eight years of this Government, we have just exceeded expenditure of \$50 billion in regional areas of New South Wales. That is fact, not fiction. That is the truth. That is why regional communities are benefiting from the Liberals and The Nationals being in control and in government. However, I digress a little. This legislation is about Snowy 2.0. This bill is all about making sure that we make it as easy as possible while not neglecting the environment and

not neglecting the issues surrounding national parks and Kosciuszko. This Government is making sure that it can invest in Snowy 2.0 to underpin the electricity market with a clean energy source, which is pumped hydro.

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

**Motion agreed to.**

### **Third Reading**

**Mr JOHN BARILARO:** I move:

That this bill be now read a third time.

**Motion agreed to.**

### **RETIREMENT VILLAGES AMENDMENT BILL 2018**

### **BUILDING AND CONSTRUCTION INDUSTRY SECURITY OF PAYMENT AMENDMENT BILL 2018**

### **FAIR TRADING LEGISLATION AMENDMENT (MISCELLANEOUS) BILL 2018**

### **PROTECTION OF THE ENVIRONMENT OPERATIONS AMENDMENT (ASBESTOS WASTE) BILL 2018**

### **Second Reading Speech**

**Mr MATT KEAN (Hornsby—Minister for Innovation and Better Regulation) (11:25):** I move:

That these bills be now read a second time.

I am pleased to introduce the Retirement Villages Amendment Bill 2018 and cognate bills to the House. The content of the Retirement Villages Amendment Bill 2018 before the Legislative Assembly today is generally the same as the bill introduced and second read in the Legislative Council on 24 October 2018. The second reading speech for that bill is found on pages 59 to 64 of the proof *Hansard* for that day. The Retirement Villages Amendment Bill 2018 and the Fair Trading Legislation Amendment (Miscellaneous) Bill 2018 were passed without amendment. The Building and Construction Industry Security of Payment Amendment Bill 2018 was passed with amendments and the Protection of the Environment Operations Amendment (Asbestos Waste) Bill 2018 was passed with an amendment.

Regarding the Building and Construction Industry Security of Payment Amendment Bill 2018, as noted by the Hon. Paul Green, MLC, the Building and Construction Industry Security of Payment Act 1999 currently defines the term "exempt residential construction contract" by reference to section 7 (2) (b). Noting that the bill is repealing section 7 (2) (b), these amendments to the bill will ensure that section 11 (1C) continues to apply to the contracts it captures today. That is the purpose of paragraph (a) of the definition and the proposed definition of the term "owner occupier construction contract". I note that the definition of the term "owner occupier construction contract" employs the same language as section 7 (2) (b). The purpose of that is to ensure that any jurisprudence that has developed regarding this text survives these amendments.

The purpose of paragraph (b) of the definition of exempt residential construction contract is to allow the regulations to extend the section 11 (1C) exemption to contracts between owner occupiers and their head contractors, if the exemption currently set out in section 7 (2) (b)—which will be moved to the regulations—is abolished. The balance of the amendments make consequential changes to the Act to accommodate the new definition of "exempt residential construction contract" so that it maintains its current effect, with the additional flexibility to extend the exemption in the manner I described earlier. The amendment to the Protection of the Environment Operations Amendment (Asbestos Waste) Bill 2018 defers the commencement of schedule 1 [11] to the bill to a date no earlier than 12 months from the assent of the bill. I commend the bills to the House.

### **Second Reading Debate**

**Ms YASMIN CATLEY (Swansea) (11:28):** On behalf of the Opposition I lead in debate on the Retirement Villages Amendment Bill 2018, which is cognate with the Fair Trading Legislation Amendment (Miscellaneous) Bill 2018, the Protection of the Environment Operations Amendment (Asbestos Waste) Bill 2018 and the Building and Construction Industry Security of Payment Amendment Bill 2018. It is with great pleasure that I lead the Opposition's response to these cognate bills. I begin my contribution to the debate with comments on the Retirement Villages Amendment Bill 2018.

The Retirement Villages Amendment Bill introduces a number of changes recommended by the Government's Greiner report into the sector. The Minister has gone through these changes in some detail. Suffice it to say that the bill introduces emergency plans and safety inspections for villages, including evacuation exercises

and the display of key safety information; that the operators of villages explain contract information to residents, if requested; and rules of conduct for operators of villages, enabling the regulation to prescribe rules of conduct for operators, including training, performance and competencies and proposing penalties for offences; asset management plans for villages; consent from residents for the appointment of auditors of accounts; the provision, sharing and publication of certain information about retirement villages; and the mediation of disputes under the principal Act.

Additionally, consequential amendments to the Retirement Villages Regulation 2017 are proposed concerning the prescription of penalty notice offences in respect to offences resulting from amendments made by schedule 1. First I seek some clarification from the Minister regarding the asset management plan. The Government's response so far does not make it clear that the cost of preparing and maintaining this plan should be met by operators and not be passed on to residents. This new requirement is no more and no less than a prudent measure, which would be adopted by any responsible owner of a large building complex, as is demonstrated in the strata title sector.

The Retirement Village Residents Association [RVRA] is concerned to ensure that the same principle is adopted in the retirement village sector. I propose to the Minister that clause 26 of the Retirement Villages Regulation 2017 be amended to specify that the cost of preparing and maintaining the asset management plan referred to in schedule 1 [11], new section 101A, of the amendment bill be included as an item that may not be financed by way of recurrent charges. While the proposal to allow residents to select an auditor of their choice is very welcome, remarks by the Parliamentary Secretary in the other place during his second reading speech have caused concern for retirement villagers, leaving open the possibility that the intent of this amendment could be thwarted by operators. Specifically, the Hon. Scot MacDonald stated:

The reason the operator proposes the auditor is because this process will often be more convenient for all the parties and because the auditor will have access to sensitive financial information.

...

Clause 118D (3) of the bill provides that the tribunal cannot consent to the appointment of the auditor proposed by the operator unless satisfied that there are exceptional circumstances for doing so. Residents pay for the running costs of the village. The auditor's role is to safeguard the residents by reporting on how residents' money is spent. Where residents pay for the auditor, they should be able to choose the auditor. It is important that this right is not overturned by the tribunal unless there is good reason—and there may be good reason, especially as the auditor will be reviewing the operator's financial records

The RVRA has advised me that it is alarmed that the Hon. Scot MacDonald mentions the "sensitive financial records" not once but twice. Residents do not want to see operators' confidential financial records, but the fact that an auditor may have to access such records to enable him or her to do the job they are tasked with must surely not constitute the good reason for the operator's nomination to prevail. The RVRA is concerned that this may in fact create a built-in loophole that some operators will use to circumvent the Government's stated view that "where residents pay for the auditor, they should be able to choose the auditor." I again seek the Minister's clarification on the comments made by the Parliamentary Secretary in the second reading speech in the other place.

Emergency plans are critical to ensuring the safety of retirement villagers, and no room for ambiguity should be countenanced. Parliament should be ensuring that residents have access to this information readily. With that in mind, the Combined Pensioners and Superannuants Association of NSW [CPSA] has raised concerns about the vagueness of the provisions concerning reasonable steps. I seek clarification on what reasonable step would entail new section 58A (b1) dealing with emergency plans. I also flag an amendment to new section 58B (1c). The Act should include a provision to ensure that information is provided in more than one format or in a format other than digital—for example, paper based and posted to the resident. Given that we are dealing with elderly people, to simply rely on information that may be provided electronically would be foolish and many may miss vital information about their village or property.

Besides those clarifications, I express my disappointment over the Minister's obstinate refusal to introduce a retirement village ombudsman. This bill was a good opportunity for the Minister to say, "I got it wrong. No-one knows what a retirement village ambassador is or what he or she will do and I acknowledge Labor's initiative and back it in 100 per cent." These policies, bills and subsequent legislation should be about reform, and ensuring that the Parliament meets the needs and expectations of the people. Nobody we have spoken to is convinced that the ambassador meets the expectations of the people concerned. Residents tell us that they want the protections and remedies that come with an ombudsman. Labor will deliver this to residents of retirement villages. We will need to come back next year to make that reform to strengthen the rights of those living in retirement villages and residential home parks.

I move to the Fair Trading Legislation Amendment (Miscellaneous) Bill 2018, which makes a number of important changes to the Fair Trading Act. It amends the Act to establish a rental bond rollover scheme, which will allow tenants to roll a bond from one rental property to another. This is a welcomed initiative that has the

support of rental advocates and will be appreciated by renters across New South Wales. Once Labor removes unfair evictions next year, renters in New South Wales will have a suite of reforms that benefit them, make renting safer and more secure and take out the hassle of moving from one rental property to another. The bill grandfathers a number of cooperative housing societies and Starr-Bowkett societies. This legislation has well and truly passed its use-by date. In particular, cooperative housing will be covered at a national level which will, we hope, make such ventures easier to navigate for those wishing to start up these initiatives in our community.

The bill also introduces provisions related to the disposal of abandoned and uncollected goods into a single Act, and reforms and simplifies those provisions. There is an amendment the Opposition will move to rule out someone's home being caught up in the new legislation. While it is unlikely that a home would be worth less than \$20,000, Labor would like to put the matter beyond doubt and ensure that homes, particularly homes on residential land lease communities, are considered "high-value goods". Should a resident leave their house on a residential land lease community and for some reason or other be unable to move that home for some time, we would like to put it beyond reasonable doubt that it is a high-value good and cannot be disposed of without the proper due processes.

The bill also removes and repeals a number of Acts, such as the Innkeepers Act 1968, the Prices Regulation Act 1948 and the Landlord and Tenant (Amendment) Act 1948. The latter Act, while repealed, saves provisions that continue to have effect in relation to certain premises until the death of the lessee or their spouse or de facto partner. After consulting with the community, Labor will move an amendment to ensure these provisions will also continue to operate around succession rights for children; not just spouses. This is an important amendment that I hope the House will support. We have heard from advocates that the children of those who fall under this legislation may be vulnerable. They may be older and unable to find suitable, reasonably priced accommodation should their parent die. We know that our public housing system is strained and that it will be difficult, if not almost impossible, to accommodate this small group. The Minister should consider this amendment carefully.

I move to the Building and Construction Industry Security of Payment Amendment Bill 2018. The building and construction industry employs more than 300,000 people in New South Wales, and underpayment and non-payment for services to subcontractors is a significant issue. This bill seeks to provide greater protections for subcontractors, suppliers and workers in the building and construction industry by increasing the penalties for offences and changing the Act to promote the quicker payment of subcontractors. The bill proposes to modify provisions relating to the entitlement under the principal Act to receive progress payments and to serve claims in respect of those payments; provide that a progress payment to be paid to a subcontractor under a construction contract is due and payable no later than 20, instead of the current 30, business days after the subcontractor makes a payment claim for the payment; and increase penalties for offences under the principal Act, including offences relating to the supporting statements that are required to accompany payment claims.

The bill proposes to make miscellaneous amendments relating to the procedure for recovering progress payments under the principal Act, including providing for a code of practice relating to persons who are authorised to nominate adjudicators; enable the Supreme Court to set aside in whole or in part an adjudicator's determination if it finds that a jurisdictional error has occurred; enable the regulations to require information to be provided to subcontractors when entering into construction contracts; include investigation and enforcement powers under the principal Act; provide for the period in which proceedings for offences against the principal Act or the regulations may be commenced in the Local Court; provide for the issuing of penalty notices for offences against the principal Act or the regulations; provide for the personal liability of directors for offences by corporations; and make other amendments of an administrative, minor or consequential nature.

While we support the bill, it is telling that it has taken until the final weeks of this term of government for the Government to do something about subcontractors being ripped off in this State. The Government's response has been lacklustre to say the least, and it took persistent pressure from the Opposition and the community to highlight the trail of devastation being left by unscrupulous contractors. The fact that this was occurring with the Government's own projects just makes it worse. Even with the assistance and advocacy of the Small Business Commissioner they have not been able to get the statutory trusts in place. We have billions of dollars of infrastructure projects in train in this State, yet this Government has failed to ensure that those who are responsible for the hard work to get them completed will actually get paid.

Finally, I turn to changes to the Protection of the Environment Operations Amendment (Asbestos Waste) Bill 2018. The scourge of asbestos tragically will be with us for many years to come. This bill seeks to amend the Protection of the Environment Operations Act 1997 to transfer certain asbestos waste offences from the regulation to the Act; increase the penalties for such offences; increase the penalties for other waste offences, such as land pollution, that involve asbestos waste; and make the presence of asbestos a sentencing consideration. The bill intends to increase deterrence against dumping asbestos and waste containing asbestos by inserting standalone

asbestos waste offences in the Protection of the Environment Operations Act; doubling maximum fines for existing land pollution and waste offences to \$2 million for corporations and \$500,000 for individuals, where the offence involves asbestos waste; and ensuring that the presence of asbestos is considered by the courts when sentencing offenders. The new asbestos waste offences will also apply to directors and persons concerned in the management of corporations, consistent with other similar offences in the Act.

The bill responds to recommendation 13 of the Independent Commission Against Corruption [ICAC] report of June 2017 titled "Investigation into the Conduct of a Regional Illegal Dumping Squad Officer and Others" to establish "a specific and serious standalone offence for the disposal of asbestos waste". The Minister for the Environment and the Environment Protection Authority are in a state of chaos, with the Minister recently standing down the Acting Chief Executive Officer of the EPA, Anissa Levy. The Government's response to these longstanding asbestos issues has been slow, to say the least, so it is playing catch-up through the corresponding recent release of the Draft Asbestos Waste Strategy 2018-22 and a further package of regulatory changes to crack down on rogue construction and demolition waste operators, as well as incentives for good behaviour.

While this bill will not solve multiple other mounting crises within the State's waste and recycling industries, measures to highlight the particularly detrimental nature of asbestos and further deter asbestos dumping and pollution are welcome. Notwithstanding the two amendments and points of clarification, the Opposition will not oppose these bills. They bring to an end a busy year in the Better Regulation portfolio—I am sure the Minister would agree. There has progress along with lost opportunities, but many of these will be picked up with the election of a Daley Labor government. I do believe that the Minister has a tough job defending consumers, renters and the small guy against the ideological excesses of many of his colleagues.

I know that our shadow Minister in the other place has enjoyed working with him over the second half of the parliamentary term. All in all, the Minister should be thanked for his open, cooperative approach, and I extend that thanks to his staff. Consumers in New South Wales deserve the utmost protection. These days the ways in which shonks and spivs can erode consumer rights and rip off unwary—and even sometimes wary—consumers is growing. But there is hope: A Daley Labor government will always hold the rights of consumers close to its legislative agenda. I look forward to a Labor government continuing to advance the cause of consumer protection in New South Wales.

**Ms GABRIELLE UPTON (Vaucluse—Minister for the Environment, Minister for Local Government, and Minister for Heritage) (11:43):** The member for Swansea is a hard act to follow. As the Minister for the Environment I speak in debate on the Protection of the Environment Operations Amendment (Asbestos Waste) Bill 2018. The issues covered in this legislation are serious and the changes address continuing concerns regarding the treatment of asbestos waste. The bill before the House will impose stricter sanctions for asbestos-related offences and shows the New South Wales Government's strong commitment to the welfare of our community. Asbestos-related disease is a truly horrible and yet a preventable condition. As we know, it can be triggered by exposure to a single asbestos fibre.

It concerns me that some in the waste industry do not get that message and have pushed, in the weeks leading up to the discussion of the bill, for what I would describe as an unacceptable level of asbestos in loads. As a government—and I know the Opposition joins with me on this—we have no tolerance for that kind of thinking. We must have tough laws and we must improve legislation as we go forward. We must have greater community protections, when appropriate, against asbestos in the environment. The amendments in this bill will send an even stronger deterrent message to those who dump asbestos and waste containing asbestos. They are designed to minimise the impacts on lawful operators, who do the right thing, and they have no fear from these changes in legislation before the House.

The bill also works hand in hand with the other work this Government is doing in relation to asbestos. The draft New South Wales Asbestos Waste Strategy was released in October—consultation closed yesterday—and it reinforced that there are many things that we need to do to protect the health of our communities and the environment from the effects of asbestos. The draft strategy refines our response to asbestos in waste, and proposes ways to make it easier and cheaper to properly dispose of asbestos; increases awareness so people know the barriers to proper asbestos removal and disposal are being removed; closes loopholes for transporters including by tracking waste vehicles transporting asbestos; disrupts unlawful business models; increases penalties; and strengthens sentencing provisions. The bill is consistent with the aims of the draft strategy.

I draw the attention of the House, importantly, to the fact that this bill responds to recommendation 13 of the ICAC investigation into the conduct of a regional illegal dumping squad officer and others, dated June 2017 and recent reports by the Ombudsman including in particular "Asbestos—How NSW Government Agencies Deal with the Problem", dated April 2017. I will go through a few key changes to the legislation. These changes are important, and that is why I ask for the support of the House. First, this bill introduces new specific, clear and serious standalone asbestos waste offences under the Protection of the Environment Operations Act for the illegal

disposal and handling of asbestos waste with maximum fines of \$2 million for corporations and \$500,000 for individuals. These provisions were in the waste regulation and now will be elevated to the Act. This approach provides continuity for lawful operators who are familiar with the current provisions in clauses 80 and 81 of the regulation.

It is crucial to elevate these offences, because it ensures the strongest possible deterrent message is sent to rogue and illegal operators, and makes it clearer that the Government—and, indeed, the Opposition—is serious about protecting the environment of New South Wales and the health of its citizens. The new asbestos waste offences will also apply to directors and persons concerned in the management of corporations. This is an application of a provision that applies to existing offences in the Act and, because the regulatory provisions are being elevated into the Act, will also apply to the new asbestos offence.

The new provisions will be enforced in line with the EPA's compliance policy and prosecution guidelines. There is guidance outside the Act and regulations for how the EPA conducts prosecutions it decides to pursue. The guidelines provide for a flexible, practical and commonsense approach where each case brought to the EPA's attention is assessed to determine whether prosecution is a strategic response and in the public's interest. This bill also empowers the EPA and local councils to issue penalty notices for the new asbestos waste offences. The penalty notice amounts for these offences will be up to \$15,000 for corporations and \$7,500 for individuals, consistent with existing waste penalty notices. Secondly, as part of the Government's response to deter illegal conduct, this bill will double the maximum penalties under sections 142A, 143 and 144 of the Protection of the Environment Operations Act for existing land pollution and waste offences involving asbestos waste to \$2 million for corporations and \$500,000 for individuals.

The third point I draw to the attention of the House is that the bill amends sentencing considerations under section 241 of the Protection of the Environment Operations Act to specifically list the presence of asbestos as a factor a court must consider when it sentences offenders under the Act. It is a new provision. During the debate in the Legislative Council late last night, the Government did not oppose an amendment proposed by the Christian Democratic Party that delayed the commencement of this provision by 12 months following assent of the Act and has given operators time to implement screening standards at waste facilities. That amendment was appropriate and reasonable, and so I commend it to the House.

The New South Wales Government is serious about continuing to tackle the dangers of asbestos by providing leadership through policy and appropriate legislative change. There are other protections for the environment and for the health of our community. Put simply, these changes should not concern good operators; they have nothing to fear and are familiar with the provisions. These changes elevate the prominence of asbestos-related offences. Rogue operators who dump asbestos will face heavier penalties and more scrutiny over their actions. When they do it, we must come down hard on them. The Government will continue to monitor asbestos, and implement better and more appropriate laws that ensure our community is always well protected. It is simply the right thing to do. I commend the bill to the House.

**Mr ALEX GREENWICH (Sydney) (11:51):** I will limit my contribution to the Fair Trading Legislation Amendment (Miscellaneous) Bill 2018, which makes a number of changes affecting tenancy law. I strongly welcome provisions under the bill to establish a system in which bonds can roll over from one tenancy to another. A bond can create serious hardship for tenants when they move. Bond is often due at a time when double rent is being paid, moving costs are being incurred—including hiring removalists and connecting utilities—and new furniture and home goods are being bought. This all happens while the bond from a previous tenancy cannot be accessed. The situation can lead many tenants to go to expensive lenders and loan sharks. A rollover system could ease pressure on tenants who need to or choose to move and it is a sensible approach. However, the details of the system are not provided in the bill. I understand the Government is working through the details. I ask that the Government work with tenant advocates to ensure that the system is workable.

I am concerned that this bill repeals the Landlord and Tenant (Amendment) Act without adequate succession arrangements. The Act covers a small number of old residential leasing arrangements. Tenants under these arrangements are known as protected tenants and about 200 remain. They are generally elderly, frail and poor, and have lived in a privately leased home for decades. Their homes are generally run down, and have not been renovated since before the tenants moved in. Protected tenants have a security of tenure that is not available under standard private residential tenancy agreements. They can be evicted only in certain prescribed circumstances, which exclude no grounds evictions and their rent is considerably lower than market rent rates.

While the bill includes succession arrangements for protected tenants and their spouses, it appears that children who live with a parent who is a protected tenant will no longer inherit protected tenant status. Inheriting protected tenancy status currently occurs only when a child is living with their parent and is on a pension at the time of their parent's death. This means few people will be covered. However, those who are covered are poor and vulnerable, and likely will become homeless if they do not inherit protections from their parents. While not

as old as their parents, children of protected tenants are generally also ageing and have few options if they lose their stable fair rent or are evicted.

While the Real Estate Institute of New South Wales supports the repeal of the Act, it acknowledges that a small number of people rely on its protections to survive and that they will require new housing so they do not become homeless. The Government has given no indication that it will provide housing to children of protected tenants who are evicted as a result of this bill. People on the social housing waiting list wait about a decade to get a home. This forces thousands of people to live in unsafe housing arrangements like boarding houses, to couch surf or sleep rough. I ask the Government to continue the existing and limited succession rights to children of protected tenants. I understand the Opposition will move an amendment of that nature. The bill streamlines the uncollected goods regime, which includes moving provisions that regulate uncollected goods for tenants from the Residential Tenancies Act to the Uncollected Goods Act.

The result is that tenants, landlords and real estate agents will have to deal with more legislation, which is not ideal. Under the proposed new provisions, landlords and real estate agents will be required to value any goods left behind in premises. They do not have the expertise to do this and I am concerned that this process will only lead to disputes. The proposed changes also fail to transfer provisions for uncollected goods in share houses when a co-tenant leaves and another stays. This is a common occurrence and the new regime must address such situations. Currently the goods are not deemed to be in the possession of the landlord and this would not be an appropriate outcome. Tenants represent more than 60 per cent of households in my electorate. I ask the Minister to respond to these concerns in his reply. I join the shadow Minister in thanking the Minister for his consultative approach to this complex legislation throughout his term. Both he and his office have worked extremely well with me and with Tammie, who works with me. I thank him for that approach.

**Ms JENNY AITCHISON (Maitland) (11:56):** I speak in debate on the Retirement Villages Bill 2018, and cognate Building and Construction Industry Security of Payment Amendment Bill 2018, the Fair Trading Legislation Amendment (Miscellaneous) Bill 2018 and the Protection of the Environment Operations Amendments (Asbestos Waste) Bill 2018. I start by noting the legislative chaos we have seen from this Government. Over the past two weeks we have seen bills dumped in as cognate bills in this place. Ministers are barely able to string a few words together after dumping four complex bills that people in the small business industry and in other places around—

[Interruption]

I ask that the Minister be called to order. I have 15 minutes to speak on his four bills.

**The ASSISTANT SPEAKER:** The member for Maitland has the call.

**Ms JENNY AITCHISON:** Government Ministers have introduced cognate bills that pair sensible reform with not-so-sensible reform or with reform that does not go far enough. They barely have the grace or dignity to give the stakeholders notice of what they are going to say or should say in a second reading speech to give context to the legislation they are second reading, and in the case of the Building and Construction Industry Security of Payment Amendment Bill 2018, which I will speak about, there is little in it that reflects what the industry wants. I note the comments of the member for Sydney about the consultation processes. The shadow Minister made similar comments about his consultative style. I am concerned that as a whole, this Government has been all too little and too late. In researching the submissions that various industry associations have made, all I hear is them asking the Government, "Act, act, act. Please, Minister, act."

The latest iteration of this legislation is completely different to the draft exposure bill and does not include cascading statutory trusts. It has led a few people in the industry associations to say, "Okay. It's five minutes to midnight and we know it will be a rushed job, so we'll do what we can, do the bare minimum and then have another crack at it." If we look at the history of this issue, the Collins inquiry into insolvencies in the New South Wales construction industry was completed in 2013. This should not have even been on Minister Kean's agenda. It should have been done by his predecessor, Minister Dominello. It should have been done way before today, on the second last day of the session. With any luck, this will be the second last day of this Government's reign in office.

Labor will amend regulations and legislation in relation to this Act as necessary to protect subcontractors and employees. Our position has not changed since 2015. In 2011, 2012 and 2013, our then shadow Minister for Small Business and now shadow Minister for Industrial Relations, Adam Searle, moved amendments in the other place that this Government did not accept. Because it is such a dog's breakfast of a consultation process, the Christian Democratic Party will move an amendment to say that owner-occupiers should be exempt from the legislation. The Master Builders Association of NSW has raised concerns about that, saying the non-payment of contractors by owner-occupiers is a significant issue for them. The way this Government does business is to

present a bit of a draft, hear everybody's voices and float in between on the path of least resistance. No real change is made. Just because a payment comes from an owner-occupier does not mean they should be exempt from the legislation. Labor will review these processes to ensure that they are truly fair.

One of my biggest concerns, and what has brought this to a head, is: Why, after six years on inaction, is there now action? It is because of the Wave 5 contractors and Ostwald Bros groups. I pay tribute to Jo and Clint Franklin and the Wave 5 contractors who lobbied this Government relentlessly about how they had been completely shafted by the way that project was managed. It was completely inept. On 25 August 2017 the Ostwald group went into liquidation. It had been contracted by Seymour Whyte Group to undertake work on the Pacific Highway for Pacific Complete, a subsidiary of Laing O'Rourke. So far 23 subcontractors, 23 small businesses and their employees will not be paid because this Government said, "We've paid them." Minister for Roads, Maritime and Freight Melinda Pavey and Deputy Premier, and Minister for Small Business, John Barilaro just kicked the can down the road—it was not their problem.

The NSW Small Business Commissioner said there is \$87 billion worth of infrastructure projects in this State and no protection for the small businesses doing that work. I cannot understand why the Government thinks it has any relationship with small business, because small business does not trust the Government. That is what I see when I visit places all around the State. Small businesses work on the projects, go to the briefing sessions and are told by Roads and Maritime Services, "No, it will never happen." It happened in Nambucca—"That's okay, it's not going to happen now. We've got your back." They had to wait for a year. Then, when the Premier was on leave, John Barilaro made his acting captain's call and said, "Yes, we'll give you \$7.3 million." He lights a fire beneath this Minister and says, "We'd better get something done here." The process is right at the end, the exposure draft is out there—and then this little bit of fear comes in and the Government just cannot bite the bullet.

We need cascading statutory trusts. We need to protect the contractors down the road—the people who work 40, 50 and 60 hours a week. We need to protect the people who have had Christmases when their kids have not received presents and who have feared losing everything. Those people have looked their workers in the eye and told them they have no money to pay them. They have had to sell all their plant and equipment, mortgage their future, mortgage their superannuation, mortgage everything they had at their disposal just to ensure that they could continue to pay their workers' wages, because this Government cannot manage its contracts properly and will not put in the necessary measures to protect their livelihoods. Those people provided much of the background to this issue.

At the Federal level, Deputy Prime Minister Michael McCormack distanced himself from the Commonwealth on the issue, saying, "Yes, we provided 80 per cent of the funding, but as far as the running of the project and the administration of the project, that's not the Commonwealth's responsibility." The Government is very happy to stand there in a hard hat and high-vis vest, but does it want to ensure that the workers get paid on the way through? No. Does it want to ensure that small businesses get paid on the way through? No. It had one chance. It is five minutes to midnight, right at the end of its term after six years of absolute inaction, and what does the Government say? It says, "We can't do it. It's just too hard for us. What a shame."

It is an absolute disgrace. The people who work in those industries have cried in front of me. They have been utterly broken by what the Government has put them through with its inaction. It had every opportunity to make things happen and it failed. The contractors were given a one-month consultation period when they are working 50 and 60 hours a week to keep food on the table for them and their workers. The Government is saying, "Come and listen. Come and talk."

**Mr Matt Kean:** Where's your amendment?

**Ms JENNY AITCHISON:** I acknowledge the interjection by the Minister. This Government has put four bills on the table. It is just like last night when we were all here until midnight. The Minister can say all he likes—I do not care, because action will come on 23 March when the people of New South Wales go to the ballot box. They will look at the Government and look at the Labor Party and say, "I know who was there fighting for me. I know who's going to put in real protections for workers and small businesses"—and it will not be the Coalition. The Government had eight years to do this and get it right. It is six years since the Collins inquiry and the Meagher review. The Minister has done nothing for two years, and at five minutes to midnight he has still done nothing. I am not worried, because everyone in this State who works in small business knows that the Minister is no friend to them and that his Government is a failure that deserves to be consigned to history.

**Mr ANDREW FRASER (Coffs Harbour) (12:06):** I was not going to speak on the Building and Construction Industry Security of Payment Amendment Bill 2018 but now I will. After the histrionics of the member for Maitland, who has only been here for five minutes, I refer to what the Labor Government did when it was in power and what her predecessor the Labor member for Maitland and Minister did in relation to Pearl Construction Group in my electorate when subcontractors lost millions of dollars. I sat across tables day after day



trying to recover money from the then Labor Government for the people in my electorate, the kind of hardworking people she deigns to claim are on her side at the moment. They were totally ignored. It was not until we gained government and Minister Greg Pearce struck a solution that those contractors got some money. The Labor Party refused. I have media release after media release showing that it refused to pay any money, claiming, "We've already paid it once. We aren't going to pay it twice."

Who was the contractor? It was Pearl. What was its history? It was handed a job funded by a Federal Labor government. All it had in their history was shop fitting; I think it may have built a house at Cessnock. It was given a contract worth well over \$1 million to build some Department of Housing units in Coffs Harbour. I sat in the office of the then Minister for Housing, Frank Terenzini, trying to get him to come to the table. All I got were letters saying, "We can't do it." I commend the Minister at the table because I put in a submission to the Collins review about how to get over this problem. Since the Minister has put this legislation on the table I have had discussions about the way that money owed to contractors can be returned to them. It is difficult, but in reality it is simplistic. I will put it on the record here today, because this will probably be my last speech in this place.

The head contractor on any project, whether roads or housing, wins the contract. It then subcontracts to someone else. Nine times out of 10 that subcontractor then subcontracts out to local contractors, especially in road construction. History will show that on many occasions the head contractor then asks these subcontractors to sign a statutory declaration to say they have been paid when they have not. The subcontractors then rack up the debts. They put their claims in to the head contractor to get their money, but it does not come back to the ground where the money is needed. The small, local businesses are the ones that end up losing the money; the other contractors squirrel it away and walk away with money in their pockets.

As I said, it is a simple fix. When the bill comes from the head contractor, the expenditure must be approved. There might be 30 or 40 contractors on the list to receive progress payments. All it will take is a data processor. The Government should then draw separate cheques for all of the subcontractors. I have been told in the past by a Labor government and bureaucrats—I have met with Treasury and Department of Finance and Services officers over the past term—that is commercial-in-confidence. We all know that the head contractor and the second subcontractor make a profit, and we do not need to disclose how much they get. I do not believe there is any conflict of interest nor that it is commercial-in-confidence. We know they will make a profit and we have accepted the tender at the top. However, we must ensure that that money flows down to the small contractors so that local economies in regional New South Wales do not suffer.

When Pearl Construction Group went under, I had the wives of subcontractors cancelling hairdressing appointments, dinner dates, golf events and so on because they could no longer afford them. That happened under a Labor government. I can show anyone who wants to see it Frank Terenzini's denial of any justice to those people. When we had the problem with the road contractors in the north, I spoke to the Deputy Premier and Joe Franklin came to see me. Even though it was not affecting my electorate, it was affecting the North Coast. I still believe what I have suggested is a simple fix. What would it cost on a \$1 billion project? It would probably be a maximum of a couple of hundred thousand dollars. That is hardly a full stop or a comma on a balance sheet.

I implore the Minister to consider this. As I said, I appreciate the time I have had to talk with him about this issue. He has acted as a matter of urgency, and I compliment him on that. Even though I am leaving this place, I intend to continue pushing my proposition because I believe it will give us an opportunity to ensure that small businesses in regional communities are paid in a timely fashion and that, if a head contractor goes broke, he does not take down everyone below him. I commend the legislation to the House. However, I am amazed that the member for Maitland had the hide to say what she did about contractors in regional New South Wales when Frank Terenzini ignored the plight of the contractors in Coffs Harbour.

**Ms JENNY LEONG (Newtown) (12:12):** I speak on behalf of The Greens in debate on the Retirement Villages Amendment Bill 2018 and the cognate bills—the Building and Construction Industry Security of Payment Amendment Bill 2018, the Fair Trading Legislation Amendment (Miscellaneous) Bill 2018 and the Protection of the Environment Operations Amendment (Asbestos Waste) Bill 2018—and will address them individually. While The Greens do not oppose the Retirement Villages Amendment Bill 2018 and the cognate bills, we acknowledge the member for Maitland's point that a broad range of bills has been included in this debate and it is difficult to consult the stakeholders and those impacted to get meaningful responses given the time frame. I understand that we are getting close to the end of the parliamentary year and this Parliament, but there appears little excuse for the delays in making some amendments.

I appreciate that the member for Sydney and the member for Swansea have both acknowledged the Minister for Innovation and Better Regulation and his team's work. While I hoped we would see the end of no-grounds evictions in New South Wales by the end of this year, I am an eternal optimist and I believe we will achieve it. When I was elected I told people that I was confident we would achieve an end to unfair no-grounds evictions under a Liberal-Nationals government, replicating what happened with marriage equality. Sadly for the

Minister and his team, we did not deliver on the rental reform, but I am extremely pleased that we were able to fly the rainbow flag. We have more time, and I hope that next year in this place a Labor government will deliver on the promises it made while in opposition. The Labor Party always makes wonderful promises, and I hope I am here to ensure that it honours the promises it makes to the people of New South Wales between now and 23 March 2019.

I refer first to the Protection of the Environment Operations Amendment (Asbestos Waste) Bill 2018. This bill seeks to amend the Protection of the Environment Operations Act 1997 to transfer certain asbestos waste offences from the Protection of the Environment Operations Waste Regulation 2014 to the principal Act, to increase penalties for those offences, to increase penalties for other waste offences such as land pollution that involve asbestos waste, to make the presence of asbestos a sentencing consideration and other related matters. While The Greens support the changes, it is unclear why the legislation is being rushed through the House.

Why have the Minister for Local Government and the Minister for the Environment made these changes so quickly? Why has there been such a failure and breakdown in consultation? After the forced council amalgamations, people thought no more serious disrespect could be shown to local councils and our communities than that demonstrated by the former Minister for Local Government, but it appears that we should never assume that we have hit the bottom in this place or in respect of community consultation. These changes are being unnecessarily rushed through this place. I acknowledge that an amendment moved by the Christian Democratic Party in the other place has been accepted by the Liberal-Nationals Government to allow a 12-month grace period to enable local councils and others to implement much-needed screening standards and to make assessments so they do not find themselves unintentionally caught out by these changes.

Asbestos and its dumping is a huge concern to many in the community. The Greens tried hard to get it on the agenda at the commencement of the clean-up at the Alexandria landfill site. Residents had serious concerns that asbestos and contaminated material was being removed, and people living close to the construction site in Western Sydney had serious concerns about the safe handling of the asbestos. I participated in the campaigns to highlight the dangers of asbestos along with Bernie Banton. The community is extremely fearful that not enough is being done to protect them from asbestos dumping. We must not allow private contractors to undermine the health and safety of our local communities in the desire to work in a more cost-effective manner.

The Retirement Villages Amendment Bill 2018 seeks to amend the Retirement Villages Act 1999 to give effect to some of the 17 recommendations of the inquiry into the New South Wales retirement village sector. The Greens support the changes, but we are concerned the bill does not address some of the inquiry's key recommendations. While The Greens accept that this bill implements some of the recommendations, it is important to acknowledge the concern that the bill does not address disclosure requirements. Recommendation No. 2 called for improvements to the upfront disclosure provided to prospective residents.

Recommendation No. 3 addressed the lack of a legally binding statement about exit fees and residents' rights. Clearly, work must still be done to provide for transparent fees and information about the obligations and rights of prospective and current residents. The third recommendation of the inquiry required an operator to buy back the unit after an unspecified maximum time frame from a resident leaving the village. That has also not been included in the current legislation, which seeks to implement only some of the recommendations of the December 2017 inquiry, not all of them. My colleague in the other place raised some concerns about the Building and Construction Industry Security Amendment Bill, particularly those noted by the Legislation Review Committee. I support the concerns he raised.

Finally, I turn to the Fair Trading Legislation Amendment (Miscellaneous) Bill. While The Greens do not oppose it, we have concerns about it, which the Tenants' Union has articulated very clearly and shared with members. I acknowledge the incredible work of the Tenants' Union this year in leading the Make Renting Fair campaign and I particularly note the work of Leo Patterson Ross and the senior policy officer before him, Ned Cutcher. I thank them for their support and input into the development of policy in the rental space. They are truly committed to the idea of standing up for renters' rights, and it has been a pleasure to work with them.

Later I will speak specifically to the amendments that the Labor Party will move in response to the recommendations of the Tenants' Union. Amending the Residential Tenancies Act to establish a rental bond rollover scheme is a welcome change. Anybody who has been a renter in this State knows that rental bond is an added stress to people's lives. As a 19-year-old who had moved from Adelaide to Sydney and then needed to move house, there was no way that I could find money for the rental bond. I rang my mum and asked her if she could stump up the difference so that I could get my rental bond back, but not everyone is lucky enough to have a mum like mine, who was in a position to do that.

The change of allowing the rental bond to roll over is very important and something that The Greens support. The Tenants' Union and many other rental advocates have supported it for a long time. The Greens note

that the details of how this rollover scheme will work have not been presented to this Chamber and to the people deciding whether to support it. Instead it has been deferred to regulations, and members have not seen those regulations. Too often the Government relies on regulations to make changes—a point The Greens raised in the other place and a point I raised last night in relation to the liquor licence amendments, which were introduced at the last minute. I look forward to speaking in more detail in support of the Opposition amendments when they are moved, provided that they implement the Tenants' Union recommendations. The Greens do not oppose the bills for those reasons.

**Mr JOHN BARILARO (Monaro—Deputy Premier, Minister for Regional New South Wales, Minister for Skills, and Minister for Small Business) (12:22):** As someone who is interested in the building and construction sector, I speak in debate on the Building and Construction Industry Security of Payment Amendment Bill 2018. I do so not only as the Minister for Regional New South Wales or the Minister for Small Business but also as someone who has had to deal with that in my life pre-politics when I was a small business owner in the construction industry. I know what it is like to sit in a liquidator's room under administration and hear that despite the tens of thousands or, in some cases, the hundreds of thousands of dollars that you have already forked out in paying your staff wages or paying for materials to create the product and deliver it to site, you will not get paid—or you might get paid 2¢, 5¢ or 10¢ in the dollar. I speak with experience of what it is like and how harrowing it is for those families who sit in liquidators' rooms, because they are the small end of business. Those business owners have mortgaged their homes and are running overdrafts on their small business.

We still have to pay our suppliers. We still have to pay the labour costs and wages. No-one gives us a free ride in doing that. People argue that that is part of the risk of being in small business, and I accept that. People used to ask me what I did for a living and I always said, "I'm a gambler: I'm gambling the future of my children by being in small business", because you borrow money and you rely on people to pay you. Unfortunately, over time, a power imbalance has come about in the building and construction industry, especially with the big end of town. You fear that you will not get paid but they have you on the hook because you want the next stage, the next tender and the next contract, so you allow them to stretch you out from 30 days to 60 days to 90 days to 120 days. Before you know it, you are up for not just \$10,000, \$100,000 or \$200,000 but \$1 million worth of debt. It can happen very quickly, as cash flow is the lifeblood of small business.

For far too long there has been a power imbalance in the construction industry. I am not pointing to all businesses—as in most industries, there are a couple of cowboys. For the first time, this bill tries to level the playing field, especially around the abuse of power. I commend the Minister for the bill. Members opposite have accused the Government of doing nothing to support small businesses in relation to payments. But this Government's track record shows that it has made reforms to strengthen and simplify the building and certification systems.

The Government is cutting red tape and making it easier. The new strata building bond and inspections scheme is aimed at minimising building defects. The Government has made reforms to the Home Building Compensation Fund to ensure that it is financially sustainable and can protect homeowners into the future. The Government has announced that it should lead on payment terms and the private sector should follow. Earlier this year the Government announced a transition, by the end of the next calendar year, to paying our suppliers within five business days, which is a significant target. The Government already has committed to paying within 30 days, and 97 per cent of businesses receive payments within that period. For the small number of suppliers dealing with government, payments of up to \$10,000 will now be paid instantly.

We are doing our bit and being great corporate citizens, showing what we can do in leading the market. Unfortunately, as I touched upon earlier, the industry has a high incidence of insolvency and poor payment practices. When you go through that uncertainty and are stuck in liquidators' rooms, you quickly see that you will not be paid and need to work out a payment plan with the tax office and a payment plan for superannuation. You have to work out a payment plan for your suppliers because, unfortunately, if your suppliers stop supplying, you cannot continue and recoup. The ripple effect is that due to one insolvency, small and medium enterprises—individuals and small guys—fall over through no fault of their own, except that they are at the bottom rung of the payment ladder. That is a real issue, and that is why the Government has introduced the Building and Construction Industry Security of Payment Amendment Bill, known as SOPA legislation. In recent months the Government has announced a significant infrastructure plan in the State worth \$87.2 billion over the next four years.

If one goes back to 2011 over the forward estimates, that is a spend of more than \$200 billion on infrastructure. We rely on the construction sector and on the head contractors and the big guys at the top paying the suppliers and subcontractors below them, and that exposes the Government. I am not saying that the system is broken, but it definitely needs to be strengthened. That is why we need to look at the SOPA legislation. We have an opportunity to make a change to strengthen the SOPA legislation to minimise that power imbalance. Members

know what happened to the Wave 5 contractors on the Pacific Highway when Ostwald Bros went belly up and owed 23 small businesses about \$7 million. I sat in the room with the member for Clarence, Chris Gulaptis, with the majority of those contractors. When you hear stories of contractors having to sell their houses and belongings so that they could survive in their business and that they are now living in a container on a vacant block, you know the system has failed. I am the first to say that some of the Government's contracts set up some of the small businesses to fail.

We need to put something in place to support small businesses and contractors, especially in the construction industry. It was those small contractors and 23 businesses that I heard from firsthand. I believe Roads and Maritime Services, unfortunately, entered into contracts that set up those businesses to fail and the Government has to take responsibility. That is why I went to Coffs Harbour with the local member a few months later and announced that we would pay the outstanding accounts of those 23 businesses. Their relief was obvious. They could not believe it, because they had all been where I had been: sitting in a liquidator's room where you are told, "One cent to the dollar or zero—nothing." That is really tough. So we can see that there is a failure in the system. I genuinely believe that these reforms will strengthen the system. That leads us to ask: Where to next? That is what we need to focus on.

In 2012 there was the Collins inquiry—the inquiry into construction industry insolvency—in New South Wales and in 2018 the Commonwealth's Review of Security of Payment Laws, which is known as the Murray review. Both recommended the introduction of statutory trusts on construction projects. That has merit, but there is still a lot of work to be done. I again commend the Minister because we are doing that work. It is going to take time because we want to get it right. We will not make a decision that may or may not work; this decision will have an impact on real people, real families and real lives. That is why it is important to give it a focus and a priority. This bill should not be held up in order to wait for what could happen with statutory trusts. As the small business Minister I know a bit about this sector and I am committed to finding a way forward. This is not easy; it is difficult. There will be arguments that it will increase the costs of projects or that we may lose some of the large companies who tender for projects. Those are things that we have to work through over the next few months in order to understand the impact.

I say to the people of New South Wales, to small businesses and to the construction sector that this Government is committed to finding a way forward, but we will get it right. The Government will take its time. We could rush things and put something through today relating to statutory trusts but that would be the wrong thing to do. I congratulate and commend the Minister for highlighting this area. The Government will look at it in the future. I cannot wait for next year to see what comes out of that process. We must ensure that we deal with late payments and support small businesses as we do not want a repeat of what happened with the Wave 5 contractors. Some protections are in place. Small businesses that tender for government jobs must have a sense of security. Part of the problem is people assume that because it is a government job they are guaranteed to be paid. Unfortunately, it does not work that way. The Government is the client that tenders out the project. Those head contractors take responsibility and they must pay down the chain.

Even if the Government wanted to intervene when a company goes into liquidation the laws do not allow it to make direct payments, unless we can find a way to do that. The Government has to get it right and a statutory trust is something that should be considered. The Government will take the time to get it right. This issue is complex; I do not think anyone can pretend it is not. As the Minister for Small Business I am committed to making sure that we support small businesses. As I said earlier, I commend the Minister. I know from debate that Government members have had in Cabinet, in the joint party rooms and in our party rooms, that no side of politics is more focused on making sure our small businesses survive and thrive. That is why the New South Wales Government is leading the charge with such an aggressive infrastructure program—a program that is funded and that has the ability to grow the economy. The best thing we can do for small businesses in this State is to continue to grow the economy and to create jobs—to make sure that the ripple effect from the large projects goes through to the supply chain right down to small businesses such as cafes, hotels, pubs, drycleaners and local newsagents. The upgrades to the Pacific Highway have had a significant impact on all those communities.

**Ms Yasmin Catley:** Point of order: The Minister should be asked to come back to the leave of the bill.

**TEMPORARY SPEAKER (Mr Geoff Provest):** I think the Minister has concluded. He has run out of time.

**Mr MATT KEAN (Hornsby—Minister for Innovation and Better Regulation) (12:33):** In reply: I thank members for their contributions to debate on the Retirement Villages Amendment Bill 2018, Building and Construction Industry Security of Payment Amendment Bill 2018, Fair Trading Legislation Amendment (Miscellaneous) Bill 2018 and Protection of the Environment Operations Amendment (Asbestos Waste) Bill 2018. As members have heard, the Retirement Villages Amendment Bill 2018 delivers the first tranche of legislative reforms emerging from the Government's response to the Greiner report into the retirement villages sector. The

provisions in this bill are commonsense changes that directly respond to the issues and concerns raised by retirement village residents. I believe this bill will deliver significant improvements for people living in retirement villages, while also raising standards within the industry to help ensure the future viability of the sector. This Government is committed to ensuring that retirement villages offer the best care to their residents and continue to play a crucial role in providing suitable housing options for New South Wales ageing population.

I turn to the Building and Construction Industry Security of Payment Bill 2018. This bill delivers on the Government's commitment to review the operation of the Act. The review was conducted through Fair Trading, which consulted extensively with businesses large and small, adjudicators, academics, industry associations and government agencies. The review coincided with the federally commissioned national Review of Security of Payment Laws, which provided greater opportunity to understand the needs of our stakeholders. The amendments in this bill are a result of the New South Wales Government's continuing engagement with the people of New South Wales. When stakeholders requested modifications to improve the operation of the scheme, the Government listened and acted.

The reforms in this bill seek to further improve the operation of this scheme by providing greater protections for workers and further promote cash flow and transparency in the contracting chain. This bill will provide a clear, consistent and strong regulatory framework and the amendments are necessary to ensure the scheme operates as is intended—for the benefit of workers in the building and construction industry in New South Wales. The continued operation of the security of payments legislation is a key part of the New South Wales Government's strategy to improve confidence in the building and construction sector. This bill will be a major step towards further enhancing that level of confidence. I am confident that the provisions in this bill will clarify and improve the operation of the building and construction industry security of payment scheme.

I will respond briefly to the contribution of the shadow Minister, the member for Maitland. What a fraud the member for Maitland is. She did not make a submission to the public consultation process. What a disgrace. The member for Maitland was so committed to seeing statutory trusts roll out that she did not schedule a meeting with me or pull me aside in the corridor. She could not be bothered to draft an amendment to this bill. What a disgrace. What a fraud the member for Maitland is on this issue. She cries out for statutory trusts. She complains on the one hand that there has been no action and on the other hand says that the Government should have extended the process and engaged in lengthier consultation. The member for Maitland is all talk and no action on this issue. She is no friend of small business. She is no friend of anyone who cares about getting good policy right in this State.

We remember what life was like under Labor for 16 years. Labor does not do the homework so we get situations like spending \$500 million on the Rozelle metro rail line. Not a centimetre of track was built yet \$500 million of taxpayer money was wasted. This Government is doing a full regulatory impact process on the statutory trust because we believe in doing the work to get the policy right. This is a complex policy area. There is diversity of opinion amongst affected stakeholders. We want to make sure that their voices are heard and that we get the policy settings right so we can ensure that we are able to continue our building and construction agenda and at the same time protect small businesses from being ripped off by people who go under or take advantage of money that is not theirs.

The Fair Trading Legislation Amendment (Miscellaneous) Bill 2018 completes the package of Better Business Reforms passed by this Parliament last month, delivering on major objectives of the Innovation and Better Regulation portfolio. This second bill in the Better Business Reforms package once again demonstrates a stewardship approach to legislation. The bill contains three reforms that reduce red tape, enhance consumer choice and ensure that the legislation within the innovation and better regulation portfolio remains fit for purpose. The reforms establish the framework for a rental bond rollover scheme, repeal outdated statutes—while transferring substantive provisions still needed into other legislation—and streamline, modernise and harmonise the disposal of the uncollected goods regime. These reforms are all about empowering everyday people by cutting red tape and giving consumers the information they need to make meaningful decisions about their future.

I turn to the Protection of the Environment Operations Amendment (Asbestos Waste) Bill 2018. This bill will impose stricter sanctions for asbestos-related offences. It is designed to minimise impacts on legitimate operators. The amendments in this bill will send a strong deterrent message to those who illegally dump asbestos and waste containing asbestos. This bill responds to recommendation 13 of the Independent Commission Against Corruption investigation into the conduct of a regional illegal dumping squad officer and others, dated June 2017, and recent reports by the Ombudsman including, in particular, "Asbestos—How NSW Agencies Deal with the Problem", dated April 2017. The bill introduces specific, clear and serious standalone asbestos waste offences under the Protection of the Environment Operations Act for the illegal disposal and handling of asbestos waste. These provisions have been taken from the waste regulation and elevated to the Act. This approach provides continuity for legitimate operators who are familiar with the current provisions in clauses 80 and 81 of the

regulation. This ensures that a strong deterrent message is sent to rogue operators and makes it clearer that the Government is serious about protecting the environment of New South Wales and the health of its citizens.

The new provisions will be enforced in line with the compliance policy and prosecution guidelines of the Environment Protection Authority. The new asbestos waste offences will also apply to directors and persons concerned in the management of corporations. This is consistent with existing offences in the Act. This bill also amends the sentencing considerations under section 241 of the Protection of the Environment Operations Act 1997 to list the presence of asbestos as a factor a court must consider when sentencing offenders under the Act. I note the concerns raised by the Hon. Paul Green, MLC, about the commencement of this provision. The Government will support the delayed commencement of schedule 1 [11], as proposed by the Christian Democratic Party.

I will briefly comment on issues the Opposition raised during the debate. First, with regard to sensitive financial information and auditors, the Opposition raised concerns regarding the exceptional circumstances test set out in the bill for when the tribunal may appoint an auditor proposed by an operator instead of the auditor proposed by the village residents. In the second reading speech given in the other place the Hon. Scot MacDonald explained that the fact that the auditor has access to an operator's sensitive financial information may give rise to exceptional circumstances sufficient to justify the tribunal making that appointment. To be clear, he did not say that access to sensitive financial information alone constituted exceptional circumstances that would justify the tribunal appointing the operator's preferred candidate. Clearly, access to such information is required to perform the role of an auditor and does not of itself constitute exceptional circumstances.

However, the fact that an auditor has access to sensitive financial information may, with other circumstances, satisfy the exceptional circumstances test. For example, if it was established that an auditor had previously misused such sensitive financial information or otherwise engaged in misconduct involving such information, that may in all the circumstances be properly regarded as satisfying the exceptional circumstances test. Ultimately, the tribunal will need to make a decision based on all the circumstances of the case. The exceptional circumstances test is set deliberately high because its dominant purpose is to protect the interests of residents. The shadow Minister also expressed concern about the appointment of the auditor. Currently, residents are not involved in the selection of an auditor unless it is a new appointment and they are paying a proportion of the auditing fees. Under the new process, the operator must seek the consent of the village's residents to appoint a person as the auditor of the accounts of a retirement village.

Additionally, if the audit fees are paid by the residents of the village they must be itemised in the proposed annual budget and include the name of the auditor to be appointed. The bill allows the operator to seek consent from the residents of the village to appoint a qualified auditor for a maximum of three years and gives residents the ability to consent to the full period or fewer years, if they agree to do so. After receiving the notice, the residents meet, consider and vote on the operator's nominated person. If residents consent to the appointment, they must notify the operator in writing within 30 days after receiving the operator's notice. Following this notice, the auditor can be appointed. If residents do not consent to the appointment of the person nominated by the operator, they must notify the operator within 30 days after receiving the operator's notice.

Residents may also propose an alternative person in that same written notice or state that they wish to seek an extension of not more than 30 days to identify an alternative person. If residents do not respond to the operator's notice, or do not provide the operator with a written notice of their consent within 30 days after receiving the operator's notice, residents are taken to have consented to the appointment of the person nominated by the operator and for the period specified in the notice. Where there is no agreement between the operator and residents on the appointment of an auditor, an operator can make an application to the tribunal for review of the residents' refusal to the appointment of an auditor. The tribunal must first be satisfied that the operator reasonably attempted to resolve any disagreement, including considering mediation, before engaging in the resolution. The tribunal then considers whether residents have unreasonably refused consent.

If the tribunal considers that residents have unreasonably refused the operator's attempts to resolve the dispute, the tribunal gives consent to the operator's nominee and appoints the auditor. If the tribunal is not satisfied that the operator reasonably attempted to resolve this disagreement, the operator must seek consent from the residents. The other issue raised by the shadow Minister is with regard to the introduction of the retirement village ombudsman. The reason that is not being addressed is that I asked Kathryn Greiner to consider, as part of her inquiry, whether or not the ombudsman was necessary to resolve the concerns raised by the Retirement Village Residents Association [RVRA]. It was not recommended as part of the inquiry into the New South Wales retirement village sector as a result of that thorough investigation by Kathryn Greiner. Despite many residents supporting the idea of an ombudsman, the inquiry found that it would not be an effective way to provide a quick solution to complex problems.

The inquiry also noted that the support for an ombudsman seemed to be more about the assistance this role could provide consumers and operators in training, public education and complaint investigation, as opposed to the concept of an ombudsman itself. That is why the Government went down the path of the ambassador. On the basis that NSW Fair Trading already provides training, education and complaint handling for the retirement village sector, the inquiry instead recommended that the services of Fair Trading be expanded rather than another body being established, such as the ombudsman. The Government supports the findings and recommendations of the inquiry and has already begun implementing changes to improve regulation of the sector. One of the first steps taken by the Government was to establish a new mediation service within Fair Trading for retirement village disputes. This service is free for retirement village residents and operators and is conducted onsite at a resident's village by skilled mediators from Fair Trading. This service allows residents and their families to access dedicated support to resolve issues promptly, avoiding the tribunal or lengthy court processes.

Fair Trading will continue to carry out further evaluation and consultation with stakeholders throughout the trial, as well as during the development and implementation of other reforms arising from the inquiry's report. Additionally, the New South Wales Government will appoint a dedicated ambassador for retirement villages to champion and advocate for retirement village residents across New South Wales. This Government is committed to New South Wales retirees and will deliver properly considered and effective reforms that result in real change and better outcomes for residents and industry alike.

I note the concerns expressed by the shadow Minister about the need for an ombudsman. I have heard the RVRA and a number of stakeholders who participated in the consultation process and raised that as an issue. I assure the shadow Minister that I asked Kathryn Greiner to specifically examine whether or not the ombudsman was needed. Kathryn Greiner found that it was not needed and that a number of other reforms could be given effect to that would satisfy the concerns of residents that residents thought might otherwise be dealt with by an ombudsman. I assure the shadow Minister that the Government is moving forward with all the recommendations of the Greiner inquiry, except for the ones that need further work, such as a regulatory impact assessment and a cost-benefit analysis. The Government will do that work. But I am open to ensuring that residents in retirement villages get a better deal.

After rolling out all the reforms and improving matters by making our villages friendlier and contracts more fair and transparent there are still calls for an ombudsman to enhance matters even further. Of course the Government will examine those options. I want to ensure that our senior citizens are given a fair go. That is what the Government's reform package is all about, and that is what I am committed to. I know that the shadow Minister shares my commitment to that. I thank her for her work in that area. I thank Mitch Harris, Matt Press, Erin Norris, Ben Halligan, Ana Etcheverry, Cathy Townsend and Donna Sylvester for their work on the Retirement Villages Amendment Bill 2018. I know some of them are in the foyer and I thank them for their work. The Sydney Olympic Park Authority has been a complex and contested area of policy. I thank Katie Harbon, Matt Press, Pat Deegan, Pauline Lynn, Greg Stevens and John Vernon for their hard work in that area.

With regard to the Protection of the Environment Operations Amendment (Asbestos Waste) Bill 2018, I thank Anne-Marie Salem, Melinda Murray and Robbie Beale from the department. The Fair Trading Legislation Amendment (Miscellaneous) Bill 2018 would not have been possible without the help of Adam Heydon, Lachlan Malloch, Lubma Al-Zadjali, Larissa Grien, Richard Kerr, Kate Higgins, Nathan Markovski, Daniel Harwood, Steph Matti, and Gabby Mangos. This is probably the last time I will speak on a bill in this term of Parliament. I state for the record my admiration, respect and gratitude to the amazing team in the Department of Fair Trading. These are truly dedicated public servants. I thank them publicly for the work they do.

I also acknowledge my outstanding ministerial team. Julia Steward has led us here today and for that I thank her. I thank her also for her amazing work. I wish her every success and the best of luck as she undertakes a new adventure—having her first baby. We in the office have named him Bruce. Good luck, Jules. We have the amazing Ava Hancock, who has replaced Jules, and Richard Hodge, who has done great work. Of course, without my brilliant chief of staff, Ben Coles, none of this would have been possible. I thank him very much for all he has done. I thank and commend the shadow Minister for what she has done. Working with her has been a pleasure. While we may have different policy prescriptions, there is no difference in our commitment to putting consumers first and delivering great outcomes to the consumers of New South Wales. I thank her very much. It has been a pleasure to work with her. I commend the bill to the House.

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

**Motion agreed to.**

**Consideration in detail requested by Ms Yasmin Catley.**

### Consideration in Detail

**TEMPORARY SPEAKER (Mr Geoff Provest):** By leave: I will deal with the Retirement Villages Amendment Bill 2018 in groups of clauses and schedules. The question is that clauses 1 and 2 be agreed to.

**Clauses 1 and 2 agreed to.**

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

**Ms YASMIN CATLEY (Swansea) (12:50):** I move Opposition amendment No. 1 on sheet C2018-157:

No. 1      **Form for provision of key safety information**

Page 4, Schedule 1 [8] (proposed section 58B (1) (c)), line 24. Insert "in written form and also in any other form (for example, electronic form) as may be prescribed by the regulations" after "village".

This sensible amendment will ensure that retirement villages receive the key information they require to run smoothly. Living in and representing an electorate with a large number of elderly residents and retirement village residents, I know that not all older Australians are hooked up to the web. They do not all have email and do not all use email regularly. Recently, at a morning tea at the Village Swansea, this issue was expressed to me and residents said to me, "We feel like we are forgotten; we feel like we are left behind because we are not hooked up digitally." They do rely on traditional mail to receive information. There is no information more important than that which concerns what is going on in their village. It keeps them connected and up to date with the changes that are being made. This amendment proposes to amend schedule 1 [8], proposed section 58B (1) (c), to:

Insert "in written form and also in any other form (for example, electronic form) as may be prescribed by the regulations" after "village".

This very simple amendment could be enacted easily. However, it will make a significant difference to the lives of people who do not have access to the electronic formats that we assume they do. When it comes to vital information such as information around safety, there should not be any shortcuts. We should ensure that all residents receive information in written form as well as the other methods such as email and the like. I commend the amendment to the House. I hope the Government supports this sensible amendment that will make a difference to the lives of people who cannot access that information.

**Mr MATT KEAN (Hornsby—Minister for Innovation and Better Regulation) (12:52):** The Government does not support the amendment to the Retirement Villages Amendment Bill 2018. The bill introduces a new section requiring operators of retirement villages to provide key safety information to residents. It is unnecessary to include a further requirement that the information be provided in both written form and in any other form. This clause would be overly prescriptive and duplicative and introduce unnecessary red tape—something that this Government is committed to reducing. For this reason, the Government does not support the amendment.

**TEMPORARY SPEAKER (Mr Geoff Provest):** The question is that Opposition amendment No.1 on sheet C2018-157 be agreed to.

**The House divided.**

Ayes .....35  
Noes .....44  
Majority.....9

#### AYES

Aitchison, Ms J  
Barr, Mr C  
Chanthivong, Mr A  
Dib, Mr J  
Greenwich, Mr A  
Haylen, Ms J  
Kamper, Mr S  
Lynch, Mr P  
Mehan, Mr D  
Park, Mr R  
Smith, Ms T.F.  
Watson, Ms A (teller)

Atalla, Mr E  
Car, Ms P  
Crakanthorp, Mr T  
Donato, Mr P  
Harris, Mr D  
Hoenig, Mr R  
Lalich, Mr N (teller)  
McDermott, Dr H  
Mihailuk, Ms T  
Piper, Mr G  
Warren, Mr G  
Zangari, Mr G

Bali, Mr S  
Catley, Ms Y  
Daley, Mr M  
Finn, Ms J  
Harrison, Ms J  
Hornery, Ms S  
Leong, Ms J  
McKay, Ms J  
Minns, Mr C  
Scully, Mr P  
Washington, Ms K



## NOES

Anderson, Mr K  
Bromhead, Mr S (teller)  
Cooke, Ms S  
Davies, Mrs T  
Evans, Mr A.W.  
George, Mr T  
Grant, Mr T  
Henskens, Mr A  
Marshall, Mr A  
Patterson, Mr C (teller)  
Petinos, Ms E  
Sidoti, Mr J  
Taylor, Mr M  
Upton, Ms G  
Williams, Mrs L

Aplin, Mr G  
Brookes, Mr G  
Coure, Mr M  
Dominello, Mr V  
Evans, Mr L.J.  
Gibbons, Ms M  
Griffin, Mr J  
Johnsen, Mr M  
Notley-Smith, Mr B  
Pavey, Mrs M  
Roberts, Mr A  
Speakman, Mr M  
Toole, Mr P  
Ward, Mr G  
Wilson, Ms F

Ayres, Mr S  
Conolly, Mr K  
Crouch, Mr A  
Elliott, Mr D  
Fraser, Mr A  
Goward, Ms P  
Gulaptis, Mr C  
Kean, Mr M  
O'Dea, Mr J  
Perrottet, Mr D  
Rowell, Mr J  
Stokes, Mr R  
Tudehope, Mr D  
Williams, Mr R

## PAIRS

Cotsis, Ms S  
Doyle, Ms T  
Foley, Mr L  
Tesch, Ms L

Berejiklian, Ms G  
Constance, Mr A  
Hazzard, Mr B  
Lee, Dr G

**Amendment negatived.**

**Schedule 1 agreed to.**

**TEMPORARY SPEAKER (Mr Geoff Provest):** The question is that schedule 2 be agreed to.

**Schedule 2 agreed to.**

**TEMPORARY SPEAKER (Mr Geoff Provest):** By leave: I will deal with the Building and Construction Industry Security of Payment Amendment Bill 2018 in groups of clauses and schedules. The question is that clauses 1 and 2 be agreed to.

**Clauses 1 and 2 agreed to.**

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

**Schedule 1 agreed to.**

**TEMPORARY SPEAKER (Mr Geoff Provest):** By leave: I will deal with the Fair Trading Legislation Amendment (Miscellaneous) Bill 2018 in groups of clauses and schedules. The question is that clauses 1 to 3 be agreed to.

**Clauses 1 to 3 agreed to.**

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

**Schedule 1 agreed to.**

**TEMPORARY SPEAKER (Mr Geoff Provest):** The question is that schedule 2 be agreed to.

**Ms YASMIN CATLEY (Swansea) (12:59):** By leave: I move Opposition amendments Nos 1 to 3 on sheet C2018-153A in globo:

No. 1 **Continuing application of protection provisions to children and parents**

Page 7, Schedule 2.3, lines 18 and 19. Omit ", subject to the modifications specified in subclause (2),".

No. 2 **Continuing application of protection provisions to children and parents**

Page 7, Schedule 2.3, lines 26–33. Omit all words on those lines.

No. 3 **Continuing application of protection provisions to children and parents**

Page 7, Schedule 2.3, line 40. Omit ", subject to certain modifications,".

Stakeholders, including the Combined Pensioners and Superannuants Association [CPSA], have strongly supported what is now the status quo, which ensures that the children of protected tenants who reside in that property are protected under the legislation. As we know, this amending bill will remove that safety net. These Labor amendments will ensure that those children living with residents in protected tenancies will be protected and will continue living in that property and continue to be protected by the legislation. As the CPSA said in its recent submission, these tenants are often and usually some of the most vulnerable and elderly in our communities.

The association has raised concerns that any changes may push people into residential aged care and/or may increase the risk of homelessness, which we see as a real possibility. By its estimation, the number of tenants covered by this Act may be only a few hundred. As I have said, these tenants are often old and frail, and any children residing with these residents are also likely to be aged. By passing these amendments, we will ensure that any vulnerable tenants remain protected. I encourage the Government to think seriously about protecting some of the most vulnerable in our communities by supporting these amendments. I commend the amendments to the House.

**Mr MATT KEAN (Hornsby—Minister for Innovation and Better Regulation) (13:01):** The Government does not support Opposition amendments Nos 1 to 3, which propose the continued application of protection provisions to children and parents. The system of protected tenancies under the Landlord and Tenant (Amendment) Act 1948 was a postwar measure that is now long past its use-by date. A very small number of elderly protected tenants will live in the premises quarantined by this 1948 Act. The bill maintains the protected status of these tenants by maintaining and transferring relevant provisions to the Fair Trading Act. The current law only gives succession rights to the oldest child, and then only if they are dependent and receiving a pension themselves. This means that any other children and any other family members or any other person sharing the property with protected tenants have no succession rights.

This bill is putting all occupants living with a protected tenant, other than their spouse, on an equal footing. The New South Wales Government is confident that the bill strikes an appropriate balance between repealing outdated laws and maintaining protections. The bill ensures that as long as they live those elderly tenants who still have a legitimate claim under the 1948 Act will continue to be able to reside in their homes.

**Ms JENNY LEONG (Newtown) (13:03):** It is a safe assumption that the Government is not going to support the Labor amendments to the Fair Trading Legislation Amendment (Miscellaneous) Bill 2018. The Greens support the amendments, which have come from advice received by many members of this place from the Tenants' Union. We are particularly concerned that the repeal of the Landlord and Tenant (Amendment) Act 1948 will affect people who are the most vulnerable in our community. We know that people covered by this Act are a small but very vulnerable group. Many of the children of protected tenants are older people on very low incomes. The bill before the House will make it slightly harder for people to have a stable, safe and secure place to call home in this State, and that is not a good way for us to end the parliamentary year. It is not going to be a lovely Christmas present for a lot of people who might be at risk of homelessness.

We should recognise that we are making a decision about legislation that affects a group of people that is not much larger than the number sitting in the Chamber today. The amendment bill is a cruel change that will have an impact on the lives of those vulnerable people. Basically, it will usher in further insecurity for people who are vulnerable. It is a shame to see the Liberal-Nationals Government's heartless treatment of our communities. On 23 March 2019 that heartlessness will deliver a change in the government of New South Wales.

**TEMPORARY SPEAKER (Mr Geoff Provest):** The question is that Opposition amendments Nos 1 to 3 on sheet C2018-153A be agreed to.

#### The House divided.

Ayes .....35

Noes .....46

Majority.....11

#### AYES

Aitchison, Ms J  
Barr, Mr C  
Chanthivong, Mr A  
Donato, Mr P  
Harris, Mr D  
Hoenig, Mr R  
Lalich, Mr N (teller)  
McDermott, Dr H

Atalla, Mr E  
Car, Ms P  
Crakanthorp, Mr T  
Finn, Ms J  
Harrison, Ms J  
Hornery, Ms S  
Leong, Ms J  
McGirr, Dr J

Bali, Mr S  
Catley, Ms Y  
Dib, Mr J  
Greenwich, Mr A  
Haylen, Ms J  
Kamper, Mr S  
Lynch, Mr P  
McKay, Ms J

## AYES

Mehan, Mr D  
Park, Mr R  
Smith, Ms T.F.  
Watson, Ms A (teller)

Mihailuk, Ms T  
Piper, Mr G  
Warren, Mr G  
Zangari, Mr G

Minns, Mr C  
Scully, Mr P  
Washington, Ms K

## NOES

Anderson, Mr K  
Bromhead, Mr S (teller)  
Constance, Mr A  
Crouch, Mr A  
Elliott, Mr D  
Fraser, Mr A  
Goward, Ms P  
Gulaptis, Mr C  
Kean, Mr M  
Notley-Smith, Mr B  
Pavey, Mrs M  
Roberts, Mr A  
Speakman, Mr M  
Toole, Mr P  
Ward, Mr G  
Wilson, Ms F

Aplin, Mr G  
Brookes, Mr G  
Cooke, Ms S  
Davies, Mrs T  
Evans, Mr A.W.  
George, Mr T  
Grant, Mr T  
Henskens, Mr A  
Lee, Dr G  
O'Dea, Mr J  
Perrottet, Mr D  
Rowell, Mr J  
Stokes, Mr R  
Tudehope, Mr D  
Williams, Mr R

Ayres, Mr S  
Conolly, Mr K  
Coure, Mr M  
Dominello, Mr V  
Evans, Mr L.J.  
Gibbons, Ms M  
Griffin, Mr J  
Johnsen, Mr M  
Marshall, Mr A  
Patterson, Mr C (teller)  
Petinos, Ms E  
Sidoti, Mr J  
Taylor, Mr M  
Upton, Ms G  
Williams, Mrs L

## PAIRS

Cotsis, Ms S  
Daley, Mr M  
Doyle, Ms T  
Foley, Mr L  
Tesch, Ms L

Barilaro, Mr J  
Berejiklian, Ms G  
Hancock, Mrs S  
Hazzard, Mr B  
Humphries, Mr K

**Amendments negatived.****Schedule 2 agreed to.**

**TEMPORARY SPEAKER (Mr Geoff Provest):** The question is that schedule 3 be agreed to.

**Ms YASMIN CATLEY (Swansea) (13:09):** I move Opposition amendment No. 4 on sheet C2018-153A:

No. 4 **High value uncollected goods—homes in residential (land lease) communities**

Page 12, Schedule 3.1 [9] (proposed section 22 (1)), line 13. Insert "or are homes on residential sites (within the meaning of the *Residential (Land Lease) Communities Act 2013*)" after "\$20,000".

I am certain that this is an unintended omission from the Fair Trading Legislation Amendment (Miscellaneous) Bill 2018 in relation to high-value uncollected goods in residential land lease communities. Many members have residential land lease communities in their electorates and many are concerned about this. This amendment proposes to correct that unintended omission by ensuring that homes in residential land lease communities are always considered to be of high value. It is imperative that we take all the doubt out of the bill. Everyone will then be clear as to where we land.

It should be remembered that these are vulnerable communities. It is vital that these homes are protected and their value is not up for debate. If we have this enshrined in legislation then we are done and dusted; everyone knows where they stand. The Tenants' Union of NSW and other advocates have been clear on this matter. They do not want to leave anything open to "interpretation". If a residential land lease home owner is evicted or leaves their property and is unable immediately to move their home off the land, it is imperative that their home be considered of high value to ensure a sure and just process is followed. I commend Opposition amendment No. 4 to the House.

**TEMPORARY SPEAKER (Mr Geoff Provest):** Order! Members will be respectful to each other. The member with the call will be heard in silence.

**Mr MATT KEAN (Hornsby—Minister for Innovation and Better Regulation) (13:12):** The Government does not support Opposition amendment No. 4, which will include homes in residential land lease communities. The purpose of amendments to laws regulating uncollected or abandoned goods was to create an equitable, streamlined and harmonised regulatory system. To achieve this purpose, the actual value of the goods must be the determinant of how they will be dealt with, not a value judgement about the importance of the goods. Making a special exemption for caravans and manufactured homes undermines the rationale for having thresholds in the first place. Further, park operators and real estate agents have the necessary expertise to estimate the value of such homes. Some very old caravans would be worth little more than scrap-metal value. To make the operator seek an order from the NSW Civil and Administrative Tribunal and lose out on site fees in the interim would be an unreasonable business cost to impose.

**TEMPORARY SPEAKER (Mr Geoff Provest):** The question is that Opposition amendment No. 4 on sheet C2018-153A be agreed to.

**The House divided.**

Ayes .....35

Noes .....46

Majority.....11

**AYES**

Aitchison, Ms J  
Barr, Mr C  
Chanthivong, Mr A  
Donato, Mr P  
Harris, Mr D  
Hoenig, Mr R  
Lalich, Mr N (teller)  
McDermott, Dr H  
Mehan, Mr D  
Park, Mr R  
Smith, Ms T.F.  
Watson, Ms A (teller)

Atalla, Mr E  
Car, Ms P  
Crakanthorp, Mr T  
Finn, Ms J  
Harrison, Ms J  
Hornery, Ms S  
Leong, Ms J  
McGirr, Dr J  
Mihailuk, Ms T  
Piper, Mr G  
Warren, Mr G  
Zangari, Mr G

Bali, Mr S  
Catley, Ms Y  
Dib, Mr J  
Greenwich, Mr A  
Haylen, Ms J  
Kamper, Mr S  
Lynch, Mr P  
McKay, Ms J  
Minns, Mr C  
Scully, Mr P  
Washington, Ms K

**NOES**

Anderson, Mr K  
Bromhead, Mr S (teller)  
Constance, Mr A  
Crouch, Mr A  
Elliott, Mr D  
Fraser, Mr A  
Goward, Ms P  
Gulaptis, Mr C  
Kean, Mr M  
Notley-Smith, Mr B  
Pavey, Mrs M  
Roberts, Mr A  
Speakman, Mr M  
Toole, Mr P  
Ward, Mr G  
Wilson, Ms F

Aplin, Mr G  
Brookes, Mr G  
Cooke, Ms S  
Davies, Mrs T  
Evans, Mr A.W.  
George, Mr T  
Grant, Mr T  
Henskens, Mr A  
Lee, Dr G  
O'Dea, Mr J  
Perrottet, Mr D  
Rowell, Mr J  
Stokes, Mr R  
Tudehope, Mr D  
Williams, Mr R

Ayres, Mr S  
Conolly, Mr K  
Coure, Mr M  
Dominello, Mr V  
Evans, Mr L.J.  
Gibbons, Ms M  
Griffin, Mr J  
Johnsen, Mr M  
Marshall, Mr A  
Patterson, Mr C (teller)  
Petinos, Ms E  
Sidoti, Mr J  
Taylor, Mr M  
Upton, Ms G  
Williams, Mrs L

**PAIRS**

Cotsis, Ms S  
Daley, Mr M  
Doyle, Ms T

Barilaro, Mr J  
Berejiklian, Ms G  
Hancock, Mrs S

## PAIRS

Foley, Mr L  
Tesch, Ms L

Hazzard, Mr B  
Humphries, Mr K

**Amendment negatived.**

**Schedule 3 agreed to.**

**TEMPORARY SPEAKER (Mr Geoff Provest):** By leave: I will deal with the Protection of the Environment Operations Amendment (Asbestos Waste) Bill 2018 in groups of clauses and schedules. The question is that clauses 1 and 2 be agreed to.

**Clauses 1 and 2 agreed to.**

**TEMPORARY SPEAKER (Mr Geoff Provest):** The question is that schedules 1 and 2 be agreed to.

**Schedules 1 and 2 agreed to.**

**Third Reading**

**Mr MATT KEAN:** I move:

That these bills be now read a third time.

**Motion agreed to.**

*Community Recognition Statements***MYALL LAKES JUNIOR SPORTS PERSON OF THE YEAR TARLI BLACK**

**Mr STEPHEN BROMHEAD (Myall Lakes) (13:19):** I recognise the 2018 Myall Lakes Junior Sports Person of the Year, Tarli Black. For a number of years now Tarli has been representing the Hallidays Point Public School and the Forster Athletics Club at the highest level. She has achieved some amazing results in 100-metre and 200-metre events. Her school results include six Manning zone records, one Hunter region record and a national record. Tarli also competed at a national level, where she received bronze in 100-metre and 200-metre events, and gold in the 4 x 100 metres relay. She also holds a number of zone and regional records at Little Athletics, along with many State medals, two country championships and, amazingly, she broke one record that was set 40 years ago. Apart from athletics, Tarli also excels in touch football and netball. I congratulate Tarli Black and wish her success in her future endeavours.

**NEWCASTLE LAKE MACQUARIE RELAY FOR LIFE**

**Ms SONIA HORNER (Wallsend) (13:19):** I had the pleasure of attending the Newcastle Lake Macquarie Relay For Life at Hunter Stadium at Glendale. The day was a great success, with 60 teams and 500 participants including 120 survivors and carers raising more than \$45,000. I thank Wallsend Carer Council MP liaison volunteer Pauline for her service and assistance to the Wallsend community in the past few years. I also thank MP liaison volunteers Paula and Laraine, who helped the members and kept them company on the day. Finally, I thank organising committee chair Richard Finlay, official photographer David, and Sarah, Lauren and the dozens of volunteers who helped make the day a success.

**NATIONAL HISTORY CHALLENGE AWARD RECIPIENT SARAH MYATT**

**Mr BRUCE NOTLEY-SMITH (Coogee) (13:20):** I recognise year 8 student Ms Sarah Myatt from St Catherine's School in my electorate who was awarded the New South Wales National History Challenge Award for her work on the Polish solidarity movement, inspired by her family heritage. Last month it was my great pleasure to meet Sarah, her parents and her teacher as we discussed the importance of recognising the cultural backgrounds of our families and the histories that come with them. The story of Sarah's European migrant background is shared by many residents in the Coogee electorate who came to Australia following the Second World War. Our education system offers the children and grandchildren of migrants the opportunity to trace their history and maintain an important cultural connection. It was great to share in Sarah's passion for history. I wish her all the best as she continues her studies.

**GUILDFORD LEAGUES CLUB SPORTSPERSON OF THE YEAR AWARDS**

**Mr GUY ZANGARI (Fairfield) (13:21):** On Saturday 27 October I had the great pleasure of attending the Guildford Leagues Club Sportsperson of the Year Awards. The presentation evening is a great way to acknowledge the fantastic efforts of not only the club's team but also the numerous volunteers, coaches, support

staff and families, and their ongoing contributions throughout the year. Guildford Leagues Club has a thriving sporting community, with its membership spanning far and wide because of the tremendous atmosphere and comradery that can be found nowhere else but at Guildford. I congratulate all award recipients and thank all of the unsung heroes who help to make Guildford Leagues the place to be.

#### **BEACH TO BUSH CHARITY RIDE**

**Mrs LESLIE WILLIAMS (Port Macquarie) (13:22):** I recognise the amazing spirit of Chris Wright and his motorbike companions Bill Perferment, Neil Phillips and Ross Crawford for taking part in this year's Beach to Bush Charity Ride to raise funds for Mia Stewart, who was born with congenital femoral deficiency. Port Macquarie local Chris Wright is the great-uncle of Mia Stewart. She was diagnosed at birth with a rare condition that displays symptoms of a short femur, associated with hip and knee deformity, deficiency or instability. One in 40,000 births are diagnosed, with the cause still unknown to medical experts.

The team of four took to the road to assist Mia's family in raising a target of \$300,000 towards a trip to the United States for her to undergo life-changing surgery, including eight weeks in Florida after the operation. Chris acknowledges the overwhelming support of the Port Macquarie-Hastings community and the local business sector. He also recognises that the Beach to Bush Charity Ride has been instrumental in raising awareness of the condition. I wish Mia and her family all the very best for her upcoming operation in February, which would not have been possible without her Uncle Chris and the community rallying to support her.

#### **COAL POINT PROGRESS ASSOCIATION PRESIDENT SUZANNE PRITCHARD**

**Mr GREG PIPER (Lake Macquarie) (13:23):** I acknowledge the work of Suzanne Pritchard, who epitomises the wonderful community spirit we enjoy in Lake Macquarie. Suzanne has been the President of the Coal Point Progress Association for 23 years and is a passionate advocate for sustainable development. The association is a vital part of the Coal Point community and has not only steered important environmental work but also helped to forge the character of the area. Among Suzanne's notable achievements is establishing and managing the Threatened Species Last Stand project that was recently completed after six busy and productive years. She was able to secure a \$250,000 Environmental Trust grant to fund that project that has delivered significant outcomes for the local area. She is an extraordinary person who has achieved so much for her local community while juggling her own business, being a single mum and caring for her aged father. I thank Suzanne for all she has done for the Lake Macquarie community.

#### **TERRIGAL BOARDWALK**

**Mr ADAM CROUCH (Terrigal) (13:24):** Last week Central Coast Council released its concept designs for a boardwalk in Terrigal between The Haven and the beach. Following 20 years of inaction, earlier this year I ran a community campaign and gathered support from more than 2,000 local residents fighting for State funding to build the boardwalk. Thanks to regional funding from the Deputy Premier, I was able to secure \$2.9 million towards the construction costs. As I said earlier this year, the time for talking is over. Thanks to our strong New South Wales economy we are able to make record investments in regional infrastructure—especially on the Central Coast. The council's announcement of the concept designs is a positive step towards the project becoming a reality. I encourage all residents who signed my petition and all other community members to log on to the council's website and fill out the survey to help guide the design and construction of a fantastic boardwalk that Terrigal has needed for more than 20 years.

#### **BANKSTOWN ELECTORATE REMEMBRANCE DAY SERVICE**

**Ms TANIA MIHAILUK (Bankstown) (13:25):** In October it was an honour to attend the 7<sup>th</sup> Australian Division AIF Association annual Remembrance Day service with my husband, Councillor Alex Kuskoff. I thank President Dick Payten, OAM, for the invitation and for his continued efforts to remember the sacrifices of our service men and women in Bankstown. I thank Professor Dame Marie Bashir, AD, CVO, and Colonel Michael Miller, RFD, Official Secretary to the Governor of New South Wales, for attending. I also thank the Bass Hill RSL Sub-Branch members, the Scouts and the school students who attended the service.

#### **MANLY ELECTORATE HOSPITAL AUXILIARIES**

**Mr JAMES GRIFFIN (Manly) (13:26):** I recognise two organisations that have contributed immensely to the social fabric of Manly over many years, the Dalwood Auxiliary and the Manly Hospital Auxiliary. The Dalwood Auxiliary, led by John Darragh, was one of the first organisations to welcome me when I was elected to this place in 2017. Supporting the Dalwood Spilstead Service, the auxiliary directly supports the case management, education, early intervention and outreach services conducted from the site in Seaforth. The Manly Hospital Auxiliary, led by Shirley Mashman, has supported the Manly Hospital, its staff and patients over many years, offering significant financial assistance to provide equipment and services to health care on the northern

beaches. As the Manly Hospital site enters a new chapter—which will include Australia's first hospice for young adults—I am thrilled that the auxiliary will form a major part of the community fundraising program to supplement the \$2 million in yearly funding that the Government will contribute towards a vital community health asset.

#### **TILLIGERRY FESTIVAL**

**Ms KATE WASHINGTON (Port Stephens) (13:26):** Last weekend I had the pleasure of attending my fifth Tilligerry Festival at the beautiful Henderson Park foreshore at Lemon Tree Passage. I am going to call it: It was the best one yet. The blessing of the fleet and sail past definitely outshone all others, with more boats than ever before and a surprise at the end—a full rock band playing AC/DC songs at the back of *Casey*, the last boat. I congratulate the wonderful students from Tanilba Bay Public School on their dancing and drumming performances. I thank the hardworking Tilligerry Rural Fire Service for their support on the day. I say a big thankyou to the Tilligerry Football Club for putting on a barbecue to raise funds for the festival. I say special thanks to festival organisers Jan James, Fran Corner and Jenny Wilcox for all their hard work and congratulate them on a hugely successful event once again. The festival shows what a strong and beautiful community truly looks like.

#### **SOUTH COAST RURAL FIRE SERVICE**

**Ms SHELLEY HANCOCK (South Coast) (13:27):** Recently I had the pleasure of welcoming Premier Gladys Berejiklian; Attorney General Mark Speakman; Minister for Emergency Services, Troy Grant; Minister for Multiculturalism, and Minister for Disability Services, Ray Williams; Minister for the Environment Gabrielle Upton; Minister for Sport Stuart Ayres; and Minister for Lands, Forestry and Racing, Paul Toole to the South Coast for a breakfast at the Emergency Management Centre in West Nowra. The event formed part of a visit to the South Coast by the Premier and members of the Cabinet. They got the chance to meet with some of our fantastic Rural Fire Service [RFS] volunteers who were responsible for protecting the South Coast during the intense mid-August fires that burned near Ulladulla and Bomaderry and thank them for their efforts.

At the breakfast I was thrilled to announce a grant for \$3,770 to allow the RFS to install the vital remote monitoring weather station that it has asked for. The equipment will assist the RFS to immediately predict weather conditions for on-the-ground firefighting. I thank Minister Williams for providing the funds needed to purchase equipment that will support the work of local firefighters. I thank all South Coast RFS volunteers for their dedication to keeping people and properties safe during bushfires.

#### **QUIET ACHIEVER AWARD RECIPIENT MARIE CALDWELL**

**Ms TAMARA SMITH (Ballina) (13:28):** I congratulate Marie Caldwell, the recipient of this year's Scope Club of Ballina Quiet Achiever Award. The Scope Club of Ballina is an incredible club that every year acknowledges the behind-the-scenes work of women like Marie. Marie is well known as a pianist and has been involved with the Ballina Players theatre group for an incredible 60 years. She is a life member of the players and gives music lessons to cast members for free. Marie also regularly volunteers to play the piano at aged-care facilities in Ballina. In addition, Marie is a long-serving member of Quota International and has volunteered with Meals on Wheels since the late 1960s. Marie was described by Scope Club of Ballina President Jill Vizec as a "no fuss, lovely lady". I congratulate Marie on her wonderful community spirit and the amazing volunteer work she has done for the people of Ballina for many years.

#### **ONE GIRL FUNDRAISING GALA NIGHT**

**Ms TANYA DAVIES (Mulgoa—Minister for Mental Health, Minister for Women, and Minister for Ageing) (13:29):** I commend local Glenmore Park High School student Shelby-Lea Grech for organising a fundraising gala night in support of One Girl, a non-profit organisation providing education for girls in Sierra Leone and Uganda. Shelby-Lea has been an ambassador for One Girl for more than a year as this topic holds major significance for her. The gala was held at Glenmore Park High School. Shelby was able to reach out to many members of her community to spread awareness of the need to support girls in Sierra Leone and Uganda. I was proud to support Shelby-Lea by attending the night, which was filled with information about One Girl, musical performances from students of her school, a raffle, a silent auction and a light supper. Shelby-Lea also gave a speech as the host of the night. This is only the start for young Shelby-Lea as she hopes to eventually work as a psychologist so that she can have a further impact on lives through humanitarian work with organisations such as One Girl. Well done, Shelby-Lea.

#### **WYONG RESIDENT MATTHEW SYRON**

**Mr DAVID HARRIS (Wyong) (13:30):** Matthew Syron is a man from my electorate who recently demonstrated his extraordinary qualities when he saved a young boy from drowning at Soldiers Beach. The father of three entered the water and rescued the boy, who himself had just rescued a young woman from a rip. When

Matthew found him, he was face down and under water. Matthew dragged the unconscious boy from the rip and onto rocks where he performed cardiopulmonary resuscitation until more help arrived. The boy was taken to Gosford Hospital, where he recovered. Without Matthew's quick action, this would have been another tragedy on our beaches. Our community thanks Matthew and all those who assisted in saving this young life.

#### **MYALL LAKES SPORTSPERSON OF THE YEAR HOLLI WHEELER**

**Mr STEPHEN BROMHEAD (Myall Lakes) (13:31):** I recognise Holli Wheeler, 2018 Myall Lakes Sports Person of the Year. Holli resides in Old Bar and is a dual New South Wales and Australian Rugby League representative. Starting out in her junior years with the Old Bar Pirates, Holli was selected for the NSW Country Championships before being selected in the New South Wales State of Origin team. Holli plays in the Holden Women's National Rugby League Premiership for St George Illawarra Dragons where she was this year awarded Player of the Year. Holli was selected in the Prime Minister's XIII team that played and championed over Papua New Guinea 40-12 in Port Moresby in late September. She made her Australian test debut against New Zealand where the Jillaroos won with a cliffhanger score of 24-26 at Mount Smart Stadium in Auckland. Watch this space because there is more to come from this powerhouse in women's rugby league.

#### **ABC NEWCASTLE BROADCASTER JILL EMBERSON**

**Mr TIM CRAKANTHORP (Newcastle) (13:32):** For many years, ABC Newcastle broadcaster Jill Emberson shared other people's stories in our city—that is until she took on the biggest story of her life when she was diagnosed with ovarian cancer. Jill kept Newcastle up to date on how she was going with her chemotherapy rounds and her surgeries until, sadly, she received a final diagnosis. Her cancer is stage four—it is terminal. Jill does not know how long she has left but she is making the most of it and has recently embarked on recording a podcast about ovarian cancer called "Still Jill". It is remarkable that in the time that she has left she still wants to give back to the community and educate women about this insidious disease. Jill is one of Newcastle's living treasures and I wish her the best of luck in her new endeavour. I also offer my congratulations on her recent wedding to long-time partner, Dr Ken Lambert.

#### **OBERON COMMUNITY ADVOCATE CHRIS DOYLE**

**Mr PAUL TOOLE (Bathurst—Minister for Lands and Forestry, and Minister for Racing) (13:33):** I thank Chris Doyle for his incredible work in advocating for the Oberon community. A number of years ago Chris wanted an indoor fitness centre constructed in the local area. Oberon has a population of more than 5,300 people and in one week Chris was able to obtain a petition signed by more than 700 people, which indicates the need for a gymnasium. In the past week the Government announced that it will provide \$500,000 towards an indoor fitness centre. The council will contribute \$25,000, which will go towards the construction of a gymnasium, amenities and half-size basketball court. The Government also announced that \$150,000 will go towards funding an enclosure at the swimming pool. This means that Oberon residents can extend their swimming season, which is a great outcome for that community.

#### **MARRICKVILLE CRICKET CLUB**

**Ms JO HAYLEN (Summer Hill) (13:34):** Summer is just around the corner and that means the cricket season is here. Grassroots cricket continues to grow in the inner west. Since 2012 the Marrickville Cricket Club has tripled in size and this year it will field 28 junior teams, including three girls-only teams. The club has more than 90 volunteers including coaches, managers, umpires and administrators supporting more than 400 players across every age division. I am confident some of Australia's great future cricketers are among its ranks. I take this opportunity to wish cricket teams across the State the very best for the season, including our fantastic New South Wales teams the Breakers, the Blues, the Sixers, and the Thunder. I have enjoyed working with the member for Camden on the Parliamentary Friends of Cricket and thank him for making it the most loved parliamentary friendship group in this place. I am deeply honoured to have shared this role with him in the current Parliament and wish him all the best for the future.

#### **INTERNATIONAL DAY OF OLDER PERSONS EVENTS**

**Mrs LESLIE WILLIAMS (Port Macquarie) (13:35):** I recognise the hardworking and committed volunteers who facilitated this year's International Day of Older Persons, which was held in my electorate on 2 October. To mark International Day of Older Persons in Port Macquarie, a team of dedicated individuals from a variety of organisations including the Healthy Walking Group, Mid North Coast Community Legal Centre, NSW Trustee & Guardian, and the Senior Rights Service set up shop in the heart of town to offer advice and support for our elderly living in the Hastings community. Community members Julie Priest, Lucy Pascale, Melanie Kalimier, Darrell Price, Leigh-Anne Lawson, Jill McDonnell and Ravinder Dogra decked out the pavement with stalls and artwork to celebrate the event, which focuses on the important message of admiration and respect for our local senior citizens.



The event hosted a variety of workshops including making murals out of doilies, which was hosted by the talented residents from the Regis Port Macquarie and Garden Village to signify the valued contribution that older people make supporting community-based projects in our region. This year's theme for International Day of Older Persons was "Celebrating Older Human Rights Champions", which highlights the voice and visibility of older people in our communities and their contribution in raising awareness of human rights issues for a more inclusive world.

#### **KAHIBAH PUBLIC SCHOOL P&C PRESIDENT COL CURRY**

**Ms JODIE HARRISON (Charlestown) (13:36):** I congratulate Col Curry, who recently retired from the Parents and Citizens Association [P&C] of Kahibah Public School. Col was a member of the P&C for 31 years and was president for 21 of those years. Col became the P&C president in 1996 when his daughters Lauren, Jai and Alison attended the school. Over the years Col has been involved in some large projects including the construction of the school hall and canteen. Col was an integral part of many interview panels for key staffing positions at the school.

Over the years Col has worked tirelessly at all working bees, cooking thousands of sausages for the school's fundraising events. He painted lines on the school's handball courts and was responsible for the ongoing viability of the school canteen through the appointment of a paid canteen supervisor. Col chaired more than 100 P&C meetings, not missing one in his 31 years. He always brought a fair and considered opinion to the table when it came to what really mattered for the school. I thank Col and his wife, Pam, for the tremendous contribution they have made to the Kahibah Public School.

#### **TERRIGAL ELECTORATE SENIOR STORIES AUTHORS**

**Mr ADAM CROUCH (Terrigal) (13:37):** Yesterday 100 inspiring seniors gathered in Parliament for the latest edition of *Senior Stories*. Among the 100 were four constituents from my electorate of Terrigal. Nola Foster from Terrigal wrote *The Power is Yours*, Marianne Hamilton wrote *My Time Has Come*, Anne Nielsen from Kincumber wrote *What is Positive About Ageing?* and Cathy Robson from Kincumber wrote *Please Don't Dilly Dally*. The Central Coast has many senior citizens, and opportunities through the State Coalition Government such as this book enable older people to pass on their stories to younger generations. I encourage my community to read those inspiring short stories. Copies of the book are now available at local libraries and can also be downloaded online. I congratulate Nola, Marianne, Anne and Cathy on being featured authors in the latest edition of *Senior Stories*. I note the Minister for Ageing is in the Chamber. I thank her for her continual advocacy for seniors in New South Wales and especially in my electorate of Terrigal.

#### **DAPTO HIGH SCHOOL STUDENT MOLLY CHAPMAN**

**Ms ANNA WATSON (Shellharbour) (13:38):** I bring to the attention of the House the wonderful work and dedication of Ms Molly Chapman of Dapto High School. Molly is a student and member of the Australian Youth Climate Coalition. Recently I had the pleasure of meeting her in my office when she presented me with a copy of a petition signed by more than 190 Dapto High School students calling for the installation of solar panels in all New South Wales public schools. I thank Ms Chapman for bringing this issue to my attention and for speaking so passionately on the subject. Please be assured that I will continue to offer my support for environmentally sustainable policies and, more specifically, the installation of additional solar panels in our State's public schools. Ms Chapman is a highly driven woman who is conscious of social and environmental issues. I wish her all the very best for her future, which will undoubtedly be a very bright one.

#### **GLENMORE PARK BRUMBIES SAMOAN TOUR**

**Ms TANYA DAVIES (Mulgoa—Minister for Mental Health, Minister for Women, and Minister for Ageing) (13:39):** I congratulate the Glenmore Park Brumbies under-13 rugby league team on its successful tour of Samoa in October this year. These young boys were given the experience of a lifetime during their trip to Samoa. They were surrounded by pristine beaches, rainforests, waterfalls and lagoons, but even more than this they were overwhelmed by the incredible hospitality of the villages they visited. The Brumbies were able to experience many traditional Samoan activities during their tour, leaving a lasting impression and creating bonds that they will never forget. The team also got to do what they do best and host a few rounds of rugby, showing the highest levels of sportsmanship. The tour of Samoa was due to their continued hard work and team effort. It was an incredible success and one I am sure they will never forget. I congratulate the under-13's Glenmore Park Brumbies on their Samoan tour.

#### **EMORIAL**

**Mr PAUL SCULLY (Wollongong) (13:39):** Last Thursday I was pleased speak at the official opening of the monument to the 1938 Dalfram dispute. I acknowledge that the funds to construct this fantastic piece were

provided to the Maritime Union of Australia through the Port Kembla Community Investment Fund. The artist, Tianli Zu, has done a wonderful job in creating a monument that captures the relationship between Australia and China that was cemented when 180 waterside workers stopped loading pig iron that was intended to be shipped to Japan and turned into munitions for its war with China, which later developed into the war in the Pacific.

This monument is important to me personally, as my great uncle Allan Hetherington, or "Prince" as he was known, was one of the waterside workers who walked off the job 80 years ago and began an industrial dispute that turned into a community campaign that changed Australian foreign policy and gave Bob Menzies the nickname "Pig Iron Bob". I acknowledge the work of Garry Keane, who was later awarded life membership of the South Coast Labour Council for his years of work. I also acknowledge Arthur Rorris for bringing this idea to reality.

### **BATHURST RAILWAY MUSEUM**

#### **Mr PAUL TOOLE (Bathurst—Minister for Lands and Forestry, and Minister for Racing) (13:40):**

I acknowledge the incredible donation given by Paul and Bonnie Hennessy of Bathurst who own a 20-metre long and nine-metre wide model train set, which they have given to Bathurst Regional Council and which will now become part of a railway museum that is to be constructed within the city of Bathurst. The museum will be built in the old Railway Institute building. This museum can only be built because the New South Wales Government has provide a \$413,000. John Holland and Transport for NSW have supported this and have allowed the old building to be utilised for a future railway museum. I congratulate the Tableland Builders on being awarded the contract to build the new precinct. Bathurst is an old railway town—we already have Ben Chifley's steam locomotive in our precinct. This museum will be another great asset to our city.

### **CHILD SEXUAL ABUSE PREVENTION CAMPAIGN**

**Ms JENNY AITCHISON (Maitland) (13:41):** What can a pastor in a pub and two strong survivors of child sexual abuse achieve when they inspire a community? A campaign that motivates the New South Wales Parliament to effect change by introducing the toughest sentences in Australia for concealing abuse. Pastor Bob Cotton, Peter Gogarty and Paul Gray believed that the findings of the royal commission did not recommend severe enough penalties and they were inspired to make a difference. A petition was created and Pastor Cotton hit the streets in search of people to sign it.

As signatures began to flood the pages, support also swelled in the local community. Local newspaper the *Maitland Mercury* assisted in gathering the 13,000 signatures, which were presented this week in Parliament. The Government still has much more to do in relation to prevention and bystander intervention programs. I commend and acknowledge the tireless campaign waged by Pastor Cotton, Mr Gogarty and Mr Gray. I pay respect to all survivors of child abuse who have done so much to raise this issue in our community.

### **AUSTRALIAN AIR FORCE CADET GALEN WISEMAN**

**Mr STEPHEN BROMHEAD (Myall Lakes) (13:43):** I congratulate Galen Wiseman from Wingham on being selected as one of 15 Australian Air Force Cadets from around the country to travel to France and attend the Anzac ceremony at the Australian War Memorial at Villers-Bretonneux earlier this year. He said it was a phenomenal experience. While he was there he found a number of gravestones of fallen soldiers from the Manning Valley. He took photos of those tombstones to provide to the Wingham Museum. The air force cadets formed an honour guard at Menin Gate for the *Last Post* ceremony.

### **SAVE CARSS PARK POOL COMMITTEE**

**Mr CHRIS MINNS (Kogarah) (13:43):** I pay tribute to Kathryn Skelsey, the organiser of the Save Carss Park Pool committee. The pool was made famous—perhaps infamous—by the wonderful coaching of Mr Dick Kane and by the many Olympic champions who have trained there. Ms Skelsey wrote a letter to Georges River Council, some of which I will read onto the record:

Recently we were shocked to hear the news in the community that Georges River Council, was actually considering depriving its own community of its very own public asset, our Carss Park pool.

When the community heard that the Council was proposing to replace our pool with a car park, concerned community members started an online petition as well as the paper petitions to make their voices heard by the Councillors loud and clear.

We all know that Carss Park has been a community hub as well as a training ground for world swimming champions since it was opened in 1965.

I urge the council to take this letter into consideration when making a decision about its future.

### LAKE CATHIE LIFEGUARDS

**Mrs LESLIE WILLIAMS (Port Macquarie) (13:44):** I recognise the outstanding contribution made by lifeguards Hunter Leishman and Dane McCabe. I commend them for their service and commitment to ensuring members of the public are protected on our local beaches. On Tuesday 9 October Lake Cathie lifeguards Hunter Leishman and Dane McCabe attended an incident when a 23-year-old woman was caught by a rip at Middle Rock. Thanks to the quick response of Hunter and Dane the young woman was treated at the scene and recovered from her ordeal.

Hunter became a lifeguard at 15 and has served as a member for four years, maintaining the safety and welfare of our beach dwellers as they enjoy a day in the surf. Whenever conditions create a life or death situation in a split second, our dedicated and hardworking lifeguards are quick to answer the call for help. Australian Lifeguard Service Port Macquarie-Hastings supervisor James Turnham praised Hunter and Dane for their decisive action and cautioned the general public on using unpatrolled beaches during the summer season. I thank Hunter and Dane for their selfless contribution as valuable lifeguards and members of our wonderful community. I urge anyone taking to the beach this summer to swim between the flags.

### DIWALI FAIR

**Dr HUGH McDERMOTT (Prospect) (13:45):** On 28 October 2018 I attended the wonderful Diwali Fair at Holroyd Gardens Park, which was hosted by the Federation of Indian Associations of NSW. This year thousands of Western Sydney families saw traditional dancing performed by amazing local dance schools, heard beautiful music from talented local musicians and ate delicious authentic food. It was a great event and without doubt enjoyed by everybody who attended this cultural celebration. I congratulate Federation of Indian Associations of NSW President Dr Yadu Singh, Vice President Mahesh Raj, Secretary Dr Naveen Shukla, Treasurers Mr Baljit Khare and Navneet Verma, and all of the organisers and performers on holding such a fantastic event. The subcontinental community contributes so much to Western Sydney, and festivals like this one make our diverse community so great to be a part of. I cannot wait to come back again next year.

### CRESTANI SCHOLARSHIPS IN RADIO THERAPY

**Mr ADAM CROUCH (Terrigal) (13:46):** Over the past 3½ years I have spoken in this Chamber many times about the incredible contribution made to our community by the incredible Yvonne Crestani, whom I was proud to nominate as Terrigal's Woman of the Year. The Crestani Scholarships in Radiotherapy, led by the incredible Yvonne, are an amazing not-for-profit organisation run by volunteers who provide hundreds of thousands of dollars' worth of funding to the Central Coast Cancer Centre, providing training for those oncologists and nurses on the Central Coast. I was proud to attend the scholarships awards night last Friday and present Yvonne with \$6,000 on behalf of Minister for Health, Brad Hazzard, to kickstart next year's scholarships. I lobbied the Minister for that funding, which is a great recognition of Yvonne's work. I also acknowledge Jill Donald, RN, for receiving the scholarship and research curriculum for university degrees in specialised radiotherapy nursing. I also confirm that she is my beautiful wife.

### VARIETY POSTIE BIKE BASH

**Ms SONIA HORNER (Wallsend) (13:47):** Last year local resident and former Newcastle police officer Anthony van der Vliet joined the Postie Bike Dash, a six-day ride for children's charity Variety. After retiring, Anthony picked up L-plates and a Honda CT 110, the iconic postie bike used for decades by the nation's mailmen, and rode more than 1,000 kilometres over rough terrain for charity. Anthony's son, who is hearing impaired, was helped by Variety and Anthony wanted to repay them for their help. Anthony just completed his second dash and was joined by Wallsend mechanic Lenny Muddle, who has provided repairs at the event for the past four years. Together the pair raised \$6,000. I congratulate Anthony and Lenny on their hard work for the community.

### CUDGEGONG RIVER FOOTBRIDGE

**Mr PAUL TOOLE (Bathurst—Minister for Lands and Forestry, and Minister for Racing) (13:48):** I congratulate Councillor Peter Shelley and the community of Kandos-Rylstone. For many years they have been trying to install a footbridge across the Cudgong River. This has become a safety issue for that community because pedestrians who have to walk across the bridge are endangered by cars and heavy vehicles that use that section of road every day. The people who walk along that section of road are the elderly, families and children riding bikes. The New South Wales Government has partnered with the Mid-Western Regional Council to announce \$430,000 to install a pedestrian footbridge, which will make it safer and connect the village of Rylstone to the local area. I commend everyone who has been a part of this effort. I also commend the council for contributing \$100,000 to make this project a reality for the Kandos-Rylstone community.

**FOOTBALLERS TEAGAN DOUGLAS AND JOSIE MOREL**

**Ms JENNY AITCHISON (Maitland) (13:49):** I congratulate Teagan Douglas and Josie Morel, who are year 9 students from Maitland Grossmann High School. Recently they represented the Junior Matildas as part of the 2019 Asian Football Confederation [AFC] under-16 Women's Championship Qualifiers in the Kyrgyz Republic. Following an intense training and selection phase, held in both Sydney and Canberra, the girls and their Australian team competed in group D against Palestine, Indonesia, Taipei, and hosts Kyrgyz Republic during their time in Bishkek. The team took out first place in group D and have now advanced to the next stage of qualifiers for the 2020 Fédération Internationale de Football Association [FIFA] women's under-17 World Cup to be held in February. Both Teagan and Josie are also part of the Newcastle Jets academy. They were an integral part of Maitland Grossmann High School's run in the Bill Turner Trophy. It is incredible to watch the calibre of our fantastic sportswomen emerging from Maitland and it is wonderful for these young women to have the opportunity to represent Australia at a global forum. Congratulations to Teagan and Josie on their achievements.

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

*Bills***JUSTICE LEGISLATION AMENDMENT BILL (NO 3) 2018****CRIMES LEGISLATION AMENDMENT (VICTIMS) BILL 2018****GOVERNMENT INFORMATION (PUBLIC ACCESS) AMENDMENT BILL 2018****Returned**

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

*Visitors***VISITORS**

**The SPEAKER:** I welcome our guests to the gallery. First, a very warm welcome to David Wingham, who is currently doing work experience in the office of the Minister for Education, guest of the Minister for Education, and member for Pittwater. I welcome students and their teachers from St Michael's Catholic School, St Therese's Catholic Primary School, and Denistone East Public School, guests of the Minister for Finance, Services and Property, and member for Ryde. Also welcome to Ted Rowell, Belinda Rowell, Will Rowell, Menzies Rowell, Chase Rowell, Ebony Rowell, and Elise Jackson, Tracey, Steven and Pat Young, guests of the member for Wollondilly.

I also welcome to the gallery students from Scarborough Public School, who helped open the new Parliamentary Education Centre today. In fact they cut the ribbon. They are joined by Principal Chris Hopkins, teachers James So, Emma Cattell, Rachel Smith, Riley Hall and Celeste Ritter, guests of the member for Heathcote. Scarborough Public School is the first school to have officially visited the Education Centre since the opening, which was today. Thank you to the members who attended. It was a very special event. If members have not yet visited the Education Centre please have a look.

I also welcome Lara McGirr, daughter of the member for Wagga Wagga, who is joined by Peter Moloney and Arlene Cousley, guests of the member for Wagga Wagga. I welcome members of the Australasian Parliamentary Educators' Conference, who also joined us this morning. Welcome to Kurt Cheng, who is doing work experience for the member for Kogarah, and residents of the St Patrick's Green retirement village, guests of the member for Kogarah. We welcome you all to the Chamber.

*Question Time***CHILD SEXUAL ASSAULT INVESTIGATION**

**Mr MICHAEL DALEY (Maroubra) (14:24):** I direct my question to the Premier. Yesterday the Premier said that a report on the assault of a child in Kogarah was being prepared by the Minister for Corrections. Can she explain to the House, and to the people of New South Wales, how the man concerned was able to get anywhere near that little girl, or any other children for that matter?

**The SPEAKER:** I caution members about raising an issue that may be the subject of criminal charges now or in the future. I am not citing a standing order; I am talking about a convention of the House. I do not need the member for Strathfield's intervention. It is usually misguided.

**Ms GLADYS BEREJIKLIAN (Willoughby—Premier) (14:24):** I will repeat the statement I made on Monday and what I said in the House yesterday. Of course I expressed my shock and horror when learnt what was in the press and the public domain. I also expressed my sympathy for the family of the young girl. I cannot imagine what they are going through. I also said that the New South Wales Government would leave no stone unturned to establish why that person was released. If there is anything legislative or process-related that the Government should do, it will do it.

I was informed just before question time that the NSW Police Force has made a statement. I say as a general statement to the community that people must take allegations concerning sexual assault seriously. That is the bottom line. This Government does that and it will continue to do so. As I said on Monday, this Government will leave no stone unturned. None of us wants to see a repeat of what happened in this case. We are in this place to keep the community safe, and that is my Government's priority. When I said on Monday that the Government would leave no stone unturned, I meant it. When we have all the facts, including the police report, we will deal with them then and there.

### EMERGENCY SERVICES

**Mr JAI ROWELL (Wollondilly) (14:26):** I address my question to the Premier. How is the New South Wales Government addressing frontline services to ensure a stronger and better future for the people of New South Wales?

**Ms GLADYS BEREJIKLIAN (Willoughby—Premier) (14:27):** I thank the member for Wollondilly for his question and acknowledge his wife Bel and his sons in the gallery. I thank him not only for this question but also for his hard work in his electorate on behalf of his community volunteers. I know how much he values his Rural Fire Service, as do all members. I commend all volunteers across the State, particularly those on the frontline in emergency services, who protect us all day in and day out. I was pleased that on behalf of the Government this morning the Minister for Police and Emergency Services joined Rural Fire Service Commissioner Shane Fitzsimmons in opening the Rural Fire Service Sydney Olympic Park headquarters. The Government has invested more than \$21 million in this important facility. We should not only respect, thank and support our volunteers but also provide them with the technology and resources they need to do their job.

Unfortunately, it is likely to be a very busy summer fighting bushfires, although we hope it is not. However, if the weather and the conditions on the ground are anything to go by, this summer will be particularly challenging. That is why I want to ensure that every volunteer and every employee on the frontline knows that they have the support, the services and the infrastructure that they need to do the best they can. I take this opportunity to acknowledge all 74,000 dedicated Rural Fire Service volunteers, who do an outstanding job.

The Government is confident that this new multimillion-dollar base will support their efforts in not only preventing but also containing bushfires and disseminating information as quickly as possible. The new Rural Fire Service headquarters are fitted with the latest technology and will support the most modern firefighting operations. The headquarters include technologies to support live fire response information and intelligence sharing with all agencies, which is vital. The Sydney Olympic Park site was chosen because of what was required and also because it would centralise the activities of the numerous agencies that will coordinate major emergencies from the centre. It will accommodate more than 200 multiagency personnel to facilitate quick and accurate information sharing. We know that information and intelligence sharing during natural disasters is critical. The new facility will allow everyone to stay focused and to do what is best under the circumstances.

As members know—particularly the member for Bega given the Tathra bushfire in March—the Government launched a review led by the former Commissioner of the Australian Federal Police, Mick Kelty. The review made 12 recommendations to improve emergency services responses to bushfires and other emergencies. I am pleased that this Government has implemented or is implementing all 12 recommendations, including progressing work on a central call centre. That is extremely important in handling emergency calls. Last week I was pleased to announce that the Government would invest \$26.3 million in the Rural Fire Service to purchase a large air tanker and two fixed-wing scanning aircraft to support our frontline firefighters. These aircraft will provide greater reliability and flexibility in firefighting responses. The Government has also welcomed the fourth and final large air tanker to protect our State during the summer.

One of the best things I do when I visit rural and regional communities is to support our Rural Fire Service volunteers. The member for Bega and I were at the Bega Fire Control Centre last month when we handed over two new fire trucks to the Cobargo and Wolumla brigades. They will provide an even greater level of protection to the South Coast. We also went to Nowra to celebrate Rural Fire Service volunteers and workers in the Shoalhaven and the Illawarra. In fact, all members of Cabinet were there to thank them for their efforts. We announced that the Government would be increasing the maximum penalty for anyone who deliberately starts a

bushfire from 14 years to 21 years imprisonment. It is bad enough when lives are at risk because of a bushfire—  
[*Extension of time*]

I expressly thank all the volunteers across the State. I was pleased in August to visit Fingal Bay and Port Stephens to open a new Rural Fire Service station. That was an important community activity that I thoroughly enjoyed. We must acknowledge the difficulty facing us in the next few months in fending off bushfires. I thank all our volunteers and firefighting employees who ensure that their equipment is up to date and that they maintain their training throughout the year so that if a disaster rears its head they are ready to lead the charge to protect our communities and our loved ones. I assure them that not only does the Rural Fire Service have a new headquarters that will facilitate coordination and sharing of intelligence and its dissemination using the latest technology but we also have the best firefighting equipment in the world on the ground. Of course, we all know that we have the best volunteers in New South Wales.

**The SPEAKER:** I remind the House that four members are on either one or two calls to order. They should be extremely careful.

#### CHILD SEXUAL ASSAULT INVESTIGATION

**Mr MICHAEL DALEY (Maroubra) (14:33):** I direct my question to the Minister for Corrections. It has now been a week since a seven- year- old girl was attacked by a parolee. Has the report the Minister called for been completed? If so, will he present it to the House today?

**Mr DAVID ELLIOTT (Baulkham Hills—Minister for Counter Terrorism, Minister for Corrections, and Minister for Veterans Affairs) (14:34):** I am surprised that a man who has been accepted into the Supreme Court of New South Wales is asking me a question that would put on public record evidence that will be used in a court and in a police investigation.

**The SPEAKER:** The Minister would be aware that I have cautioned the Leader of the Opposition.

**Mr DAVID ELLIOTT:** I am quite surprised that he would even consider that as Minister it would be appropriate for me to provide him, and any other member of this House or of the public, information that is currently active within a police investigation and that I hope will be brought before the courts.

**Mr Michael Daley:** Point of order: The Opposition is not asking for any details that might go to the crime; the Opposition is asking for details that went to the failure in the justice system and how that man was able to get near that little girl.

**The SPEAKER:** I have already cautioned the Leader of the Opposition on this matter. I repeat my serious caution to members about a discussion on these matters.

**Mr Michael Daley:** Read the question.

**Mr DAVID ELLIOTT:** That's exactly what you asked for. We need to remember that a seven-year-old girl has gone through the most traumatic of experiences. We need to know that right now the family of that seven- year-old girl is feeling let down by not only the justice system but also the community. Over the course of the weekend I shared the Premier's disgust when we found out that a man who had supposedly been released by the Parole Authority had allegedly committed a crime. As the Premier has instructed me in the number of conversations that we have had, I will make sure that the Government gets to the bottom of it. But I will not allow anybody in this Chamber or in the community to make this—

**Mr Michael Daley:** Point of order: It was a simple question. "No stone unturned" was the phrase. Has the report concluded?

**The SPEAKER:** There is no point of order; the Leader of the Opposition knows it.

**Mr DAVID ELLIOTT:** He asked for the details of this report, which is under active police investigation. As a former police Minister, the Leader of the Opposition knows full well that this report—

**Mr Michael Daley:** Point of order: I am happy to repeat the question: Has the report that the Minister called for concluded?

**The SPEAKER:** I do not want to hear the question again. There is no point of order. I call Leader of the Opposition to order for the first time.

**Mr DAVID ELLIOTT:** I have received a report of the preliminary investigation that I called for but I will not provide that information to the Leader of the Opposition because that would put the investigation into some question. It will certainly put into question any potential court proceedings. I cannot believe that a man who professes to be the alternative Premier of the State is asking me to provide information and put it into the public

domain that would put a criminal investigation into question. That is extraordinary. If that is the sort of government that the Leader of the Opposition would lead in the event that Labor wins the election in March, then God help us.

**The SPEAKER:** The member for Keira will come to order. I caution members once again and I ask them to look at the conventions of the House about these matters.

**Mr DAVID ELLIOTT:** It is lost on the Leader of the Opposition to ask about the welfare of the seven-year-old girl. He has not asked about the welfare of the victim's family. He has asked for information that will put a criminal investigation into question.

**The SPEAKER:** The member for Keira will come to order or be removed from the Chamber.

**Mr DAVID ELLIOTT:** I find it extraordinary. As I said to the press this morning and over the course of the past couple of days, the offender was on parole. I am disgusted that he was on parole. I am horrified that there is now a victim because the system could have quite easily let this family down. I want to know how the man got parole and what we can do as a Government to make sure that people like him do not get parole again. I am also aware that at 1.30 p.m. today the police have initiated their own internal investigation because it is clear that a series of events led to this tragedy. But we will not improve the situation by trying to table, for political pointscoring, information that would be part of a criminal investigation. I repeat my comments when I came to the dispatch box: The Leader of the Opposition claims to be the alternative Premier and a solicitor in the Supreme Court, yet he wants this sort of information, which will quite clearly jeopardise an investigation, in the public domain. I find it extraordinary and I think that he has let the system down if he thinks he will be able to play this as a political pointscoring exercise.

#### REGIONAL INFRASTRUCTURE

**Mr STEPHEN BROMHEAD (Myall Lakes) (14:39):** My question is addressed to the Deputy Premier, the Minister for Regional New South Wales, Minister for Skills, and Minister for Small Business. How is the New South Wales Government delivering record funding in regional New South Wales and is the Deputy Premier aware of any alternative approaches?

**Mr JOHN BARILARO (Monaro—Deputy Premier, Minister for Regional New South Wales, Minister for Skills, and Minister for Small Business) (14:39):** I thank the member for Myall Lakes for his question. He is a strong member who continues to deliver for the community of Myall Lakes. In recent months there have been significant announcements in roads, community infrastructure and projects that underpin the wellbeing, success and future of that community. He is focused on making sure that the people of regional New South Wales and, in his case, those in the electorate of Myall Lakes, are getting their fair share from the New South Wales Government. It is not by accident that they are getting their fair share. There has been a deliberate focus by the Liberal-Nationals Government to make sure that people in regional New South Wales get their fair share. Recently there has been a lot in the media by the Labor Party and the Shooters, Fishers and Farmers Party about the Restart NSW fund, 30 per cent of which would go to regional New South Wales.

It clearly shows that the shadow Treasurer, the member for Keira, wants to promote the idea that only 17 per cent or 18 per cent of the funds are going to regional New South Wales. It clearly shows that the Opposition does not understand how the program works. In the 2018-19 budget, it is clear that the proceeds and balance of what has entered into the Restart NSW fund is more than \$30 billion. Almost \$10 billion is earmarked as committed spend for regional New South Wales. That is legislated: A total of 30 per cent of that fund will always go to regional New South Wales.

But if one takes a snapshot in time and says, "You've spent only 17 per cent at this point in time," I say, "Of course." The expenditure is determined by a couple of factors. Firstly, in some cases, the Government is waiting for a co-contribution by the Federal Government to major road or infrastructure projects. Secondly, local governments are delivering these projects through tender processes. We already know that because of the financial capacity-building of this Government there is a record investment pipeline worth \$87.2 billion of infrastructure in this State.

**Ms Yasmin Catley:** Point of order: My point of order relates to Standing Order 59. Madam Speaker, may not have been here but I have already heard this speech today and the day before and the day before.

**The SPEAKER:** The member will resume her seat. Last night we did not do that for the member for Bankstown.

**Mr JOHN BARILARO:** Unfortunately, you still don't get it. I will keep talking about this and I will say this every day up to 23 March. Why? It is because if I do not, I will allow the Labor Party and the Shooters, Fishers and Farmers Party to mislead the public. Remember that the Restart NSW fund comes from surpluses and

proceeds of asset-leasing or sales, such as poles and wires. Labor opposed poles and wires. The Shooters opposed poles and wires. So they want to see 30 per cent of zero go to the regions. Those guys are complaining about how much money is going to regional New South Wales when they have not supported any of the transactions or policy decisions of this Government to deliver for regional New South Wales.

It is not just about Restart NSW. When Labor was in government, the expenditure in regional New South Wales was around \$23 billion. Under our Government, it is just more \$50 billion. That is more than twice what it was during the Labor government in half the time. There is more to come. The Regional Growth Fund worth \$1.6 billion is rolling out into regional New South Wales. The Snowy Hydro Legacy Fund worth \$4.2 billion is rolling out—every single cent—to regional New South Wales. The Government is committed to delivering these projects. The Restart NSW document and recent announcements show that in places such as the Far West there are 41 projects worth \$100 million; Central West and Orana has 113 projects worth \$251 million; New England North West has 65 projects worth \$122 million; and the Riverina Murray has 80 projects worth \$178 million.

This is all over and above the hospitals, schools, roads and rail that the Government is already building as part of ordinary business. We will continue to see that investment. I can guarantee that if the Liberal-Nationals remain in government, every single cent of the earmarked 30 per cent will go to regional New South Wales. We know their track record. The moment Labor gets onto the Government benches it will bring legislation to this place to scrap Restart NSW, take all the money and put it into a con fund, and start shoring up Sydney seats against The Greens. We have seen it before. [*Extension of time*]

**The SPEAKER:** I remind the member for Myall Lakes that there is too much noise in the Chamber. I ask the member for Rockdale and the member for Myall Lakes to come to order.

**Mr JOHN BARILARO:** We have seen it before. You do not need to believe what I say because actions speak louder than words. Look at what Labor achieved after 16 years in regional New South Wales. Last week I had the opportunity to dial-in on my iPad and watch the valedictory speeches of a number of the members of this House. What was the common theme in all those speeches? I listened to the speeches of the member for Dubbo and the member for Coffs Harbour. The member for Coffs Harbour has done the hard yards in opposition when Labor spent no money on the regions. If anything, Labor took money out of the regions. If members read the valedictory speech of the member for Coffs Harbour they will discover what it was like for regional New South Wales under a Labor government. But we are not stopping there. I say this to the people of regional New South Wales: Read the valedictory speech of the member for Lismore. He also knew what it was like under Labor.

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

**Mr JOHN BARILARO:** I say to the people of regional New South Wales: It is your time. You deserve the investment, but you will only get that from a Liberal-Nationals Government. The 30 per cent of Restart NSW, 100 per cent of the proceeds of Snowy Hydro and the \$1.6 billion Regional Growth Fund is just a down payment for regional New South Wales. While the Nationals sit in government along with our Liberal colleagues we will make sure that the prosperity that is enjoyed here in Sydney is also enjoyed in regional New South Wales.

There is more to do. A lot more investment is required. Nationals members talk to community members, local government members and to the people in the areas they represent. We talk to them; we do not have to read about them. We do not have to try to pretend, from Maroubra, that we understand regional New South Wales. We spend each and every day living with these people. We work with them, play with them and raise our families with them so we know that they know that The Nationals and Liberals are delivering for regional New South Wales. Here is a document that shows that we are delivering thousands of projects in the regions, underpinned by 30 per cent of Restart NSW, but, more importantly, there is more to come.

#### CHILD SEXUAL ASSAULT INVESTIGATION

**Mr MICHAEL DALEY (Maroubra) (14:47):** My question is directed to the Premier. Today I asked the Premier and her corrections Minister to explain how this attack on a seven-year-old girl was allowed to occur. The Minister has now advised that he holds a report on this incident. Will the Premier consider the report overnight and advise the House tomorrow, before it rises, whom she holds responsible for this appalling failure? Someone's head needs to roll; whose will it be?

**The SPEAKER:** I gave a statement in relation to this matter earlier. I have just received advice from the Clerk as to whether my cautions were correct. I feel that I have been vindicated. There is a person who has been arrested and is in custody. I do not know whether he has been charged, but the sub judice convention observed by the House is stricter in relation to criminal matters that have proceeded to a charge. Once again I caution members to consider any comments that they are contemplating which may have the potential to impact on matters that later come before the courts. Members may wish to play politics but I am giving a caution, from the chair, not to proceed.



**Ms GLADYS BEREJIKLIAN (Willoughby—Premier) (14:48):** It is clear that the Leader of the Opposition has chosen to ignore that advice—not once but on two occasions. As I said in my previous response, we will leave no stone unturned, and I meant it with every bone in my body. We have an interest in making sure that every single fact surrounding these circumstances comes to the fore. Members of the community need to know every single reason why this person was let out on parole. The Minister wants to know. I want to know. Every single person in the community wants to know.

We also want to know, if that is the case, why issues raised regarding allegations about sexual harassment were not taken seriously. That is why there is a police investigation. That is why there are experts looking at this case. With all due respect to the Leader of the Opposition, who has twice defied the advice provided, we will rely on the experts to give us that advice. We will rely on those who are conducting the investigations to advise us on exactly what happened. Then we will act. I said that on Monday, I said it yesterday, and I say it again today.

### COST OF LIVING

**Ms ELENi PETINOS (Miranda) (14:49):** My question is addressed to the Treasurer, and Minister for Industrial Relations. How has the New South Wales Government shown leadership in helping drive down the cost of living, and are there any alternative approaches?

**Mr DOMINIC PERROTTET (Hawkesbury—Treasurer, and Minister for Industrial Relations) (14:50):** I think it is absolutely disgusting that the Leader of the Opposition would play politics with the life of a seven-year-old girl. It is absolutely disgusting. If the member really cared about the issue he would deal with it in the appropriate manner. In 2011, after 16 years of Labor, the New South Wales budget was in crisis. Thanks to the great efforts of Liberal Treasurers like Baird, Constance and Berejiklian, the budget is back in the black and delivering surpluses once again. As members of this Government often say, we do not run surpluses in New South Wales for the sake of it. We run our finances well so that we can do more for those we serve—the great people of New South Wales. While we are laying the foundations for the future with big infrastructure projects, we also stand in solidarity with the working families of New South Wales.

Our strong financial position means we can do more to help families with the cost of living. I am sure many of the kids in the gallery would have benefited from our \$100 Active Kids rebates. Those rebates have been taken up by half a million kids. Our rego rebate program has seen more than 42,000 drivers qualify for free car registrations with savings up to \$729. It is cheaper to get compulsory third party insurance in New South Wales today than it was under Labor in 2010, thanks to the reforms of the great finance Minister. More than 40,000 people have taken up our stamp duty concessions, getting the keys to their first homes. Service NSW—opposed by those opposite—has also introduced a new cost of living service.

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

**Mr DOMINIC PERROTTET:** Earlier this month *Seven News* put the service to the test. They found that pensioner Gordon Blake saved \$300. A couple, Bill and Sharon, saved over \$1,300. For every person who has booked a 30-minute appointment, Channel Seven has found an average saving of \$400. So I urge listeners, if they have not made a booking, to get down to their local Service NSW centre. The members opposite will need to get down there after March. The Government is not stopping there. We just indexed stamp duty brackets for the first time since 1986, meaning further savings for future homebuyers—another reform that Labor opposes.

Those opposite have never met a reform they did not oppose. Our \$100 Creative Kids vouchers for activities like art, drama and coding starts next year, and our one-click energy switch website will soon come on-line. From January next year, every new mum will receive the New South Wales baby bundle, packed with helpful items. The Victorian Government has just copied this initiative. Imitation is the greatest form of flattery. These things show the good that governments can do when they manage money well.

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

**Mr DOMINIC PERROTTET:** The Labor Party used its time in government to line its own pockets. Those on this side of the House used their time in government to put money back into the pockets of families of New South Wales. In contrast, the Leader of the Opposition has offered no vision for this State. He said, in his opening statement, that his biggest priority is addressing overdevelopment. It has been nine days since he became leader.

**Mr Paul Lynch:** Point of order: My point of order is with respect to Standing Order 73. The Treasurer is now launching a substantive attack upon the Leader of the Opposition. If he wishes to do that he has to do it by way of a substantive motion.

**The SPEAKER:** I do not believe it is a substantive attack. The Treasurer remains relevant. There is no point of order.

**Mr DOMINIC PERROTTET:** It has been nine days and we have not had a single question on planning from the Leader of the Opposition. But we should not be surprised, because in three years as the shadow Minister for Planning how many questions did he put to the planning Minister? None.

**Mr Michael Daley:** Point of order: The Premier never gives the planning Minister any Dorothy Dixers. He has been over there like a mushroom for the last six months.

**The SPEAKER:** I warn the Leader of the Opposition that if he continues to interject and points of order he will be called to order. There is no point of order. If necessary I will have the Clerk stop the clock and wait for the House to come to order.

**Mr DOMINIC PERROTTET:** In three years, there have been no questions. "Lazy" Daley strikes again. The Government still does not know who the shadow Minister for Planning is because there has still been no reshuffle. But while I am on the topic of reshuffles, I refer to an article I came across from 2009.

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

**Ms Jodi McKay:** Point of order: My point of order relates to Standing Order 129 on relevance. The question is about the cost of living, not about a reshuffle. The question referred to alternative points of view, yes, but that has nothing to do with a reshuffle.

**The SPEAKER:** I suggest to the member for Strathfield that it could very well have everything to do with a reshuffle.

**Ms Jodi McKay:** So, Madam Speaker, you will listen a little further?

**The SPEAKER:** The member for Strathfield will resume her seat. There is no point of order. I do not need to hear her little tirades.

**Mr DOMINIC PERROTTET:** I refer to an article written in 2009 by Andrew Clennell and published in the *Sydney Morning Herald*.

**Mr Brad Hazzard:** That would be right.

**Mr DOMINIC PERROTTET:** He certainly gets around. [*Extension of time*]

He said he also promoted another follow-up of powerbrokers Eddie Obeid and Mr Tripodi giving Michael Daley Finance to add to Police.

**Ms Jodi McKay:** Point of order—

**The SPEAKER:** The Clerk will stop the clock. The Treasurer will have his entire time because the member for Strathfield is engaging in time-wasting. I have already ruled on relevance.

**Ms Jodi McKay:** This is not relevant to the cost of living.

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

**Ms Jodi McKay:** It is absolutely not relevant. Do you think it is relevant?

**Mr Brad Hazzard:** Yes.

**Mr DOMINIC PERROTTET:** They are right behind you, Jodi.

**The SPEAKER:** The member for Strathfield has elicited resounding support from her Opposition colleagues. The Treasurer has the call—and a further one minute and 49 seconds.

**Mr DOMINIC PERROTTET:** It is no wonder that Eddie Obeid and Joe Tripodi made the Leader of the Opposition the Minister for Police: see nothing, hear nothing, do nothing. The member for Maroubra: "Lazy".

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

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

**Ms Kate Washington:** My point of order relates to Standing Order 129. If the Treasurer's answer is relevant to cost of living, then I am Santa Claus.

**The SPEAKER:** The member for Port Stephens is far from that. The Treasurer has the call. I have have called the member for Keira to order on two occasions. The next time he interjects, he will be called to order for the third time and removed from the Chamber.

**Mr DOMINIC PERROTTET:** I really think Opposition members made a very big mistake. They had an opportunity to head towards the future, but yesterday the Leader of the Opposition was sitting with the

crossbenchers, then sitting on the Opposition backbench, and then he was sitting on the Opposition front bench. He was keeping his friends close and his enemies closer. Last weekend was his first full weekend as Leader of the Opposition and it was his first opportunity to get out onto the hustings. Where did he go? Maroubra—all the way to Maroubra, looking out for number one first. Yet Opposition members seriously think he will be campaigning in Maitland. I do not think so.

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

**The SPEAKER:** The Clerk will stop the clock. The Treasurer will resume his seat.

**Ms Jenny Aitchison:** My point of order relates to Standing Order 129, relevance. Where the Leader of the Opposition lives has no relevance to this question about the cost of living.

**The SPEAKER:** The member for Maitland will resume her seat.

**Ms Jenny Aitchison:** How can we have this Minister asking questions about where members live when he does not want to live in his electorate?

**The SPEAKER:** The member for Maitland will resume her seat. I do not think that was the point the Treasurer was making. Perhaps the member for Maitland could not hear because of the noise in the Chamber, but that was not the point.

**Mr DOMINIC PERROTTET:** Lazy, lazy—"Lazy" Daley is at it again.

**Mr Guy Zangari:** Point of order—

**The SPEAKER:** It is a case of alternative approaches. I will not entertain points of order taken in relation to relevance because I have already ruled on that. The Clerk will stop the clock.

**Mr Guy Zangari:** I have taken a point of order. Standing orders state that the Treasurer must resume his seat.

**The SPEAKER:** I give members directions in this Chamber, not the member for Fairfield.

**Mr Guy Zangari:** Madam Speaker, I ask you to direct the Treasurer to refer to the Leader of the Opposition by his correct title.

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

**Mr Guy Zangari:** Referring to the Leader of the Opposition by his correct title. The Treasurer did not do that. The Treasurer is also speaking over the table and not through the Chair, Madam Speaker. I ask you to direct him to speak through the Chair, Madam Speaker.

**The SPEAKER:** Lots of members speak across the Chamber every sitting day, do they not? The member for Fairfield is quite right. I uphold both points of order.

**Mr DOMINIC PERROTTET:** I was in the Parliamentary Library recently and it is interesting what can be found out. For example, I could see what books people are borrowing. It is very interesting, isn't it, Clayton? I got a list of the books the member for Maroubra takes out: *The Right to be Lazy*.

**The SPEAKER:** The Clerk will stop the clock. I will add two minutes to the Treasurer's speaking time shortly because the interjections are designed to interrupt the flow of the answer.

**Ms Jodi McKay:** But he is not being relevant.

**The SPEAKER:** That is the member for Strathfield's opinion. The member for Strathfield is not an expert on everything.

**Ms Jodi McKay:** Well, I think I am an expert on when someone is not being relevant to the question.

**The SPEAKER:** No, you are not.

**Mr Clayton Barr:** Point of order: My point of order relates to Standing Order 73. The Treasurer has just mentioned my name. Given his track record, I suggest it would have something to do with an improper motive or impugning my reputation. I had not been listening to him, but I will make that assumption. If the Treasurer says my name, there will be an improper motive behind that. He should do that by way of substantive motion.

**Mr DOMINIC PERROTTET:** I love the member for Cessnock. I do not know why he is so defensive about the books he is borrowing.

**The SPEAKER:** The member for Cessnock has a sense of humour. That is a rare commodity.

**Mr DOMINIC PERROTTET:** We know what the member for Maroubra is borrowing: *The Four-hour Work Week, Hello Laziness: Why hard work doesn't pay*, and the book he is telling all his Labor colleagues to read, *He's Not Lazy: We Don't Believe Him*.

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

**Mr Michael Daley:** Point of order: For the benefit of members and the thousands of people watching at home—

**The SPEAKER:** Thousands? A couple of dozen.

**Mr Michael Daley:** —surely there is a standing order against B-grade undergraduate humour.

**The SPEAKER:** No, there is not, and the Leader of the Opposition knows there is not. For the information of the member for Swansea, I do not control the clock. I wish I did.

**Mr DOMINIC PERROTTET:** This morning the Leader of the Opposition was on Jonesy and Amanda saying he wanted the job of leading the Labor Party since he was eight years old. The book that launched his campaign is *Mr Lazy*. The poor guy has waited 45 years for this job and he will have it for only 120 days. [*Time expired.*]

#### NORTHERN BEACHES HOSPITAL

**Mr MICHAEL DALEY (Maroubra) (15:01):** My question is directed to the Premier. Just two days after the Premier opened the Northern Beaches Hospital, the private operator has parted ways with its—

**Mr Brad Hazzard:** Ask me, dopey.

**The SPEAKER:** I cannot hear the Leader of the Opposition because of the interjections. I ask the Minister for Health not to call the Leader of the Opposition "dopey".

**Mr MICHAEL DALEY:** The Minister for Health, and Minister for Medical Research, the Hon. Brad Hazzard, is like the *Fawlty Towers* knight: He has no arms and no legs, but still insists everything is fine. As I was saying, my question is directed to the Premier. Just two days after the Premier opened the Northern Beaches Hospital, the private operator has parted ways with its chief executive officer [CEO] and the company has acknowledged its failure. I ask: When will the Premier admit that this experiment with the Americanisation of our health system is a failure?

**The SPEAKER:** All members previously on one or two calls to order are now on three calls to order.

**Ms GLADYS BEREJIKLIAN (Willoughby—Premier) (15:02):** As the Minister for Health, and Minister for Medical Research and I said at the opening of the hospital on Monday, this is a fantastic new asset and new facility for the local community. Procedures are being undertaken there that were not able to be done at either Manly or Mona Vale hospitals. I am pleased to advise the House that, since the hospital started functioning, 114 babies have been delivered. Given that the hospital has been open for only 20 days, it has delivered 114 babies. I spoke to one of the surgeons on Monday.

**The SPEAKER:** The member for Swansea is expressing her view on the hospital. I suggest that she expresses her view privately.

**Ms GLADYS BEREJIKLIAN:** I am pleased to advise the House that on Monday we were told that 600 surgeries had been conducted. That figure has been updated to 783 surgeries. There have been 3,453 emergency department presentations and 1,021 patients delivered by ambulance. The Government knows that this is a fantastic facility. As the Minister for Health and I both acknowledged on Monday, the hospital had teething problems, which are perhaps likely to continue for the next couple of weeks. However, two hospitals relocated the majority of their functions. The Mona Vale Hospital continues to conduct important work in the local community, which I know the member for Pittwater is especially pleased about.

**Mr Stephen Kamper:** Can you get geriatric beds?

**Ms GLADYS BEREJIKLIAN:** Opposition members asked the question but do not want to listen to the answer—especially the Leader of the Opposition. We know the Leader of the Opposition is too lazy to do the work, but is he too lazy to listen as well? Just saying.

**The SPEAKER:** I will ask the Clerk to stop the clock again, if I need to. I caution members that they will be removed from the Chamber for the remainder of the day if they continue to interject. The Premier has the call.

**Ms GLADYS BEREJIKLIAN:** The Minister for Health and I both acknowledge the hardworking staff who are managing the transition, which still has a little way to go. But we expect the hospital to be up and running as expected within the month. I am extremely pleased with the patient experience so far. Of course, the Minister for Health and I will continue to ensure that the hospital continues to live up to the community's expectations. We were extremely pleased to have built a hospital that the former Labor Government promised but never built. I am pleased to say that it is one of 94 new or upgraded hospitals and health facilities across the State, including 50 in rural and regional communities.

We have already heard from the Deputy Premier that if the Labor Party ever came into government those projects would be non-existent. Labor would not put any money into rural and regional New South Wales. We have already built and upgraded 50 rural and regional facilities. Getting back to the Northern Beaches Hospital, we thank the outgoing chief executive officer for her work. I understand that she has been the CEO there since 2012. The interim CEO will no doubt ensure that the hospital continues to deliver the highest level of health care to its patients. We are confident these teething problems—which would occur in any new facility anywhere—

**The SPEAKER:** Order! I warn the member for Swansea that the next time she interjects she will be sent out of the Chamber. She will miss the press Christmas party, which could be a good thing.

**Ms GLADYS BEREJIKLIAN:** The hospital was delivered on time and on budget—in fact, I think it was six weeks ahead of schedule. I reiterate that this is a hospital that the former Labor Government promised but never delivered. We delivered the hospital. We look forward to seeing it serve the community for many decades to come. We are very excited by what it offers the local community.

### ROADS AND TRANSPORT INFRASTRUCTURE

**Ms STEPH COOKE (Cootamundra) (15:06):** My question is addressed to the Minister for Roads, Maritime and Freight. How is the New South Wales Government delivering stronger, better roads and infrastructure, and are there any alternatives?

**The SPEAKER:** Members will come to order, otherwise several members will be removed from the Chamber.

**Mrs MELINDA PAVEY (Oxley—Minister for Roads, Maritime and Freight) (15:07):** I thank the member for Cootamundra for her question. If infrastructure is not being delivered she will quickly let us know. I congratulate her on her advocacy and hard work. On Monday the Federal Minister and I went out to the Northern Road, which is part of a \$1.6 billion project. We started work on a 5.5 kilometre section of the road around Badgerys Creek airport. It is a really important project that will give relief to 15,000 people in the short term and many more in the long term. The road will circle the perimeter of Badgerys Creek airport. The member for Camden, member for Penrith and member for Mulgoa have all fought for this project. It is a really important piece of infrastructure. But the project would have been at risk under Labor—we would be having another inquiry into whether we should be giving relief to motorists.

**Mr David Harris:** It is over \$1 billion.

**Mrs MELINDA PAVEY:** It is—at \$1.6 billion. Use your listening ears, David. Labor's "not in my backyard" policy is fast becoming a "not in my State" policy. Labor's proposal to introduce a public planning inquiry for major infrastructure projects is a back to the future policy without the delirium. It is no wonder that the current Labor leader wants to do nothing. He is following Bob Carr's playbook. He is not only filling his seat; he is filling his shoes. The Labor policy to set up an inquiry into all major infrastructure projects sends a message to the construction industry and tens of thousands of construction workers that their jobs are at risk. Labor will strangle their lives and opportunities with red tape. It is classic Labor to announce a policy, promise the world and deliver nothing. I need to share with the House the views of some very hardworking people in this State. Melissa wrote, "Here we go again. Labor would spend \$1 billion discussing any work instead of doing it." Simon wrote, "If you are working in the construction industry, be very afraid." Those comments came from real people online on the *Daily Telegraph* website.

**The SPEAKER:** Order! Opposition members will be removed from the Chamber if they continue to interject. A number of them are on three calls to order.

**Mrs MELINDA PAVEY:** The public can see through Labor members. They know what they are up to and they know that their rhetoric is destructive. The Government listens, does its homework and gets on with the job. That is a fact. In New South Wales there are nine different planning approval pathways that are reviewed based on the project's size and scale. The Government is investing more than \$87 billion into infrastructure over the next four years. Labor puts every one of those projects at risk. The list of projects includes F6 stage one, which the Opposition rejected; Sydney Gateway; the Western Harbour Tunnel, which the Opposition rejected; the

Beaches Link, which the Opposition rejected; WestConnex, which the Opposition rejected; and NorthConnex, which the Opposition rejected.

In Sydney metro and regional New South Wales, we want dual carriageways, not only on the Pacific Highway but also on the Princes Highway and the Great Western Highway. The Opposition rejected that as well. That is the record of this Government, as well as finishing the sealing of all State roads, the Silver City Highway and the Cobb Highway. That is the record of this Government. It has hardly been a honeymoon for the new Leader of the Opposition. In his first week, there was the \$1 billion cost blowout for free travel for schoolchildren. Then old-enough-to-be-new-again Dad's army, one of his young gun advisers marched off into history. This week he is covering the State in red tape and putting a handbrake on the delivery of projects to debate and defer. How is that going for you? It did not get a lot of coverage, did it? You have not really delivered anything, have you? I am unkind to the Leader of the Opposition. In 2009 he made a very significant commitment to increase the toll on the Sydney Harbour Bridge by 33 per cent. He delivered that. [*Extension of time*]

**The SPEAKER:** I am finding it difficult to hear the Minister over the conversations taking place between Opposition members, including the Leader of the Opposition, the member for Cessnock and the member for Maitland, who appear uninterested in what is happening in this Chamber.

**Mrs MELINDA PAVEY:** Under Labor and Michael Daley tolls increased: The former Labor Government built four toll roads. The only road construction the former Labor Government could deliver was toll roads. Just this morning the Leader of the Opposition put his foot in it—or was he just putting the women in his party in their place? There he was, having a lovely chat with Jonesy and Amanda, and he said that women "bring a great civilising factor to what has been a too tough game". You said you require women to be more civilised. That is what you were saying.

**Ms Jodie Harrison:** Point of order: The Minister is speaking across the table. I ask that she direct her comments through the Chair.

**The SPEAKER:** I uphold the point of order. The Minister should direct her comments through the Chair.

**Mrs MELINDA PAVEY:** As I was saying, this morning the Leader of the Opposition said on a radio station that is broadcast across Sydney that women "bring a great civilising factor to what has been a too tough game". That is an insult to the female members of the Opposition.

**Ms Kate Washington:** Point of order: My point of order relates to Standing Order 129. I have no idea how what the Minister is saying is remotely relevant to anything in her portfolio or the question that was asked.

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

**Mrs MELINDA PAVEY:** There is more to Kate Washington than being civilised. She brings energy, she probably has some ability and she is a good goal attack too. I am sure the member for Summer Hill and the member for Bankstown bring more to this place than being a little bit civilised. They have ability, and the old-fashioned approach—a 1950s style Democratic Labor Party [DLP] approach—from the Leader of the Opposition in saying that all the women on his side of the Chamber do is to bring a touch of civilisation is not good enough. It was an appalling comment, an appalling reference; women have much more to contribute than just bringing civilisation to this Chamber.

#### KOORINGAL HIGH SCHOOL ASBESTOS REMOVAL

**Dr JOE MCGIRR (Wagga Wagga) (15:15):** My question is directed to the Minister for Education. Given the concerns regarding possible exposure to disturbed asbestos as a result of building work at Kooringal High School, Wagga Wagga, what steps is the Minister taking to reassure students, staff, parents and workers that all building works at the site have been carried out safely and in accordance with SafeWork NSW and work health and safety regulations?

**Mr ROB STOKES (Pittwater—Minister for Education) (15:16):** I thank the member for Wagga Wagga for his question and his representations on this important issue. He spoke earlier with me in the Chamber, and I note that he raised this issue in a private member's statement last night, which was responded to by the Parliamentary Secretary for Education, the member for Kiama, who has raised this issue with me. The Hon. Bronnie Taylor, in the other place, has also raised this issue with me. My office has been in touch with the member for Wagga Wagga, and I am advised that the damage caused at Kooringal High School, a great comprehensive and partially selective school in suburban Wagga Wagga, was dealt with as soon as it was reported to the department. I am further advised that the site itself has been secured and contained to ensure the safety of students, staff and visitors to the school. I am further advised that the area is being managed in accordance with the department's management plan and a remediation plan has been developed.

SafeWork NSW has been on site and the matter is continuing to be dealt with. We are dealing with non-friable asbestos. I understand the well-built building dates from the early 1970s and the damage caused to the walkway means that it needs to be secured. It will take some time to remove the material, because it has to be done in accordance with the relevant legislation. Obviously, the safety of students, staff and visitors to the site is paramount. I have made my own investigations into the matter, and I am satisfied that this issue is being dealt with appropriately. I inform the House that the Department of Education has a rigorous system of maintenance and monitoring at all schools across the State. When damage is reported, immediate action is undertaken. I am advised that that was the case in relation to Koorringal High School. I note that Norman Meader has been a great school leader, as the member for Wagga Wagga would know.

I applaud the member for Wagga Wagga for bringing this issue to my attention. I will continue to make sure the member is kept fully informed; it is appropriate that he raise issues such as this in this place. I am very happy to provide the assurances that he seeks. Koorringal High School has an important school community of about 850 students. It is a great school with a great school community. Across Wagga Wagga millions of dollars are being invested in a school maintenance blitz. About 34 schools are benefiting, and I look forward to other good news from the Wagga Wagga electorate with the exchange of contracts for an exciting new primary school development at Estella, right next door to the university. Once again, I thank the member for raising this issue with me in this forum.

### FAIR TRADING

**Mr JAMES GRIFFIN (Manly) (15:19):** My question is addressed to the Minister for Innovation and Better Regulation. What advice does the Minister have for people suffering from buyers' remorse?

**Mr MATT KEAN (Hornsby—Minister for Innovation and Better Regulation) (15:19):** I am shocked to get this question from the member for Manly—I thought it would come from the member for Campbelltown, because he installed the new Leader of the Opposition but he cannot get a promotion. But he is not the only member opposite suffering from buyers' remorse. In the lead-up to Christmas I have some advice for those opposite, and consumers across New South Wales, as to how to avoid buyers' remorse. My advice to them is to do their due diligence. They can avoid buyers' remorse by making the right decision up-front. The way to do that is to do research—look at product reviews. I have some more tips about how to avoid buyers' remorse.

An easy tip is to avoid traders who employ convicted fraudsters. Hypothetically, if that trader employed Michael Williamson, the man who ripped off some of the lowest paid workers in the State, buyer beware and avoid. Another tip to avoid buyers' remorse is to avoid traders who lie. Hypothetically, if a trader says, "We're going to buy the "gentrader" assets at their full value and sell them at less than half," avoid—do not trust them. It is really important to avoid traders who cannot manage finances. If that trader happens to be the finance Minister who presided over a deficit, stay well away. I would have thought it was self-evident to avoid traders who have links to notorious criminals. If someone has publicly thanked a notorious criminal called Eddie Obeid in their inaugural speech, stay away. Another tip is: Always look out for brand-new models in the market; do not pass them over because you are told to do so by factional bosses.

But I understand it is not always possible to pick a lemon. Even after reading the reviews and with basic due diligence, the information can be quite inconvenient. I am happy to advise the House that consumers have a number of protections to deal with this situation. It is important that people know that traders in the marketplace need to provide services with due care and skill. That does not mean cutting police numbers, closing police stations and overseeing a rise in crime. That is not the type of skill and due diligence that consumers need. Also, goods need to be of an acceptable quality. People should get what they pay for, so if the advertising on a package does not meet what is in the box then the consumer is entitled to a refund, repair or replacement. That is good news for those opposite, because in the two weeks that the Leader of the Opposition has been in office, he has already promised one policy that was meant to cost \$44 million. What is the actual cost? It is actually more than \$1 billion.

This is not the only thing that the Leader of the Opposition misrepresented. He said that he would kick the former Leader of the Opposition, Luke Foley, out of the Labor caucus—in fact, at his first press conference announcing his leadership, the new Leader of the Opposition said, "If I'm the Leader of the Labor Party, I don't want Luke Foley in my ranks." Those were the words of the Leader of the Opposition. What has he done? Absolutely nothing; it is just another promise that he has made and failed to keep, just as he did when he was the Minister for Finance in the previous rotten Labor Government. [*Extension of time*]

As with so many promises the Leader of the Opposition has made, he has failed to make good on that one and kick the disgraced former Leader of the Opposition out of the Labor caucus.

**Mr Clayton Barr:** Point of order—

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

**Mr Clayton Barr:** My point of order relates to Standing Order 73—improper motives. If the Minister wants to launch an attack on the Leader of the Opposition, he should do so by way of substantive motion.

**The SPEAKER:** I will listen further. At this stage there is no point of order.

**Mr Clayton Barr:** The Minister was asked about buyer regret, or remorse, or something like that. I do not think his answer has anything to do with that.

**The SPEAKER:** I have to say somewhat reluctantly that he has been relevant to the question he was asked.

**Mr Clayton Barr:** Have you been listening?

**The SPEAKER:** I have been listening. Has the member for Cessnock been listening?

**Mr Clayton Barr:** Yes, I have. It is just that we have a different view about his answer.

**The SPEAKER:** The member for Cessnock listens only rarely.

**Mr Clayton Barr:** I know. It has been a long two weeks for me. I have been sitting on the backbench, nice and quiet.

**The SPEAKER:** I know that the member for Cessnock has had his instructions and that he has tried hard to be normal. I know how sad he must be. There is no point of order. However, the member for Cessnock can definitely have a merit award. The Minister has the call.

**Mr MATT KEAN:** In electing Michael Daley as its leader, Labor said that it wants to return to its rotten, corrupt and disgraceful past. It wants that to be its future.

**Ms Yasmin Catley:** Point of order—

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

**Mr MATT KEAN:** That is what Labor is all about. Michael Daley failed as a Minister and was part of a rotten government.

**Ms Yasmin Catley:** My point of order relates to Standing Order 129. As a real consumer advocate in this place—

**The SPEAKER:** Does the member have a point of order?

**Ms Yasmin Catley:** I said that my point of order related to Standing Order 129.

**The SPEAKER:** Sorry, I did not hear that. I do not need a speech on consumer advocacy. What is the member's point of order?

**Ms Yasmin Catley:** Given that the Minister does not get an opportunity to speak in this place often but he has been given that opportunity today—and I am sure he welcomes it—one would think he might talk about consumer issues and not be so disrespectful to the Department of Fair Trading.

**The SPEAKER:** The member for Swansea will resume her seat.

**Mr MATT KEAN:** I have buyer's remorse because the shadow Minister is not the Deputy Leader of the Opposition at the moment. In electing Michael Daley, the Labor Party has said that it wants its corrupt, rotten and wasteful past to be its future. That is the reality. I have bad news for the Opposition: The people of New South Wales spent 16 long years doing due diligence on the Labor Party. They wanted a replacement in 2011 and they do not want that rotten, corrupt carcass of a party running this State again.

#### *Petitions*

#### **PETITIONS RECEIVED**

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

#### **The Star Casino**

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

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



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

#### **Holsworthy Electorate Rezoning**

Petition requesting a moratorium on further development applications for high-rise buildings under R4 zoning in Moorebank, Holsworthy, Hammondville and Wattle Grove until Liverpool council completes its zoning review and a full report is provided to the Minister for Planning, received from **Mr Paul Lynch**.

#### **Affordable Housing**

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

#### **Leppington Railway Station Car Park**

Petitions calling for the construction of a multi-level commuter car park at Leppington railway station and the provision of temporary car parking in the interim, received from **Mr Paul Lynch**.

#### **Leppington and South-western Sydney Railway Stations Car Parking**

Petition calling for the construction of a multi-level commuter car parks at Leppington railway station, and for improved commuter car parking at railway stations in south-western Sydney, received from **Mr Paul Lynch**.

#### **Tuggerah Railway Station**

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

#### **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**.

#### **Globe Wilkins Preschool**

Petition calling on the Government to stop the closure of the Globe Wilkins Preschool, received from **Ms Jo Haylen**.

#### **Central Coast Policing**

Petition requesting increased police numbers on the Central Coast, received from **Mr David Mehan**.

#### **Gardens of Stone Stage 2 Reserve Proposal**

Petition calling on the Government to support the Gardens of Stone Stage 2 Reserve Proposal to preserve the area's scenic, historic, scientific and recreational values, received from **Ms Jo Haylen**.

#### **Sydney Football Stadium**

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

#### **Sydney Stadiums**

Petition calling on the Government to redirect funding from Sydney stadiums to schools, hospitals and other essential community services, received from **Mr David Mehan**.

#### **Petersham Pedestrian Safety**

Petition calling for improved pedestrian safety measures at the intersection of West Street and Railway Terrace, Petersham, received from **Ms Jo Haylen**.

#### **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**.

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

#### **Beekeeping Industry**

Petition calling on the Government to support amateur beekeepers by abandoning hive registration fees and allocating more resources to assist amateur and commercial apiarists to maintain a disease-free and sustainable hive network, received from **Ms Jo Haylen**.

#### **Orange Region Mining Exploration**

Petition opposing mining exploration in the Orange region, received from **Mr Philip Donato**.

#### **Delegate and Bombala Health Services**

Petition requesting improved medical services in Delegate and Bombala, received from **Mr John Barilaro**.

#### **Cannabis Legalisation**

Petition calling for a referendum on legalising cannabis to be held at the time of the 2019 New South Wales election, received from **Mr Alex Greenwich**.

#### **Homebush Boys High School**

Petition calling on the Government to upgrade facilities at Homebush Boys High School, received from **Mr Jodi McKay**.

#### **Bowral Bypass**

Petition requesting that the Government fund construction of a road bypass at the northern entrance to Bowral to retain existing trees, maintain safe and securing community car parking and protect the environment, received from **Ms Pru Goward**.

### **RESPONSES TO PETITIONS**

**The CLERK:** I announce that the following Ministers have lodged responses to petitions signed by more than 500 persons:

The Hon. Melinda Pavey—Yarra Bay Cruise Ship Terminal—lodged 17 October 2018 (Mr Michael Daley).

The Hon. Matt Kean—No-fault Evictions—lodged 16 October 2018 (Mr Alex Greenwich).

#### *Business of the House*

### **VOLUNTEERING**

#### **Reordering**

**Mr MARK TAYLOR (Seven Hills) (15:32):** I move:

That the General Business Notice of Motion (General Notice) given by me this day [Volunteering] have precedence on Thursday 22 November 2018.

I ask that this motion be given precedence tomorrow so as to acknowledge those unsung heroes of our community—the 2.3 million volunteers of New South Wales. Some volunteers spend their lives helping others. They work with a charity during the day and then can be found volunteering on the streets at night, reaching out to the homeless with organisations such as St Vincent de Paul or helping people who are isolated by mental illness, domestic violence or addiction.

Some volunteers risk their lives to save others, such as surf lifesavers in dangerous surf, rural firefighters battling bushfires, or State Emergency Service personnel dealing with floods and storms. Sometimes we overlook the many volunteers who reach deep into our communities, helping and supporting those in need. They help with important outreach programs that target social isolation and bring people together. Whether through the 1,000 men's sheds across Australia or through the Country Women's Association, which has been operating since 1922, volunteers promote social cohesion and help break down barriers between seniors, young people and multicultural communities.

Volunteering rates are high in New South Wales, especially among the young. Some 41 per cent of people aged between 15 and 17 volunteer in our community. It is important that we give this motion precedence tomorrow to acknowledge the valuable hours our young people give by participating as active citizens in our society. This Government understands how important volunteers are to the social fabric of our society as mentors and teachers. That is why it has invested \$6.5 million in Youth Frontiers from 2018 to 2020 to help partner students with a mentor and to foster meaningful relationships within our society. In our diverse communities volunteer leaders devote hundreds of hours to outside work away from their families organising things such as cultural festivals and forums.

It is also in times of tragedy that we look to our volunteers for support. There is no better example than our volunteers who are helping farmers in one of the worst droughts we have suffered in living memory. Whether it is the Country Women's Association Disaster Relief Fund or the St Vincent de Paul Society NSW Drought Appeal, our volunteers are there, talking to and helping those in dire need. In 2018-19 we committed \$1 million for the NSW Volunteering Strategy to better recruit, support and recognise volunteers in our community. It is important that we recognise the fantastic work of organisations such as the Centre for Volunteering, which has a close partnership with the New South Wales Government and helps to connect 600 volunteers to organisations each month. This motion should be given precedence tomorrow to acknowledge the contribution, value and the bedrock of our society—volunteers.

**Mr JIHAD DIB (Lakemba) (15:35):** This Government does recycling really badly. Members know about the failed Return and Earn scheme and the sell off of assets that is dressed up as recycling. But this takes recycling to a completely new level. This Government is proposing that we recycle graves. After 25 years we dig up a body and put it into an ossuary or a bone room. Could there be anything more macabre? After 25 years a phone call is made to tell people that they have two choices to make about their loved one—to cough up some more money or the body will be put into an ossuary—they are not even offered an optional lease.

A grave used to be a place where our loved ones could rest in peace; it was their final resting place. But under this Government's proposal headstones will now read, "Here is the final resting place of so and so ... for at least 25 years", which is completely wrong. The Government came up with this idea late last year at Christmas time when the Woolcott report was produced. Even that report said that community groups do not want this. The Government's stacked upper House inquiry, which was critical of this proposal, said two things. For eight years the Government has been lazy and has not dealt with this problem and there has been inadequate consultation. The upper House inquiry said:

Although the consultation process complied with the NSW Guide to Better Regulation it would appear that it was ineffective.

We have had tokenistic lip service to community groups that knew nothing about this proposal. Indigenous community groups have said that they have strong connections to any land that is a final resting place.

**Mr Brad Hazzard:** Point of order—

**The DEPUTY SPEAKER:** The Clerk will stop the clock. This motion is to reorder business for tomorrow; we are not debating a motion to be accorded priority.

**Mr Brad Hazzard:** My point of order relates to Standing Order 129. The member is failing to indicate that this was originally a Labor Party proposal in the days of the Carr Government.

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

**Mr JIHAD DIB:** It is pretty clear that the Government is worried about this. The Government has taken asset recycling to a completely new and macabre level. It has created disparity between the rich and the poor, even in death. Opposition members will tear up this proposal and consult properly. We will talk to people and resolve this situation. We will not agree to a proposal to dig up people after 25 years and whack them into a room. That is what this Government is proposing.

[Interruption]

We will not recycle; we will not be digging them up. There is no disparity between the rich and the poor—not in life and not in death.

**The DEPUTY SPEAKER:** The question is that the motion of the member for Seven Hills be agreed to.

**Motion agreed to.**

*Motions Accorded Priority*

## SHOALHAVEN DISTRICT MEMORIAL HOSPITAL

### Consideration

**Mr GARETH WARD (Kiama) (15:41):** The next election in this State will not be about the old dichotomy of Left or Right; it will be a dichotomy about up or down. Are we going to continue to see the record growth, the record investments and business confidence or are we going to support Labor's plan—

**The DEPUTY SPEAKER:** The Clerk will stop the clock. I advise members that they are not to interject during consideration of motions to be accorded priority. We will hear what the member for Kiama has to say. Opposition members will be afforded the same opportunity.

**Mr GARETH WARD:** Are we going to go back to the 16 years of Labor Government when this State was number eight? Recently the old band got back together—the old terriers from the Terrigal faction that run the Labor Party. As there were 16 years of Labor I thought I would dig up some of their greatest hits. I had to go looking for them, but there are some real classics that members might remember.

**Mr Stephen Kamper:** Use of props.

**Mr GARETH WARD:** Record debt; I remember that one. Record deficit; that was a great Labor classic. Record unemployment; we all remember that one. Record union control; which is one that the member for Liverpool will love. I can hear him saying, "Play it again, Sam." Record project cancellation, record corruption and record low business confidence—these are Labor's greatest hits in office. With the leadership that it has we will make sure that Labor's 16 years in government was a one-hit wonder.

**Ms Yasmin Catley:** You would love to have 16 years. You won't make it.

**Mr GARETH WARD:** I acknowledge the interjection from the member for Swansea. I have always said that there are two idiots on the Opposition backbench, and she is both of them. In relation to the new leadership, they said that St Patrick drove the snakes out of Ireland. Will Michael Daley drive the snakes out of the Opposition? When Chris Minns nominated for the leadership I thought that there might be something new. Members will remember that I dubbed him as Simba when he came to this place—the Sussex Street Serengeti was all his. But the only thing that the member for Kogarah will be leading is Daley's dirty dozen—the 12 people that were on that lobby. He should have asked me to help him do his numbers. There was Michael Daley and Ryan Park—the only enumerate shadow Treasurer in the nation doing his numbers and he still flogged him. If he had asked me for help to do the numbers he might have had some chance. I do not know.

While we are talking about reshuffles, as Parliamentary Secretary for Education I thank the member for Lakemba for his service. I look forward to his promotion to secretary of the Opposition Waste Watch Committee in the reshuffle that is about to take place. Members on this side of the House have a plan for hospitals and schools; members opposite oppose it. We have a plan for a stronger economy; members opposite oppose it. We are investing in health care and infrastructure; members opposite oppose it. This Government has a plan for New South Wales—*[Time expired.]*

**Mr Paul Lynch:** Point of order: My point of order relates to Standing Order 49, which imposes upon you, Mr Deputy Speaker, an obligation to maintain order in the House. The actions of the member for Kiama clearly made that impossible. The member's language was clearly in breach of Standing Order 72, and his continual use of props is also a breach of standing orders. The member has clearly been disorderly and you have an obligation under Standing Order 49 to discipline him. I suggest that you either place him on calls or remove him from the House.

**The DEPUTY SPEAKER:** Six Opposition members sitting on the front bench are already on calls to order. I could have thrown each of them out of the Chamber for the rest of the day, and I would have been justified in doing so. A number of members were trying to take points of order while the member for Kiama was explaining why his motion should be accorded priority. A convention in this House is that members do not interject during such debates. While the member for Kiama did use props, I could not hear half of his comments. I am not prepared to uphold the points of order because I could not hear him over the interjections from Opposition members.

## SYDNEY CBD LIGHT RAIL PROJECT

### Consideration

**Ms JODI McKAY (Strathfield) (15:48):** I will talk about something a little more cheery—the member for Bega. Opposition members feel sorry for the member for Bega. He has had disappointment after disappointment, project failure after project failure, and hospital pass after hospital pass. Is it any wonder that he wants to go to Gilmore? While members of the Opposition will be very sorry to see his smiling face leave this place, we know he will be joyful that he no longer has to defend the indefensible. I am of course referring to the Sydney CBD Light Rail Project. It is a year late and \$1 billion over budget. It is a dog of a project and he knows it. However, he must stand up in this House and front the media to defend it. He has presided over a disastrous rail timetable and the failed privatisation of the Newcastle and inner west bus services, and he is responsible for the public relations exercise called "Ferry McFerryface". That went well for him.

We have witnessed a litany of failure. Some of those failures are his fault and others he inherited from his boss the Premier. The Minister turned his back on the Parramatta to Epping rail line and poured billions of dollars into his pet projects. He pushed the vital Western Metro project decades into the future. He has consistently chosen the wrong public transport priorities and has failed to stand up to his Government's toll road obsession. He is responsible for these stuff-ups and will forever be remembered as the Minister for the trains that do not fit the

tracks. He is the budget blowout bloke from Bega. He is the Minister against public transport, Unhandy Andy and the constant Minister for incompetence.

It is not only his portfolio incompetence that is a problem; this is the guy who has failed to represent his community of Bega. He is largely missing in action because he spends most of his time in Sydney trying his best to fix the transport issues he has created. The people of Bega are sick and tired of having a de facto and remote member who is aloof, cranky, arrogant and out of touch. The bad news for the Liberals is that if they lose Bega they will lose Gilmore as well when Constance is the candidate. I enjoyed taking on the Minister and I look forward to being the Minister for Transport and cleaning up his mess.

**The DEPUTY SPEAKER:** I call the member for Tweed to order for the first time. The question is that the motion of the member for Kiama be accorded priority.

**The House divided.**

Ayes .....45  
Noes .....33  
Majority..... 12

**AYES**

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

**NOES**

Aitchison, Ms J	Atalla, Mr E	Bali, Mr S
Barr, Mr C	Car, Ms P	Catley, Ms Y
Chanthivong, Mr A	Crakanthorp, Mr T	Dib, Mr J
Donato, Mr P	Finn, Ms J	Harris, Mr D
Harrison, Ms J	Haylen, Ms J	Hoenig, Mr R
Hornery, Ms S	Kamper, Mr S	Lalich, Mr N (teller)
Leong, Ms J	Lynch, Mr P	McDermott, Dr H
McGirr, Dr J	McKay, Ms J	Mehan, Mr D
Mihailuk, Ms T	Minns, Mr C	Park, Mr R
Piper, Mr G	Scully, Mr P	Warren, Mr G
Washington, Ms K	Watson, Ms A (teller)	Zangari, Mr G

**PAIRS**

Barilaro, Mr J	Cotsis, Ms S
Berejiklian, Ms G	Daley, Mr M
Johnsen, Mr M	Doyle, Ms T
Perrottet, Mr D	Foley, Mr L
Roberts, Mr A	Tesch, Ms L

**Motion agreed to.**

**SHOALHAVEN DISTRICT MEMORIAL HOSPITAL****Priority**

**Mr GARETH WARD (Kiama) (15:58):** I move:

That this House:

- (1) Welcomes the Berejiklian Government's \$434 million commitment to upgrade the Shoalhaven District Memorial Hospital.
- (2) Notes the redevelopment of Shoalhaven hospital will include:
  - (a) expanded elective surgery;
  - (b) more surgical, acute medical and aged care beds;
  - (c) expanded maternity services;
  - (d) more operating theatres;
  - (e) increased capacity in the emergency department; and
  - (f) expansion of the outpatient and ambulatory care zones.
- (3) Condemns Opposition, including the Labor candidate for Kiama and the Labor candidate for South Coast, for failing to support the upgrade of Shoalhaven District Memorial Hospital.

Friends, we have just seen the Opposition vote against a \$434 million investment in Shoalhaven hospital. Opposition members had the chance to come into this House to support the motion that I and the member for South Coast proffered, but they said no, just as they said no to improved car parking at Shoalhaven hospital, just as they said no to an improved emergency department at Shoalhaven hospital, and just as they said no to improved aged care services at Shoalhaven hospital and suicide prevention services at Shoalhaven hospital. When it comes to the Shoalhaven, the Opposition just says no.

We had it in Opposition. When the member for South Coast was on the Opposition benches, for years Labor said that everything would be all right under Labor. But today we see not even the capacity for Labor to commit in Opposition. What is Labor's mantra going into this election? It is saying, "Hospitals and schools before stadia". But interestingly, when Labor was in government it closed 93 schools and shut down 2,000 hospital beds. Interestingly, Labor talks about stadia. Let us look at the stadia Labor upgraded during its 16 years in government.

**Mr Mark Coure:** There were 10 of them. It upgraded 10 of them.

**The DEPUTY SPEAKER:** I remind the member for Oatley that he is already on three calls to order.

**Mr GARETH WARD:** Stadium Australia, Sydney Cricket Ground, Sydney Football Stadium, Western Sydney Stadium, WIN Stadium, McDonald Jones Stadium, Sydney Showground Stadium, Campbelltown Sports Stadium, Jubilee sports stadium and the Central Coast Stadium.

[*Interruption*]

I note the interjection by the member for Wollongong. He was elected in a by-election. What was the commitment from the Labor Party for his electorate? It was \$50 million to upgrade the Wollongong Entertainment Centre; not a single new hospital or school in his electorate. So the member for Wollongong is putting stadia before hospitals and schools. He should be on this side of the House with me and the member for South Coast, who are fighting for more nurses, more doctors and more allied health professionals in this hospital. We will continue to do that because we will stand up for our community. We have delivered and we will continue to deliver. We will do it in spite of Labor's opposition.

Today Labor had the opportunity to stand with the residents of the Shoalhaven, who have been campaigning for this upgrade—doctors, nurses, patients and people who have wanted to see these improvements—so that this cottage hospital can be turned into the centre of excellence that a growing community deserves. The member for South Coast and I will make very clear in the run-up to the election who voted in this Chamber today to support this upgrade and who voted against it. Those opposite chose to put themselves on the Opposition benches and vote against Shoalhaven hospital, a public hospital that we support and we will always support. The loose confederation of warring tribes on the Opposition benches is more interested in leadership and their change of leadership than they are in delivering for the people of the Shoalhaven.

The need for a major upgrade at Shoalhaven hospital is clear and that is the reason we have secured \$434 million for a public hospital at Shoalhaven. Like the member for South Coast, who lives in that community, we support this public hospital and we always will. I know that just as my mother had cancer treatment there, so did the daughter of the member for South Coast. We know the quality and professionalism of the staff. I thank everyone, from the nurse unit managers to the cleaners to the people who are involved in every aspect—doctors,

surgeons, nurses and staff—they are excellent. That is one of the reasons we have supported them with this announcement, which is so important for our community. There is a need to develop new facilities to support all sorts of models of care. This Government wants to ensure this facility and its staff can continue to deliver first-class care for the Shoalhaven patients, something that Labor voted against today.

Planning for the new facility was announced in the recent budget, so the district was advised of determining the design to ensure that we did not waste any time in getting on with the project. But all along, be it this project, or be it upgrades to the Princes Highway or to local schools, Labor opposed it. Recently the member for South Coast made an announcement about the Shoalhaven Anglican School. Labor opposed it. When it comes to increasing funding for the Princes Highway, be it at Termeil, the Burrill Lake Bridge, the Berry bypass or the Albion Park Rail bypass, Labor opposes it. This side delivers for the Shoalhaven; that side opposes it.

**Mr RYAN PARK (Keira) (16:03):** Labor will move a minor amendment to this motion by replacing paragraph (3). We will not scrap that project. I move:

That the motion be amended by leaving out paragraph (3) with a view to inserting instead:

- (3) Congratulates the Labor candidates for Kiama and South Coast on their advocacy that has forced the Government to finally make this decision after eight years. It is the last week of Parliament; it is the eleventh hour. After eight long years there is finally an announcement about the Shoalhaven hospital. The last time the member for Kiama got involved in a hospital—the member for Shellharbour well knows this—people were not happy, were they? I will give Liberal members a tip: It is always dangerous territory when the member for Kiama and a hospital are included in any announcement.. That normally means it will be a disaster. The last time it happened we had about 1,000 people on the grass.

**The DEPUTY SPEAKER:** I remind the member for Kiama that he will have an opportunity to speak in reply.

**Mr RYAN PARK:** The last time the member for Kiama did that it did not go down well. Did they love him in Shellharbour? It was amazing. He marched his way down there and said, "Have I got a deal for you! I have a new St Vincent's Hospital coming to Shellharbour." That did not end well. About 15 meetings were attended by 1,000-odd people. Half the local Liberal Party was in unrest. Forget about the unions and Labor Party members; the Liberals had their own placards. Now I see that the member for Kiama has become involved in Shoalhaven hospital. The hardworking Labor candidates in the communities down there—Annette and Andy—have been advocating so hard and so long for this, but they said to me just the other day. "We're worried." I said, "Why?" They said, "Because the last time that guy got involved we got a private hospital." I said, "You are dead right. A private hospital was proposed for the people of Shellharbour."

The member for Kiama says that that will not happen this time, but he also reckons that the M6 works for us—that it is fantastic. He also said that the Fire and Emergency Services Levy [FESL] was fantastic. That lasted for about two months. The track record shows that what those on the other side of the Chamber say in here and what is delivered are two different things. Labor members know that the people of the South Coast and Shoalhaven are not waving placards for more Sydney stadiums—surprise, surprise! When I was down there the other day with my good friend Madam Speaker—

**Mr Gareth Ward:** Point of order: The member is misleading the House. She is no friend of the member for Kiera.

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

**Mr RYAN PARK:** They were talking to us about important things like the Princes Highway. It is funny. It was a really good turn-out. They always turn out on the South Coast because it is full of good, hardworking people. All of them wanted improvements to the highway. That was completely understood in a bipartisan way. But not one of them said, "Jeez, I'd love to have those two new Sydney stadiums rebuilt. That is exactly what I need"—surprise, surprise! Those on this side of the House will not be lectured to about priorities. The team over here has its priorities right, right, right.

**Ms SHELLEY HANCOCK (South Coast) (16:08):** What a joke the member for Keira is. He comes into this place and tries to amend the motion, but does not even talk about the hospital he is supposed to be advocating for. He tells everybody that the Labor candidate has been advocating for years. She said the same thing on radio—that she had been advocating for this hospital for two years! We had a look at the correspondence. Was there a letter? Was there a text? Was there a phone call to the Premier or to the Minister for Health from the candidate? There was nothing. There has been no advocacy.

**The DEPUTY SPEAKER:** I ask the member for Swansea to come to order.

**Ms SHELLEY HANCOCK:** All we had was a discussion about Shellharbour hospital. The priority for those on the other side of the Chamber is to attack the member for Bega. Our priorities are for health. Those opposite cannot support the \$434 million in funding, nor can they match it. The member for Keira has no intention of doing anything about this hospital because he has never been there. Labor candidates stood outside, but could not even talk to the health professionals. For two, three, four, five years this Government has been upgrading the hospital, but not once have we had any support from Labor, even for the paediatric unit. The Labor candidate for the South Coast said that an upgrade to the paediatric unit was pork-barrelling. After all of the hard work that the paediatric surgeons, nurses and staff had done, that is what she said. Well, bring on the pork-barrelling to the South Coast electorate; I welcome it. I welcome the money.

I welcome the money for the aged care unit. The member for Kiama and I were there cutting the ribbon. I welcome the money for the upgrades to the emergency department. We have spent \$60 million without one ounce of support from the Labor Party. Not one Labor member or candidate—not even a member of the branches—has come out in support. They have stayed silent. They have either not said a word or opposed these things. All those opposite can say is that we will privatise this hospital. It will never be privatised. It is not our intention to privatise the hospital.

Please, do not come into this House and mislead, as the Labor candidate for the South Coast has misled on many occasions about her advocacy. There has been no letter, no text, no email not one phone call to advocate for this hospital. The member for Keira should do his research before he speaks in this Chamber. He should find out the truth about how much we have spent. The Government has increased the workforce by 20 per cent, because it was needed after the neglect of the Labor Party. I sat here in opposition for eight years, watching the Labor Government's neglect of this hospital. This Government is building a car park. The Labor Government could not even do that. Labor did nothing. It showed no interest in the South Coast electorate. Labor deserves never to have this electorate again. *[Time expired.]*

**Mr PAUL SCULLY (Wollongong) (16:11):** The claim of members opposite is that the great Labor candidate for the South Coast, Annette Alldrick, has not written to her in her advocacy. Guess what? The whole time the member for the South Coast has been in this place she has failed to get Shoalhaven hospital upgraded, so why would the candidate bother writing to her? You write to someone, take up the case with someone who is going to deliver it. The member for Kiama and the member for the South Coast should thank Andy Higgins and Annette Alldrick—the A team down on the South coast; not Ward and Hancock, who are well down the alphabet. They should thank those Labor candidates for their advocacy and pressure to get those upgrades.

This is straight from the Ward playbook. I will tell members how it will play out. In May of this year, Shelly and Gareth got up and said, "We need this hospital upgraded and we are going to fight for it." In June they said, "We need the money in the budget." It did not come. So they threatened to draw up a petition. They got the petition going and collected the signatures. They data mined. Then, lo and behold, money rained from the sky and the money was delivered. They got the nudge-nudge, wink-wink from the Minister before they started the fight. There was eight years of slumber, but at five minutes to midnight, before the election, they suddenly woke up.

So now there is phase 2, which starts today. They proposed a motion to be accorded priority. The Labor side proposed an alternative motion. Naturally, we want to support our motion, so we do. Now the member for Kiama will propose a deal for his poor constituents. It will probably have the member for Keira's face on it, the member for Shellharbour's face and my face on it. It will say that we voted against the hospital when nothing could be further from the truth. The member for Kiama wants to talk about surgery and hospitals on the South Coast. There will be some emergency surgery in March next year. A couple of things will be removed. The scalpels are being sharpened and two things will be removed to be replaced by shiny new things called Annette Alldrick and Andy Higgins. The speech made by the member for Kiama earlier today was a leadership speech suited to that party, the know-nothing party. The member for Kiama should get on with the job and get behind real hospital reform. *[Time expired.]*

**Mr GARETH WARD (Kiama) (16:15):** In reply: I have always been a defender of the member for Wollongong. One of his colleagues said that he was a bit of a low-altitude flyer; but after that speech, I do not think he has left the Qantas Club. I will enlighten him about a few things in relation to hospitals. In his electorate, \$106 million was allocated for a hospital.

**Mr Paul Scully:** Yes, started by us.

**Mr GARETH WARD:** No, no. It had nothing to do with Labor. When has Labor ever built infrastructure? The Government committed to allocating \$250 million to Shellharbour.

**Ms Anna Watson:** And you haven't done anything.



**Mr GARETH WARD:** The member for Shellharbour said that the Government has not done anything. If she had bothered to go to the hospital and talk to the nurses, she would know that that hospital has a new ambulatory care unit.

**Mr Paul Scully:** It was funded by Labor.

**Mr GARETH WARD:** Labor committed \$3 million. The Coalition Government committed \$25 million. For the benefit of Opposition members, I point out that ours is larger. Labor's funding is 12 per cent of what this Government has committed in relation to the Shellharbour Hospital.

**Ms Anna Watson:** Mine is bigger than yours. That seems to be your modus operandi [MO].

**Mr GARETH WARD:** I note the interjection from the member for Shellharbour. The member for Keira referred to hospitals and public-private partnerships [PPPs]. Do Labor members know who has a PPP in his electorate that he supports? The member for Keira. Bulli Hospital Age Care Centre of Excellence is the result of a partnership between NSW Health and the IRT Group.

**Mr Ryan Park:** I am a deliverer. I am delivering while in opposition.

**Mr GARETH WARD:** The member for Keira says he is delivering, but the money came from the port lease that Labor voted against. Labor voted against every fiscal measure proposed by the Government to deliver that hospital, but the member for Keira will be front and centre trying to take the credit.

**The DEPUTY SPEAKER:** The member for Keira will resume his seat. The member for Wollongong will resume his seat.

**Mr GARETH WARD:** Labor Opposition members will be running around the State with the novelty scissors and getting repetitive strain injury from cutting ribbons if ever they win government—in spite of having voted against every single savings or fiscal measure that this Government tried to introduce. Labor voted against every single fiscal measure proposed by this Government.

**Ms Anna Watson:** You mean your Government's privatisation agenda?

**Mr GARETH WARD:** Labor has been against fiscal management. In relation to the Shoalhaven hospital, we did not hear the shadow Treasurer and shadow Minister for the Illawarra mention a single thing about it during his speech. Interestingly, the member for Wollongong admitted in his speech that the Labor candidate for the South Coast has not written a single letter of advocacy in spite of her claims that she has been doing so for some time. I know who has been working on this for many years—the member for South Coast and me.

**Mr Paul Scully:** Don't mislead the House.

**Mr GARETH WARD:** When it comes to believability, I saw 16 years of Labor. Despite Labor having 16 years in government, the Gerringong upgrade and the Berry Bypass were never constructed. The Labor Government said it would do that, and there were committees and glossy brochures, but there was never delivery. When people look at the record of the Liberal-Nationals Government and compare it to Labor's, they will think about the aged care centre and the cancer care centre, suicide prevention, the new car park, the emergency department and the \$434 million. I notice that the member for Shellharbour is giggling. It is great that she finds these matters funny, but I take them very seriously. I also take very seriously that, despite her being an Illawarra member of Parliament, she voted against the means of funding the Shellharbour Hospital. Labor has never been able to match this Government's funding commitment and never will because Labor does not care about the South Coast and the Shoalhaven whereas the Government absolutely does care. [*Time expired*]

**The DEPUTY SPEAKER:** The question is that the words proposed to be left out stand.

**The House divided.**

Ayes .....47  
Noes .....29  
Majority.....18

AYES

Anderson, Mr K  
Berejiklian, Ms G  
Conolly, Mr K  
Coure, Mr M  
Donato, Mr P  
Evans, Mr L.J.

Aplin, Mr G  
Bromhead, Mr S (teller)  
Constance, Mr A  
Crouch, Mr A  
Elliott, Mr D  
Fraser, Mr A

Ayres, Mr S  
Brookes, Mr G  
Cooke, Ms S  
Dominello, Mr V  
Evans, Mr A.W.  
Gibbons, Ms M

## AYES

Goward, Ms P  
 Gulaptis, Mr C  
 Henskens, Mr A  
 Lee, Dr G  
 O'Dea, Mr J  
 Petinos, Ms E  
 Sidoti, Mr J  
 Taylor, Mr M  
 Upton, Ms G  
 Williams, Mrs L

Grant, Mr T  
 Hancock, Mrs S  
 Humphries, Mr K  
 Marshall, Mr A  
 Patterson, Mr C (teller)  
 Provost, Mr G  
 Speakman, Mr M  
 Toole, Mr P  
 Ward, Mr G  
 Wilson, Ms F

Griffin, Mr J  
 Hazzard, Mr B  
 Kean, Mr M  
 Notley-Smith, Mr B  
 Pavey, Mrs M  
 Rowell, Mr J  
 Stokes, Mr R  
 Tudehope, Mr D  
 Williams, Mr R

## NOES

Aitchison, Ms J  
 Barr, Mr C  
 Chanthivong, Mr A  
 Finn, Ms J  
 Haylen, Ms J  
 Kamper, Mr S  
 McDermott, Dr H  
 Mihailuk, Ms T  
 Scully, Mr P  
 Watson, Ms A (teller)

Atalla, Mr E  
 Car, Ms P  
 Crakanthorp, Mr T  
 Harris, Mr D  
 Hoenig, Mr R  
 Lalich, Mr N (teller)  
 McKay, Ms J  
 Minns, Mr C  
 Warren, Mr G  
 Zangari, Mr G

Bali, Mr S  
 Catley, Ms Y  
 Dib, Mr J  
 Harrison, Ms J  
 Hornery, Ms S  
 Lynch, Mr P  
 Mehan, Mr D  
 Park, Mr R  
 Washington, Ms K

## PAIRS

Barilaro, Mr J  
 Davies, Mrs T  
 Johnsen, Mr M  
 Perrottet, Mr D  
 Roberts, Mr A

Cotsis, Ms S  
 Daley, Mr M  
 Doyle, Ms T  
 Foley, Mr L  
 Tesch, Ms L

**Amendment negatived.**

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

**Motion agreed to.***Business of the House***SUSPENSION OF STANDING AND SESSIONAL ORDERS: ORDER OF BUSINESS**

**Mr CHRIS PATTERSON:** I move:

That standing and sessional orders be suspended at this sitting to postpone the commencement of the committee reports—take-note debates—until the conclusion of the valedictory speech by the member for East Hills.

**Motion agreed to.***Members***VALEDICTORY SPEECHES**

**Mr JAI ROWELL (Wollondilly) (16:27):** In 2011 I started my inaugural speech by stating:

I stand before you today by the grace of God, humbled by this magnificent place, humbled by the trust that has been placed in me by the people of Wollondilly, and honoured to have the opportunity to create real change for my community and the people of New South Wales.

As I conclude my time in this place as the member for Wollondilly, nothing has changed. It is by the grace of God that I am here today. In the words of a song by my good friend and international country Texas music legend Brad Hines, "I am forever in his debt." "This too will pass," said my school principal to my graduating year 12 class.

Those words have been etched in my memory for life, and I think about them today. Almost a quarter of a century ago, a young version of myself—eager, enthusiastic, nervous, ready to take on the world and, as Matthew Mason-Cox would say, a bit thinner—heard those words and knew they were important but did not fully appreciate the significance they would have throughout my life.

My principal spoke of the importance of the Higher School Certificate but was wise to point out that it is not what we have done that matters; it is what we will do that counts. I did not completely understand what he meant, particularly after I had just completed what I thought was the most important achievement in my life. Eight years ago, those words once again played in my head as I contemplated the political journey ahead of me. But more on that later. My journey to this place was not typical, and certainly not likely or predictable—that is, of course, without the ingredients of perseverance, a desire to achieve for my community and the choices I had to make to do so. I spoke of this in my inaugural speech.

When my parents were conned and stolen from by people close to them, they lost their home and their business and were forced to move into Department of Housing accommodation, raising two young children: my sister and me. I cannot imagine how they felt, having built up a materially good life and losing it all. Today, I say that the loss and heartache that my parents endured taught me some of the best lessons I ever learnt, and are in large part the reason I entered Parliament. My parents are the bravest people I know. Someone close to them deserved nothing but the full brunt of the law. However, my parents made a conscious decision that revenge would have not achieved anything, as they had spent their ill-gotten gains. The choice they made saved another family and, as it turns out, ensured their own children were equipped with important life lessons.

Having spent some of my youth growing up in Department of Housing accommodation, I came to understand the importance of community. My parents, who had nothing, gave the very little they had to help others. That is the type of people they are. They taught me the importance of perseverance, not giving up and not worrying about what has happened in my life but instead focusing on what is ahead. I have discovered that my principal and parents had a similar message. My parents ensured that I continued to work hard and complete university with a Bachelor of Laws at Western Sydney University. Their story was not to be mine. They wanted the best for me. That is where I learned to work hard to benefit our community.

I went on to be the President of the Students Representative Council at university and introduced a free shuttle bus for students, as well as affordable food. I set up the United Students Party. My first campaign slogan was "For the Students". Perseverance led me to lead the Liberal Party and I was elected to Campbelltown City Council, where I focused on providing better services for the community, creating new employment opportunities and, in my own way, delivering for the people. I have been blessed to be twice elected to the seat of Wollondilly. In 2011 I wrested the seat from a popular Labor member and turned a 3.5 per cent Labor seat to a 14.7 per cent Liberal one—sorry. In 2015 the margin increased to 17.4 percent. Both elections saw every booth won.

Some might say that that was to be expected in a safe Liberal seat. However, before the 2015 redistribution, the 2011 boundaries had 45 per cent of the seat not in the Southern Highlands but in Campbelltown. We won every booth, including the safest Labor booths. We won the Rosemeadow booth by more than 1,000 votes. Typically, Liberal is considered to be doing well if it gets a third of the vote. It was the only time—and I am sure the member for Campbelltown was happy—that these booths were won by Liberals.

I am proud to be the first Indigenous person elected to Campbelltown City Council and the New South Wales Legislative Assembly for the Liberal Party. Some may not know by the colour of my skin, but my grandmother, whom I never met, was a stolen generation child. This has left scars in our family today. I am proud of my time in Parliament. I am regularly described as "not the typical Liberal". Having worked around the late Alby Schultz, coupled with my upbringing, I am not afraid to call things as they are—sorry. When I was at university and living on campus, a then prominent Labor member of Parliament—whose name I will not mention—and a friend of mine came to visit to join me up to the Labor Party.

Of course, I did not accept the offer, as I believe in the strength of the individual and the need to look after the many. I do not think I need to recite my conservative values here now. As a child, my dad grew up next door to the Knowles family, and the former member for Macquarie Fields, Stan Knowles, was my dad's football coach. His son, Craig Knowles, who also came to Parliament, grew up with my dad. It was bizarre that when I first had a tilt at public office it was against Craig himself for the seat of Macquarie Fields, which is held by Anoulack Chanthivong today. I remember Craig calling me, offering me luck and telling me not to be too upset when he beat me as there would no doubt be another opportunity for me to enter this place. I fondly remember Craig giving directions to his team to feed "Rowell's booth workers", particularly when they encountered my parents. "He might be misguided, but he comes from a good family," he told them.

After I was elected to council I remember getting the heads-up that in budget estimates Craig gave it to one of the Liberal members who was trying to show him up and said, "Don't worry, Jai will soon take your spot

in the upper House." Although I appreciated being thought of in a positive light, it was attention I did not need. I am thankful to the Liberal Party, which has allowed me to be its representative not only in Parliament but also on various bodies. I served what seemed to be an eternity on the New South Wales State Executive. The stories I could tell about my time there would allow for a three-part novel. I apologise to Labor because I am not going to write my memoirs any time soon—or at all. Needless to say that I learnt about the internal workings of a political party, which allowed me to engage with the hardworking everyday members of our party, who allow us to achieve the things we do. I thank the party membership.

One of our state directors at the time was Scott Morrison, the now Prime Minister. I thank Scott for taking the time to campaign with me at the last election. I was fortunate to serve on the executive at a time when John Howard was Prime Minister. I thank him for his encouragement and support over the years. We share a love of cricket and it was awesome hosting him at the Bradman Museum earlier this year to make a funding announcement. During the tour he took time out to offer me post-political advice and present me with a limited edition signed book by John Howard himself about cricket. I also thank Tony Abbott for his call earlier this year after Chase was born. When he found out I was retiring he told me I was too young to retire and gave me some advice. It was very much appreciated. I have received that support from right across the broad church that is the Liberal Party.

The Liberal Party has been a huge part of my life, and perhaps there have been times when I failed to separate it from the rest of my life—for example, when I first decided to propose to Belinda. We met in January 2007 working on an election campaign. She campaigned throughout the night. I remember thinking anyone who can letterbox throughout the night, 12 hours straight, being so good-looking, must be a keeper. Eventually that year we started dating and very shortly after that I knew I had met my soulmate, so I asked her to marry me. Not only beautiful, she is also very smart as she said yes. We had dinner with her parents straight after and I was not sure if I would survive the encounter, as it was our first time meeting and Belinda and I had been dating for only seven or eight weeks. At the end of dinner they said they liked me but were glad in the knowledge that we would have a long engagement.

Enter the Liberal Party. Around the same time there was speculation of a Federal election looming. Being a good fiancée and good Liberal, I did not want the two to overlap, particularly as I was the campaign manager for Pat Farmer in a tight election. I asked the Prime Minister's office when the election might occur. Of course, the answer was, "We don't know and if we did we can't tell you anyway." I then let them know I wanted to get married and gave them an indication of when we might set a date. It was suggested that, "Even though we can't tell you, perhaps you might want to look at another date." With my unique persuasion, thankfully coupled with my good looks, I broke the news to Belinda that we might need to revise our wedding date. Again so smart, she said, "Not a problem." We had a long chat and again headed out to dinner to speak to Bel's parents.

Having shocked them once with an early engagement, they were even more shocked when I explained to them that we could not have an engagement party as the Prime Minister was having an election at some point and it would be best for Belinda, myself and the Prime Minister if we get married in five weeks from the dinner date. They thought we were joking, but not upsetting the Prime Minister and wanting to spend the rest of my life with Belinda was no joking matter. We were married five weeks later—I think my mother-in-law will never forgive me for that. There are countless stories where the Liberal Party and personal life are more than intertwined, including Will attending a preselection not yet born on his due date, Menzies being born two weeks after my selection to run for Wollondilly and the fact that our wedding dates fall during parliamentary sittings, council elections and major functions. I will not list them all now for fear of embarrassing myself. In my inaugural speech I said:

To the people of Wollondilly, thank you for placing your trust in me. I will deliver. I will not let you down.

I believe I have kept that promise and done my best. I am fortunate to have the most amazing community, and together we have achieved a lot. I have been able to achieve billions of dollars for Wollondilly and the wider region. I will not list them all now, but a few will make a huge difference in people's lives, such as the announcement of a new public high school in Wollondilly, the \$100 million redevelopment of Picton High School, Bowral hospital upgrade, road upgrades to Appin, Picton and Narellan roads—and we have the Maldon-Dombarton rail link to do—creating Dharawal National Park, turning our most sensitive land into wilderness areas, securing funding to look at the loss of water at Thirlmere Lakes so we can find a solution, funding for new tourism opportunities, creating many and much-needed jobs, funding for sporting and charitable groups and securing much-needed infrastructure and services. I have kept my promise.

A thank you must first go to the people of Wollondilly for placing your trust in me time and time again. You will never be far from my thoughts. This type of money delivered is much more than in a normal cycle of Parliament and, in my case, much more than the decades of neglect of my region. In the early days I had to adopt unconventional methods to achieve success. I will not go into every project, every dollar, but I would like to

highlight a couple and confess some of the strategies I employed, now that I am not competing with 92 other electorates, including Gareth Ward's. Healthcare services or lack of services was a huge issue not only for Wollondilly, where a hospital was once located, but for the entire Macarthur region. Population grew but capacity and additional services did not. Leading up to the 2011 election it was one of the major items I wanted to address. I was fortunate to be serving on the New South Wales State Executive and, having worked for politicians previously, I knew how the system worked in developing wish list items for candidates.

As a studious candidate, I put in my wish list to fund an expansion of Campbelltown hospital. As the election progressed I witnessed other candidates making funding announcements about hospitals. Patiently I waited, but there was no news. You all know what no news in politics means: no funding. I rang up the then shadow Minister for Health's office and said, "When can I expect to hear a funding announcement?" After a pause and stumbling with words, it was put to me that we cannot fund everything in one go and the hospital would be looked at if we formed government. We also all know what that means. I spent the next 20 minutes arguing the case. Needless to say it was to no avail. I got off the phone fuming but I was not about to let the issue go.

The next day I rang again and the person, who shall remain nameless, said, "I hope you're not ringing about the same issue." I said, "Actually I am. The future Liberal-Nationals Government will be funding the hospital and making an announcement within a week." Surprised and obviously upset, the person said to me, "What are you talking about? We don't have any planned announcements for Campbelltown hospital." I said very calmly, "You may not but I do. In fact, I have secured my two local papers and local radio station and have lined up channels 2, 7, 9 and 10 to cover what will be the first major health announcement not made by a shadow Minister. Don't worry—my community are going to love it." Soft concern then turned to rage. "You are going to find yourself in trouble," is the polite way I will express what was said to me.

Again, calmly I indicated to the person that I had spent almost two years campaigning and I did not believe the party would disendorse me, particularly when I was not going in to bat just for Wollondilly but also for the seat of Campbelltown and this would ensure victory in that seat also. I said that the media announcement was tomorrow morning and the only thing to argue was the amount. I was generous in that I offered that if they could not come up with a figure, I would be more than happy to oblige—the only difference being that my figure would be much larger than theirs. Later that day I got another call saying, "You can have \$20 million." I said thank you but asked what would that do: It might paint a hospital but do nothing substantial for a large hospital. They did not know that I had been working with the hospital and knew of the projects it was after, as did the member for Camden. After much debate the question was asked, "How much do you want?" I said \$50 million would be good for now. They said to leave it with them.

That evening another call came in to inquire if \$40 million would suffice on the basis that I cancelled the press conference and allowed the shadow Minister to make the announcement with me and the Liberal candidates for Camden and Campbelltown. Of course, not wanting to be pushy—because that is not like me—I said okay, but I would have to work throughout the evening to ensure there was no press conference. Well, I am happy to inform the House that there was no press conference ever lined up; I just was not going to let the health needs of my region be put on hold until after the election. I am pleased to say the \$40 million turned into a \$134 million investment that has now been delivered. I was pleased to join with the member for Camden in fighting for more services at the hospital, announcing a further \$632 million.

Another issue was that Wollondilly was one of the largest populations without sewerage connections. I listened to stories of families who shared the same bathwater so as not to overuse their systems and who were paying more than \$100 week for pumping out. Something had to change. Again, I put this issue on my wish list, and this time I was successful and even had the shadow Minister come out to announce it with me. Close to the election I was called to say that Barry O'Farrell, then Opposition leader, would come out for one last visit before the election and I was asked what I would like him to do. I said I wanted to announce sewerage connections. I was promptly told that maybe I should choose something else as it would be a wasted opportunity to announce something that had already been done. I said that I was keen to ensure additional media and that it would not be wasted. They agreed, and that time I did have media and the announcement went down really well.

When we formed Government I was called into the new Minister's office. The Minister, who has since left this place, had some advisers with him who said they needed to talk to me about sewerage connections. I said not a problem, but I had to pick up something from my office upstairs that I had forgotten and I would be back in two minutes. I came back down and it was put to me that the cost of the projects was more than envisaged and the Appin scheme, as commenced by Labor, needed another \$40 million to be completed. The Minister wanted to prioritise the towns and in some cases put off works till another election cycle. I said I was happy to comply and, in fact, scrap them all, on the basis that the Minister looked at what I had picked up from my office. He said that was not a problem.

I then pulled out all the media of Barry O'Farrell and me together on the issue and said, "We'll now have to let the Premier know that he's a liar." I was asked to go and come back in a couple of hours. When I did come back there was some explanation given as to why I did not have to let the Premier know he would be made a liar of and, in fact, there was money for the projects to commence as soon as possible. I am pleased to say sewerage connections were delivered to Bargo, Buxton, Douglas Park and Wilton, and the extra \$40 million for Appin was found. Planning for Yanderra sewerage scheme has commenced and I look forward to seeing this completed also.

Wollondilly is home to 80 per cent of Sydney's drinking water and I could not in all good conscience allow our water catchments areas be subject to fracking and other operations. Yes, we need gas and I am not opposed to the industry, but I was opposed to potentially damaging the water catchment. A Minister no longer in this place made it clear that I was barking up the wrong tree and nothing would change. This was a very heated debate and potentially put me at odds with the Government. I will not go into all the details on this one but, working closely with the then Premier, the member for Camden and a number of colleagues, we changed the government position and it was an awesome day when we bought back petroleum exploration licences 454 and 2, which covered Wollondilly and the Southern Highlands. I have always been guided by the notion of what my children would think of me when they are my age and whether they might wonder if their dad ever sold out his community. Yes, there have been battles and, yes, in every portfolio we achieved a lot, but I have kept true to my values.

This role, for me, means fighting for everyone—not only the big dollars where a glossy brochure and much media coverage can be gained and sent to other members but also the individual wins with no chance of media attention. One of my proudest and most humbling moments cannot be found on the front page of the paper or on the nightly news. It was early in my first term that I heard of a mother who had fallen on tough times and was living in a station wagon with her children at the back of a local oval. When this was brought to my attention, we helped ensure the mother and children had accommodation until they could get back on their feet. Over the years there have been many occasions when just a small amount of help has greatly affected someone's life. That is what drives me in this role, and I hope none of us ever lose sight of why we are here.

Wollondilly is made up of the most amazing people. We have experienced both fire and flood. I was honoured to work alongside everyday people helping to clean up after the 2016 storm that saw Picton and many other parts of Wollondilly decimated. I have wrecked more than one suit over the years and it is nothing special for me to lend a hand. What was amazing was seeing business owners and home owners who had just lost their homes, businesses and life savings, and who knew there was nothing they could do about it, roll up their sleeves and help the next person. I will never be more proud of my community than at these times, when the worst of situations brought out the best of humanity. That last storm saw thousands of people volunteering to help in less than 24 hours. Sewerage pipes broke and made us all sick in the weeks ahead.

When I held fundraisers after the fire and later, after the flood, I was blown away by the generosity of our community. I thank the Lions Club of Tahmoor for working with me to auspice the fundraising efforts and for lending critical help. Our plight made it onto the *Footy Show* and it was great to march into town with the Wests Tigers, Ray Hadley and the Police Commissioner to raise the spirits of and raise money for storm victims. I thank football legend MG from Triple M, who called me personally to ask how he could help and later turned up to speak to locals.

I have held various positions in my time in this place, including committee chair, Deputy Whip and Chief Government Whip. I enjoyed these roles and thank Premier Barry O'Farrell for giving me the opportunity to serve. I have also held the position of Minister for Mental Health, Assistant Minister for Health and Acting Minister for Health. I thank Premier Mike Baird for appointing me to this awesome role. As I retire from this place, I have also served as Chair of the Committee on Environment and Planning and am now Chair of the Committee on Parliamentary Privileges and Ethics. I am also special advisor to the Premier on science, industry and innovation. I thank Premier Gladys Berejiklian for appointing me to those roles. A highlight for me was serving as Minister and working with a \$2.2 billion envelope, helping our most vulnerable. So much was achieved in a short period of time. There were times I would come home and cry after meeting some of our most institutionalised people. I knew there had to be a better way—and we found a better way. I am proud to have overseen the proper care of consumers and the process of deinstitutionalisation that the current Minister for Mental Health is continuing to work on.

Most of us will suffer mental illness in our lifetime. In most cases it can be treated no differently from a broken arm or leg: It is about getting help when needed. That is why I was proud to deliver the Living Well strategy, a once-in-a-generation overhaul of mental health care service delivery, and announce an additional \$115 million of funding. Mental illness does not discriminate; it can affect anyone, anywhere, at any time. That is why those reforms were so important. I was pleased to deliver many other reforms, including mental telehealth services in the bush. We have come so far and I am glad to have had the opportunity to work with the fantastic

frontline staff at the Department of Health to make life-changing reforms. I was pleased to make legislative changes and note that there was no opposition to the reforms in either House. I thank all members for their support.

Now to the thank-yous. I thank the Premier for her support and understanding when I first told her I would not re-contest. I was humbled when she said to me, "Stop being silly. You're going to run. You should run." Although I think at the start she might have thought I was angling for something, when she realised I was serious and not trying to get another hospital upgrade, Gladys completely understood my reasons for wanting to spend more time with those people who have supported me—my family. Premier, you have done a terrific job as Premier and as Treasurer. There have been times when I have come into your office and unintentionally shocked you, but you have always given me and the people of Wollondilly your time.

I especially appreciate the Premier's support and intervention to secure a Picton bypass, to be named Wollondilly Drive, and her work with member for Camden Chris Patterson regarding home owners along the potential M9. Premier, I appreciate your counsel and I thank you for it. Thank you for spending time today with my son Will while he was doing work experience. I thank Leader of the House Anthony Roberts for allowing Will to quiz him on his role. It was good to hear you say that the most important part of your role is your family. It is very much appreciated and, yes, God save the Queen. I thank Deputy Premier John Barilaro and his team. Your support over the years and to the entire Nationals party has been much appreciated. I thank Thomas George for hosting lunch for the retiring members and I thank the Father of the House, Andrew Fraser, for his guidance over the years.

I thank Stuart Ayres for being a driving force for Western Sydney and for supporting me. Will's first campaign was handing out at your by-election. Even when you had clearly won, he would not leave. He stayed, scrutineering until all votes were counted even after handing out flyers all day, and we missed almost all of your function that night. I thank my colleagues on backbench number two, whom I sit with every day: Jonathan O'Dea, Stephanie Cooke—who still owes me a bakery treat—Brookesy, and Geoff Provest. It is a lot easier to sit with you guys than with someone like John Sidoti, who often grabs your leg and shows you things during question time. I thank David Clarke, who helped me during my first campaign. I acknowledge his support and want to put my thanks on the record. I thank Matt Kean, Dom Perrottet and also Gareth Ward, who started his political journey with the member for Oatley and me in local government. What goes on tour stays on tour, and we will keep it that way, mate. I thank all members and everybody in this place. You have made this journey really enjoyable.

Our office staff are what make the electorate tick and they are often the first face our community sees. I am fortunate to have had awesome staff putting the community first over the years. I thank them all. I start by thanking the early adopters, particularly Michael Shaw, who is watching this online. He was my first campaign manager. Thank you for your message this morning. I thank Kathryn Steinweiss for challenging my views. I thank Scott Percival for being my army general and I congratulate him on his engagement. I thank David Gavin for being there and I thank David Tricca, whom I have known since he was a little boy. He is doing a great job. I thank Liam Garman, Kerrod and Zach Fitzpatrick. I also thank Jeremy Travers, who is also here today. I look forward to reading the message he gave me just before I came in today. Liam Garman, I know that you love the Picton Magpies and love to visit them.

I also thank the other great people who have worked for me over the years on large tasks and by lending a temporary hand at critical moments, such as over Christmas. I thank my current staff. First of all, I thank Tracey Watkins, who has worked for me the longest and ensures that my office hums. We have had some interesting times and you have always guided the way. Your involvement in our community under your own steam is to be commended and admired and I know great things lie ahead. I also thank your partner Stephen, who has had to share you with the community and put up with last-minute requests. Tracey, as much I appreciate everything you have done and your loyalty, I will not miss you saying no to me even after I have made a decision. Even though you are always right, for once please let me pretend to be right.

I thank Pat Gibbs, who is watching online, and her wonderful husband Hilton "Gibbo" Gibbs. It has been great working with you. When Hilton was deputy mayor of our council and I was a local member, many in the community would say to us, "Oh, you both work for Pat." You call a spade a spade and have been with me for a long time. I appreciate everything you have done to help. Although you have been unwell for some time, I am glad you are back in the office once again. Hilton and I are very proud of you and your recovery has been nothing short of amazing. To Rulan the hipster, you came to our office to help out for a short time. That short time has stretched into more than a year while Pat recovered. You have been great with the constituents. Thank you and good luck in the rest of your studies.

I thank Patricia Young, who is so tiny I can only just see her over in the gallery. She is affectionately known as "Old Pat", despite her surname. After the 2015 election and in your mid-seventies, you offered your time to volunteer. At first we had you in charge of all the important things—shredding, filing and similar tasks. However, we soon realised that you are an office superstar and all-rounder. You had us all lined up and marching

to your tune. You are the youngest person in the office, despite being 76 years old. Only rarely do you accept a day of pay, but the contribution you have made to the office is enormous and more than words can express. You make the office enjoyable and we all love hearing about your favourite movies. I will not tell the House of them today, but members can rest assured that if they want an interesting conversation they only need to ask Pat. The odd day of work has turned out to be an almost full-time role. Pat, you are an example to us all.

Lastly to George Greiss: You and Michelle are long-time friends, and it is great to have you here today. We served together as councillors; we are travel buddies going to the United States when we can; and now as I leave this place you have come to help. You are a great friend. You have travelled on this political journey with me since 2004. I cannot wait to see the day when you are elected to Parliament, either State or Federal, as you deserve it. You are one of the smartest people I know, studying your PhD in planning and having a masters under your belt. I remember a conversation at the One World Trade Center in New York when we were having a bite to eat and I raised the issue of planning. I had just been elected the chair and I thought that I would teach you something. I learnt more from you in those hours than at any other time. Thank you for everything you have done. I hope one day to be able to repay that debt of service. You are an example of loyalty through thick and thin. Congratulations on the birth of your first son, James, who is here today. I hope that our sons travel together long after we are too old to do so.

To my ministerial staff, some of whom I mentioned have doubled in these roles, I say thank you. To that list I add my Chief of Staff, Kathy Rankin, Kristina Cimino and Aiden Cromarty. You all did an amazing job helping our most vulnerable. In my time as Whip I particularly liked to single out Rebecca Cartwright. It is true that without you Parliament would not work. You know what we are about to do in the Chamber before we do it. Thank you and the entire team in the Whip's office, including The Nationals and the Labor Party. I thank the many people who have been part of the journey over many years, whether non-party members or members of the Liberal Party. There are way too many to thank and many of you have been there a long time. I would not have been able to achieve what I did without your help. Just know that I value your support; it has meant a lot.

However, one person has known me the longest since mid-1990. Of course, I refer to Jean Newton. You have the ability to say, "Yes, that is a good idea", and unfortunately, and most importantly, you tell me when I get it wrong. We first met when I joined the party and you saw something in me that others did not. You have not stopped believing in me. When I ran for a party position you were the first to vote for me despite me being young and inexperienced. I trust your counsel and we have shared many a story, lined up for various battles and won. You are the main reason why Bel and I first started dating. You called her and said, "Jai is too shy to ask you out so you had better do it before someone else does." The rest of that story stays with us.

Jean, you are the epitome of a loyal supporter. Words will never express what you mean to me. You read people like a book and you instantly know when someone is in trouble. You have been threatening to retire from politics, but you have run the most efficient and supportive branch in the history of the Liberal Party. Every time you go to hang up the presidential boots I find a way to get you to go around just one last time. That has gone on for more than a decade. I would like to say I give you permission to go on that sabbatical now but, as always, and as your good man, Phil, will attest, no-one will tell you what to do; you will make up your own mind. Thank you, Phil, for sharing her with me. Jean, all I can say is thank you.

To friends outside this place, a big thank you. Thank you to Richard Shields for your time as deputy State director helping me in the early days. I look forward to seeing you in Parliament soon. To Peter Poulos, thank you for your insight, wisdom and your unique way of getting your message across. You have done so much for our party. Some may never know what you have done, but I do. I look forward to seeing you in Parliament. You are not only a good political operative; you are a great policy mind. Thank you for the journey. To Andrew O'Sullivan, who is here, one of the wisest people I know: You are always there for good counsel and know far too much that is happening than I dare ask. Thank you for your media updates, quicker than any media service outlet. Thank you for caring and of course for looking after Matthew. We all know the burden you bear. You are a great friend to us both.

A big thank you to our non-political friends Nick, Jess, Brad, Emma and all the kids. These two families have carried Bel and me over the years. I cannot wait to spend more time with you now that I am leaving this place. You are awesome people—national treasures—and we are honoured to call you friends. I have enjoyed serving with everybody here and I have learnt something from each and every one of you. Thank you to my Liberal and Nationals colleagues. We share a common view of making New South Wales great and you all contribute in your own way. To my Labor colleagues, thank you all for turning up.

Thank you for your well wishes; it has genuinely meant a lot. Your offer of support, just like the offers from members on my side of the Chamber, will never be forgotten. You are not a bad bunch at all. I thank the Leader of the Opposition for his kind words to my eldest son, Will, on Monday. I bumped into him in the cafeteria and said hello. I introduced Will and he said, "Have a great week of work experience and, don't worry, we actually



like your dad." Will was surprised by that, but it is what makes good democracy and this place great. We may at times argue about issues but we all want what is best for our communities. I consider many of you good friends.

Of course, to the crossbench in this House, thank you as well. I have enjoyed dinner with the Shooters, Fishers and Farmers Party and, of course, the Christian Democrats. If any of you have not dined with these fine fellows, I can assure you that it makes for an interesting evening. Thank you for attending this evening. I particularly thank Robert Borsak for being here today. We served together on the Joint Standing Committee on Electoral Matters and got a few things done. I will miss all my colleagues. It means a lot that you are all here today. I wish I had time to single you all out, but I will name just a few.

I refer, first, to Chris Patterson. We came in together and we are leaving together. I am glad to have signed you up to our great party and we have many stories to share, but we will keep them to ourselves. It has been an honour serving with you and advocating for our region. Again, some may never know the battles we fought together to secure victories for our communities. I look forward to having a beverage with you. I appreciate you and I am honoured to call you a mate. Like Belinda, I know Vicki will be glad to have you back. Thank you for watching out for me.

To Eleni Petinos, a future Minister, I have known you since you were a teenager and I am so proud of you. There were some who doubted you would ever enter Parliament, but I was never one of them. I am glad to have helped mentor you in part, but as the term progressed it was me who was mentored by you. You have a big future, so keep achieving. Your contribution to this great State has only just begun. I look forward to working for Premier Eleni—many years from now, Gladys. Good luck, never doubt yourself and maybe sometimes stay under the radar. I will always have your back. To Matthew Mason-Cox, what can I say? You have stood side by side with me throughout this entire journey, busting a gut to get me elected in the first place. You have been loyal and the voice of reason at times. I know when you say to me, "I have a crazy idea—let me explain", that it normally involves me making a monumental shift and taking the public flak for it all. You are a decent man, always putting others before yourself. You have a strong sense of justice and of what is right. We have been involved in some major political events that only we understand.

It was an honour working for you as a staffer, until my wife did, and then you continually told her that she was better than me. It was also an honour working with you in this place and serving alongside you as Minister for the same length of time. You have been there in the good times and in the dark times. You have been a rock for Belinda and for me, in particular in the past few years. I will never be too far away. Just know that everything you have done is appreciated. I am glad to have great mates in this place and I know that they will be lifelong friends. There are many more stories that I could share.

I owe my life to Matthew and Eleni when towards the end of last year, late one night at Parliament, they made the quick decision to get me to hospital. Without going into details, without their quick thinking I would not be here today. Thank you, Eleni, for looking out for the family in the days after that event and for staying late into the night with me. I remember being transferred from Sydney Hospital to St Vincent's Hospital where Matthew stayed the entire night. He stayed by my bedside questioning the doctors and ensuring that I had the best care. My wife, Belinda, was heavily pregnant and was at home, unaware of what was going on. He wanted to call Bel and I remember telling him, "Please don't until there is good news. I don't want her stressed late at night whilst being pregnant." She was too far away to come in and if I was going to die there was nothing that could have been done about it. I said, "Only call when there is good news." It was a burden that no mate should have been asked to bear. In the early hours of the morning, as I improved, he called Bel to say, "I am at the hospital with Jai and he is okay." His calming voice made a horrible situation better. He did not sleep, keeping my wife and parents informed. He then went to Parliament to speak and came straight back. No truer friends in the world would do that. Thank you.

I pay tribute to all the people who make Parliament work, whether it be the attendants, information technology, cleaners, catering staff, Hansard staff—they always make our speeches read better the next day—security, administration, the Clerk, Helen Minnican, Les Gönye and the entire team who have always given me expert advice, committee staff and everyone else. There are far too many to mention. A big shout out to Tass Miroforidis and his family. Thank you for your help. Over the years each one of you has gone above and beyond the call of duty to help. Thank you on behalf of us all here; you make this place great. I thank all former members for Wollondilly, including three Premiers—Fuller, Lewis and Fahey. A big thank you to former Premier John Fahey, who helped me early in my political career and on my last election campaign. Each of them achieved a lot and gave me a great foundation on which to build as the fourteenth member for Wollondilly.

I will give some advice to the fifteenth member for Wollondilly whoever that may be. I note that our Liberal candidate, Nat Smith, is in the gallery and he has been working extremely hard. Our community is the best in the world and it does not owe you anything. You owe them everything. Put them first in all your dealings and you will continue to be re-elected. It is an honour to serve the men, women and children of Wollondilly, and

I hope it is as rewarding for you as it is for me. Nat and I have spoken a lot of what else is needed for the area, and I am glad he has his own ideas and fully supports them. Good luck, enjoy the campaign and know it is an opportunity very few ever have.

I am blessed to have come to this place with my family's support, and there is no way I could have got here without them. I take this opportunity to thank my mother-in-law and father-in-law, John and Annette Frisken. Your help over the years has been awesome. I also thank the entire Frisken clan. There are too many to mention but thank you for being there. To my little sister, Ebony, you are an amazing young woman and thank you for all you do for our family. Yes, brothers and sisters are notorious for not always seeing eye to eye, but boy, anyone who crosses our family will not see more fierce advocates standing side by side. We are different but the same. Whenever I needed you, you have come running to help. I am proud of you. Thank you for having my back and for your message this morning. Thank you for always being there. It has meant a lot. I also thank Elise for keeping her in line and being here today.

I mentioned my mum and dad, Ted and Yvonne, earlier. You have guided me to be the person I am today, and words will not do justice to thank you for all you have done. It is great having dad here today with my sister. A big shout out to mum who is watching online as she is unwell and could not travel here today. I know you wanted desperately to be here, but you are here in spirit. She texted me at 2.38 a.m. so that she was the first person to wish me good luck. I had just fallen asleep. Mum and Dad have always supported me, Bel, and the kids. They nursed me in hospital as a child when I was very ill, and stayed up all night painting signs for me to help with my university election campaigns, which we won. Of course, you have also been there during the political journey to council and to this place. You have done more than you both possibly could imagine. I love you, Mum and Dad, and I am proud of you. I hope in a small way I have made you proud.

Now to my three wonderful, fantastic and awesome sons: Will, 16; Menzies, nine; and Chase, eight months. You make me proud to be your dad, which is the best job I will ever have. You all have different personalities and on a bad day one second being around you brightens my day. You are all loving and caring. Thank you for sharing me with the community and for being so understanding. I am sorry for the times I have been away in this job. You did not deserve it. You have always been in my heart. I said when I first entered Parliament that everything I did in this place was to make your world better. I worked hard with that in mind, and I hope I achieved it. Now is my turn to give you the best gift I can—time. I look forward to spending more time with you all and being there as you grow up and turn into fine young men.

Will—my Mr Monkey—is 16. I am more proud of you than you will ever know. My little boy is now a man. This week Will chose to do his work experience with me in Parliament House. This has meant so much to me in my last week here. I came here when I was 26; you beat me by 10 years and this week you have done an awesome job. You wrote your first speech on Monday, which I delivered last night. You did it in less than an hour. The aim was to teach you a writing style. However, when I read it to offer you advice, there was none to give. You wrote a word-perfect speech. I have had staff who have taken much longer to grasp this technique. I include myself in that. You will go on to do amazing things as you have already done with the Duke of Edinburgh and rowing. From an early age Will has always wanted to debate a topic and to find out more. From meeting the Australian Treasurer when just a baby, he is now walking the corridors of power conversing with the Premier and Leader of the Opposition. You are truly awesome. I love our chats and every day I learn from you. I remember taking you to a Gold Coast beach when you were young—just you and me. We sat on the sand and talked all afternoon and all night. I learnt so much that night and I will never forget that moment and that trip. I love you, Will.

Menzies—my Mr Caterpillar—you are just amazing and you make me laugh daily. You have your own style from clothes to making up new dances and your 101 accents. Like Will, you too are smart. Menzies has the ability to go into a room of kids he has never met and by the end of the day he has them all following him. I wish I could do that—it might have been helpful in this place. You are a great big brother and your mum and I have a chuckle when you remind us that Chase is hungry, needs his nappy changed or wants something. Although we know he needs something, you tell us before we even move. I loved taking you to the Campbelltown Hospital funding announcement to help me. Within minutes you and the Premier hit it off and, Gladys, I have never heard the end of it. If there is a proposal one day, welcome to the family.

Last year we went to Texas and then to Space Camp in Alabama for me to do some research. It was an awesome trip and I will never forget our time. You made international friends straightaway, and I have people in America asking how you are doing. I was proud to be your dad this year when I took you to school early to buy something from the mother's day stall. You got something for mum and had change left over. I said you could keep the change, but you spotted one of your friends who did not have much money so you got him, gave him your money and helped him choose a present for his mum. That is the type of person you are. I love you, Menzies.

Chase—my Mr Cowboy—you are full of laughs and have us all wrapped around your finger. Last weekend you said "Dad" for the first time. I smiled and the rest of the weekend you kept saying "Dad, Dad, Dad". You made my heart melt and I did not want to leave to come to Parliament. For the record, he said "Mum" some time ago, but I am going to brag about him saying "Dad". When I get home after being away at Parliament you smile, laugh and give me a cuddle. It is the best part of my sitting week. You share your food or dummy with me and, like no-one else, you like country dancing with me. Your personality is huge and you have learnt to stand up earlier than normal. You observe everything and want to be involved in all the big people things. I am proud of you and I love you, Chase.

You can all see that I am a proud dad. They make me feel like a king. I know poetry has seen its way into many a valedictory speech this session. Mine is no different. I recently sat down with a good friend of mine, multiple Golden Guitar winner and country music legend, Drew McAlister. I told him that I wanted to write a song with him about my sons and giving them advice. He agreed and in two hours we had done it. I will read it as opposed to sing it, but it is awesome and I thank Drew for co-writing it with me. It is called *Good Man*:

It's an easy thing to see this world  
As a hopeless place  
There's a whole lotta bad out there  
In this human race  
But for all the sad and bad things there's still rays of light  
I see it in my children every day and night  
And when my boys ask me  
About what's right and wrong  
I tell them there's some things in life you need to get along  
Don't let anyone tell you who have to be, stand tall, stay true to your family  
Be brave, keep your word and look them in the eye  
Tell the truth, love hard  
Don't be afraid to cry  
There's gonna be hard lessons that you're gonna have to learn  
And it ain't always gonna go to plan, do the best you can and be a good man  
You won't always know the answer  
It'll keep you up at night  
But with God, your Mum and each other  
It'll be alright  
There'll be some hard decision some ain't gonna like  
As long as deep down in your heart you know it's right

Then it goes back to the chorus and finishes strong. To my best friend, my soul mate, the love of my life, my beautiful wife Belinda: You are the most amazing person I know. You have supported me every step of the way, not complaining, not making a fuss. I could not have done any of this without you. No words can describe you adequately, and the best I can do is refer everyone to Proverbs 31, which describes you as "a wife of noble character". This you are. You are a great mum to our three sons and the smartest person I know. You have had to endure a lot in this political cycle only because you are married to me. For that I am sorry. You kept your head high, steadied the ship and never left my side. You allow me to do this job even when it means I am away for large parts of the year. I still get goose bumps when I see you after being away for a week or two. You have worked hard for Wollondilly and they have been lucky to get two members for the price of one.

A test of any marriage is having your wife be your campaign manager, as you did in 2015. It was my best result ever, but as we all know campaign managers and candidates typically have tense moments, particularly when one suffers from candidate's disease. We survived and you were awesome, particularly organising the printing and distribution of "how to votes" the night before the election when head office came to collect them because they had to change the ones that we had. Belinda, I must apologise in front of everyone for being late to our first date all those years ago, getting stuck in traffic after a Liberal Party preselection in the Blue Mountains, but, boy, it was worth it—at least from my perspective. I love you more each day and nothing I will ever do will be able to match your love and support for me. Our recent trip this year to England and the United States was amazing. I am so proud of you. You are beautiful and I relish the thought of spending more time with you and leaving those footprints in the sand. As Garth Brooks sings:

If tomorrow never comes  
Will she know how much I loved her  
Did I try in every way to show her every day  
That she's my only one  
And if my time on earth were through  
And she must face this world without me  
Is the love I gave her in the past  
Gonna be enough to last  
If tomorrow never comes.

I hope you know how much I love you. I leave with fond memories of this place and though it has been a hard decision to make, it has been the right one. I will spend more time attending rodeos, camping, sitting around our fire pit, fishing, shooting, catching up with friends and travelling to Texas. However, the best thing I will do is spend more time with my family, just hanging out and letting them know how much I love each and every one of them. It is something I look forward to. Finally, back to my school principal all those years ago, those words will never leave me: This, too, will pass. In fact it just has. I will not focus so much on what I have done but on what lies ahead. I still have a contribution to make, albeit it in a different way. My best is yet to come. I wish everyone the best. It has truly been an honour to serve. Thank you.

*Members stood in their places and applauded.*

**TEMPORARY SPEAKER (Mr Greg Aplin):** I congratulate the member for Wollondilly on his valedictory speech and wish him well for the future.

#### *Bills*

### **COMMUNITY PROTECTION LEGISLATION AMENDMENT BILL 2018**

#### **Returned**

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

### **CHILDREN AND YOUNG PERSONS (CARE AND PROTECTION) AMENDMENT BILL 2018**

#### **NATIONAL DISABILITY INSURANCE SCHEME (WORKER CHECKS) BILL 2018**

#### **Second Reading Debate**

**Debate resumed from 20 November 2018.**

**Mr RAY WILLIAMS (Castle Hill—Minister for Multiculturalism, and Minister for Disability Services) (17:20):** As Minister for Disability Services in New South Wales I am pleased to co-sponsor the Children and Young Persons (Care and Protection) Amendment Bill 2018 and the cognate bill, the National Disability Insurance Scheme (Worker Checks) Bill 2018, with my ministerial colleague the Minister for Family and Community Services, the Hon. Pru Goward. The National Disability Insurance Scheme (Worker Checks) Bill 2018 falls under my responsibility as Minister for Disability Services. The bill is designed to provide greater protection for people who rely on National Disability Insurance Scheme [NDIS] services. I also support the Children and Young Persons (Care and Protection) Amendment Bill 2018, which is cognate to that bill and which is designed to shape a better child protection system in New South Wales.

The National Disability Insurance Scheme (Worker Checks) Bill 2018 provides improved protections for people with disability in New South Wales. Protective and preventative schemes make a difference and provide an important community service. NDIS workers engage with some of the most vulnerable members of our community. Their work can be private and intimate. They are in positions of responsibility. Their work can require absolute trust. These important caring roles also present opportunities, sadly, to influence and exploit. It is imperative, therefore, that we ensure, as best we can, that the opportunities for exploitation and harm are minimised to the best of our ability. The careful screening of workers will support this.

The NDIS worker check forms part of the regulatory arrangements established under the Commonwealth's National Disability Insurance Scheme Act 2013. The Commonwealth has enacted legislative rules for worker screening—the National Disability Insurance Scheme (Practice Standards—Worker Screening) Rules 2018. Among other things, these rules specify the types of work that will be required of an NDIS worker to hold a clearance. NDIS workers who have more than incidental contact with NDIS participants will need a clearance, as will workers engaged in specified supports or services. Key personnel of NDIS providers will require an NDIS worker check clearance. Not all NDIS workers, however, will need to apply for a check. Employers are responsible for identifying affected roles within their respective organisations. While the Commonwealth is responsible for administering the NDIS, States and Territories have agreed to administer the NDIS worker check. The Intergovernmental Agreement on Nationally Consistent Worker Screening for the National Disability Insurance Scheme sets the requirements for consistent screening. By introducing this bill, New South Wales is taking an important step towards delivering on its commitment.

The NDIS worker check puts participants first. The paramount consideration when assessing an application is the health, safety and wellbeing of people with disability and, in particular, protecting them from abuse, violence, neglect, exploitation and harm. A protective and preventative scheme cannot operate in any other way. This bill puts all that we have learnt about effective worker screening into action. The NDIS worker check information-sharing arrangements are to be commended. In a protective screening scheme, information relevant

to risk must flow to where it is needed. Jurisdictional barriers should disappear when it comes to the safety of all NDIS participants. When fully implemented, cleared workers will be continuously monitored at a national level. The information-sharing arrangements reflect this bill's protective arm.

Workers who require an NDIS worker check will be sorted into one of four categories. Any worker with a disqualifying offence cannot engage in NDIS work requiring a clearance. These workers are deemed to pose a risk of harm to people with disability and must be excluded without further consideration. Disqualifying offences include murder and sex, and serious violence offences against children or vulnerable people. Presumptively disqualifying offences include manslaughter and serious fraud. These workers are presumed to pose a risk of harm. This means that if the screening agency cannot be satisfied the worker's circumstances are exceptional enough to demonstrate they do not pose a risk, the worker will be excluded. The third category of workers is subject to further assessment. There is no intention to exclude workers because they have a workplace misconduct history. Only workers that are assessed as posing a risk of harm to NDIS participants will be excluded.

The final category of worker, those with no records or records that are not relevant, must be granted a clearance. Most workers will fall into this category. Fairness dictates that if there is no evidence that the worker poses a risk to people with disability, they be given a clearance. There is no doubt, that for some individuals, an exclusion decision may have a very real impact on their personal and professional lives. Unfortunately, this is inevitable and unavoidable if we are serious about putting the safety of NDIS participants first. Employers will need to respond fairly and practically where possible. Exclusion decisions will not be made lightly. Assessments will be conducted fairly.

The paramount consideration of this bill will not detract from procedural fairness obligations. Applicants subject to assessment will be treated with courtesy and have the opportunity to engage meaningfully with the process. Decisions will be balanced and evidence based. The NDIS worker check balances fairness to workers without losing sight of its protective purpose. The aim of the NDIS is to give participants choice and control over their lives while helping ensure they are not at risk of harm, abuse, neglect or exploitation. The NDIS worker check supports this aim. The delivery of quality and safe services is fundamental to the success of the NDIS. NDIS participants must have confidence in the supports they choose and the workers that provide them. The NDIS worker check supports this aim.

This bill is another initiative by the Government, building off the current success of the transition to the NDIS. I can confirm that 100,000 people have already transitioned to the NDIS in New South Wales, giving more choice and control to people with disabilities, their families and their carers. Choice and control were the fundamental objectives of the NDIS to ensure that people with disability have the opportunity to lead the best possible quality of life. Approximately 41,700 people with disability have met NDIS access who did not previously receive support under the NDIS system. The NDIS is now making a change to the lives of these people in a positive way. This bill represents Australia's first federated worker screening check. It reflects what we have learned from existing and past worker screening schemes. The NDIS worker check is built on solid ground and prioritises who it protects.

It is also an honour to be able to speak in support of the Children and Young Persons (Care and Protection) Amendment Bill 2018. The amendments to the Act aim to reduce the number of children in out-of-home care through early intervention and support for parents, and to improve the quality of services. These reforms are necessary to support the Permanency Support Program currently being rolled out by Family and Community Services across New South Wales. The Permanency Support Program introduces new flexible funding packages, which enable non-government service providers to better respond to each individual child's needs.

The Permanency Support Program provides that every child or young person has a case plan with a goal for achieving permanency within two years—a very positive outcome. The program has allowed the child placement practice in New South Wales to shift from a placement-based out-of-home-care service to one that is outcomes focused and person centred. Permanency planning reduces the likelihood of children experiencing continual change in their care arrangements, which can result in repeated loss of social and community relationships. These attachments are critical for promoting a child's emotional, psychological, social and cultural development. As part of the full implementation of the Permanency Support Program, 50 new Permanency Coordinator roles have been introduced across New South Wales to assist practitioners to identify the right service packages to achieve permanency.

This bill is aligned with the permanency placement principles of family preservation, restoration guardianship and open adoption. Considering and offering alternative dispute resolution to families early in the process demonstrates a commitment to working with families to keep children at home. The bill makes provision for shorter term court orders. The Children's Court will be able to make orders that allocate parental responsibility to the Minister for a maximum period of 24 months, except in special circumstances. This is a significant shift that will further change practice culture. Shorter term court orders allow for clearer time frames and are more

likely to facilitate family restoration, which is the ultimate goal of keeping families together, in line with the Permanency Support Program principles. Currently during care proceedings FACS and the Children's Court must consider whether restoration is realistic at the time the application is before the court for assessment. [*Extension of time.*]

An amendment is proposed to allow FACS and the Children's Court to consider whether restoration is realistic within 24 months, rather than at the time of the application. This amendment will overcome the point-in-time assessment. This will be beneficial and fairer to parents who are actively working towards resolving the issues that led to their child's removal by participating in therapeutic programs or engaging with support services. Streamlining court processes and orders will support the underlying rationale of the Permanency Support Program, with the focus firmly remaining on the best interests of each child or young person and their needs.

I note the support that I have received within Family and Community Services—some who are no longer there and some, with expertise, who have been involved in disability services for many years. I start by mentioning the Secretary Michael Coutts-Trotter. I also thank Samantha Taylor, Anne Campbell, Jim Breen, Chris Leach, who has now retired, and also Paul O'Reilly. These wonderful people have given extraordinary service to me in my time as Minister for Disability Services. Their information and expertise has formed the basis on which we have successfully transitioned to the NDIS. As I said, 100,000 people are now accessing those services. Their expertise has also been responsible for the drafting of the National Disability Insurance Scheme (Worker Checks) Bill. I commend each and every one of them and I commend these bills to the House.

**Debate adjourned.**

*Members*

#### VALEDICTORY SPEECHES

**TEMPORARY SPEAKER (Mr Greg Aplin):** I welcome to the Chamber the friends and family of the member for East Hills.

**Mr GLENN BROOKES (East Hills) (17:33):** I would like to start by saying thank you. Thank you to all the people of the East Hills community for trusting me and giving me the opportunity to represent you—not only for the past eight years as your local member, but also for the eight years before that as a local councillor on Bankstown City Council. I have had a great privilege bestowed upon me to represent the people of East Hills, and it truly has been an honour. I thank my wife, Kharen, and our boys, Zac and Josh, for allowing me to pursue this opportunity—allowing me to represent the area I have lived in all my life, and raised a family in.

As many of you know, public speaking, or even reading, were never my strong points. As many of you also know, I did not learn to read or write until I was 33. That made me an unlikely candidate to ever be a politician. Thankfully, I never became one. Rather than seeing myself as a politician, I made it my job to be someone who, day in and day out, served my community. I made this my daily mission. When I came into this place, as the first Liberal ever to represent the electorate of East Hills, we knew we had a huge job ahead of us. It was the seat we were never meant to win. Despite this I had a great vision of what this great community could be. Importantly, the vision delivered for the whole electorate, not only the constituents who voted for me. When we were elected in 2011 we set out to engage with the whole community and we did just that. We had nearly every Minister and department come to East Hills to see for themselves what a great place East Hills really is. Ministers were shocked at all the things East Hills has to offer.

That mentality summed up the first four years in this job—to highlight to the world that our community is here, and we deserve better. This approach took us into the 2015 election. If we were not supposed to win in 2011, then we definitely were not supposed to hang on in 2015. But the community knew better. The community had seen four years of hard work, and that hard work was repaid. In my eight years representing the people of East Hills I have been able to bring everyone on the same journey to share in what the Government has to offer. For far too long many Ministers did not even know of East Hills let alone where it is and what our community needed. But I believe we are well and truly on the map now.

Just some of the many achievements we have been able to deliver include: \$100 million for the widening of Henry Lawson Drive; \$25 million for the upgrade of Bankstown Lidcombe Hospital's emergency department; the widening of Stacey Street; despite them saying it could never be done, the upgrade to Panania station and the installation of lifts; a new commuter carpark in Padstow; the Bankstown Ambulance superstation; a new catheterisation laboratory for the Bankstown-Lidcombe Hospital; \$500,000 for Banks House mental health unit at the Bankstown-Lidcombe Hospital on top of the \$50,000 for the forecourt upgrade; the increase in train services on the T8 line; infrastructure improvements and facility upgrades for schools across my electorate; assisting with establishing a local chamber of commerce; and creation of the East Hills Men's Shed.

On that point, I must point out that the thing that shocked me most when I came into this job was the gaps that had been left by Labor. Among roads, health and schools infrastructure, an extremely noticeable one was the lack of support for local businesses, both small and large. I was pleased to assist our local residents establish a local chamber of commerce, which has been extremely successful and grows year on year. Small businesses are the backbone of our community and they contribute so much to our electorate that cannot be forgotten. I am certain the chamber of commerce will continue to thrive and serve our business community long after I have left this place. But despite all the large achievements, I know that politics is local, and for many communities, it is the small things that make a real difference.

In saying that, some of the things that we were able to achieve right across the electorate involved schools, football teams, churches, the old folks—our senior citizens—and the RSL clubs. There is a whole range of financial donations over the past eight years, but what I would also like to talk about are the smaller things that we did, such as helping some of our local schools with literacy. As I said earlier, I was 33 when I learnt to read and write and what I set out to achieve with schools was to go back to the schools and help the kids who struggle to read and write. I had the pleasure of going down to the schools and helping the kids to build pushbikes. These were the troubled kids, the naughty kids, and I was one of them. But I was able to assist them and show the boys how to do things. We also built vegetable gardens in different schools. I was going around with the kids to different primary schools putting in vegetable gardens and outdoor learning centres.

I had great assistance at Sir Joseph "Joey" Banks High School when the Speaker and the member for Holsworthy turned up and met with the girls. They did cooking classes with the girls, but we had actually provided them with the kitchen. That was a school in our area that did not have a kitchen, yet other schools in the area had two kitchens, two upgrades to those kitchens, yet one school that had no kitchen had to ferry the kids out—not into my electorate, but into the Holsworthy electorate—to do catering classes. Other things we did involved the local area command. When we had functions we would get the kids to cater for them. Of course I would pay the school for all the food, et cetera, but it was actually the kids who cooked the food and the kids who served the food.

That was intended to give them hands-on experience of what they needed to take forward into the future—or what I believe they needed to take into the future. That is just a worthwhile work ethic that I think everyone needs to have. I know that the police still leave it to the kids to cater for functions to this very day. Some of the bands from the schools—some of the muso kids—would play music in the background. We did this not once but many, many times. I think it was a great success—and, again, it involved the whole community, not just part of the community.

Although we often point to the money we spend on delivering things, more importantly it is the things we have done for the community. The things I have always remembered are taking Christmas hams to our local Salvation Army to have them delivered to disadvantaged people and to pay for people's electricity bills when they were struggling. My mention of the hams reminds me that, as a young boy when my father left, we woke up one Christmas morning and mum was crying because we did not actually have Christmas dinner. When I opened the front door, there was a big hamper there that the Salvation Army had left for us. Ever since then I have always supported the Salvos and I will continue to do so.

We helped countless people access housing, and even took people to rehabilitation facilities when they needed it. There are two stories that will always stick with me. The first is when I had a Construction Forestry Mining and Energy Union worker come in, thinking that we would not help him after he had a workplace incident and unfortunately did not receive any support. I pulled out of my pocket enough money to help him get through until he was back on track.

The second story I wish to share is the story of someone who came in asking for money, smelling of alcohol and clearly living rough. I told him that I would give him \$50 if he used it to get some food to sober up, then get himself to a rehabilitation centre. My office staff thought I was crazy and said he would only drink away the money. Four weeks later he returned to my office, this time to give back the \$50 and thank me for helping him to get his life back on track. It is the little things we do that make real differences in people's lives. People often want a hand up not a hand out, and that is what I have always tried to do. When I came into this place, I said I was a man from a humble beginning and that has not changed. At times this place was not easy. But what I have learnt and accomplished for our local area along the way made all the difference. I realised what I came here to do: to represent the people of East Hills.

To grow up in East Hills and to receive the ultimate lifetime experience this electorate has given me is priceless and I would not change a thing. I believe that to represent an electorate, you have to love the area first. And as a local boy, I loved East Hills and have seen the good and bad that it has to offer. That is what got me elected twice. Despite all the great achievements, it was of course not all good. I, more than most, know that this can be a lonely place. This was felt most of all following our great win in the 2015 election and an accusation

made by Labor members who could not admit they lost—our community just does not like them. The accusation was enough to have pressure placed upon me to move to the crossbench. That situation took a toll on me and, more importantly, my family.

The accusation resulted in a baseless court action being taken against a former staffer of mine. He was ultimately found to have played no part in any wrongdoing. He was innocent. The incident took away my opportunity and my community's opportunity to celebrate our achievements and get on with the job of delivering for East Hills. Despite this, Labor has chosen the same candidate again. How do people expect to walk into an area that they do not know with no knowledge of what the people of the area want and think it is theirs? Is this what people think they can do? This position is a great responsibility and no-one is entitled to it. The role requires us to serve our community; not our self-interests. It is not about giving ourselves more power, but instead giving that power to our communities. I hope that is what I have done for East Hills.

As I said, this is a lonely place. Allegations are loosely thrown around and the isolation makes you feel like you are in jail. You start to think that it would be easier to get up and leave, which has crossed my mind many times. But that would be admitting guilt when I know I did nothing wrong. And it would mean letting down all the people of East Hills, my family and my friends. My time of loneliness in here was far outweighed by the friendships made in my community. I will always cherish the many friendships I have made with members, groups and organisations across our community: the old and young; the Chinese, Lebanese, Vietnamese, Macedonian, Greek, Nepalese, Samoan, Indian, Italian and Sikh communities; the sporting clubs and associations; the scouts and Girl Guides; the senior citizens groups; medical centres; childcare workers; Bankstown-Lidcombe Hospital staff; nurses and doctors; police; fire; emergency services; Lions clubs; Rotary clubs; RSL sub-branches; churches of all denominations; future leaders from all my schools; principals; teachers; parents and citizens associations; leadership groups; nursing homes; retirement villages; and anyone else I have forgotten.

It has been an honour and a privilege to have assisted all of those members, groups and organisations across our community in one form or another and shared in their journey. They have my thanks. I also thank our local branch and the people who have supported me and helped me deliver for the people of East Hills. To my staff over the years, I also offer my thanks. To my current staff, Matt, Jenn and Charlie, and past staffers, Jim, Marc, Doug, I say thank you for helping me on my journey. Finally, and as I said in my inaugural speech, I thank my beloved wife, Kharen, who has stood by me all these years. Thank you, Kharen, for always being there for me and allowing us to make this journey together. You mean the world to me. I also thank our boys, Zac and Josh, for allowing me to pursue this opportunity. I thank them for their endless support through the good and tough times that being a member of Parliament has offered. When you enter this place, the whole family comes on the journey with you. Thank you.

*Members stood in their places and applauded.*

**TEMPORARY SPEAKER (Mr Greg Aplin):** I congratulate the member for East Hills on his valedictory speech and on his constant advocacy for the constituents of his electorate of East Hills. I pay tribute, also, to him for his wise advice to members and his conduct in this House. I wish you and your family all the best for the future.

#### *Committees*

### **COMMITTEE ON THE HEALTH CARE COMPLAINTS COMMISSION**

#### **Report: Cosmetic Health Service Complaints in NSW**

**TEMPORARY SPEAKER (Mr Greg Aplin):** The question is that the House take note of the report.

**Mr ADAM CROUCH (Terrigal) (17:56):** As Chair: I inform the House of the Committee on the Health Care Complaints Commission's report, "Cosmetic Health Service Complaints in New South Wales", tabled on 20 November 2018. This is the committee's fourth report tabled in the Fifty-Sixth Parliament. The inquiry was self-referred on 13 February 2018 in response to public safety concerns raised by the Minister for Health, Brad Hazzard, the Health Care Complaints Commission [HCCC] and the media following various cases relating to cosmetic health services. These cases include the tragic death of Ms Jean Huang following a breast filler procedure late last year. The committee wanted to examine whether the HCCC and other government regulatory frameworks could improve outcomes for the people who use cosmetic health services.

This industry is growing and demand is increasing. The inquiry has demonstrated a number of complexities make regulating cosmetic health services very challenging. There are various State and Commonwealth laws and organisations that assist in this area. There is no set definition of "cosmetic health services", and both registered and unregistered practitioners provide such services. We received evidence that some corporate operators prioritise profits over patients. Other practitioners may compromise patient safety by



using counterfeit products or employing unqualified staff to provide low-cost services. We were concerned to learn that complaints relating to cosmetic health services may be under-reported for various reasons. We also heard from a range of stakeholders that there is a lack of public awareness about this industry.

The committee has made 16 recommendations to the New South Wales Government to better protect and inform the public. Our recommendations will ensure that the HCCC's powers and functions are robust enough to adequately address the complexities associated with this industry and assist patients in resolving their concerns. Our recommendations will ensure that legislative and regulatory frameworks are strengthened. In particular, we want the HCCC to have adequate powers to enter and search clinics when it receives intelligence and warn the public about operators it has concerns about. We also want the public to be well informed about procedures, practitioners and complaint processes.

Our recommendations are not just focused on the HCCC. The committee found that collaboration between the HCCC and other State and Commonwealth organisations is important, and it is essential that this collaboration continues. We heard that there is public confusion surrounding the title of "cosmetic surgeon". It surprised the committee to learn that, at present, any doctor can use this title. This could range from a general practitioner to a cardiothoracic surgeon or plastic surgeon. The public is often not aware that their doctor could have decades of training and experience in cosmetic surgery or may have only completed a short course. The use of the title "cosmetic surgeon" could be misleading the public by conveying the false impression that a doctor has specialist training as a surgeon.

The New South Wales Minister for Health has already approached the Council of Australian Governments [COAG] Health Council to restrict or protect the title "cosmetic surgeon" at a national level. The committee has recommended that the Minister continue to pursue this. If national consistency cannot be achieved, the Minister should consider whether to introduce separate legislation in New South Wales to place restrictions on the use of this title by doctors practising in this State. The committee considers that protecting or restricting the title "cosmetic surgeon" would assist by regulating that doctors using the title meet minimum criteria in terms of education, training and experience.

The committee's recommendations will also ensure that relevant and important information about the cosmetic health services industry is more accessible to the public so individuals can make informed decisions about procedures and practitioners and understand where and how to make a complaint if they are dissatisfied. We have recommended a public education campaign using advertising and social media, with a focus on targeted demographics, to raise awareness of the risks involved in cosmetic procedures and where to find relevant information. We have also recommended consideration of a one-stop shop where the public can easily obtain information on procedures, practitioners, facilities and the complaints process.

The committee learnt that, unlike some other States, New South Wales does not regulate lasers or intense pulsed light devices commonly used for cosmetic procedures. This means anyone is free to own and operate a device. The committee has recommended regulation of these devices to ensure the safety of the public, preferably at a national level but, at the very least, in New South Wales. I thank everyone who provided evidence to the committee, as it was very helpful to us in formulating our recommendations. I thank the committee members—in particular, the former Deputy Chair, the member for Seven Hills, and the current Deputy Chair, the member for Manly. I also thank the member for Murray and the member for Port Stephens. I thank the Hon. Lou Amato, the Hon. Mark Pearson and the Hon. Walt Secord in the other place.

This is the last report of the committee in this Parliament. It has been a pleasure to have been the chair of the committee. I believe the committee has made an important contribution in reviewing the work of the HCCC. I thank the Commissioner of the HCCC, Sue Dawson, and her senior executive team for their contributions during public hearings. I also acknowledge the hard work and dedication of all of the commission's staff. I wish to thank the committee secretariat for their phenomenal work and support, including Elaine Schofield, Jessica Falvey, Kieran Lewis, Leon Last, Abigail Turingan, Jennifer Gallagher, Millie Yeoh, Ben Foxe, Christopher Herbert, Simon Johnston, Carly Maxwell and Jonathan Elliott.

**Report noted.**

## **COMMITTEE ON COMMUNITY SERVICES**

### **Report: Support for new parents and babies in NSW**

**TEMPORARY SPEAKER (Mr Greg Aplin):** The question is that the House take note of the report.

**Mr KEVIN CONOLLY (Riverstone) (18:03):** As Chair: Today I speak on the Community Services Committee's report on support for new parents and babies, which was tabled yesterday. The report's 34 recommendations focus on the main issues that arose during the inquiry. These include the need to better

coordinate services, fix service gaps, make services more accessible, and improve support for vulnerable families. The capacity of health and child protection staff and better use of data were also identified. We heard that services for new parents and babies lack coordination and integration. Health professionals do not always collaborate as well as they might and many do not know what services are available. Parents' access to universal home visits is inconsistent. This hinders continuity of care and early intervention for parenting and mental health issues.

We have recommended that NSW Health appoints coordinators in each local health district to work with government and non-government agencies to better coordinate services. We heard that co-locating services could improve coordination and recommended that opportunities for this be further explored. We believe that resourcing for home visits should be reviewed so parents have consistent access to the program. Vulnerable families need extra support to overcome issues like drug and alcohol use, violence and disadvantage. We heard that long-term home visiting by nurses helps vulnerable parents bond with their babies and improves parenting. Programs like these should be available to more families.

The way service providers are funded can affect the quality of their services. We have recommended a review of funding arrangements to ensure programs have clear and measurable outcomes. Contracts should give providers enough time to implement and evaluate their programs. Providers should also be able to tailor services to each individual family's needs. We heard that the role of fathers is not adequately recognised and that there are not enough services for fathers. We recommend that NSW Health reviews services for parents so that they better involve fathers and recognise their important role in parenting. Pregnancy and birth can be a vulnerable time for parents' mental wellbeing. Parents can be prevented from disclosing concerns about their mental health because of stigma and fear that their baby will be removed.

A lack of mother-baby beds in public hospitals means that women with serious conditions like psychosis can be apart from their babies for long periods. We welcome the recently announced plan to create public mother-baby beds in New South Wales and believe that at least 24 beds are needed across the State. The number of babies fully breastfed on discharge from hospital is dropping. Most women want to breastfeed their babies and begin breastfeeding in hospital. NSW Health has a policy on breastfeeding in New South Wales but we were told it has not been fully implemented. To improve support for breastfeeding, we recommend the policy be reviewed and fully implemented. We also believe that more hospitals and community health facilities should be accredited as breastfeeding-friendly.

Some parents, especially those with a disability, find it hard to access parenting services. Parenting courses like Triple P are only available in hard copy, which parents with impaired vision cannot access. Language barriers can prevent some parents from culturally and linguistically diverse backgrounds from using parenting services. We recommended that NSW Health make parenting resources more accessible. The accessibility of hospital systems is also important to the care new parents receive. We think hospital systems should be respectful to all families and flexible enough to allow accurate records of a child's family and medical history to be maintained, acknowledging the different types of family and care relationships that exist. Technology can help parents that services struggle to reach, like those in remote areas. Text messaging, live chat and telephone helplines can be used for breastfeeding support, parenting advice and mental health counselling. We recommend that NSW Health develops technology-based ways to deliver services to new parents, especially in rural and remote areas.

We heard that Aboriginal children face greater challenges because of trauma, violence and disadvantage. Supporting Aboriginal families to provide nurturing homes for their babies must be a high priority. We recommend an increase in funding so that Aboriginal child and family centres can increase their services. Young parents benefit from integrated support with housing, education and parenting. We believe this type of support should be available in more locations. To meet young parents' housing needs, youth homelessness services should cater to young parents. The shift to the National Disability Insurance Scheme has led to gaps and delays in support for babies with disability and developmental delay. Long waiting lists mean children with disability are not getting vital early intervention. While this may to some extent be a temporary problem arising from the challenges involved in introducing such a significant program, we think a whole-of-government approach is needed to ensure that disability and developmental delay are detected and babies get timely support.

Staff shortages can cause inconsistent access to services in some parts of the State. We recommend NSW Health works with local health districts to identify workforce gaps and plan for future staffing needs in each district. Child and family health is a rapidly changing area and clinicians need regular training to stay up to date. We have highlighted areas where training is needed, like disability awareness perinatal anxiety and depression screening, and support for parents and children with disability. NSW Health and the Department of Family and Community Services are moving to better integrate health and family services, but this needs to be prioritised. Better access to information will allow service providers to improve their services. Data sharing could also improve agencies planning and evaluation of parenting programs.

We received 71 submissions from members of the public, health professional organisations, advocacy groups and academics. I thank them and the witnesses we heard from during our public hearings. We also visited Gunawirra House at Rozelle, the Young Parents Hub at Wyong and Child and Family Health at Gosford. I thank those groups for sharing their experiences with us. I thank the members for Coogee, Wyong, Blue Mountains, North Shore, Sydney and Cootamundra for their assistance and nonpartisan involvement. I also thank the committee staff, who have done enormous work on our behalf, including Dora Oravec, Kieran Lewis, Mohini Mehta, Ze Nan Ma, Carly Maxwell and Derya Sekmen. I thank them all for their wonderful work.

**Mr DAVID HARRIS (Wyong) (18:09):** I also contribute to the discussion on the support for new parents and babies in New South Wales. I acknowledge the chair and the member for Riverstone and thank him for the way he chaired the committee. As a group we were all pleased with the final report. We were also surprised that our investigations broadened into a number of areas that we had not expected when we started. It is a valuable report and I acknowledge the way the whole committee worked together, including the members for Coogee, North Shore, Cootamundra and Sydney. I pass on apologies from the member for Blue Mountains, Trish Doyle, who is unwell and would have liked to make a contribution on this report. I acknowledge committee support staff Dora, Kieran, Carly, Mohini and Ze Nan. They were proficient in their job and the final report is a tribute to their skills.

My contribution tonight will be brief, not only because the report covered such a wide area but also because I speak in my role as shadow Minister for Aboriginal Affairs. Chapter four of the report relates to parents and children who need extra support, particularly Aboriginal children and families. As the chair said, we visited some important organisations. I also followed up with one of the witnesses, Uncle Wayne from the Winanga-Li Aboriginal Child and Family Centre in Gunnedah. I visited the centre and saw the great work being done there. It was clear from our findings—and it is no surprise to anyone in this House—that Aboriginal children face disproportionately larger challenges than the general community. Part of that arises from the intergenerational trauma they have had and the unfortunate violence and abuse that continues to occur in their communities.

I definitely support recommendation 19 in the report, which is that the New South Wales Government gives a high priority to the protection and support of Aboriginal children and recognises the severity of the challenges many of them face. On visiting some of those communities, I have learned that one of the biggest issues that is not factored in is distance and lack of transport to services. Many witnesses told us of the distances involved and how they would have to uproot and travel to a bigger city in order to access services. Witnesses were also concerned that many Aboriginal women do not present pre-birth because they are scared that their children will be taken away. I have spoken to many groups and organisations about that issue since it was raised before the committee.

I acknowledge that there needs to be more funding for Aboriginal child and family centres. To that end, I support recommendation 20 in the report, that the Department of Family and Community Services increase funding for Aboriginal children and family centres so they can increase the range of services they provide. That is particularly important in remote communities. I finish by mentioning the beautiful centre in Gunnedah and the great work and expansion being done there. I encourage anyone who gets the opportunity to visit it. I highly commend the report to the House.

**Ms FELICITY WILSON (North Shore) (18:13):** I speak on the Committee on Community Services report into support for new parents and babies. I thank the committee staff for all the work they did in putting together this inquiry and report. The inquiry took a long time and we all learned a lot on the way, probably no-one more than me. At the start of this journey I was not about to become a parent, but during that time I have progressed quite significantly on the journey to becoming a parent. The inquiry became instructional for me and helped me to understand some of the challenges and burdens that many parents experience and that may be ahead of me in the near future. I also thank the member for Riverstone for the way that he chaired this committee. We worked very well and collaboratively in a very nonpartisan way. I know all committee members would be proud of the report that we put together. The recommendations, while very broad, will make a difference to a lot of people's lives if adopted.

There are many excellent areas of the report, but the area of most interest to me is perinatal anxiety and depression. I have spoken on that in this place on many occasions. Last week was the Perinatal Anxiety and Depression Awareness [PANDA] Week, and this is the right time for us to consider these matters. The committee made a number of recommendations ensuring that there are public awareness campaigns so that people can identify the symptoms of perinatal anxiety and depression, get help and know what support services are available that can be accessed to try to reduce the stigma. We also proposed a recommendation ensuring that general practitioners and medical professionals receive adequate training on how to identify and screen for perinatal anxiety and depression.

The committee also discussed the unique situation, in private hospitals in particular, with private births and the fact that there are gaps in services that are not covered by the public system. One of the areas we focused on, which I had a very strong view on going into the inquiry, was giving mothers access to public mother-baby beds. People may be aware that there are a small number of beds in the private system available for mothers who might experience a severe psychosis or require significant treatment for severe mental health conditions following the birth of their child. All members know how important the early days are for attachment and relationship development, both for the mother and the baby. Yet we exist in an environment where the mother and the baby cannot be kept together safely, except for the lucky people who can utilise their private health insurance to access one of the few beds that may be available.

This was a significant issue for me because a number of my constituents and local organisations raised it with me. A psychiatrist from Neutral Bay met with me and talked about this acute issue. Gidget Foundation Chief Executive Officer Arabella Gibson, whose office is in the electorate of North Sydney, spoke to me and advocated very strongly for this. The recommendation I am most proud of—and I have spoken to the Minister for Health about this in the past—is recommendation eight, which would see NSW Health fund more public mother-baby mental health units in Sydney and key regional areas, with a minimum of 24 beds in the State. I strongly encourage the Government to take up this recommendation because it will make a difference to the lives of mothers and babies. Congratulations to all committee members and particularly the staff.

**Report noted.**

### **LEGISLATION REVIEW COMMITTEE**

#### **Report: Legislation Review Digest No. 65/56**

**TEMPORARY SPEAKER (Mr Lee Evans):** The question is that House takes note of the report.

**Ms FELICITY WILSON (North Shore) (18:18):** As Chair: I speak on the Legislation Review Committee's sixty-fifth digest. In this digest the committee examined three bills introduced in the last sitting week and raised issues on one of the bills. The Community Protection Legislation Amendment Bill 2018 makes a number of amendments to various Acts aimed at keeping the community safe. Included in the amendments are provisions with respect to the supervision and detention of high-risk offenders, and creating an offence of supplying a drug for financial gain if the self-administration of the drug causes that other person's death.

With the provisions concerning high-risk offenders, the committee noted that the bill inserts a provision permitting the use of certain information in parole proceedings. The information that may be used includes information obtained under the Terrorism (High Risk Offenders) Act. Such information includes a wide range of information that may not have any direct connection with an offender's current behaviour, such as their education, workplace history and correspondence with family members. The committee noted this issue and referred it to Parliament for its further consideration.

Another issue the committee raised concerned provisions in the bill which operate to limit judicial discretion in determining the conditions of extended supervision orders. The bill proposes to insert a provision which requires the Supreme Court to impose a mandatory condition on each interim and extended supervision order that an offender is not to leave New South Wales without approval. The committee noted that providing for mandatory conditions that a court must impose limits the ability of the court to make determinations suitable for individual cases. The committee acknowledged that the intention of the bill is to provide measures to increase the supervision of high-risk offenders and protect the community. However, given that the mandatory condition impacts on a person's freedom of movement, the committee referred this issue to Parliament for its further consideration.

A third issue the committee noted concerned the proposed provisions to permit surveillance devices in correctional centres. The bill permits law enforcement officers to apply for a warrant for a surveillance device with respect to an inmate. The committee noted that allowing surveillance devices to be used inside a correctional centre for specific inmates may impact on their right to privacy and to be treated with respect while in detention. The committee noted the intention behind the provision is to enable the gathering of evidence to assist in determining whether serious offenders pose a risk to the community. However, the committee considered it appropriate to refer the issue to Parliament for further consideration.

A final issue concerns proposed provisions that expand the current provisions relating to the confidentiality of terrorism intelligence. The provisions expand the ability of the court to restrict the access by the accused and their legal representatives to certain information deemed terrorism intelligence. The committee noted its previous concerns regarding these provisions, namely that the provisions may potentially impact the ability of the accused to properly understand the case against them. The committee referred this issue to Parliament for its further consideration. That concludes my remarks on the final digest for this year. I acknowledge the work that

the committee has done recently on the report of the operation of the Legislation Review Act 1987. We met twice this week, once to consider the digest and once to consider this report. The report will be tabled tomorrow in both Houses.

I acknowledge the work of the committee staff, not only in their management of the committee's very detailed regular weekly meetings but also in the significant workload that they have. I cannot imagine that there would be a harder working committee in this Parliament. That reflects on their skill and capacity, their quick turnarounds, their positive attitude and their willingness to work with us and be flexible regarding any changes that we propose. Having only recently been appointed as chair of this committee, I particularly appreciate the support of Emma and Elaine in helping me manage the issues of the committee and undertake a detailed role in ensuring that we have thorough review of legislation and regulation for our Houses.

The report to be tabled tomorrow has been put together following significant work by the members of the committee, the former chairs, Mr Michael Johnsen, MP, and Mr James Griffin, MP, and I acknowledge their contributions. I also acknowledge the work of the other members of the committee, Mr Lee Evans, Mr David Mehan, the Hon. Shaoquett Moselmane, Mr David Shoebridge, Ms Melanie Gibbons and the Hon. Natasha MacLaren-Jones. There is a hefty workload for all members and I appreciate the thoughtful consideration they give to all the legislation every week when we meet, in particular the detailed consideration of the issues that were proposed and considered in the public inquiries and submissions for the review of the Act. The report will be tabled tomorrow. I thank the committee secretariat for its work and the committee members for meeting today to consider and finalise the report.

I thank my fellow committee members for their contribution. I have enjoyed my brief tenure as chair of this committee. As always, I encourage all members to read the full digest, which is available on the committee's website. I trust the digest will continue to be of value to members and staff in the next Parliament. I hope that in the next Parliament some of the recommendations we have made in our review of the Act will be considered by this place to ensure that we continue to have a high level of scrutiny of the impacts of this Parliament's decision-making on personal rights and liberties.

**Mr DAVID MEHAN (The Entrance) (18:24):** It is my pleasure to contribute to this take-note debate on the sixty-fifth Legislation Review Digest of the Fifty-Sixth Parliament. It will be the last digest of this Parliament. The Legislation Review Committee considered three bills and commented on one, the Community Protection Legislation Amendment Bill 2018. I refer members to the digest to read the committee's view of the bill and how it impacts on the rights and liberties of the citizens of New South Wales. I thank my parliamentary colleagues. I have enjoyed the almost four years that I have been a member of this important committee. It considers each bill and regulation that is introduced in this place and determines its impact on the rights and liberties of the citizens of New South Wales. It is important work and I have enjoyed the responsibility.

I particularly acknowledge my Labor colleague the Hon. Shaoquett Moselmane. He has much more experience in this place than I have and I have appreciated his assistance. I also acknowledge Mr David Shoebridge, MLC. We three have sought to push the Government majority occasionally. All members have approached our responsibilities diligently and with some seriousness. Overall, the committee has achieved some modest improvements in the scrutiny of bills over this parliamentary term. The committee now writes to members with carriage of bills to outline its comments on their legislation. That did not happen at the beginning of this term. An increasing number of members are referring to the Legislation Review Digest in debates.

As the chair said, the committee initiated an inquiry into the operation of the Legislation Review Act, and we met today to consider and to adopt our report. I hope members and the next government will seriously consider the committee's recommendations when we return after the election. Mr Shoebridge and I moved some amendments at the meeting today. In summary, we tried to move the committee towards a human rights emphasis rather than the approach the legislation takes to personal rights, which has a common law emphasis. We were modestly successful. I am pleased to advise the House that one of the key recommendations in the report is that there be a change in the standing orders to require members with carriage of a bill to address the comments made in the digest directly. I believe that will improve the overall scrutiny of bills.

I thank the secretariat staff who have assisted the committee: Elaine Schofield, Jason Ardit, Emma Wood, Emma Matthews, Jessica Falvey, Elspeth Dyer, Stephanie Mulvey, Caroline Hopley, Ze Nan Ma and Mohini Mehta. They are professional and have been cheerful, prompt and direct in their assistance. I again encourage members to read the Legislation Review Digest. I look forward to returning to this Parliament and seeing the scrutiny of bills improving for the benefit of the people of New South Wales.

**Report noted.**

*Bills***CHILDREN AND YOUNG PERSONS (CARE AND PROTECTION) AMENDMENT BILL 2018  
NATIONAL DISABILITY INSURANCE SCHEME (WORKER CHECKS) BILL 2018****Second Reading Debate****Debate resumed from an earlier hour.**

**Mr DAVID HARRIS (Wyang) (18:29):** I speak on the Children and Young Persons (Care and Protection) Amendment Bill 2018 and the National Disability Insurance Scheme (Worker Checks) Bill 2018 not only as a member of the Opposition but also as the shadow Minister for Aboriginal Affairs. I commend the shadow Minister for Family and Community Services and member for Bankstown for her contribution to the debate last night. She spoke for more than six hours and went into great detail about the community's concerns. She stressed that she was representing the views of community groups and that she did not agree with all of the statements she relayed to the House. However, she wanted to give a voice to the voiceless.

The biggest criticism the Opposition has of the Children and Young Persons (Care and Protection) Amendment Bill 2018 is that it has not been subject to proper consultation. We say that confidently because so many groups oppose it. Their main complaint is that they were not consulted properly. The shadow Minister referred to a selective consultation process; that is, it did not involve all interested groups. Groups were promised they would get a response, but the bill was introduced on the day the report was tabled. I do not think any member who knows anything about child protection, particularly adoption, would agree that was adequate. Unfortunately Aboriginal communities are statistically the most affected, and they were the least consulted. I remind members of the words of a motion moved in this place on 20 September 2012, when both Houses of the New South Wales Parliament apologised for forced adoption practices. The motion states:

That:

- (1) this House acknowledges the traumatic effects of the forced adoption practices of the past that have echoed through the lives of tens of thousands of mothers, fathers, people adopted as children and their families; and
- (2) all members of this House, with profound sadness and remorse, say to those living with the ongoing grief and pain of forced adoption practices that we are sorry.

If we are sorry, we make sure we do not do it again. I was a school principal and I would say to the children, "We all make mistakes. It's okay to say sorry, but you shouldn't do it again." Unfortunately, this lack of consultation means we are doing it again. People have asked that the Minister withdraw the bill and allow more time for people to digest its consequences. That is vital. Aboriginal people in this State and this country have very little trust in governments. Why would they trust them given their past treatment? They would have no confidence in taking at face value a bill that potentially affects them most. After their dispossession and past adoption practices, why would they trust that it would not happen again?

Despite that, in the last week of Parliament before the election, the Government has introduced a bill that has been subject to virtually no consultation and it wants us to pass it. Those affected groups are saying, "No. Stop, stop! Let's talk about this and think about the consequences. Help us to understand what it means." They are not saying no to adoption or that the child protection is working properly; they acknowledge that changes need to be made. However, we must take people with us. Leadership is about bringing the community along on the journey. It is not appropriate for us as politicians to say that we know what is best for everyone. We must bring the community with us, and we do that by ensuring people understand what the changes mean. That has not happened on this occasion.

I believe the Minister's motives are genuine and that she wants to do the best thing by kids. But she will do the best thing by kids and communities if she pulls this bill, sits down with them and talks them through how it is going to work, what support mechanisms there are, and how we can make sure that people are not once again taken from their families and adopted unfairly. I will read to the House some of the obligations we have under the United Nations Declaration on the Rights of Indigenous Peoples. One of them is:

Recognizing in particular the right of indigenous families and communities to retain shared responsibility for the upbringing, training, education and well-being of their children, consistent with the rights of the child ...

Clearly, that is being breached. When one side of the equation—all of those hundreds of Aboriginal groups and legal groups—is saying, "Stop, wait, let's look at this more carefully", and the Government continues to push the bill through then it is not working in partnership. It is not making sure that there is shared responsibility with those Aboriginal groups and families. That is not happening. Once again, we are infringing on their rights. Article 8 of the United Nations Declaration on the Rights of Indigenous Peoples says:

Indigenous peoples and individuals have the right not to be subjected to forced assimilation or destruction of their culture.

Nothing in this bill guarantees that Aboriginal children will be placed with Aboriginal families. Again, we are breaking the conventions. Article 18 says:

Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures ...

That has not happened. Those groups have not been consulted. They have not been spoken to in detail about the consequences of the bill. No matter how well-meaning the Government thinks it is, it has to talk to Aboriginal people and make sure that it understands what they want. Article 22 says:

Particular attention shall be paid to the rights and special needs of indigenous ... youth ... children ...

That is a fundamental one but this bill will not do that.

I go back to the open letter. The shadow Minister read the whole letter but I will read only two paragraphs from it. As of last week, 1,600 individuals and hundreds of Indigenous and community organisations had signed the letter to the Premier. The last two paragraphs warn:

The NSW government is a dangerous path to ruining lives and tearing families apart. The legacy of these reforms will be another government apology for traumatizing another generation of children.

We urge the NSW government to put these reforms on hold and engage in genuine dialogue with all stakeholders, including Aboriginal communities and community organisations supporting children in families in this area.

They are not saying, "Don't do it"; they are saying, "Talk to us. Help us understand. Consult with us". The Government is not doing that. It is outrageous that in the last week of this Parliament we are debating a controversial bill so that we can get it out the way before the election. If it is so important, why can't we wait? Seriously, I would love anyone on the other side to tell me that if this is such an important issue and they have got it so right, why can't we take the time to sit down with these groups, discuss it with them, hear their views and see how it might be improved? I just do not understand it. When all of those things have happened in the past, we have learnt no lessons; we have learnt nothing. We continually put these things on to people that involve families and kids and then we are apologising for it down the track. [*Extension of time*]

After sitting down and talking with people who were removed as part of the stolen generations, I get quite emotional. I was at meetings recently at Cummeragunja near the Murray, in Kempsey, Bowraville and Nambucca. They said to me, "You politicians just talk to us about improving things. You only talk to us about going in partnership with us, yet here we go again. Something so fundamentally important is being pushed through". The letter clearly says:

We urge the NSW government to put these reforms on hold and engage in genuine dialogue ...

That is what they are asking. They are asking to be genuinely consulted on this. It is their kids. We have done this time after time and we continually get it wrong. We get it wrong because we do not spend the time to get it right. A trial is going on in the north-west of the State, which is supposed to be rolled out across the State. It is entitled "Guiding principles for strengthening the participation of local Aboriginal community in child protection decision making". It is a great document with wonderful words. It was put together in consultation with Grandmothers Against Removal. I got feedback that it is inconsistent, it is applied differently across the State and in some places it is not applied at all. If we cannot get even this right, where there is cooperation, how can we pass a bill that takes kids permanently away from their families? It does not even guarantee that brothers and sisters will be kept together. It does not say that.

The courts might do that. That is what the people want to know. They want to understand how it will work and what will happen. We have a trial and we cannot even be confident that it is working. You talk to Grandmothers Against Removal and they will tell you: It is not applied consistently. That is why there is no trust. Last night the reason the shadow Minister had to talk for so long was that it was the only way their views got put on the record. She had to read them into the record because they have had no opportunity to contribute. They are angry and so they should be; it is their kids. There are circumstances where you cannot make things right within 24 months for a whole range of reasons that were outlined last night. It may be that the court does not enforce that, but it also could be that it does. Once that adoption occurs, all legal ties to their previous family are gone; they are now part of a different family. One of the most important things in Aboriginal community and culture is retaining culture and kinship, and keeping families together. If the Minister and the department think this is so right, they should pull the bill now, sit down, talk to people and do the right thing.

Let us not come back here in five years, 10 years or 15 years saying, "Sorry, again—we wanted to get it through the Parliament in the last week because it is convenient". I could read all the things into the record again; unfortunately, I do not have the time that the shadow Minister had last night. Article after article, person after person, comment after comment all say the same thing. They are not saying no; they are saying, "Talk to us". That is all they are asking for. If this Government is so arrogant that after all of the history of this country and all the

things that have happened to those people, if the Government cannot pull the bill now and spend another six months having a proper consultation—because this is about the lives of kids forever; it is about families forever—then this place needs to have a good, hard look at itself. All the members of the Government will vote for the bill because they have been told to do it. A lot of them will not even understand all of the issues. They would have spoken to no Aboriginal groups; they would have spoken to none of the legal organisations. They will put their hand up when it is time. Shame on them, because they are doing the wrong thing by kids. For goodness sake, pull the bill and talk to people.

**Ms ANNA WATSON (Shellharbour) (18:44):** With a heavy heart I speak on the Children and Young Persons (Care and Protection) Amendment Bill 2018. I know Minister Goward is listening. I hope she is hearing what we are saying, because she can be a very reasonable Minister. I oppose this bill in its current form. I take this opportunity to commend my colleague the member for Bankstown on her incredible efforts in the fight to ensure the best possible outcomes for our State's children and families. I stand with my colleague and object to a number of key reforms that this bill seeks to implement in the New South Wales child protection system.

We all love our kids. There are not many parents who would say that they do not love their children. Since 2011, I have been meeting with constituents of my electorate who are struggling and working to get their children back. Those people are always going through tough times. They usually cannot access the support services they need because of the funding cuts made by those opposite. Sometimes they are on the housing wait list, stuck in a limbo that could last up to 10 years or even 20 years. One serious concern I have with this bill in its current form is this Government's decision to impose an arbitrary deadline of 24 months on these families that are already struggling. It will be a greater struggle for those families if they have a time limit looming over their heads.

Schedule 1 provides that once a court has approved a permanency plan for a child, whether that plan identifies restoration, guardianship or adoption as the preferred outcome it can only make an order giving full responsibility to the Minister for a maximum of 24 months. These reforms expand the court's power to dispense with parents' consent in adoption applications. I want to be very clear. No-one in this House wants to see a child languishing in care but—and this is what major stakeholders are telling us—an arbitrary maximum two-year time frame for restoration is unacceptable. This issue is intensely personal and individual.

This should be considered at a case-by-case, individual level. We need to be working to support families. An arbitrary date of 24 months will not help to support these families. I remind the House that those opposite have already launched countless attacks on Family and Community Services. They have cut funding, cut face-to-face hours, cut staffing and cut services, and now they want to put an arbitrary date on forced adoptions and set families up to fail. They also have not explored any plans to help families meet this deadline. There are no plans to extend essential support services, staffing or funding. These services are chronically underfunded in the Illawarra and right across this State. We need to do all we can to keep our children safe and happy, but we also need to do all we can to support parents who are struggling so that they can get well and are once again able to care for their children.

I recently read an example that shows the real impact of this bill. Say a child was removed from their home because their mother was in a violent relationship with a man. This mother needs to access support services, heal herself, receive rehabilitation, and possibly apply for and receive housing within these 24 months. If she does not get her life back on track in those two years her child is gone forever. I remind the House of the current state of the New South Wales public housing wait list, where individuals can wait 20 years or more to receive housing, and the underfunded and understaffed domestic and family violence support services. This arbitrary date should scare every one of us in this House. It is completely unacceptable, and it is cruel. Other States in this country are moving in the opposite direction to these reforms, and they are the ones getting it right, not us. Many other States are of the opinion that consent should be the cornerstone of the adoption process, and that it is crucial to help ensure the child's best interest and that the parents' rights are protected.

I also have concerns regarding these reforms and the lack of consultation they involve. The member for Bankstown raised, in the second reading debate, instances where the journey to today's discussion has been shrouded in secrecy. Reports that have led to these reforms have been released reluctantly or unwillingly. If you have something to hide, then there is something wrong. Finally, we also need to consider the fact that Aboriginal leaders and community members are speaking out and highlighting their opposition to what is currently being proposed out of fear that this could lead to another stolen generation.

In 2016-17, 38 per cent of the 18,780 children in out-of-home care were Aboriginal. That is a very high proportion. These reforms could be a step towards repeating the terrible mistakes of our past. The member for Wyong and the member for Bankstown have already highlighted this to this place. The dangers are glaringly obvious. Organisations and individuals alike are telling us these reforms could result in more trauma and should



be reconsidered. I believe we should heed these warnings. I urge everyone in this House to reflect on this discussion, and not to politicise the lives of our State's children.

We must do what is right. We have been elected to serve the people of this great State. If our citizens are voicing their concerns, we need to listen and we need to address their concerns, particularly with respect to what is before us tonight. We cannot and should not enact arbitrary deadlines like the one being discussed today. We need to recognise the individual and personal nature of this issue. That is so important. These are not just words on paper; the bill will affect real lives. Instead of arbitrary time frames we need to provide additional support services. We need more funding. We need more staff. These families need support, not arbitrary deadlines.

**Ms JENNY AITCHISON (Maitland) (18:51):** I wish to speak on the Children and Young Persons (Care and Protection) Amendment Bill 2018. I have already spoken today about the laziness of this Government—the legislative lethargy, which has led Minister after Minister this week to walk into this place, the Parliament of our State, the people's House, and dump these cognate bills, with little or no second reading speech, which is so necessary for the interpretation of the legislation. In fact, in this case their silence is proof of the deep ambivalence towards this truly egregious legislation they are trying to sneak in here at five minutes to midnight in the term of this Government.

But we are not fooled, and neither are the people in New South Wales. As shadow Minister for the Prevention of Domestic Violence and Sexual Assault and as acting shadow Minister for Women, I vehemently oppose the Government's position of debating such important pieces of legislation together. So I will first turn to the legislation that Labor does support, which is the National Disability Insurance Scheme (Workers Checks) Bill 2018. For this reason, the Government must agree to split these cognate bills and deal with them separately.

The workers checks are designed to protect people with disability from those who would abuse, neglect and exploit them. Indeed, having all NDIS workers apply for a check consistent with the working with children and vulnerable persons check really is overdue, given that the scheme was launched in some areas of the State more than five years ago. It is yet another example of this Government's lazy approach. That this Government would conflate the two issues of working checks for people in the disability sector with the forced adoptions of children in care and protection is obscene evidence of their lack of understanding and incompetence on these issues. This Government can no longer be trusted.

I now turn to the Children and Young Persons (Care and Protection) Amendment Bill 2018. This issue has been dragging around for some time. I note that there were some moves on this back in 2016, but this is in the context of the national apology to the stolen generation, the national apology to the children who were sexually abused in institutions, the apology of this Parliament to the Fairbridge children—that apology was made in this term of government—and the revelations we have all heard through the royal commissions, the truth telling and the Bringing Them Home report of Sir Ronald Wilson. We have heard from many children who have spoken of their pain and suffering, who lost contact with their birth parent and suffered life-long consequences from that separation. We can never support an arbitrary waiting period of time before forcing children into an adoption.

I have mentioned in this place previously that I worked with the then Commonwealth Department of Immigration and Multicultural Affairs on a submission to the Western Australian Parliament inquiry into the guardianship of children under the Immigration Act. The stories I read of those children and their experiences in care were truly shocking, but what always resonates with me is the forced nature of the separation that was brought to pass on them—mums, dads and children who are forever broken by the fact that they were told by governments that their mums would be back soon to collect them and then found themselves on a boat on the other side of the world, never to return to their families.

That is what we are talking about here: taking children who are the most vulnerable in our State from parents who are the most vulnerable—parents who have had many issues already, who in many cases are working terribly hard to overcome addiction, mental health issues, domestic violence and trauma from other things that have impacted on them in order to restore themselves to their families. Yet this Government has said, "Two years later is all right. That is it. We just go straight to adoption." The Government has no compassion or understanding of the impact of adoption. The circumstances in which adoption takes place need to be very carefully thought about. We know how difficult adoption is. Parents who adopt and children who are adopted face many issues. An article from 2001—the beginning of this century—in the *Journal of Paediatric Child Health* entitled "Understanding Adoption: A Developmental Approach" states:

Adoption may make normal childhood issues of attachment, loss and self-image even more complex. Adopted children must come to terms with and integrate both their birth and adoptive families.

Children who were adopted as infants are affected by the adoption throughout their lives. Children adopted later in life come to understand adoption during a different developmental stage. Those who have experienced trauma or neglect may remember such experiences, which further complicates their self-image. Transracial, crosscultural and special needs issues may also affect a child's adoption experience. All adopted children grieve the loss of their biological family, their heritage and their culture to some extent.

Adoptive parents can facilitate and assist this natural grieving process by being comfortable with using adoption language (eg, birth parents and birth family) and discussing adoption issues.

There is no doubt that the many people in our State who adopt children do so with the very best of intentions and they provide good homes for those children, and the children who have been adopted have had chances that may not have been available to them otherwise, but it is not right for the State to help make those decisions based on an arbitrary time frame of two years. We know adoption is a necessary process, but this Government is being blind. The Government talks only about "forever families". It does not acknowledge the loss of the "never families" that are left behind—the families that do not get to experience the care.

I have spoken to many people my age who were adopted. The question for them—and I think this is important in the child protection space—has always been: Why was I the one to be adopted? This legislation sets that up as a potential outcome for children who are born at a time of deep crisis for their parents. I want to share with the Parliament the words of some of these people. We have heard many contributions in the past two days from the two shadow Ministers—the member for Bankstown, who put in a marathon effort, and the member for Wyong—and the member for Shellharbour. They spoke of the stakeholders but I want to speak about the parents: the foster parents, the adoptive parents and the biological parents. All parents want the same thing for their children. They want the very best for their children regardless of what category of parent they are. But they want to know the State is supporting them to do this in the best possible way. [*Extension of time*]

Take the words of Yvette Andrews, a foster parent, who said:

We don't want to be pit against his other family. We don't want biological family forced into one camp and carers in the other. We don't want a situation that is all or nothing.

Anne is a biological parent who has completed parenting programs and alcohol programs after surviving domestic violence and has worked to prove she can provide a stable family. A story in the *Sydney Morning Herald* from July 2016—two years ago—by Kirsty Needham stated:

Anne says she was "gutted" to discover her children would fall under the new adoption law. Looking at the Barnardos website, with photographs of smartly dressed children seeking "forever families", Anne says: "I felt sick my children were in that at one stage. What is this – a shop?"

...

Women's Legal Services NSW executive officer Helen Campbell said: "We are concerned that the emphasis on adoption is the wrong way around. It should be taken as the last resort not the fast resort."

The Government has given no thought to the practical consequences. What do parents like Anne with children who have stayed with them say to children who will be adopted out because at the time the State intervenes in her family she is unable to care for them and she has passed a deadline? There is no practical thought to this. There is a very grave risk here. Speaker after speaker from the Opposition will come into this place and talk about the threat of another stolen generation. We need to consider that, under this legislation, every parent in this State who goes through a crisis—whether because of domestic violence, emotional violence, mental health issues, drug and alcohol problems or some other problem that requires care—will be subject to a two-year waiting period and once that is done and dusted they will be forced into the adoption system and there will be nothing that can undo that.

This Government seems to think it is all right. It says, "We're just talking about adoption. Everything will be open in the end." It is not. To use the Government's own words, adoption is a "forever family". The Minister came into this place and disrespectfully failed to even give her second reading speech. I am concerned that we have not been given enough time, and I am concerned that the Government would ram a cognate bill such as this through the House on the second-last day of its second term of government because it knows it is controversial legislation.

I have read many first-person accounts of people who it was decided historically by governments were not to be kept with their parents. They grieve for those parents not just for a year or two but for the rest of their lives, because we all have very strong relationships with the people who bear us. For good or bad, those relationships go on for life. They will impact on the way we bond with others, the way we see ourselves and the way we deal with the pressures life puts on us. There are people who now suffer from mental health issues, drug addiction or alcohol abuse issues or who themselves have become perpetrators of family violence because the answer they were given was that they came from bad stock and they were going to be ripped out of that. This Government is setting up yet another generation of broken families.

This is the most egregious piece of legislation that this Government has put before us. That is a big statement. I do not come back from that. The Government has put out some pretty bad legislation—I would go so far as to say it has put out some evil legislation—but this legislation goes to the heart of families and generational trauma, sadness and tragedy. That is what this Government is setting up with this bill. This Government is not

just hurting these kids and their parents, and it is not just compromising the relationships these kids will have throughout their lives—it will go on for generations.

And this Government said sorry. This Government is from the same parties as those of the Federal Government that said sorry—and sorry means you do not do it again. This Government has got to stop. Anyone who, like me, has read those stories and felt what those people have suffered through the State interfering with their very birth right, their sense of identity, by enforcing arbitrary decisions around when and who will be their parents, knows that this is the wrong thing to do and it must stop now.

I do not want to be part of a Parliament that has approved this kind of legislation. I urge all members who are in this place tonight to think about what they are saying to people in all of our vulnerable communities about their value as human beings, what they are saying about the value of their families and what we as a society are prepared to cop when people are in a vulnerable state. That is supposed to be about support, help, assistance and care. It is not about ripping families apart.

I refer to an Aboriginal woman in my electorate who has a number of children. On the day that one of her children was returned to her home, an infant after heart surgery, the Department of Family and Community Services [FACS] provided her with another homecoming: her 14-year-old son, who has autism spectrum disorder and very violent behaviours. The woman found it extremely difficult to cope with those two events happening that day. She asked FACS for help. She asked the Government for assistance. She was told, "We don't think you're ready to have your children returned to you."

What a disgrace. She was ready. She had done the work. However, FACS put all the stuff—all the hard bits—on the table. She has other children who have been taken away from her. She has not been given an Aboriginal caseworker, even though she is Aboriginal. Two of her children who were removed from her home are in care with someone who reported them as not fit to stay with her. What faith does she have in the system? What faith do I have as a member of Parliament? I have heard stories like that day after day after day. I know the Hunter is one of the regions in this State where FACS does not conduct the proper number of face-to-face assessments and its staff cannot be bothered to get out of their towers and asked the questions. It is a disgrace and the Government should not accept it. The Government should split the cognate bills so we can all vote this bill down.

**Ms JODIE HARRISON (Charlestown) (19:07):** I speak to the Children and Young Persons (Care and Protection) Amendment Bill 2018 and the National Disability Insurance Scheme (Worker Checks) Bill 2018. Debate on the Children and Young Persons (Care and Protection) Amendment Bill 2018 is bringing a lot of emotion to this place—and rightly so. We are talking about people's families and lives. We are talking about feeling loved and supported. I am concerned about how this bill will affect that. It is worthwhile saying that it is unfortunate that the Government decided to deal with these bills as cognate bills, rather than as separate bills in their own right. In reality, these are not cognate bills—although they have been put forward as such. In reality, they are two separate pieces of legislation.

I do not have any concerns regarding the National Disability Insurance Scheme (Worker Checks) Bill. It is a sensible bill. The object of the bill is to establish a scheme along the same lines as the working with children checks and for it to apply for the screening of support workers or people who are providing services under the National Disability Insurance Scheme. It is a commonsense bill. It will work to protect people with disability from neglect, violence, abuse and exploitation.

I have vehement opposition to the Children and Young Persons (Care and Protection) Amendment Bill. In essence, this bill will impose new guardianship and adoption orders with a two-year maximum time frame for restoration. However, as has been raised by other members on this side of the House, the bill fails to recognise the significant systemic barriers families face in accessing appropriate services. They are services to support them to be the best possible families that they can be. I recognise the considerable work that the shadow Minister and member for Bankstown have done in engaging with stakeholders on this bill. It is what should happen. It is what should have happened in the drafting of the bill.

I speak on this bill today because the protection of children in New South Wales is our core business as legislators. The "at risk children and young people" of whom we speak in this legislation are some of the most marginalised in our society, and they deserve adequate representation in this place. Children and young people do not have a vote and their voices are often quiet, but we have the opportunity to listen and amplify their voices and to vote in their best interests. This bill is not in their best interests.

I also speak to this bill because my electorate of Charlestown falls within the Hunter-New England district, which is seeing an alarming number of risk of significant harm reports. To be honest, Family and Community Services [FACS] does not have the resources to deal with that number. The last figures we have for

the region are for the October 2016-September 2017 period. They show that 14,931 children were reported at risk of serious harm in Hunter-New England, with only 23 per cent of those having been seen face to face by a caseworker. Less than a quarter of the children in the Hunter-New England area who are at risk of serious harm have been seen face to face by a FACS caseworker.

There is a strong risk that this bill, if implemented, will put further strain on FACS resources and put even more children at risk of harm and not being assessed. My office regularly has involvement in cases where children are reported as being at risk of serious harm. I find it incredibly disturbing when responses from the department come back saying that the case has been closed "due to competing priorities". This response does not say that there is no risk of serious harm, it does not say they have investigated the case—it says that the department does not have enough resources to investigate fully.

I do not believe it to be achievable to find a permanent home for the 18,000 children in out-of-home care at the moment given the resources of FACS. Services are already far too stretched. As it stands, vulnerable children are not being assessed by their caseworkers, so how will this Government find the resources to find suitable homes for 18,000 children in two years? It is pretty clear: it will result in children being placed in the wrong homes if this is forced. Family and Community Services staff have been fighting for an increase in staffing levels to allow for manageable caseloads. This Liberal-Nationals Government, despite calls from the Opposition, has been unable to recognise the need for additional caseworkers, psychologists, legal staff and support staff who provide valuable support to children, but it thinks it can re-home 18,000 kids in two years.

The shadow Minister has read the comments of many people and groups concerned with this bill. I listened to the member for Maitland, who referred to Yvette's story, which featured in yesterday's *Sydney Morning Herald*. I will provide some additional information about Yvette's story. Yvette has fostered a young Aboriginal boy for three years, she is Aboriginal and she has grave concerns about the bill. Each year Yvette's foster child meets with his biological mother. In the article Yvette wrote of the joy of being able to tell her foster son's birth mother that he is a gifted swimmer, and that his birth mum is very pleased because she is also a good swimmer.

Being able to find that biological connection between child and birth parent is a fulfilling experience for everyone involved. Finding and sharing biological connections cannot be rushed and they certainly cannot be found in an arbitrary period of two years. I put it to the members of this place that one cannot describe the feeling of being separated from anyone they are biologically related to unless they have lived it. I have not lived it. I know people who have and I have no doubt that to properly work through whether a restoration or a permanent new family is appropriate should not and cannot be rushed. In Yvette's words:

A child who knows where they are from, whose connections are acknowledged, has a better chance.

Yvette also says:

Hastily moving children into adoption takes away vital support services that respond to their often complex physical, psychological, and cultural needs.

These are the words of a real foster parent, one who feels she has not had a voice in this debate. The mother of her foster child has even less of a voice.

I cannot support a bill that will allow for another generation of stolen children. A decade ago the nation apologised to the stolen generations. Five years ago the nation apologised to victims of forced adoptions. Over the last couple of weeks rallies have been held outside this place opposing this bill. Stakeholders, including Aboriginal community bodies such as AbSec, Grandmothers against Removals and Burrin Dalai Aboriginal Corporation Inc, as well as community legal advocates such as the Aboriginal Legal Service and Women's Legal Service NSW, have been vocal about the lack of transparency and public dialogue on this important area of public policy. The greatest concern of those stakeholders is the push towards adoption orders that will permanently sever Aboriginal children and young people from their family, community, culture and identity. Given history, I believe that these are legitimate fears. [*Extension of time*]

The record of this nation is not clean when it comes to our history of forced adoptions. Some constituents in my electorate—as there would be in all electorates—are still living with the traumatic intergenerational impacts of forced removal. The serious decision to permanently separate children from their parents and families has lifelong and potentially detrimental repercussions. Earlier the shadow Minister for Aboriginal Affairs spoke passionately about the need for the recognition of the absolute importance of culture and kinship. This bill does nothing about that.

This is a draconian bill. It ignores history and the fact that the Department of Family and Community Services is dangerously under-resourced. It is also city-centric. This is an anti-region policy. The support services Yvette referred to are difficult to access for rural and regional people. Mums and dads living in the regions do not

have access to the services and support those who live in the city have access to. This legislation will result in parents in our regions living with complex needs, whether as a result of disability or perhaps as a result of multigenerational issues, being completely separated from their children simply because they cannot get sufficient support to enable them to be good parents. We need to ensure the proper mechanisms are in place to support these parents before adopting these radical changes.

In closing, I reiterate that I do not oppose the National Disability Insurance Scheme (Worker Checks) Bill 2018. However, I encourage those opposite to support Labor's amendments, to take a breath and to properly consult, consider and focus on early intervention and support for vulnerable families, before they reach crisis point. If the Government were to support the amendments I would not oppose the bill, but I do not see that happening. Given Australia's history, the approach taken in this bill is simply unacceptable. The Minister and this Government need to listen to, and to act on, the outcry from the greater community. Many credible stakeholder groups have opposed this legislation. This outcry makes it obvious that this legislation is seriously flawed. We have said sorry to the stolen generations. We absolutely cannot allow history to be repeated, which is exactly what this flawed legislation will do.

**Ms KATE WASHINGTON (Port Stephens) (21:18):** I make a contribution to the Children and Young Persons (Care and Protection) Amendment Bill 2018, introduced as a cognate bill with the National Disability Insurance Scheme (Worker Checks) Bill 2018. The Labor Opposition has serious concerns about the consequences of the Children and Young Persons (Care and Protection) Amendment Bill 2018. The shadow Minister for Family and Community Services, Tania Mihailuk, has already provided the House with extensive detail around our specific concerns, as well as the concerns of countless numbers of organisations and individuals. Yesterday the shadow Minister made a passionate six-hour address in this House. Many of the concerns she addressed had also been raised with me by local stakeholders and constituent groups following the Government's recent announcement to enact these reforms.

At the outset I register my absolute disgust that this Liberal-Nationals Government has joined the Children and Young Persons (Care and Protection) Amendment Bill 2018 with the National Disability Insurance Scheme (Worker Checks) Bill 2018. The two bills bear no relationship to each other at all. There is no justification for them being introduced as cognate bills. It is difficult to see that the tying of these two entirely unrelated bills together is nothing other than a cynical, dirty tactic to wedge the New South Wales Labor Opposition into supporting the Government's forced adoption bill because we will not oppose the National Disability Insurance Scheme [NDIS] cognate bill. Sadly, I am not surprised that the Government is using the NDIS to push through controversial child protection legislation. The Government has already used the NDIS as a cover to privatise State-run disability services, shift costs onto the NDIS and attempt to defund disability advocacy organisations.

Having addressed the appalling manner in which these bills have been brought before us today, I now turn my attention to the bills. As the acting shadow Minister for Disability Services, I will first focus on the National Disability Insurance Scheme (Worker Checks) Bill 2018. I note that it seeks to establish the processes for screening staff employed under the National Disability Insurance Scheme. The National Disability Insurance Scheme (Worker Checks) Bill 2018 is a result of the Intergovernmental Agreement on Nationally Consistent Worker Screening for the National Disability Insurance Scheme. Once established, this process will include a national criminal history check and workplace misconduct information from the National Disability Insurance Scheme Quality and Safeguards Commission.

The National Disability Insurance Scheme (Worker Checks) Bill 2018 sets the duration of a clearance at five years, with a six months option if an application for renewal is underway. It also sets the provision for information gathering and information sharing under this national scheme. It is well known that there are too many tragic examples of people with a disability being exploited, abused, assaulted or neglected. The checks prescribed by this bill is another layer of protection, and a welcomed layer, designed to protect people with a disability from terrible situations such as these. The sector was calling out for oversight, accountability and quality control measures to be put into place prior to the implementation of the NDIS and the complete privatisation of the disability service sector in New South Wales. Obviously that did not happen. This is yet another example of the unsteady wings on the NDIS plane as it is flying. This bill is a case of better late than never. It will mean additional protection measures, consistent with all States and Territories, are put in place in New South Wales. Labor will not be opposing the National Disability Insurance Scheme (Worker Checks) Bill 2018.

I turn now to the Children and Young Persons (Care and Protection) Amendment Bill 2018. The measures proposed in this bill are opposed by a multitude of stakeholders in this sector and the broader community. Opposition to this bill has brought together groups, including the Community Legal Centres NSW, Grandmother's Against Removal NSW, Public Interest Advocacy Centre, Kinchela Boys Home Aboriginal Corporation, Aboriginal Health Services, Aboriginal Legal Service (NSW/ACT), Save the Children, the Benevolent Society,

Women's Legal Service NSW, Redfern Legal Centre, Australian Services Union, Homelessness NSW and the Australian Community Workers Association. All these amazing bodies have a legitimate voice in this argument, yet they have not had their voices heard by this Government. That has resulted in this poor legislation being brought before this House. In my region, the Hunter Community Legal Centre has raised its strong objections to this bill.

The Hunter Community Legal Centre is an independent, not-for-profit community legal centre which provides free legal advice and assistance to disadvantaged people in the Newcastle, Lake Macquarie, Port Stephens, Myall Lakes and Hunter Valley. The centre notes that it is frequently called upon by kinship carers and grandparents who have taken on the care of their kin or grandchildren. I am well aware of the increasing role grandparents and kinship carers are playing across the Hunter. They are an important stakeholder in this debate. Indeed, they are playing an increasingly important role in the care of young children who can no longer stay with their families. Like other objectors, the Hunter Community Legal Centre has outlined a litany of concerns about this bill. The centre has identified the lack of consultation as a key concern. It has stated:

The lack of adequate consultation on these significant reforms puts the Government on a pathway to repeating past mistakes. These reforms are significant and will have a disproportionate impact on the most vulnerable children and families in NSW, including Aboriginal and Torres Strait Islander people. This bill began as a discussion paper titled "Shaping a Better Child Protection System", issued in December 2017. Only a select group of stakeholders were asked to provide feedback on the proposed legislative amendments and those submissions were never made public. I am advised that the community legal sector and other stakeholders understood that there would be further consultation and that a draft exposure bill would be released prior to the introduction of any bill to this Parliament. Instead, the report on the consultation process was released on the same day as this bill was introduced to Parliament.

The community sector has been forced to quickly respond to this bill and its implications for children in care. The chorus of concern and the volume at which the community sector is objecting to this bill should give the Government reason to pause because these are groups and people who know what it is like on the ground. They have intimate knowledge of the broken system and its complexities. They are saying that this Government's proposal, as manifested in this bill today, not only will not work but also will cause more harm. That is more harm in a setting where we can least afford to go backwards because young people's lives and futures are at stake.

What is the Government doing in the face of this loud chorus of concern? The Government is blindly pursuing changes in its usual dogmatic holier-than-thou, we-know-better-than-you approach and is rushing through a simplistic proposal to address a complex problem in its usual ham-fisted, no-consultation-needed manner that has become the hallmark of this Government. We have seen it all before. We saw it with the greyhounds. We saw it with council amalgamations. We have seen it with the botched marine park reforms. Now, lowest of the low, we are seeing it with the most vulnerable people in our State. The Children and Young People (Care and Protection) Amendment Bill 2018—or the forced adoption bill, as it has become known—seeks to amend the Children and Young Persons (Care and Protection) Act 1998 and the Adoption Act 2000. It proposes to amend the Adoption Act in a manner that will broaden the powers of the Supreme Court to dispense with parental consent when an adoption order is sought by a child's current guardian. It seeks to allow a court to be able to make a guardianship order under section 38 with the parents' consent, even when the Department of Families and Community Services [FACS] has made no finding that a child is at risk of significant harm or should be subject to a care and protection order.

Those two proposals alone in this bill create a fast-track pathway to adoption without adequate oversight to protect the best interests of vulnerable children. The requirement that parents who are asked to consent to guardianship orders should have access to free legal advice does not go far enough to ensure appropriate accountability and advice is provided to parents. I note that Labor moved an amendment in the upper House that would tie these reforms to increased funding for legal assistance and other community service providers engaged in child protection work so that families engaged with the child protection system have access to early and independent legal advice at all stages of the process. The amendment was not supported. This bill also creates a requirement for Family and Community Services to engage families in alternative dispute resolution before seeking care and protection orders from the court. Importantly, this section does not come with the same requirement for free legal advice for participating parents. [*Extension of time*]

This significant change requires accessible and independent legal advice to address the power imbalances between parents and FACS. The focus of this work should be on ensuring that placing a child in out-of-home care is always considered as an intervention of last resort, but this bill fails to get the balance right. Perhaps the most significant concern raised by this bill is the legislative two-year maximum time limit for families to work towards restoration. Put bluntly, this is a system designed to set families up to fail. This policy fails to recognise the systemic and significant barriers that families face in accessing appropriate services, particularly in regional, rural and remote areas of New South Wales. The proposal restricts the court's ability to consider whether a child can be restored to his or her family within a period of less than two years. This decision effectively abolishes the court's discretion to grant flexible care and protection orders on a case-by-case basis.

We know that every family is unique and we know that every family faces different challenges but this bill fails to give courts the discretion to respond to those specific needs. This proposal also fails to impose corresponding obligations on FACS to provide intensive and holistic support to families to achieve restoration within the proposed time frame. We know about the huge vacancy rates for caseworkers at FACS, we know the waitlists for drug and alcohol rehabilitation, and we know the enormous waitlist for social housing. Against that background, the Government wants to set a two-year time frame when it knows that its own agencies cannot meet that time frame. The waitlist for social housing in the Hunter is up to 10 years. How can a family be expected to get the help they need within two years, if it can take up to 10 years to get a roof over their heads?

Rather than taking this punitive approach, Labor has proposed opening more drug and alcohol rehabilitation centres, with a focus on crystal methamphetamine, or ice, and is committed to a number of those for regional areas. A Labor government will have a tough job turning around the child protection legacy of this Government, particularly in the Hunter. The Hunter has the highest rate of children reported at risk of significant harm, as well as the lowest rate of those children being seen by a caseworker. They are shameful statistics. Between July 2016 and June 2017 there were approximately 15,000 risk-of-significant-harm reports about children in the Hunter-New England region, but only 3,138 received a face-to-face assessment from a caseworker. With only 22 per cent of children at risk of harm being seen, the Hunter had the lowest assessment rate of all 15 FACS districts in New South Wales. It is not something that Labor wants to see in the future, but if this bill is going forward and is supported by this Government today, those figures could get worse than they are now. I again refer to the concerns raised with me by the Hunter Community Legal Centre, which stated:

We share the government's commitment to providing safe futures for our children. However, the proposed changes to fast-track adoptions and adoption-like guardianship orders run the risk of repeating the harms caused by past policy failures.

In recent years, Australia has apologised to members of earlier stolen generations and, more recently, to those who experienced forced adoption and institutional child sexual abuse. We cannot afford to repeat these mistakes.

If pursued, the legacy of these reforms will be another government apology for traumatising yet another generation of children.

We urge the government to put these reforms on hold and engage in genuine dialogue with all stakeholders, including Aboriginal communities and community organisations supporting children in families in this area.

This bill exposes this Government, yet again, for its heartlessness, for its inability to grasp the reality of the day-to-day lives of people who are struggling. It is very clear that the Minister and her Government do not understand the lives of people who are struggling with the cost of living; who are struggling every day—financially, physically, culturally, socially or psychologically, or who are struggling with addiction or mental health issues. All of those issues create a barrier that can make it very difficult to engage with support services, especially in a timely manner and especially in rural and regional communities across New South Wales. It does not make them bad parents.

Under the Minister's watch, both now and when Minister Goward previously held this portfolio, we have seen budget cuts, caseworker vacancies and privatisations that have overwhelmed the sector. We have seen the barriers to accessing supports increase and the support decrease. We have seen her relentless push to sell off public housing but the claimed reinvestment in new housing has never eventuated. Labor will be moving a number of amendments to the bill presented today, seeking to limit the damage this Government's actions will cause to the struggling and vulnerable families of this State. If these amendments are not supported, as I suspect they will not be—

**Ms Pru Goward:** They will not be.

**Ms KATE WASHINGTON:** —I will join my colleagues in opposing this forced adoption bill. The Minister has just confirmed in this House that none of the amendments Labor will propose—to try to stop the impact that this legislation will have on vulnerable families across the State—will be supported. However, I reiterate that Labor will not oppose the National Disability Insurance Scheme (Worker Checks) Bill 2018, which remains inappropriately coupled to this forced adoption bill.

**Mr EDMOND ATALLA (Mount Druitt) (19:33):** My contribution to the debate on the Children and Young Persons (Care and Protection) Amendment Bill 2018 will be brief because the shadow Minister and member for Bankstown comprehensively put the Opposition's objections to this bill in a speech lasting more than six hours and put forward the Opposition's case. Labor's main concern relating to the reforms on which I will focus tonight is purely the two-year limitation period. As the member for Mount Druitt, I know that my electorate has the Blacktown Native Institution site.

I should not have to remind members that the Blacktown Native Institution site is the earliest remaining example of an institution built specifically to house and indoctrinate Aboriginal people with European customs. The governments of the time thought that it was in the best interests of Aboriginal children to take them away from their parents and to put them with other parents or in other institutions to indoctrinate them into the European

way. Whilst this bill is not specifically targeted at Indigenous people, they have raised concerns with me because there has been no consultation on the bill. They see this bill as one that targets them. No-one wants to see a child's welfare compromised but, at the same time, we should not be introducing legislation that prohibits children from ever being restored to their parents.

Community members have visited my office to raise concerns about kids being taken away from their parents for a number of reasons. Sometimes the parents are not suitable at the time—they may be into drugs, for example—and the kids are placed in foster care. I have seen parents who have come to me reformed, asking for their kids to be returned to them. I have seen people in those situations. We have made representations, some of which have been successful, and the children have been returned to their rightful parents. Under this bill and the two-year limitation period, that could not occur. Why is this bill being rushed through the Parliament the night before the Parliament rises for the year? Why has adequate time not been given to consult widely with the Indigenous community? They want the best for their children and they are saying that there is nothing in this bill that will provide that. Indigenous people in my electorate have contacted me to express their concern.

**TEMPORARY SPEAKER (Ms Anna Watson):** I call the member for Miranda to order for the first time. This is an emotional debate and out of respect members will be heard in silence.

**Mr EDMOND ATALLA:** Last week hundreds of people demonstrated outside Parliament House. Some very emotional mothers see this as a repeat of the stolen generation. They do not see any difference between what this bill is trying to achieve and what has happened in the past. The only way forward is for the Minister to defer the bill. If the bill is passed the Minister will not be able to stop the flood of Indigenous people marching through the streets and saying that this will be a repeat of the stolen generation. I am sure that is not what the Minister wants. I ask the Minister to defer the bill for the sake of clarity. Indigenous people have a right to be heard and to be consulted. If the Minister thinks the bill does not target Indigenous people she should meet with those organisations and let them express their concern. A statement made by a peak Aboriginal child and family organisation states:

We have constantly stated that the adoption of Aboriginal children from the statutory system is not an option. The way forward is to listen and to meaningfully engage with Aboriginal people.

That has not occurred. Why are we rushing this bill through Parliament tonight, one day before the Parliament rises and there is no opportunity for consultation to occur? I appeal to the goodwill of the Minister and I ask her to listen to the concerns of Indigenous people and not to proceed with a bill that will make Aboriginal people think that this Government did not mean it when it said, "Sorry means never again." The apology that was given will have no meaning if we proceed with this bill. We do not want to see any children languishing in care. But this is not the way forward. To forcibly remove kids and to permanently separate them after two years is not the way forward. When parents are reformed and fit enough to take back their kids it will be too late. They will be told, "You cannot have your kids back because the law does not allow you to have them after two years." A decade ago the nation apologised to the stolen generations. I hope we do not repeat the mistakes of the past.

**Mr GUY ZANGARI (Fairfield) (19:41):** I speak in debate on the Children and Young Persons (Care and Protection) Amendment Bill 2018 and National Disability Insurance Scheme (Worker Checks) Bill 2018. The Children and Young Persons (Care and Protection) Amendment Bill 2018 has not received adequate consideration. I thank my colleagues, in particular the member for Mount Druitt, for their contributions to debate on the bill. The member for Bankstown spoke in detail about those issues of concern in this bill. New South Wales is facing a repeat of the stolen generations as a result of this Government's incompetence. The bill is a last ditch attempt by the Premier to cement a legacy for herself. However, its impact on communities throughout this State will be catastrophic.

The New South Wales Government should be focusing on early intervention and supporting vulnerable families before they reach crisis point. Instead, the Government proposes to tear families apart, permanently cutting children off from their parents and families which will have drastic consequences for them. This bill will have a detrimental impact on individual children—an issue articulated well by Opposition members during this debate. No-one ever wants to see children suffering in care but we cannot discount the fact that the Minister, through this bill, will be creating a whole new stolen generation.

No members want to return to the past. The Government should learn from the mistakes of the past. This is not the way forward. It is truly deplorable that the Government introduced this bill and the cognate bill, the National Disability Insurance Scheme (Worker Checks) Bill 2018, together in an attempt to strongarm the Opposition into supporting this deplorable legislation. Why are we not debating the bills separately? At the eleventh hour the Government superglued them together.

**Mr David Harris:** Poor management or on purpose?



**Mr GUY ZANGARI:** The question is: Was it poor management or on purpose? I welcome the interjection of the member for Wyong. The member has clearly consulted with communities in his capacity as the shadow Minister, knowing what this bill will do to Indigenous communities. We are focused on supporting children in care and we are worried about their future. For those opposite to be playing politics with such important legislation is just plain wrong.

As legislators, we have to make many important and difficult decisions when decisive legislation comes before this House. That is the nature of the job that we have been asked to do by our communities, who have given us the honour to serve in this place. We will rue the day that this Government pushes this legislation forward because it sets future generations up for inevitable failure. I note that the Minister is in this Chamber listening to the debate. I commend the shadow Minister for Family and Community Services for her tremendous advocacy on this incredibly important issue and for highlighting the Government's deficiencies and tremendous failings in this legislation. The shadow Minister's argument was put forward last night in great detail during debate when she put forward the case for families and vulnerable children.

The bill before the House today was put forward without any substantive community or stakeholder consultation—we know that for a fact. In fact, there has been an enormous outcry following the introduction of the bill to the Legislative Council, highlighting the Government's failure to appropriately support vulnerable families and their children. The changes proposed have been put forward without any real consideration for the impact on the wellbeing of the child that this sudden policy change will have. No resources have been allocated to support these changes and no draft exposure bill was circulated. This legislation is ultimately doomed to fail because those opposite simply think that they know better. The Berejiklian Government has a longstanding track record of failing families and vulnerable young people. I note the slight interjection by the member for Port Macquarie.

**Mrs Leslie Williams:** I didn't interject at all.

**Mr GUY ZANGARI:** She did, and I put on the record that it was under this Minister that in Fairfield and in the Cabramatta area she dissolved the Cabramatta Street Team. This team worked with vulnerable children, assisting them before they ended up on the wrong side of the law. The Minister knows that she was responsible for dissolving the team. Unfortunately, the Berejiklian-Barilaro Government is well on track to repeat the mistakes of those who have come before them, with a whole new set of potentially devastating consequences for children, families and their community, as a result of this Government being simply out of touch and out of its depth. At the last hour of this parliamentary sitting, this Government has introduced this legislation.

It is hard to believe that those opposite would rather support legislation that would see forced adoptions, which would tear families apart, rather than provide the requisite funding and mechanisms to intervene and support vulnerable families before they reach crisis point. Prevention is always the best way forward. As legislators in this State, we need to be putting in preventative strategies, and that is what this Government should be doing. But that is not the case. As my colleague the shadow Minister for Family and Community Services has stated, the New South Wales Labor Opposition does not oppose the National Disability Insurance Scheme (Worker Checks) Bill 2018. However, the Minister has indicated that the amendments to the Children and Young Persons (Care and Protection) Amendment Bill 2018 will not be passed. As this is the case, clearly we, as the New South Wales Labor Opposition, will be left with no option but to oppose this bill.

**Mr STEPHEN BALI (Blacktown) (19:49):** The member for Bankstown spoke extensively about the problems in the Children and Young Persons (Care and Protection) Amendment Bill 2018, where consultation failed to meet community expectations. I acknowledge all members who participated in debate on this bill and I appreciate that the Minister for Family and Community Services is in the Chamber right now. Care for the most vulnerable in the community must be a central plank for any government seeking to treat its residents with fairness and provide opportunity for all. This legislation is extremely important, but we must get it right. The member for Bankstown said that the consultation with various bodies has been substandard. This has been stated by many organisations, including various Aboriginal and Torres Strait Islander organisations, various non-government organisations operating in child support and protection as well as legal aid centres. Most said that, as legislators, we must get it right and we need to consult more.

It is difficult generally to compare annual reports over time, because measurement methods and methodology may change. But I have tried to find some common ground. I have noticed that annual reports demonstrate that government expenditure on statutory child protection in 2008 was \$396.5 million and nine years later, in 2017, it was \$494.9 million. The Government can claim that over nine years there has been an increase of \$98.4 million, but this expenditure growth represents less than 2.5 per cent per annum, less than government wages policy. What has been cut? Are there fewer members of staff to cover the cost of inflation to provide the resources to assist people in need, or are staff trying to do the same with fewer resources? Regardless of how we

look at this, it is a disgrace as more children need support this Government has cut from the most vulnerable children in our community to fund the Government's obsession with budget surpluses.

It can be further demonstrated that whilst the number of children and adults seeking help and support from Family and Community Services [FACS] has increased over the years, we find from the annual reports that grocery expenditure in 2012 was \$13.6 million but had fallen to \$13.3 million by 2016—yes, less money was spent in 2016 than was spent four years earlier. I note that other expenses such as legal costs, have grown from \$13 million in 2012 to \$22.3 million in 2017. Some can say ironically that it seems this Government's priority is to feed the lawyers rather than the poor. Troy Wright, Public Service Association of NSW assistant general secretary, addressed a rally before Parliament House last week, and it is important that his concerns on behalf of his members are tabled for the Minister's consideration when she speaks in reply. In relation to the revolutionary changes that this bill presents, Troy Wright said that the legislation does not add one dollar or one worker to address the needs of the many children who are reported to be at risk.

The legislation adds not one dollar or one worker to help families by delivering early intervention to prevent kids from going into care. The legislation adds not one dollar or one worker to exact changes to fix the child protection system. It adds not one dollar or one worker to look over and assist kids in foster care, improve the foster care system and regulate it better so that questionable for-profit providers are not gouging the system. It adds not one dollar or one worker to help families to have their children restored to them once they are in care. I must say that Troy Wright has some substance to his comments. The annual reports demonstrate that the total number of ongoing FACS employees in 2013 was 12,056, whilst in 2017 this number had fallen to 11,667.

Furthermore, when one compares budgeted expenditure to actual spend for five years from 2013 to 2017 one finds that the FACS budget has been underspent by \$242 million—almost a quarter of a billion dollars. Yes, a quarter of a billion dollars that was anticipated to be spent on the most vulnerable children and adults in our community has been withheld by three consecutive Liberal-Nationals governments. This bill brings in an arbitrary two-year time frame to allow for adoption to take place. I am informed that currently about 815 children are under guardianship orders, who, the passing of this bill, could be adopted out without providing a last chance for their parent or parents to gain restoration rights. This bill creates the opportunity for forced adoptions and the possibility of another stolen generation.

Ten years ago former Prime Minister Kevin Rudd said sorry on behalf of the nation to the stolen generations. Five years ago former Prime Minister Julia Gillard apologised on behalf of the Australian Government to people affected by forced adoption or removal policies and practices. A month ago Prime Minister Scott Morrison made a national apology to victims and survivors of institutional child sexual abuse. The Department of Family and Community Services [FACS] has underspent its budget by \$250 million over the past five years and fewer people are working in FACS now than there were five years ago. If we are truly sorry, how can we underspend on support for the most needy and vulnerable people in our community? Sorry means you do not do it again—and again, and again.

This bill creates the opportunity for adoption after two years. The practical implication is that a mother in crisis, a mother who might have gotten herself in trouble and who may be serving a custodial sentence of six to 12 months, has only a short time after being released to get her life back into so-called order. She may be dealing with homelessness, poverty, domestic violence or mental illness, and would need intense support to keep her family together. This bill takes away any hope that she would ever again have contact with her child. If the child is adopted out, it would have a devastating impact on the parent's recovery. This bill imposes an arbitrary two-year limit before forced adoption can take place legally. Earlier in this debate the Minister for Disability Services said that additional staff will be employed to assist, but how can we believe that when the evidence shows that net staffing numbers are falling? Other areas of FACS will be cut to implement the proposed new programs.

A mother facing poverty or domestic violence is not the enemy of her children. A mother facing poverty or domestic violence must not be dumped without rendering appropriate services to help her. This Government boasts of a budget surplus built on the back of the poor and vulnerable. The Minister has refunded \$250 million to the Treasurer at the expense of the poor and vulnerable. This bill will provide an opportunity for the department to save even more money as the Government moves hundreds of children off its books and into a perceived short-term nirvana. However, the Government's actions are actually in pursuit of cost savings.

We all know that when children grow up they want to know their background, heritage and origins. We have seen the intergenerational emotional destruction that has occurred through the stolen generations as children try to reconcile with their past. In his valedictory speech earlier today, the member of Wollondilly referred to his grandmother, who was part of the stolen generations, and how that still impacts him today. This bill ought to include measures to ensure that the budget is not underspent and that quality services are delivered. Before school breakfast offers help children to start their learning day.

[Interruption]

**TEMPORARY SPEAKER (Ms Anna Watson):** I remind the member for Tweed that this is a respectful debate.

**Mr STEPHEN BALI:** This is especially needed, as these days many families face high cost of living pressures that could result in children missing breakfast before school. This bill ought to focus on domestic violence support services and skilled social workers for intensive one-on-one support services to vulnerable families prior to any consideration of mandatory forced adoption. [*Extension of time*]

At last week's protest in front of Parliament House, Linda June said that these laws are conditioning babies and criminalising children from birth. Despite these powerful and frightening words, the Minister has diverted \$250 million away from the community services budget so that the Government can build a stadium. We should all hang our heads in shame. It is scandalous that shiny new stadiums are being built just so spectators can get better views while hundreds of thousands of people across New South Wales are struggling with poverty, homelessness, and domestic violence. There is little evidence that the Government will increase the supply of restoration services for families. I am disappointed that the Government has spent more than \$2 billion on stadiums and yet in 2017 only \$5.7 million was spent on Aboriginal, Child and Family Centres. This bill acknowledges the breakdown of the family unit but instead of providing intense support, it provides the permanent separation of mother and child.

Eagles RAPS is a support organisation that helps children to re-enter the education system to better themselves and helps prevent youth suicide, but it is running out of funding. It has lost government funding and cannot continue as a result. Meanwhile, the Government boasts of saving \$250 million of unspent money in the Family and Community Services budget. It is an absolute disgrace that this Government has allowed this to happen. This bill fails to address the needs of the community and ought to go back to the community for discussion. We are inevitably creating another stolen generation for which a future Government will have to apologise. This bill ought to be deferred for further consultation. If it remains unamended, it must be voted down. I thank the member for Bankstown for her passionate leadership on this issue. I hope the Minister addresses the problems in this bill before she creates a legacy of another stolen generation that a future Premier will have to apologise for.

**Mr TIM CRAKANTHORP (Newcastle) (20:01):** I speak on the Children and Young (Care and Protection) Amendment Bill 2018, which changes guardianship orders so as to allow for the Children's Court to make an order by consent to reallocate parental responsibility without requiring a care application or the finding that a child or young person is in need of care and protection. The Children's Court may also make a guardianship order by consent, without necessarily finding that there is no realistic possibility of restoration of the child or young person to his or her parents. Proposed amendments to the Adoption Act would enable the Supreme Court to make an order without parental consent permitting the adoption of a child by the child's current carers or guardians.

**Ms Pru Goward:** Crackers, you're a cracker but not on this.

**Mr TIM CRAKANTHORP:** The bill also limits the period in which the Children's Court may allocate all aspects of parental responsibility to the Minister and the period in which the feasibility of restoration of a young child to his or her parents may be considered to a period of 24 months. I note the interjection of the Minister from the other side of the Chamber.

**Ms Pru Goward:** That you don't know what you're talking about?

**Mr TIM CRAKANTHORP:** I also note that 80 per cent of children in the Hunter and New England who are at risk of significant harm are not getting face-to-face assessments. It is an absolute disgrace.

**TEMPORARY SPEAKER (Mr Greg Aplin):** Order!

**Mr TIM CRAKANTHORP:** This Minister and the Government have presided over a significant drop in the number of vulnerable children being assessed.

**TEMPORARY SPEAKER (Mr Greg Aplin):** Order!

**Mr TIM CRAKANTHORP:** Less children at risk of significant harm have been assessed face to face by a caseworker, based on the latest data from the Department of Family and Community Services. The Minister still refuses to release this information. There are 87,885 children who have met the threshold of being at risk of serious harm, yet only 32 per cent of those children have received a face-to-face interview. What a disgrace. Under this Minister and this Government almost 60,000 children at risk of significant harm remain unseen by a caseworker. What sort of record is that?

**Mr John Sidoti:** It was 80,000 under your watch. Under your watch it was worse.

**Mr TIM CRAKANTHORP:** Are you proud of that record, Minister? Keep your interjections up.

**TEMPORARY SPEAKER (Mr Greg Aplin):** Order! The Minister's question was rhetorical.

**Mr TIM CRAKANTHORP:** The data has not been released for 15 FACS districts across New South Wales so we cannot know how each of those districts is travelling with regard to these assessments. As the member for Newcastle, I am disappointed that 80 per cent of children at risk of significant harm have not received a face-to-face assessment. Shame, I say. We have many concerns about this legislation and the main one is the 24-month time frame. That arbitrary time frame toward restoration is of great concern as it restricts the court by only allowing children to be restored to their families within a period of less than two years, effectively limiting the court's discretion to grant flexible care and protection orders on a case-by-case basis. The proposal fails to impose corresponding obligations on FACS to provide intensive, holistic support to families to achieve restoration within the proposed time frame.

Many families face systemic barriers to achieving restoration within two years, including a chronic and well-documented lack of public housing, and accessible support and rehabilitation services. Rather than setting families up to fail by imposing arbitrary time limits, the Government should introduce a scheme of comprehensive legislative supports that prevent removals in the first place, or provide support toward restoration that is tailored to families' needs. We also have concerns about guardianship and adoption orders that would allow a court to make a guardianship order under section 38, with the parents' consent, even where FACS has made no finding that a child is at risk of significant harm, or should be subject to a care and protection order.

**Ms Pru Goward:** You have no idea what you're talking about.

**Mr TIM CRAKANTHORP:** The Minister says I have no idea what I am talking about. I would suggest the Minister has very little idea. The shadow Minister spoke here for so long, certainly with a great deal of expertise on this issue. We have seen the Minister flailing on this issue.

**Mr Geoff Provest:** Point of order: I ask that the member for Newcastle be brought back to the leave of the bill. Making personal reflections on members on this side of the House is not acceptable.

**TEMPORARY SPEAKER (Mr Greg Aplin):** I uphold the point of order. The member will return to the leave of the bill. The member departed momentarily.

**Mr TIM CRAKANTHORP:** I am responding to interjections from the other side of the table. I am seeking to acknowledge them. Additional barriers to seeking variation of care and protection orders—

**Mr Geoff Provest:** Point of order—

**Mr TIM CRAKANTHORP:** Changes to section 90 of the Act make it harder for parents to apply to vary or dismiss. Protection orders, according—

**TEMPORARY SPEAKER (Mr Greg Aplin):** The member for Tweed will resume his seat. The member for Newcastle will return to the leave of the bill.

**Mr Geoff Provest:** Point of order—

**TEMPORARY SPEAKER (Mr Greg Aplin):** It is the same point of order, which has been upheld. The member is returning to the leave of the bill.

**Mr Geoff Provest:** The member should be brought back to the leave of the bill. I believe he is canvassing your ruling. I will cut him some slack as he is fairly new.

**TEMPORARY SPEAKER (Mr Greg Aplin):** The member for Tweed will resume his seat. The member for Newcastle will return to the leave of the bill.

**Mr TIM CRAKANTHORP:** In its current form, section 90 already sets a high bar for parents seeking to change care and protection orders. Further, the section also enables the court to dismiss unmeritorious applications where the applicant cannot demonstrate an arguable case. Rather than further limiting parents' access to the courts, the Government should ensure they have access to free, independent legal advice when seeking the court's leave to make an application under section 90. There is inadequate provision for independent legal advice and representation.

Requiring Family and Community Services to engage families in alternative dispute resolution [ADR] before seeking care and protection orders from the court requires accessible, independent legal advice to address the power imbalance between parents and FACS to support parents to fully participate in a culturally safe process and to ensure placing a child in out-of-home care is always considered as an intervention of last resort. Families

with special needs, including people with cognitive disabilities, and Aboriginal and Torres Strait Islanders, should also be guaranteed access to specialist non-legal support. Community legal centres are perfectly placed to support families participating in alternative dispute resolution with FACS, along with the Aboriginal Legal Service. Legal Aid NSW should be adequately funded to provide these services.

One only has to look at the stakeholders and the enormous amount of opposition to this legislation and wonder what the Minister is doing on stakeholder consultation when so many of them oppose the legislation: AbSec, Australian Lawyers for Human Rights, Community Legal Centres NSW, Grandmothers Against Removal NSW, the Public Interest Advocacy Centre, Kinchela Boys Home Aboriginal Corporation, Burrun Dalai Aboriginal Corporation Inc, KARI, Armajun Aboriginal Health Service, Aboriginal Legal Service (NSW/ACT) Limited, Save the Children, The Benevolent Society, Elizabeth Evatt Community Legal Centre, Women's Legal Service NSW, Redfern Legal Centre, Australian Services Union NSW & ACT (Services) Branch, Homelessness NSW and JIER. One wonders what consultation the Minister and the Government have undertaken to come up with legislation that has so much opposition. It is absolutely incredible.

**Mr CLAYTON BARR (Cessnock) (20:09):** I speak to the Children and Young Persons (Care and Protection) Amendment Bill 2018 and cognate National Disability Insurance Scheme (Worker Checks ) Bill 2018. I say at the outset three essential words that will summarise my contribution: pause and consult. As stated by previous speakers on this side of the House, we absolutely do not oppose the National Disability Insurance Scheme (Worker Checks) Bill 2018, which gives effect to New South Wales obligation under the Intergovernmental Agreement on Nationally Consistent Worker Screening for the National Disability Insurance Scheme. That bill will mean that all NDIS workers will be required to apply for a check consistent with the working with children and vulnerable persons checks, which is entirely appropriate.

However, the Opposition has grave concerns about the impact of Children and Young Person's (Care and Protection) Amendment Bill 2018 on other vulnerable members of society. It is quite bizarre that these two bills are cognate. Probably the best way to describe the two bills is juxtaposition. The changes made to the Children and Young Persons (Care and Protection) Act 1998 and the Adoption Act 2000 by Children and Young Person's (Care and Protection) Amendment Bill 2018 are in response to the discussion paper entitled "Shaping a Better Child Protection System", which the New South Wales Government released late last year to a handful of stakeholders. There has been criticism about the management of the process, with it being so selective and submissions being made by selected stakeholders only behind closed doors. The Government has opted to push through these legislative changes without an open and transparent consultation on something that is fundamentally difficult for us all to grapple with, has every potential to be controversial and requires the utmost in transparency.

It is of great concern to me that this incredibly important, life-changing bill is being bowled through in the final two weeks of this term of Parliament before an election. Regardless of the outcome of the March election next year, both sides of politics must grapple with this issue and find a good outcome. I stress enormously that we are unnecessarily rushing this through. The Opposition has serious concerns with a number of Government amendments to the existing legislation. I will join with my colleagues to oppose the plan to make significant changes to guardianship and adoption orders, the introduction of a 24-month time frame for families to work towards restoration before giving the courts the power to make a decision about a child's care, the introduction of additional barriers to seeking a variation of care and protection orders, and the inadequate provision of independent legal advice and representation.

As an aside, as the shadow Minister responsible for workers compensation I have seen that arbitrary time frames are not a one size fits all. Sometimes they are reasonable, and sometimes they are not. This legislation proposes a one size fits all. It is my experience in workers compensation that that has not been successful. We should be looking for a better way forward. The proposed changes to guardianship and adoption orders do not seem to meet the personal development and wellbeing outcomes the Government hoped to be achieve, as it outlined in the discussion paper "Shaping a Better Child Protection System". Under the changes to guardianship orders in the Children and Young Persons (Care and Protection) Act 1998, the Children's Court will be given the power to determine and reallocate parental responsibility of a young person or child without making a finding that the young person or child requires that care and protection.

In addition, the Children's Court will be able to make guardianship orders without conducting a thorough investigation and determining that there is no likelihood that the child or young person will be able to return to the care of their parent or parents in the future. A number of members have outlined examples where it was appropriate that the child be taken from their parent or parents. However, when the parents got their life together there might have been an opportunity for the child to be returned. I appreciate the Minister's comment that it does not happen. I am probably not as well informed as she is to comment. We know that regardless of the circumstances in their birth family, sometimes young people still want to go home because they simply want to be with their family.

Similar changes have been proposed to the Adoption Act that will give the Supreme Court the power to make decisions about the adoption of a child or young person by their current carer or guardian without the consent of the child or young person's parents. These two significant proposals will remove consideration of the best interests of the child or young person from the decision-making process by permanently removing them from the care of their parents. For decades it has been widely accepted by successive governments of all political persuasions that the best interests of the child should be at the forefront of all decisions regarding child protection matters. A key cornerstone of the "best interests of the child" is the notion that children and young people have the right to retain family relations. In essence, it is in the best interests of any child to have a relationship, access and connection to their biological parents. That will be a difficult message for many people to comprehend.

However, those who have worked in the industry and in and around young people who face these situations will understand that need. I completely agree and accept that in some cases removing a child from a broken and damaged home permanently is in their best interests. However, there are situations where, after periods of counselling, education and remediation, parents have the right to resume the care of their child. This should always be the focus of caring for and protecting vulnerable children. Yet, the proposals in this bill will reverse this widely accepted notion of making decisions for the best interests of the child and instead create a distressing and devastating experience for vulnerable children and young people. As one stakeholder told me, the decision to rush through these proposals will "ruin lives and tear families apart". So much for the best interests of the child.

The proposal to introduce a 24-month time frame for families to work towards restoration before giving the court the power to make a decision about a child's care is also concerning. This proposal will restrict the court to making a determination whether a vulnerable child or young person can be returned to their family within two years or less. This removes the option that allows the court to grant flexible care and protection orders on a case-by-case basis. The court has that power now, but this bill will remove it. We will see a broadbrush approach to all situations where restoration has not been able to occur within 24 months despite the best intentions and efforts of all involved. The Government does not seem to understand that this is hard work, particularly for broken families and vulnerable children.

Restoration is not instantaneous. In many cases it is a long and protracted process that can take a lot longer than two years. There are many cases where restoration has occurred well after two years and that has been seen to be in the best interests of the child by the Department of Family and Community Services. As has been argued by my Opposition colleagues, it is vital that time limits not be imposed on restoration periods, particularly ones that are so short that only a handful of cases are likely to meet them. Because a home is not safe when the child is forced to leave or forcibly removed does not mean that child should be taken away forever. Parents going through tough times need to be supported to get well and to bring their family back together. I accept that that will never happen in many instances. [*Extension of time*]

There are additional barriers to seeking variation of care and protection orders. Child protection matters are already complex and distressing enough for children and their parents or caregivers. The proposal to create additional barriers for those seeking a variation to care and protection orders will compound the process further. To make it harder for parents to apply to vary or to dismiss care and protection orders will limit the options available to a parent to access the court to argue their case. More often than not, the parents seeking to do that are some of the most disempowered people in the State. The existing guidelines and criteria outlined in section 90 of the Children and Young Persons (Care and Protection) Act 1998 are already stringent and designed to prevent unmeritorious applications from proceeding. The amendment to this section is an attempt by the Government to limit further the number of parents seeking to appeal decisions made under care and protection orders.

This creates another issue that I believe has not been considered by the Government. Currently there is an inadequate provision for independent legal advice and representation. Many broken, vulnerable and dysfunctional families rely on the support and assistance provided by independent legal advisers during alternative dispute resolution. The power imbalance that can emerge during this process between families and the Department of Family and Community Services can be harrowing. Independent legal advice can limit the distress caused to families. It is a real shame this has not been appropriately addressed in this bill. I have received a number of representations from external community legal advocacy groups that have said they do not have the funds, the means or the opportunity to provide the required legal advice. I do not work in this industry and I will accept that what they are telling me is true.

The haphazard approach adopted by the Government in its attempt to push this bill through Parliament before it rises without open and transparent consultation has caused significant concerns for organisations and groups at the heart of child protection matters. There are 64 organisations on the record that are deeply troubled by the Government's actions. The common message from each of those groups is that this legislation does not put the best interests of the child and their communities at the forefront of child protection matters. I emphasise again that I do not work in this sector, but those 64 organisations do and I will take their advice in good faith. A key

phrase that has appeared in much of the correspondence I have received in the past week from those concerned organisations is "forced adoptions". This is how many of these organisations are assessing this legislation and the proposals it contains. They fear the Government is moving towards an accepted method that will only further traumatised already vulnerable children by placing them in out-of-home care when it is not necessarily in their best interests.

I was deeply troubled to learn from the Aboriginal Child, Family and Community Care State Secretariat that the Government failed to conduct a proper consultation process that allowed the organisation to convey its concerns about the proposals included in this legislation. That is a weighty observation and I must believe it. I cannot imagine or pretend to imagine why the secretariat would make such a comment if it were not true. The Government has failed to listen to Aboriginal communities about the best interests of Aboriginal children and young people. I cannot believe that as a society we could do this again. Some will say that we are overdramatising or reading too much into this. As I said, I am not an Aboriginal person, but it is the Aboriginal people themselves who are saying that this is a possible outcome.

If the Government had taken the time to consult, and to consider the opinion and advice of these organisations that are experts in child protection, it would realise that this bill and the proposals in it undermine rather than uphold the best interests of vulnerable children. It is a real shame that the Government has opted to push through legislation that contains such contentious proposals without consulting a wide variety of groups and organisations who are at the heart of child protection. That is why I oppose the bill.

**Ms JENNY LEONG (Newtown) (20:24):** On behalf of The Greens I speak to the Children and Young Persons (Care and Protection) Amendment Bill 2018. As my colleague said in the other place, The Greens strongly oppose this bill. The running commentary from the Minister, who is in the House listening to this debate, shows that she clearly feels the need to defend the bill when members on this side of the Chamber comment on it. It is not surprising that that is the case, given that there have been a number of rallies and community actions outside this place in the last week with people speaking with passion and compassion, care and concern, about the impacts that this bill will have on so many people's lives. These people are not everyday folks living in New South Wales; they are some of the most vulnerable people in our society.

I remind members that we are talking about the Minister for Family and Community Services. The average person would understand that the portfolio supports families and communities. Instead, what we have seen time and again from the Minister is the complete opposite of care, compassion and support. This bill has been introduced to this place on the second-last day of the parliamentary term. It is now 8.30 p.m. when all stakeholders have gone home from their jobs and when all Parliament members thought that this debate would continue tomorrow. Instead, it is being rushed through without many members being here. Let us see what happens tomorrow when we debate the amendments, or maybe we will debate them tonight. Who knows how it works, but potentially, members will not have the opportunity to speak.

The gallery might be empty but that does not mean that those of us on this side of the Chamber are alone in our opposition to this bill. They are certainly watching and they know. The Aboriginal Child, Family and Community Care State Secretariat (NSW), known as AbSec, has written to many members with concerns that the bill will significantly and disproportionately impact the lives of Aboriginal children and young people and their families and communities. AbSec ends its correspondence with my Greens colleague Mr David Shoebridge by saying:

As the government is progressing reparations for survivors of the Stolen Generations, I urge you to take this opportunity to strengthen safeguards for Aboriginal children and young people within the contemporary child protection system and ensure that damaging past practices are never permitted to be repeated.

We know that people in this State are suffering and are not in a position to look after their children at the moment. I can tell you—

**Ms Pru Goward:** You know nothing, Jenny. You know nothing.

**Ms JENNY LEONG:** The Minister accuses me of knowing nothing, but let me tell her a story of a dad who is trying to get back the custody of his kids, but he is—

**Ms Pru Goward:** Custody of his kids? That's under the Family Law Court, so why don't you refer it to the Federal Parliament? Custody is a Federal issue so that is irrelevant. Family Court orders decide custody.

**TEMPORARY SPEAKER (Mr Greg Aplin):** Order! The Minister and the member for Bankstown will cease interjecting. The member will continue her contribution within the leave of the bill.

**Ms JENNY LEONG:** Can I ask the clock to be stopped while the Minister interjects during my contribution?

**Ms Pru Goward:** Get your terms right.

**Ms JENNY LEONG:** Obviously, the Minister is feeling a little bit sensitive about what's going on here. So there is a dad—

**Ms Pru Goward:** No, you're just idiotic.

**Ms JENNY LEONG:** I ask that the Minister withdraw that interjection.

**TEMPORARY SPEAKER (Mr Greg Aplin):** The member for Newtown asks the Minister to withdraw her interjection.

**Mr John Sidoti:** Point of order—

**Ms JENNY LEONG:** I ask that the clock be stopped to deal with the point of order.

**TEMPORARY SPEAKER (Mr Greg Aplin):** There is no provision to stop the clock during the debate.

**Mr John Sidoti:** Mr Temporary Speaker, I ask that you draw the member back to the leave of the bill.

**TEMPORARY SPEAKER (Mr Greg Aplin):** I uphold the point of order but the member has asked that the Minister withdraw the accusation.

**Mr John Sidoti:** What accusation?

**Ms JENNY LEONG:** The Minister called me "idiotic".

**Ms Pru Goward:** I did not. I said, "The argument is idiotic." Please listen.

**TEMPORARY SPEAKER (Mr Greg Aplin):** Hansard will record that. The member will return to the leave of the bill.

**Ms JENNY LEONG:** The father is unable to have the children back in his care because he is on a priority waiting list due to the failures of this Minister for Family and Community Services to provide him with a secure place to call home so that his family can be there. Given that the public housing waiting list is more than 10 years and there is an arbitrary block of two years for someone being put into an adoption situation, that is an unreasonable expectation. That is a completely unrealistic situation and it is nothing but cruel. It is cruel and inhumane that we are not providing every possible opportunity to not repeat the errors of the past.

After just a week an open letter was signed by many people, organisations and groups. I do not have the chance to name them all but there are 64 of them. People will have seen that letter and the Minister will know that all of those groups know full well. She may well think that my argument is idiotic but I do not think that the argument of the Community Legal Centres is idiotic at all. I think that they know full well the impact that this bill will have on people's lives and on children and families.

I point out one thing that I think is a complete hypocrisy of the Liberal-Nationals Government. On 13 September 2018 the Government announced that a \$75,000 salary would be paid to foster carers to take care of children. I know of an Aboriginal man whose children may be taken from him because he is not able to care for them and earn a living to put a roof over their heads. Instead, those children will live in foster care and the foster carer will be paid \$75,000 to look after his children. In fact, if the father of the children is paid \$75,000, then he would be in the perfect situation to provide a stable and secure home for his children. This is despicable behaviour.

The question has to be asked: Why are we in this situation? Why is it that instead of providing people a house to live in, or providing them drug and alcohol support and rehabilitation services, or assisting them with diversionary justice programs, we are finding ways to legislate to take children from Aboriginal families? Let us be clear: This is about taking children from Aboriginal families because the proportion of Aboriginal children in out-of-home care is much more than that of non-Aboriginal children. That is not okay. It is not okay because those people and communities have already suffered enough trauma and injustice at the hands of this Government and the Federal Government. It is time for that to stop. We have said sorry for that before.

To anyone who thinks that they can celebrate a Sorry Day or join a reconciliation action, or that they can wave the flag and feel that they are doing the right thing for Aboriginal justice, I say, "You are a hypocrite if you support this bill". We have heard the voices of Aboriginal people outside this Chamber. They have been saying loud and clear that the bill will create the next generation of the stolen generations and that it should not be allowed to happen. An Instagram story lasts only 24 hours. I put up an Instagram story in support of the sensational and amazing effort of the member for Bankstown who last night spoke to this bill for a more than five hours. It was a solid effort and demonstrated her commitment. We need to show more care and compassion for people.



We need to provide options and solutions for people. The fact that 64 organisations at the frontline of these services are screaming out that we should not pass this bill tonight is an indication that the care and support is not being taken into consideration. I completely oppose this bill. The Greens oppose this bill. We believe that it is a sad and sorry state of affairs that it is before the Chamber tonight. We urge members who are considering supporting it to reconsider their position.

**Mr GREG PIPER (Lake Macquarie) (20:35):** I speak in debate on the Children and Young Persons (Care and Protection) Amendment Bill 2018. I feel that this is one of the more conflicting issues that has been before this House, certainly in this term. It is a great shame that it has been introduced almost at the death of this Parliament, limiting the length of time to debate the issues. The bill is being debated in cognate with the National Disability Insurance Scheme (Workers Checks) Bill 2018. I am disappointed that the bills have been tied as they are not similar in nature and each bill is significant in its own right. I have no issue with the National Disability Insurance Scheme (Workers Checks) Bill, but there are aspects of the Children and Young Persons (Care and Protection) Bill that I wish to address.

I reiterate something I said quite some time ago, although I know it has little effect on anyone else in this Parliament: I believe that a Minister in this role has one of the toughest jobs in the Parliament or in this State. It is a very difficult work space, and I do not believe that people from either side of this House pay enough respect to whoever holds that position. While the Minister has the ability to bring about important changes for children and families in need, he or she also needs to deal with some of the most distressing matters that exist within our communities. It is a tough job, and I genuinely believe there should be greater understanding of that, and assistance given across the House divide to the Minister, regardless of who is in power. Whether we have a change of government and we have Minister Mihailuk—or whoever it might be—or the present Government remains in power and we have Minister Goward, I would love to see a change in the paradigm around that portfolio because we should not be tearing ourselves apart like this on such an important matter. If we cannot come together and get a better understanding around the care and safety of our children then we are in real trouble.

I have swayed several times on this matter. Like everybody else, I have heard the arguments from the community and I am very concerned, particularly in the area of the consultation that has taken place and the understanding that people have of the bill. I have been through the bill, bit by bit, with my staff and spoken to people in my local community, but I have come to the conclusion that the bill is not some manifestation of evil social engineering that it has been purported to be. I am sorry for those people who are stridently opposed to the bill. My major concern is that there are people who are concerned about it and therefore it seems that the consultation could have been better, because we need to be able to bring communities along with us on such a matter.

By and large, the bill contains many positive reforms to the sector, but I accept that there remains significant opposition from many credible organisations such as Community Legal Centres and the NSW Law Society, who most of us rely on frequently for advice on technical matters. I have raised concerns with the Minister and put questions to the Minister's office on a number of occasions, and I thank the Minister's staff—Ms Anne King—for providing time to answer some tough and complex questions throughout this process.

This is a very emotionally charged concept, but I do not accept the view put in some quarters that this bill will create another stolen generation. The very fact that the words have been put out there may cause a great deal of concern in the community. I do not believe that the mechanisms behind this bill will result in another stolen generation. I am certain that anything remotely of that nature is not the Government's intention. I believe this is a grossly unfair characterisation of the intentions of the Government in general and the Minister in particular. I just cannot accept that that is the case.

A great deal has been said about the inclusion of a two-year limit for family restorations. I accept the Minister's advice, and the advice of the staff and others, that the courts will be able to extend this period in special circumstances. I know that a lot of people are concerned about that time limit, which is explicitly set out in the bill. I believe that the reasons for the concern have been somewhat overstated, but I do appreciate that there is concern. It has always been my view that the best way to find permanency for a child is to invest in, and support, the families to which they belong. I think that we would all agree on that. I also accept that the Government has achieved very good results in reducing the number of children entering permanent out-of-home care over the past few years.

I note that the number of Indigenous children entering out-of-home care was reduced by 42.4 per cent between 2015-16 and 2017-18. That figure was 45.7 per cent for non-Indigenous children. Clearly current practices are improving the situation, and I believe that these new measures could build on that trend. I think it is notable that when we talk about this issue we are disproportionately talking about children of Aboriginal families or the impact on Aboriginal communities. I understand the sensitivities around that and I have spoken to my community about this. The views expressed to me have been mixed.

I will not accept that there has been a unanimous view but there are certainly people who believe that there needs to be reform in this space. The people I spoke to could not articulate whether this is exactly what they want. I think the impact on the Aboriginal community makes the issue much more sensitive. I also wish to mention the Newpin Social Benefit Bond—a good program, which is restoring more children to their families as opposed to permanent adoption placement. Newpin has resulted in some 63 per cent more children being restored to their biological families over the past four years, as opposed to 19 per cent of children in families which have not gone through the program. [*Extension of time.*]

These are the types of programs and initiatives we should be investing in—effective early intervention programs that move away from a strategy where adoption is the preferred permanent solution. Whilst I have listened to many of the speeches, there were many issues mentioned in the member for Newtown's speech that I agree with. It is a sad reality that there are children and situations where adoption is the only option, but it should be the last option, and generally it is.

Our society has learned from mistakes made generations ago, when we did not seem to care, or to at least know better. Adoption laws have changed and are now slanted more towards the interests of the children—appropriately so—than that of the parents. I have one constituent, now aged 61, who discovered only two years ago while researching family history that his family was actually his adopted family. His situation, where he was denied the truth for so many years, has had significant impacts on his life. But those shortcomings do not exist in current laws. We spent considerable time talking to that gentleman, and his initial concerns, which were quite stridently against this bill, were modified greatly by further examination of the bill.

There are many questions to be asked about the consultation on this bill. We need to be able to bring the community along with this legislation. I understand that numerous organisations, including the Law Society, hold concerns with aspects of the bill, but having referred those concerns to the Minister's adviser I believe that this bill will likely do more to keep families together and will do more to keep families and children out of the courts and legal system.

This issue of guardianship orders by consent has caused a good deal of concern. I do not see that these reforms will create a fast-track to adoption as, in the vast majority of such cases, the guardian is a grandparent, aunt or uncle or close relative who rarely moves towards adoption and prefers to remain as a guardian. If a parent is making a decision on their capacity to care for their child, or let us say the mother is making a decision to give up her child and put that child in the full-time care of its father, then they deserve the right to do so without lawyers, without litigation, and in the knowledge that the father would be eligible for financial support. I believe that in many cases, the courts and lawyers may have the effect—not done purposely—of keeping some families apart at a time when they should have the capacity to keep more together.

One of my major concerns with the entirety of this bill is that there appeared to be a lack of public consultation. I acknowledge that that is a big issue for many of the members who preceded me in this debate tonight. That is certainly the view of the Law Society and very importantly some Aboriginal groups. I appreciate that seven public panels were held throughout the State, in addition to one which was an entirely Aboriginal panel. I believe the Government received more than 100 submissions. I accept that it is a very complex bill, and while the Law Society and others oppose it, it is solidly supported by the likes of Barnardos. Perhaps that is not a great surprise but I also have spoken with many others who work in the sector—organisations and individuals who are also at the coalface—and they have a view similar to Barnardos and support the bill.

I suspect that some of the Government's intentions, while logical and sound, have become lost in translation, so I would like to see the Government work more closely with those dissenting organisations to better inform them and to work more closely on more and better reform. It is complex legislation that will apply to an area where it is impossible to deliver a perfect system to suit all situations. No government has ever achieved that. The bill has tackled many important issues head-on but, in making substantial changes in such a sensitive space, I believe that we need to bring as many people and representative groups on board. Whether it is a genuine misinterpretation, misunderstanding or a misrepresentation of aspects of the bill, I believe that there will be genuine fear by many that this bill will displace or remove children from their families.

For that reason, when this bill passes this House—we can all be pragmatic about this and adopt a view one way or the other but we know this bill will pass this House, perhaps with amendments—I would like to see the Government and the Minister commit to further consultation post the passing of the bill with all or representative parties, who have expressed an interest and particular concerns with this bill, with a view to dispelling any misunderstandings or indeed to identify changes to the legislation that may be warranted. We cannot just walk away from such a difficult task. I ask the Minister to address those issues specifically—the consultation and the potential to keep a watching brief in this space—as she makes her speech in reply.

**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) (20:47):** In reply: I participate in the debate to address the Children and Young Persons (Care and Protection) Amendment Bill 2018 and the National Disability Insurance Scheme (Worker Checks) Bill 2018. I seek the indulgence of the House to adjourn the debate now and to recommence in the morning.

**Debate adjourned.**

**SURVEILLANCE DEVICES AMENDMENT (STATUTORY REVIEW) BILL 2018**  
**ROAD TRANSPORT AMENDMENT (NATIONAL FACIAL BIOMETRIC MATCHING CAPABILITY) BILL 2018**  
**TERRORISM (POLICE POWERS) AMENDMENT (STATUTORY REVIEW) BILL 2018**

**Returned**

**TEMPORARY SPEAKER (Mr Greg Aplin):** I report receipt of a message from the Legislative Council returning the abovementioned bills without amendment.

*Matter of Public Importance*

**WHITE RIBBON DAY**

**Ms ELENi PETINOS (Miranda) (20:49):** In Australia one in two women experience sexual harassment during their lifetime and, sadly, on average one woman is murdered every week by a current or former partner. On Friday 23 November Australians around the country will stand together and march on White Ribbon Day to bring awareness and prevent men's violence against women. White Ribbon Day falls on the last Friday before 25 November in support of the International Day for the Elimination of Violence Against Women. White Ribbon Day is a day to bring awareness to the issues of gender violence and encourage Australians to stand up, speak out and act. Violence against women is a scourge on our society and it takes all of us, together as a community, to say no and end men's violence against women.

The Sutherland Shire Police Area Command has held a White Ribbon Day Walk in each of the past two years to bring awareness to this important issue. This Friday at 10.30 a.m., local schools, police officers, emergency service personnel and community members from across the shire will walk from Don Lucas Reserve, which is behind Wanda Beach in Cronulla, to Dunningham Park in Cronulla to take a stand and help to end violence against women. Reducing domestic and family violence is a priority of the New South Wales Government.

The New South Wales Government is investing more than \$390 million over four years in specialist initiatives that support victim-survivors and hold perpetrators accountable to reduce domestic and family violence. This investment 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 services. Domestic and family violence is a crime, so if we want to reduce its incidence, and one day eradicate violence against women and children, we need to hold perpetrators accountable. The New South Wales Government has introduced reforms to strengthen apprehended domestic violence orders [ADVOs] as well as tougher laws for strangulation offences.

ADVOs have had an effect in reducing the incidence of domestic violence homicide. At the moment half of all ADVOs are for a period of 12 months or less but the new reforms will double the default period of an ADVO from one year to two years. The reforms also will allow courts to order indefinite ADVOs in the most severe circumstances to best protect victims of violence. The New South Wales Government is also reforming strangulation laws. Unfortunately, we know that 25 per cent of domestic violence homicides are preceded by non-fatal strangulation. The Government therefore has simplified the law on strangulation and created an easier- to-prove offence that will have a maximum five-year sentence.

Tackling domestic and family violence is a serious and complex issue that requires coordinated and careful consideration on all fronts. Therefore, the New South Wales Government continues to provide a range of support for victims of domestic violence such as increasing the number of refuges from 76 in 2014 to 82 in 2018. The New South Wales Government has expanded Staying Home Leaving Violence, which is a program that assists women to stay in their home while the perpetrator is removed. The Government also has recently introduced 10 days of paid domestic violence leave, which will come into effect from 1 January across the whole public sector. This includes frontline workers like nurses, teachers and police officers.

Fortunately, research undertaken by the New South Wales Bureau of Crime Statistics and Research shows that domestic assault incidents occasioning grievous bodily harm decreased by 15.5 per cent between

2008-09 and 2015-16. However, if we want to continue our efforts to help victims to rebuild their lives, we also need to see a cultural shift in the attitudes of communities towards domestic and family violence. Part of this also needs to include raising awareness within communities that domestic violence remains a real and ever-present issue.

It is not always easy to identify if someone you know is experiencing violence or is in an abusive relationship. Therefore, people need to understand that if they see abusive or disrespectful behaviour within their community, or know of someone who is having a difficult time, the right thing to do is speak up. In conclusion, I encourage everyone in this place to get involved in their local activities to celebrate White Ribbon Day this week and do their bit to create awareness and stop domestic violence. Don't just talk the talk, walk the walk this White Ribbon Day.

**Ms JENNY AITCHISON (Maitland) (20:54):** This year, White Ribbon Day has moved forward to 23 November to train more focus on the United Nations Day for the Elimination of Violence against Women and the 16 days of action that follow. On 25 November each year, communities across the world recognise the United Nations International Day for the Elimination of Violence against Women. The day marks the start of 16 days of activism against violence. It is the perfect time to reflect on how far we have come in the fight against domestic violence and, more importantly, how much more we need to do to progress towards a world where everyone lives free from violence.

The 2018 theme for the International Day for the Elimination of Violence against Women is "Orange the World: #HearMeToo". As in previous years, the date marks the launch of the 16 days of activism, which will conclude on 10 December 2018, International Human Rights Day. The twenty-fifth day of every month has been designated as Orange Day by the United Nations [UN] Women campaign "Say NO—UNiTE", which was launched in 2009 to mobilise civil society, activists, governments and the UN system to amplify the impact of the UN Secretary-General's campaign, "UNiTE To End Violence Against Women".

Participants the world over are encouraged to wear a touch of orange in solidarity with the cause. The colour symbolises a brighter future and a world free from violence against women and girls. A host of public events are being coordinated, and iconic buildings and landmarks will be lit up in orange to highlight the need for a violence-free future. That is why it is really positive to see that White Ribbon Australia has moved its day to 23 November so that the two days can exist side by side with their very different messages. White Ribbon is an organisation designed to support men to stop violence against women and children. The White Ribbon Oath calls on men to pledge to stand up, speak out and act to prevent domestic violence. Yesterday in Parliament we saw an amazing event where people such as the inspirational Clint Newton and members of our local police commands and armed forces rallied together with parliamentarians.

White Ribbon rallies people to take a stand against domestic violence and rightly keeps the onus on men. As a community, we must do more to ensure that everyone knows that violence against women is never okay. We must teach our young men that it is never okay to disrespect women. We must advocate for respectful relationships education in our schools, which should start from the earliest times. It is not enough to teach young children about the dangers of strangers from their first days in school; we must also teach them about the dangers that are inherent when disrespect starts within their own relationships. That is why Labor supports the introduction of respectful relationships education in primary school, when children first learn to interact with their peers.

Our Watch is the joint Commonwealth-State framework for ending violence against women and children. New South Wales is the only State in the Commonwealth that has not yet joined Our Watch. We need to be part of the national discussion on how to prevent violence. The Government's own recent domestic violence death review report recommended that New South Wales join Our Watch. That is something that we will advocate for in Opposition and in government. It is past the time that we should have implemented these important changes. An essential aspect of our response to domestic violence is ensuring that every employee in this State has access to paid domestic violence leave. I thank the Government for moving to extend paid domestic violence leave to all employees in the public sector. This is an important step forward because when women who are the victims of violence do not have access to paid domestic violence leave they have less opportunity to leave violent relationships. We urge the Government to take up the rest of our policy, which extends the paid leave to all workers in the State.

From the discussions had through the Fair Work Commission at the national level, these are definitely issues that can be dealt with at the State level. The barriers for women and children wishing to escape domestic violence are diverse and widespread. As legislators we must ensure not only that we do all in our power to support through legislation and adequate policing those people who want to stop the violence but also that we provide real support for people when they leave violence, including programs, accommodation, counselling, case management and all the other supports that are so vital. Labor joins with the Government in committing to stand with White

Ribbon and speak out against domestic and family violence. We also want to do more, and in this situation we know that we always have more to do.

**Ms MELANIE GIBBONS (Holsworthy) (20:59):** I am pleased to contribute to the matter of public importance recognising White Ribbon Day. White Ribbon Day recognises the role the whole community can play in standing up and speaking out against domestic violence. It is a day when we acknowledge that it takes a community to save women and children from violence and to provide them with wraparound services to rebuild their lives and to live safely and free from violence. It is important that we acknowledge that, whilst women and children are the people most significantly impacted upon by domestic violence, it can happen to anyone at any time. We need to remember that it can happen to husbands, children, brothers and sisters. We need to look out for all instances of violence in our communities. I will talk through some of the Government's reforms and initiatives to keep victims safe and help them rebuild their lives.

This Government is committed to making sure that women in crisis have immediate access to a range of support options that are part of a system that puts the interests of women and their children at its centre. The Government has increased the number of refuges from 76 in 2014 to 82 in 2018. The Government has expanded the Start Safely private rental subsidy for those escaping domestic violence to include those on a moderate income. This year the New South Wales Government announced reforms to the Residential Tenancies Act to better protect victims of domestic violence when they leave violent relationships. These changes support victims to either maintain their tenancy or seek alternative arrangements, depending on what is appropriate in their circumstances.

The Government is investing more than \$390 million over four years to support victim-survivors to rebuild their lives and hold perpetrators to account. This investment is in addition to the hundreds of millions of dollars the Government spends each year to combat domestic and family violence through mainstream and other services in justice, policing, health, child protection, social housing and homeless services. I welcome the recent release by the NSW Bureau of Crime Statistics and Research that revealed that New South Wales is leading the nation in the decline of domestic violence assault rates. BOCSAR found that the significant drop in victimisation rates over the eight-year period indicated that there has been a real change in the prevalence of domestic violence—a real change, BOCSAR noted, that has not been recorded elsewhere in Australia.

This Government is making a difference to the lives of domestic violence victims in New South Wales by supporting them to rebuild their lives while targeting the perpetrators of the crime like never before. Just two years ago I was pleased to announce, alongside the member for Miranda and Minister for the Prevention of Domestic Violence and Sexual Assault, the rollout of those initiatives in Sutherland. It is good to see those initiatives making a change. I commend the member for Miranda for bringing this matter of public importance to the attention of the House.

**Ms ELENi PETINOS (Miranda) (21:02):** In reply: I start by acknowledging the contributions made by the member for Maitland and the member for Holsworthy. I thank them for their interest in this very important matter, which I know they are both extremely passionate about. In the lead-up to White Ribbon Day this year I reiterate that on that day we all stand up and speak out against violence against women and children. On White Ribbon Day we as a community stand together to say that we do not tolerate violence against women and children. On White Ribbon Day we expect those who have committed acts of violence against women and children to be held accountable for their behaviour and to learn to reconsider.

The New South Wales Government knows that domestic violence is a crime and we treat it as a crime. We have a focus on the domestic violence perpetrator—the criminal—which has not yet been replicated elsewhere in Australia. This Government understands that reducing victimisation comes from reducing offending and reoffending. That is why we introduced Australia's first police high-risk offender teams, which go after the perpetrators of this dreadful crime. These teams complement the significant work that is done every day by the NSW Police Force to tackle domestic violence by conducting daily operations and investigations to identify and target repeat domestic violence offenders to reduce reoffending rates. The Government also introduced the NSW Domestic Violence Disclosure Scheme, as the member for Holsworthy said, in both Sutherland and St George. The scheme prevents people from being kept in the dark about previous instances of abusive behaviour by allowing them to learn whether their partner has a history of violent offending.

Under the scheme, another Australian first introduced by the Government, victims are also provided with wraparound support, regardless of whether a disclosure is made. The work of the NSW Police Force has been outstanding. I note the dedication of Police Commissioner Mick Fuller and all of the force in tackling the scourge of domestic violence by going after offenders like never before. I commend my local police from the Sutherland Shire Police Area Command for their continued efforts in protecting domestic violence victims and bringing perpetrators to justice. They have been great supporters of White Ribbon Day and have organised the Sutherland Shire White Ribbon Day walk for the past few years. It is a fantastic event that I have had the pleasure of being

part of, as has Temporary Speaker Evans. I look forward to walking with our community this Friday. I encourage everyone here to participate in their local White Ribbon walk on Friday. In my case, that is the Sutherland White Ribbon Day walk, which will start at 10.30 a.m. at Don Lucas Reserve and finish at Dunningham Park in Cronulla. I urge everyone here to join in to walk the walk on this White Ribbon Day.

*Private Members' Statements*

**BANKSTOWN ELECTORATE INFRASTRUCTURE**

**Ms TANIA MIHAILUK (Bankstown) (21:05):** I draw the attention of the House to the many issues that have affected my electorate of Bankstown in the past eight years, particularly the damage that the community has suffered. The overdevelopment and neglect that Bankstown has faced are among the greatest concerns that are frequently brought to my attention by my constituents. This community has constantly been short-changed. In 2013, as I have spoken about numerous times, the Inner West and Leppington Line, also known as the Liverpool via Regents Park line, was cut, forcing thousands of commuters to suffer additional interchanges every day on their journeys to and from work and school. The further timetable change in November 2017 demonstrated even further cutbacks to the T3 Bankstown Line at a time that the Government boasted of "more trains, more services". To meet these "increased services", the Government reintroduced decommissioned and retired trains to selected lines across the Sydney Trains network, predominantly across the south-west.

Commuters using train stations in the suburbs of Chester Hill, Sefton, Birrong and, in particular, Villawood no longer have a direct train service into the city. Since October 2013, these commuters have had to change trains twice or three times in order to travel to the city, after having had a direct service into the Sydney central business district [CBD]. The Bankstown electorate is home to a diverse population of all ages and abilities, yet stations across the Bankstown line are still without lifts. In response to a question on notice in May 2015, I was advised that Yagoona, Birrong and Chester Hill stations would be considered as part of the Transport Access Program, yet 3½ years later commuters still struggle to navigate the stairs or face even more unnecessary interchanges with no reprieve in sight. Bankstown commuters and those travelling west of Bankstown deserve a rail service that caters to all its residents, not one that ignores the needs of its most vulnerable citizens.

Despite many objections, the Government is trying to push through a Sydenham to Bankstown Metro, which I would refer to as an inferior shuttle service. There have been hundreds of objections to this plan, particularly from residents of suburbs west of Bankstown, because they know all too well that they have lost the Inner West train line and now they will also lose the direct service on the T3 Bankstown Line. This is a serious issue for my community. Should the Sydenham to Bankstown Metro proceed, commuters travelling to the CBD will be required to change trains at Sydenham. Commuters on one line will be required to change trains once and on the other line they will be required to change trains twice. This is unacceptable for my community.

The Bankstown region is growing. In May 2016 the Government short-changed the community by forcing the amalgamation of Bankstown City Council with Canterbury City Council, creating the largest council in New South Wales. No compensation was offered to the councils and no proper infrastructure has been developed for the region. We do not have any new hospitals or any new schools, yet we are expected to cope with the overdevelopment that this Government has foreshadowed. We have yet to see an upgrade of the car park at the Bankstown-Lidcombe Hospital, despite many promises. I am regularly told about the inconvenience of the lack of car parking facilities by many of my constituents who find it impossible to find parking at the hospital. This has been an issue for quite some time, and despite that the Government has not upgraded the car park.

I am delighted that the member for Oatley has entered the Chamber, because instead of upgrading the hospital carpark the Government has extended the tolls on the M5 for 42 years. I am sure the member for Oatley will be delighted to tell residents of his electorate that, as they enter King Georges Road, they will have to pay a new toll. Residents in my community are disgusted that they have to pay a toll for the next 42 years, but these are the sorts of things that this Government has delivered for Bankstown.

**VAUCLUSE ELECTORATE ACHIEVEMENTS**

**Ms GABRIELLE UPTON (Vaucluse—Minister for the Environment, Minister for Local Government, and Minister for Heritage) (21:10):** I have served my local community in the electorate of Vaucluse for nearly eight years, and what an amazing time that has been. As another year ends, I reflect on what we have achieved together, backed up with the strong support of the New South Wales Government. I am so pleased that I have been able to deliver more than \$171 million of investment into the electorate since I was elected. First and foremost, on 4 November 2018 the Premier and I announced that the last sewage pipes in the State that direct wastewater into the ocean at Diamond Bay and Vaucluse will be switched off. The commitment to the \$85 million plan to divert the wastewater to the existing waste treatment plant in North Bondi is a great

outcome. I thank our local community reference group who worked so hard over the last six months for the goodwill they brought to this important task. For years the issue sat in the too-hard basket, but no longer.

I will always fight to protect the historical landmarks that make our local area so special. Not only are these landmarks beautiful and interesting but they tell the story of our place in Sydney's history. In 2016 the Rose Bay Sea Wall and its setting beyond the promenade were State heritage listed to protect them from an ambitious marina proposal. Last year Nielsen Park in Vaucluse was also listed on the State Heritage Register. I was also pleased to deliver a State heritage listing for Carrara and its surrounds at Strickland House, Vaucluse. Just last month I announced the transfer of Strickland House estate into the national parks estate and Sydney Harbour National Park, meaning it will be forever protected as parkland for our local community and the nation. This delivered on the dream of our locals, Peter Poland, OAM, and his late wife, June Poland, OAM. It was their strong, passionate advocacy over so many years that laid the important groundwork for this achievement.

After a loving family the most important thing a young person can have is a good education, and we in my electorate are lucky to have some of the best schools in the State. Since 2011 the New South Wales Government has invested more than \$39 million into our local schools, and not one school missed out. I make special mention of a couple of schools: \$1.2 million for Rose Bay Secondary College, Dover Heights, the only public high school in our electorate and a school that punches above its weight, for maintenance and upgrades; \$4.1 million for Wairoa School, North Bondi, which supports children with multiple and intellectual disabilities; \$18 million for Bellevue Hill Public School, including the addition of 27 flexible classrooms, a new library and lift, and a new canteen; \$663,000 for Waverley Action Youth Services, North Bondi, to help support the education of our vulnerable youth. I could go on with the list, but rest assured I will always advocate for the best possible educational facilities and resources in my electorate.

We have also had major upgrades to our transport and roads, with more than \$37.6 million invested locally since 2011. Being a metropolitan peninsula, we are fortunate to have Sydney Harbour as a quick and enjoyable way to travel to our destination. In 2012, we got a \$6.3 million new Rose Bay ferry wharf, soon matched with more than 130 new weekly ferry services across Watsons Bay, Rose Bay, Double Bay and Darling Point wharves. We have six new ferries and a Watsons Bay peak hour services from a private operator accessible with an Opal card. Again, I could go on listing improvements to our transport system.

As a regular cyclist, safe bike riding has always been a priority for me. In this year's budget, we received more than \$1 million for a shared path and cycleway on New South Head Road from Norwich Road to William Street. This will make a huge difference to cyclist safety, following recent deaths on New South Head Road. For years we wanted an accessibility upgrade to Edgecliff station and we received \$19 million for that work. There will be four new escalators, two new lifts and a kiss-and-ride facility, which will make the station accessible for everyone. Then there is the 333 turn-up-and-go high-frequency bus service from Bondi Beach. More people can now leave their cars at home and get to Bondi Junction and home more quickly. Last Monday a new eastbound clearway on New South Head Road started between Rushcutters Bay and Double Bay, significantly reducing travel time for everyone. Let us be clear: The impact of these initiatives is important because they bring a better lifestyle and more time for residents to be at home, at work or wherever they choose to be.

The last thing I want to mention is community sport. There are many local sporting groups that I try to help. I have tried to honour their commitment to our local community by providing \$75,000 for Double Bay Sailing Club to host its inaugural Women's Laser sailing regatta. I have provided \$34,000 to the Eastern Suburbs District Rugby Union Football Club to upgrade its women's bathrooms and uniforms. The North Bondi Surf Life Saving Club received \$100,000 to help kick off its amazing new clubhouse. There is much more available, but with the time available I thank the local residents who place their trust in me. I am always inspired to work hard for them in order to honour that trust.

### OXLEY ELECTORATE

**Mrs MELINDA PAVEY (Oxley—Minister for Roads, Maritime and Freight) (21:15):** Having been the proud member for Oxley for the past four years, I will take a moment to reflect on my community and what it has done to help me achieve what I can for my amazing electorate. I pick up on the words of the member for East Hills, who gave his valedictory speech earlier today. It was one of the best valedictory speeches ever given in this place. He said that it is not about gaining power for ourselves; it is about gaining power for our local communities. I respect him so much. I also respect the people of my electorate and what we have been able to achieve together.

The crowning moment of my career will probably be the day we opened the final section of the Pacific Highway through the Oxley electorate. I had the privilege of being not just the local member but also the Minister for Roads, Maritime and Freight. I am not the first to work on this project, and I specifically asked that Gary Neil, the former Federal member who called out the Pacific Highway for the goat track that it was, be there that day. To have him there to commemorate the opening was very special. Also there was Dr Ray Jones, a general

practitioner who was first on scene at the Cowper bus crash and whose life was enormously changed by that event. The energy and commitment of people like Gary and Ray gave us the power to achieve that funding. I am deeply grateful to all governments that have participated in this project, and in particular to the current Federal and State governments for allocating the funding and getting the project done. It was an incredible moment. Urunga, which is now my hometown, now has a highway not through the middle of town but bypassing the town. It is one of the most successful bypasses in New South Wales and it has really enhanced the community.

So much has happened in the past four years: the 200th anniversary of Oxley sighting the sea from Mount Seaview and I acknowledge Jeannette Rainbow and Daphne Salt, who did an enormous amount of work to commemorate those festivities; the recent 150th Wauchope Public School commemoration; working with former Labor Mayor of Port Macquarie-Hastings Council Ray Cooper to celebrate the gateway cottage; and working with people like Rex Nairn, president of the Wauchope Greyhound Association, who held my hand and supported me through difficult times so I could continue to support the club and its great involvement in the community. I acknowledge also Craig Doolan at the Bowraville recreation centre. We have yet to finish our work, but we will continue to work to get the sporting facility and community where it needs to be.

I will continue to fight for the sealing of Moriah River Road and the Verge Street sporting complex in Kempsey. More work needs to be done, and I will continue to do it. The Urunga lido is almost finished. Although it may not be as deep at low tide as we would like, we will continue to work on fixing up the Kalang River. I will fight for the Kempsey youth centre in the old ambulance station. There is a lot of work going on behind the scenes. I will fight for more police resourcing for our region. Our community has a heroin intake that has a profound impact on families and homes and we will continue to fight that. I will continue to fight for a Urunga stadium.

This speech is not about celebrating what we have done but about the work that we are yet to do. I am proud to be working alongside my community. We will have built the South West Rocks Stadium with more funding, and there is \$500,000 in funding for the V-wall at Nambucca. So many people have left their memories along that the wall and I will ensure that the facility continues to meet community expectations.

I acknowledge people like Gary Howe from my surf club at Urunga—a true champion who continues to work there. I am happy to patrol when my diary allows me to. At the Valla Industrial Estate we are hoping and crossing our fingers for more local economy funding. We need to work on Bellingen's sewerage and wastewater to ensure growth and the right environmental outcomes for our community. Kempsey's industrial land is another important project. I acknowledge that I could not do what I do without the support of incredible staff. I have been very blessed. There is so much to do, and I could not do it without the help of David Dawson and Les Wells, who was there for a couple of years and now works in the ministerial office—

**Mr Mark Coure:** He's a great fella.

**Mrs MELINDA PAVEY:** I acknowledge the interjection from the member for Oatley. And Susan Ranke, an amazing stalwart of our party. I also acknowledge Jodie Griffiths, Holly Gaddis and the last dynamic person to join our team, Alice Burnett. I thank them one and all and I thank my beautiful electorate. I will continue to work hard for it.

### ALCOHOL ADVERTISING IN SPORT

**Ms JO HAYLEN (Summer Hill) (21:20):** Sport is central to the Australian story and the Australian way of life. Every weekend, Inner West parks and ovals fill with kids playing soccer, rugby league, touch footy, Australian Football League [AFL], netball, hockey or cricket. The benefits of sport for kids are clear: improved fitness and mental health, a better understanding of teamwork, stronger connections with others and the opportunity to be outside and use our wonderful local public spaces.

I love sport and I love what sport means for our community, but as a parent and as a legislator I am alarmed by the encroachment of alcohol advertising in sport. To put it simply, alcohol advertising in sport puts kids at risk and I believe we need to draw the line. The Foundation for Alcohol Research and Education has released a report into the prevalence of alcohol advertising in sport that should serve as a wake-up call. It revealed that kids watching the AFL Grand Final were exposed to 0.7 instances of alcohol advertising per minute, or a total of 118 occurrences over the course of the game, all of which was broadcast during children's viewing hours. Kids watching the National Rugby League [NRL] grand final were exposed to 3.3 instances of alcohol advertising per minute or a total of 365 occurrences over the course of the game.

The AFL, NRL, rugby union, cricket and the Australian Open are all sponsored by alcohol companies that relish the opportunity to festoon their brands across our television sets, the stands, the grounds and even the players themselves. This last aspect is perhaps what disturbs me the most, because kids love their sporting heroes. They idolise these athletes and then ask their folks to buy them jerseys and other merchandise, which is plastered with the logos of the alcohol companies. When this advertising is teamed with the frequent media coverage of



irresponsible behaviour—there are bad boys on the front page of the newspaper again this week—it is no wonder that parents and sports lovers are raising the alarm about alcohol advertising in sport.

While the responsibility for broadcasting content regulation is mostly with the Federal Government, there is a role for the State Government and the community here too. Currently, regulation of alcohol advertising is ramshackle and largely self-regulated by bodies such as the Alcohol Beverages Advertising Code, the Australian Communications and Media Authority and others, depending on the broadcast medium. Layered on top of that is a regulatory mess. Sports broadcasts are exempted from the few restrictions on alcohol advertising that exist and sponsorships of sports teams or athletes are not even considered to be advertising in the first place.

The End Alcohol Advertising in Sport campaign has a number of sensible and achievable goals. First, we must phase out alcohol sponsorship from sporting and cultural events, just as we did with tobacco. Secondly, the Federal Government must end the alcohol advertising exemption on free-to-air commercial television and standardise and legislate advertising regulations for all media platforms. Thirdly, the campaign recommends an alcohol sponsorship replacement fund to help transition our sporting codes away from alcohol advertising. It is a sensible plan and the New South Wales Government can lead the way.

The Government should show leadership and demand that alcohol advertising is banned in the stadiums that are built, maintained and operated with public money. The Premier is set to splurge more than \$2 billion on sporting stadiums that New South Wales does not need. If the Government wants to show real dedication to sport and health, it should commit today to banning alcohol advertising from those stadiums, particularly the kind of ever-present electronic rolling fence advertising that we constantly see on television. The Government should stop our stadiums from being sponsored by alcohol companies. I think this issue is much broader. The people of New South Wales have many more concerns. People are sick and tired of seeing the things that they love manipulated and coopted by corporations and vested interests. The community is rightly fed up with our public services, assets and public spaces, and even our hobbies and national pastimes—weekend sport for example—having a price tag.

It seems that everywhere we turn our precious public spaces are being sold off to the highest bidder. Our suburbs are being pumped with development, with none of the community infrastructure or open recreational space that we need to support it. Our environment and precious heritage is being trashed to the benefit of developers and the big end of town. People are sick and tired of this Government that knows the price of everything and the value of nothing. I believe that there is a better way. We can do better and we must do better for our community, and most of all, for the future generations of New South Wales.

#### **PORT MACQUARIE ELECTORATE JOHN OXLEY BICENTENNIAL CELEBRATION**

**Mrs LESLIE WILLIAMS (Port Macquarie) (21:25):** I acknowledge the traditional custodians of the land that I represent, the Biripi people, and pay my respects to elders past and present. In recognising our history and heritage it is important to take the time to consider the implications of European settlement and its impact on local Indigenous populations. I acknowledge the harm caused by the invasion from afar. Those actions changed the lives of our Indigenous brothers and sisters forever.

Our history and heritage were at the forefront of celebrations in my electorate in the lead-up to the John Oxley Bicentenary festivities, marking 200 years since the mid-North Coast region was discovered by explorer John Oxley in 1818. I cannot overemphasise the preparation, hard work and anticipation that was building over the past few years as historical groups, chambers of commerce and local organisations meticulously planned for this momentous occasion that commemorates the search for an inland sea and the beginnings of exploration throughout the mid-North Coast, including Port Macquarie, Harrington and the surrounding villages and rural towns.

British naval officer John Joseph William Molesworth Oxley was recognised by many historians for his discovery of the east coast of northern New South Wales—an expedition assigned by Governor Lachlan Macquarie to journey down the Macquarie River in 1818. As a surveyor general, John Oxley was tasked with leading the expedition with government surveyor George Evans, along with 11 convicts and 19 horses. They took with them surveying equipment and charts to map out the land they ventured across, pushing an odometer and measuring the miles travelled. On 8 October 1818 John Oxley ordered that a bridge be constructed across the Kooloonbung Creek to reach the coastline of Oxley Beach. That day John Oxley named this coastal area Port Macquarie, after Governor Macquarie who chartered the expedition. Continuing his journey, John Oxley ventured south and reached the coast of Harrington-Crowdy Head on 19 October 1818, arriving on the shores of Harrington Lake and with his accompanying party pitched camp for the next two days, surveying the area.

Two hundred years later the crowds gathered initially at the Harrington Waters Golf Club on Friday 19 October to commence a weekend of festivities and celebration to mark John Oxley's historic journey. My husband, Don, and I were honoured to receive an invitation to the welcome event hosted by the Harrington

Evening VIEW Club, along with MidCoast Council Mayor David West, member for Lyne, David Gillespie, and guest speaker pastor David Freeman, current residents and descendants of early Harrington residents. From the commencement of the official launch of the celebrations on the Friday night, including the cutting of the cake, it was evident that the work of the John Oxley Bicentenary Organising Committee was being rewarded. Led by Phil West from the Lions Club, Harrington Crowdy Head Chamber of Commerce President Cliff Hoare, and Janeen Clifton representing the Harrington Evening VIEW Club and the many other community volunteers, I extend to them my congratulations.

As the former Minister for Aboriginal Affairs it was an honour to be invited to read an acknowledgement of country at the flag-raising ceremony on the Saturday morning, along with Harrington Public School student Savanah Bells who acknowledged country and elders in Biripi language. Town crier Stephen Clarke, who certainly added atmosphere to the celebrations, led the street parade that followed and then with a loud ring of the bell brought the crowd together for a dedication ceremony at the John Oxley Memorial, where I was joined by MidCoast Council Deputy Mayor Katheryn Smith, and Lion Phil West to unveil two information boards. The boards were a project of the Harrington Lions Club and were assembled by Harrington Men's Shed President David Pollard. Credit also goes to others involved in the research, photography, design and construction, including Alan Small from Taree Camera House, Chris Elford, who sourced the timber, and Manning Signs which printed them.

Deserving commendation goes to Harrington Public School Principal Lisa Kirkland for coordinating and encapsulating the re-enactment of John Oxley's arrival titled "Crossing the Bar" by students Iris Irwin-Rheuben, Brooke Buckley, Summer Golby, Jennah Rowe, Jake Martin, Savanah Bell, Finlay Elmer, Tia Benson, Lilly Benson, Isaac Wright as John Oxley and Gemma Eady-Muxlow as George Evans. A bush dance at the Harrington Bowling Club capped off the day's activities and was well attended by locals and visitors alike. Throughout the weekend the Harrington Memorial Hall opened its doors, showcasing an impressive display of yesteryears, coordinated once again by the members of the Harrington Evening VIEW Club. The display of photos and memorabilia featured historical information about various local clubs, organisations and families of Harrington. I thank and congratulate everybody involved in the John Oxley Bicentennial Celebration and applaud one and all on an overwhelmingly successful weekend of events.

I also thank the Minister for Tourism, the Hon. Adam Marshall, for supporting the community's efforts with a \$5,000 grant, which I know was very much appreciated by the organising committee. I am fortunate to represent the Harrington and Crowdy Head communities in this Parliament and on so many occasions I have had the opportunity to acknowledge their efforts in this House. Whether in challenging times or in events of celebration such as the John Oxley Bicentennial, they have demonstrated time and again that when a community comes together as one it is a better place for all to live, work and play.

### OATLEY ELECTORATE ACHIEVEMENTS

**Mr MARK COURE (Oatley) (21:30):** In probably my last private member's statement for this term of government I speak regarding Christmas felicitations. In the last sitting week of Parliament I think it is important to reflect on this Government's achievements and to recognise the hardworking individuals who have made this year the year that it was. I congratulate all members on an interesting, challenging but rewarding year in the New South Wales Parliament. I wish all members and their families a restful and enjoyable Christmas period before we gear up into full campaign mode for the 2019 election—some would say that I have been in that campaign mode since 2011.

There are so many individuals, officers and groups that I acknowledge and thank today. I thank the Speaker, the Deputy Speaker, the Assistant Speaker, and all Temporary Speakers for their services and for ensuring that our work in Parliament is done productively and fairly. This is not a role that I envy. We know firsthand just how challenging this position can be when the House does not come to order—I think I am on three calls. I thank them for their immeasurable patience. I also thank the Government and Opposition whips, and Deputy whips for their service, and wish them a merry Christmas.

Out of all my parliamentary colleagues, my appreciation goes first and foremost to a great friend of mine, the Premier of New South Wales, Gladys Berejiklian, the leader of our State. Gladys has been a huge support in 2018. I thank her for her leadership and vision for our local communities and, more broadly, for our State. Having the Premier as the special guest at my eighth annual St George Community Awards night was a highlight this year. Welcomed by a room of more than 600, people in my electorate highly regard the Premier as a friend of the local area and as a leader who delivers for our community.

Under this Government we have received a lot locally. I could be here all night and tomorrow if I went through every one of our achievements. I will begin with one of my signature achievements—that is, the upgrade of St George Hospital. More than \$350 million has been spent at St George Hospital. We have put money into the

cancer care centre, we have reopened the hydrotherapy pool—closed by Labor—and more recently we upgraded the birthing unit at a cost of \$11.5 million. In addition, there have been train station upgrades and commuter car parks at Oatley and Narwee, and Beverly Hills has started. There has been record investment into school upgrades, including a brand new Penshurst Public School, upgrades to Penshurst West Public School and much more. There have been long-awaited road upgrades such as the widening of King Georges Road, and money for a new police station at Hurstville.

I could go on about the many projects that this Government has delivered for my local area but I simply want to highlight how instrumental the Premier has been in this process. She has actively listened to my petitioning and regular nagging, and for that I am extremely grateful. I also thank the Treasurer, Dominic Perrottet, for ensuring that our State is number one for jobs and economic growth after recording the lowest unemployment rate in more than a decade. The Treasurer has done nothing but add to my electorate through record funding investments in areas such as schools and hospitals, unlike the Labor Government, which saw the closure of Narwee High School, and cuts to schools and hospitals.

Being Parliamentary Secretary for Transport and Infrastructure is a role for which I am incredibly grateful. It has been a great privilege to announce the completion of many infrastructure projects across New South Wales, as well as projects such as station upgrades and commuter car parks. Working with Minister Andrew Constance since January 2017 in this portfolio has been a rewarding experience, and I thank the Minister and his staff for their assistance this year. I thank all Ministers and their offices across a variety of portfolios for their attention to the needs of my local community, whether it be attending multicultural festivals with Minister Williams, holding seniors' forums with Minister Davies or announcing the latest funding for a sporting group in my electorate with Minister Ayres. I appreciate the time they take to visit my electorate. It has been a pleasure working with Ministers and their staff.

I extend a special thankyou to Ian, Danny, April, Peter and the rest of the Legislative Assembly team, whose smiles and spirited conversation I always enjoy. I also thank the Hansard team, who do an impeccable job making me sound coherent and polished at all times. Like every other member of this House, my job is one of enormous responsibility and I do not take for granted the privilege of representing the people of Oatley. I thank them for entrusting me to represent and to serve them.

I cannot conclude this speech without acknowledging my electorate office staff—Team Coure: Shane, Diandra, Astrid, and Chris Ashton, who just left. They have been instrumental in keeping my office running when I am out and about. I am extremely grateful for their hard work. Finally, I thank my family. I look forward to giving them my undivided attention over the brief Christmas holiday period. In just a few short months, James will be starting big school at Mortdale Public School, which is a huge milestone for my family. I thank my wife, Adla, for being my greatest motivation and support. I thank James for bringing joy and adventure into every area of my life. From my family to yours, we wish everyone a very merry Christmas.

### **BLACKTOWN ELECTORATE INFRASTRUCTURE**

**Mr STEPHEN BALI (Blacktown) (21:36):** I have represented the electorate of Blacktown for 13 months, having replaced John Robertson, who is working very well at Foodbank and doing great community service. Members on both sides of the House have supported and helped him in that role. It is great to see him maintaining that involvement in the community. Members opposite often talk about the wonders of this Government. Unfortunately, it has overlooked five key issues in my electorate: First, the lack of lifts at Doonside railway station; secondly, the lack of nurses at Blacktown Hospital; thirdly, the lack of police officers in the area; fourthly, the underfunding of education facilities; and, fifthly, the lack of infrastructure to support a growing community.

The community has been campaigning to have lifts installed at Doonside railway station for 15 years. Over their eight years in government, members opposite have refused to provide the required funding. More than 22,000 people live in the area, but we cannot get the Government to act. Fewer than 1,000 people use the Hawkesbury River station each week, but it has attracted funding. The Doonside station cuts the community in half. The northern side has community services, shops and schools but the southern side has only a primary school. Many people live in the war service homes that were built in that area in the 1940s and 1950s for war veterans, which means it has an elderly population. The steep ramp at the station makes it almost impossible to cut across the railway to access services on the other side. When she was the Minister for Transport, the now Premier ranked Doonside station as the twelfth most in need of upgrading. Despite that, many other stations much further down the list have been upgraded. Doonside station is overlooked time and again. That is ridiculous and funding must be allocated for that work.

The Government has completed stage one of the Blacktown Hospital, which was a fantastic Labor Government initiative. Stage two of the upgrade will require a \$1 billion investment. The member for Seven Hills

and the member for Riverstone are often invited to functions at the hospital, but I am not despite the fact that I am the local member and it is next door to my office. It is nice to have a shiny new building, but there is a shortfall of 140 full-time equivalent nurses. The member for Riverstone should be standing up for the constituents of Blacktown and delivering 140 nurses. Those vacancies mean that services are not being provided and nurses are being subjected to unreasonable pressure. Those positions must be filled and filled now.

The police establishment in my electorate has only recently been upgraded to the appropriate level. The Government is talking about re-engineering the NSW Police Force, but we need more police officers in Blacktown. The member for Seven Hills, a former police officer, knows that the Seven Hills police station is constantly bombarded by residents calling for more police officers in the central business district. That issue must be addressed. Not a dollar was allocated in the budget for air conditioning and maintenance, or to replace demountables at schools in my electorate. The four schools have more than \$1 million worth of outstanding maintenance work. The member for Riverstone is interjecting when he should be sticking up for the people in our area. Teaching positions in TAFE have been cut and we do not have a university.

Our city now has a population of 500,000—there are more people living in Blacktown than there are in Tasmania—but we have no university. This Government should be helping us rather than worrying about Badgerys Creek, which is a figment of its imagination. My electorate has \$5 billion worth of outstanding roadworks. Blacktown Road runs between the electorate of Seven Hills and the electorate of Blacktown. Roads and Maritime Services says it is top of the priority list for upgrading, but not a dollar has been allocated to undertake that work. This Government has had a \$10 billion surplus for five years, but we cannot get lifts, roads, nurses, police officers and so on. This Government is a disgrace.

**Mr MARK COURE (Oatley) (21:41):** The Labor Government built, refurbished or refitted more than 10 T1 and T2 stations across New South Wales and we saw cuts to the health and education budgets. This Government is spending record amounts on education and health, and Blacktown Hospital has benefited. In eight short years, 78 major upgrades have been undertaken at hospitals and health facilities and 1,500 new police officers have been appointed. The member for Blacktown has his head in the sand because he does not realise that members on this side of the House have done more for Blacktown than the Labor Government did in 16 years.

#### REGIONAL INFRASTRUCTURE

**Mr STEPHEN BROMHEAD (Myall Lakes) (21:42):** The Nationals in government are delivering for regional New South Wales and for the electorate of Myall Lakes. I am proud to be a member of The Nationals in a government that has been able to get the economy of New South Wales in a position to deliver for regional electorates. It is The Nationals in government who have increased health funding; it is The Nationals in government who have provided the extra funding for Hunter New England Health to increase spending at the Manning Base Hospital; it is The Nationals in government who have achieved a more than 25 per cent increase in funding for the hospital; and it is The Nationals in government who have provided increased capital expenditure to deliver \$40 million for stage one of the redevelopment of the hospital. Hunter New England Health does not have its own funding; its funding comes from the Government. I am a member of a government that makes those funding decisions, and I am extremely proud of that.

It is The Nationals in government who have implemented great programs like Stronger Country Communities that are delivering for Myall Lakes. More than \$8 million has been allocated to the Myall Lakes MidCoast Council area. That has enabled the commencement of projects such as the Great Lakes Women's Shelter at Forster. In addition, \$550,000 has been allocated to the MidCoast Council to install shade cloth at playgrounds, and \$98,000 has been provided to the Old Bar Men's Shed for men to have a place where they can talk and socialise. It has been shown how important men's sheds are for men's health and wellbeing. Through Stronger Country Communities the Government is delivering money for a new, purpose-built State Emergency Service building at Tuncurry. They will move from their small premises at Pacific Palms and will have the new premises for training, storing their gear and everything else so that they can help our communities. The MidCoast Council area is getting funding worth more than \$8 million through Stronger Country Communities.

Over the past few years my electorate has received more than \$3 million through the Community Building Partnership program. Small community groups have been getting funding, such as Marlee Hall, the Cundletown memorial museum or the equal access playground at Forster. More than \$10 million has gone to community groups through the Community Building Partnership program and Stronger Country Communities. That does not include funding for arts and heritage. The Manning Entertainment Centre, the art gallery at Forster and Taree and the film society have received \$1.8 million. A phenomenal amount of money is coming into the Myall Lakes electorate. In June \$100 million was announced for local roads. That is not the Pacific Highway or other State roads and highways; that is for local roads in the MidCoast Council area. It is amazing what we can achieve when we as a community, as a government and as a council work together.

There is \$100,000 for Forster Little Street amenities. Wingham Showground has received \$601,000 from Stronger Country Communities and more than \$200,000 from the Crown lands investment fund. That is more than \$830,000 for the Wingham Showground. It is a fantastic facility but the old cattle pavilion is falling over and the women's woolshed needs much work. We are delivering for them. The Manning Aquatic Leisure Centre has received \$201,000, the Great Lakes Aquatic Centre has received \$120,000 and Wingham Rugby League has received \$511,000. There is an allocation of \$730,000 for soccer and netball at Forster and \$271,000 for Croki recreation area—a little village in the northern part of my electorate; a beautiful place on the banks of the mighty Manning River. So many projects are getting money because The Nationals in government are delivering for regional New South Wales. I am proud to be part of a government that not only gets the economy right but also delivers the infrastructure and services that are so important to people in small communities.

### RIVERSTONE ELECTORATE RELIGIOUS EDUCATION

**Mr KEVIN CONOLLY (Riverstone) (21:47):** In the electorate of Riverstone there are 12 faith-based schools: Rouse Hill Anglican College, Australian Christian College, Norwest Christian College, St Mark's Catholic College, John XXIII Catholic Primary School, St John Paul II Catholic College, Holy Cross Primary School, St John's Primary School, St Joseph's Primary School, Mary Immaculate Primary School, Richard Johnson Anglican School and Trades Norwest Anglican Senior College. In recent weeks a number of principals, staff and parents of students at some of these local schools have contacted me to express their concern that proposed changes to legislation may prevent faith-based schools in Australia from being able to choose to employ staff who share the faith of that school. They maintain that their right to believe in and practice a particular faith includes the right to have their children taught in accordance with their religious belief. I have made it clear to them that I support Catholic, Christian, Jewish, Muslim and other faith-based schools in their stance on employing teachers who share their faith and values.

The first and foremost educators of children are their parents. The parents' right to decide how a child is educated is a human right; not a concession from the State. States run schools with the consent of parents and with the involvement of parents, but are not free to supplant the will of parents. That is recognised in international human rights agreements. One of the most fundamental human rights agreements underpinning internationally recognised human rights is the International Covenant on Civil and Political Rights. Like almost all countries in the world, Australia is a signatory. Article 18 of that covenant reads:

1. Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.
2. No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice.
3. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others.
4. The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to ensure the religious and moral education of their children in conformity with their own convictions.

Paragraph 4 makes it clear that governments must "have respect for the liberty of parents ... to ensure the religious and moral education of their children in conformity with their own convictions". If parents are going to be able to ensure that the education their children receive conforms with their own convictions, they must have the opportunity to choose schools with teachers who will espouse those same convictions. This right is not an optional extra; it is a fundamental human right.

Respecting parents' rights in this way does not infringe the basic rights of anyone else. No-one can claim a right to employment in a role which they are unwilling or unable to fulfil. Applicants have the right to have their suitability for a position assessed fairly based on criteria that are relevant to the position. As a teacher's capacity and willingness to actively participate in a faith-based education provided by a religious school is a relevant criterion, considering this factor in employment decisions is not unfair discrimination. Someone applying for a job in the Labor Party head office would not be surprised to know that the party would employ only someone who supports Labor. The community would see that as a fair thing. An environmental lobby group wishing to employ someone to spread its message is entitled to choose someone who shares its view about environmental issues.

Any legislation arising from the Commonwealth Government's religious freedom review chaired by Phillip Ruddock should recognise this reality. Legislation should provide clarity that faith-based schools may adopt the policy of employing teachers willing and able to impart the faith and values of the school community. After all, that is why parents have chosen that school for their children. Such clarification should not be expressed as exemptions from anti-discrimination laws but as recognition that such a policy is their right. It is fair conduct, falling outside the definition of discrimination in the first place.

### TERRIGAL ELECTORATE INFRASTRUCTURE

**Mr ADAM CROUCH (Terrigal) (21:52):** As this term of Parliament comes to an end, I take this opportunity to talk about the local achievements and local investments that the State Liberal Government has made in the Terrigal electorate on the Central Coast. One of the most significant investments our Government has made in my constituency is the redevelopment of Gosford Hospital. That \$348 million project involved the construction of a new 11-storey tower. The project represents a significant expansion in health care quality and capacity for the Central Coast. Together with the Wyong Hospital redevelopment, more than half a billion dollars is being spent on better public hospitals for the region. Earlier this year, when Premier Gladys Berejiklian, health Minister Hazzard and I officially opened the redeveloped hospital, we got to see some of the huge technological advancements that are now providing top-quality care to Central Coast residents.

That includes a new special care nursery, a new intensive care unit with glass screens that can be switched to opaque, a new magnetic resonance imaging machine, a courtyard with oxygen and gas fittings so that intensive care patients can go outside, and increased privacy features like separate lifts for staff and patients. Another key project that the State Liberal Government is delivering is the roundabout upgrade at Empire Bay Drive, Cochrone Street and the Scenic Road at Kincumber. Earlier this year, when the Premier visited my electorate, I had the opportunity to show her the importance of that intersection for the 25,000 motorists who travel through it every day. That is why I am delighted that I could secure an additional \$6.5 million in the budget this year to begin construction. Work is well underway with nearby pedestrian traffic lights already complete and more construction underway as we speak. The project also involves upgrading the roundabout from one lane to two lanes in each direction, resurfacing the road and improving safety at nearby intersections. Anyone who lives in the local area would know how important it is to provide congestion relief and improve traffic flow. This is something I committed to in 2015, and it is on the way to being completed.

Terrigal Beach and the surrounding area is considered to be the jewel in the crown of the Central Coast. Indeed, it is one of the most popular tourism locations for both locals and visitors all year round. For over 20 years, residents have talked about the need for a boardwalk to link The Esplanade and beachfront to The Haven. The current steep footpath over the headland prevents easy access to The Haven foreshore, especially for people with disability, parents with prams, and the elderly. In May I launched a community campaign and online petition, and gathered support from over 2,000 residents to build our boardwalk. Fast forward a month, and I was able to secure \$2.9 million for council for this project. I am thrilled to have delivered such a positive outcome for the community. I thank the council, under the new leadership of Gary Murphy, for getting on with the job of finalising design plans and publishing the project for public exhibition. As I have said before, the time for talking is over; the time for delivery is now.

The final project I would like to mention is the Winney Bay cliff-top walk. Providing a link between Copacabana and Avoca Beach, Winney Bay is one of the highlights of the 5 Lands Walk track. Over a weekend in June each year, more than 20,000 people take part in the multicultural festival at Macmasters Beach, Copacabana, Avoca Beach, North Avoca and Terrigal. Earlier this year at Avoca Beach Premier Gladys Berejiklian announced that our Government was committing \$4.6 million to the fantastic project. It is the single biggest grant for a project in the Terrigal electorate for many years. The funding will be used to build a new, safer path, as well as a viewing platform, which will enable everyone to better enjoy the picturesque landscape, regardless of their mobility. Importantly, the project is also environmentally and culturally sensitive. Across all portfolio areas—education, mental health, the environment, the police, and sport—the State Coalition Government is working to build a stronger, better future for everybody on the Central Coast, including in my electorate of Terrigal.

These are all fantastic examples of the State Coalition Government's budget management. Because we have built a strong New South Wales economy, we are able to provide funds for facilities and resources across the Terrigal electorate. As I said in 2015, I pledge myself to continuing to fight for our region's fair share of funding from the State Coalition Government. I know that under the good management and good leadership of Premier Berejiklian we will see future delivery of such funding to all the regions of the Central Coast, especially the electorate of Terrigal. I thank the people of Terrigal for their ongoing support. There is much more to be done, and I look forward to working with them in the future.

### MAITLAND ELECTORATE INFRASTRUCTURE

**Ms JENNY AITCHISON (Maitland) (21:57):** What an honour it has been to represent the community of Maitland for my first term in this place. It has been a big learning curve for me to understand how we, in this place, can serve our communities. I will never forget that in the first couple of days after I was elected the then Parliamentary Secretary for the Hunter said that the electorate would get nothing from the Government because we had not voted the right way. But I am pleased to say that, through the work of some good Ministers in this

place, many of the promises that the Government made to the people of my electorate have been delivered—in fact, we have been able to improve on some of them.

Of most note is Maitland Hospital. At the beginning of this term the Government had promised a \$400 million public-private partnership for Maitland. Ironically, just two days after the opening of the public-private partnership of the Northern Beaches Hospital, the chief executive officer has resigned and there has been lots of controversy about how that project has been operating. I am pleased to report that in my electorate, after a more than seven-year campaign, we managed to get a fully public hospital. We also increased its funding by \$70 million. So there have been some significant wins in this term.

It is interesting to have the Minister for Transport and Infrastructure in the Chamber. The light rail in Newcastle is coming along and the people in my electorate will appreciate it when it finally arrives. I know that it was not the member for Bega's decision to pull up the tracks. That was the Premier's decision when she was the Minister. That decision left my community without a rail line into Newcastle for four years. That has been very distressing for many people in my electorate and it has been a theme of the representations to me this year.

A number of commitments were made by the Government, including the upgrade to the Victoria Street station. That was promised eight years ago and that upgrade has been delivered. The Minister did not invite me to the opening, but that is okay. For me it is not about cutting ribbons; it is about making sure that those services and those infrastructure projects are delivered properly. Another commitment was to investigate the Rutherford stink. That was not done in the first term of this Government but, after a lot of work during the past four years, we have managed to get to the bottom of the causes. I have also made some very strong representations to the Government on the environmental clean-up of the site at Rutherford where the stink was coming from.

There are some outstanding projects, including the \$7 million project to build two lanes on the New England Highway between Racecourse Road and Anambah Road. That upgrade has not been touched during this term or in the last term, so I will definitely continue to follow that up. The new Rutherford ambulance station was to have been provided by now at a cost of \$3.8 million, but it has not yet been provided by this Government. When I was running for Maitland in the election campaign I heard Liberals say, "You have to have a strong voice in government." I think that the one thing that everybody in this place can say about me is that I have definitely been a strong voice for Maitland. It has been a loud voice at times, but I hope that I have been respectful when that was warranted but less so when respect has not been shown to my constituents. I will not resile from that in the next four years. I am very keen to continue to represent my community. There are high schools and primary schools that are yet to be provided in my electorate.

Aside from all those projects, the thing that has really motivated me throughout this term has been the people from my community who start a conversation with, "I did not vote for you, Jenny, but I am going to next time." Those are the people that I have been able to help with public housing issues, health issues and transport issues. It has been a true honour to be able to do that. I do not want this to sound like a valedictory because I am not dead yet, and I am seriously running for election again next time! But it has been a great experience for me, and I hope that I have fulfilled the expectations of my community. In fact, I hope that I have surpassed them. That is what I have sought to do every day over the past 3½ years, and that is what I will continue to do over the next four years. I will enjoy the opportunity to hold this Government to account and to deliver better outcomes for my community.

#### BEGA ELECTORATE INFRASTRUCTURE

**Mr ANDREW CONSTANCE (Bega—Minister for Transport and Infrastructure) (22:02):** My passion for the people of the Far South Coast is as high now as it was the first day I was proudly elected to this place. There is nothing more important for a politician than to keep their political representation as local as possible. That is why I am proud to be delivering for small communities such as Tathra and Nelligen, and every community in between. For 16 years I have worked hard locally and put local people first.

I am proud of the fact that in excess of \$750 million has been delivered in the Bega electorate since 2011, because of my advocacy and the love I have for the people in communities from South Durras to the Victorian border. There have been hundreds of great projects, putting people first. Whether it is delivery of a water filtration system in the Bega Valley or a new regional hospital in the Eurobodalla, this is my focus. Tonight I wish to reaffirm that I am standing for Bega, and to reaffirm my commitment, as the State's Minister for Transport and Infrastructure, to delivering major investments, from a \$20 billion metro train in Sydney through to small but vital projects such as a road upgrade in the Towamba Valley.

However, there is a personal reason—and a very serious agenda—that is driving my decision to stand again, and it relates to the Princes Highway and road funding. People may not know this, but my family and I nearly lost our lives in a high-speed head-on motor vehicle accident on a South Coast road in 2011. The fallout

from this accident has scarred me for life and has had so many personal consequences. I will touch on what is my principal reason to stand for Bega again shortly, because I want people to understand. For weeks I have heard rumours, innuendo and speculation and much of that has gone unquestioned. Even today, there were two statements from the Opposition debating about my representation of a place that I call home. I have had fake polling tactics and the Labor candidate out there saying that I am not a small business candidate, yet I worked as a political staffer. But that does not matter. I simply say that we should have the same degree of scrutiny on both sides, which is what I want to deal with tonight and why I am running in the next State election.

One of the most important moments in my 16 years of representing the Bega electorate is the role I played alongside the judiciary in the NSW Police Highway Patrol with Sergeant Ron Young in the coronial inquest into the Princes Highway in 2005. There have been too many tragedies, and as for upgrades—negative. The Labor Government used to rectify the dangerous sections of the highway. Many roads Ministers ignored my community's plight. It took the Coalition coming to government in 2011 to start fixing the highway. Around \$2 billion in highway upgrades either have been built or are being built since this Government came to office. Very soon we will have a duplicated highway from Sydney to the Jervis Bay turnoff. The New South Wales Government has done that when both Labor and Liberal Federal governments, year in and year out, ignored the plight of my communities when it came to highway upgrades. I think that is shameful.

The Princes Highway should be duplicated so that people do not face the same pain that my family suffered. The main reason I am running for re-election is that I want to fight alongside my community to secure a funding deal between the Federal Government and the New South Wales Government to duplicate the Princes Highway south of the Jervis Bay turnoff and through the Bega Valley shire, from 2020 to 2030. The agreement will be similar to the Pacific Highway agreement that will result in the Pacific Highway being fully duplicated between Brisbane and Sydney by 2020. If we do not secure such an arrangement for the Princes Highway, we run the risk of hundreds of people either losing their lives or being injured for life south of the Jervis Bay turnoff to the Victorian border. The crash rates are unacceptable. My biggest worry is when the duplication to the Jervis Bay turnoff is complete there will be a massive increase in traffic volume south of that point on one of the most dangerous highways in the nation. The consequences of that are not worthy of consideration.

The highway and the crash rates between Nowra and Milton-Ulladulla and Batemans Bay will become horrific. We have a small window of time now for our national and State leaders to head off these deaths and tragedies. I am pleading with the Prime Minister and the Deputy Prime Minister to prioritise this necessary Princes Highway duplication program. It benefits communities in the State electorates of Bega, the South Coast and Kiama, as well as the Federal electorates of Gilmore and Eden-Monaro that the Federal Coalition parties want to win. But forget that; lives are on the line. Do we need to repeat the experience of the Pacific Highway to achieve a successful outcome on the Princes Highway? I do not believe so. I will never give up fighting for this. It is a major factor in my decision to remain in the State Parliament. I will use every ounce of my being, my energy, dedication and influence to get this job done. That is my promise and the main reason for my candidacy for Bega in March 2019.

**Mr GARETH WARD (Kiama) (22:08):** I thank my friend and colleague the member for Bega for his passionate advocacy for the Princes Highway upgrade. As someone who has been the beneficiary of his advocacy, I can say that the upgrades we have seen would not have happened if it had not been for the commitment, dedication and drive of the member for Bega. He has invested his life in ensuring that his community is a better place. If we think about the way things were in Bega eight years ago, so much has changed because of his dedication, his drive and his commitment to serving his community. The Parliament is a better place because of people such as the member for Bega, who has invested his heart and his soul in serving his community. He has tackled issues that range from the Princes Highway to filtration. I acknowledge everyone that the member for Bega brings with him, such as Mitch Badin, the Deputy Mayor of the Bega Valley Shire Council, who I know has worked with the member for Bega to deliver this outcome. It does not matter how big or how small a project may be, the member for Bega has his heart in his job, and his electorate is very lucky to have him.

**TEMPORARY SPEAKER (Mr Adam Crouch):** I thank the Parliamentary Secretary and acknowledge the outstanding contribution by the member for Bega.

#### **NORTHERN TABLELANDS ELECTORATE INFRASTRUCTURE**

**Mr ADAM MARSHALL (Northern Tablelands—Minister for Tourism and Major Events, and Assistant Minister for Skills) (22:09):** As the Fifty-Sixth Parliament draws to a close this week, I am inclined to take the time of this House to reflect on the story of my electorate—the astounding, the amazing, the indefatigable Northern Tablelands. Honestly, some days I feel like I have won the lottery. Call me parochial, but achieving positive outcomes for your constituency can be made to look easy when the communities you represent are as supportive, interested, invested and engaged as the ones I am privileged to represent throughout the Northern Tablelands. I am incredibly proud to have the chance to be their voice in this place. I will continue to put their



interests first. Even if that sometimes means I may be at odds with my colleagues and with the Government, then so be it.

I was first elected and joined this place in late May 2013 and last week I clocked up my 400,000th kilometre driving around the Northern Tablelands electorate, visiting communities, large and small. In fact, the small ones are often the best. The Northern Tablelands electorate, its communities and I together have achieved a great deal. Although not every win has been easy and some have been long distance marathons, in every battle we have had falls and good times as well as bad. But when the chips are down, the community always has been right alongside each other, pushing with me for success and for victory and to secure some funding to solve a problem or get a project done.

The very first big win that I recall was in the early days and it was to secure \$3.5 million to build a bridge across Emu Creek just outside of Bundarra to replace the low-level causeway that was built in 1919—a causeway that flooded at the sniff of rain and cut off access to the west of Uralla and to the east of Inverell. The project was tossed around for about 70 years and the delivery of that funding proved to me that people power truly delivers. It was not just catchy alliteration. Since the crossing-off of the Emu, there have been other notable wins, but not all with a hefty price tag attached.

Within the first few months of being elected, the future of the Higher School Certificate [HSC] delivery in some of our smaller central schools—Emmaville, Ashford and Bundarra—was under threat. The full New South Wales Cabinet was dragged to Armidale and visited areas where issues were front and centre. The funding was secured to keep HSC delivery alive at those schools, and that is how it is to this day for students in smaller communities. At that time in the Northern Tablelands 53 schools shared an additional \$2.81 million in the first round of the Gonski equity funding in 2013. That has increased to \$23.8 million and that is being shared among 69 schools in my wonderful electorate. It has been wonderful to see those schools thrive under the leadership of excellent principals. The students also benefit from that extra investment.

The Northern Tablelands also is a recognised hotspot for renewable energy with solar, wind and hydro projects abounding—projects that I absolutely fully support. Renewable energy development is the future for our region and the future for our State. We are also ground zero for education with the University of New England, TAFE colleges, the new TAFE Digital enterprise with 52 full-time jobs brought to Armidale, and a brand-new Armidale secondary college that will cost in excess of \$100 million. Construction of the secondary college will begin early next year. The New England Conservatory of Music adds to the mix.

Roads continue to improve and they are the staple of any country community. There are not many of my constituents who have not had to stop at a stop/go sign and have smelled the beautiful scent of fresh bitumen being laid in areas right across the Northern Tablelands electorate. It is not all about money, but I can tell members that in the bush it damned well helps. I keep a running list in my office of all the funding allocated to the Northern Tablelands electorate by this Government since my election. As of today, we just ticked over the \$1.1 billion mark. The project that took us over the billion dollar mark was the new camel races that are planned for the Murrumbidgee Amateur Picnic Race Club next year.

Some of the big ticket items include the hospitals in Armidale and Inverell. I want new ones for Moree and Glen Innes. We also have in my electorate water pipelines from Guyra to Malpas Dam. From Biniguy, Ashley and Toomelah to Boggabilla, everywhere we look there are water security projects underway. The list is long but I want to thank all the councils—the six wonderful councils and the mayors, deputy mayors, councillors and general managers—that I have the pleasure of working with. As I said earlier, this is a team effort. It is not about what Adam Marshall can achieve or do. It is about what we do as communities, councils and groups working well together. As we bid farewell to the bearpit for another year, another term, I am keen to keep working with the Northern Tablelands and look forward to doing many more laps around the Northern Tablelands and working with my constituents well into the future.

#### **CESSNOCK ELECTORATE JOB LOSSES**

**Mr CLAYTON BARR (Cessnock) (22:14):** I use the opportunity of my last speech of the year to invite the Premier to come up to the electorate of Cessnock to help me campaign. The reality is that there are wonderful opportunities for the Premier to come to talk to my community about people who no longer have jobs as a result of the decisions of this Government. I will start back in 2011 with the hydro aluminium smelter. Prior to the 2011 election the Treasurer, Eric Roozendaal, failed to give an electricity guarantee to the aluminium smelter. It was a disgrace and a shame. I do not have a problem saying that most of my branch members numbered Eric below the line, and may have put him last. In the lead-up to the election, Leader of the Opposition Barry O'Farrell, Deputy Leader of the Opposition Stoner and at least four other shadow Ministers came up to Cessnock and said, "We will guarantee you an electricity supply. You will survive under us." Of course, the consequence was that the hydro

aluminium smelter shut down and 550 workers lost their jobs. They did not get the electricity supply that was promised.

The flow-on effects of that were that the local hairdresser did not have as many people making bookings, the local hamburger joint did not have as many people buying lunch, the local Thai restaurant did not benefit from Thai workers at the smelter and the local contractors did not have the work on site. The local bowling club had to lay off 20 per cent of its staff. I will move to the last part of 2012, when the cellar door subsidy was ripped out of the wine region of the Hunter Valley. The decision essentially meant that dozens and dozens of people lost their jobs. The cellar door subsidy was established by a former Labor government so that a cellar door could sell its liquid wonders at a price that matched the likes of Dan Murphy's. The Government decided to rip that subsidy out and dozens of people lost their jobs. Maybe Gladys would like to come up to talk to the smelter workers, the community or some of the cellar door staff members.

I fast forward to 2014 when we were brought back into this Chamber and were convinced by Premier O'Farrell that the Doyles Creek mining licence had to go because of all the Independent Commission Against Corruption issues. It turns out that that was not exactly true. As a result, more than 300 people have failed to be employed in an underground coalmine up there. On top of that, one of the existing drilling contractors up there, Howarth Drilling—which is run by the wonderful Warwick Howarth and his family—had to lay off 15 staff members. Warwick lost a business that was worth somewhere in the vicinity of \$10 million or \$15 million. He is now cleaning toilets at the local bowling club to put food on the table because of a decision made in this House.

I fast forward to the numerous issues with Smart and Skilled. One of my local Smart and Skilled providers offered laundry and dry cleaning training. But because the Government put the process under PricewaterhouseCoopers, which did not understand the business, it underfunded the industry to the point where people are no longer being properly trained in laundry. The local family business in my electorate has crumbled almost to its knees and is at risk year to year of falling over because the Government made incredibly poor decisions based on the bottom line instead of the needs of the community and industry to have people properly trained.

Another organisation in my electorate that was affected by Smart and Skilled was an early childhood education organisation that was training people to work in the early childhood industry. Incredibly, the organisation was defeated under the Smart and Skilled selection process by a company that registered as a \$2 shelf company two days before bids closed. The company had no industry experience, no programs and no staff, while the local company that I represent had 30 years or 40 years of experience in the industry. After the \$2 shelf company was successful and my company lost, it rung my local company and asked for its programs and poached its staff. More recently, there is the issue with Transqual, which is owed \$500,000 for training by the State Government. It has gone bankrupt because the bills have not been paid. Gladys, please come up.

### WYONG ELECTORATE ROADWORKS

**Mr DAVID HARRIS (Wyong) (22:19):** I refer to an incident that happened on the weekend that affected my electorate and the electorate of The Entrance. At approximately 7.35 a.m. on Saturday 17 November, a B-double combination truck travelling south in lane one on the M1—by no fault of the driver, who was travelling the speed limit—was involved in an accident after the front left tyre of the truck blew out. Through his great skill, the driver was able to bounce the truck along the section of the M1 that is currently under construction and has concrete barriers down both sides. He was able to push the truck into the barrier to slow it down, unfortunately breaking three of the truck's axles. It took seven hours to clear the accident, which took place at the Alison Road bridge. People had to exit at Sparks Road. They were directed along Sparks Road down the Pacific Highway through Wyong or along Hue Hue Road through the back of Wyong, back to the freeway at the Wyong connection.

The problem is that combined with local traffic, the diversion created absolute gridlock. The whole place was locked up. The issue was exacerbated because people tried to take shortcuts through Toukley and congested Wilfred Barrett Drive, which runs along the coastal road. Three major roads heading south were totally blocked for seven hours. I raise this issue because there will be accidents, particularly on the sections of the road that are under construction. In this case, the accident was not caused by bad driving; it was a mechanical error that the truck driver could not do much about. In fact, I congratulate the truck driver on his driving skill: no-one was hurt or injured, including the driver. The accident could have been quite disastrous.

Because the Pacific Highway road upgrade through Wyong has been delayed for so long, the road cannot take any extra traffic. Every Saturday and every weekday there is a two-kilometre to three-kilometre traffic snarl through that area. In the afternoon peak the traffic snarl transfers to the other side and Tuggerah Straight is locked up. It really is a road block. The real problem is—and the engineers have told me this—that the upgrade is ready to go. In fact, at the moment, there are enabling works that could be done and need to be done to get the project underway. On Saturday I was inundated with complaints. People were obviously inconvenienced. I did point out

that it was an act of God, that the tyre had blown and there was not a lot people could have done about it. But one thing people had right was that the delays in starting the enabling works will push the roadworks way into the future. They will push them out past 2020.

There are accidents on the freeway on a regular basis, and every time there is it locks the whole place up. There is no capacity for traffic through the detours. We were lucky in a way that it was not school holiday time or a weekday. If it had happened on a weekday people would not have been able to get to school or to work. It would have affected local businesses and local schools. The local roads simply cannot take that extra traffic. We know for a fact that work on the commuter car park could start now. We know that the upgrades to the railway station parking could start now. We know that the services that need to be moved could be moved now. We just need the Government to start it off. The tender documents were completed in 2016. It is ready to go. We have been waiting for two years and almost \$30 million has been spent on planning. I plead with the Minister to just get on with it.

### FAIRFIELD RELAY FOR LIFE

**Mr GUY ZANGARI (Fairfield) (22:24):** On the morning of Saturday 17 November 2018 the wider Fairfield community banded together as we officially launched the 2018 Fairfield Relay For Life at Prairiewood High School. The Fairfield Relay For Life has grown immensely in its popularity over the years, with more schools, community groups, local residents and businesses getting involved than ever before. As many would be aware, the goal of Relay For Life is, first and foremost, to have a great time with friends and family members while assisting the Cancer Council to raise awareness throughout the local community regarding the impact of cancer and promoting the importance of research.

Money raised during the relay will not only help fund vital research but also provide support and resources for the numerous advocacy services that do a tremendous job in supporting those who are affected by cancer throughout our community. We do not have a figure yet on how much was raised, as the counting process has only just begun. However, it was great to see how many local individuals, community groups, businesses and schools dedicated their time and resources to help raise funds for such a great cause. This year I had the wonderful opportunity to be one of the Fairfield Relay For Life masters of ceremonies for the first part of the day, and let me say that everything went off without a hitch this year thanks to the tremendous efforts of the organising committee and the volunteers. I give a special mention to Mr Kelvin Tran and Mr Michael Tran who have dedicated countless hours in recent months to help organise so much for the Relay For Life and to help make the relay such a tremendous success.

The 2018 Fairfield Relay For Life was enormous and had more than 800 participants in attendance, with more school representatives than ever before. It was great to see students from Patrician Brothers College Fairfield, Canley Vale High School, Cabramatta High School, Fairvale High School, Westfields Sports High School, St Johns Park High School, Bonnyrigg High School and, of course, Prairiewood High School, all in attendance and doing their part to support the Cancer Council's ongoing fight against cancer. The 2018 Relay For Life had a great new concept, wherein with each passing hour the theme of the relay changed, as did the music, dances and activities going on around the oval as we headed towards a new country.

We were able to try to guess which nations we visited during the relay with the following track list: the *Macarena*, *Gangnam Style*, *Kung Fu Fighting*, *Cotton Eye Joe* and *YMCA*. The changing of themes worked well and helped to invigorate the crowd and participants to get up and have a dance. I too must concede that I may have participated in some Zumba, the *Macarena* and *Gangnam Style* dancing alongside the local community. I think there are some videos floating around somewhere on Facebook, but that is another story for another day. Despite the variety of frivolities and entertainment throughout the day, the seriousness of why we were all there was not lost.

As night fell, the Hope Ceremony began. The Hope Ceremony had a few hundred people in attendance and a number of very moving stories were told by those who were suffering with and supporting those who are affected by cancer. The Hope Ceremony was a great opportunity for everyone to reflect on their friends, family, colleagues and neighbours, those who have passed on over the years and those who are still giving their all while fighting against cancer. The ceremony paid a very fitting tribute to a woman who dedicated so much of her life to supporting and caring for others, the late Allanah Falappi. Allanah gave so much to our local community and had such a tremendous impact on so many lives. She will always be remembered for her boundless compassion and love for her fellow man.

All in all, I would say the 2018 Fairfield Relay For Life was a resounding success. I thank the local businesses, donors, clubs, community groups, residents, volunteers and sponsors who committed to supporting the relay and everything it stands for. With each passing year, they all continue to inspire others around them and instil hope where it was once thought lost. Together we can continue to make a difference in our local community

and in the lives of so many who are going through immense tribulations. I am incredibly thankful and proud of everyone who got involved and supported the Fairfield Relay For Life 2018. I look forward to working with you all as we begin preparations for next year's relay.

#### **CEMETERIES AND CREMATORIA AMENDMENT REGULATION**

**Mr NICK LALICH (Cabramatta) (22:30):** It is no secret that metropolitan Sydney is running out of burial space. The situation is so grim that legislation in 2012 and 2013 allowed for renewable tenure as a possible solution. Renewable tenure is when a person can be dug up after a certain amount of time and the plot where they were buried can be resold. The proposed use of renewable tenure caused such angst in the community that it was regulated by the Government at a later date. That regulation is the subject of the recently concluded inquiry of the Legislative Council Regulation Committee into cemeteries and crematoria. The report outlines a number of problems which are of concern and on which I will elaborate.

It is abundantly clear from the report that the community consultation stage of the process was a dismal failure. That may sound harsh, but how else could I describe it? The department claims that adequate consultation was implemented, but the report tells us that major religious and multicultural community groups did not even know about the regulation, let alone consult on it. Community groups such as the Russian Orthodox Church, the Jewish Board of Deputies and the Greek Orthodox Church—to name just a few—have been sidelined.

For an issue as emotive and contentious as this it is paramount that community consultation be carried out extensively and correctly. According to Multicultural NSW, New South Wales is home to 125 religions. The population of New South Wales speaks more than 200 languages and boasts more than 300 ancestries. Clearly, New South Wales is a highly diverse place. The Government cannot brush aside the views and feelings of the community on an issue like this which touches so many families and is highly emotive. For the record, each year in the Sydney metropolitan region alone 5,984 burials take place in Crown trusts, 896 on local council lands and 1,822 through private operators. Across New South Wales about 33 per cent of all dead people are buried each year. The others are cremated or otherwise disposed of. This means up to 17,000 people are buried each year.

There are also geological concerns regarding the 25-year renewable tenure period. The recent inquiry heard evidence from soil expert Professor Dent that, depending on the type of soil, 25 years could be problematic. For example, scientific research carried out at Rookwood Cemetery showed that due to the clay soil 25 years was not long enough for a body to decompose. Professor Dent suggested that 50 years might be a more suitable time period. That leads us to the question of who is to determine when it is time to exhume a grave. That responsibility lies with the cemetery operator. But how is the cemetery operator to determine which graves are ready to be exhumed, whether the body has decomposed and what to do with trinkets that have been buried with the deceased such as wedding rings, trophies and other metal items that do not decompose? Cemetery operators have asked for clarification on this in the regulation as they understand that any grey area on such an issue can cause considerable angst and trouble in the community.

The Government must look into the many sensible alternative solutions to our shortage of burial space such as using other types of land or burying people in stacks. Renewable tenure of burial space is fraught with risk and will cause a huge amount of emotional distress. When I mentioned this idea at Chamber of Commerce meetings in my area, people laughed at me as if I was joking. They would say, "There's no such thing as burying someone for 25 years and then kicking them out." But then I asked them to look at the legislation that was passed in 2012 and 2013 and the subsequent regulation. They get a bit annoyed and say, "We didn't know that had been passed." It was six or 12 months ago that this was happening. This regulation needs to be looked at again. The Government probably realises that itself. There are other ways of saving burial space such as stacked burials, letting families reuse graves if they want to, or leaving the bones of the deceased in the bottom of the grave, as happens in a lot of European graveyards.

If this has to do with a shortage of land for burials, we do not have shortage of land in this country. America is the size of Australia with 300-odd million people. We have 25 million or 26 million people. How can we say we have a shortage of land? We do not hear Americans screaming that they have a shortage of land for burial spaces. We have miles of land. I could suggest some regional parks. There is one between Blacktown and Liverpool that is 27 kilometres long. We could take 50 or 100 hectares out of that. The dead will not disturb any flora and fauna in the area. Fauna can still walk across the graves. The regulation needs to be looked at again.

**The House adjourned, pursuant to resolution, at 22:36 until Thursday 22 November 2018 at 10:00.**