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LEGISLATIVE ASSEMBLY

Wednesday 19 March 2014

The Speaker (The Hon. Shelley Elizabeth Hancock) took the chair at 10.00 a.m.

The Speaker read the Prayer and acknowledgement of country.

BUSINESS OF THE HOUSE

Notices of Motions

General Business Notices of Motions (General Notices) given.

TRAVEL AGENTS REPEAL BILL 2013

Second Reading

Debate resumed from 14 November 2013.

Mr KEVIN CONOLLY (Riverstone) [10.03 a.m.]: I speak in debate on the Travel Agents Repeal Bill 2013. I support this approach to legislation. Legislation that is unnecessary or inhibits the good business practice of the people of New South Wales should be repealed. It is interesting that I speak about this on the same day that I hear reported in the media that the Federal Parliament will address 10,000 pieces of unnecessary regulation. It will be 10,001 as a result of the action by the Legislative Assembly in New South Wales. The bill provides for the repeal of the Travel Agents Act 1986 and the Travel Agents Regulation 2011. By introducing this legislation the Liberal-Nationals Government is showing its further commitment to reducing red tape for small business whilst ensuring that customers are adequately protected.

Adopting the legislative amendments contained in the bill will bring an end to the legislative scheme that was established by a number of jurisdictions that entered into the Participation Agreement for the Co-Operative Scheme for the Uniform Regulation of Travel Agents in 1986. By adopting this agreement, the participating jurisdictions, including New South Wales, agreed to regulate the industry through licensing schemes. The Act also regulated the industry through a requirement to contribute to a compensation scheme called the Travel Compensation Fund. It is clear that this scheme was designed in an era when travel agents controlled access to and information about travel. In 1986 I was teaching in a school in Sydney and I was not using computers, let alone the internet. Technology has advanced in a relatively short time. It does not seem that long ago for those from my generation. However, it must seem like eons ago for younger people looking at the technology of the day and the way we did business. At that time there was a computer in the school staff room, but I was not au fait with computers. I was learning with everybody else and catching up.

Dr Geoff Lee: With an abacus.

Mr KEVIN CONOLLY: I had progressed beyond the abacus and was using a calculator. The reality is computers were new then. The scheme that was proposed by several States in Australia reflected the way business was done in 1986. The ordinary person did not have access to online information. Travel agents had the privilege and the revenue—because it would not have been cheap technology—to have access to this information. In 1986 this scheme made sense; today is different. As we all know, consumers are now able to make their own last-minute travel inquiries and bookings online, deal directly with their choice of travel providers and make decisions with full information available at their fingertips. The Travel Compensation Fund was established to protect cash and cheque prepayments made to travel agents at a time when there was almost no alternative permanent payment means for consumers. I again reflect on my circumstances. In 1986 I paid cash for almost everything. An online transaction would not have entered my head.

Mr Tim Owen: In a brown paper bag.

Mr KEVIN CONOLLY: I refuse to acknowledge some of those interjections! If an agent failed to account for a consumer's prepayment to the travel provider the consumer could claim on the Travel Compensation Fund. However, if the travel agent had paid the prepayment to a travel provider which then collapsed no compensation was payable. Now travel agents can make payments directly to travel providers and consumers can pay travel providers directly through their financial institutions. As a result, the Travel Compensation Fund and the licensing scheme have become increasingly redundant. Over the years the regulatory scheme has placed a costly administrative burden on the industry. Many travel agents are small business operators and in many cases the cost is passed on to consumers. It is worth noting that the scheme cost more to administer than it returned to customers in payments.

To become licensed and to continue to hold their licences, travel agents are still required to provide in-depth and comprehensive financial records. They are required to provide this information throughout the term of the licence; they risk cancellation if they do not. However, in this era the information that is obtained at great effort by the licensee provides little benefit to the consumer using their services. Estimates of the financial burden on Australian travel agencies predominantly attributable to the requirements of the Travel Compensation Fund are between \$19.57 million and \$25.3 million per annum.

This cost directly affects the ability of these businesses to expand and employ more staff, particularly in rural and regional areas of New South Wales. The regulatory burden applies only to Australian-based businesses so their off-shore competitors in the same market have the considerable advantage of offering lower prices which forces local operators to exit the marketplace. This legislation will level the playing field. Members in this place would appreciate the opportunity to support small business operators in their community. This bill will make life easier and make businesses cheaper and more efficient so that they can compete with other businesses in the market. Back in 1986 people did not pay through credit cards and all the modern arrangements that we now have. Bankcard was the first widely available credit card in the 1980s, and back then it was only just becoming available.

Dr Geoff Lee: What happened to that?

Mr KEVIN CONOLLY: It was phased out in 2006.

Dr Geoff Lee: Why is that?

Mr KEVIN CONOLLY: This is all ancient history, reflecting on the manner and the construction of the scheme, which was useful for the purpose at its time but which is no longer appropriate and no longer meets the needs of either consumers or people in business. Therefore, we should release them from unnecessary burdens that the legislation creates. Other members no doubt will add to these comments, but I would like to finish by commenting on the effects that this change will have on business. The removal of the red tape burden will enable travel agent businesses to compete on a more equitable basis with their offshore-based competitors. This should see small businesses increase their margins, and hence their viability, and also see the development of specialty businesses. It should also lead to lower fees and better services for consumers.

The business conditions for travel agents will be improved, enabling innovation in products and services. Growth and new employment opportunities are the good news story for travel agent businesses, especially small businesses. The new regulatory environment will benefit this important New South Wales industry while maintaining appropriate and relevant consumer protection. On the same day that the Abbott Government in Canberra is moving to remove unnecessary regulation across the board, it is pleasing to be part of the New South Wales Government initiative to do exactly the same at our level by removing this unnecessary, unreasonable and unfair impost on our travel agents—imposts which, beyond this bill, are unnecessary, should no longer be in place and no longer will hinder their business. I commend the bill to the House.

Mrs ROZA SAGE (Blue Mountains) [10.11 a.m.]: I am very pleased to talk to the Travel Agents Repeal Bill 2013, which will repeal the Travel Agents Act 1986. As the member for Riverstone pointed out, today is a red letter day, not a red tape day, with the Abbott Government in Canberra repealing so much of the red tape that is stifling business, particularly small business. So we should all be welcoming those initiatives. My electorate of Blue Mountains relies heavily on the tourism industry. There have been myriad changes within this industry in recent decades, with one of the most significant being the manner in which travellers plan their trips. Advancements in technology have meant that travel agents no longer retain the same control over access to and information about travel. Consumers are now able to deal directly with travel providers, make real-time inquiries and book on the internet.

In 1986, when the Travel Agents Act was first introduced, digital technology was in its infancy. This was especially so with computer technology, which has really increased over the past couple of decades. The ability of everyday customers back in 1986 to obtain information about long-distance travel, accommodation, events and attractions was very much in the hands of the experts of the day in travel, the travel agents. Today the tourism industry heavily focuses its marketing campaigns in the digital media and social media. Today the website of a tourism business is the make or break of that business. I can testify to that from firsthand experience with tourism promotion after the devastating bushfires in the Blue Mountains. I am pleased to inform the House that I was able to secure an additional \$150,000 in funding, which included \$24,000 allocated directly to our regional tourism organisation—Blue Mountains, Lithgow and Oberon Tourism.

This Government understands that tourism is one of the main economic drivers of the Blue Mountains economy. In addition, \$200,000 has been allocated for further tourism promotion, with \$1.8 million Category C bushfire funding from the Commonwealth and State for natural disasters. Destination NSW worked on a campaign to send a message that the Blue Mountains is a great place to visit, especially after the fires. Destination NSW reported that, due to campaign activities, page views of Blue Mountains content on *visitsw.com* had more than doubled in the two months to mid-January. This increased level of interest has resulted in more than 23,000 leads being generated to Blue Mountains tourism operators, an 86 per cent increase on the previous year. Participating accommodation suppliers in the two-week *wotif.com* campaign experienced a 159 per cent month-on-month increase in room night bookings, with the entire region seeing a 52 per cent increase. This is an example of how the thinking now is in promoting visitation to an area, in this case the Blue Mountains, in comparison to thinking in 1986, when the Travel Agents Bill was written.

The campaign by Blue Mountains, Lithgow and Oberon Tourism focussed also on the digital media and radio, encouraging visitors to the *bluemountainsconnect.com* website. Today's travellers will generally arrange their own holidays or long distance travel whereas last century—and 1986 was in the last century—travellers relied heavily on travel agents. Today's travellers will pay for their trip or accommodation on the internet through e-pay points, often through the company's website, bypassing the travel agent. The existing legislation was established by a number of jurisdictions entering into a Participation Agreement for the Co-operative Scheme for the uniform Regulation of Travel Agents in 1986. The agreement meant New South Wales, along with the other participating jurisdictions, regulated the industry through licensing schemes. There was also a requirement for contributions to a compensation scheme, the Travel Compensation Fund. The evolution of the industry and the new avenues for consumers to make travel plans as I have already described has consigned the existing legislative framework to the past. This bill will bring an end to that legislative scheme.

The new legislation will reduce red tape for small businesses. As we heard from the member for Riverstone, small business is a vital part of the overall Australian economy, but it is no less vital to the Blue Mountains economy. The new legislation also will ensure that consumers are adequately protected. These goals are important tenets of the New South Wales Liberal-Nationals Government's commitment to the people of this State. When the Travel Compensation Fund was first established, with the aim of protecting cash and cheque pre-payments to travel agents, there were virtually no other payment options for consumers. Today consumers can use credit cards and direct debit businesses. This fund has become almost obsolete now that travel agents are able to make payments directly to travel providers and consumers can arrange and pay travel providers directly through financial institutions via direct debit.

The existing regulatory framework has been placing a huge burden on Australian travel agencies, and that affects their ability to compete with overseas competitors operating in the same market. This burden, predominantly attributable to the Travel Compensation Fund requirements, is estimated at between \$19.57 million and \$25.3 million each year—a very large impost. The flow-on effects of these costs are widespread. Businesses find it difficult to expand and are therefore unable to take on more staff, particularly in rural and regional areas such as the Blue Mountains. Not only are businesses and industry workers affected but the consumer is often asked to cover these costs through increased charges. Particularly in light of the challenges faced by the tourism industry in my electorate following the devastating October 2013 bushfires, anything that can eliminate unnecessary financial burdens would be wholeheartedly welcomed.

These far-reaching reforms to the industry have not been approached lightly. After extensive consultation with the industry and approval from the Council of Australian Governments Legislative and Governance forum on Consumer Affairs, a Travel Industry Transition Plan has been adopted. The plan has four phases to ensure a smooth transition by the industry and consumers. Importantly, voluntary industry accreditation is to commence mid-2014 and final payment of any consumer claims from the Travel

Compensation Fund and ultimate closure of the fund will occur in 2015. Although many people now choose to make their own travel arrangements, the travel agent still has an important role to play in the travel and tourism industry, especially in the overseas markets where prospective travellers are less familiar with the playing ground. So it is necessary that the local small business travel agents be supported with this sensible piece of legislation

This legislation repeals the now moribund Travel Agents Act 1986 and provides for a smooth transition to new models of business operation in a very competitive travel industry. The removal of red tape will level the playing field and allow Australian companies to be more competitive. Recently members of the New South Wales Government took part in trade missions to Asia. It is well-known that Chinese tourists are becoming our number one tourists—

Dr Geoff Lee: Are the number one.

Mrs ROZA SAGE: I stand corrected. Chinese tourists are our number one tourists. The current regulations place the New South Wales market at a disadvantage. This bill will help to level the playing field, in particular, with our competitive Asian markets. I commend the Travel Agents Repeal Bill 2013 to the House.

Mr JONATHAN O'DEA (Davidson) [10.20 a.m.]: I speak to the Travel Agents Repeal Bill 2013, which provides for the repeal of the Travel Agents Act 1986 and enables the orderly closure of the Travel Compensation Fund. I will not repeat the details of the bill that previous speakers have already covered, but I will highlight five of its fabulous features. The first feature is that changing technology and commercial trends are acknowledged. The internet and e-commerce are increasingly transforming the travel industry, including enabling a greater range of payment mechanisms, service providers and available information. The second feature is reduced bureaucracy and better competitive neutrality. Red tape will be reduced on Australian travel agent businesses, putting them on a more even and solid footing compared with competitors offshore. In the past Australian consumers have been paying the extra cost—no longer.

The third feature is that agreed inter-jurisdictional consistency is promoted across Australia. The Travel Industry Transition Plan acknowledges the need for a consistent and contemporary regulatory framework, following an earlier process of public consultation and the subsequent majority approval of relevant Ministers at the 7 December 2012 Consumer Affairs Forum. The fourth feature is that consumer protection measures are clearly recognised. Indeed, they continue to be important but the approach for this area is now being streamlined in a way consistent with other types of complaints that are handled in accordance with Australian Consumer Law. Risks still exist in purchasing travel, but consumers should now receive much better disclosure of and access to relevant information and choices that affect their assessment and the way in which those risks are addressed.

The fifth feature is that change management and education measures are encouraged under this legislation. Resources are allocated for a transition phase to adjust industry processes and controls such as the Australian Federation of Travel Agents [AFTA] Travel Accreditation Scheme and to address consumer education. The transition plan appears to be well considered, balanced and adequately funded. My favourable focus on those five fabulous features reflects why I am very happy to commend this bill to the House.

Mr CHRIS HOLSTEIN (Gosford) [10.23 a.m.]: I speak to the Travel Agents Repeal Bill 2013. The bill provides for the repeal of the Travel Agents Act 1986 and is about reducing red tape for small business whilst ensuring adequate protection for consumers. The bill will bring to an end the legislative scheme established in 1986, which regulated the industry through licensing schemes and a requirement to contribute to a compensation scheme—namely, the Travel Compensation Fund. This scheme was designed for an era when travel agents controlled access to and information about travel but, as other speakers have commented, that is no longer the case. Following extensive consultation with the public and stakeholders, the repeal and transition plans have met with the approval of the Council of Australian Governments' Legislative and Governance Forum on Consumer Affairs. The legislation will be removed by 30 June 2014 and the Travel Compensation Fund closed by mid-2015.

The transition plan provides for a portion of the remaining funds to be dedicated to a range of purposes, including stakeholder communication and education, and a one-off grant for consumer research and advocacy purposes. A one-off grant will be available to support the development of the voluntary accreditation scheme by a national working party of government, industry and consumer representatives. Since the fund's inception it has only provided compensation for cash prepayments by consumers to travel agents that had not yet been passed on

to the travel provider. If the payment had been passed on to the travel provider there was no compensation if that provider were to collapse. The fund has never provided compensation for the myriad of problems travellers face both before and during their travel. Travellers have always been advised to obtain travel insurance and are able to utilise the services of NSW Fair Trading which uses the full force of the Australian consumer law to support them. Aggrieved travellers who are facing losses are also able to go to the NSW Civil and Administrative Tribunal.

The transition plan accompanying the repeal of the Travel Agents Act supports an industry-led voluntary accreditation scheme for agents and improving stakeholder communications and education. Today many consumers make their own travel plans and deal directly with travel providers, including making inquiries and bookings on the internet, and the Travel Compensation Fund has become increasingly redundant. This regulatory scheme has placed a costly administrative burden on the industry. Many are small business operators and any that slip up in the system, such as forgetting to supply in-depth financial records, risk their licences being cancelled.

The cost burden on these small businesses, mainly through the Travel Compensation Fund, is estimated to be between \$20 million and \$25 million per annum. These costs can affect the ability of businesses to employ more staff, particularly in regional New South Wales. The regulatory system applies only to Australian-based businesses. This gives foreign-based competitors in the same market a huge competitive advantage, offering them lower prices and driving local operators from the marketplace. This bill will help to create a level playing field for Australian-based small business, which is important not only to New South Wales but nationally. I commend the bill to the House.

Mr TONY ISSA (Granville) [10.28 a.m.]: I speak in support the Travel Agents Repeal Bill 2013. The bill will provide protection for consumers. On 1 January 2011 the Australian Consumer Law commenced to provide guarantees for services and pricing transparency, and to prohibit misleading representations. For example, if a consumer chose to pay for something by credit card and there was no supply then he or she could use the charge-back mechanism. There has been a lot of misconception about the coverage of this scheme; in particular, the Travel Compensation Fund only covered loss caused by the downfall of a travel agent. The bill addresses how consumers should be able to choose the travel agent best suited to them. The travel agent may be a part of a public company or a member of an industry association, such as the International Air Transport Association, and specialise in the type of travel required.

The Travel Agents Repeal Bill 2013 also highlights the differences between the current circumstances and the circumstances that gave rise to the cooperative scheme for licensing travel agents and the compensation scheme. The licensing of travel agents and the Travel Compensation Fund were established in 1986 under the National Cooperative Scheme for the Uniform Regulation of Travel Agents. Back then consumers were reliant on the travel agent making arrangements for cash payments as credit cards were not common. The cooperative scheme protects consumers making cash payments to travel agents in the event that the agent becomes bankrupt before passing the payment to suppliers.

In today's world consumers are able to deal directly with suppliers and through the internet consumers are able to access information without midway assistance. On 7 December 2012, prior to planning approval by the ministerial council, consumers were consulted about the draft travel industry. The plan was then formed and amended to take into account their interests. This bill also addresses the Australian Federation of Travel Agents Accreditation Scheme which will commence in 2014. Participants must provide a statement of acceptance that they will comply with the Australian Federation of Travel Agents code of conduct.

The Australian Federation of Travel Agents code of conduct is a voluntary code which sets standards for good practice for participants. Participants will need to provide a statement through their corporate policies and procedures that they will comply with Australian Consumer Law. Participants also must provide a statement of compliance that they are offering to the market including advertising, marketing and in-store and online product placements. Participants must be fit and proper entities likely to carry on business honestly and fairly and they will need to provide evidence of a well-managed solvent business. Participants also will require business registration and will need to provide evidence of adequate liability and insurance. A complaints handling policy also must be provided by participants.

A mandatory fee will take effect from 1 July 2015. This is a more comprehensive certification scheme than the current Travel Agents Act Scheme. If an unauthorised debit has been made to a credit card the cardholder may seek to recover the money using a process known as chargeback. Chargeback is the term used

for debiting a merchant's account for the amount of a transaction previously taken from the consumer's credit card account. The two main categories for which a transaction can be charged back are that the merchant has made an error such as overcharging, or the cardholder or card issuing company is disputing the transaction. A claim form should be obtained from the credit card provider if there is a dispute over an unauthorised debit. Consumers can receive more information from their credit card providers regarding chargeback terms and conditions.

On 7 November 2013 consumer affairs Ministers welcomed the Commonwealth Consumer Affairs Advisory Council study into credit card surcharges and non-transparent transaction fees. Ministers noted that the Reserve Bank of Australia had recently amended surcharging rules to address concerns relating to excessive surcharging. This bill will enable businesses to compete on a more equitable basis. This should see small business increase margins and lead to lower fees and better services. Growth and new employment opportunities will be good news for travel agent businesses, especially for small businesses. New regulations will benefit this important New South Wales industry while maintaining consumer protection.

The Travel Compensation Fund substitution trust deed commenced on 1 July 2013 after all participating jurisdictions had agreed. This removed the prudential supervision functions from the trust giving travel agent businesses immediate relief. Support for the Travel Industry Transition Plan enabled the trust to provide funding as directed by the ministerial council for services which support implementation of the plan. No agent will be able to be a member of the Travel Compensation Fund and it will close after meeting its obligations. This is to occur between 1 July and 31 December 2015. I commend this bill to the House.

Mr GLENN BROOKES (East Hills) [10.35 a.m.]: I support the Travel Agents Repeal Bill 2013 which seeks to repeal the Travel Agents Act 1986 and in doing so remove a significant amount of red tape for this industry. I do not know anyone who would not welcome less red tape for our small businesses as most travel agents are small businesses run by mums and dads. Internet sales and the ever-changing way in which we conduct business these days mean that the current Act is out of date and does not provide basic protection to consumers. The Act does not address supplier failure, pricing irregularities, poor service or misleading information.

Businesses also are at a significant disadvantage when competing with offshore providers. Travel consumers are facing more and more problems that the Travel Agents Act does not address. The Travel Agents Act was established to regulate the industry through a licensing requirement as well as a requirement to contribute to a compensation scheme—the Travel Compensation Fund. The scheme was designed in an era when travel agents controlled access to and information about travel. It was established to protect cash prepayments to travel agents at a time when there were almost no alternative payment methods.

If an agent failed to account for a consumer's prepayment to a travel provider a claim could be made on the Travel Compensation Fund. Given that payments are now frequently made directly to travel providers and increasingly by credit card, the Travel Compensation Fund and licensing have become redundant. This scheme also placed a costly administrative burden on the industry as a whole. The Australian Federation of Travel Agents will be working with different State and Federal governments as well as the industry to establish an accreditation scheme for the industry. This more contemporary approach to the travel industry benefits both consumers and travel agents and they support the reform package.

On coming to office the O'Farrell Government pledged to remove red tape for all new legislation that it introduced. This repeal bill is a perfect example of how the Government is doing just that and it is getting it right the first time. We are consulting industry and consumers to ensure that the changes we make are relevant now but also work well in the future. As a small business operator I know the burden faced daily by the small business community. I congratulate the former Minister for Fair Trading, the Hon. Anthony Roberts, on introducing this bill and the current Minister for Fair Trading, the Hon. Stuart Ayres, on continuing this great initiative. I commend the bill to the House.

Mr JOHN FLOWERS (Rockdale) [10.39 a.m.]: I contribute to debate on the Travel Agents Repeal Bill 2013 which has as its objects to repeal the Travel Agents Act 1986 and to deal with savings and transitional matters. Savings provisions in the bill will enable the director general to take action for any offence against the Travel Agents Act 1986 that occurred before its repeal. Savings provisions will also continue the effect of any cancellation or disqualification of any person from being involved in the direction, management or conduct of the business of a travel agent which was made by the director general before the repeal of the Travel Agents Act for the duration of the disqualification period.

The bill repeals the travel agents legislation in accordance with the travel industry transition plan, which has been approved by the Council of Australian Governments at its Legislative and Governance Forum on Consumer Affairs. The plan makes reforms to how travel agents are regulated and was developed following public consultation. It requires all jurisdictions to repeal their travel agents legislation by 30 June 2014. Jurisdictions will subsequently move to a voluntary industry accreditation scheme from mid-2014. The former Minister's second reading speech notes that the internet and e-commerce have changed the way that people arrange travel and that the existing travel agents legislation is based on an outdated concept of how the industry works.

The current legislation regulates the travel industry through a licensing requirement as well as a requirement to contribute to the Travel Compensation Fund. The fund was established to protect cash prepayments made by consumers to travel agents at a time when there were few other alternative payment options. If an agent failed to account for a consumer's prepayment to the travel provider, a claim could be made to the fund. However, the Minister explained that the fund and licensing system have become increasingly redundant now that payments are regularly made directly to travel providers and/or via credit card. The current travel agents legislation also does not address pricing irregularities, poor service, supplier failure, misrepresentations or misleading information. The Minister noted that the Australian Consumer Law has more relevance to consumer travel purchases now and in the future.

I will now elaborate. The internet and e-commerce have transformed the way consumers purchase flights, hotels, tours and other travel-related products. The Travel Agents Act 1986 is based on an outdated concept of how this industry operates. The Australian Consumer Law, which commenced on 1 January 2011, has much more relevance to consumer travel purchases both now and in the future. The Travel Agents Act came into being as a result of jurisdictions entering into the participation agreement for the National Cooperative Scheme for the Uniform Regulation of Travel Agents in 1986. The participation agreement involved jurisdictions agreeing to pass a State Act regulating travel agents and to establish a compensation scheme called the Travel Compensation Fund.

The participation agreement also established a ministerial council to oversee the operation of the cooperative scheme. The Travel Agents Act regulated the industry through licensing requirements as well as a requirement to contribute to a compensation scheme, the Travel Compensation Fund. It should also be stated that the regulatory burden applies only to Australian-based businesses; their offshore-based competitors selling in the same market have been placed at a considerable advantage and are able to offer lower prices and drive local operators from the marketplace. As noted earlier, this bill provides for the repeal of the Travel Agents Act 1986.

By introducing this legislation, the New South Wales Liberal-Nationals Government shows its commitment to doing everything it can to reduce red tape for small business while ensuring that consumers are adequately protected. Adopting the legislative amendments contained in the bill will bring to an end a legislative scheme which was established by a number of jurisdictions entering into a participation agreement for the National Cooperative Scheme for the Uniform Regulation of Travel Agents in 1986. In adopting this agreement, the participating jurisdictions, including New South Wales, agreed to regulate the industry through licensing schemes. The Travel Agents Act 1986 also regulated the industry through a requirement to contribute to a compensation scheme, the Travel Compensation Fund. However, it is clear that this scheme was designed for an era when travel agents controlled access to and information about travel. As we all know, consumers are able to make up their own minds and make their own bookings through the internet—dealing directly with their travel providers. They can now make minute by minute travel inquiries online.

The Travel Compensation Fund was established to protect cash and cheque prepayments to travel agents. This was at a time when there were almost no alternative payment means for consumers. If an agent failed to account for a consumer's prepayment to the travel provider then the consumer could make a claim on the Travel Compensation Fund. However if the travel agent had made the prepayment to the travel provider which then collapsed, no compensation was payable. Now that travel agents can make payments directly to travel providers, and consumers can arrange for travel and pay providers directly through their financial institutions, the Travel Compensation Fund and the licensing scheme have become increasingly redundant.

The regulatory scheme has, over its years of operation, placed a costly administrative burden on the industry, many of them small business operators and in many cases this has had to be passed on to consumers in increased costs. Travel agents, to become licensed and to continue to hold their licences, are required to provide in-depth and comprehensive financial records—and to continue to provide this information throughout the life

of the licence, risking cancellation if they do not. However, this information—obtained at great effort by the licensee—provides little benefit to the consumer using their services. Estimates of the financial burden on Australian travel agencies predominantly attributable to the Travel Compensation Fund requirements range between \$19.57 million and \$25.3 million per annum. This cost directly affects the ability of these businesses to expand and to employ more staff, particularly in rural and regional areas of New South Wales. I commend the bill to the House.

Mr LEE EVANS (Heathcote) [10.49 a.m.]: It is with great pleasure that I speak in debate on the Travel Agents Repeal Bill 2013, which means a lot to travel agents in Heathcote.

Dr Geoff Lee: Name them.

Mr LEE EVANS: I will name some of the fantastic, hardworking travel agents in the Heathcote electorate. They include Travelscene Engadine—a very hardworking team—Engadine Travel, Flight Centre Engadine and Sutherland, Harvey World Travel Engadine, Travel Winks Sutherland, Helloworld Engadine, JD's Global Travel Engadine, Piccadilly Travel Helensburg, Travelworld Thirroul, Fair Flights Thirroul and Traveland Thirroul. This bill will repeal the Travel Agents Act 1986. The introduction of this legislation is a demonstration by the New South Wales Liberal and Nationals Government of its further commitment to doing everything it can to reduce red tape for small business while ensuring that consumers are adequately protected.

Adopting the legislative amendments contained in the bill will bring to an end a legislative scheme that was established by a number of jurisdictions entering into a participation agreement for the National Cooperative Scheme for the Uniform Regulation of Travel Agents in 1986. Recently I spoke with one of the travel agents about the fact that in adopting this agreement the participating jurisdictions, including New South Wales, agreed to regulate the industry through licensing schemes. The Act also regulated the industry through a requirement to contribute to a compensation scheme, the Travel Compensation Fund. It is clear that the scheme was designed for an era when travel agents controlled access to and information about travel.

The abolition of the travel agents legislation brings to a culmination the wide public and stakeholder consultation necessary to make these wideranging reforms to the industry. The Council of Australian Governments Legislative and Governance Reform on Consumer Affairs approved the Travel Industry Transition Plan, which will operate in conjunction with the removal of the legislation by 30 June 2014. Recently Piccadilly Travel at Helensburg told me that it was fantastic that this legislation would be enforced by 30 June 2014. The first reform commenced on 1 July 2013 with the removal of the requirement for agencies to lodge annual financial returns to the Travel Compensation Fund and thus removing red tape. Voluntary industry accreditation will commence in mid-2014 and the Travel Compensation Fund will close by mid-2015.

The Travel Industry Transition Plan makes arrangements to dedicate a portion of its remaining funds to a range of purposes, including stakeholder communication and education, and a one-off grant for consumer research and advocacy purposes. A one-off grant also will be made to support the development of the voluntary accreditation scheme by a national working party of government, industry and consumer representatives. Governments and agencies have agreed in implementing the plan to work closely with industry to ensure there is appropriate disclosure of risk in travel-related transactions.

Governments and the industry will work to address business failure and insolvency. Industry and consumers can see the wideranging benefits this passage of contemporary reforms will bring to the modern issues they now face in the provision of travel services. Industry and consumers have indicated support for this reform package throughout the wideranging consultation that was needed to bring this legislation to fruition. The travel agents of Heathcote—Travelscene Engadine, Engadine Travel, Flight Centre Engadine and Sutherland, Harvey World Travel Engadine, Travel Winks Sutherland, Helloworld Engadine, JD's Global Travel Engadine, Piccadilly Travel Helensburg, Travelworld Thirroul, Fair Flights Thirroul and Traveland Thirroul—think this is a fantastic bill and I commend it to the House.

Mr GEOFF PROVEST (Tweed—Parliamentary Secretary) [10.54 a.m.]: I make a brief contribution to debate on the Travel Agents Repeal Bill 2013—an example of the Government honouring its election commitment to reduce red tape for the industry. The bill repeals the Travel Agents Act 1986 by removing much of the red tape. The bill was designed for an era when travel agents controlled access to and information about travel at a time when the majority of travel was arranged through travel agents. Many people, including me, now book online or direct with the supplier. That is particularly relevant in my area, which has many visitors and a number of travel agents, who do a fabulous job. Half of my electorate includes the wonderful Gold Coast

airport, which is ranked fourth in Australia and estimated to have eight million people travelling through it. Approximately 30 per cent of those people will travel south into New South Wales, through the Tweed to Byron, down to Yamba and further south.

This bill seeks to reduce red tape and to make it easier for travel agents. I acknowledge that running a travel agency today is tough because of competition with online booking companies, which do not have the additional cost burden. The member for Heathcote made reference to the large number of travel agents in his electorate which are probably family-run businesses that employ one or two people. Any measure that can assist those businesses should be encouraged. Indeed, it is rather opportune that our humble abode, the New South Wales Parliament, is seeking to reduce red tape through this bill because our Federal colleagues today are seeking to repeal legislation in the Australian Parliament in an effort also to reduce red tape.

The Act provides that under the Travel Compensation Fund if an agent fails to account for a consumer's prepayment to a travel provider a claim can be made. This fund is estimated to account for a burden of approximately \$19 million to \$25 million to the industry in Australia and is making the Australian travel industry less competitive against the global travel industry. That is particularly relevant to New South Wales, which contributes 47 per cent of the industry's revenue. Today Australian Consumer Law has much more relevance to consumer travel purchases when one considers that payments are now being made directly to travel providers and/or by credit card. After public consultation, the Council of Australian Governments Legislative and Governance Forum on Consumer Affairs approved the Travel Industry Transition Plan.

The travel industry in my area is a very competitive market and the margins are slim. Recently one could visit the great electorate of Tweed, landing at Gold Coast airport for as little as \$49 and \$100 for the inclusion of several nights' accommodation. The Tweed has become an international destination. Air Asia flies every day to Kuala Lumpur, with a recent special airfare including three nights accommodation costing only \$380. There are also flights to Osaka, Tokyo and New Zealand. Tourism is a big business employing many people but I strongly advocate for the Australian product. We have many wonderful places in New South Wales, including Stanwell Tops, Tweed Heads, up and down our great coast and west of the Great Dividing Range at Broken Hill. There are many wonderful secret holiday destinations and we should make it easier and more competitive for our local travel agents to encourage people to travel to towns around the State thus stimulating the economy.

We know the effect of the summer holidays on towns, economies and jobs up and down the coast. Tourism is a big industry, and this legislation plays a part in encouraging small businesses in country towns. I applaud the O'Farrell-Stoner Government for once again honouring an election commitment to reduce red tape. We have spoken on many occasions about the reduction of red tape, and the trend continues. I am 100 per cent committed to that process. We have also seen growth in the State's economy. New South Wales leads the way in the recently released employment figures. That is a credit to the Government. I commend the bill to the House.

Mr ANDREW ROHAN (Smithfield) [11.00 a.m.]: I support the Travel Agents Repeal Bill 2013, which repeals the Travel Agents Act 1986 and Travel Agents Regulation 2011. This bill is necessary to deliver the Travel Industry Transition Plan, which sets out reforms to the regulation of travel agents. It is also necessary, given the removal in July 2013 of the requirement for travel agents to give financial information to the Travel Compensation Fund. I commend the then Minister for Fair Trading, the Hon. Anthony Roberts, for introducing and delivering on this bill. The Travel Industry Transition Plan was established and approved at the Council of Australian Governments Legislative and Governance Forum on Consumer Affairs in December 2012. This followed the recognition of a need to reform the regulation of the travel industry, given the adoption of the National Tourism Accreditation Framework, also known as T-QUAL, which assures quality and sustainability in the tourism industry in Australia, and also the commencement of the Australian Consumer Law in 2011.

First and foremost, by 30 June 2014 the bill will abolish the requirement for travel agents to hold a licence as well as having membership of the Travel Compensation Fund. The face and nature of the tourism industry throughout Australia has changed tremendously following the digitisation of travel marketing, ticket booking and general administration, as well as the boom in online business models. Gone are the days when prepayment issues were a real concern for consumers who purchased travel by making advance deposits or lump-sum payments to their bricks-and-mortar travel agent. If the agent did not forward the payment to the end service provider or supplier, or otherwise failed to account for those moneys, recourse was taken via the Travel Compensation Fund. The nationwide fund was set up as a trust account into which all moneys were paid, with stringent rules applying to payments out of that trust account.

I am proud to say that we still have a great range of travel agency shopfronts where consumers can have a face-to-face consultation with an agent about their travel plans. However, the increasing use of travel websites and modern payments systems such as the credit card has enabled consumers to seek recourse in another fashion should there be a hiccup in the process such as a charge-back. As such, there is no further need for the Travel Compensation Fund, which is another section of the shortening length of red tape. There is no longer the requirement to provide the fund with substantial security such as a bank guarantee or insurance bond or to lodge annual audited accounts.

Furthermore, the Australian Consumer Law and NSW Fair Trading provisions provide for consumer protection and remedies that were not addressed in the Travel Agents Act 1986. These include, amongst others, prohibiting misleading and deceptive conduct by agents, including the setting of unfair terms in any standard form contract; enforcing guarantees as to acceptable level of skill and technical knowledge; and ensuring that the arrangements offered will be reasonably fit for purpose. Consequently, as the then Minister for Fair Trading clearly stated, market mechanisms will now manage and accommodate transactions concerning travel arrangements.

I turn to further effects of the bill, primarily as they affect the consumer. Despite the removal of the licensing requirement, the role of the travel agent remains the same. Options for communicating and methods of transacting for consumers will remain as they are. It is important to note that the removal of the requirement will not allow anyone willy-nilly to set up shop as a travel agent. The industry still imposes restrictions on who can make travel arrangements. The practicality of industry-based accreditations or memberships will become more apparent. Consumers are increasingly brand conscious when it comes to big-ticket purchases such as an overseas trip. This applies to travel agencies as well. Reputation, experience and networks will make this distinction and allow for greater transparency and maintenance of standards. Also, there are commercial capital barriers to entry. Most competitive or established agencies generally depend on specialised customer relationship management systems, inventory management systems, ticket reservation and inquiries systems and access and so forth. It is therefore evident that there will be no adverse changes to consumers or existing agents in the industry.

My last point deals with a further protection mechanism for consumers in the event of default of a travel arrangement by the travel agency concerned, including the cessation of the agency or insolvency of the end supplier. I understand that it is part of the transitional process to disclose to and educate consumers and travel industry stakeholders in consumer risk in agency transactions. If purchasing their tickets directly, consumers should be encouraged to select agents or suppliers who have insolvency insurance. Insolvency insurance effectively subrogates the agent to claim on the consumer's behalf if the travel arrangements are affected by any collapse in the supply chain, including of the agency itself. This insurance is optional; however, it is widely available. Agents accredited by the Australian Federation of Travel Agents under the Travel Accreditation Scheme have the option to take out insurance under that scheme. As is evident, there are a range of consumer protection measures in place should any unintended consequences arise from the enactment of this legislation.

The transitional and savings provisions of the bill allow for administrative reviews by a tribunal, including appeals against decisions of administrators of the compensation scheme before the date of repeal. The bill also provides for continued subrogation rights by the compensation fund trustees and continues to enable legal action by the trustees. The relevant part to be inserted into the Fair Trading Act 1987 also incorporates a sunset clause, which is due to coincide with the closure of the Travel Compensation Fund in mid to late 2015. The bill heralds an important step in fostering ongoing consumer confidence in the travel sector, encouraging innovation in the domestic market and reinforcing competition with offshore providers. The bottom-dollar savings generated by this bill will pass to the consumer and help to increase the affordability of travel, whether interstate or overseas. Many of my constituents and their families in the Smithfield electorate make frequent arrangements to visit members of their family back in their country of origin, often on an annual basis.

They will be pleased to benefit from any reduction in red tape and in fees from their local travel agents. I expect the bill to have positive spillover effects after freeing up resources of not only travel agencies but also the tourism industry in general, while maintaining consistency with consumer protection laws. I commend the former Minister for Fair Trading and the current Minister for Fair Trading for the introduction of this bill. I commend the bill to the House.

Mr KEVIN ANDERSON (Tamworth) [11.09 a.m.]: I support the Travel Agents Repeal Bill 2013. The objects of this bill are to repeal the Travel Agents Act 1986 and to deal with savings and transitional

matters. Members who preceded me in this debate have clearly outlined the objects of the bill and I will focus on how a consumer will know which travel agent to choose. Nine times out of 10 someone selects a particular company, service or organisation because they know someone there. People buy from people they know. People generally go to a travel agency they know because over time they have built up trust with the agency through experience of the services provided by the agent, they know the consultants, or there is an attractive package or deal being offered. Package deals frequently are offered to destinations in Australia and overseas. When people are considering spending their hard-earned money on travel or a long-dreamt-of holiday, it is important for them to be assured that the consultant they have selected is reputable.

There are many indicators of a reputable travel agent. An agent may be part of a public company or a member of an industry association, such as the International Air Transport Association. An agent may specialise in the type of travel that the consumer seeks to undertake, such as air, road, rail or sea. The agent may be accredited by the industry. The agent may have a positive market presence through recommendations by friends and colleagues, or through advertising that has attracted consumers to take advantage of an offer. I turn now to examine the circumstances that have changed since implementation of the cooperative scheme for licensing travel agents and the compensation scheme. A procedure for licensing travel agents and the Travel Compensation Fund were established in 1986 under the Co-operative Scheme for the Uniform Regulation of Travel Agents. At that time consumers relied on travel agents making arrangements and cash prepayments were common. Credit cards were not commonplace. One of the changes in the bill that is associated with the now widespread practice of using credit cards to pay travel agents will be of significant assistance to consumers.

When an unauthorised debit has been made to a credit card, the cardholder may seek to recover the money by a process known as chargeback. The process applies when a consumer does not receive what they have been charged for. I cite two examples: firstly, a person may have booked a holiday with a certain airline, travel to the destination and, before returning, the airline ceases to operate; secondly, irrespective of the mode of travel—air, road, rail or sea—a consumer who does not reach their destination by a particular time may find that their booking has been cancelled. In those circumstances, what can a consumer do to recover the hard-earned money they spent on a holiday they did not take? Consumers have long sought the assurance of funds recovery options being available to them if their travel or holiday is not in accordance with the agreement facilitated by a travel agent or a consultant. Chargeback is the term used for debiting a merchant's account for the amount of a transaction that previously had been debited from a consumer's credit card account.

There are a number of reasons that a transaction can be charged back, but they fall mainly into two categories: firstly, the merchant made an error at the point of sale by, for example, overcharging or using an expired credit card; and, secondly, the cardholder or the card issuing company disputes the transaction because, for example, the card or cardholder was not present at the point of sale and fraud may have taken place. When a dispute arises over an unauthorised debit, a claim form should be obtained from the credit card provider, which commonly is a bank. The bank will notify the third party's sponsoring financial institution, which must provide proof of the debit within seven days. General information relating to chargeback can be found in the terms and conditions booklet that is provided by a bank at the time a credit card is issued. It is important for consumers to read the fine print. When consumers avail themselves of a service, they sign a contract that may contain five pages or more of details and it pays them to read the contract thoroughly, especially in relation to travel, to ascertain their rights and the expectations of the company with whom they are dealing.

Consumers must take special care to ensure that the deal they sign up for is as it should be in case plans go awry. For example, a company providing a transportation service may cease to operate or a cyclone may cause significant destruction of a resort on an Australian island holiday destination. When holidays are cancelled for unforeseen circumstances, consumers need to know where they stand in relation to recouping the money they have paid. It would be remiss of me in the context of discussing holiday destinations not to mention holiday destinations in the Tamworth electorate. Tamworth offers tourists wonderful events and destinations. I encourage all Australians and overseas visitors to experience the culture and terrific atmosphere in the Tamworth electorate. The Werris Creek Railway Museum is a renowned tourist destination. It is not only one of the finest heritage-listed buildings in Australia but also the centrepiece of the first railway town in New South Wales. Over Easter the town of Nundle will be holding the Go for Gold Chinese Easter Festival, and I encourage people to think about travelling to Nundle, which is a goldmining village. Nundle has nominated for the Tidy Towns award, which will be judged in a few weeks' time at Victor Harbor. Hopefully we will soon find that Nundle has been declared Australia's tidiest town. I wish Nundle all the very best for its success. The State Tidy Towns awards will be hosted in Nundle in November and I very much look forward to that event. People will travel from far and wide to experience the magnificent hospitality of Nundle.

I am a strong advocate for every Australian experiencing their own backyard, and there is no better destination than Gunnedah. Recently the Gunnedah Week of Speed was held and I was pleased to participate in the street parade. The Tamworth electorate holds the Barrabor Festival as well as the largest country music festival in the Southern Hemisphere. The Tamworth Country Music Festival was held recently over a period of more than 10 days, including the countdown period in the lead-up to the festival. I acknowledge the significant contribution made by the New South Wales Government and Destination NSW to the success of that international event. There is much to see and do at tourist attractions in the Tamworth electorate and surrounding areas. I encourage people to experience the tourist attractions in the district. Recently Dolly Parton and Chris Kristofferson performed in Tamworth at the magnificent regional entertainment centre. Tamworth is the tourism mecca of the New England north-western part of the State. I encourage everyone to experience what the Tamworth electorate has to offer tourists.

For the benefit of people who are looking for a travel agent, I mention a number of them in the Tamworth electorate—Escape Travel, Flight Centre Harvey World Travel, Jetset, Travel World, Julie McLean and Janine Snook. They are all reputable dealers and agents in our region who will happily organise a visit to sample what is offered to tourists in the terrific Tamworth electorate. I commend the Travel Agents Repeal Bill 2013 to the House.

Mr STEPHEN BROMHEAD (Myall Lakes) [11.19 a.m.]: I support the Travel Agents Repeal Bill 2013. As the member for Myall Lakes I am vitally interested in tourism and the way in which tourism impacts on Myall Lakes. This legislation will assist agents who send people to Myall Lakes and agents who do their business from within Myall Lakes. Myall Lakes is known internationally as the water playground of Australia, with the mighty Manning River and its 156 kilometres of navigable waterways and with more than 200 kilometres of pristine white beaches. The area also boasts the lake system comprising Smiths Lake, Wallis Lake and Myall Lake. A short distance inland lies the hinterland, which offers farm stays, and yet a little further, the mountains and the mighty Ellenborough Falls—the longest single-drop waterfall in the Southern Hemisphere. The mighty Manning River and its waterways is the only delta formation in the Southern Hemisphere. One can go to the mighty Myall Lakes for the holiday of one's life—the sort of holiday people can only dream of.

Mr Craig Baumann: What about Port Stephens?

Mr STEPHEN BROMHEAD: Just down the road is a suburb of Myall Lakes—Port Stephens. It has some attributes. It has a bit of a river running through it but it does not have the lakes system or the mighty Manning. The Travel Agents Repeal Bill 2013 repeals the travel agents legislation in accordance with the Travel Industry Transition Plan, which has been approved by the Council of Australian Governments Legislative and Governance Forum of Consumer Affairs. The plan makes reforms to the way in which travel agents are regulated and was developed following public consultation. It requires all jurisdictions to repeal their travel agents legislation by 30 June 2014. Jurisdictions will subsequently move to a voluntary industry accreditation scheme in mid-2014.

In the Minister's second reading speech he noted that the internet and e-commerce have changed the way people arrange travel and that the existing travel agents legislation is based on an outdated concept of the way in which the industry works. The legislation regulates the travel industry through a licensing requirement as well as a requirement to contribute to the Travel Compensation Fund. The fund was established to protect cash prepayments made by consumers to travel agents at a time when there were few alternative payment options. If an agent failed to account for a consumer's prepayment to a travel provider, a claim could be made to the fund. However, the Minister explained that the fund and licensing system have become redundant now that payments are regularly made directly to travel providers or by credit card. The legislation does not address pricing irregularities, poor service, supplier failure, misrepresentations or misleading information. The Minister noted that the Australian Consumer Law has more relevance to consumer travel purchasers now and in the future.

The bill confirms the commitment of the Liberal-Nationals Government to removing red tape while ensuring the protection of consumers. The New South Wales Government is committed to reviewing regulations and removing red tape that constricts and hampers business. This month the Australian Federal Coalition will have a red tape repeal day—a day of removing red tape and unnecessary regulations in order to benefit businesses and to improve employment prospects in Australia. This bill repeals outdated legislation so that consumer protection becomes centred around the contemporary and powerful Australian Consumer Law, which commenced on 1 January 2011. The Australian Consumer Law includes guarantees that consumers will be provided with the service and product they were promised and for which they paid. Under this regime travel agent services must first be provided with acceptable care and skill or technical knowledge and agents must take all necessary steps to avoid loss and damage. Secondly, the service must be fit for the specified purpose, and, thirdly, it must be provided by the time agreed or within a reasonable time when there is no agreed end date.

Misleading representations or promises to the consumer are prohibited. The Australian Consumer Law is jointly enforced by NSW Fair Trading and the Australian Competition and Consumer Commission. Until the savings provisions in this bill are removed after the Travel Compensation Fund is closed, there will be residual enforcement of this bill as if it had not been repealed. The purpose is to ensure controlled transition to general law. Savings provisions in the bill will enable the director general to take action for any offence against the Travel Agents Act 1986 that occurred before its repeal. Savings provisions will also continue the effect of any cancellation or disqualification of any person from being involved in the direction, management or conduct of the business of a travel agent which was made by the director general before the repeal of the Travel Agents Act for the duration of the disqualification period.

The Travel Compensation Fund provides compensation only for cash payments made by consumers to travel agents that have not yet been passed on to the traveller or to the travel provider. The Travel Compensation Fund has never provided compensation for the many problems and incidents that travellers can face both before and during their travel. Travellers have always been advised to obtain travel insurance for matters such as illness, injury, loss of possessions, flight delay or the possibility of supplier failure. Travellers are also able to use the services of the NSW Fair Trading to address issues such as poor service, pricing irregularities, misrepresentations or misleading information that leads to loss. NSW Fair Trading uses the full force of the Australian Consumer Law to support consumers. Aggrieved travellers facing loss are also able to take matters to the NSW Civil and Administrative Tribunal. It should also be noted that the transition plan accompanying the repeal of the Travel Agents Act specifically addresses the issue of reducing consumer complaints by supporting an industry-led, voluntary accreditation scheme for agents and improving stakeholder communication and education. Funding for a consumer capacity building service is also being facilitated through the transition plan. These are long-term commitments aimed at improving the quality of this vibrant and important industry.

I am often asked what effect the bill will have on businesses. The removal of the red tape burden will enable travel agent businesses to compete on a more equitable basis with their off-shore competitors. This should enable small businesses to increase their margins and, hence, their viability. It should also assist in the development of specialty businesses and lead to lower fees and/or better services for customers. The business conditions for travel agents will be improved, enabling innovation in products and services. Growth and new employment opportunities are the good news for travel agent businesses, especially small businesses. The new regulatory environment will benefit this important New South Wales industry while maintaining appropriate and relevant consumer protection. There will be changes to the Travel Compensation Fund and there will be changes made to support the transition plan.

The Travel Compensation Fund Substitution Trust Deed commenced on 1 July 2013 after it was executed by all participating jurisdictions. The deed removed the prudential supervision functions from the trust, thereby giving travel agent businesses immediate relief. An additional object was given to the trust, being to support implementation of the Travel Industry Transition Plan and a new purpose enabled the trust to provide funding, as directed by the Ministerial Council for Services, which support the implementation of the plan. This funding has enabled the development of the industry accreditation framework and a comparable endowment for consumer research and advocacy services. No agent will be able to be a member of the Travel Compensation Fund, which is expected to close between 1 July and 31 December 2015 after meeting its obligations. The provisions for distributing any remaining funds have not been altered from the original 1986 deed. I commend the bill to the House.

Debate adjourned on motion by Mr Andrew Cornwell and set down as an order of the day for a later hour.

RACING ADMINISTRATION AMENDMENT (SPORTS BETTING NATIONAL OPERATIONAL MODEL) BILL 2014

Bill introduced on motion by Mr George Souris, read a first time and printed.

Second Reading

Mr GEORGE SOURIS (Upper Hunter—Minister for Tourism, Major Events, Hospitality and Racing, Minister for the Arts, and Minister for the Hunter) [11.29 a.m.]: I move:

That this bill be now read a second time.

The Government is pleased to introduce the Racing Administration Amendment (Sports Betting National Operational Model) Bill 2014. The bill's object is to regulate betting on sporting events in line with the National

Policy on Match-Fixing in Sport agreed to by all Australian sports Ministers in June 2011. As part of the national policy, the same Ministers agreed to a national operational model for sports betting in September 2011. This bill implements that operational model. The model augments new match-fixing penalties and offences introduced by the New South Wales Government in August 2012. A maximum penalty of 10 years imprisonment applies for anyone found to have engaged in or facilitated conduct that corrupts the outcome of an event. The offences are based on a list of match-fixing behaviours endorsed nationally by the Standing Council on Law and Justice.

The operational model regulates the interaction between sporting organisations, betting service providers, and relevant State and Territory regulators in relation to integrity agreements and baseline requirements for betting on sporting events. The model was developed in consultation with State and Territory gambling regulators, a number of major betting service providers and major sporting organisations. Based on the Victorian regulatory model administered by the Victorian Commission for Gambling and Liquor Regulation, the operational model provides a framework for betting service providers to enter into integrity agreements with sports controlling bodies and contains the following key features: first, integrity measures used to prevent, investigate and assist in the prosecution of match fixing or corrupt behaviour; secondly, financial return to the sport; and, thirdly, information-sharing arrangements.

Under the model, sports controlling bodies also have a veto right on the type of betting that occurs, or whether any betting occurs at all, in respect of their sport. Importantly, this bill establishes a workable and appropriate framework to strengthen the capacity of sporting bodies to recognise and manage integrity risks associated with the betting that takes place on their sport. It also enables sporting bodies to receive a share of the revenues that accrue from approved betting, recognising both the value of the sporting product itself and the integrity-related costs incurred by sporting bodies as a direct result of evolving sports betting markets. These mechanisms will help to strengthen public confidence in the integrity of the sporting contests themselves, as well as the associated betting that occurs on these events.

I turn now to the main details of the bill. New section 1 changes the name of the principal Act from the Racing Administration Act to the Betting and Racing Act. This change was initiated by Parliamentary Counsel on the basis that it more accurately reflects the subject matter of the principal Act. New section 17B authorises the Minister for Sport and Recreation to prescribe, by order published in the *Gazette*, a person or body as a sports controlling body for a sporting event. A regulation-making power is included to allow an approval process to be prescribed, including but not limited to the making of applications, the provision of information and the prescription of fees. It is proposed that a process for mutual recognition of interstate sports controlling bodies be included in the regulations. The Minister for Sport and Recreation will have the administrative responsibility for this area.

New section 18 restates the existing provisions of the Racing Administration Act in relation to the power of the Minister for Tourism, Major Events, Hospitality and Racing to prescribe an event or class of events as a declared betting event. A provision has been added to require an application to be made to the Minister before making such a declaration by a licensed bookmaker who holds a declared betting event authority under the Act or by a licensee under the Totalizator Act 1997—that is, the TAB. The requirement for an application for new bet types reflects current practice and provides a necessary structure for the implementation of the operational model and the involvement of sports controlling bodies in the process. New section 18 (5) allows the Minister to remove a previously approved sporting event as a declared betting event upon application by the sports controlling body for the event. This provision gives effect to the sports controlling body's right of veto over betting on its sport, which is a key component of the national operational model. However, the Minister will have discretion to not approve the request if he considers that it is not in the public interest.

New section 18A directly follows the above application process and requires that a new sporting event may be prescribed by the Minister only in cases where a sports controlling body has been approved for the sporting event if an integrity agreement is in place between the applicant and the sports controlling body, and the sports controlling body does not oppose the making of the order. The proposed new section outlines the essential requirements of the integrity agreement, which include an outline of the measures used to prevent, investigate and assist in the prosecution of any match-fixing or corrupt behaviour; provision of financial return to the sport; information-sharing arrangements; and a consultation process for applications for new sporting events and bet types. A key feature of the bill, like the operational model and the Victorian regime, is that the details of the integrity agreement, including financial arrangements, are determined not by government but by the parties to the agreement. While the bill contains measures that actively bring the parties to the negotiating table, the outcome of the negotiations is left to the parties. It is considered that the parties are in the best position to reach agreement on these commercial matters at arm's-length from government.

In circumstances where there is no approved sports controlling body for a sporting event, new section 18B requires the applicant to consult with key people or bodies involved in the administration of the event and convey their views to the Minister for consideration prior to making an order. An offence provision is included in new section 18C prohibiting betting service providers, whether in New South Wales or elsewhere, from offering a betting service in relation to a sporting event unless an integrity agreement is in place with the sports controlling body for the event. The offence is based on a similar offence applying in Victoria under its Gambling Regulation Act 2003. Consistent with the Victorian offence, the proposed New South Wales offence has extraterritorial application and does not apply in the following circumstances: where there is no sports controlling body for the sporting event; to sporting events held wholly outside the State; or during the six-month period following the approval of a new sports controlling body for an event.

The last exclusion provides betting service providers with a six-month transition period within which to reach an integrity agreement with a newly approved sports controlling body. The maximum penalty for the offence is a fine of \$11,000 for a corporation, or a fine of \$5,500 or 12 months imprisonment, or both, for an individual. The penalty is consistent with those prescribed for similar offences in the Racing Administration Act 1998 and the Unlawful Gambling Act 2009. The offence provision provides further impetus to bring betting service providers and sports controlling bodies to the negotiating table to discuss and agree on integrity issues.

New section 19 essentially restates the existing provisions of the Act allowing the Minister to authorise licensed bookmakers to take bets on declared betting events. An offence provision is included to prevent a bookmaker from accepting or making a bet on a declared betting event unless they are licensed and hold a declared betting event authority. Any conditions to which the authority is subject must also be adhered to. The remainder of the bill contains matters of a transitional nature, including preserving declared betting events and declared betting event authorities in force prior to the amending Act, and consequential amendments to related Acts, including the Greyhound Racing Act 2009, Harness Racing Act 2009, Thoroughbred Racing Act 1996 and Unlawful Gambling Act 1998.

In summary, this bill is an illustration of the Government's commitment to promoting integrity in sport and the regulation of associated sports betting. Sport has long been regarded as an integral part of Australian life. Australians are entitled to expect that the sports they watch or participate in are played honestly and in accordance with the ideals of fair play and good sportsmanship. Similarly, punters are entitled to expect that the sporting events upon which they wager money will be openly contested and free of manipulation. The bill is designed to give the public an increased level of confidence that these expectations will be met. A key aim of the National Policy on Match-Fixing in Sport, upon which this bill is based, is to maximise public confidence in the integrity of sport and to ensure a level playing field.

The Government has already demonstrated its commitment to promoting a viable and successful racing industry through its successful race fields legislation. The principle that betting service providers should pay for the privilege of using racing information as a platform for their business applies equally to sport. The measures in this bill uphold that principle and demonstrate a similar commitment to promoting the integrity and sustainable development of sport in this State. I commend the bill to the House.

Debate adjourned on motion by Mr Paul Lynch and set down as an order of the day for a future day.

TRAVEL AGENTS REPEAL BILL 2013

Second Reading

Debate resumed from an earlier hour.

Mr ADAM MARSHALL (Northern Tablelands) [11.44 a.m.]: I support the Travel Agents Repeal Bill 2013.

Mr Charles Casuscelli: Hear, hear!

Mr ADAM MARSHALL: I thank the member for Strathfield. I note that the Minister for Tourism, Major Events, Hospitality and Racing has just left the Chamber. This debate is timely as it gives members an opportunity to reflect not only on the important role that travel agents play in commerce but also on the role they play in conjunction with councils and other non-government organisations to attract people to tourism

destinations, particularly in rural and regional New South Wales. In May the Minister will have the pleasure of visiting the Northern Tablelands to attend the Australian Celtic Festival at Glen Innes, which promises to be a magnificent occasion. I am sure that he will have a great time.

The object of the Travel Agents Repeal Bill 2013 is to repeal the Travel Agents Act 1986 to address savings and transitional matters. The bill repeals the travel agents legislation in accordance with the Travel Industry Transition Plan, which has been approved by the Council of Australian Governments Legislative and Governance Forum on Consumers Affairs. The plan was developed following extensive public consultation and makes reforms to how travel agents are regulated. It requires all jurisdictions to repeal their travel agents legislation by 30 June this year. Jurisdictions will subsequently move to a voluntary industry accreditation scheme from mid-2014. The Minister's second reading speech notes that the internet and e-commerce have changed the way that people arrange travel and that the existing travel agents legislation is based on an outdated concept of how the industry works. I speak with some authority on this matter because my mother spent almost 20 years in the travel industry. Over that time we saw the industry change.

People once relied on a paper-based system, through which travel agents planned and booked domestic or international travel arrangements. Today people are able to use the internet to search for the best deals and organise and book their holidays. The current legislation regulates the travel industry through a licensing requirement as well as a requirement to contribute to the Travel Compensation Fund. The fund was established to protect cash prepayments made by consumers to travel agents at a time when there were few alternative payment options. If an agent failed to account for a consumer's prepayment to the travel provider, a claim could be made to the fund. However, as the Minister explained in his second reading speech, the fund and licensing system have become increasingly redundant now that payments are regularly made directly to travel providers and/or via credit card.

The current travel agents legislation also does not address pricing irregularities, poor service, supplier failure, misrepresentations or misleading information. The Minister noted in his second reading speech that the Australian Consumer Law has more relevance to consumer travel purchases now and in the future. By introducing this legislation, the Liberal-Nationals Government shows its further commitment to reducing red tape for small businesses in our communities while ensuring that consumers are adequately protected. Adopting the legislative amendments contained in the bill will bring an end to a legislative scheme that was established by a number of jurisdictions entering into a Participation Agreement for the Co-Operative Scheme for the Uniform Regulation of Travel Agents 1986. By adopting this agreement, the participating jurisdictions, including this State, agreed to regulate the industry through licensing schemes. The Act also regulated the industry through a requirement to contribute to a compensation scheme called the Travel Compensation Fund.

The Council of Australian Governments Legislative and Governance Forum on Consumer Affairs has approved the travel industry transition plan, which will operate in conjunction with the removal of this legislation by Parliament and other jurisdictions by the end of this financial year. The first reform commenced on 1 July 2013 with the removal of the requirement for agencies to lodge annual financial returns with the Travel Compensation Fund. Voluntary industry accreditation will commence midway through this year and the Travel Compensation Fund will draw to a close in mid-2015. The transition plan makes arrangements to dedicate a portion of its remaining fund to a range of purposes, including stakeholder communication and education and a one-off grant for consumer research and advocacy purposes. A one-off grant also will be made to support the development of the voluntary accreditation scheme by a national working party consisting of government, industry and consumer representatives.

In implementing the plan, governments and agencies have agreed to work closely with industry to ensure that there is appropriate disclosure of risk in travel-related transactions and to address business failure and insolvency. Industry and consumers can see the wideranging benefits that this package of contemporary reforms will bring to the modern issues they now face in the provision of travel services. The industry has moved on, and as a legislature so must we. Industry and consumers have indicated their support for these reforms through the wideranging consultation, which was important and necessary to bring the legislation to fruition. It is important that the industry and its stakeholders support this legislation.

As I said at the outset, this important reform highlights the role that travel agents continue to play in the economy of local communities. I am sure that people even visit the electorate of the member for Strathfield to see the wonderful things the local member is delivering there. More importantly, I think people would prefer to travel to the Northern Tablelands, where they will see picturesque national parks and pristine bushland. We also hold a number of festivals. For example, last weekend at the Armidale Autumn Festival thousands of people

celebrated the turning of the season and enjoyed the sublime Armidale atmosphere. We are also looking forward to the Minister for Tourism, Major Events, Hospitality and Racing visiting Glen Innes for the annual Australian Celtic Festival. I commend this important bill to the House.

Mr ANDREW CORNWELL (Charlestown) [11.52 a.m.]: I make a contribution to debate in support of the Travel Agents Repeal Bill 2013. The bill provides for the repeal of the Travel Agents Act 1986 and confirms the commitment of the Liberal-Nationals Government to removing red tape whilst ensuring that consumers are protected. It removes outdated legislation so that consumer protection becomes centred around the contemporary and powerful Australian Consumer Law, which commenced on 1 January 2011. The Australian Consumer Law includes guarantees that consumers will be provided with the service and product they were promised and for which they paid. Under this regime, travel agents' services must be provided with acceptable care and skill or technical knowledge and take all necessary steps to avoid loss and damage; be fit for the specified purpose; and be provided by the time agreed or within a reasonable time when there is no agreed end date. Misleading representations or promises to the consumer are prohibited.

The Australian Consumer Law is jointly enforced by NSW Fair Trading and the Australian Competition and Consumer Commission. There will be residual enforcement until the savings provisions in this bill are removed after the Travel Compensation Fund is closed. This will ensure a controlled transition to general law. Savings provisions in the bill will enable the director general to take action for any offence against the Travel Agents Act 1986 that occurred before its repeal. Savings provisions will also continue the effect of any cancellation or disqualification of any person from being involved in the direction, management or conduct of the business of a travel agent that was made by the director general before the repeal of the Travel Agents Act for the duration of the disqualification period. The Travel Compensation Fund provides compensation only for cash prepayments paid by consumers to travel agents that have not yet been passed on to the travel provider.

The Travel Compensation Fund has never provided compensation for the many problems and incidents that travellers can face both before and during their travel. Travellers have always been advised to seek and obtain travel insurance for certain matters such as illness, injury, loss of possessions, flight delay or the possibility of supplier failure. Travellers are also able to use the services of NSW Fair Trading to address issues such as poor service, pricing irregularities, misrepresentations or misleading information that lead to loss. Fair Trading uses the full force of the Australian Consumer Law to support consumers. Aggrieved travellers facing loss are also able to take their matters to the NSW Civil and Administrative Tribunal.

It should also be noted that the transition plan accompanying the repeal of the Travel Agents Act specifically addresses the issue of reducing consumer complaints by supporting an industry-led voluntary accreditation scheme for agents, and improving stakeholder communication and education. Funding for a consumer capacity-building service is also being facilitated through the transition plan. Adopting the legislative amendments contained in the bill will bring to an end a legislative scheme that was established by a number of jurisdictions entering into the Participation Agreement for the Co-operative Scheme for the Uniform Regulation of Travel Agents in 1986. By adopting this agreement the participating jurisdictions, including New South Wales, agreed to regulate the industry through licensing schemes. The Act also regulated the industry through a requirement to contribute to a compensation scheme—namely, the Travel Compensation Fund.

It is clear that this scheme was designed for an era when travel agents controlled access to and information about travel. The abolition of the travel agents legislation brings to a culmination the extensive public and stakeholder consultation necessary to make these wideranging reforms to the industry. The Council of Australian Governments Legislative and Governance Forum on Consumer Affairs approved the Travel Industry Transition Plan, which will operate in conjunction with the removal of the legislation by 30 June 2014. The first reform commenced from 1 July 2013, with the removal of the requirement for agencies to lodge annual financial returns with the Travel Compensation Fund. The voluntary industry accreditation will commence in mid-2014 and the Travel Compensation Fund will be closed by mid-2015.

The transition plan makes arrangements to dedicate a portion of its remaining funds to a range of purposes, including stakeholder communication and education, and a one-off grant for consumer research and advocacy. A one-off grant will also be made to support the development of the voluntary accreditation scheme by a national working party of government, industry and consumer representatives. In implementing the plan governments and agencies have agreed to work closely with industry to ensure that there is appropriate disclosure of risk in travel-related transactions. Governments and the industry will also work to address business failure in insolvency. The industry and consumers can see the wideranging benefits that this package of

contemporary reforms will bring to the modern issues they now face in the provision of travel services. The industry and consumers have indicated support for this reform package throughout the wideranging consultation needed to bring this legislation to fruition.

I am fortunate to represent the electorate of Charlestown, which offers a wide range of options for travellers. I take this opportunity to touch briefly on a few of those options. At the southern end of my electorate is the largest coastal saltwater lake in Australia: Lake Macquarie. Lake Macquarie is connected to the Tasman Sea by Swansea Channel in the electorate of Mr Garry Edwards, the great member for Swansea. Lake Macquarie offers fantastic opportunities for those who want to engage in recreational boating.

Dr Geoff Lee: Fishing.

Mr ANDREW CORNWELL: And fishing, as the good member for Parramatta has suggested. Some 10 to 15 years ago commercial fishing activities were stopped and since then there has been an increase in both the size and number of fish caught in the lake.

Dr Geoff Lee: And variety of species.

Mr ANDREW CORNWELL: I acknowledge the interjection by the member for Parramatta. There has also been an increase in the range of fish species in the lake. Since the artificial reefs were created some remarkable species of fish have been seen. Lake Macquarie offers great opportunities for the recreational boater to engage in fishing, sailing or water skiing. The Watagan Mountains are located to the west of Lake Macquarie. The Watagans are part of a chain of State forests and national parks and provide terrific opportunities for those wanting to four-wheel drive and picnic. In some of those valleys one feels as if one is a million miles from anywhere.

Dr Geoff Lee: You are.

Mr ANDREW CORNWELL: You are only 30 minutes from Newcastle. The Hunter Valley wineries also provide fantastic tourism opportunities and their value to the economy of this State is well known. The Hunter Expressway will provide convenient access to the Hunter Valley wineries, not just for people travelling from Sydney but also for people travelling from Newcastle. I think the opening of the Hunter Expressway at the end of this week will signal a new era for tourism within the Pokolbin area, the Broke area and other areas of the Hunter Valley wine region. So it is a very exciting time for the Hunter Valley wineries.

We have also seen significant changes in Newcastle itself with the Newcastle Urban Renewal Strategy. Newcastle has recently been named by Lonely Planet as one of the must-see destinations in the world. I have lived in the City of Newcastle for the vast majority of my life. It is a city that I love dearly—a city which we are now seeing undergo a major transformation. I commend the member for Newcastle, Tim Owen, for his strong advocacy in the development of the Newcastle Urban Renewal Strategy, which will now give the city a central business district of which every resident in the Hunter can be rightly proud.

We have some other fantastic tourism opportunities locally, for example, at Port Stephens. I note that the member for Port Stephens, a great representative of the area who had to leave the Chamber momentarily, advocates on behalf of that electorate. Port Stephens has some of the best beaches in New South Wales, if not in Australia. In fact the beach in the "Where the bloody hell are you" commercial is in Port Stephens. It is a fabulous part of the world and it is well represented by Craig Baumann, the member for Port Stephens.

Other tourist attractions include the Barrington Tops National Park and Myall Lakes, represented by Mr Stephen Bromhead. Further up the valley there are great heritage tourism opportunities in the electorate of Maitland, which is represented by the Hon. Robyn Parker, and in the electorate of Upper Hunter, which is represented by the Minister for Tourism, Major Events, Hospitality and Racing, Minister for the Arts, and Minister for the Hunter, the Hon. George Souris. I commend this bill for the sensible changes it makes to the regulation of the tourism industry. I appreciate being given an opportunity to bring to the attention of the House some of the wonderful tourism opportunities available in the Hunter Valley.

Dr GEOFF LEE (Parramatta) [12.02 p.m.]: It is a privilege to support the Travel Agents Repeal Bill 2013. I note that the Minister for Fair Trading, the Hon. Stuart Ayres, is in the Chamber to listen to debate on this important piece of legislation. The Hon. Stuart Ayers is not only the Minister for Fair Trading but also the member for Penrith. He makes a great member for Penrith and an even better Minister for Fair Trading.

Parramatta appreciates his support and the relocation of his office to Parramatta, which really is the capital of Western Sydney. Even though the Minister is the member for Penrith he shows no animosity towards Parramatta and its number one ranking in Western Sydney. People in Parramatta like Penrith—it is like a little brother to them. They like to take care of Penrith, which is only fair and just as that is the way we behave in Parramatta.

The member for Charlestown spoke earlier about the member for Newcastle. I will not go down the same route as the member for Newcastle by talking about the Parramatta Eels other than to say we are looking forward to playing Manly in the National Rugby League on the weekend. It does not matter where the Eels are placed on the weekend but as long as we beat Manly we will be happy. The Travel Agents Repeal Bill 2013 repeals some legislation introduced in 1986, which is a fair while ago. This bill deals with savings and transitional matters. In those days the way we paid for, booked and sought information on travel was quite different. Previous speakers referred especially to the way in which people paid for travel back then.

Mark Poster in his book *The Second Media Age* put it best when he looked at the role of the internet. It has fundamentally transformed our lives and the way we not only conduct transactions online but also find information, self-publish and that sort of thing. I commend to anyone listening to this debate the book *The Second Media Age* by Mark Poster. It describes the fundamental paradigm shift that has occurred in information seeking, information organising and information asymmetries. It has made a big difference to our community and to our society. One of the drivers for this bill in 2014, more than 20 years after the first Travel Agents Act 1986, is the evolution of payment options and payment processes. Quite clearly, the travel industry is one of those industries that has changed significantly over the past 20 years.

Before I became a member of Parliament I was a lecturer at the University of Western Sydney—a great university. The university has a campus at Parramatta, which is its fastest-growing campus. Premier Barry O'Farrell was there with the Hon. Stuart Ayres last week to open the central business district campus right in the heart of Parramatta city, which again goes to prove that Parramatta is the capital of Western Sydney. I notice the Minister nodding his head in agreement. The Hon. Stuart Ayres also has a smaller campus at Werrington in his electorate. I commend the university for those campuses and for the resources it has given to them. I note that the university has indicated that the Rydalmere campus and the Parramatta central business district campus are the campuses for future growth. There are 15,000 or more students there at present, and that figure is expected to grow to 25,000 students over the next 10 or 15 years. What a wonderful asset. These are great university campuses in great cities. The University of Western Sydney is a great university, under the stewardship of Vice-Chancellor Professor Barney Glover. He is an inspiration to the entire community.

Returning to the substance of the bill—because I know Acting-Speaker Mr Gareth Ward is interested in this and also is interested in travel—the travel industry has changed significantly over the past 20 years. As a former lecturer at the University of Western Sydney one of my areas of interest was the effects of the internet. In fact the area I looked at for my doctoral thesis was how the internet is changing retail business models. The retail industry has faced significant change in the past 20 years, including the commoditisation of the travel industry and the removal of some of the steps in the value chain.

The internet certainly presents people with more information and gives them the ability to deal directly with carriers. It gives them information to compare prices and gives the industry a more competitive focus in removing those steps that do not add any value for consumers. Much of that can be done through the reduction of human interaction—in other words, the client themselves can search on the internet in their own time whenever they choose and compare a number of different providers which is much more cost-effective than traipsing around from travel agent to travel agent trying to get the best deal. Search engines are now available that enable consumers to compare and contrast different prices and obtain up-to-the-minute and special deals.

The travel industry has changed dramatically through the advent of the internet and there is a fundamental change in the way in which society deals with businesses, makes decisions and accesses information. It is the fundamental end of that value chain—the electronic transaction or exchange—with which the Travel Agents Repeal Bill deals relating to payment directly from consumer to carrier. It is an important step in removing unnecessary charges and it has certainly changed the industry. We have seen a growth in specialist travel agents one of which is Payless World Travel, Parramatta. I know the owner, Ash, who is dedicated to providing high-quality service at the lowest possible cost. I commend Payless World Travel, Parramatta for its great efforts.

The member for Tweed said that perhaps I am not a friend of travel agents in Parramatta. I want to refute that. People in Parramatta do not go to travel agents because nobody wants to leave Parramatta.

Everybody wants to stay and enjoy Parramatta—and why not? I say that because we have some wonderful assets in Parramatta. I will not mention the Eels until we beat Manly. Parramatta has some great examples of travel destinations, such as Rosehill Gardens Racecourse. We have one of the largest and busiest Westfield shopping centres in Australia. We have Parramatta Park and Parramatta Lake, a World Heritage zone. The park contains original settlement sites. It is where Governor Phillip grew the first crops to feed the starving colony. It is also the site of Old Government House, where government in Australia began.

I am particularly interested in the heritage master plan that UrbanGrowth is developing at the moment. It is a difficult process. I was quoted in the paper today as saying that if it were easy it would have been done before now. The heritage master plan looks at making Parramatta an exemplar of heritage-driven tourism. There is no other place in Australia with more heritage assets than Parramatta. The issue is the adaptation and restoration of those heritage assets, which include the female orphanage, Old King's School, Parramatta jail and Cumberland Hospital. It is about telling the story of those heritage sites.

The heritage sites are linked by the Parramatta River. It would be great to see millions of tourists coming in on the ferry and enjoying a cappuccino or a meal on the banks of the Parramatta River while engaging in a historic experience. I look forward to the completion of the master plan. I also look forward to working with the Minister for Tourism, Major Events, Hospitality and Racing, the Hon. George Souris, to see how we can further develop destination Parramatta as an exemplar of heritage-driven tourism. I commend the Minister for his wonderful bill and look forward to working with him in the future.

Mr STUART AYRES (Penrith—Minister for Fair Trading, and Minister Assisting the Premier on Western Sydney) [12.12 p.m.], on behalf of Mr Anthony Roberts, in reply: I recognise the contributions to this debate by the members representing the electorates of Bankstown, Riverstone, Cronulla, Blue Mountains, Baulkham Hills, Davidson, Granville, Gosford, East Hills, Rockdale, Tweed, Heathcote, Smithfield, Tamworth, Myall Lakes, Northern Tablelands, Charlestown and Parramatta. As members have heard, this bill will remove unnecessary regulation of travel agents. The bill repeals the Travel Agents Act 1986 and the Travel Agents Regulation 2011. The bill provides for savings and transitional provisions that will support an orderly removal of outdated industry-based regulation and a transition to the Australian Consumer Law.

The bill will ensure that the marketplace is organised through up-to-date legislation. The travel agent industry and consumers will benefit from less red tape. New South Wales and other Australian-based travel agents will be regulated in the same way as their offshore competitors operating in the same market. This bill is the result of a national consultation process that began in 2011 and involved extensive discussions with stakeholder organisations, the publication of a draft Travel Industry Transition Plan for feedback purposes, and the subsequent approval of the final plan. Most members who contributed to the debate clearly understand what is presented in this bill. No significant issues were raised in those speeches.

I thank all members for their contributions to debate on this bill. I also thank Victoria, which partnered with New South Wales at the request of other jurisdictions, to lead the development and implementation of the Travel Industry Transition Plan, of which this legislation is one aspect. The legislation reforms an outdated approach to achieving consumer protection in favour of the contemporary Australian Consumer Law. This reform makes all travel agent businesses, regardless of their origin, subject to the same regulation. New South Wales travellers will benefit from this reform, as opportunities for competition will be enhanced.

Travel agents are being afforded more capacity to respond to consumer preferences and to develop their business. New South Wales is home to nearly 39 per cent of travel agent enterprises, and they have a 47 per cent share of the industry revenue. This reflects the importance of the State for in-bound tourism and for the location of head offices of international airlines. It would be remiss of me not to acknowledge the contribution of Minister Souris and Destination NSW. Their work in promoting New South Wales as a destination has been exemplary. New South Wales consumers are well-positioned due to this national reform and the prospect of new travel services and products being enabled by it. I acknowledge the comments made by the member for East Hills, who identified the importance of this bill as a red tape reduction measure. This initiative will also allow for industry growth and development well into the future. I commend the bill to the House.

Question—That this bill be now read a second time—put and resolved in the affirmative.

Motion agreed to.

Bill read a second time.

Third Reading

Motion by Mr Stuart Ayres, on behalf of Mr Anthony Roberts, agreed to:

That this bill be now read a third time.

Bill read a third time and transmitted to the Legislative Council with a message seeking its concurrence in the bill.

FAIR TRADING AMENDMENT (TICKET RESELLING) BILL 2013

Second Reading

Debate resumed from 14 November 2013.

Ms TANIA MIHAILUK (Bankstown) [12.16 p.m.]: I lead for the Opposition in debate on the Fair Trading Amendment (Ticket Reselling) Bill 2013. The Opposition supports protecting consumers from ticket scalpers, who take advantage of them through price gauging and fraud. Further, the Opposition supports finding a fair balance between protecting the ability of event operators to enforce their contractual rights and the ability of consumers to distribute tickets in a secondary marketplace. Major sporting and entertainment events provide a tremendous boost to the New South Wales economy through both direct and indirect spending. Recently, consumers from New South Wales, interstate and overseas attended sold-out stadium events that included Manchester United versus the A-League All Stars, Ashes Tests, the British Lions tour, the National Rugby League Grand Final, and One Direction and Justin Bieber concerts. These significant events were all sold out in a matter of hours of the tickets being released for public sale. In his second reading speech on the bill the Hon. Anthony Roberts, Minister for Resources and Energy and former Minister for Fair Trading, stated:

Ticket scalping, or the unauthorised resale of tickets for a price above the original value of the ticket, is an ongoing problem for consumers, event organisers, sporting codes and performers.

Consumers need to be protected from ticket scalpers, who seek to profit from the high-demand events occurring in New South Wales. The Opposition supports this sentiment. However, it must be noted that in 2010 the Commonwealth Consumer Affairs Advisory Council conducted a review into ticket reselling and studied the impact upon consumers. Following the review, the council reported that the volume of reselling was exaggerated, also noting that the majority of reselling was conducted by genuine fans who wanted to dispose of tickets to an event that they could no longer attend. The council concluded that there was no need to bring in laws to regulate the secondary market.

According to a request made under the Government Information (Public Access) Act, of the 44,016 complaints received by NSW Fair Trading in 2012, only one complaint specifically concerned ticket reselling. Of the 128 complaints received by New South Wales Fair Trading as at 26 July 2013, none were specifically in relation to scalping. Seventy per cent of the complaints received were in relation to either cancelled or postponed events or online purchasing difficulties. I would like to quote information obtained under another request, which was an email exchange between Fair Trading Commissioner Rod Stowe and Tim James, chief of staff to the former Minister for Fair Trading. Commissioner Stowe stated that, as at October 2011:

The view, to date, has been that there has not been a sufficient market failure to justify regulatory intervention. There has been a strong view from central agencies that there is not a cost-benefit case for regulation, particularly in view of some of the anti-scalping measures taken by event organisers and promoters in recent years.

The bill will amend the Fair Trading Act 1987 through the addition of provisions to eliminate ticket scalping. The bill introduces a new category of unauthorised advertisements within the scope of section 59 of the Fair Trading Act. For an advertisement to comply with proposed division 6, it must specify the ticket number, row and seat number in accordance with proposed new section 59 (2); specify the terms and conditions of the ticket or where those terms and conditions could be easily found in accordance with proposed new section 59 (3); include a notice specifying the circumstances in which the resale of the ticket may result in the cancellation or invalidity of the ticket in accordance with proposed new section 59 (4); and contain a photograph of the ticket that clearly shows any ticket number, row and seat number but not any barcode of the ticket in accordance with proposed new section 59 (5).

The former Minister who introduced this legislation, the Hon. Anthony Roberts, adopted a different approach to the approaches adopted in the jurisdictions of Queensland and Victoria. The respective ticket

reselling provisions in those States are contained in laws equivalent to the New South Wales Major Events Act 2009. I take this opportunity to discuss some examples of ticket reselling and how that is dealt with in Queensland and Victoria. In Queensland, part 4A of the Queensland Major Sports Facilities Act 2001 makes it unlawful for a person to sell, or offer for sale, tickets to events that are held at a major sports facility within Queensland. The events can include national or international sporting events, such as an A-League match or a Wallabies Test, recreational or entertainment events such as music festivals or concerts and other designated special events. In Queensland, a ticket resale exists if the resale price is 10 per cent above the original cost of the ticket. This provision attempts to stamp out price gouging by placing a cap on the price of any resold ticket.

The Victorian Parliament has enacted legislation that is similar to Queensland legislation despite some differences. The Victorian Major Sporting Events Act 2009 establishes a set list of major sporting events that can be increased to suit special occasions. Special event organisers in Victoria are required to identify who the authorised ticket sellers are for their event. In Victoria it is an offence to sell tickets other than through the identified event organiser without reasonable excuse, and provided the ticket states that it cannot be resold. Consumers in Victoria are able to resell a ticket if their circumstances change, such as when a consumer becomes ill. Ticketing guidelines for the AFL Grand Final state that tickets can be fully refunded if there is legitimate justification for the ticketholder to return the ticket. I ask the current Minister to clarify in his reply why he decided to adopt a legislative approach that differs from Queensland and Victoria.

In contrast to those jurisdictions, it is apparent that proposed new section 58 places a stronger emphasis on a promoter's ability to restrict the resale of tickets. There is no scope for a consumer to return an unwanted or unusable ticket. Furthermore, there is no need for an event organiser to take reasonable steps to notify consumers that their ticket has been cancelled or invalidated. For those reasons, I foreshadow an amendment in the other place to this proposed section so that it will offer increased protections and conditions for consumers. After consultation with stakeholders from the primary and secondary ticket marketplaces, I am aware of concern that the proposed new section 59 (5) requirement to include a photograph with the resale of any ticket will do little to combat sophisticated fraudsters and scalpers: rather, it could merely result in an image of a ticket being manipulated to make it appear genuine.

Furthermore, unwitting consumers who incorrectly advertise images of their ticket—for example, by including the barcode or omitting one of the proposed new section 59 (2) or proposed new section 59 (3) requirements—may inadvertently find themselves in contravention of the proposed provisions and may have their tickets cancelled without warning and without recourse to refund or compensation. I foreshadow that proposed new section 59 (2) and proposed new section 59 (5) will be considered for amendment in the other place as the requirements are onerous for consumers and provide little meaningful protection from fraud, which may have been their originally intended purpose. A major concern with the bill is that there is not an avenue for consumers to discover whether a ticket that they have advertised for resale, or purchased upon resale, has been cancelled by a ticket provider for breaching the proposed provisions within this bill. Consumers may find only at the very last minute that their ticket has been cancelled, such as when attempting to enter the event.

Furthermore, I ask the Minister to clarify in his reply what measures consumers have to appeal the cancellation of their ticket. Will those measures apply before or after the commencement of the event in question? Will consumers be eligible for a full and complete refund if their ticket has been cancelled in the circumstances I have described? I also foreshadow that the dispute resolution issues may be resolved only through amendment of the bill. Mere cancellation of a ticket based on an advertised number could lead to ticket scalpers simply advertising a different seat. In this situation, an event promoter may cancel the wrong ticket resulting in innocent event attendees, who purchased their ticket validly, having their ticket cancelled without their knowledge. Event organisers should bear the onus of informing consumers if their ticket has been cancelled. Furthermore, the bill provides no impetus for event organisers to offer consumers reasonable refund, exchange or transfer rights with regard to their ticket. As I understand it, this position is supported by both eBay and Viagogo. While in the event of ticket cancellation a consumer has rights under the Australian Consumer Law under misleading and deceptive conduct provisions, consumer guarantees, unconscionable conduct provisions and unfair consumer contract provisions, an avenue for recompense should be afforded to consumers within the scope of this bill in the event of ticket cancellation, and preferably before the commencement of the scheduled event.

The bill will regulate the secondary ticket marketplace. Proposed new section 60 defines advertisement as either paid or unpaid. A forum is defined to include any place where a member of the public can access an advertisement and includes websites, newspapers, magazines or any publicly accessible noticeboard. Proposed new section 60 (2) places a punishable obligation upon any person conducting the business or undertaking a

forum to take reasonable steps to ensure that their forum does not contain any unauthorised advertisements that breach proposed new section 59. Proposed new section 60 (3) states that if persons operating a forum are notified in writing of an unauthorised advertisement by any person—I emphasise "any person"—they must either remove the advertisement from their forum, when it is reasonably practical to do so, or edit the advertisement to ensure it complies.

There is concern within the secondary ticketing industry that "any person" has the ability to make a complaint. Forum operators must comply with the proposed provisions to review or take down any advertisement, regardless of the legitimacy or purpose of the complaint. This has the potential to be both costly and onerous for both event organisers and secondary ticket providers. I foreshadow that this provision will be considered for amendment to simplify and narrow its scope. Allowing only an event organiser or a specified delegated person to make a complaint to a forum operator will prevent frivolous and illegitimate complaints and will save all stakeholders both time and money. The New South Wales Opposition is supportive of a ticketing industry that protects the interests of consumers from ticket scalpers, price gouging and fraud. However, there must be a fair balance struck between event organisers enforcing their contractual terms and conditions and the ability of consumers to sell unwanted or unneeded event tickets within a viable, safe and certain secondary ticket marketplace. The New South Wales Opposition believes that if the foreshadowed amendments are enacted in the other place, that objective would be accomplished.

In conclusion, I take this opportunity to thank the current and former Ministers and their staff for their assistance, and also to thank Jacquelynne Willcox of Ticketmaster, Alex Levenson of Viagogo and Sassoon Grigorian of eBay, Grant Poulter of Cricket Australia, and the Coalition of Major Professional and Participation Sports [COMPPS], which includes the Australian Football League [AFL], the National Rugby League [NRL], the Football Federation Australia, Australian Rugby Union, Tennis Australia, Netball Australia and Cricket Australia, for their extensive consultation. I commend the bill to the House.

Ms GABRIELLE UPTON (Vaucluse—Minister for Sport and Recreation) [12.30 p.m.]: As the Minister for Sport and Recreation, I am pleased to speak on behalf of the sporting codes and their fans in support of the Fair Trading Amendment (Ticket Reselling) Bill 2013. The bill will introduce important measures that will provide protection to fans in the secondary ticket market. It will ensure that sport fans have the necessary information to make an informed decision when purchasing tickets that are being resold. Crucially, the bill also gives sporting codes—my stakeholders—the ability to enforce their terms and conditions of sale. The bill will apply to all sporting events held in New South Wales that are subject to a resale restriction.

Sport is integral to the fabric of New South Wales. In my role as the Minister for Sport and Recreation I have found that sport is something that unites us as a community in ways that other things do not. Week in and week out thousands of officials, volunteers and players come together in communities across New South Wales, from Dubbo—where I have recently visited—to Drummoyne. They keep those communities strong, healthy and connected. Indeed, there is not a person in this House or in this State who does not crave to see the New South Wales Blues defeat the Maroons this year. We all wish to see the Maroons' dominance brought to an end—perhaps the efforts of the Waratahs in this regard might rub off.

Due to the efforts of the New South Wales Government—in particular my ministerial colleague, the Hon. George Souris, the Minister for Tourism, Major Events, Hospitality and Racing, Minister for the Arts, and Minister for the Hunter—New South Wales has become the undisputed home of major events and the sporting capital of Australia. Just this morning I returned from welcoming a number of players from the Los Angeles Dodgers to Bondi—my local beach—for the opening series of Major League Baseball that will be held from tomorrow onwards. Of course, they will play against Team Australia. The opening series of Major League Baseball will be held right here in Sydney, which demonstrates that Sydney is undisputedly the major events and sporting capital of Australia.

Over the past 2½ years the New South Wales Government has worked hard to secure more than 180 events, boosting the State's economy by more than \$1.2 billion. In 2013, New South Wales played host to the English Premier League giants, Manchester United; the British and Irish Lions tour; the National Rugby League Grand Final; the Bledisloe Cup; and two blockbuster State of Origin matches. I am pleased to inform the House that 2014 is set to be even bigger. The iconic Sydney Cricket Ground has been transformed for the Major League Baseball opening series. On Saturday and Sunday, the Dodgers will play against the Diamondbacks, Juventus Football Club will play against the A-League All Stars, the State of Origin II match will be played, and the Bledisloe Cup will be contested. And what would we do without IRONMAN Port Macquarie?

These major sporting events are significant not only because of their economic impact but also because of the ongoing sporting legacy they create in New South Wales. As the Minister for Sport and Recreation I believe these major events inspire our next generation of athletes to participate in sport. Such events can be a pipeline to elite sportsmanship but, at the very least, they inspire generation iPad to get off the couch, to become more active and to get out onto the field. However, our hard-earned status as a major sporting events capital and our reputation as an easy place in which sporting codes can operate is threatened by the scourge of ticket scalping. With increased access to internet online auction sites, ticket scalping has become much easier over time. Scalpers have become more sophisticated and professional in their operations and scalpers prey on the emotional attachment of fans to the event, the sport and the team on offer. The practice of onselling tickets to the public at inflated prices not only gouges loyal fans but also often denies access to those fans who cannot afford, or who are unwilling to pay, the inflated prices.

The following examples of ticket scalping demonstrate the scale and extent of the problem faced by major sporting codes. Platinum tickets for the 2013 British and Irish Lions test matches had a face value of \$275. However, they were being offered online for three times that price on sites like eBay and Viagogo. Two Category A tickets for the A-League All Stars versus Manchester United match that had a face value of \$379 were being sold within 90 minutes of going on sale for \$2,200. For the upcoming Major League Baseball opening series at the Sydney Cricket Ground this week, tickets in the bronze section of the Sydney Cricket Ground are being sold online for more than double the original price. That is an illustration of the problem that this bill is addressing.

The major sporting codes have done their fair share in acting to reduce the incidence of ticket scalping. Through carefully devised ticket-pricing strategies they have sought to ensure that tickets are affordable and provide great value for money for the fans. Additionally, they have taken a range of direct measures, including the cancellation of tickets, litigation against scalpers, enhanced terms and conditions and improved marketing techniques. Through the reforms before the House today, the New South Wales Government is doing its fair share of the heavy lifting on ticket scalping to ensure that New South Wales continues to remain a destination of choice for major events and an easy place for sports to operate.

The Coalition of Major Professional and Participation Sports—which represents the Australian Football League, the National Rugby League, Cricket Australia, Australian Rugby Union, Football Federation Australia, Tennis Australia and Netball Australia—supports these commonsense reforms because its members want to ensure their sport remains accessible to the fans, not the scalpers. It supports these reforms because, rather than having tickets in the hands of scalpers sitting in their homes behind the computer, it wants to see fans enjoying sport live at the game. The sporting codes' primary concern is optimising attendance, not the maximisation of revenue to scalpers. Sporting organisations are acutely aware of the need to deliver an exceptional game day experience to their fans. Part of delivering an exceptional game day experience is a large, vibrant crowd the likes of which we see at derbies like Sydney Football Club playing the Western Sydney Wanderers or the Sydney Roosters—the champions—playing against the South Sydney Rabbitohs or the Anzac Day game, yet to come, between the Sydney Roosters and the St George Illawarra Dragons—a favourite of Acting-Speaker Ms Noreen Hay. Scalping undermines that game day experience which, in turn, reduces attendances, sponsorships, participation and ultimately the sustainability of sport. Of course, it is sport that unites the communities of New South Wales.

This bill will ensure that event owners, such as sporting codes, have the ability to enforce the terms and conditions offered to their fans. Sporting codes will have greater control over their events. Crucially, the decision about whether to enforce ticket conditions lies with the sporting codes or event organisers. In contrast to the Labor Party, we Liberals know that stakeholders understand their business better than government ever can. As Liberals, we know that sporting codes understand ethics, their clubs and their fans better than government ever can. The New South Wales Government wants to facilitate a system that works for them and for their fans. The Government has the balance right. These reforms not only protect fans but also empower the sporting codes. They do not prevent people from reselling tickets in the event of a change of circumstance. The bill will bring openness and transparency to the secondary ticket market for sporting events and help to protect fans from price gouging and fraud. It will also empower sport event organisers to enforce their ticket sale terms and conditions. I commend the Fair Trading Amendment (Ticket Reselling) Bill 2013 to the House.

Mr BARRY COLLIER (Miranda) [12.40 p.m.]: I speak as the shadow Minister for Sport and Recreation and on behalf of the sporting groups I have spoken to as well as my constituents in the electorate of Miranda. The object of the Fair Trading Amendment (Ticket Reselling) Bill 2013 is to amend the Fair Trading

Act with respect to tickets for sporting and entertainment events held in New South Wales, but only tickets that are subject to resale restrictions being terms or conditions which limit or prohibit the resale of those tickets or which provide for the ticket to be cancelled or rendered invalid following resale.

The bill aims to tackle the problem of ticket scalping—the unauthorised resale of tickets at a price above the original face value. In so doing, the bill seeks to protect consumers from price gouging and fraud, which too often accompanies the practice. The bill also aims to assist the organisers and promoters of entertainment and sporting events to enforce the terms and conditions that attach to their tickets. Certainly, the image of scalping has changed dramatically over the years: No longer is it the bloke spruiking at the cricket ground with an array of tickets in one hand and a wad of cash in the other. Ticket scalping now occurs online—on the internet, interstate and overseas with credit cards, direct debits and dodgy accounts.

Whatever form it takes, ticket scalping is the scourge of every legitimate concertgoer and sporting fan. Nothing can be more exasperating for or disappointing to a family to find that, within minutes of going on sale, all tickets to events for which they saved and looked forward to attending for a long time have been sold out. Of course, they find the price of seeing their favourite celebrity or watching their favourite team well and truly out of reach. They may have bought all the celebrity's CDs and followed the team all season but, of course, at the end of the day the money-hungry scalper does not give a damn about that. That unscrupulous person or group acting in concert with his male or female accomplices may have bought hundreds of tickets with the view of making an enormous profit. The economics of scalping is pretty simple. For the benefit of Higher School Certificate students, the total supply of tickets to a particular event is perfectly inelastic. The purchase of a large quantity of tickets at the outset effectively distorts the market, restricts the available quantity and effectively shifts the perfectly inelastic supply curve to the left.

Given the demand curve, price must rise above that determined by the promoter or organiser. The scalper makes a super profit and, of course, hardworking families and sporting fans and concertgoers, young and old, all suffer. The economics are relatively simple and the examples are many, a number of which the Minister cited. I shall cite a few more. For example, a ticket to the Australian Open Tennis Men's Final was offered for sale at \$1,388.89—more than three times the public sale price. Often, tickets to the Australian Open are advertised by unauthorised online resellers before they go on sale to the public. The 2013 National Rugby League Grand Final tickets are another example. The first release of tickets was in early August. One person joined a number of clubs, which gave him a number of unique codes to use to purchase bulk numbers of tickets. He purchased 110 tickets across most categories, with the price for the top category being \$345. He used fake postal addresses for his ticketing accounts and a credit card for each transaction. When the National Rugby League eventually caught up with this person, he said the tickets were for his family.

Based on this information the National Rugby League cancelled the tickets and informed the patron and eBay. However, on match day 45 people holding these tickets attempted to gain entry. All the tickets were purchased from a range of online auction sites and sales outlets for more than their face value. Many patrons were forced to leave the event or purchase a legitimate ticket from the box office. Obviously, they had witnessed firsthand the resulting effects of ticket scalping. These examples were set out in the submission of the Coalition of Major Professional and Participation Sports [COMPPS] to a Federal parliamentary inquiry into ticket scalping. The Coalition of Major Professional and Participation Sports comprises Cricket Australia, Australian Football League, National Rugby League, Australian Rugby Union, Football Federation of Australia, Tennis Australia and Netball Australia. Grant Poulter from Cricket Australia advised me that his organisation is very supportive of the bill. He said that "It will protect cricket fans and ensure fairness in the ticket resale marketplace." James Sutherland, Chairman of the Coalition of Major Professional and Participation Sports, said:

COMPPS supports the proposed reforms because [it] empowers the individual sports to take action to stop ticket scalping by enabling sports to enforce their ticket conditions.

Extensive consultation was undertaken with the entertainment industry, representatives of the various sporting codes, ticketing organisations and consumer groups. I commend the former member for Miranda, who really enjoyed his role as sports Minister if nothing else, for undertaking extensive consultation. It is important also to note that the legislation applies to tickets to sporting and entertainment events in New South Wales but only if the tickets are subject to conditions limiting the circumstances in which they can be resold. It is important to note further that the legislation applies to forums accessible to the public and not, for example, to private communications between consumers' families and friends on private Facebook pages. Of course, there will always be patrons and families who buy tickets and cannot attend events due to personal circumstances. The Coalition of Major Professional and Participation Sports does not oppose the reselling of tickets through authorised ticket-selling agencies.

Notably, Tennis Australia introduced recently the Australian Open Fan Marketplace—a safe and secure online platform for fans to resell tickets to the 2014 Australian Open. This was the first official secondary ticket selling market operated by an Australian sporting body providing a platform for consumers to purchase valid tickets to the event. By linking to the original ticket transaction, Ticketek was able to facilitate a direct refund to the seller and issue new tickets and barcodes to the new buyer. While the Opposition supports the bill, the shadow Minister for Fair Trading has indicated that amendments will be moved in the upper House. But we really need to examine the process by which tickets to major events are put on the open market. For example, how was one scalper able to purchase 500 tickets to the first cricket test in Brisbane last year using six different accounts? How can tickets to the Australian Open be advertised by unauthorised sellers before going on sale to the public? Of course, the Coalition of Major Professional and Participation Sports acknowledges that enforcement is another problem. Given that these days scalping takes place predominantly via the internet, enabling tickets to be sold interstate and overseas to major sporting events in Australia, we must look at implementing a well-publicised national approach to ticket scalping. As I stated, the shadow Minister for Fair Trading indicated that amendments will be moved in the other place. I commend the bill to the House.

Mr GREG APLIN (Albury) [12.48 p.m.]: Following the Minister's contribution to the debate on the Fair Trading Amendment (Ticket Reselling) Bill 2013, I congratulate her and her team on the superb job of bringing the Major Baseball League to Australia this week. We look forward to an exciting series of matches. This morning I was talking to none other than the morning presenter on ABC Riverina, who informed me that he was attending the matches as an ABC commentator because baseball was his passion. I wish him well in that endeavour. Thanks to the Minister for Special Events, Sydney will have another great week with the opening of Handa Opera performance of *Madama Butterfly* on Sydney Harbour. We heard also that the Rolling Stones have touched down on our shores, but due to personal reasons the group's concerts have been postponed. This leads directly to the issues at the heart of this bill: What will happen to those ticketholders who may be offered an alternative date that is not convenient? How much does a good ticket cost to see a concert or major sports event? Is it \$150, \$250 or \$450? The price seems to rise each year.

When does one have to buy a ticket? This now occurs many months in advance of the chosen event. Tickets have become significant household non-cash assets. If four members of a family are attending the same show, more than \$600 of their cash is suspended for possibly six months—in fact, possibly also placing it at risk over this extended time frame. The delay between entering into a consumer transaction and delivering the product always has been a source of potential trouble in the marketplace. A shonky business could promise the earth and six months before the scam is exposed, to quote the Steve Miller Band, "take the money and run". Consumers in this State lack a sophisticated and fair secondary market for the sale or exchange of unwanted tickets. Ebay, Gumtree and a number of other intermediaries have been filling this gap, along with the traditional, though disappearing, scalpers at the gate. The internet is turning these old-school scalpers into an endangered species. But the online world also brings new obstacles and commercial opportunities ripe for exploitation.

We now have to contend with artists, in effect, scalping tickets to the best seats at their own shows. These sorts of tickets are not being sold to the public via official ticket vending agencies and represent a nice little earner—to sell the front row at a premium price, bypassing the agency. We read of opportunities to gain extra merchandise, to get a photograph with the star, and on occasion to use the VIP toilets. Online transfers have been a lifeline for consumers strung out by having to make purchase decisions months in advance of an event. They are imperfect, interfering with the commercial rights of the promoters and those bearing the event risk, while also ultimately leaving consumers exposed to the risk that a ticket obtained via an online secondary market is not valid and will be rejected on entry.

After much consultation with stakeholders, this bill has emerged as a fresh step in the ongoing process of protecting consumers and businesses against ticket scalping. The Fair Trade Amendment (Ticket Reselling) Bill 2013 introduces a set of reforms to the ticket reselling marketplace. The partial failure of a number of existing strategies, including the use of e-tickets and the staggered release of tranches of tickets, indicate that this is an ongoing campaign lacking simple black and white solutions. The reforms include controls on advertising. For example, conditions for cancellation of the ticket must be disclosed to potential buyers and a photograph of the ticket is to be included in the advertisement. Publishers of websites, newspapers and magazines must utilise their ticket resale advertisements and remove or correct any non-compliant advertisements upon notification.

Importantly, sales through private networks such as advertising the ticket sale on a person's Facebook page are not caught up in red tape. These changes should bring improvements to the way our society controls

some of the worst aspects of ticket scalping while assisting consumers to find buyers for tickets that are no longer wanted. Elvis Presley famously wore a ring that was emblazoned with the initials "TCB", which stood for "Taking care of business". On one level, music concerts, art blockbuster exhibitions and major sports events all have a significant value as entertainment products. The entertainment business demands oversight if this market is to run fairly for consumers, promoters, artists and sportspeople. I commend the bill to the House.

Mr STEPHEN BROMHEAD (Myall Lakes) [12.54 p.m.]: I support the Fair Trading Amendment (Ticket Reselling) Bill 2013. The object of the bill is to amend the Fair Trading Act 1987 with respect to tickets to sporting or entertainment events held in New South Wales, but only tickets that are subject to resale restrictions, being terms or conditions that limit or prohibit the resale of any such ticket or provide for the ticket to be cancelled or rendered invalid following resale. The bill requires a person conducting the business or undertaking of a public forum such as a website, newspaper or magazine to ensure: firstly, that any advertisement in the forum for the sale of such a ticket complies with certain requirements such as including a photograph of the ticket, specifying the ticket number, row and seat number and setting out the circumstances in which resale of the ticket may result in the ticket being cancelled or rendered invalid; secondly, that if the person is notified in writing by any person about an advertisement in the forum that does not comply with those requirements then the advertisement is, insofar as is reasonably practicable, removed or corrected; and, thirdly, makes void any resale restriction that provides for a ticket to be cancelled or rendered invalid if it is resold, unless the ticket contains a prescribed warning. I note that the Minister for Fair Trading is in the House overlooking the legislation for which his department has responsibility.

Mr Barry Collier: I am impressed that the Minister is in the Chamber for the debate on his own legislation.

Mr STEPHEN BROMHEAD: The member for Miranda is impressed that the Minister is here. It makes me wonder why this legislation was not introduced during the 16 years that the Labor Government was in office. That lazy Government did not look after the people of New South Wales. I attended the Rugby World Cup at Homebush Stadium in 2003 and saw ticket scalpers trying to sell tickets. This is not a new concept that has arisen in the past three years; it has been going on for some time. I congratulate the former and present Ministers for Fair Trading and the Liberal-Nationals Government on introducing this legislation.

Mr Stuart Ayres: Leading the nation.

Mr STEPHEN BROMHEAD: Yes, we are leading the nation with this legislation. I again congratulate Premier Barry O'Farrell, who is working hard with Deputy Premier Andrew Stoner to do so much for infrastructure in this State. They are looking after the consumers of this State. Members of the Labor Government were paralysed by the continuous infighting in the lead-up to the 2011 election. That is why members opposite were overwhelmed by a tsunami of people voting against them. The member for Miranda was a member of the Labor Government that did a disastrous job of looking after the people of New South Wales.

Mr Barry Collier: Point of order: The member is straying from the leave of the bill. It is not about what the Labor Party did or did not do or how wonderful the Government is. The bill is about the resale of tickets and ticket scalping. I ask that the member be directed to return to the leave of the bill.

ACTING-SPEAKER (Ms Noreen Hay): Order! The member for Myall Lakes will return to the leave of the bill.

Mr STEPHEN BROMHEAD: I was pointing out that this issue could and should have been attended to during the 16 years of Labor Government.

ACTING-SPEAKER (Ms Noreen Hay): Order! The member for Myall Lakes will return to the leave of the bill.

Mr STEPHEN BROMHEAD: As indicated, the bill aims to bring openness and transparency to the secondary ticketing market, to protect consumers from price gouging and fraud, and to empower event organisers to enforce their ticket terms and conditions. The Minister for Fair Trading told Parliament that ticket scalping or unauthorised resale of tickets for a price above the original value is an ongoing problem for consumers, event organisers, sporting codes and performers. In some cases, the tickets are sold out within minutes of going on sale on official sites and are immediately listed on online auction sites for several times the

original price. Consumers who buy tickets from scalpers face the risk of counterfeit tickets. Where the tickets are genuine, they may still be worthless if the event promoter cancels them for being resold in breach of the terms and conditions.

The then Minister for Fair Trading indicated that he and the former Minister for Sports and Recreation held forums with representatives of sporting codes, the entertainment industry, ticketing organisations and consumer groups, and that their officers also met individually with key stakeholders to discuss these issues. The reforms introduced by the bill are the result of those consultations with all stakeholders. This legislation has the support of all sporting groups, ticket agencies and the entertainment industry. New section 58 provides that the provision applies to tickets to sporting and entertainment events held in New South Wales that are subject to a resale restriction. A resale restriction is a term or condition of a ticket that limits or prohibits resale of the ticket, including any term or condition that provides for the ticket to be cancelled or rendered invalid if resold. New section 59 sets out what advertisements are unauthorised advertisements for the purposes of division 6. An advertisement that offers a ticket for sale is an unauthorised advertisement if it does not satisfy the requirements of the proposed new section.

Those requirements are that the advertisement must specify the ticket number, row number and seat number—if the ticket has such numbers—and specify the terms and conditions of the ticket or specify where those terms and conditions can be readily found. The advertisement must also include a notice specifying the circumstances in which resale of the ticket may result in the ticket being cancelled or rendered invalid. Finally, the advertisement must contain a photograph of the ticket that clearly shows any ticket number, row number and seat number. However, the photograph must not show any barcode on the ticket. An advertisement is not an unauthorised advertisement if it is published by or on behalf of the organiser of the event to which the ticket relates or any agent of the organiser or if the advertisement is an advertisement of a class prescribed by the regulations under the principal Act.

New section 60 places obligations on a person who conducts the business of or undertaking of a forum, including the owner of the forum. A forum is defined to include any forum having advertisements to which members of the public have access—whether or not a member of the public is first required to pay a fee or subscription, register or become a member—such as a website, newspaper, magazine or other publication or a public noticeboard. Any such person is required to take reasonable steps to ensure that no advertisement in the forum is an unauthorised advertisement. To make such an advertisement is an offence, with a maximum penalty of \$22,000. Such a person is also required to ensure that an unauthorised advertisement in the forum is removed or corrected within a reasonable time after the person is notified in writing that the advertisement is an authorised advertisement, but only if it is reasonably practicable to do so. Failure to do so is an offence with a maximum penalty of \$5,500.

The regulations under the principal Act can prescribe circumstances in which the person is taken to have been notified in writing. The offences do not apply to an advertisement offering a ticket for sale in a forum that has been authorised for the purposes of such sale by the organiser of the event to which the ticket relates. Those proposed sections were considered in the Legislation Review Digest of 19 November 2013. At that time the Legislation Review Committee looked at whether or not the rights of consumers were being trespassed and, in particular, whether the penalties of \$22,000 and \$5,500 were harsh in the circumstances, and found them not to be. I commend the bill to the House.

Mr TONY ISSA (Granville) [1.00 p.m.]: I am pleased to support the Fair Trading Amendment (Ticket Reselling) Bill 2013 to keep ticket prices affordable for genuine fans. I represent a low socio-economic community and many of my constituents are great sport supporters. In particular, they support the Parramatta Eels and the Western Sydney Wanderers—the world's best soccer team. That is my opinion, and I have no doubt that the member for Lakemba, who is seated in the Chamber, will agree with me. Indeed, my family are great fans of the Western Sydney Wanderers and travel around the State to show their support. To highlight the importance of this bill I will share with the House a personal experience of the impact of reselling tickets. For the last Western Sydney Wanderers grand final a member of my family tried to purchase an extra ticket for a friend and it cost three times more than the original ticket.

Mr Barry Collier: A disgrace.

Mr TONY ISSA: It is disgusting. The bill should have been introduced a long time ago. I am pleased that the O'Farrell Government is addressing this issue. The reselling of tickets to sports events in New South Wales has become a profitable business and has had a great impact on true fans, particularly those in the

electorate of Granville. Members are well aware that tickets for some popular sports sell out very quickly because of high demand. This opens the door for people to resell those tickets at a much higher price. The Fair Trading Amendment (Ticket Reselling) Bill 2013 will address this major concern. It will place restrictions on the resale of tickets and limit the circumstances in which tickets can be resold. It will also set conditions of sales prohibiting the reselling of tickets at a profit to keep tickets affordable for fans.

Barcodes on tickets will not be shown, in order to stop people from printing out barcodes to gain entry to events. The bill requires a person conducting a public forum for the sale of tickets through advertising, websites, newspapers or magazines to comply with certain requirements. Proposed new section 59 of the bill sets out the guidelines for any unauthorised advertisements. An unauthorised advertisement is one that does not satisfy the requirements of the proposed section. New section 60 places an obligation on a person who conducts the business or undertaking of a forum to take reasonable steps to ensure that no advertisement in the forum is unauthorised. Failure to do so is an offence, with a maximum penalty of \$22,000. I note that these offences do not apply to an advertisement offering a ticket sale in a forum that has been authorised for the purpose of such sale by the organiser of the event to which the ticket relates.

The bill requires the Minister to conduct a review of the proposed division after three years and to table a report on the outcome of the review in Parliament. Sporting fans will be very happy to see that the O'Farrell Government is taking this matter seriously. The Government is doing all that it can to prevent tickets being sold for a higher price and to maintain the future affordability of tickets. This has not happened once or twice; it happens all the time. My constituents continue to complain to me, including members of my family who attend game after game because they are great sport fans. People, particularly low-income families in my electorate, often are unable to purchase tickets at affordable prices. Families cannot go to sporting games if it is going to cost them an arm and a leg for the tickets. As I said earlier, I am pleased that the O'Farrell Government has addressed this issue and I commend the bill to the House.

Mr ANDREW ROHAN (Smithfield) [1.06 p.m.]: I am pleased to speak in support of the Fair Trading Amendment (Ticket Reselling) Bill 2013. I thank the former Minister for Fair Trading, the Hon. Anthony Roberts, for delivering something that New South Wales consumers have long sought, in particular after the Ticketfinders case where an individual was denied entry to a rugby event and suffered a loss of more than \$3,000 for travel and accommodation costs. I note that the current Minister for Fair Trading, the Hon. Stuart Ayres, who is seated at the table, has continued the carriage of this bill. The bill introduces measures to combat the growing prevalence of ticket scalping and price gouging of consumers. Although not as prevalent as originally thought, the growth in such activities will give rise to free and accessible online ticket exchanges such as Gumtree and other networks. Automated programs also have enabled mass purchases by scalpers of big ticket events, crowding out and punishing legitimate buyers. The bill seeks to afford protection to consumers in the secondary ticket market.

For a while now, Australians have been given the opportunity to enjoy many forms of entertainment such as sport, music festivals, theatre productions and so forth. A tremendously rich marketplace exists for many of these industries in New South Wales. Two issues arise affecting consumers when they purchase tickets from resellers. Firstly, there is a real possibility that they have purchased counterfeit tickets, that they will not receive the tickets advertised or that they are simply being scammed and making a false purchase. Secondly, this blatant exploitation of passionate fans dampens consumer confidence in the ticket market and in turn affects the entertainment industry, including international acts. These imported high-profile events—featuring foreign performers and sportsmen et cetera—are instrumental to the growth of the New South Wales economy.

I now turn to the body of the bill. Firstly, the bill encourages ticket distributors and event organisers to clearly enforce their terms and conditions. It does so by limiting the provision's application to only tickets that are subject to a resale restriction. This resale restriction, as a warning, must be in the form prescribed by the regulations. This warning requirement applies retrospectively. Secondly, it controls advertisements for resold tickets by prescribing what the advertisement must show, including the ticket number, row number and seat number, if available. As well, it must show the terms and conditions, where readily found, and notice of specific circumstances where its resale will void or cancel the ticket. Furthermore, a clear and legible photo of the ticket must be shown, excluding the barcode to avoid copying, in order to assist in identifying scalped tickets. Thirdly, such qualifications to advertisements apply to ads on public forums, including print media and online, with penalties of up to \$22,000. This acts as an incentive for the moderators or owners of such forums to stamp out illicit advertisements and aid the scrutiny of scalpers in their forums.

Although concerns exist regarding the ability of ordinary persons to resell tickets they cannot use, from a consumer's perspective the bill does not affect the ability of ordinary buyers to privately list their tickets on

networks such as Facebook. From a forum provider's perspective, tickets may continue to be listed on public forums such as eBay or Gumtree as long as they adhere to the form prescribed by the Act and regulations. The ability to void resold tickets by issuing a warning either on the ticket or through the purchasing facility already exists, and therefore the new amendments have no detrimental effect on the end consumer on that front.

The focus of the bill is on fairness, transparency and access, not protection of the industries. It is about protecting the interests of the stakeholder who is most affected by such nefarious activities—our uncle, aunt, brother, sister, mother, little nephew or niece looking to spend a special night out with their families at the latest theatre production at the Capitol Theatre. Certainly, the people of the Smithfield electorate, especially families, do not appreciate being swindled by purchasing fake tickets to big concert, football or rugby events or exhibitions. They do not want to waste their hard-earned dollars on fake tickets.

As I said before, football is the main game in Western Sydney, including Smithfield. Thousands of young and not so young fans travel frequently to support their favourite team, whether at home or away games. Big games include when the Western Sydney Wanderers take on Sydney Football Club or the Central Coast Mariners. Fans want to make sure that they will be able to attend these games by using valid tickets. I reiterate Minister Roberts' words that the reforms will aid New South Wales in becoming the top venue for both domestic and international major acts and events. I see every reason to support the measures in this bill and again commend the former Minister for Fair Trading, the Hon. Anthony Roberts, for successfully delivering on his promise to introduce anti-scalping laws. I commend the bill to the House.

Debate adjourned on motion by Mr Daryl Maguire and set down as an order of the day for a later hour.

ACTING-SPEAKER (Ms Noreen Hay): Order! It being before 1.15 p.m., community recognition statements will be proceeded with.

COMMUNITY RECOGNITION STATEMENTS

COUNTRY WOMEN'S ASSOCIATION DROUGHT RELIEF DONATION

Mr DARYL MAGUIRE (Wagga Wagga—Parliamentary Secretary) [1.14 p.m.]: It gives me great pleasure to inform the House that the Country Women's Association of New South Wales has donated \$50,000 to help families affected by the harsh drought currently being endured in much of the State. The donation from the Country Women's Association of New South Wales has been given to the rural financial counselling services. Local counsellors will identify families in rural New South Wales who need support and provide them with a financial gift to be used for essential expenses. I congratulate Tanya Cameron, the President of the Country Women's Association of New South Wales, for her ongoing dedication to rural and regional communities. The Country Women's Association of New South Wales knows only too well how hard it can be to keep a farm and family going during drought conditions.

ST GEORGE HOSPITAL PROSTATE CANCER INSTITUTE

Mr BARRY COLLIER (Miranda) [1.15 p.m.]: I acknowledge the extraordinary work of the Prostate Cancer Institute and its outstanding fundraising committee, currently chaired by one of my constituents, Mr Warren O'Rourke. The institute is part of the Cancer Care Centre at St George Hospital. It provides a valuable service not just to the people of the St George region but to the people of the Sutherland shire and beyond. Established in 2002, the institute now offers the most comprehensive and sophisticated range of treatment options available in Australia for the management of prostate cancer. The institute is the first of its type to offer public patients brachytherapy—that is, the permanent implantation of radioactive seeds into the prostate to kill the cancer.

On 11 March I had the privilege of attending the launch of the clinical trials and research facility, the third stage of the institute's long-term plans. Plans are now underway for the expansion of the Cancer Care Centre so as to provide better treatment, especially for those requiring chemotherapy. The very active fundraising committee has played a key role in the development of the institute, and we should not underestimate its contribution. I ask the House to join me in thanking all members of the fundraising committee, the sponsors and supporters, the oncologists, the staff and in fact all involved in the Prostate Cancer Institute over the past decade. We wish the new foundation and the institute all the very best in their future endeavours.

TAREE QUOTA INTERNATIONAL VOLUNTEER OF THE YEAR MARGARET NORTHAM

Mr STEPHEN BROMHEAD (Myall Lakes) [1.16 p.m.]: I rise to inform the House that Margaret Northam of Old Bar has been named the Quota Club of Taree Volunteer of the Year for 2014. Margaret was born and raised and has worked in the Taree district. Margaret joined the Taree club in 2006 and the following year became director of community involvement due to her passion for the local community. She has served three terms in this position so far. Margaret has wonderful attention to detail and is well known for planning everything down to the last detail, especially the rosters she prepares for club members. These include rosters for the library and Meals on Wheels.

In May 2013 Margaret supported and organised Quotarians to take part in the Biggest Morning Tea and in October Quota supported the Taree Show Society, when Margaret arranged another Quotarians roster. Margaret helped the Wingham community for the Bonnie Wingham Scottish Festival, where Quotarians manned a stall selling damper and soup. In August Margaret coordinated Daffodil Day, including publicity, storing goods and selling many items of merchandise on the day. She is supported throughout by her husband, Barry. Outside Quota Margaret is interested in council events and anything that enhances Manning Base Hospital, where she used to work.

FAIRFIELD LOCAL AREA COMMAND WORK EXPERIENCE PROGRAM

Mr GUY ZANGARI (Fairfield) [1.17 p.m.]: I would like to commend the students who took part in the Fairfield police work experience program in November 2013, as well as the members of the Fairfield Local Area Command for the time, support and guidance they provided to the students while completing their work experience. Nine students were chosen from high schools throughout Fairfield and were given the opportunity to complete the one-week program, which consisted of visits and tours around Fairfield Local Area Command, Pol-Air in Bankstown, the Goulburn Police Academy and the Cabramatta Police and Citizens Youth Club.

The students were given the opportunity to witness firsthand how the hardworking men and women of the New South Wales Police Force operate and to familiarise themselves with the job. I congratulate the students who successfully completed their work experience with the Fairfield Police and once again thank the New South Wales Police Force officers at the Fairfield Local Area Command, as well as those at Bankstown, Goulburn and Cabramatta who assisted these students on their one-week journey through the life of a police officer.

PITTWATER ELECTORATE SURF LIFE SAVING CLUBS ACHIEVEMENTS

Mr ROB STOKES (Pittwater—Parliamentary Secretary) [1.18 p.m.]: I recognise the achievements of Pittwater's surf clubs in the Surf Life Saving State Championships over the past couple of weekends. The Newport Surf Life Saving Club won the overall point score at the Surf Life Saving Open Championships, overcoming heavyweights such as the Manly and Wanda clubs. This is an amazing achievement for a club that has put an extraordinary effort into youth development—an effort that is paying huge dividends. Particular mention must be made of Mal and Lachie Reid and Dave and Guy Rees for their efforts in the mixed under-17s surf belt team, where the two father-son combinations competed together.

I note that two Pittwater surf clubs, Palm Beach and Newport, featured in the top 10 clubs at the Surf Life Saving Masters Championships. I also note the efforts of Kristyn Monnock from the indomitable Mona Vale Surf Life Saving Club, who topped off a gold medal at last year's Australian Championships by winning gold in the board rescue event. Thanks to Umina Surf Life Saving Club and Surf Life Saving New South Wales for hosting such a great and positive competition.

HEAVEN CAN WAIT CHARITY SAILING REGATTA

Mr GREG PIPER (Lake Macquarie) [1.19 p.m.]: Last week I had the pleasure of assisting in the presentation of cheques for \$34,000 and \$5,000 respectively to the Hunter branch of the NSW Cancer Council and Marine Rescue Lake Macquarie. The cheques were the proceeds of the 2013 Heaven Can Wait Charity Sailing Regatta on Lake Macquarie.

This fantastic event was started by cancer survivor Shaun Lewicki nine years ago to promote sailing on Lake Macquarie and to raise funds for cancer support. I congratulate all involved in the staging of another

successful regatta, including hosts the Royal Motor Yacht Club Toronto, major sponsors Marmong Point Marina and Centennial Coal, the hardworking organising committee and the hundreds of people who joined in the sailing to make the event a great success.

BAULKHAM HILLS ELECTORATE EVENTS

Mr DAVID ELLIOTT (Baulkham Hills) [1.20 p.m.]: I acknowledge the appointment of Mrs Marion Bell to the role of principal at St Paul the Apostle Primary in Winston Hills. Marion has displayed the enthusiasm and dedication shared by so many teachers as they mould the lives of our children. I acknowledge the role that schools, government and non-government, play in developing our children. In my electorate, 50 per cent of secondary school age children go to non-government schools. I also acknowledge that students from Redeemer Baptist School will be visiting Parliament today. It is great to see students engaging in the political process. I look forward to seeing them.

I had the privilege of joining the member for Hawkesbury at The Hills Shire citizenship ceremony on Monday night. It was great to see so many people embracing Australian citizenship. I note that Councillor Peter Gangemi did an excellent job as master of ceremonies. Congratulations to all our new citizens.

CANTERBURY HARMONY DAY

Mr ROBERT FUROLO (Lakemba) [1.21 p.m.]: I am pleased to acknowledge the Canterbury Harmony Group's hugely successful Harmony Day 2014 event, which I attended this morning. Over 400 local residents, community, cultural and charitable groups, school students and community leaders came together to recognise and celebrate the good fortune we share in living in this wonderful, diverse and accepting society. I thank all who attended this important civic occasion. I especially acknowledge the organisers and sponsors. I make special mention of Councillor Karl Saleh for his ongoing leadership on this issue and the City of Canterbury for its continued support of this event. The spirit of those who attended is testament to Australia's rich diversity and a reminder of what can be achieved when people from all backgrounds demonstrate the values of respect, unity and peace. I join with the families of my community to recognise this event and wish everybody a happy Harmony Day 2014.

HASTINGS WOODWORKERS GUILD

Mrs LESLIE WILLIAMS (Port Macquarie) [1.22 p.m.]: Relay for Life is an annual 24-hour charity event raising awareness and funds for the Cancer Council. The relay is being held this weekend in Port Macquarie, and Team Williams will be out in force to support the cause. For the past three years the Hastings Woodworkers Guild has donated \$500 to Team Williams for the Hastings Relay for Life event. The Hastings Woodworkers Guild was formed in 1994, with 16 members. Today it has 60 members, with both men and women meeting each week to craft their woodwork.

The guild supports a number of local charities, including Give Me 5 for Kids, the Port Macquarie oncology unit, the Hastings Valley Toy and Leisure Library, the Country Women's Association and Relay for Life. Congratulations and a huge thankyou to the Hastings Woodworkers Guild for their ongoing support for our local community and for Team Williams in Relay for Life.

YMCA NSW YOUTH PARLIAMENT REPRESENTATIVE JULIE PHAM

Mr NICK LALICH (Cabramatta) [1.23 p.m.]: I recently had the honour of nominating and sponsoring Canley Vale resident and former Canley Vale High School Captain Julie Pham to represent the electorate of Cabramatta at this year's YMCA New South Wales Youth Parliament. I am confident that this 18-year-old young lady will be a great voice and advocate for our community. I have known Julie for several years and I know her to be intelligent, full of energy and community-minded. These are great attributes to have as she embarks on a degree in exercise physiology at the University of Sydney. With young leaders like Julie coming to the fore, I believe Cabramatta's future is in safe hands.

EMMAVILLE SHEEP RACES

Mr ADAM MARSHALL (Northern Tablelands) [1.24 p.m.]: I commend the hardworking members of the Emmaville Sheep Races committee, who last weekend staged their third successful annual meet to raise

funds for the restoration of the historic Emmaville courthouse. The committee comprises Courthouse Reserve Trust President Ann Fairbanks, Secretary Mick Scherf, Vice-President Jenny van Herrwaarden, Treasurer Elizabeth Gollop, Project Manager Rodney Robinson and Donna Davis.

The day's entertainment began with a poet's breakfast before the sheepdog demonstration, which is the precursor to the first of 10 races, culminating in the Shute Bell Cup. All the trappings of a regular race meeting were present, such as fashions on the field, children's entertainment, and markets and, of course, "baa" facilities. This year the toils of this hardworking small committee netted more than \$24,000—a huge result. The event received enormous support from the local community and businesses. I congratulate the Emmaville Sheep Races committee on staging this innovative, entertaining and successful community event. I wish them all the best with next year's planning. Next year I hope to be able to report that I backed a winner.

MRS JADWIGA SOCHA 100TH BIRTHDAY

Mr RYAN PARK (Keira) [1.25 p.m.]: I pay tribute to Mrs Jadwiga Socha, a resident of the Keira electorate who recently celebrated her 100th birthday. Mrs Socha, of Corrimal, had only just recovered from pneumonia when she celebrated her 100th birthday with a party. I was honoured to be invited. She was joined by 135 of her family and friends. At the celebrations it was quite clear that she was a much-treasured member of the Polish community.

Born in 1915 in Poland, Mrs Socha had a hard time when she was orphaned at seven years of age. Sent to live with an aunt and uncle, she ran away to escape the physical abuse that she suffered. She later worked in Warsaw as a nanny and married in 1935. Her husband was a prisoner of war. After receiving horrific injuries during and after the Second World War, Mrs Socha, who has endured so much, came to live in Sydney. She eventually moved to the Keira electorate. It gives me great pleasure to honour her today. I congratulate her on this very special occasion.

CRONULLA SENIOR OF THE YEAR PATRICIA DONAGHY

Mr MARK SPEAKMAN (Cronulla—Parliamentary Secretary) [1.26 p.m.]: The 2014 Cronulla Local Senior of the Year is Mrs Patricia Donaghy of Caringbah. Last week at my Cronulla electorate office the Premier and the Minister for Ageing presented her with her award. Mrs Donaghy helped to establish the Sutherland Older Women's Network Wellness Centre. The Older Women's Network is a non-profit organisation run for senior women by senior women. The Wellness Centre provides a holistic approach to achieving and maintaining physical, mental and emotional health for older women through a range of physical, social and educational activities.

Mrs Donaghy fulfilled the role of coordinator of the centre for 10 years from 2001. She still acts as a consultant at the age of 82. She was involved in arranging trainers for activities, managing registrations, chairing committee meetings and encouraging members to participate. The motto of the Older Women's Network is to promote wellness through meditation, exercise, study and dance. Mrs Donaghy has never lost sight of those aims.

SYDNEY ELECTORATE LOCAL SENIOR ACHIEVEMENT AWARD RECIPIENT SYLVIA LIU

Mr ALEX GREENWICH (Sydney) [1.27 p.m.]: I wish to commend the work of Sylvia Liu, to whom I have awarded my Sydney electorate Local Senior Achievement Award. Sylvia volunteers with the Harris Community Centre in Ultimo and set up the Rainbow Culture Group, putting her vision of an integrated multicultural community into practice through groups and events where people share cultural experiences. She runs fusion tai chi sessions and hosts a language forum for people of non-English-speaking background to learn Australian social etiquette, traditions and heritage as well as English. At the forum, English speakers learn about Chinese language and culture. Sylvia organises multicultural Christmas parties, music events, barbecues and outings. She has obtained City of Sydney grants to expand these events and involve more people. I thank Sylvia for her commitment, her time and her passion, which add to the inner city's diversity and inclusion. I am pleased that Sylvia and some group members are here today to hear this.

CABARITA WHARF

Mr JOHN SIDOTI (Drummoyne) [1.28 p.m.]: I congratulate the Friends of Cabarita Park and Wharf and the Cabarita community on their determination and their dedication to improvements in the

general cleanliness, security and antisocial behaviour and the fishing ban at Cabarita Wharf. Because of their efforts, the Government has increased patrols, formal warnings and infringement notices through the Clean Safe Wharf Initiative. Roads and Maritime Services and the NSW Police Force monitor the commuter wharves on a daily basis, focusing particularly on wharves that have been identified as high risk. These wharves include Cabarita, Chiswick, Kissing Point, Bayview Park, Abbotsford, Drummoyne, Meadowbank and Huntleys Point. New South Wales police catch the last ferry from Circular Quay to Olympic Park, much to the appreciation of the many passengers. Since these moves have been introduced the number of complaints about cleanliness and antisocial behaviour has dropped by half. Other wharfs in my electorate experiencing the same problems that Cabarita had before the Government acted could learn from some of these valuable lessons.

ST FELIX CATHOLIC PRIMARY SCHOOL

Ms TANIA MIHAILUK (Bankstown) [1.29 p.m.]: Last week I was delighted to be invited to St Felix Catholic Primary School in Bankstown for an Open School Day mass and morning tea to celebrate Catholic Schools Week. St Felix is one of the oldest Catholic schools in Australia. The theme for the occasion was "More than a great education", and I am assured that the St Felix school and parish more than lives up to this motto. I take this opportunity to thank the school principal, Ms Lisa Harbrow, deputy principal Ms Amanda Brady and all the staff, volunteers, parents and students of St Felix. I congratulate the school on the opening of its new infants playground, which will greatly enhance the school.

PICTON DISTRICT AGRICULTURAL, HORTICULTURAL AND INDUSTRIAL SOCIETY

Mr JAI ROWELL (Wollondilly) [1.29 p.m.]: Last week I had the pleasure of presenting the Picton District Agricultural, Horticultural and Industrial Society with a grant of \$17,000. This grant, under the Community Building Partnership program, is for the construction of a multipurpose shelter at Picton sportsground. I had the pleasure of hosting the Minister for Local Government, the Hon. Don Page, who presented the cheque to President Alex Apps, Gail Apps and Susan Hill, who all do a fantastic job. It was a great pleasure to be able to present this grant to the Picton District Agricultural, Horticultural and Industrial Society to assist its members in their work maintaining the Picton sportsground and hosting the ever-successful annual Picton Agricultural Show.

Community recognition statements concluded.

[Acting-Speaker (Ms Noreen Hay) left the chair at 1.30 p.m. The House resumed at 2.15 p.m.]

BIRTH OF PATRICK RAYMOND RYAN BLOXSOM

The SPEAKER: I have a grandson. Patrick Raymond Ryan Bloxsom, nine pounds, was born at 6.20 p.m. yesterday.

DISTINGUISHED VISITORS

The SPEAKER: I welcome Brian Leis and a delegation of 15 members from the Vietnamese National Assembly, who are guests of the member for Bathurst.

AUSTRALASIAN STUDY OF PARLIAMENT GROUP SEMINAR

The SPEAKER: I remind members that tomorrow the New South Wales chapter of the Australasian Study of Parliament Group is holding a seminar entitled "Parliamentary Privilege: Freedom of speech and the immunity of other proceedings in Parliament" at 1.00 p.m. in the Macquarie Room. I encourage all members to attend.

PHOTOGRAPHY IN THE LEGISLATIVE ASSEMBLY

The SPEAKER: I remind the House that it is disorderly for members, the press gallery and visitors in the public galleries to use the camera function on mobile devices to take unauthorised photographs of proceedings. I particularly ask that members refrain from using their iPads or mobile phones to take photographs across the Chamber. Members no doubt are aware that photography can be authorised in certain circumstances, with prior notice.

BUSINESS OF THE HOUSE**Notices of Motions**

Government Business Notices of Motions (for Bills) given.

QUESTION TIME

[Question time commenced at 2.21 p.m.]

SYDNEY WATER AND MR NICK DI GIROLAMO

Mr JOHN ROBERTSON: My question is directed to the Premier. In September 2011 his department wrote to Australian Water Holdings advising that intervention by the Premier in the matter was "inappropriate and unnecessary". If that is the case, why was he in direct contact with Mr Di Girolamo regarding the dispute with Sydney Water a month later, as revealed in documents tabled at the Independent Commission Against Corruption?

Mr BARRY O'FARRELL: I am glad that the Leader of the Opposition added those last words, "as tendered at the Independent Commission Against Corruption". Because what did the counsel assisting the Independent Commission Against Corruption say in his opening address on Monday? What did he say, up front, as the inquiry started, about the handling of this matter by this Government? First, he said, "It is an established fact that, despite the political pressure which was brought to bear by Australian Water Holdings, the bureaucrats and the politicians did not give way." But specifically, he said, "We have looked carefully at the activities of Mr O'Farrell and Mr Pearce and we have found no evidence to implicate either in any corruption." When it comes to matters of corruption, I will take my advice from the Independent Commission Against Corruption, and certainly not from the corrupt mob opposite.

Mr John Robertson: Point of order: My point of order relates to relevance under Standing Order 129. For the Premier's benefit, this is question time, not advice time.

The SPEAKER: Order! The Premier is being relevant to the question asked.

Mr John Robertson: The question relates to why he is still having contact, despite the fact that the department said—not what the Independent Commission Against Corruption said—

The SPEAKER: Order! The Leader of the Opposition will resume his seat. I call the Leader of the Opposition to order for the first time.

Mr BARRY O'FARRELL: What is important is what the department says, not what the Independent Commission Against Corruption says? No. In this State, when it comes to corruption, what is important is what the Independent Commission Against Corruption says. The problem that the Leader of the Opposition has is that, when he has had opportunities in his career to pick up the phone and report corruption, he has failed to do so. He is a man who revealed a bribe attempt, through the *Daily Telegraph*, only three years after it happened. He was a Cabinet Minister in the most notorious government the State has ever had. Front page after front page detailed allegations of corruption against his ministerial colleagues and he did not pick up the phone—he did not lift a finger to do anything about it.

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

Mr BARRY O'FARRELL: It is not surprising because the Leader of the Opposition is, after all, Eddie Obeid's creation. Eddie Obeid paved his way into the Parliament.

The SPEAKER: Order! The member for Kogarah and the member for Wollongong will cease arguing with the member for Murray-Darling across the Chamber.

Mr Ryan Park: Point of order: This is completely irrelevant to the question asked.

The SPEAKER: Order! The Premier is being relevant to the question asked. There is no point of order.

Mr BARRY O'FARRELL: If the member for Keira does not think Eddie Obeid is relevant when we are talking about corruption, I do not know who is.

The SPEAKER: Order! The member for Kogarah will cease shouting.

Mr BARRY O'FARRELL: My point is that on Monday counsel assisting the Independent Commission Against Corruption said, "We have looked carefully at the activities of Mr O'Farrell and Mr Pearce and we have found no evidence to implicate either in any corruption." That stands in stark contrast to the Leader of the Opposition, who has had opportunities in the past to report corruption and has failed to do so. I was going to his motives. He is a man whose entry into the Parliament was paved by Eddie Obeid, a man whose entry into this House was paved by Eddie Obeid and a man whose entry into the leadership of the Opposition was paved by Eddie Obeid—his last act before he left the Parliament.

Dr Andrew McDonald: Point of order: Which one would you like, Madam Speaker, Standing Order 73 or Standing Order 129?

The SPEAKER: Order! The member for Macquarie Fields will resume his seat.

Dr Andrew McDonald: Well, they are both relevant.

The SPEAKER: Order! The member will not question me. He will resume his seat.

Dr Andrew McDonald: I would like to raise it under Standing Order 73.

The SPEAKER: Order! The member for Macquarie Fields has risen on a point of order. If he cannot decide which standing order to cite he will resume his seat.

Dr Andrew McDonald: I have decided—it is Standing Order 73.

The SPEAKER: Order! I call the member for Macquarie Fields to order for the first time. He will resume his seat. I am in no mood for humour.

Mr BARRY O'FARRELL: As a government that increased the powers of the Independent Commission Against Corruption, as a government that has given the Independent Commission Against Corruption record funding, I am happy to stand beside the Independent Commission Against Corruption and allow it to determine these matters. Anybody who has committed a corrupt act—in this Parliament, in this State, in public life—deserves to face the full force of the law, no matter who they are.

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

Mr BARRY O'FARRELL: However, those matters are to be determined by the Independent Commission Against Corruption.

The SPEAKER: Order! I call the Leader of the Opposition to order for the second time.

Mr BARRY O'FARRELL: I again remind members of the comments of counsel assisting the Independent Commission Against Corruption, who on Monday in relation to this Government's handling of the matter said, "It is an established fact that, despite the political pressure which was brought to bear by Australian Water Holdings, the bureaucrats and the politicians did not give way."

POLICE TRANSPORT COMMAND

Dr GEOFF LEE: My question is addressed to the Premier. What is the Government doing to make our community safer?

Mr BARRY O'FARRELL: I thank the member for Parramatta for his question. Last week I was pleased to join him at the opening of the new Parramatta City campus of the University of Western Sydney. It is another reason why we want to ensure that communities and central business districts—and the transport to and from them—are kept safe. People traveling on public transport rightly expect that they will be able to do so and arrive at their destination without fear of threat to their safety or fear of any incidents—including, perhaps, sitting beside the member for Wollongong.

Sadly, the public transport network is used by people who do the wrong thing, including those who try to cheat the system by not buying a ticket or by not paying the full fare. The Government is not prepared to tolerate this and that is why, in 2012, we established the Police Transport Command. We now have police patrolling our trains, buses and ferries. Since the Police Transport Command commenced, officers have made more than 4,200 arrests, laid almost 8,000 charges, and issued more than 80,000 infringement notices. They are doing a terrific job for commuters and the community alike. That great effort by the Police Transport Command sends the strongest possible message to would-be law breakers. There is nothing better than the presence of a strong police force to prevent and deter crime on our public transport.

Today the Police Transport Command and Transport for NSW announced another high-visibility operation on our transport network—Operation Javelin IV. Plain-clothes and uniformed officers will target antisocial behaviour in an effort to increase passenger safety. There also will be a crackdown on people who do not buy a ticket, wrongly claim travel concessions or travel further than they pay for. The vast majority of commuters pay their way, but public transport cheats are costing the State's hardworking taxpayers millions of dollars a year. This lost revenue would otherwise be invested in further improving services or upgrading infrastructure around our public transport.

Officers in the Police Transport Command have more powers than the old transit officers and patrol in pairs rather than in groups of four or five. The Police Transport Command can access the entire intelligence and resources of the NSW Police Force to do its job. For instance, officers can and do identify individuals wanted for other offences or people using the transport network to either commit or flee a crime. The Police Transport Command is something of which my Government is incredibly proud. That is why we find it astounding that those opposite have taken every opportunity to attack the work of the highly trained and skilled police officers who patrol the public transport network across this city.

Mr John Robertson: Just telling a lie does not make it the truth. You are very good at it.

The SPEAKER: Order! The Leader of the Opposition will come to order.

Mr BARRY O'FARRELL: Their stance is astounding but it is not surprising because their track record is siding with thugs over law-abiding citizens. Speaking of thugs, I am disappointed to hear that Labor will water down the second range of reforms to drug- and alcohol-fuelled crime. I referred previously to that torturous interview with 2GB's Ray Hadley when the Leader of the Opposition said he would not play politics with mandatory minimum sentences. Clearly and unbelievably, the shadow Attorney General has rolled the Leader of the Opposition.

Mr Paul Lynch: I wish.

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

Mr BARRY O'FARRELL: The man opposed to mandatory minimum sentences got the Leader of the Opposition to blink.

The SPEAKER: Order! Government members will come to order. There is too much audible conversation in the Chamber.

Mr BARRY O'FARRELL: Contrary to what was said in January, those opposite will water down the laws along the lines of Victoria's legislation. No-one has been successfully prosecuted under the Victorian legislation. Classic Labor is to talk tough and pretend to be tough but put in place legislation that does not work. If anyone thinks they have heard that before, Bob Carr did that for 10 years.

Mr John Robertson: You know all about pretending. You're the great pretender.

The SPEAKER: Order! The Leader of the Opposition will come to order.

Mr BARRY O'FARRELL: Labor is going to remove grievous wounding from the legislation. Our legislation covers grievous bodily harm and wounding. Labor's legislation wants to include only grievous bodily harm. Let me give the House an example, as the member for Parramatta will want to hear, of what Labor will remove from the legislation. [*Extension of time granted.*]

In a real-life incident an offender picked a fight with someone, smashed a beer bottle, pushed it up against the victim's throat and threatened to kill him. When the victim sought to respond, the offender went crazy and started to punch and kick the victim. The victim sustained the following injuries: a two-centimetre laceration to the vertex of the scalp, requiring three stitches; three-centimetre deep lacerations to the back of the vertex of the scalp, requiring two deep sutures; partial amputation of the rim of the left ear, requiring four nylon sutures; laceration to the lower ear, requiring five sutures; superficial laceration over the left carotid artery; arterial bleeding behind the left ear; and a laceration on the back of the right forearm, deep down to the muscle, requiring three deep sutures and five skin sutures. The offender had a significant record for violence offences and a history of alcohol abuse. If Labor's legislation passes the upper House, that kind of criminal harm will not be covered.

The SPEAKER: Order! This is not a debate. The Premier has the call and will be heard in silence.

Mr BARRY O'FARRELL: I repeat that those opposite are doing what Labor always does: playing politics with important issues. They are missing the message the community gave earlier this year about cracking down on drug- and alcohol-fuelled violence. One can expect that as the bill passes, so too will Labor be on the streets selling or handing out their get-out-of-jail-free cards with pictures of the Leader of the Opposition. Effectively, the Leader of the Opposition is giving drug- and alcohol-fuelled offenders a free ticket out of prison in this State.

Mr Paul Lynch: Point of order: Put that prop away.

The SPEAKER: Order! Members will come to order.

SYDNEY WATER AND MR NICK DI GIROLAMO

Mr MICHAEL DALEY: My question is directed to the Premier. The Premier's Department wrote to Australian Water Holdings in September 2011 advising that intervention by the—

Mr Brad Hazzard: He's already answered that. You haven't even asked the question. It's a dumb question.

The SPEAKER: Order! The Leader of the House will come to order.

Mr MICHAEL DALEY: The Premier's Department wrote to Australian Water Holdings in September 2011 advising that intervention by the Premier in its issues with Sydney Water was inappropriate and unnecessary. Given that that is the case, why was the Premier less than a month later discussing these very issues with Nick Di Girolamo, as well as—

The SPEAKER: Order! Has the member for Maroubra concluded his question?

Mr Barry O'Farrell: There was a question mark there.

The SPEAKER: Order! I warn the member for Maroubra—as I did last year and the year before—about the wording of his questions. Questions should not contain statements of facts that cannot be authenticated. I am in no position to judge whether the information he presents is factual and can be authenticated.

Mr MICHAEL DALEY: The Premier has already tabled—

The SPEAKER: Order! Questions should be succinct.

Mr MICHAEL DALEY: To the point of order—

Mr Barry O'Farrell: There is no point of order.

The SPEAKER: Order! There is no point of order. I have made a ruling. I warn the member for Maroubra about the wording of his questions.

Mr MICHAEL DALEY: The Premier has tabled that matter in the Parliament already.

The SPEAKER: Order! I have warned the member for Maroubra. He will ask his question.

Mr MICHAEL DALEY: Given that unequivocal and clear written advice, why was the Premier then discussing these very issues with Mr Di Girolamo less than a month later and raising these very issues with the head of his department and his former chief of staff?

Mr BARRY O'FARRELL: I refer members to another section of counsel assisting's interesting and enlightening address to the Independent Commission Against Corruption on Monday. He said:

There has been a good deal of speculation which has attempted to connect various people, including prominent politicians, with some of the problems and issues which are the subject of this inquiry. Some of that speculation has been wrong. I want to reassure those people who are interested that the issues have been thoroughly investigated and in that respect no person, and no matter how important that person is, has avoided scrutiny.

One would want that statement from an Independent Commission Against Corruption. I am proud to point to that statement because it is part of a dissertation by counsel assisting containing the earlier statements to which I referred: that on our watch it was "an established fact that despite the political pressures which were brought to bear by Australian Water Holdings, the bureaucrats and the politicians did not give way".

Mr Kevin Conolly: Exactly.

Ms Linda Burney: Not all of them.

The SPEAKER: Order! I call the member for Canterbury to order for the second time. The member for Canterbury will cease interjecting and shouting.

Mr BARRY O'FARRELL: I will come back to that—thank you, Kevin. This same man said that no person, no matter how prominent, would avoid scrutiny.

Mr Michael Daley: Point of order: My point of order is relevance under Standing Order 129. I am not asking about what Geoffrey Watson said.

The SPEAKER: Order! The Premier is being relevant to the question asked.

Mr Michael Daley: I am asking why the Premier was discussing these matters with his staff after the written advice said it was not appropriate.

The SPEAKER: Order! The Premier is being relevant to the question asked.

Mr BARRY O'FARRELL: Of course it is relevant because the Independent Commission Against Corruption is examining these matters. Counsel assisting the Independent Commission Against Corruption in that inquiry said of me:

We have looked carefully at the activities of Mr O'Farrell and Mr Pearce and we have found no evidence to implicate either in any corruption.

Of course, that stands in stark contrast to at least one other politician. The evidence will disclose repeated attempts by Mr Edward Obeid Senior to influence the outcomes favourable to Australian Water Holdings. The evidence is that his role extended beyond just opening doors: "Mr Obeid Senior also was directly engaged in lobbying politicians to gain a favourable result for Australian Water Holdings."

We heard on Monday that Joe Tripodi, a backbencher, was preparing or altering a Cabinet minute on his laptop. I am sure all backbenchers in my Government can put their hands on their hearts and say they have never had a Cabinet minute on their laptop, and have certainly not sought to change one. We heard allegations on Monday that a Cabinet minute was altered in the office of Tony Kelly, the former Minister for Planning. A recommendation that had come from a consultant against a proposal was allegedly changed to a recommendation in support of a proposal.

Mr Michael Daley: Point of order: My point of order is in respect of Standing Order 129. Three minutes have passed and still the Premier will not say why he was having these conversations.

The SPEAKER: Order! The Premier is being relevant to the question asked.

Mr BARRY O'FARRELL: There is the contrast. I thank the member for Canterbury for her interjection earlier.

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

Mr BARRY O'FARRELL: We have evidence from the first day of the inquiry that former Labor members of Parliament interfered corruptly in a process that would have enriched people, including Mr Obeid, to the tune of approximately \$60 million. In contrast, counsel assisting the commission made two statements about this Government that effectively give us a clean bill of health.

The SPEAKER: Order! Opposition members will come to order or they will be removed from the Chamber. I call the member for Kogarah to order for the second time.

Mr BARRY O'FARRELL: Counsel assisting commissions tend to be conservative. He stated:

It is an established fact that despite the political pressure ... the bureaucrats and politicians did not give way.

Above all, Opposition members do not like the statement that:

We have looked carefully at the activities of Mr O'Farrell and Mr Pearce and we have found no evidence to implicate either in any corruption.

They are facts, not speculation. It is our record, and certainly not a record that those opposite can claim.

PUBLIC HOUSING

Mr STEPHEN BROMHEAD: My question is addressed to the Minister for Family and Community Services, and Minister for Women. How is the Government making the public housing system more sustainable?

Ms PRU GOWARD: I thank the member for Myall Lakes for his question. The O'Farrell-Stoner Government is committed to a sustainable public housing system, which includes making sure that public housing resources are being distributed fairly across New South Wales so that as many people as possible are assisted.

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

Ms PRU GOWARD: This morning I announced that the Government will sell its public housing properties in Millers Point, Gloucester Street and the Sirius building in The Rocks due to the high cost of maintenance, the significant investment required to improve properties to an acceptable standard and high potential sale values.

The SPEAKER: Order! I call the member for Macquarie Fields to order for the second time.

Ms PRU GOWARD: This decision was not taken lightly by the Government, but it is the right decision in the interests of a sustainable, fair social housing system. The system currently has more than 57,000 families on the waiting list across New South Wales. The proceeds from the sale will be directly reinvested into the social housing system. Maintenance on properties in Millers Point costs more than four times the average for public housing dwellings in New South Wales.

The SPEAKER: Order! Opposition members who are not interested in this subject should leave the Chamber.

Ms PRU GOWARD: In the past two years alone almost \$7 million has been spent maintaining this small number of properties. Subsidies to tenants in the past year alone reached almost \$9 million, with individual tenants receiving subsidies as high as \$44,000 a year. This compares with subsidies of \$8,000 a year in Campbelltown, \$7,000 in Gosford and \$11,000 in Wollongong. For every subsidised tenancy in Millers Point, the Government could assist five tenants in Warrawong or 3½ tenants in Newcastle or Minto. In 2008 when the former Labor Government began selling off public housing in Millers Point, it let other properties fall into disrepair. This Government is now left with repair bills in the hundreds of thousands of dollars to restore some terrace houses to heritage standard. The community expects the Government to invest in a sustainable social

housing system that supports disadvantaged people across the whole State. Our ability to do that is severely limited if we sink millions of dollars into a small number of properties. I recognise that some tenants have lived in public housing in Millers Point for decades and that moving to a new location may be difficult.

The SPEAKER: Order! I call the member for Macquarie Fields to order for the third time. He will cease interjecting.

Ms PRU GOWARD: Today a team of more than 40 housing staff is on the ground talking to tenants. Over the next three months a specialist relocations team will work with each and every tenant to understand their needs and work with them and their families through their relocation. These staff are senior client services staff who have been selected for this role. Initially each tenant will be visited to undertake a housing needs assessment. The assessment involves understanding the individual needs of each member of the household and discussing their preferences for relocation. Any special needs will be identified in detail, including medical needs, mental health issues, disabilities and other complex needs. The same officer will work with the tenant through the process of relocation. All reasonable costs of moving, including reconnecting utilities, will be covered by the Government.

The project will be driven by former Public Service Commissioner Lynelle Briggs, AO, GAICD, and is expected to run for two years. Ms Briggs will report directly to Michael Coutts-Trotter, Secretary of the Department of Family and Community Services. Big decisions and bold action are needed to turn this ship around. We will finish the job that Labor started in 2008 but failed to see through. The Liberal-Nationals Government is determined to build a fairer and more transparent public housing system that breaks disadvantage and helps as many people as possible off welfare dependence.

WALLARAH 2 COAL PROJECT AND MR NICK DI GIROLAMO

Mr PAUL LYNCH: My question is directed to the Premier. Documents tabled at the Independent Commission Against Corruption show that in October 2011 the Premier told Mr Di Girolamo that he wanted to proceed with an assessment of the Australian Water Holdings public-private partnership and that "it seems to be disrupted by incapable bureaucrats". Later that same morning the Premier met with the head of his department and former chief of staff about this matter. What did the Premier ask him to do?

Mr BARRY O'FARRELL: As I said a moment ago, all those matters were considered by the Independent Commission Against Corruption and clearly were in the mind of counsel assisting the commission when he made his statements on Monday.

NEWCASTLE AND GOSFORD REVITALISATION

Mr CHRIS HOLSTEIN: My question is addressed to the Minister for Planning and Infrastructure, and Minister Assisting the Premier on Infrastructure NSW. How is the Government revitalising Newcastle and Gosford?

Mr BRAD HAZZARD: I thank the member for Gosford for his question. He and other members of Parliament on the Central Coast have been tireless in their efforts to ensure that Gosford is revitalised. For years New South Wales had a Labor Government that spoke about the rejuvenation of Gosford. Unfortunately, absolutely nothing happened.

The SPEAKER: Order! I direct the member for Macquarie Fields to remove himself from the Chamber until the end of question time.

[Pursuant to sessional order the member for Macquarie Fields left the Chamber at 2.49 p.m.]

Mr BRAD HAZZARD: Last month I was delighted to visit the Gosford electorate to announce the rezoning of the Gosford waterfront. It was a long time coming. The Labor Party kept promising it; the Liberal-Nationals Government has delivered it. Along with the member for Gosford and the Central Coast Regional Development Corporation, I announced that 9.9 hectares of waterfront land at Gosford has been rezoned to build a combination of commercial, residential, hotel and conference facilities. The rezoning will stimulate commercial activity and create up to 2,000 jobs.

Public spaces, recreational areas, new waterside restaurants and retail facilities on an expanded breakwater have been provided by this Coalition Government through the energy it is focusing on Gosford. The

locals know about it but those opposite who keep interjecting would not know where Gosford is. The actions of those opposite are indicative that they have no interest whatsoever in what happens at Gosford. Gosford Mayor Lawrie McKinna welcomed the O'Farrell Government's rezoning and said, "Development of the waterfront will see positive flow-on effects for our region, enhancing employment and recreation opportunities while also encouraging visitors to our area."

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

Mr BRAD HAZZARD: Gosford council general manager Paul Anderson said, "These announcements, along with a newly gazetted LEP, mean that a number of key factors are now in place to instigate real change in our region." Urban Development Institute of Australia [UDIA] New South Wales Central Coast Chapter chair Pauline Wright said the new development could not come soon enough. He stated:

The rezoning will make way for commercial activity and bring more business to the area—something Gosford desperately needs—and the housing component will attract more residents to a city that has been dormant for far too long.

It was dormant under the former Labor Government. The O'Farrell Government is working not only on the Central Coast but also through to Newcastle and the Hunter. As the member for Newcastle will proudly tell anyone who will listen, we are getting on with revitalising Newcastle. I bet the Labor laggards opposite have not had the pleasure of drinking coffee at the One Penny Black cafe in the Hunter Street mall. I have, and I can tell them that the people of the Hunter know that Tim Owen and the other Hunter Liberal members are fighting for the rejuvenation of Newcastle. Yesterday in the second round of the Resources for Regions program, Newcastle council received \$5.6 million of the \$12 million it sought towards the planned makeover of Shortland Esplanade.

Last night, and in real recognition of the major work that has been going on around the Urban Renewal Strategy, at the Planning Institute of Australia National Congress—which I had the pleasure of opening on Monday morning—the Best Planning Ideas Large Project was awarded to the Newcastle Urban Renewal Strategy. Well done to those people in Newcastle who are doing the work and well done to the Newcastle Liberal Party members who have been fighting for it. Thank heavens the Labor Party no longer has a say in what is going on in Newcastle. The 99-year lease of Newcastle Port is expected to be completed by mid-2014, and out of that there will be money for the locals. Of the proceeds, \$340 million will be directed towards a new vision for Newcastle, in addition to the \$120 million the Government has committed already to the revitalisation project. Plans are well underway for the new light rail, which is on the record, from Wickham through Civic and then on to Newcastle. There will be three new rejuvenated areas: West End, Civic and East End. Significant upgrades are planned also for Wheeler Place and Hunter Street Mall, with a new transport interchange. Lord Mayor Jeff McCloy said:

Reaching back a couple of years Newcastle has seen a resurgence in new developments cutting a swathe across the CBD, including hotels, conference centres, apartments, office space, commercial and retail space, New South Wales law courts and the University of Newcastle.

I will leave the final words to the *Newcastle Herald*, which I just love. It stated:

Since Newcastle switched political allegiance at the last State election the city has been waiting for the Coalition to produce the promised results. Those results are starting to come now, thick and fast.

Well done to the Coalition and well done to the people of Newcastle. Thank God Labor has gone.

RACIAL DISCRIMINATION

Mr GUY ZANGARI: I direct my question to the Minister for Citizenship and Communities. Will the Minister stand up against racism and oppose the Federal Government's scrapping of section 18C of the Federal Race Discrimination Act?

The SPEAKER: Order! The Minister has the call and will be heard in silence. The member for Monaro will come to order. The member for Bega will come to order. Government members will come to order.

Mr VICTOR DOMINELLO: I thank the member for his question—

Ms Linda Burney: I cannot hear you.

The SPEAKER: Order! The member for Canterbury will cease interjecting.

Mr VICTOR DOMINELLO: The O'Farrell Government takes an active stance against racism. Earlier today a number of members from both sides of the House had their photographs taken with the Race Discrimination Commissioner as part of the "Racism. It Stops With Me" campaign. We want to make sure that we are unified in our fight against racism. I know that the Federal Government is examining section 18C of the Act. No doubt that examination will take into account the balances between arguably one of the most important freedoms we have in this country—namely, freedom of speech—and the need to protect those in our community who are vulnerable to racism. The O'Farrell Government is being proactive in the fight against racism. Indeed, we have plenty of other examples besides what we did today—and I thank the member for Fairfield for his Dorothy Dixier. The most important thing we have done and continue to do—

The SPEAKER: Order! The Minister has the call and will be heard in silence. The member for Auburn will come to order. The Premier will come to order.

Mr VICTOR DOMINELLO: The most important thing we can do to promote harmony and fight racism is to build bridges of understanding by bringing communities together.

Mr Guy Zangari: Point of order: My point of order is under Standing Order 129, relevance. The Minister is not answering the question. Will the Minister oppose the scrapping of section 18C?

The SPEAKER: Order! The Minister is being relevant to the question asked. I cannot direct the Minister how to answer the question.

Mr VICTOR DOMINELLO: The member asked me a question in relation to section 18C of a Federal Act and I have specifically answered that question.

The SPEAKER: Order! An Opposition member asked the question. Opposition members should listen to the Minister's answer.

[*Interruption*]

Mr VICTOR DOMINELLO: It is the *Muppet Show* over there. It is hard to believe those opposite had control of the Government. God help us if they ever have it again. I have answered the question. Those opposite should relax while I explain the other things that the Government is doing in the fight against racism and promoting community harmony. The Government has increased multicultural grants from \$1.2 million to \$1.4 million. This increase in the funding is important but so is the way in which the funding is structured. We have made sure that when the grants are administered the Community Relations Commission looks at bringing communities together—the grants provide an incentive to bring communities together. Whilst it is important to celebrate our diversity, unity is arguably even more important. Those grants are designed to bring people together. Another Government initiative is—

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

Mr VICTOR DOMINELLO: —the Premier's media awards, which bring the multicultural media together.

The SPEAKER: Order! The Leader of the Opposition will come to order.

Mr VICTOR DOMINELLO: At those awards we address the media and encourage the fourth estate—an important element of our democracy—to take up the campaign to stop violence against women and the abuse of children. The Government is working day in, day out—whether it is against racism or abuse of any minority group—to make sure we achieve those outcomes.

Ms Linda Burney: Point of order: The Minister's answer is very interesting but—

The SPEAKER: Order! There is no point of order. The Minister is being relevant to the question asked. The member for Canterbury will resume her seat.

Mr VICTOR DOMINELLO: I will end the way I began—

The SPEAKER: Order! I call the member for Fairfield to order for the first time. The Minister will be heard in silence.

Mr VICTOR DOMINELLO: Was it Joe Tripodi who asked that question because the member's brother worked for him for 12 months? That is right. In the same way— [*Time expired.*]

The SPEAKER: Order! Opposition members will come to order. The member for Fairfield will come to order. The member for Keira will come to order. Ministers will come to order. I call the member for Keira to order for the second time.

ILLAWARRA INFRASTRUCTURE

Mr GARETH WARD: My question is addressed to the Treasurer, and Minister for Industrial Relations. How is the Government investing in infrastructure in the Illawarra region?

The SPEAKER: Order! The member for Shellharbour will come to order. The member for Kiama will come to order. The member for Kiama and the member for Shellharbour will cease arguing across the Chamber. They will come to order or they will be removed from the Chamber. The Treasurer has the call.

Mr MIKE BAIRD: I thank the member for Kiama for that question—he is the best member for Kiama that this State has ever had. He is doing a great job for the Illawarra region. As I outlined yesterday in relation to infrastructure—and in fact at any policy level—those opposite create problems but the O'Farrell Government creates solutions. That is what we have done in relation to infrastructure. We know what those opposite left behind from their time in government in terms of infrastructure. We have undertaken a program of assets recycling, which is about taking old assets and turning them into new assets. We have done that successfully across a range of transactions. Those opposite opposed those measures—refinancing the Sydney desalination plant, the part sale of the State's electricity generators and of course the successful long-term lease of Port Botany and Port Kembla. We have done that and we have started to put the money raised to work for the people of this State.

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

Mr MIKE BAIRD: More than \$5 billion was raised from leasing the two ports, which is opportunity capital that we can now put to work for the people of New South Wales. Joe Hockey, the Federal Treasurer, has endorsed what he has called the "New South Wales model" as a way to get the country moving. I appreciate his support. We will get the best minds in superannuation and infrastructure together to work out how we can get additional superannuation fund investment for infrastructure in this State. That is critical, and we know that those opposite continue to oppose it. We have heard some Labor leaders say, "You know what? We have to do the right thing for our State, not just play politics." In Victoria the Leader of the Opposition, Daniel Andrews, has put forward a proposal. He said that what is being done in New South Wales is right for Victoria as well. But those opposite are still against it. Paul Howes has said—

Mr John Robertson: Who?

Mr MIKE BAIRD: He is certainly not a Liberal Party member. He said, "Labor needs to embrace alternative sources of funding." He also said, "Labor must properly recognise the benefits of social privatisation." This is a serious fiscal debate and, not surprisingly, who is missing from it? Those opposite are not going to participate. This is what I love about Opposition members: They are so consistent.

The SPEAKER: Order! There is too much audible conversation in the Chamber.

Mr MIKE BAIRD: They have a principle—for example, they say that they are against the leasing of Port Kembla in the Illawarra. "Stop it", they say.

Ms Anna Watson: We are against the lease; absolutely.

Mr MIKE BAIRD: The member for Shellharbour says that Labor is against leasing the port. The lease is finalised and then what happens? Labor members say, "Show us the money." The member for Shellharbour says, "Hello, can I have some of that money for my electorate? I'm against leasing the port but I want the money." She is against it, but she wants it. I love it.

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

Mr MIKE BAIRD: Our old mate the member for Keira—Captain Principle—says he is not really sure if he wants the lease to go ahead but, by the way, there are some things in his electorate that we can spend the money on. The member for Keira wants to spend the money. He was probably playing Michael Bolton CDs while he was writing the letter.

The SPEAKER: Order! The member for Keira will not take the bait. He will come to order.

Mr MIKE BAIRD: Even the member for Wollongong wrote to Infrastructure NSW and said, "Listen, here is how to spend the money." Those opposite cannot have it both ways: If they are against it then they cannot spend the money.

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

Mr MIKE BAIRD: It is an important principle that those opposite have forgotten. There are two words that get the member for Wollongong jumping: "Anna Watson". What does the member for Wollongong have against the member for Shellharbour? We like her. The good news for the people of New South Wales is that the O'Farrell Government is getting on and delivering for the people of the Illawarra.

The SPEAKER: Order! Members will come to order.

Mr MIKE BAIRD: We have put \$270 million to work, including \$170 million for the Foxground and Berry bypass—something that those opposite spoke about year after year when they were in government. The member for Kiama was elected and what happened? The Government delivered the money for the project. We have delivered for the people of the Illawarra.

The SPEAKER: Order! The member for Wollongong will cease shouting at the member for Kiama. The member for Wollongong and the member for Kiama will come to order or they will be removed from the Chamber, along with the member for Shellharbour—all three of you.

[*Extension of time granted.*]

Mr MIKE BAIRD: On top of that, despite the fact those opposite opposed the leasing of the ports and the \$100 million for the region—they are against everything every day of the week—the good news for the people of the Illawarra is that a number of projects are being delivered. We have committed \$22.5 million for the West Dapto access road link, which will bring more housing to the Illawarra; \$1.43 million for the Noah's Ark Centre; and \$8 million for the Kiama Hospital aged care centre. There is also \$14.46 million for the centre of excellence for aged care at Bulli Hospital. The member for Heathcote has been a strong supporter of those projects, delivering for the people of the Illawarra.

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

Mr MIKE BAIRD: It is important for the people of the Illawarra to understand that if Labor were in government not one dollar would have been spent. Those opposite opposed our program every step of the way. In fact, it is almost like they are stuck in the movie *Back To The Future*. They want a DeLorean. Remember the professor? The professor said something like, "We're going to a place where there are no roads."

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

Mr MIKE BAIRD: That is exactly the sort of place that Labor would condemn us to because it would have no money to spend on roads. That is the difference between those opposite and the O'Farrell-Stoner Government. We have found a way to fund the infrastructure that Labor members spoke about in government. The difference is we are delivering it for the people of New South Wales, and we will continue to deliver it. It is a privilege to be part of a government that is delivering for communities across the State and to be working alongside members who are delivering the infrastructure that their communities need. It requires responsible decision-making. We have done that, and it is good news for the people of the Illawarra and of New South Wales.

The SPEAKER: Order! I remind members that a number of them are on one, two or three calls to order. Those members who have been called to order are deemed to be on three calls to order. I have warned members to cease interjecting during Ministers' answers. Members who continue to interject will be removed from the Chamber.

WEST WALLSEND COLLIERY SUBSIDENCE IMPACTS

Mr GREG PIPER: My question is directed to the Minister for Planning and Infrastructure. Given the high level of community concern about longwall mining, heightened by the unpredicted subsidence impacts to the Sugarloaf State Conservation Area from the West Wallsend colliery, will the Minister provide any advice stemming from the interagency review, including when the results of that review will be made public?

Mr BRAD HAZZARD: I thank the member for Lake Macquarie for his question and acknowledge that the issue he raises is important to the community. I remind the House that the subsidence and leakage of grout into the environment occurred in 2012 and 2013. I think the subsidence incident occurred in October 2012. There were two leaks of grout: one in June 2013 and one in September 2013. This occurred west of Lake Macquarie within the Newcastle coalfield. Oceanic Coal Australia Proprietary Limited, a wholly owned subsidiary of Glencore Xstrata Proprietary Limited, owns and operates that colliery—as I am sure the member for Lake Macquarie is well aware. The major leak of grout occurred in about June 2013 and the minor leak of grout occurred in about September 2013. Those issues are, as I think the Premier said when he asked a similar question late last year, of serious concern to the Government—both as environmental issues and occupational health and safety or workplace issues. These are issues of great importance to the Government.

The Government has put together a working group led by my agency, the Department of Planning and Infrastructure, and working with, as one would expect, each of the other agencies who have a role in this area—that is, Energy and Resources, the Office of Environment and Heritage, and the Department of Primary Industries. They have worked together to ensure that a report and an appropriate response is developed in regard to the issues with the colliery. I can inform the member for Lake Macquarie that the report is close to being finalised. A lot of work has been done. Obviously it is very challenging to do much about subsidence, but the company has been asked to work with each of the agencies to try to develop a responsible approach to dealing with that issue. This will probably end up involving some biodiversity offsets. Subsidence is one of the risks with any kind of mining. Obviously, when the Department of Planning and Infrastructure and the other agencies it works with give approvals to such developments they try, as far as is practicable, to put conditions on the approval that will minimise any risks, but there are always risks. In doing any mining work anywhere there is always a risk.

The grout leak is an issue which is more appropriately dealt with by the Office of Environment and Heritage. Government agencies are considering the implications of the two instances of grout leak at the moment. In the meantime, though, the company has done a lot of work, which is very positive. I am told it is almost 40 days ahead of the clean-up schedule set by the government agencies. Earlier today I took a letter and some photographs on this issue to the office of the member for Lake Macquarie, but I do not know whether the member has seen them. I have two photographs with me now that show the grout that flowed during the leaks. As members can see, it is a source of concern. On the face of the evidence from a second photograph of the same area, the company has done a remarkable amount of remediation on that site. So it is working on this.

Mr Nathan Rees: Do you carry those photos around with you?

Mr BRAD HAZZARD: I usually carry these photographs just in case someone asks to see them. I was expecting the Labor Party to be more active in its questioning. Only the member for Lake Macquarie has been energetic enough to ask a question. Since the member for Toongabbie has asked the question, I will lay the photographs on the table for the information of members. A lot of work has been done and the report is close to being finalised. My legal background underpins what I am about to say: prosecution of a company for environmental issues is highly complex. The environmental issues are now being considered in depth by the Government, primarily through the Office of Environment and Heritage but also through other agencies. Hopefully, decisions about how the process will be conducted and what steps should be taken are being resolved at the moment. I am hopeful that the report, including those details, will be released in the very near future. *[Time expired.]*

HUNTER INFRASTRUCTURE AND SERVICES

Mr CRAIG BAUMANN: My question is addressed to the Minister for Tourism, Major Events, Hospitality and Racing, Minister for the Arts, and Minister for the Hunter. How is the Government delivering improved infrastructure and services for Hunter residents?

Mr GEORGE SOURIS: I am grateful for the question from the most excellent member for Port Stephens. In its three years in office, the New South Wales Government has demonstrated a strong commitment to improving infrastructure and services in the Hunter region. The people of New South Wales made their voices heard at the 2011 election, and the past three years have shown that they made the right call. The performance of local members in the Hunter region, especially the members representing the electorates of Newcastle, Charlestown, Swansea, Port Stephens and Maitland, has been superb.

[Interruption]

The SPEAKER: Order! I remind Opposition members that 10 out of 20 of them are on three calls to order.

Mr GEORGE SOURIS: Every day we are moving towards the goals and targets of the NSW 2021 plan in the Hunter to ensure that it plays its role in making New South Wales number one again. This Friday we take yet another big step forward, opening the long-awaited Hunter Expressway. The Government has worked alongside the Commonwealth to deliver this crucial piece of infrastructure. The expressway will open to traffic on Saturday 22 March and I expect it to have an instant effect on productivity and liveability in the Hunter.

Ms Anna Watson: Thank you, Labor.

The SPEAKER: Order! I direct the member for Shellharbour to remove herself from the Chamber until the end of question time.

[Pursuant to sessional order the member for Shellharbour left the Chamber at 3.14 p.m.]

Mr GEORGE SOURIS: Labor refused to support the election commitment made by the Howard Government. It was finally bludgeoned into joining the New South Wales Government. The member for Shellharbour should get her facts right. Our first priority when coming to office was to rebuild the New South Wales economy, and the Hunter Expressway is just one example of how we are moving towards that goal. To drive growth in the Hunter, NSW Trade and Investment has been working tirelessly for the region, including attracting over \$330 million of new business investment, creating almost 1,200 new full-time jobs, and supporting 36 companies in the Hunter to enter into new global markets.

The Government is investing in the critical infrastructure needed to unlock the Hunter's vast economic potential. We have established the \$350 million Hunter Infrastructure and Investment Fund, which is being invested in upgrades to Hunter roads, expanding Newcastle Airport and upgrading sporting facilities in Maitland and Speers Point. We have also created the Resources for Regions program. In this place yesterday the Deputy Premier announced yet another round of investment. Almost \$30 million in new investment will go to mining-affected communities in the Hunter in this round alone. In addition, 674 teachers have received their first permanent appointments to schools in the Hunter since July 2011. Work is complete on the new \$7.8 million technology and applied studies building at Callaghan College Waratah Technology Campus, Wallsend. Under this Government, 250 new nurses have been recruited to the Hunter New England Health district and 148 new police officers have been allocated to local area commands in the Hunter.

The Government is renovating infrastructure in the region to address economic bottlenecks and growing social and health needs. Work is progressing on a series of road upgrades throughout the region, including \$45 million for the widening of Nelson Bay Road; \$44 million for the upgrade of the New England Highway through Maitland; \$20 million to upgrade the Hunter Valley wine district road network; and the \$20 million upgrade of the Raymond Terrace to Dungog main road. The Newcastle Inner City Bypass, from Shortland to Sandgate, was completed and opened to traffic in January 2014. Work has also commenced on delivering major healthcare upgrades. This includes \$20 million towards securing the site for a new Hunter Valley Hospital at Metford and a contribution of \$8 million towards the acquisition of land for a new cancer treatment facility at Calvary Mater Hospital.

Under the Housing Acceleration Fund, the Hunter will benefit from key infrastructure to fast-track urban release and housing through new wastewater infrastructure at Farley, near Maitland, supporting 5,300 new homes, and new water infrastructure and road upgrades to facilitate a further 5,000 new homes at Lochinvar. To provide a comprehensive whole-of-government framework for tackling the region's air quality issues, the Government is implementing an upper Hunter air particle action plan. The Government has not forgotten the entertainment, sporting and cultural life of the Hunter. We have delivered 31 major events over the past three

years—Fuelarama, Sail Port Stephens, CMC Rocks the Hunter, Surfest, the Dungog Film Festival, the Reel Film Festival, the Special Olympics, international rugby and soccer, and the Kellogg's Nutri-Grain Ironman and Ironwoman series. These are but a few of the many achievements of the Government in the Hunter and a demonstration of our commitment to a region that was ignored for 16 years under Labor. The O'Farrell-Stoner Government appreciates the importance of the Hunter. That is why it has invested heavily in the region and will continue to do so.

Mr Richard Amery: Point of order: My point of order relates to Standing Order 75. The member for Port Stephens referred to the Minister by a title other than his appropriate title.

The SPEAKER: Order! The Minister did not take objection to it. There is no point of order. The member for Mount Druitt will resume his seat.

Question time concluded at 3.19 p.m.

COMMITTEE ON CHILDREN AND YOUNG PEOPLE

Chair

The SPEAKER: Pursuant to Standing Order 282 (2), I advise the House that on 18 March 2014 Mark Joseph Coure was elected Chair of the Committee on Children and Young People.

STATE AND REGIONAL DEVELOPMENT COMMITTEE

Report

Mr Andrew Gee, as Chair, tabled report No. 1/55 entitled "Inter-regional Public Transport", dated March 2014.

Ordered to be printed on motion by Mr Andrew Gee.

[Interruption]

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

[Pursuant to sessional order the member for Keira left the Chamber at 3.20 p.m.]

COMMITTEE ON CHILDREN AND YOUNG PEOPLE

Inquiry

Mr Mark Coure, as Chair, informed the House that, pursuant to Standing Order 299 (1), the Committee on Children and Young People had resolved to conduct an inquiry into volunteering and unpaid work placements among children in New South Wales, the full details of which are available on the committee's home page.

PETITIONS

The Clerk announced that the following petitions signed by fewer than 500 persons were lodged for presentation:

Oxford Street Traffic Arrangements

Petition requesting the removal of the clearway and introduction of a 40 kilometre per hour speed limit in Oxford Street, received from **Mr Alex Greenwich.**

Pymont and Ultimo Bus Services

Petition requesting the improvement and expansion of bus services to Pymont and Ultimo, received from **Mr Alex Greenwich.**

Pet Shops

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

Pig-dog Hunting Ban

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

Same-sex Marriage

Petition supporting same-sex marriage, received from **Mr Alex Greenwich**.

Inner-city Social Housing

Petition requesting the retention and proper maintenance of inner-city public housing stock, received from **Mr Alex Greenwich**.

Container Deposit Levy

Petition requesting the Government introduce a container deposit levy to reduce litter and increase recycling rates of drink containers, received from **Mr Alex Greenwich**.

The Clerk announced that the following petition signed by more than 500 persons was lodged for presentation:

Human Organ Trafficking and Harvesting

Petition requesting legislation banning human organ trafficking and organ harvesting without consent, received from **Mr Richard Amery**.

The SPEAKER: Order! Members who wish to hold conversations will leave the Chamber.

BUSINESS OF THE HOUSE**Business Lapsed**

General Business Notices of Motions (General Notices) Nos 2738 to 2742 lapsed pursuant to Standing Order 105 (3).

General Business Notices of Motions (General Notices) Nos 2743 to 2747 will lapse tomorrow pursuant to Standing Order 105 (3).

CONSIDERATION OF MOTIONS TO BE ACCORDED PRIORITY**Hunter and Illawarra Infrastructure and Investment**

Mr GARETH WARD (Kiama) [3.23 p.m.]: My motion for which I seek priority states:

That this House:

- (1) Notes the Government's record investment and support for the economic powerhouses of the Hunter and the Illawarra.
- (2) Supports the Government's establishment of the Hunter Infrastructure and Investment Fund and the Restart NSW Illawarra Infrastructure Fund.
- (3) Condemns the Opposition's failure to focus on State issues, especially those affecting regional New South Wales.

The motion deserves priority because rural and regional areas of New South Wales deserve priority. In this House we have some great regional members such as the member for Upper Hunter, the member for Burrinjuck, the member for Goulburn and the member for Albury. I note that the member for Oatley considers he is in that

category, but not quite. Rural and regional areas also are represented by the member for Northern Tablelands, the member for Dubbo and the member for Myall Lakes. Rural and regional representatives in this House are everywhere in this Chamber.

Mr John Barilaro: Monaro!

Mr GARETH WARD: And Monaro of course has a great member. The member for Blue Mountains also represents a regional area.

Mr John Barilaro: What about Country Labor?

Mr GARETH WARD: That lot? We could fit Country Labor onto a pogo stick! Country Labor has one representative in this House and Labor members never speak about rural and regional issues. It is important to discuss the successes of rural and regional New South Wales. I draw the attention of members to the collective intelligence of Labor members who are present in the Chamber to discuss rural and regional issues. It is disgraceful that Labor members have left the Chamber because they are about to be held to account for their record in government, which is the record of a government that does not support rural and regional areas. I contrast that with great members of the Hunter who are doing wonderful things to revitalise the Hunter economy by standing up for the investments their region needs.

Mr Barry Collier: I am here.

Mr GARETH WARD: The rural and regional member for Miranda says he is here, but the only farming that occurs in his electorate is carried on under hydroponic lights. He should resume his seat. Government members are responsible for real investments in rural and regional New South Wales, such as the Princes Highway upgrade, which was neglected for years by the former Labor Government. Under the current New South Wales Government the south-eastern part of the State has received \$229 million that has been invested in upgrading the Princes Highway at Gerringong and a record \$510 million for the Berry bypass. As I said, this Government has great regional members such as the member for Bega and the member for South Coast.

The SPEAKER: It is just as well you said that.

Mr GARETH WARD: It has been drawn to my attention that the member for Wollondilly considers himself to be a great regional member. But it gets better. We have seen this Government following its five-point plan of renewing infrastructure, providing more for regional economies, providing more for the environment, providing more for front-line personnel, and particularly open and transparent government. All those points can be seen at work in regional and rural communities in hospitals that are being built, roads and schools that are being constructed such as the school at Lake Cathie in the Port Macquarie electorate. There is evidence of the implementation of this Government's plan right throughout the State and we should speak more about rural and regional issues. This is an opportunity for members to vote and to make rural and regional communities a priority in this House today.

BUSINESS OF THE HOUSE

Suspension of Standing and Sessional Orders: Motions Accorded Priority

Mr BRAD HAZZARD (Wakehurst—Minister for Planning and Infrastructure, and Minister Assisting the Premier on Infrastructure NSW) [3.26 p.m.]: I move:

That standing and sessional orders be suspended to permit the consideration forthwith of the notice of motion to be accorded priority given by the member for Kiama, followed by the notice of motion to be accorded priority given by the member for Sydney prior to the commencement of Government business.

Before the member for Sydney seeks the call, I indicate to him that the Government has considered the motion for which he has sought priority. In the interests of an orderly and sensible debate, which can happen on most occasions when Independent members are involved—not always, but on most occasions—whereas we know that a few members of the Labor Opposition will not behave sensibly and responsibly to facilitate the type of debate the community wants, on behalf of the Government I indicate that today the House will debate both motions for which priority has been sought.

Question—That the motion be agreed to—put and resolved in the affirmative.

Motion agreed to.

HUNTER AND ILLAWARRA INFRASTRUCTURE AND INVESTMENT**Motion Accorded Priority**

Mr GARETH WARD (Kiama) [3.28 p.m.]: I move:

That this House:

- (1) Notes the Government's record investment and support for the economic powerhouses of the Hunter and the Illawarra.
- (2) Supports the Government's establishment of the Hunter Infrastructure and Investment Fund and the Restart NSW Illawarra Infrastructure Fund.
- (3) Condemns the Opposition's failure to focus on State issues, especially those affecting regional New South Wales.

Again we see evidence of Labor's neglect of rural and regional areas by Labor previously having no members in the Chamber to participate in the debate to determine priority. Now only one member is present for the current debate, the member for Mount Druitt. Although he represents a city electorate, I commend his term as the Minister for Agriculture. There have been no Labor members present in the Chamber for this debate, with the exception of the member for Mount Druitt.

Mr Brad Hazzard: The member for Mount Druitt is a Labor member.

Mr GARETH WARD: I should say there are no Labor members who are prepared to participate in this debate other than the member for Mount Druitt, who was a very well-regarded Minister for Agriculture. Farmers in my community appreciated his support.

Mr Brad Hazzard: He is a gentleman.

Mr GARETH WARD: I am sure the Leader of the House agrees that we must debate in this House and in this Parliament issues that are important to rural and regional areas of New South Wales, and one of those issues is fixing our economy. Since this Government was elected in 2011, 6,658 jobs have been created in the Illawarra, which is a vast improvement compared to the record of the previous Government. That job creation has been achieved during difficult times such as when the Illawarra experienced the closure of the No. 6 blast furnace at BHP BlueScope. The closure certainly resulted in difficult times being experienced by BlueScope's employees and their families. The people of the Illawarra also witnessed manufacturing industries move offshore and relocate in other countries. The Illawarra region has a manufacturing industry base and those events forced government and business to make some tough decisions about investments. That is the reason this Government established the Restart NSW Illawarra Infrastructure Fund and the Hunter Infrastructure and Investment Fund. I note the presence in the Chamber of the member for Newcastle, who will address issues affecting the Hunter. I acknowledge the presence in the Chamber also of my friend and colleague the member for Heathcote.

Some of the investments that should continue to be supported are things such as the upgrade of the Princes Highway. I mentioned earlier that \$329 million has been invested at Gerringong—something that was promised by those opposite in 2006 but not delivered by them in government. We heard so many promises by those opposite but rarely did they deliver. Today work has started on the Berry bypass—something that has been talked about since 1955. Those works will involve basic earthworks and a contract will be awarded for the \$510 million project later in the year. Who voted against that Berry bypass project? Those opposite voted against it when they voted against the long-term lease of Port Kembla, because \$170 million of the \$510 million that was required for the Berry bypass comes from that fund. So no Labor members can say that they support the Berry bypass because they are on the record as having voted against it in this House.

I remind the people in my electorate that the record of those opposite is not one of which they can be proud. As someone who grew up in the area I understand the importance of the Princes Highway upgrade. I have seen the devastating impact on families who have lost loved ones on that highway. I take this opportunity to argue for more funds for that upgrade. The section of the highway between Berry and Bomaderry needs to be upgraded and the Shoalhaven River crossing needs to be completed. The Government has allocated money for Shoalhaven River crossing studies and allocated funds for planning work for the Albion Park Rail bypass—again something Labor talked about but never delivered. I am proud to be part of a Government that is allocating real funding for real works as well as the consultation and planning that needs to be done.

The Government has delivered more than \$40 million for safety upgrades on Picton Road and funding has been secured for major upgrades at the Picton Road interchange with the Hume Highway—something for which the member for Wollondilly has been lobbying assiduously. In fact, he has almost camped out in the Minister's office several times. Planning work on the new Shoalhaven River bridge is on the way and I look forward to seeing that delivered. And \$5 million has been committed towards planning for the future F6 extension to improve connectivity between the Illawarra and the South Coast. For the 20,000 people who travel between the Illawarra and Sydney every day, that is an important piece of infrastructure. I look forward to continuing to work with the Illawarra and Sutherland shire in that regard.

We have also seen the establishment of a new train station in Shellharbour—something Labor members announced in 2001 but had not delivered by the time they left office in 2011. It is something I passionately believe in and I am looking forward to seeing that station completed later in the year. Upgrades at local train stations—including Gerringong, Kiama, Albion Park, Dapto and Wollongong—will deliver better access for commuters. New cancer care facilities have been built at Shoalhaven and a mental health facility is under construction. More than \$100 million has been invested in Wollongong Hospital in order to improve its elective surgery, cancer services and parking facilities. I am proud of my electorate and I will continue to argue for the resources that it needs. [*Time expired.*]

Mr CLAYTON BARR (Cessnock) [3.33 p.m.]: In the interests of trying to bring some truth and reality to the debate I will make a contribution and commence where the member for Kiama left off. The member for Kiama, a member for whom I have enormous respect, concluded his contribution by saying that he would continue to argue for more resources for the Illawarra. However, I ask: What else does he have to sell? The only way one seems to get resources invested into the Illawarra is to sell, sell, sell. Where is the logic in the Coalition's investment in these powerhouses? I have been taught to seek to acquire security by investing in a house, a car, a boat or a little share portfolio. However, this Government just wants to sell everything. In the Illawarra the Government has sold the house in order to buy a new suit, which does not make economic sense.

I refer members to a couple of small projects in the Hunter of which they might not be aware. First, the Hunter Expressway—\$1.7 billion worth of investment and not a single piece of public infrastructure was sold in the making of that expressway. Those opposite want to try to rewrite history and suggest that it is a project that was started under John Howard but if they check the Federal budget documents they will find that that project was made shovel-ready by the New South Wales Labor Government. At the time of the global financial crisis, when Prime Minister Kevin Rudd was looking for shovel-ready projects to invest in, the Hunter Expressway was shovel ready. It was announced by the Hon. Anthony Albanese, MP, former Minister for Infrastructure and Transport, committed to by Kevin Rudd and entirely funded by taxpayers' funds because of decisions made by Labor governments. Now that it is about to open Coalition members want to try to rewrite history. However, while those opposite might smile this weekend when they have their photographs taken at the ribbon cutting in reality everybody in the Hunter region knows that the Hunter Expressway is a Labor project from start to finish—completed without the sale of a single public asset.

I will mention other projects, because it comes back to the concept of investment in these powerhouses. An amount of \$260 million was spent on the interchange between the New England Highway and the end of the F3 at Beresfield; \$200 million of State money is being spent on the Federal expressway; and \$460 million has been invested in the Hunter, in particular in the Cessnock electorate. However, the great failing of the Labor Party was that it did not have the marketing skulduggery of this Government. The Coalition has been clever in the way in which it has named projects such as the Hunter Infrastructure Investment Fund or the Illawarra Infrastructure Fund. That does not mean that more dollars are available; in fact, in the case of the Hunter, it means fewer dollars.

I congratulate the Government because its clever marketing arm has managed to sell a dog as an award-winning species. Under Resources for Regions, less than 2 per cent of resources will be returned to the hardworking electorates that have provided those resources for this great State—far below the 30 per cent for the Coalition Government model in Western Australia. While I appreciate the sentiments of the member for Kiama and I respect his position, it is unfortunate— [*Time expired.*]

The DEPUTY-SPEAKER (Mr Thomas George): Order! I remind Opposition members that nine of them are on three calls to order—one has been given his marching orders. Opposition members will cease interjecting.

Mr TIM OWEN (Newcastle) [3.38 p.m.]: I make a short contribution to support the motion accorded priority moved by the member for Kiama. The member for Kiama spoke the truth when he said that this Government was the only government that had invested any money in regional New South Wales. Let me give a

couple of examples from my electorate. Before I was elected as a member of Parliament, Labor made three contributions to the City of Newcastle: Over a six-year period it bought a post office, knocked down a hotel and put up a tent and nothing else. This Government made a commitment to change the face of the city of Newcastle and it is delivering four major infrastructure projects worth close to \$1 billion. The first project is the redevelopment of Newcastle Mall, an urban growth GPT Group development of the order of \$400 million which will result in the redevelopment of one of the most beautiful areas in the city of Newcastle. The second project will see money brought forward from the forward estimates to deliver a regional courthouse—a \$94 million project that was talked about by those opposite but never delivered. Third is the \$25 million commitment by this Government to the inner-city campus of the University of Newcastle.

Mr Clayton Barr: Started by Labor.

Mr TIM OWEN: Started by Labor? My God, the member for Cessnock has no idea. This will bring the law and business faculties into the city of Newcastle. This \$25 million development adds to the university's and Federal Government's commitment to deliver one of the most beautiful campuses in any city in this State, if not internationally. Fourth is the Newcastle Urban Renewal Strategy—a \$120 million deliverable for the truncation of the rail line, the building of the interchange and the connectivity between Hunter Street and the harbour. In addition, the Government has committed \$340 million to deliver a light rail system for the city of Newcastle. All of those commitments add up to close to \$1 billion—something never heard of in the Hunter. Newcastle will become one of the most beautiful and vibrant coastal cities in the world. Nothing like that ever happened under the previous regime. We can add to that the \$350 million regional Hunter Infrastructure and Investment Fund. This has delivered huge change not only for Newcastle but also for the rest of the region. Recently, under Resources for Regions another \$30 million was directed to the Hunter and \$5.6 million to Newcastle. This is one of the most wonderful deliverables provided by any government. Even one Opposition member said to me, "Boy, isn't it exciting what's happening in Newcastle? I think I need to invest in that city." I will not name names, but it supports exactly the comments of the member for Kiama. [*Time expired.*]

Ms NOREEN HAY (Wollongong) [3.41 p.m.]: I cannot believe that for the second consecutive day we are talking about the absolute sham that this Government has done something for the Illawarra. The only thing this Government has done in the Illawarra is lose jobs left, right and centre. The Illawarra is losing jobs from the Port Kembla Hospital kitchen and the Registry of Births, Deaths and Marriages. That is in addition to the 700 jobs at Pillar, created courtesy of the Labor Government, that are now under threat. I can only assume that the member for Kiama is panicking about the Labor candidate for Kiama at the next election. During question time today we heard nothing but waffle from the Treasurer. What in God's name was he talking about? For 15 minutes we had nothing but hot air and waffle. The member for Kiama has moved a motion about this Government's record investment in the Illawarra. What an absolute lie. I expect better from the member for Kiama than distorting the facts. The member surely cannot support this Government establishing a fund called Restart NSW Illawarra Infrastructure Fund after dumping the Advantage Illawarra Fund.

The Government having done over the Illawarra region at every turn, now has the Treasurer wanting us to be grateful for \$100 million from the privatisation of Port Kembla. The Government took away from the Illawarra the \$600 million it got for leasing that port and spent it in Sydney. We know that to be the case because, coincidentally, the Treasurer keeps losing and finding that \$600 million. Unfortunately, it will never be returned to the Illawarra. This Government has ripped off the Illawarra to the tune of nearly \$700 million, yet it now wants us to be grateful for the \$100 million pittance it is offering. It included Wingecarribee in that offer. Interestingly, in the next breath, the member for Kiama excluded Wingecarribee from the definition of Illawarra.

Government members are all over the shop playing these games. They should hang their heads in shame. Many of them will be one-term members, including the member for Newcastle. The member for Kiama's motion is a farce. The Illawarra benefitted greatly from the Labor Government, but now has suffered job losses and cuts to health and education spending. Members should look at what the Government has done to TAFE. Despite that, members opposite have the cheek to keep patting themselves on the back. They need a pat on their backs with something a bit thicker than a hand. Government members are a disgrace.

Mr GARETH WARD (Kiama) [3.44 p.m.], in reply: What an appalling performance, if that is what it can be called. Opposition members should go back to sleep because they will make a much better contribution in la la land than they did in this debate. I let the record stand with regard to the member for Newcastle and the member for Cessnock. However, one certain thing is that, if Labor had been re-elected in 2011, no funds would have been injected into the Newcastle central business district and people would still be looking for jobs and business opportunities. Had Labor been re-elected, nothing would have happened for Newcastle. The same could be said about Wollongong. I will not be lectured by the member for Wollongong, who has left the

Chamber, on the alleged sale of the port because it is the subject of a long-term lease. Businesses associated with the port now have much greater flexibility to engage with the private sector through that lease arrangement. The \$100 million investment in projects such as iAccelerate through the University of Wollongong will provide businesses with the opportunity to develop ideas. The iAccelerate project is based on the University of Waterloo project that delivered around 24,000 jobs in Waterloo. I am proud of such investments and projects, including the aged care projects at Shell Cove, Kiama and Bulli, because they are all generating jobs.

The Opposition opposed those projects, including the additional \$70 million being spent on the Princes Highway upgrade at Berry. As the Treasurer pointed out in question time today, the Opposition's smouldering politically hypocritical carcasses voted against those projects. But when the money became available they were all ears and ready to suggest where to spend it—on the pet projects they did not deliver when they were in government. Opposition members have the temerity and audacity to not support those proposals yet wrote letters to the Government stating how the funds should be spent. We will not be lectured by that loose confederation of warring tribes who sit opposite in this Chamber. I will continue to trumpet investments in local businesses, such as the Illawarra Retirement Fund, the University of Wollongong and Kiama Hospital, all of which came from this injection of funds. If Labor had been re-elected nothing would have happened.

Members opposite had time to outline their policies for regional and rural Australia, but there was nothing but deafening silence. Those opposite need to get their policy act together if they want to be a credible alternative government. Strong governments are faced by strong oppositions, but not in this State. I want to see some policy and hear discussion; I do not want to continually face this black policy and intellectualism hole every day in this Chamber from members of the New South Wales Labor Party.

Question—That the motion be agreed to—put.

The House divided.

Ayes, 63

Mr Anderson	Ms Gibbons	Mr Roberts
Mr Aplin	Ms Goward	Mr Rohan
Mr Ayres	Mr Grant	Mrs Sage
Mr Baird	Mr Gulaptis	Mr Sidoti
Mr Barilaro	Mr Hartcher	Mrs Skinner
Mr Bassett	Mr Hazzard	Mr Smith
Mr Baumann	Ms Hodgkinson	Mr Souris
Ms Berejikian	Mr Holstein	Mr Speakman
Mr Bromhead	Mr Humphries	Mr Spence
Mr Brookes	Mr Issa	Mr Stokes
Mr Casuscelli	Mr Kean	Mr Stoner
Mr Conolly	Dr Lee	Mr Toole
Mr Constance	Mr Maguire	Ms Upton
Mr Cornwell	Mr Marshall	Mr Ward
Mr Coure	Mr Notley-Smith	Mr Webber
Mr Doyle	Mr O'Dea	Mr R. C. Williams
Mr Edwards	Mr O'Farrell	Mrs Williams
Mr Elliott	Mr Owen	
Mr Evans	Mr Page	
Mr Flowers	Ms Parker	<i>Tellers,</i>
Mr Fraser	Mr Piccoli	Mr Rowell
Mr Gee	Mr Provest	Mr J. D. Williams

Noes, 21

Mr Barr	Mr Hoenig	Ms Tebbutt
Ms Burney	Mr Lynch	Ms Watson
Ms Burton	Ms Mihailuk	Mr Zangari
Mr Collier	Mr Parker	
Mr Daley	Mrs Perry	
Mr Furolo	Mr Piper	<i>Tellers,</i>
Mr Greenwich	Mr Rees	Mr Amery
Ms Hay	Mr Robertson	Mr Lalich

Pairs

Mrs Davies
Mr Patterson

Ms Hornery
Dr McDonald

Question resolved in the affirmative.

Motion agreed to.

BUSINESS OF THE HOUSE**Suspension of Standing and Sessional Orders: Divisions and Quorums**

Mr BRAD HAZZARD (Wakehurst—Minister for Planning and Infrastructure, and Minister Assisting the Premier on Infrastructure NSW) [3.57 p.m.]: I move:

That standing and sessional orders be suspended to provide that from 5.30 p.m. until the rising of the House, no divisions be conducted or quorums be called.

In view of the current building work being carried out at Parliament House I have moved this motion to facilitate Government business and for the benefit of those members who are not required.

Question—That the motion be agreed to—put and resolved in the affirmative.

Motion agreed to.

BUSINESS OF THE HOUSE**Suspension of Standing and Sessional Orders: Order of Business**

Mr BRAD HAZZARD (Wakehurst—Minister for Planning and Infrastructure, and Minister Assisting the Premier on Infrastructure NSW) [3.59 p.m.]: I move:

That standing and sessional orders be suspended to provide for the following routine of business for the remainder of this sitting after the conclusion of the motion accorded priority:

- (1) Government business.
- (2) Private members' statements.
- (3) Matter of public importance.
- (4) The House to adjourn without motion moved at the conclusion of the matter of public importance.

The time for debate on the member for Sydney's motion accorded priority will need to be extended beyond 4.00 p.m. to allow him to represent the views of his constituents, which he is entitled to do and should do, and to allow other members to make a contribution. The House will conclude debate on the Fair Trading Amendment (Ticket Reselling) Bill 2013 this evening. The Child Protection Legislation Amendment Bill 2013 will then be commenced. The member for Canterbury has indicated that she has a substantial contribution to make to that debate so it will take some time. It is intended that Government business will conclude at 6.00 p.m. This will be followed by the member for Sydney's matter of public importance. There will be no dinner break.

Question—That the motion be agreed to—put and resolved in the affirmative.

Motion agreed to.

MILLERS POINT PUBLIC HOUSING**Motion Accorded Priority**

Mr ALEX GREENWICH (Sydney) [4.02 p.m.]: I move:

That this House calls on the Government to halt the sale of Millers Point public housing.

I commence by welcoming the many residents of Millers Point who are seated in the public gallery to hear firsthand why the Government intends to sell off their community and a part of Sydney's history. Today's decision to sell 293 public housing properties at Millers Point in two years will disrupt and uproot the lives of more than 400 vulnerable people. For more than a week now there have been rumours that the Government was going to sell the properties, yet the response to my repeated calls to the Minister's office was that no decision had been made. Today there was an announcement that everything is to go and pre-prepared letters were delivered to those residents.

The review of the Millers Point houses began soon after the Government came to power. The O'Farrell Government has bent over backwards to give a billionaire a casino; it is now going to turf out its neighbours—400 vulnerable and elderly people. Where are the priorities? Many in the community were willing to work with the Government to reach an outcome that benefited all. They hoped that only some vacant homes would be sold, with no tenant forced to relocate to another area away from their services and social and family networks. Working with the community, we got the review of properties to include a social impact assessment, which looked at the social costs of displacing vulnerable tenants from their homes and tight-knit community. Despite the Government's initial promise, the department did not make the social impact assessment public for comment before making its decision.

In response to my application under the Government Information (Public Access) Act, I was told that the assessment findings were commercial-in-confidence. I agree with the community that this is an excuse to hide the devastating social impact that selling tenants' homes will have. What about an open and transparent government? I have asked the Information Commissioner to review this absurd refusal. I understand that the social impact assessment is now online, but, of course, the residents have not been notified of that and on my reading of it a number of the recommendations made to the Government have been ignored. No decision should be proceeded with until the wider community is aware of the social costs of this sale.

Millers Point has a long history of providing low-cost housing, originally to wharf workers. The Maritime Services Board also gave properties to the then Housing Commission to manage as low-cost housing. The State Heritage Register recognises the importance of Millers Point's social history—it is listed for its cultural and built heritage. The National Trust has described this community as a "living treasure". The announced sales will destroy this living heritage, which will be a loss to the wider community. Social housing tenants are allocated to areas based on need, including being close to health services, work or a family member being cared for. The inner city is close to transport, jobs and support services and as a result there is a huge waiting list. It can take up to two years for people with urgent needs to be allocated housing and from five to 15 years for others.

It will be impossible to relocate more than 400 tenants in the inner city. Those who are old, frail and socially isolated, or who have a mental illness or an intellectual disability, will be pushed to the fringes of the city, away from the support networks they have worked hard to build. Some tenants have been in their homes for years—some for five generations. The impact on them is unimaginable and costly. It is a furphy for the Government to say that these are all luxury homes with harbour views worth \$1.3 million. Many are low-key small units that provide vital low-cost inner-city housing to key workers. One-bedroom apartments without views in the Sirius building and the walk-ups are not worth close to that amount.

Another argument was that maintaining these heritage properties was too costly. The Sirius building and other public housing properties are modern and accessible. They are not falling down and do not cost more to maintain than properties in other areas. This is nothing more than social cleansing of the inner city masked with misinformation. The sale of 293 homes in only two years will flood the market and reduce values. In the long term the Government will lose out with this fast approach, while putting tenants through the unwanted ordeal of leaving their homes and community in a rush. This small and stable public housing community has a long history of connection and social support. There is no history of communal conflict, violence and antisocial behaviour. Millers Point tenants care about and contribute to their community.

Successive governments have failed to maintain Millers Point assets, allowing publicly owned properties to become run down. Tenants are not responsible for this failure, nor are they responsible for the vandalised homes that have been left empty and allowed to fall apart. The tenants are continuing to be punished. Millers Point is one of the oldest and strongest communities in Sydney. The health and mental costs of the impact of today's announcement on residents cannot be assessed. The sales program will soon begin and a tight-knit community that is vital to the social fabric of the inner city will be devastated.

Mr Michael Daley: Point of order: Public housing tenants from the affected areas are seated in the gallery and the announcement by the Government early today was an ambush and a surprise. Those tenants want to know what all members of Parliament think about this issue. I seek leave for the member for Canterbury to be heard in addition to the other speakers in this debate.

Leave not granted.

Mr Michael Daley: Let the record show that the Government is trying to shut down debate on this issue.

The DEPUTY-SPEAKER (Mr Thomas George): Order! The member for Maroubra will resume his seat.

Mr Brad Hazzard: To the point of order: The argument of the member for Maroubra is inappropriate. Yes, there should be a debate. The member for Sydney has moved his motion. In fact, the Government made special arrangements to allow this motion to be debated because it understands the level of concern.

Mr John Robertson: We know how special they are.

The DEPUTY-SPEAKER (Mr Thomas George): Order! I remind the Leader of the Opposition that he is on three calls to order.

Mr Brad Hazzard: We understand that the member is entitled to represent community concerns, and indeed he should. This is what democracy is about. We understand that the member for Balmain is also seeking the call to support the motion moved by the member for Sydney. If in the normal course of things it was possible always to seek the arrangement that is being sought by Labor then the Government would be happy to accede to it. But yesterday in this place when a similar motion was moved by members on this side of the House Labor opposed it, and called three separate divisions opposing the arrangement.

The DEPUTY-SPEAKER (Mr Thomas George): Order! Members will come to order.

Mr Brad Hazzard: We intend to ensure that the debate is run sensibly, reasonably and responsibly. The Minister is in the Chamber and will no doubt direct her comments to the people who have come today to hear the debate. The debate should take place in the normal way, with the member for Sydney speaking to his motion.

Ms Linda Burney: That means Labor members should speak.

Mr Brad Hazzard: A Labor member did not move the motion; the member for Sydney moved the motion. If those opposite wanted to move this motion, they should have done so. The member for Sydney has moved the motion. Those are the rules and that is the way it is done.

The DEPUTY-SPEAKER (Mr Thomas George): Order! Members will come to order.

Mr Brad Hazzard: Next time we seek leave to do something we will expect the cooperation of those opposite. It is important for the community to hear the argument from the member who moved the motion.

Mr Michael Daley: Further to the point of order: For the clarification of the people in the gallery—those public housing tenants who do not know where they will be living in two years time—any member in this place—

Mr Jonathan O'Dea: To the point of order: My point of order is about abuse of process. That is not a point of order.

The DEPUTY-SPEAKER (Mr Thomas George): Order!

Mr Michael Daley: Any member in this place has the right under the standing orders to stand and seek leave to move a motion. I was trying to allow for the member for Canterbury to be heard for three minutes in the debate. I am entitled to do that.

The DEPUTY-SPEAKER (Mr Thomas George): Order! Leave was not granted. I remind the Leader of the Opposition that he is on three calls to order. I remind the member for Maroubra that he is also on three calls to order.

Mr Paul Lynch: I am not. What about him—the member for Hawkesbury?

The DEPUTY-SPEAKER (Mr Thomas George): Order! The member for Hawkesbury has not been called to order. I call the Minister for Family and Community Services, and Minister for Women.

Ms PRU GOWARD (Goulburn—Minister for Family and Community Services, and Minister for Women) [4.11 p.m.]: If Opposition members cared about this issue they would have asked a question about it during question time. I have worked very hard with my department to make sure that Millers Point residents are treated with respect and compassion throughout what will be a two-year relocation process.

The DEPUTY-SPEAKER (Mr Thomas George): Order! Opposition members will come to order. If Opposition members believe this issue is important they will allow the people in the public gallery to hear the Minister.

Ms PRU GOWARD: This decision was not taken lightly by the Government, but it is the right decision in the interests of a sustainable and fair social housing system—which currently has more than 57,000 families on the waiting list. We have to look those people in the eye and tell them that this is an unfair system as it is currently constructed. The proceeds from the sale will be reinvested directly into the public housing system. That is a commitment I have made several times. The decision to sell these properties will see hundreds of millions of dollars invested back into the social housing system across New South Wales. The project will be driven by former Public Service Commissioner Lynelle Briggs, AO, GAICD, and is expected to run for two years. Ms Briggs, a former Australian Public Service Commissioner and Chief Executive Officer of Medicare, has extensive experience in the government and not-for-profit sectors. Ms Briggs will report directly to the Secretary of the Department of Family and Community Services, Michael Coutts-Trotter. I have no doubt that the residents will get to know Ms Briggs very well. Ms Briggs will work directly with the Secretary of the Department of Family and Community Services, with a specialist relocations team and with the tenants to make sure that the Government's exit from Millers Point is effective and sensitive to the needs of tenants.

Today a team of more than 40 Housing NSW staff is already on the ground talking to tenants. This direct engagement is important to making sure that tenants are included and involved early in the process. Over the next three months a specialist relocations team will work with each and every tenant individually to understand their needs and work with them and their families through their relocation. This assessment involves understanding the individual needs of each member of the household and discussing their preferences for relocation. Any special needs will be identified in detail, including any medical needs, mental health needs, disabilities and other complex needs.

The DEPUTY-SPEAKER (Mr Thomas George): Order! I remind the member for Canterbury that she is on three calls to order.

Ms PRU GOWARD: The specialist relocations officer can also liaise with the family and friends of tenants, and indeed with neighbours in case people want to be relocated with their neighbours. The same officer will work with the tenant through the whole process of relocation. The officer will draw up a relocation plan for each tenant and their family, which will outline the desired location and type of housing they need. The officer can also assist tenants to view alternative properties. When an offer of alternative accommodation is accepted, the officer will help the tenant to organise removalists and other aspects of the move, such as dealing with utilities providers. The officer will also help the tenant to establish support services in their new location. All reasonable costs of moving, including reconnecting utilities, will be covered by the Government.

The DEPUTY-SPEAKER (Mr Thomas George): Order! I direct the member for Canterbury to remove herself from the Chamber for a period of one hour.

[Pursuant to sessional order the member for Canterbury left the Chamber at 4.15 p.m.]

Ms PRU GOWARD: As I have outlined, the decision to sell these properties was not taken lightly; but it is the right decision in the interests of a sustainable and fair social housing system.

Mr JAMIE PARKER (Balmain) [4.16 p.m.]: On behalf of The Greens I address the motion moved by the member for Sydney. It is a terrible day for the people of Millers Point, some of whom are with us in the gallery today. These evictions will have a huge social cost. But it is a happy day for the big end of town. This feeds into the worst fears of public housing residents in the inner city and the inner west. The Minister has explained the logic of this Government: The properties have high sales values, some of them are heritage properties, they are expensive to maintain and so they will be sold. Can members imagine the stress that puts on the people living in public housing in my electorate—in Balmain, Lilyfield, Rozelle, Glebe, Camperdown and Forest Lodge? Public housing in all those suburbs is in the crosshairs of this Government.

This decision means that we will start to see the inner city and the inner west cleared of public housing residents. Why do I say that? It is because the Auditor-General's report highlighted the financial mess that the New South Wales Land and Housing Corporation is in. Selling these homes will not address the problem of financial sustainability; it simply kicks the can down the road a little more. What happens when the money from these asset sales is gone? There will be further asset sales. It is clear that the Minister's approach fails to deal systematically with the sustainability of the sadly broken New South Wales Land and Housing Corporation.

The Government has said, correctly, that is simply following what the last Labor Government did in this State. And that is correct: Labor started this process by privatising people's homes. It sold them off. Sure, it was the Howard Federal Government that cut funds for public housing, but the New South Wales Labor Government never came to terms with that and simply failed to fund public housing adequately. That is why there is a public housing maintenance backlog worth \$300 million. After 16 years of Labor government, there was a massive deficit. It was never resolved. This Government is again failing to take the right steps. For example, the Government can come up with \$300 million to give tax breaks to the poker machine industry but it cannot find any money for public housing. The Auditor-General's report looked at slugging tenants even more to pay for these problems, which is very concerning.

It was the intention of the former Labor Government to privatise public land in Cowper Street, Glebe, in my electorate in order to provide more public housing. Demolition of the old housing estate took place almost three years ago to this day but not one replacement dwelling has been built. Not a sod has been turned on that property. This Government claims it is committed to public housing. It says the 99-year leases it is selling at Millers Point will fund the new development in Cowper Street in Glebe, and yet nothing has happened there. It is a disgraceful failure. The Government is continuing the problems inherited from the former Labor Government. This Government is accelerating the privatisation and making the problems worse. This is a sad day.

Mr ANDREW CORNWELL (Charlestown) [4.19 p.m.]: Mr Deputy-Speaker—

Mr MICHAEL DALEY (Maroubra) [4.19 p.m.]: I move:

That the member for Charlestown be not further heard.

The House divided.

[*In division*]

Mr Brad Hazzard: Point of order: I seek clarification, Mr Deputy-Speaker. I understand that there are three crossbench members who have a markedly different view from the Government on this issue but who are not supporting the Opposition's gag motion. I am concerned that that is not clear from where they are sitting.

The DEPUTY-SPEAKER (Mr Thomas George): Order! I declare that the members are voting no.

Ayes, 17

Mr Barr	Mr Hoenig	Ms Tebbutt
Ms Burton	Mr Lynch	Ms Watson
Mr Collier	Ms Mihailuk	Mr Zangari
Mr Daley	Mrs Perry	<i>Tellers,</i>
Mr Furolo	Mr Rees	Mr Amery
Ms Hay	Mr Robertson	Mr Lalich

Noes, 62

Mr Anderson
Mr Aplin
Mr Ayres
Mr Baird
Mr Barilaro
Mr Bassett
Mr Baumann
Ms Berejiklian
Mr Bromhead
Mr Brookes
Mr Casuscelli
Mr Conolly
Mr Constance
Mr Cornwell
Mr Coure
Mr Dominello
Mr Edwards
Mr Elliott
Mr Evans
Mr Flowers
Mr Fraser

Mr Gee
Ms Gibbons
Ms Goward
Mr Grant
Mr Greenwich
Mr Gulaptis
Mr Hartcher
Mr Hazzard
Ms Hodgkinson
Mr Holstein
Mr Humphries
Mr Issa
Mr Kean
Dr Lee
Mr Maguire
Mr Marshall
Mr Notley-Smith
Mr O'Dea
Mr Owen
Mr Page
Mr Parker

Ms Parker
Mr Piccoli
Mr Piper
Mr Roberts
Mr Rohan
Mrs Sage
Mrs Skinner
Mr Smith
Mr Souris
Mr Speakman
Mr Spence
Mr Stokes
Mr Toole
Ms Upton
Mr Ward
Mr Webber
Mr R. C. Williams
Mrs Williams
Tellers,
Mr Rowell
Mr J. D. Williams

Pairs

Ms Hornery
Dr McDonald

Mrs Davies
Mr Patterson

Question resolved in the negative.

Motion negatived.

BUSINESS OF THE HOUSE**Suspension of Standing and Sessional Orders: Extension of Time**

Mr BRAD HAZZARD (Wakehurst—Minister for Planning and Infrastructure, and Minister Assisting the Premier on Infrastructure NSW) [4.31 p.m.]: I move:

That standing and sessional orders be suspended to permit the member for Charlestown to continue his speech for a further period of three minutes.

Question—That the motion be agreed to—put.

The House divided.

Ayes, 62

Mr Anderson
Mr Ayres
Mr Baird
Mr Barilaro
Mr Bassett
Mr Baumann
Ms Berejiklian
Mr Bromhead
Mr Brookes
Mr Casuscelli
Mr Conolly
Mr Constance
Mr Cornwell
Mr Coure
Mr Dominello
Mr Edwards
Mr Elliott
Mr Evans
Mr Flowers
Mr Fraser
Mr Gee

Ms Gibbons
Ms Goward
Mr Grant
Mr Greenwich
Mr Gulaptis
Mr Hartcher
Mr Hazzard
Ms Hodgkinson
Mr Holstein
Mr Humphries
Mr Issa
Mr Kean
Dr Lee
Mr Maguire
Mr Marshall
Mr Notley-Smith
Mr O'Dea
Mr O'Farrell
Mr Owen
Mr Page
Mr Parker

Ms Parker
Mr Piccoli
Mr Piper
Mr Roberts
Mr Rohan
Mrs Sage
Mrs Skinner
Mr Smith
Mr Souris
Mr Speakman
Mr Spence
Mr Stokes
Mr Toole
Ms Upton
Mr Ward
Mr Webber
Mr R. C. Williams
Mrs Williams
Tellers,
Mr Rowell
Mr J. D. Williams

Noes, 17

Mr Barr	Mr Hoenig	Ms Tebbutt
Ms Burton	Mr Lynch	Ms Watson
Mr Collier	Ms Mihailuk	Mr Zangari
Mr Daley	Mrs Perry	<i>Tellers,</i>
Mr Furolo	Mr Rees	Mr Amery
Ms Hay	Mr Robertson	Mr Lalich

Pairs

Mrs Davies	Ms Hornery
Mr Patterson	Dr McDonald

Question resolved in the affirmative.

Motion agreed to.

BUSINESS OF THE HOUSE**Suspension of Standing and Sessional Orders: Divisions and Quorums**

Mr BRAD HAZZARD (Wakehurst—Minister for Planning and Infrastructure, and Minister Assisting the Premier on Infrastructure NSW) [4.38 p.m.]: As outlined in the previous suspension motions, I remind the House that from 5.30 p.m. there will be no calls for divisions or quorums and that the House will proceed with Government business after the conclusion of debate on the motions accorded priority. After 6.00 p.m., the House will deal with private members' statements and the matter of public importance.

MILLERS POINT PUBLIC HOUSING**Motion Accorded Priority**

Mr ANDREW CORNWELL (Charlestown) [4.40 p.m.]: Before I commence, I will address a couple of issues raised by the member for Balmain about the Cowper Street development. I am advised that the dispute concerning the original development application for the site has now been resolved. The Department of Family and Community Services currently is progressing the design of the civil engineering works for the site and anticipates lodgement of an application for civil works development with the council of the City of Sydney in mid-2014. Subject to the public exhibition period and approval of the development application, the Department of Family and Community Services anticipates that works may be able to commence by the end of 2014.

I sincerely thank the member for Sydney for his advocacy on behalf of his constituents. I wish to provide some comfort to the member for Sydney and to the residents of Millers Point. My electorate of Charlestown has a large number of families who live in Housing NSW properties. A suburb in my electorate, Windale, was identified many years ago in the Vinson report as overrepresenting a whole range of social disadvantage indicators. In other words, there were systemic failures in that suburb. The former Labor Government decided to undergo a renewal strategy, which was the right decision. It is a decision that I support. Housing NSW has implemented that decision with great sensitivity regarding the families involved and the decision has been delivered to the betterment of the suburb and my whole community. The issues that have emerged at Millers Point are different, but the experience of my constituents is that Housing NSW dealt with each one of the families in my electorate very sensitively. The issues were dealt with on a case-by-case basis.

As the member for Charlestown, I can only commend the wonderful job done by Housing NSW. As I look to the public gallery, I see residents who are rightly concerned; they do not know what is about to happen. This is a new announcement. Change is difficult, but that does not necessarily mean that change is bad. A similar number of properties—around 300—were sold in my electorate. I would like to provide comfort and reassurance that the Government and the Department of Housing were sensitive to the needs of these families. In my experience the department dealt sensitively with each family and each individual. I also offer that reassurance to the member for Sydney. It is an important issue because we are talking about people's lives. Again I reassure all members—and I am certain that they have had similar experiences—that wherever this occurred in my electorate it was handled well. I thank the member for Sydney for bringing this matter to the attention of the House.

Mr ALEX GREENWICH (Sydney) [4.43 p.m.], in reply: I apologise to residents of Millers Point who are seated in the gallery for having to listen to Government members playing silly buggers while we are determining the fate of their neighbourhood. It was appalling. I acknowledge that the Hon. Sophie Cotsis was also in the Chamber to listen to the debate. The member for Canterbury asked me to express concern on her behalf to ensure that the funds raised by the sale are reinvested in public housing. I undertake to keep a close watch on that. She also is concerned that the big end of town has won. The member for Canterbury wants me to reiterate her commitment to fighting these sales—a commitment that I know is shared by the Hon. Sophie Cotsis.

I have had a chance to review the Millers Point social impact assessment study which makes a clear recommendation that the elderly should be able to stay in the community—the only community they know—close to friends, services and social bonds. We hear a lot about the problems of elderly people living in isolation. Today the Government announced that it is moving the elderly people of Millers Point into isolation. The Government has bent over backwards to give a billionaire a casino, yet today it decided to turf out vulnerable and elderly people under a mask of misinformation about some of the houses in Millers Point. A limited sale of some vacant heritage properties could have eased the burden left to the Government by Labor but a sale of the entire area sounds like social cleansing to me. Let me assure the Government that the cruelty of its announcement today will be matched by the passion and commitment of Millers Point residents to keep their community together. I commend the motion to the House.

Question—That the motion be agreed to—put.

The House divided.

Ayes, 19

Mr Barr	Mr Hoenig	Mr Robertson
Ms Burton	Mr Lynch	Ms Tebbutt
Mr Collier	Ms Mihailuk	Mr Zangari
Mr Daley	Mr Parker	
Mr Furolo	Mrs Perry	<i>Tellers,</i>
Mr Greenwich	Mr Piper	Mr Amery
Ms Hay	Mr Rees	Mr Lalich

Noes, 57

Mr Anderson	Mr Fraser	Mr Roberts
Mr Aplin	Mr Gee	Mr Rohan
Mr Ayres	Ms Gibbons	Mrs Sage
Mr Baird	Ms Goward	Mrs Skinner
Mr Barilaro	Mr Grant	Mr Smith
Mr Bassett	Mr Gulaptis	Mr Souris
Mr Baumann	Mr Hartcher	Mr Speakman
Ms Berejikian	Ms Hodgkinson	Mr Spence
Mr Bromhead	Mr Holstein	Mr Stokes
Mr Brookes	Mr Humphries	Mr Toole
Mr Casuscelli	Mr Issa	Ms Upton
Mr Conolly	Mr Kean	Mr Ward
Mr Constance	Dr Lee	Mr Webber
Mr Cornwell	Mr Maguire	Mr R. C. Williams
Mr Coure	Mr Marshall	Mrs Williams
Mr Dominello	Mr Notley-Smith	
Mr Edwards	Mr O'Dea	
Mr Elliott	Mr Owen	<i>Tellers,</i>
Mr Evans	Mr Page	Mr Rowell
Mr Flowers	Ms Parker	Mr J. D. Williams

Pairs

Ms Hornery	Mrs Davies
Dr McDonald	Mr Patterson

Question resolved in the negative.

Motion negatived.

DISTINGUISHED VISITORS

The DEPUTY-SPEAKER (Mr Thomas George): I acknowledge in the gallery this afternoon former Premier Barrie Unsworth.

UNIVERSITIES LEGISLATION AMENDMENT (REGULATORY REFORMS) BILL 2014

Bill introduced on motion by Mr Adrian Piccoli, read a first time and printed.

Second Reading

Mr ADRIAN PICCOLI (Murrumbidgee—Minister for Education) [4.56 p.m.]: I move:

That this bill be now read a second time.

The Universities Legislation (Regulatory Reforms) Bill 2014 continues the process of updating university legislation that this Government began with the Universities Governing Bodies Act in 2011. In introducing that 2011 Act I made the important point that New South Wales universities are both major public institutions of great strategic value to the State and very significant businesses and economic drivers for New South Wales. I indicated that university governance arrangements needed to reflect that twenty-first century reality and that our universities should be supported to maintain their current strengths to continue to develop in ways that properly equip them to thrive into the future. The 2011 Act was an affirmation of the New South Wales Liberal-Nationals Government's commitment to university autonomy and independence, while also ensuring proper governance arrangements are in place.

The current bill will reduce the degree of direct regulation of universities by the Government regarding key aspects of financial management, land dealings and governing body election procedures. The changes are necessary to bring university legislation in this State into the twenty-first century and allow universities to function in a fully-fledged way as statutory corporations in demanding commercial environments. The bill provides universities with increased freedom to enter into commercial arrangements that support their core functions of teaching, learning, research and scholarship. This bill recognises that university governing bodies have statutory responsibility over their own institutions. Accordingly, the bill reduces the amount of external regulation on universities and gives governing bodies a greater say in key aspects of university management. The purpose of the bill is to reduce red tape by removing unnecessary and arduous regulation of our universities. This is in accordance with the Government's red tape reduction target. Currently, universities are subject to a level of regulation that impacts on their capacity to operate efficiently in an increasingly competitive higher education market.

These proposed amendments will reduce the regulatory burden on New South Wales universities largely in the areas of financial management and commercial activities. For some time representatives of New South Wales universities and the Government have been discussing the removal of a range of specific regulatory requirements from university Acts that are contained in this bill. A review of State university regulation was conducted at my request by the Hon. Gabrielle Upton, Minister for Sport and Recreation, in her former role as Parliamentary Secretary for Tertiary Education and Skills. As Minister for Education, I accepted the advice provided by the Hon. Gabrielle Upton following her review.

The changes proposed in this bill are a result of close consultation with New South Wales universities led by the New South Wales Vice-Chancellors Committee. The changes dovetail neatly with amendments made in 2011 in the Universities Governing Bodies Act, which provided universities with the option of streamlining the size of their governing bodies and making the operation of governing bodies more flexible and efficient. As a result of the major changes introduced by this bill, consultations have been held with the Treasurer, Auditor-General, Deputy Premier, NSW Trade and Investment, the Crown Lands Division, university chancellors and the New South Wales Vice-Chancellors Committee. The Crown Solicitor has also provided advice on some key matters.

The bill will remove a number of restrictions on decision-making in areas that will now be solely the responsibility of the governing body of each university. The bill also will clarify some matters that will assist universities in their operations and decision-making. This is a timely and appropriate development, given the broad responsibility each university Act confers on the governing body for the control and management of the affairs of the university. The bill acknowledges that governing bodies have robust financial and commercial

expertise amongst their membership that is essential for their decision-making processes. To better support universities, the objects and functions provisions in the universities Acts are amended by this bill to give greater legislative certainty to a university's legal capacity to engage in economic activities to raise revenue. Universities have become increasingly entrepreneurial. They need to continue to develop their ability to generate income from non-traditional sources. It is in the Government's best interests to unshackle universities to bolster their position as economic drivers of our State.

Existing sections in all the Acts outline the university's objects and functions. These include exercising "commercial functions comprising the commercial exploitation or development ... of any facility, resource or property ... in which the University has a right or interest". The amendment in this bill to the objects and functions section of the Acts clarifies that universities are able to engage in activities, including commercial ventures involving property and other resources in order to generate revenue that supports their core purposes. I thank the Hon. Gabrielle Upton, the former Parliamentary Secretary, for her work. I also thank her successor, the Hon. Mark Speakman, for his liaisons with the university sector since taking on the role of Parliamentary Secretary.

The bill removes the following requirements regarding financial and commercial matters. First, that the Governor, on the recommendation of the Treasurer, approves borrowings by the university. The current requirement is that university governing bodies may "borrow money within such limits, to such extent and on such conditions as to security or otherwise as the Governor on the recommendation of the Treasurer may approve". Secondly, that the Minister, with the concurrence of the Treasurer, approves university investment powers. This requirement states, "The [governing body] may invest the funds of the university in any manner approved by the Minister from time to time by order in writing with the concurrence of the Treasurer." There are currently a variety of arrangements depending on transitional provisions from the former coverage of universities under the Public Authorities (Financial Arrangements) Act 1987. Thirdly, that university fund managers are approved by the Treasurer on the recommendation of the Minister for Education. The current section in the legislation provides, "The [governing body] may, with the written approval of the Treasurer and in accordance with that approval, engage an approved funds manager to act in relation to the management of the funds of the university." It further provides that the Treasurer's approval may be given only on the recommendation of the Minister and may be given subject to terms and conditions.

Fourthly, that university guidelines for commercial activities are approved by the Minister on the advice of the Treasurer. The reform provided by this bill will mean university governing bodies approve their own commercial guidelines within the existing framework. They would also retain responsibility for implementing and enforcing the guidelines. I reassure the House that existing checks and balances on this issue in each of the universities Acts remain in place. Each of these regulatory requirements has involved a series of time-consuming interactions between the universities, the Department of Education and Communities and Treasury. The removal of the highlighted State Government financial approval requirements gives universities greater flexibility and the capacity to respond more immediately to market dynamics when managing their own financial and commercial arrangements. This is consistent with the Government's acknowledgement that universities are essentially independent, autonomous corporate bodies. Greater efficiency is created by having university governing bodies fully responsible for these decisions and places accountability where it belongs.

In relation to university land matters, the bill modifies the following current requirements in each university's enabling Act. First, that the Minister for Education approves the sale, encumbrance or long-term lease of all parcels of land that a university has control of, other than Crown land. The bill will preserve the requirement for the Minister to approve the sale, encumbrance or lease for more than 21 years of university land that was originally owned by the State and subsequently granted, transferred or sold at nominal or less than market value to a university by the State. In many cases universities have been given land at nominal or no cost by the State's taxpayers and it is important the State retains an interest in any subsequent sale. The amendment will allow universities to deal, as they see fit, with land they have acquired that did not previously belong to the State.

Secondly, land vested in the Crown under the control and management of the university can only be leased for a maximum of 21 years. The bill removes the limit of 21 years on leases of Crown land vested in universities but requires that leases over 21 years need approval by the Minister for Education. In summation, greater flexibility is proposed by this bill in the area of university land dealings regarding freehold and Crown land. A further clarification provided by the bill is the amendment of a clause in the universities Acts regarding the powers of the governing body relating to property. This amendment makes clear that universities in their own right may purchase property as well as acquire it by gift, grant, bequest, devise or otherwise for the purposes of their enabling Acts and may agree to carry out the conditions of any such acquisition.

With respect to election procedures in relation to each university's enabling Act, the bill removes the following requirement: procedures for elections to the governing body of the university must be prescribed in by-laws rather than in rules made by the governing body. The detail of university governing body election procedures, including timing, notification methods and method of voting, is required to be contained in by-laws approved by the Governor and subject to parliamentary oversight. The current requirement in the universities Acts is contained in the sections dealing with election to the governing body. They provide that the relevant members are "to be elected in the manner prescribed by the by-laws". There are also specific requirements relating to casual vacancies.

Currently, any by-law amendment is drafted by Parliamentary Counsel with an Executive Council minute prepared by the Department of Education and Communities to be submitted to the Governor and Executive Council. Amendments involve significant amounts of time for senior officers in government agencies and universities. This bill proposes that in future universities can make rules to set out election procedures about the governing body rather than including them in by-laws. The rules would not be about the categories of people who are eligible for election, such as staff and student representatives, but the procedures by which they are elected. The categories of people who are elected are provided for by the Act itself. There will be an additional provision in each university's Act to effect protection of the important basic principle around fairness and democratic processes in rule-making for election procedures. This provision will be consistent for all universities. The terms of the provision are that "election rules must be consistent with sound and democratic electoral practices, procedures and methods of voting". It will be the responsibility of university governing bodies to ensure that any rules made in this area comply with this principle. The exemption for election procedures in the rule-making power of each Act will be removed by this bill.

The bill also amends three university Acts—University of Wollongong Act, University of Newcastle Act and Macquarie University Act—in specific ways concerned with updating administrative arrangements and correcting anomalies. The specific additional amendments to the University of Wollongong Act remove references to "convocation", which is a redundant concept in the university's Act and governance structure, and allow the vice-chancellor to sub-delegate functions delegated to the vice-chancellor by the university council, when authorised to do so by the council. The bill will correct an anomaly in the University of Newcastle Act that means the president of the academic senate elected by the university's academic staff cannot actually become a member of the academic senate unless the university council appoints them. The bill provides that the president will automatically be a member and the chair of the academic senate. It will also allow the vice-chancellor to sub-delegate functions delegated to the vice-chancellor by the university council, when authorised to do so by the council. One inaccurate cross-reference in the Macquarie University Act is corrected by the minor amendment proposed in the bill.

While this bill will remove the onerous regulatory requirements on universities that I have outlined, it is important to maintain appropriate accountabilities that recognise the public investment and the State's economic and social interest in its universities. Our universities are State institutions of long standing that contribute a great deal to our lives in educational, economic, social and cultural terms. Alongside the regulatory reforms contained in the bill, public accountability arrangements will remain in place through the annual university audits and related requirements under the Public Finance and Audit Act 1983. Under the Annual Reports (Statutory Bodies) Act 1984 universities are also required to submit annual reports to the Minister by the end of April each year for tabling in the Parliament. The reports are public documents after tabling in Parliament and must include the audited financial statements of each institution and its controlled entities. Importantly, universities also report to the Commonwealth Government and are subject to a range of accountability requirements from the Commonwealth relating to public funding and national higher education priorities.

The changes proposed by this bill will enable our universities to function more effectively in commercial environments as the significant statutory corporations they manifestly are. As a result of these amendments, universities will have more flexibility and freedom in dealing with other parties to support their key missions, while being focused on teaching, scholarship, research and community engagement. The flexibility granted to universities by these changes is not without responsibility or appropriate checks and balances. Important levels of oversight and accountability remain. I commend the bill to the House.

Debate adjourned on motion by Mr Richard Amery and set down as an order of the day for a future day.

FAIR TRADING AMENDMENT (TICKET RESELLING) BILL 2013**Second Reading****Debate resumed from an earlier hour.**

Mr KEVIN ANDERSON (Tamworth) [5.13 p.m.]: I support the Fair Trading Amendment (Ticket Reselling) Bill 2013. The object of the bill is to amend the Fair Trading Act 1987 with respect to tickets to sporting or entertainment events held in New South Wales, but only tickets that are subject to resale restrictions, being terms or conditions that limit or prohibit the resale of any such ticket or provide for the ticket to be cancelled or rendered invalid following resale. The bill deals with scalping. I will inform the House of some events that the Coalition of Major Professional and Participation Sports submitted to the Senate Economics References Committee in response to the inquiry into ticket scalping in Australia. This document is dated 17 February 2014 and is one of the catalysts for the introduction of this bill.

The Coalition of Major Professional and Participation Sports consists of the following organisations: Australian Football League, Australian Rugby Union, Cricket Australia, Football Federation Australia, National Rugby League, Netball Australia and Tennis Australia, and at some point all these organisations have felt the sting of scalpers. For example, at the second Ashes test held in Adelaide in December 2013 a customer fraudulently purchased 150 tickets per day by falsely claiming that they were for a large medical conference. The tickets were used to run a corporate function that took place across the road from the Adelaide Oval, where the game was being played. During discussions with Cricket Australia, after they had been refused entry, the function guests confessed that they had travelled from interstate and had paid \$500 per head for a \$50 ticket.

At the first Ashes test held in Brisbane in November, Cricket Australia identified a scalper when six people tried to access the same seat. Cricket Australia cancelled all the original purchaser's tickets—namely, more than 500 tickets bought through at least six different accounts. Cricket Australia refused entry at every test to the scalper's customers, including one man in Perth who had bought his tickets through a sports travel company in the United Kingdom. This company had been previously warned by Cricket Australia about unauthorised reselling. Technological advances that provide different ways of issuing tickets and regulating admissions to events are welcomed, and they will be implemented as and when available for appropriate use.

Another incident at the 2013 National Rugby League grand final also caught my eye. A patron joined a number of different clubs as a member in the week prior to the first release of member tickets. This gave him a number of unique codes that he could use to purchase bulk tickets. When the tickets were released he purchased 110 tickets across most categories, with the majority being in the top category at \$345 per ticket. The patron used fake names and postal addresses for his ticketing accounts, but he used the same credit card for each transaction, which is how the National Rugby League organisation flagged this issue. The only real details that were used were the credit card number and email addresses for delivery of the tickets—no details matched his memberships.

On the same day that he purchased the tickets they all appeared on eBay at heavily inflated prices—some 250 per cent higher than the starting bid. The person attempted to hide the ticket details from the auction site. However, sufficient information was available to allow the National Rugby League organisation to marry his tickets to the ticketing system. I note the importance of the person attempting to hide the ticket details from the auction site. Division 6 of schedule 1 [1] to the Fair Trading Amendment (Ticket Reselling) Bill 2013 deals with unauthorised advertisement for resale of tickets. New section 59 (1) states:

- (1) An advertisement that offers a ticket for sale is, for the purposes of this Division, an unauthorised advertisement unless the advertisement complies with the requirements of this section.

Those requirements are that the advertisement must specify the ticket number, row number and seat number, if the ticket has such numbers. The advertisement must specify the terms and conditions of the ticket or where those terms and conditions can be readily found. An advertisement must also include a notice specifying the circumstance in which resale of the ticket may result in the ticket being cancelled or rendered invalid. Finally, an advertisement must contain a photograph of the ticket that clearly shows any ticket number, row number and seat number; however, the photograph must not show any barcode on the ticket.

An advertisement is not an unauthorised advertisement if it is published by or on behalf of the organiser of the event to which the ticket relates or agent of the organiser or if the advertisement is an advertisement of a

class prescribed by the regulations under the principal Act. So the measures proposed by the Minister for Fair Trading certainly answer the calls made by a number of professional sporting organisations for some time to tighten up the regulations surrounding the resale of tickets. In layman's terms, this legislation addresses scalping, purely and simply. The advice to people purchasing tickets for an event, regardless of what that event may be—whether it be a sporting event, a musical event or a festival of some sort—is that they should be fully aware of the conditions of the ticket they are buying and any details about the resale of that ticket.

Yet again this Government has shown that it is listening and that it is putting in place common-sense laws and regulations designed to protect those who in good faith go to a venue or a sporting event to enjoy their favourite pastime. It is tough enough to earn a dollar these days without having unscrupulous criminals prey on those people who are looking for entertainment—whether it be sport, music or whatever the case may be. I commend the Fair Trading Amendment (Ticket Reselling) Bill 2013 to the House.

Mr MARK SPEAKMAN (Cronulla—Parliamentary Secretary) [5.20 p.m.]: I support the Fair Trading Amendment (Ticket Reselling) Bill 2013. This bill will amend the Fair Trading Act 1987 as it relates to tickets to sporting or entertainment events held in New South Wales, but only tickets that are subject to resale restrictions—namely terms and conditions which limit or prohibit the resale of any such ticket or which provide for the ticket to be cancelled or rendered invalid following resale.

The bill will broadly do three things. First, it will require a person conducting the business or making available a public forum—like a website, newspaper or magazine—to ensure that any advertisements in the forum for the sale of such a ticket comply with particular requirements, including showing a photograph of the ticket; specifying the ticket number, row number and seat number; and setting out the circumstances in which the resale of the ticket can result in the ticket being cancelled or rendered invalid. Secondly, the bill will require such a person, if notified in writing by any person about an advertisement in the forum which does not comply with those requirements, to have the advertisement removed or corrected if that is reasonably practicable. Thirdly, the bill will make void any resale restriction that provides for a ticket to be cancelled or rendered invalid if it is resold unless the ticket contains a prescribed warning.

Why is the Government introducing these reforms? New South Wales is attracting increasing numbers of high-profile events and international acts. Upcoming events in New South Wales include the 2015 Cricket World Cup, the Netball World Cup, the Asian Football Confederation Asian Cup, the State of Origin and the National Rugby League grand finals, and the Western Sydney Wanderers and Sydney Football Club Derby—not to mention musicals and the suite of entertainment events that will take place after the redevelopment of the Sydney Convention Centre. The New South Wales Government wants to actively address the issue of ticket scalping to protect purchasers of tickets for high-demand events and to ensure that event owners continue to see New South Wales as a desirable host destination.

Sporting codes have provided a number of examples of ticket scalping at recent high-profile events. These were set out in the submission from the Coalition of Major and Professional Spectator Sports to the Senate Economic References Committee inquiry into ticket scalping in Australia. Three tickets for the Australian Football League grand final, with a face value of \$260 each and a total value of \$780, were offered for \$3,500. A ticket to the first day of the Ashes test series in Sydney on 3 January 2014 was offered for sale at \$350. The ticket had been on sale at Ticketek online for \$130. A ticket for the Australian Open men's tennis final was offered for sale at \$1,388, which is more than three times the initial public sale price. Platinum tickets for the British and Irish Lions test matches against the Wallabies in Brisbane, Melbourne and Sydney had a face value of \$295 but were being scalped on the secondary market for up to \$999.

As well as ripping off and sometimes defrauding consumers, ticket scalping can lead to consumers losing confidence in the ticket market. At the moment consumers who buy tickets from scalpers do not have enough information to judge the quality and authenticity of tickets. In addition, most consumers do not know that many tickets can be cancelled if resold in breach of the ticket conditions. Standard ticket conditions for Ticketek tickets state that they cannot, without the prior written consent of Ticketek and the seller, be resold or offered for resale at a premium. Tickets can be cancelled without a refund if they are resold in breach of this condition. Standard ticket conditions for Ticketmaster tickets provide that resale or the attempted resale of tickets is prohibited unless authorised by Ticketmaster or the event owner. Tickets can be cancelled without refund if this condition is breached.

This bill introduces reforms that will protect consumers by providing transparency about the ticket conditions and ticket details in the secondary ticket market. In addition, the bill will assist event owners to

identify tickets being resold in breach of terms and conditions. Event owners may choose to cancel these tickets if they consider it appropriate. For those reasons, this bill will assist event owners and protect consumers. I therefore commend it to the House.

Mr BART BASSETT (Londonderry) [5.25 p.m.]: I support the Fair Trading Amendment (Ticket Reselling) Bill 2013. This legislation will protect consumers when buying tickets from scalpers, increase consumer information and empower event organisers to enforce their own ticket conditions. When tickets are bought from scalpers, consumers are unsure whether they are genuine or copies. But even if the tickets are genuine, they may be cancelled if the conditions of the original sale prohibit the reselling of the ticket. Ticket prices are designed to be accessible to fans. But ticket scalpers hinder this by taking advantage of fans who are desperate to see their favourite team or artist live. These reforms are about preventing genuine fans from being ripped off and becoming victims of fraud.

The National Rugby League, Cricket Australia, the Australian Rugby Union and Frontier Touring are just a few of the stakeholders who back the O'Farrell Government's legislation. Interestingly, the former Labor Minister for Fair Trading, the Hon. Virginia Judge, is on the record as saying that ticket scalping is a major concern for New South Wales consumers and that people expect and deserve fair access to tickets for popular events at the stated ticket price. She did not stop there; she stated:

Scalpers can restrict supply and unfairly inflate prices, sometimes by hundreds of dollars, and their activities hurt legitimate businesses as well as individuals.

We heard today that the Labor Party will support this bill with some amendments. I will address one point in particular raised by the member for Bankstown. The question posed was why New South Wales did not enact legislation similar to or the same as that enacted in Victoria and Queensland. As the legislation in each of those States is different, the New South Wales Labor Party is, by definition, in direct opposition to its own interstate party colleagues. Are members opposite more against their former colleagues in the Bligh Labor Government in Queensland or their former colleagues in the Brumby Labor Government in Victoria? Interestingly, they should note that their colleagues in the South Australian Labor Government also enacted ticket-scalping legislation. This stench of hypocrisy goes even further.

The Brumby Labor Government in Victoria passed the Major Sporting Events Bill 2009 to protect consumers against scalping. The legislation protected major sporting events from scalpers, who threaten to deprive true fans of enjoyment. That legislation has proven cumbersome to use and requires event owners to apply to have their event deemed a declared event to prevent tickets being scalped. In practice, the only declared event is the Australian Football League Grand Final. Not even the Australian Tennis Open has sought to be covered by this legislation. It is extraordinary. The New South Wales Government looked at the Victorian legislation when considering this bill and decided it was not the best model to use in the drafting of this State's legislation.

Peter Beattie's Labor Government in Queensland introduced the Major Sports Facilities Amendment Bill 2006 to improve the 2001 Act to make ticket scalping an offence. That Act allows a person to sell a ticket for up to 10 per cent more than its face value. The Queensland legislation has been difficult to enforce and people have been creative in getting around it. For instance, it is said that people sell tickets to a dinner held before the State of Origin match at a very high price and then provide all dinner attendees with a free ticket to the game. That has proven very difficult to prosecute as scalping. The South Australian Labor Government passed the Major Events Bill 2013, which was designed to regulate ticket scalping and accommodated pleas to follow the Queensland Labor Government's legislation. South Australia came up with a hybrid model providing for both declared events and the ability to cap ticket resale at 10 per cent more than face value.

The Fair Trading Amendment (Ticket Reselling) Bill 2013 has been developed after significant consultation. The feedback to the Government from Cricket Australia has been that this bill should become the model legislation that other States should follow. Scalpers prey on vulnerable, emotionally charged fans. Unlike the event owner, the scalper lays out very little capital so the risk is low. Yet, because a fan's favourite team has made the grand final, he or she will pay many times the face value of a ticket to see that team win. Fans are driven to do that because they fear they will never again see their team get to the final. The scalper carries little risk yet takes a substantial reward from the emotionally driven fan. The reforms in this bill enable event owners to enforce their ticket conditions. The legislation has been drafted to provide that the event owner and not the Government will be the primary party policing it while ensuring that consumers are protected from scalpers trying to price gouge them in the marketplace.

Most tickets are sold subject to conditions prohibiting unauthorised resale. Despite this, most event owners are unable to enforce this condition because they cannot identify the ticket being resold. The bill requires that anyone reselling tickets must include in any advertisement details of the ticket number—and the row and seat number, if applicable—and a clear photograph showing the ticket with the row and seat number, but not the ticket's barcode. This means that consumers in the secondary market are afforded the same information that they would be given in the primary market—that is, simple information such as the bay, row and seat number of a ticket, where applicable. Consumers should have the information they need to ensure they make an informed choice. In addition, event owners can identify which tickets are for sale that may breach a term or condition and can consequently cancel those tickets. Scalpers are acutely aware of this. Very few scalpers include this data in their advertisements for ticket resale for fear of having their tickets cancelled and their business model broken. Generally, one-off sellers provide ticket details as they are unaware of the implications.

These are just a few of the reasons that New South Wales has introduced this legislation and not replicated the legislation enacted by Queensland, Victoria and South Australia. This legislation gets the balance absolutely right. This bill is vital to protect fans and families from unscrupulous scalpers and to ensure our world-class sporting and arts events remain affordable and accessible to genuine fans in New South Wales. The Opposition should stop its politicking. Consumers deserve to be put first. I commend the bill to the House.

Mr RON HOENIG (Heffron) [5.30 p.m.]: I will make a brief contribution to debate on the Fair Trading Amendment (Ticket Reselling) Bill 2013. The shadow Minister for Fair Trading, the member for Bankstown, has put the Opposition's position. She indicated that the Opposition does not oppose the bill but will move some amendments in the other place to add value to it. Rather than regard the Opposition's suggestion cynically, perhaps the Government should examine it carefully. I recall scalpers acting extortionately towards fans at premium sporting events all my life. If it were that easy to get this legislation absolutely right, I am sure that over the past 50 years a government would have been able to do so. I am sure that the former Minister for Fair Trading, the Hon. Virginia Judge, would have been able to get it right. It is not that easy to do. Since this House has had a legislation-making role for more than a century, it has probably made many errors in legislation as it has tried to improve it.

Nevertheless, it is the prime responsibility of the Government and of this Parliament to protect people who are the subject of extortion by scalpers or those who seek to take advantage of their passion for sporting or other types of events. I remember as a 14-year-old attending the 1967 the Rugby League Grand Final between South Sydney and Canterbury. As we queued up at 7 o'clock in the morning to get into the outer ground, I saw passionate fans who had arrived without tickets paying far more than they could afford to the scalpers who were walking up and down in front of the Sydney Cricket Ground. At that point I probably did not quite understand what I was seeing. I was thinking how lucky I was to have a ticket to watch South Sydney play in the grand final. But over the years that event has left its impression on me. I certainly remembered it when, as a young public solicitor, I appeared in consumer protection cases involving victims of extortion by those eager to take advantage of them.

This legislation is interesting because it seems to go against the philosophy of governments these days of allowing the market to determine everything. The economic rationalists would say that these issues should be determined by the market and that if there is a market for the resale of tickets for premium events then they should be resold. This is a minor example of why private sector markets should not always be allowed to make decisions. In this case, ordinary people are paying extortionate ticket prices. I have seen it at rugby league matches and cricket tests.

The price of tickets for a number of sporting events is already too high and beyond the reach of many fans. Many passionate rugby league supporters come from a low socioeconomic background, for example, South Sydney or Penrith supporters—but not Manly supporters. Even the odd Parramatta supporter, like the Leader of the Opposition, comes from a low socioeconomic background. To take a family to a rugby league game is rather expensive. It is an important social objective for government to provide a mechanism to prevent price gouging and to restrict the resale of tickets to significant sporting or musical events. I am the first to concede that each State has different market problems to address. I do not need to tell members of this House that people in Victoria have a far different approach to attending sporting events from people in New South Wales. The issues in Melbourne are somewhat different from the issues here. Ideally, we would like to see a national approach, but different communities, different sports and different demographics require different solutions.

The member for Londonderry, who spoke before me, complimented the Minister for Fair Trading on this legislation. However, the second reading speech on this bill was actually given by that Minister's predecessor, who is now the Minister for Resources and Energy. I would be delighted if the Minister got his legislation absolutely right. I would be delighted if no further problems occurred following the enactment of this legislation, whether it includes the member for Bankstown's amendments or is passed unamended. Either way, I would be delighted if the legislation were absolutely right. The track record of this House in its 140 years of existence is that that does not often happen. In any event, the suggestion is a good one. The legislation should not be regarded as political. It is another step in the process. Governments could not get it right over the past 46 years that I can remember. Let us hope that the House gets this legislation right.

Mr ADAM MARSHALL (Northern Tablelands) [5.37 p.m.]: I am pleased to support the Fair Trading Amendment (Ticket Reselling) Bill 2013. The reforms in the bill introduce a low-cost scheme that will assist consumers in the secondary ticket market to protect themselves and enable event owners to enforce their ticket conditions without a high level of government interference. The reforms will protect consumers when buying tickets in the secondary ticket market by allowing them to have enough information to make an informed choice. Event owners will have the ability to enforce the terms and conditions attached to their tickets if they consider that appropriate. The reforms do not in any way prevent people from selling tickets. They ensure that consumers are protected and have all the information they need when purchasing tickets. The reforms allow event owners to maintain integrity in the ticket-selling process.

Whether people can resell tickets is governed by the ticket's conditions of sale. It is up to the event organiser to decide the terms attached to a ticket, as event organisers are accountable to their fans. When an event organiser, sporting code or artist stages a big event, they carry a substantial risk. Scalping diverts income towards those who took no part and bore no risk in staging the event. While event organisers employ a variety of ticketing strategies to reduce scalping, including staggering the release of tickets, providing tickets to fan clubs and using e-tickets, sadly the strategies have not been able to prevent scalping, as correctly identified by the member for Heffron. It still occurs and is a blight on large and small events.

Strategies such as requiring names to be printed on tickets, photo identification or a credit card being presented on entry are expensive. Due to their potential to create bottlenecks, they are suitable only for events where attendees arrive over a long period. While most tickets are sold subject to conditions prohibiting unauthorised resale, it is difficult for event owners to enforce such conditions because resale advertisements do not provide enough details to enable identification of the ticket. The bill requires that anyone who is reselling tickets to a sporting or entertainment event held in this State must include in any advertisement or similar public communication for ticket resale the details of the ticket number as well as the row and seat number, if applicable, and a clear photograph of the ticket showing the ticket number as well as the seat and row number, but obscuring any barcode. These reforms are about giving the consumer all the information they need to make a decision about whether to purchase that ticket.

Resale advertisements are required to cover or obscure any barcode in the image of the ticket, while ensuring the other ticket details are clearly visible. Tickets, including e-tickets, may contain barcodes that can be scanned on entry to obtain admission to an event and are thereby circumventing the integrity of the ticket-selling process. An image of a ticket containing a barcode may enable a person to print or otherwise copy the barcode and gain admission to the event without purchasing a ticket in the first place. The new requirements will apply to communications that are accessible to the public at large. They will apply to all hosts or publishers of advertisements for resale of tickets to events held in New South Wales, including online marketplaces such as eBay, Gumtree or Quicksales. I know that many people, particularly those who live in rural electorates including my electorate of Northern Tablelands, use many of those online marketplaces for the purchase of tickets. The internet is an important access tool for rural people.

The requirements will apply also to advertisements in newspapers, magazines or online sites, such as the Tradingpost, and on public social media, such as Facebook and Twitter. Advertisements on social media will be covered if they are accessible by the public. Private pages will not be accessible and are not covered by the provisions of the bill. Sites or pages are accessible by the public, even if the consumer needs to register before they can access them. In addition to the obvious benefits to consumers, requiring disclosure of the ticket number and row and seat number aims to provide event owners with the necessary information to enable them to cancel tickets that are sold in breach of ticket conditions. This is another instance of the bill facilitating the dispersal of information to the consumer while assisting event organisers to maintain the integrity of their process.

The bill represents great reform for the benefit of consumers and event organisers in this State. The legislation is fair and reasonable. It is my fervent wish that the legislation goes a very long way to making it incredibly difficult for scalpers to continue to take money away from event organisers and dupe unknowing and innocent consumers. I commend the bill to the House.

Mr GLENN BROOKES (East Hills) [5.44 p.m.]: I support the Fair Trading Amendment (Ticket Reselling) Bill 2013. In plain English, ticket scalping is an occurrence that often results in members of the public being worse off. Price gouging is regarded by sporting codes, artists and event organisers as a major burden because those who engage in it outlay no money and run zero risk in the venture, yet are able to make a buck off the back of others. And it does not stop there. In the past many of my constituents have fallen victim to counterfeit tickets. I welcome any amending legislation that better controls or stops this parasitic practice. It is not a good feeling when decent, hardworking people part with their hard-earned money to attend a sporting event or family outing, only to find that their money has been spent in vain and that the tickets they hold are null and void.

The reforms in this bill will protect consumers by ensuring that they have clear information before purchasing a ticket to an event. The reforms will also allow event organisers to enforce their ticket conditions. The New South Wales Government is simply placing conditions on how tickets are sold and resold. Like the implementation of many laws in this great State, legitimate operators will have nothing to worry about. Requiring seat and row numbers as well as ticket numbers to be displayed in advertising or when selling a ticket will hurt only scammers and will better protect customers. This requirement will also help to build goodwill between event organisers and the public. The reforms will place a greater emphasis on people and forums that are selling and advertising the sale of tickets so that the end user, our constituents, will not be left high and dry, but rather will get what they paid for.

The bill will limit resale prices so that price gouging does not result in mums and dads paying inflated prices when they simply want to take their families to a local game or event. Because the affordability of tickets will remain within the organisers' desired ballpark, this reforming bill will result in an increase in the number of people who purchase tickets to events and a greater rate of participation in events. As New South Wales gears up to be the number one destination in Australia for major events, these reforms are well placed and very much welcomed by the public. Given that the modern-day scalper sits behind a computer screen, miles away from their prey, these reforms will bring legislation up to date with the pitfalls of modern technology and the practices of people who attempt to use technology to obtain money fraudulently. I acknowledge the work of the former Minister for Fair Trading, the Hon. Anthony Roberts, in bringing forward this legislation. I congratulate the current Minister for Fair Trading, the Hon. Stuart Ayres, on carrying this great initiative forward. I commend the bill to the House.

Ms MELANIE GIBBONS (Menai) [5.49 p.m.]: I support the Fair Trade Amendment (Ticket Reselling) Bill 2013. The bill will help to protect consumers from price gouging and fraud and empower event organisers to enforce their ticket terms and conditions. Ticket scalping, or the unauthorised resale of tickets for a price above the original value of the ticket, is an ongoing problem for consumers, event organisers, sporting codes and performers. Quite often tickets that have sold out through official channels are immediately on sale through online auction sites. Those tickets can be several times the original sales price, which keeps them out of reach of many legitimate fans. For the most part, the internet has replaced spruikers selling tickets outside venues just prior to an event. Tickets can be sold online as soon as the event has sold out, or even just minutes before an event takes place.

Consumers face the risk of purchasing counterfeit tickets when buying from a scalper. Other strategies such as requiring names to be printed on tickets and requiring the presentation of photo identification or a credit card on entry are expensive and, due to the potential of these strategies to create unnecessary bottlenecks, are suitable only for events where attendees arrive over a long period. Although most tickets are sold subject to the terms of resale, it is difficult for event organisers to enforce those rules because sale advertisements do not provide enough detail to be able to identify the ticket in order to cancel it. The reforms in this bill will protect consumers by ensuring that they are able to make informed decisions. The reforms will also empower event organisers to enforce ticket conditions. They are light-touch reforms and will not involve the imposition of costly red tape. The Government wants to work with industry and consumers to solve their problems without adding extra burdens. Even if the ticket is genuine, it may be worthless as the promoter may cancel the ticket due to the sale being outside the terms and conditions.

Ticket scalping is becoming a major issue and is attracting increasing media attention and increasing public interest. As part of the Coalition Government's commitment to making New South Wales number one again, we are vying for, and winning, an increasing number of high-profile events, international acts and sporting matches, so it is important that we rectify the situation. It is not only the consumers who are affected by this practice. Event organisers, artists and sporting codes see scalping as a loss of income because money is diverted to those who took no part, and bore no risk, in staging the event. Often scalpers will stop fans from

being able to attend an event because tickets that were originally affordable are priced well out of their reach. A number of different strategies have been used by event organisers to reduce scalping, such as providing tickets to fan clubs, staggering the release of tickets and using e-tickets. But those measures have not been successful in preventing scalping.

This Government is about consultation. Prior to this bill being drafted the then Minister for Fair Trading and the Minister for Sport and Recreation met with representatives of the entertainment industry, ticket organisations, consumer groups and sporting codes. They also met individually with key stakeholders to discuss increasing transparency in the marketplace whilst still allowing event organisers to enforce the terms and conditions of ticket sales. The result is that many of the stakeholders have publicly supported measures to tackle ticket scalping. The Fair Trading Amendment (Ticket Reselling) Bill 2013 applies to tickets to sporting and entertainment events held in New South Wales where the ticket is subject to a condition limiting the circumstances in which the ticket can be resold. The bill aims to prevent scalping and to keep ticket prices affordable for genuine fans. It recognises that most tickets to major events are subject to the condition of sale prohibiting the ticket being resold or resold for a profit and allowing the cancellation of the ticket if this condition is breached.

The setting of ticket conditions is a matter for event organisers and sporting codes—those who are accountable to their fans—to ensure access to tickets. Small-scale events such as local school plays, where the event organiser deems it is not necessary to approve the condition limiting resale, are not covered by this bill. When a ticket is not advertised for resale by or on behalf of the event organiser or his or her agent, the advertisement must specify the ticket number with the row and seat number, if applicable. They must also specify the terms and conditions of the ticket or where this can readily be found. The advertisement should include a notice specifying the circumstances in which the resale of the ticket may result in its cancellation. It is important that the advertisement contains a photograph of the ticket and that it clearly shows the ticket number, row number or the seat number but that it does not show a barcode on the ticket.

The requirements for advertising tickets and displaying ticket photos also apply to e-tickets, which can either be in a portable document format or an electronic ticket that remains on an electronic device such as a mobile phone. Those requirements aim to alert customers to the possibility that tickets may be cancelled and provide important information about the ticket. Genuine resellers of most goods accept that, to be transparent in a sale, a photograph may be required. Event tickets should follow the same guidelines. While a photograph in an advertisement cannot provide complete assurance against fraud, it does offer a little more certainty. Barcodes are to be covered in photographs to protect consumers and to prevent an unscrupulous person from printing the barcode in order to gain entry into an event. Event organisers will then be able to better enforce their ticket terms and conditions by the inclusion of a ticket number and row and seat numbers in the advertisement.

In line with the terms and conditions, cancellation of a ticket is the decision of the event organiser. It is also the event organiser who is accountable to fans to ensure that they are able to gain easy access to tickets. They are also responsible for keeping ticket prices affordable, which will stop fans being disadvantaged by those who were previously purchasing large numbers of tickets with the plan of selling them at a profit. An important part of the bill is the restriction on ticket cancellations by event organisers unless the ticket carries a prescribed warning advising purchasers of the risk of cancellation for unauthorised resale. This restriction will provide an incentive to event owners to ensure that tickets give a warning to consumers. All other terms and conditions of the ticket can still be enforced by the event owners, such as event entry and behaviour. Internet, newspaper or magazine forums where advertisements are placed will also be required to take reasonable steps to ensure that the forums comply with the new requirements. These forums will be required to remove the advertisement or to ensure that the advertisement is amended where reasonably practical if notified in writing by any person of a noncompliant ticket advertisement on their forum.

These requirements will not apply to private communications used by consumers to offer tickets to their personal networks, such as a post on their private Facebook page. They do apply to forums that are accessible by the public at large. It is anticipated that NSW Fair Trading will consult with relevant hosts and publishers of ticket advertisements and, if necessary, issue guidelines regarding what may constitute reasonable steps in this context. Authorised resellers of tickets to the event will not be covered by this bill. This allows for event organisers and the ticketing industry to have their own resale marketplaces that offer consumers protection against price gouging and fraud. The Government recognises that there is a need for people who can no longer attend an event to be able to access a secondary ticket marketplace to sell their tickets. This is for people who are sick, have an emergency or who are otherwise no longer able to attend an event and who do not aim to resell for a profit but who simply wish to have a fair sale.

The bill provides transparency and protection for consumers who wish to purchase tickets in a secondary marketplace. It provides minimal cost and disruption for event organisers and will keep ticket prices reasonable and easy to access for fans. I spoke recently with colleagues from the Westminster Parliament who have been watching progress on this bill with interest. I thank the Ministers involved with the bill and commend the Fair Trading Amendment (Ticket Reselling) Bill 2013 to the House.

Debate adjourned on motion by Mr Jai Rowell and set down as an order of the day for a future day.

The ASSISTANT-SPEAKER (Mr Andrew Fraser): Order! Government business having concluded and, in accordance with an earlier resolution, private members' statements will now be proceeded with.

PRIVATE MEMBERS' STATEMENTS

CARE FOR PETS

Mr ANDREW CORNWELL (Charlestown) [5.59 p.m.]: CARE for Pets is a fantastic organisation in my electorate. Its function is to provide pet care for incapacitated people. It aims to give the same love and attention to pets as their owner would provide if able to do so. Many doctors agree that living with a companion animal is extremely beneficial to health and wellbeing. CARE for Pets believes aged, incapacitated and disabled people should receive assistance to enjoy the same benefits as do more than 53 per cent of Australian families who share their homes with at least one companion animal. Pets may need care for many reasons. For example, the owner, due to health-related circumstances, may not be able to take their dog out for its regular exercise; may be injured or recovering from surgery; may no longer be able to hold a grooming comb or administer the animal's medications due to having arthritic hands; or may be undergoing treatment and be periodically absent from the home—sometimes medical treatments temporarily debilitate owners.

The CARE for Pets liaison officer makes a no-obligation visit to discuss the pet's needs with the owner. If at-home care is required, levels of care are decided, arrangements will be put in place for respite care and if an owner needs to visit a hospital then CARE for Pets will establish the pet's needs in the event of an emergency. Many clients qualify for a very low-cost package and the service is provided very much on a less than cost-recovery basis. Volunteers run the organisation and if an elderly pet owner must go to a nursing home they ensure that the animal is fed, walked regularly or provided with basic grooming and their water bowl is refreshed. CARE for Pets will help to organise other things if required, such as bathing or administering medications. If a CARE for Pets client is required to attend hospital or to be away overnight, care will be arranged for the pet in the owner's absence.

This organisation has grown out of community need but fills a void. CARE for Pets is not a direct pet care service, but very much adds to the capacity for respite for those who may need to go into hospital. As the Companion Animals Taskforce identified, pets are good for one's mental health. When an elderly person loses their partner, having a pet enables them to maintain their normal day-to-day routine as best they can and ensures that they have something to keep them going after that loss. CARE for Pets offers an important service and I commend its organisers: Neroli Sneddon, who keeps me informed about the wonderful work the group is doing in my community, particularly for the elderly and disabled; Sue Russell; and Jane Healey. CARE for Pets is a unique organisation that also fills a gap by offering respite not only to the relatives of people with a disability but also by caring for their pets. I commend the organisation to the House.

I take this opportunity also to let the public know that this organisation operates through volunteers and is always looking for more of them. If any animal lovers have some additional time each week, they can provide a service to the elderly or incapacitated and enable them to enjoy all the benefits of pet ownership. CARE for Pets is a wonderful organisation. It is my great pleasure to bring it to the attention of the House.

HONOUR AVENUE WAR MEMORIAL, FAIRFIELD, REDEDICATION

Mr GUY ZANGARI (Fairfield) [6.04 p.m.]: On Saturday 23 November 2013 I had the honour of attending the official rededication of the Honour Avenue War Memorial in Fairfield. On the day I was joined by the Hon. Chris Bowen, Federal member for McMahon; Councillor Mr George Barcha, Deputy Mayor, Fairfield City Council; Mr Paul Angus Bryant, Treasurer Fairfield RSL Sub-branch; and Mr Ken Young, President, Fairfield RSL Sub-branch. Almost 100 years has passed since the Gallipoli landing and from the turn of the

twentieth century almost 1,800 Fairfield residents have served to protect our great country. The Honour Avenue War Memorial will proudly pay homage to each service man and woman who has fought for our country, laying their lives on the line. Every resident who has served and passed away will henceforth be honoured with an etched paver laid in their memory. Throughout various sections of the walkway each paver will display their service number, rank, initials, surname and unit.

From the memorial gates, the first to be honoured are those who served in World War I, surrounding the RSL emblem on a sandstone paver. They will be followed by those who served in World War II, surrounding the Royal Australian Navy emblem. They will be followed by those who served in Korea, surrounded by the Australian Army Rising Sun badge. Next will be those who served in Malaya, Indonesia and Borneo, surrounded by the Royal Australian Air Force emblem. Then come the Vietnam veterans, who are surrounded by the merchant navy emblem, and eventually the Women's Royal Australian Army Corps emblem will be surrounded to the west side by Reserve Forces members and to the east side by the men and women who have served and died since the Vietnam War.

The Honour Avenue War Memorial project was funded through a Community Building Partnership grant and was made possible through the hard work and dedication of the Fairfield RSL Sub-branch, Fairfield City Council, Fairfield High School, the Australian War Memorial, the Department of Veterans Affairs and the Returned Services League of Australia, New South Wales Branch. I thank everyone who was involved in bringing this remarkable project to life. Because of their hard work, the Honour Avenue War Memorial will be an ongoing project for many more years. The war memorial will give us a place close to home where we can pay our respects and tribute to those who gave their all to protect not only this country but also their fellow country men and women. The Honour Avenue War Memorial will be a constant reminder of the sacrifices these brave local men and women made to ensure that future generations would be able to live with the freedoms and liberties we enjoy in this great country we call home.

Before I conclude I acknowledge and commend especially the teachers and students of Fairfield High School for their generous donation towards the purchase of the pavers for the World War I servicemen who were killed in action or awarded bravery medals. I say to those teachers and students: Well done. The ceremony was a solemn and wonderful occasion for local children to meet with our sub-branch members and local representatives to honour those brave men and women who have done, and continue to do, their bit to protect the freedoms, liberties and rights we now enjoy. To each and every one of them I say: Thank you, thank you, thank you. Through such memorials we remember those brave men and women.

Mr RAY WILLIAMS (Hawkesbury—Parliamentary Secretary) [6.09 p.m.]: I commend the member for Fairfield for highlighting this important memorial to those in his electorate of Fairfield who served this country so bravely. In this ninety-ninth year since this country and its people entered the first theatre of war, I acknowledge them all. I pay our respects to those brave men and women who fought in the different conflicts and those who serve in peacekeeping theatres across the world. I thank them for their brave and courageous service.

ORANGE ELECTROLUX PLANT

Mr ANDREW GEE (Orange) [6.10 p.m.]: The House will be aware that late last year Electrolux announced the closure of its Orange factory in 2016. The wind-down will commence in the second part of 2015 and I will update the House on developments in the Orange electorate. Electrolux now employs about 550 workers and approximately 50 independent contractors work full time in the factory. When other contractors associated with the plant are considered, the number of affected workers is more than 600. Putting that into perspective, the job losses on a per capita basis are greater than the losses associated with the car industry in Adelaide. Orange has a population of 38,000, so the job losses will have a huge impact. On an annual basis Electrolux contributes \$33 million in wages to the Orange economy and its surrounding districts. It provides a total of \$74.4 million in value-added economic impact. The closure of the Electrolux plant and how it is dealt with is a very serious matter for the people of Orange.

Since the announcement was made a number of parties have been working hard to soften the blow for Electrolux employees and also the Orange economy. This Friday a Jobs Expo will be held at the Orange Ex-Services Club. The Jobs Expo has been organised by the State Government, Electrolux, the Federal Government and Orange City Council and is another step in the transition process. I commend all the parties involved for the way in which they have worked together to hold this event. The Jobs Expo will run from

approximately 10.30 a.m. to 3.00 p.m. and will feature training organisations and prospective employers. Employees from Electrolux can investigate the training and skills they need to secure another job. Exhibitors in attendance include: the Central West Business Enterprise Centre—I thank Bruce Buchanan for his enthusiasm—Orange City Council; State Training Services; MSM Milling, which is one of the great enterprises of the Central West; Nestlé, which has a strong presence in Blayney; Ron Finemore Transport; Orange Precision Metalcraft; Jeff Hort Engineering, which provides a wonderful economic service to the Central West; Orange Ex-Services Club; Myers; Bunnings; TAFE and other organisations.

A number of speakers will make presentations on the day, including representatives from Regis Resources, a big mining company that hopes to start operating in the area, Bruce Buchanan from the Business Enterprise Centre and representatives from MSM Milling and CRS Australia. After the Jobs Expo, TAFE Western will visit Electrolux to help tailor individual training programs for each worker who wants one. This is a huge undertaking and I am grateful to TAFE Western Institute, and in particular director Kate Baxter, for taking the initiative to organise it. These are difficult and serious times and the people of Orange need help to deal with the economic blow that is coming their way. I commend all the parties for organising the Jobs Expo.

Mr PAUL TOOLE (Bathurst—Parliamentary Secretary) [6.15 p.m.]: I commend the member for Orange for his hard work to ensure that the Jobs Expo is held in Orange. There have been a number of job losses throughout the Central West and it gives employees who were made redundant an opportunity to research what courses are offered at TAFE and by other organisations. Other companies involved, such as Regis, have great potential to provide employment opportunities in the area. Companies such as Friskies are investigating plans to expand their premises and will create an additional 80 jobs. Masters is investing in the area and its opening has created an additional 120 jobs. Grainforce has also created an additional 80 jobs. Whilst changes are happening, strong investment and growth opportunities are still occurring in the Central West.

PUBLIC HOUSING

Ms LINDA BURNEY (Canterbury) [6.16 p.m.]: I bring to the attention of the House the relocation concerns affecting a number of public housing residents at 5-9 Eighth Avenue, Campsie. This subject is timely because of the debate on public housing earlier today and the announcement from Minister Goward that more than 230 properties will be sold in The Rocks area. At the heart of this situation is the nature of the relocation for which Minister Goward is responsible. Several months ago these residents approached me extremely distressed and upset about the way in which they were being treated by the Department of Housing. They thought they were living in secure accommodation. As I understand it, the lease for the block of units in which they live was discontinued. As a result they are to be relocated, despite what they thought was a secure head lease.

The tenants are of the view, and it is my observation, that the accommodation into which they were to be moved was of lower quality. I received a letter from the Department of Housing which confirms that it knew the new accommodation was of lower quality than the accommodation in which these residents were living. The residents suffer from severe health problems, including mental health issues, and the uncertainty of their living arrangements is having a disastrous effect on their wellbeing. They also have issues about the way in which the Department of Housing is treating them. The letter that I received from the Department of Housing acknowledges that residents have been dealt with in an uncaring manner.

I have raised this issue on behalf of my constituents in the Canterbury electorate as it is reasonable for me to draw attention to the parallels of this situation and to the concerns I have in response to the announcement made today by the Minister for Family and Community Services. What concerns me is that the three-offer rule was applied to these residents. If they do not accept the first, second or third offer they will possibly be taken off the public housing list, which is extremely distressing for them. I hope that is not the case in respect of the major announcement made today, which involves people facing similar experiences to the ones that these people are facing.

Cuts to the public housing budget have been substantial—\$42 million has been cut from the public housing maintenance budget and \$22 million has been cut from building new housing stock. It is fine if the Minister wants to sell off housing stock and ensure that people are looked after, but it cannot be done without taking into consideration the history and the situation of those people who are being moved. In addition, it should not be done if the stock is not being replaced. This Government has cut by 1,300 the number of dwellings under the management of the Land and Housing Corporation, which means that the number of

dwellings being sold off does not equal the number being replaced—an issue to which the Auditor-General alluded in various reports on public housing. At the end of the day, I am standing up for the people of Canterbury and those who live in 5-9 Eighth Avenue, Campsie.

CLARENCE ELECTORATE JOBS

Mr CHRISTOPHER GULAPTIS (Clarence) [6.21 p.m.]: Tonight I inform the House about the positive impact that the O'Farrell Government's decentralisation plan is having on the electorate of Clarence and, in particular, the town of Grafton. Since the 2011 election The Nationals' the primary focus has been to deliver jobs to regional New South Wales. Indeed jobs are the major concern for people living in the Clarence, as they are in most regional areas. The Liberal-Nationals Coalition Government has delivered to the people in my electorate. It cannot be denied that the downsizing of the Grafton Correctional Centre had an impact on jobs and the local economy. But, pleasingly, the Premier and Deputy Premier listened to my pleas for assistance and positively responded to the concerns of my community. A commitment was made to decentralise public service jobs to compensate for the job losses from the jail and to help stimulate the local economy of Grafton.

Yesterday the Deputy Premier and I announced that 17 public service jobs were to be advertised for the Grafton office of the Rental Bond Board. These jobs are in addition to the 51 jobs created last year under the Crown land road closure program. The relocation of this program to Grafton has been met with enthusiasm by the locals who are keen for employment in the New South Wales public service. Immediately following the downsizing of the Grafton Correctional Centre the New South Wales public service decentralisation plan was implemented and 30 Roads and Maritime Service jobs were created for work on local roads and infrastructure projects in Grafton. It has not ended there. Additional public service jobs are coming to Grafton.

Some 26 positions at the Rental Bond Board were promised after the downgrading of the Grafton Correctional Centre—17 positions are currently being advertised and a further nine positions are to be filled. Indeed, an initial internal recruitment process will see a further five positions filled by existing staff at the Rental Bond Board who have been successful in obtaining jobs in the new Grafton office. Those people will relocate to Grafton. In addition, subject to final recruitment action, four staff currently working in the Grafton office of NSW Fair Trading will also take jobs in the new Grafton office of the Rental Bond Board. This will bring the total number to the 26 positions promised.

The Office of Environment and Heritage has created five positions for its Grafton office—namely, a vegetation mapping scientist, three compliance and regulation officers and a senior scientist in biodiversity information. A total of 112 public service jobs have been created since the jail was downsized, and most of them have been filled. The Liberal-Nationals Coalition Government has delivered an enormous vote of confidence in Grafton and boosted its local economy. But wait, there is more. Police numbers have increased and will continue to increase over the next 12 months. Between May 2011 and August 2013, 23 probationary constables were allocated to the Richmond Local Area Command. Between December 2011 and August 2013 the authorised strength for the Richmond Local Area Command increased by two positions. Between May 2011 and August 2013, 31 probationary constables were allocated to the Coffs-Clarence Local Area Command. Between December 2011 and August 2013 the authorised strength for the Coffs-Clarence Local Area Command increased by six positions.

The hard work of The Nationals, working in close collaboration with the Police Association of New South Wales, will deliver an additional 90 police officers for the North Coast, four police officers for the Clarence Valley and nine for Casino—which will give Casino a 24-hour police service. Let us not forget the additional nurses. During the period March 2011 to June 2013 some 102.1 full-time equivalent extra nurses and midwives were employed in the Northern New South Wales Local Health District. But our job decentralisation plan has not been restricted only to public service jobs. Over the past couple of years the Northern Rivers Jobs Action Plan has resulted in the creation of 149 private sector jobs. This has been well received and has made a significant contribution to the northern rivers economy. The Nationals are delivering jobs to regional New South Wales. I thank the Coalition Government for looking after the electorate of Clarence and, in particular, Grafton after the downsizing of the jail.

Mr PAUL TOOLE (Bathurst—Parliamentary Secretary) [6.26 p.m.]: I thank the member for Clarence for informing the House about the number of jobs that have been created in his electorate. Those jobs have been created because the member for Clarence has been fighting hard for his constituents and the New South Wales Government is investing strongly in regional and rural communities. However, the member for Clarence omitted

to tell us about the millions of dollars being invested in the area to allow for this growth. The O'Farrell Government is creating an environment for investment and growth, and jobs are being created. The member for Clarence has been a strong stalwart for his constituents and I thank him for his hard work.

CUMBERLAND HIGH SCHOOL

Dr GEOFF LEE (Parramatta) [6.27 p.m.]: I support the great work of Cumberland High School. Cumberland High School is a school of excellence that takes great pride in nurturing the development of empowered, resilient and productive learners and citizens. The diversity of the student body, with a 58.3 per cent non-English speaking background, including the wonderful international students, high academic expectations and rich extracurricular offerings supported by very generous and highly committed staff, is the thread that weaves this wonderful tapestry that so beautifully encapsulates the Australian experience. Visitors often comment on and are inspired by the enthusiastic and talented students, dynamic syntactically awesome style sheets, teaching staff and supportive parents. Highlights of school life include visiting classrooms and seeing students actively engaged, working collaboratively to problem-solve and utilising the technology that supports the connected learning programs, and walking through the school grounds to see such quality sporting facilities and well-maintained grounds.

The commercial kitchen is thriving under Mr Torr, head teacher for industrial arts, and the refurbished science laboratories will provide excellent learning opportunities for Mr Walford, head teacher for science, and his colleagues. I also commend the significant investment in electronic devices, including iPads that are currently being used to enrich the learning experience and enhance the intellectual quality and engagement of students in the classrooms. What is also impressive is the tremendous work of the passionate executive team, including staff such as Adrian Condell, head teacher for human society and its environment; Johanna Ashton, head teacher for mathematics; and deputy Phil Wood. They are just some of the professionals dedicated to developing and implementing a suite of programs to support the learners as they strive to achieve their personal best.

Achievements in the first six weeks of 2014 included a robust and highly motivating staff development day organised by Ms Clarinda Brown, and a very successful transition program for year 7 students, including peer support coordinated by Cathy Webb, the learning support coordinator. There have also been formal year meetings where the school was able to promote the core values of respect, responsibility and excellence; a fantastic swimming carnival run by Robyn Pearson; the well-attended parents and citizens meetings with an extraordinary team of committed parents led by Mary Brehony; watching the band prepare for and perform its first musical extravaganza; experiencing the joy that is the Millennium Marching Band at its first intensive weekend course on the Cumberland High School site; and welcoming our 49 international students who contribute so positively to the school community.

The celebration of academic excellence through the High Achievers Assembly paid tribute to students such as Krystyna Stead, whilst the Student Leadership Assembly recognised the dedication of student leaders such as Melissa Cassel and Johanna Ashton. The school community also enjoyed sharing the riches of the Cumberland spirit at the school's recent open evening and the list of fantastic achievements goes on. The school works continuously to improve learning outcomes and the academic results are outstanding. The school also recognises the importance of leadership, extracurricular enrichment and sport and the attributes of sportsmanship and good citizenship that active student participation brings. Students are always encouraged and acknowledged for pursuing their individual interests and talents and it is for this reason that the school has numerous leadership groups, gifted scientists, musical ensembles, a very active school band, drama and dance groups, debating and public speaking teams, Mock Trial teams, sporting teams, knock-out teams and talented athletes that add to the rich experience that defines Cumberland High School.

I applaud the work of Mr Andrews as head teacher for creative and performing arts, Ms Bower as head teacher for English and Mr Thomas as head teacher for administration and welfare, and all other staff for their tireless dedication to the extracurricular pursuits of their students. Finally, I congratulate principal Mechel Pikoulas on her leadership of Cumberland High School. The ongoing success of the school is a testament to the passion for education that she and her colleagues bring to the classroom, and I wish her all the best as she continues to excel in this new role.

LITHGOW COMMUNITY CABINET

Mr PAUL TOOLE (Bathurst—Parliamentary Secretary) [6.32 p.m.]: It gives me great pleasure to speak about the recent Community Cabinet that was held in Lithgow on 10 March. Hosting the Community

Cabinet was a wonderful opportunity for the Lithgow community. It is the first time that a Community Cabinet has been held in Lithgow and members of the community were overwhelmed with the response and impressed by the number of Ministers who turned up. The town was inundated by Ministers, who went to various locations all around the city. The response from the public has been overwhelming. They enjoyed engaging with our Ministers. Ministers engaged with the local community and looked at proposed projects. The community is pleased that we held this Community Cabinet meeting in Lithgow.

Holding a Community Cabinet in a regional area is probably the best way to get Government members out of metropolitan areas and into regional communities to hear firsthand from members of the public. As part of the Cabinet coming to Lithgow a number of major announcements were made. One of those announcements concerned flood mitigation works. Some \$4.3 million was allocated to mitigation works at Farmers Creek, which will be spent on channel widening and rehabilitation of the creek. It is important because this is a project that the local community has been asking for quite a number of years.

We all know that flash floods impact on property and homes and that that causes emotional stress. The \$4.3 million which will be injected into this project will ensure that work will occur along several hundred metres of Farmers Creek to protect about 200 homes. I spoke to and met with many of the residents of that area when I was first elected as the State member. This is a great announcement and a great outcome for each and every one of the residents who live along Farmers Creek. They have been impacted by floods in the past; we have seen major floods in that area. In 1986 and again in 1992 more than 100 homes were impacted by flooding. Statistics show that each year flooding costs the economy of New South Wales about \$250 million. So it is important for us to support the local community in this project.

The announcements did not stop there. The Deputy Premier was at the Community Cabinet meeting and announced that \$10.1 million would be allocated to upgrading the Portland sewage treatment works, which is in need of a major upgrade. This work, which has to happen, will enable the town of Portland to grow. It comes off the back of the announcement only six months ago of a \$3.5 million allocation, through the same program, to repair a bridge between Portland and Wallerawang known as Black Bridge. The Community Cabinet meeting was a great opportunity for Ministers to examine a number of election commitments that have been delivered. Some of the Ministers had a look at various locations such as the Police and Citizens Youth Club building, on which \$500,000 has been spent. That fantastic facility is now being utilised by community groups and youth. Millions have been injected into the Hartley historic village, and even more is to come. Ministers had a look at the fantastic work that has been undertaken there.

There are plans for a new fire station at Wallerawang, which will cost about \$800,000. So there are some fairly important projects. It does not end there. I do not want to give everything away today, but I can say that having the Ministers in town led to some fruitful discussions. Some other announcements will be made in the near future about some of the community groups and organisations with whom Ministers met because they saw the need for further investment in various projects. I thank the Premier, the Deputy Premier and the entire Cabinet for coming to Lithgow and hearing the concerns of the local community.

Private members' statements concluded.

HARMONY DAY

Matter of Public Importance

Mr GUY ZANGARI (Fairfield) [6.37 p.m.]: I ask the House to note as a matter of public importance Harmony Day 2014. This day is fast approaching. It is to be celebrated this coming Friday, 21 March. Harmony Day is celebrated each year on 21 March. I am proud to say that a large number of our local community groups, sporting clubs, schools and a variety of other organisations get involved and spread the message of Harmony Day, and have been doing so for quite some time. Harmony Day is a day of cultural respect for everyone and anyone who calls Australia home. It is a day to celebrate and embrace multicultural ideals and to share and connect with one another. This can be done in a number of ways, from engaging with song, dance, food, art, theatre, music, stories and much more. It fills me with pride to see the large number of organisations in and around my electorate who actively participate in Harmony Day and who organise events and activities each year for members of our local community to join and to engage in the spirit of the day.

Harmony Day is always well received in my area, which is what one would expect because Fairfield is one of the most multiculturally diverse electorates in New South Wales, with more than 130 different

nationalities and more than 80 different languages spoken. That is a whole lot of culture to share around in just one day. Each year Harmony Day is organised by the Commonwealth Department of Immigration and border protection. The reason 21 March was chosen for the celebrations is that this date coincides with the United Nations International Day for the Elimination of Racial Discrimination. As most members would be aware, each year at least one remarkable Australian is chosen to be the ambassador of Harmony Day. Additionally, Harmony Day is partnering with the A Taste of Harmony campaign to facilitate the promotion of the ideals and benefits of cultural diversity through a culinary experience at home and at work.

It is great to see members of the community expanding their ideas on how to engage with others and to share their multicultural experiences with one another, especially when coupled with such a wonderful time of the year known as Harmony Day. It is amazing to see multiculturalism in this country so vibrant and stronger than it has ever been. Everyone has their own unique story, culture, heritage and lifestyle. When you mix all that together and build upon it over time with influences from other cultures, the result is what we have today: a great cohesive multicultural community that is more rich and vibrant than anything we have seen in the past.

The combination of worldwide influences makes this great nation what it is today. Harmony Day promotes our multicultural society and the importance of sharing and embracing cultures from all around the world. I am sure each member of this House will be involved in Harmony Day celebrations in one form or another in their respective electorates. Madam Acting-Speaker Gibbons is nodding her head, and other members in the Chamber are agreeing with me. I am sure that all will do their best to advocate for the importance of multiculturalism, acceptance and tolerance throughout this great State. It has been a great honour and privilege to speak on this matter of public importance. I look forward to the contributions of the members for Granville and Cabramatta. I said that Fairfield encompasses 130 nationalities. The member for Granville seems to indicate that he will raise the bar on that. I look forward to his contribution.

Mr TONY ISSA (Granville) [6.42 p.m.]: It is not necessary to travel the world to experience different cultures and languages. Just go to Granville. The Granville electorate includes every nationality under the sun. There are probably 200 different cultures, but I am not sure. I am not here to challenge the member for Fairfield on numbers. Today I will speak about something close to my heart. When I was Lord Mayor of Parramatta I hosted Harmony Day ceremonies in my community, as this Government is doing this month. The Government is celebrating one of our State's greatest assets, its cultural diversity, with a month-long celebration in March. The Minister for Citizenship and Communities was pleased to launch the festivities last month and hopes that this will become an annual series of events.

The Community Relations Commission is coordinating Multicultural March. Everyone in New South Wales is invited to use this time to embrace the wonderful opportunity our multiculturalism presents to us. It is about understanding and celebrating our differences while recognising and reinforcing the values we all share. We all have a great deal to celebrate. The nationwide focus on Harmony Day is a natural time for us to gather together to celebrate the groundswell of positive sentiment across the community.

The Premier and the Minister for Citizenship and Communities have already hosted the Multicultural Media Awards. They were pleased to recognise the breadth and depth of community media in every format and many languages that supplement the work of the daily mainstream news providers. The awards were conducted by the Community Relations Commission and judged by an independent panel of academics and media experts. The awards were announced in front of 300 guests from ethnic and mainstream media and community organisations at a gala presentation dinner. Many of my friends from the Arabic-speaking community received awards. With more than 110 outstanding entries having been received, the commitment of the multicultural media sector cannot be underestimated.

The Government honours the outstanding contribution that migrants have made to our State. The Premier's Multicultural Community Medals and Multicultural Honour Roll acknowledge and give proper prominence to the hard work of migrants and those who work in the field of multiculturalism. The awards will be presented at this year's Harmony Dinner. The new members of the Multicultural Honour Roll, which records the legacy of the inductees' exceptional service to New South Wales, also will be announced. The Premier's Harmony Dinner will take place on 10 April in Western Sydney. Western Sydney comprises all the different ethnic communities. The Community Relations Commission is again organising this now annual gala event where guests will have the opportunity to join together and celebrate our cultural diversity. More than 800 guests are expected, including community, business and religious leaders, public servants and members of Parliament, to enjoy good company and exciting performances.

Local councils across New South Wales are holding events linked to Harmony Day throughout March. The Community Relations Commission has created a website which, as well as providing more information about the Government's activities during Multicultural March, lists the host of activities happening all over our diverse State. The website is at www.multiculturalnsw.com.au. Multicultural March is a time for everyone in New South Wales to celebrate who we are and the society we have created. It is a special time for reflection and festivity, to recognise who we are and to think about who we would like to become. It gives me great pleasure to speak about Harmony Day.

Mr NICK LALICH (Cabramatta) [6.47 p.m.]: On Friday across this great nation people from all walks of life will celebrate Harmony Day, which coincides with the United Nations International Day for the Elimination of Racial Discrimination. Harmony Day is an important annual event that is about promoting cultural respect for everybody who calls Australia home—from the traditional owners of this land to the people whose ancestors were the early colonial settlers, to the many waves of migrants who came to these shores seeking a better life.

As a refugee who came to this country as a little boy, and whose family came here from war-torn former Yugoslavia, Harmony Day highlights to me the richness of Australian culture and diversity. The day celebrates the fact that 45 per cent of Australians were born overseas or have at least one parent who was born in another country, that our citizens come from more than 200 nations and that we speak more than 300 languages in our homes. Since 1999, Harmony Day has been celebrated across the nation in schools, childcare centres, community groups, churches and businesses. This Friday I will have the honour of joining children, parents and teachers in my electorate of Cabramatta at a Harmony Day celebration at the Les Powell School. It is hard to think of a better way to celebrate this day than to be surrounded by children who are loved by their community and whose differences are embraced.

I am very fortunate to be the New South Wales representative for such a culturally diverse area. I see every day the richness that migrants and refugees from everywhere have brought to Cabramatta. I walk down John Street and see the businesses they have built, the jobs they have created for our community and the kids they are raising to be our future leaders. Having worked for so long for Cabramatta, I have shared many experiences with the people in my community. I have shared their setbacks, their wins and their joys. It is true that by sharing experiences we learn and understand how all Australians from diverse backgrounds equally belong to this country and enrich it.

I encourage everyone in this Chamber to get involved in Harmony Day and to celebrate with their community. There is a street in Bonnyrigg that is no longer than 100 metres, yet in that street there is a mosque, a temple and a church. In what other country in the world could we find that? They share each other's car parking on holy days and go to each other's functions. It is great that in Australia we can live together and share each other's cultural traditions and religions without violence and hate. I believe that every day is Harmony Day in this country because we practise harmony and understand it.

Mr GUY ZANGARI (Fairfield) [6.50 p.m.], in reply: It is great to have speakers in this discussion who represent electorates that are adjacent to mine. The electorates of the member for Granville and the member for Cabramatta adjoin my electorate of Fairfield. I am surrounded by members who represent wonderful electorates.

ACTING-SPEAKER (Ms Melanie Gibbons): Are they neighbours?

Mr GUY ZANGARI: We certainly are neighbours and we share the cultural diversity that is a feature of our electorates. The member for Granville made a very important point when he said that we do not need to travel the world to experience different cultures—just go to Granville. No truer word can be spoken about many of the 93 electorates represented by wonderful members of this House. We can simply travel throughout New South Wales to find people from throughout the world who are living in harmony. The member for Granville referred to certain activities that are being undertaken by the Government. As we all know, this is Multicultural March, which is being coordinated by the Community Relations Commission. The commission does a wonderful job in promoting understanding while celebrating differences.

This year the Government acknowledged the Multicultural Media Awards. I attended the very successful function that was hosted by the Premier and the Minister for Citizenship and Communities and Minister for Aboriginal Affairs. I congratulate the Hon. Shaoquett Moselmane, a Labor member of the other place, for his commitment to multicultural media. A major event, the multicultural Harmony Dinner, will take

place on 10 April 2014 at Rosehill Gardens. The leaders of community groups and religious leaders will come together to celebrate the wonderful society that we have created. My good friend the member for Cabramatta said that Harmony Day is an important event, which of course it is. The member's remarks were poignant because he highlighted the importance of acknowledging the traditional owners of this land. We must acknowledge that Australia has always been and will continue to be sacred Aboriginal land.

We have all come from various parts of the world. The member for Cabramatta shared with us that he is a refugee. It is wonderful that someone who was born in a refugee camp in Egypt became not only the member for Cabramatta but also the mayor of Cabramatta and that he has had a long and distinguished career of serving his community. On Friday he will be attending the Les Powell School to celebrate Harmony Day with our good friends there. He summed it up when he said that Cabramatta, particularly John Street, is the jewel in vibrant Cabramatta's crown. There are similar places in electorates throughout this great State that epitomise the harmony that exists here.

Discussion concluded.

**The House adjourned, pursuant to resolution, at 6.53 p.m. until
Thursday 20 March 2014 at 10.00 a.m.**
