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## **LEGISLATIVE ASSEMBLY**

Wednesday 17 February 2016

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

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

### **AUDITOR-GENERAL'S REPORT**

**The Clerk** announced the receipt, pursuant to section 63C of the Public Finance and Audit Act 1983, of the performance audit report of the Auditor-General entitled "Realising the benefits of the Service NSW initiative: Service NSW, Customer Service Commissioner", dated February 2016.

### **BUSINESS OF THE HOUSE**

#### **Notices of Motions**

**General Business Notices of Motions (General Notices) given.**

### **ASSOCIATIONS INCORPORATION AMENDMENT (REVIEW) BILL 2016**

#### **Second Reading**

**Debate resumed from 16 February 2016**

**Mr GUY ZANGARI** (Fairfield) [10.12 a.m.]: On behalf of the Labor Opposition, and the Hon. Peter Primrose from the other place, I speak in debate on the Associations Incorporation Amendment (Review) Bill 2016. I place on the record that the New South Wales Labor Opposition does not oppose this bill. The purpose of this bill is to amend the Associations Incorporation Act 2009 to give effect to the recommended amendments set out in the statutory review of this Act, which was tabled in this House in November 2015. I also note that to date the Opposition has received no objections or representations from stakeholders concerning the proposed amendments before the House today.

The statutory review of the existing Act included 12 proposed amendments to the Act and four amendments to the Associations Incorporation Regulation 2010. Further, it recommended updating the guidance material produced for associations by the Office of Fair Trading, in particular regarding record keeping and the management of conflict of interest. From stage to stage, the proposed legislation before us today mirrors the recommendations set out in the statutory review. The key objective of the statutory review, and subsequently the bill, was to clarify and simplify processes of the Act, especially for the vast majority—that is, 93 per cent—of associations who receive less than \$250,000 in gross receipts or have less than \$500,000 in assets.

The proposed changes aim to make things easier for the associations to manage their own affairs while reducing red tape. The bill implements a number of the recommendations, including: clarifying the rights and liabilities of members of an association; imposing a duty on the committee members of an association to carry out their functions for the benefit, so far as practicable, of the association and with due care and diligence; and protecting committee members who act in good faith from civil liability. The bill will also: allow electronic voting to take place so long as it is permitted by the association's constitution; revise and standardise the address required for service of documents on an association; require an association's constitution to deal with the maximum number of consecutive terms of office of

any office-bearer; and allow the secretary to change an association's name to its registration number should the association fail to change its name as directed by the secretary.

One particular point of interest is proposed in item [9] regarding the model constitution. As per recommendation No. 4 of the review, it proposes that an amendment to the provisions of the model constitution for an association that has adopted those provisions changes the constitution of that association, without the need for any special resolution to adopt the change. This will mean that any association will need to remain diligent and aware of any potential changes to the model constitution and their potential impact, as the association will be subject to such changes without in most cases having resolved to adopt the changes.

This legislation in its current form essentially adopts the recommendations set out in the statutory review. To date, those of us on this side of the House have not received any objections or correspondence with regard to the proposed amendments contained within the statutory review. As the proposed amendments within this bill contain nothing outside of the statutory review's recommendations, the New South Wales Opposition does not oppose this bill.

**Mr KEVIN CONOLLY** (Riverstone) [10.16 a.m.]: I support the Associations Incorporation Amendment (Review) Bill 2016. As we have heard, this bill arises from a statutory review of the Act. This was concluded in 2015 and made a number of recommendations. At the outset I welcome the comments from the spokesperson for the Opposition that the Labor Party will be supporting this bill and his confirmation that no objections have been received from stakeholders in the community. That reflects the fact that this is a bill that is broadly serving its purpose. It is designed to allow small groups, groups with a non-profit focus engaging in non-commercial activities, to find an inexpensive way to incorporate to create a legal entity and to provide themselves some protection and standing.

More than 1,500 submissions were received as part of the statutory review of the Act. It was found that the Act was broadly popular and did provide that simple, low-cost legal framework for associations. However, it also found that certain aspects of running an organisation were either unclear or impractical and could be improved. The recommendations made along those lines have all been accommodated in this bill. The Associations Incorporation Act 2009 enables groups of people to practise and enjoy a common interest. Because it provides a low-cost option for them to incorporate and create a legal entity, it necessarily is based on an inexpensive and uncomplicated way of proceeding which allows these aims to be achieved. This bill will enhance the operation of the Act and is part of the continuous improvement being undertaken by the Government to support the community to satisfy its needs, desires and interests. The goal of sound and proportional governance will be enhanced.

The amendment bill includes two common law duties for the committee. Each member of a committee of an association must carry out his or her functions for the benefit of the association, so far as practicable, and with due care and diligence. A committee member is protected from personal liability if he or she acts in good faith for the purpose of exercising his or her functions. However, there are a number of offences which committee members could commit in failing to carry out their role honestly. These offences are: failure to disclose a personal interest in a matter, dishonest use of information obtained as a committee member and dishonest use of his or her position on the committee. However, these are not the only offences a committee member could commit. For this reason, a note is added to the bill so as to make clear the explicit duty to ensure that the association remain solvent and is managed in a financially responsible and legal manner. This is possibly the most important function and obligation of an association's management.

Another augmentation to the governance arrangements concerns office-bearers. If the constitution provides for office-bearers, the number of consecutive terms that the same person can hold an office may be specified. While there may be few willing volunteers to share office-bearer roles, even a temporary break in holding a particular office on a committee can create the opportunity for a potential new approach to the association's business, if desired. Most of us will have come across small-scale

volunteer organisations with a person occupying the same position year after year. While this is often laudable and shows that person's great generosity, at times the association becomes a personal fiefdom in a sense excluding others from participation or their ideas from being heard, and that may not be a healthy outcome. This provision will give an entity the opportunity to impose a limitation on the term of office-bearers. This provision will also mean that there is a sharing of responsibility for organisational roles as well as some succession planning, while at the same time enabling continuous involvement by committed volunteers. It will definitely benefit hard-working volunteers so they do not burn out.

Conflict is an inevitable possibility in an association, and if good structures are developed with the future in mind there is more capacity to resolve any differences amicably. Considering that there are always around 36,000 associations after exits and entries each year, the Act has proven itself continuously as being well suited to its purpose. This purpose is to establish a scheme for the registration of associations that are constituted for the purpose of engaging in small-scale, non-profit and non-commercial activities, and to make provision with respect to the corporate governance and financial accountability of associations registered under that scheme. I have only admiration for the associations in the community that work under this banner, such as, in my electorate, the Riverstone Lions and other volunteer groups who come together to provide services for the community, to encourage an activity or specific interest in the community, or to foster the participation of others in ways that might not otherwise be available. I am pleased to speak in support of the Associations Incorporation Amendment (Review) Bill 2016 and I commend it to the House.

**Mr DAVID HARRIS** (Wyong) [10.22 a.m.]: I speak in debate on the Associations Incorporation Amendment (Review) Bill 2016. I note that the Labor Opposition does not oppose this legislation, as outlined by the member for Fairfield. More than 36,000 incorporated associations are registered in New South Wales. These associations are generally community-based entities run by volunteers. Approximately 98 per cent of associations fall into a tier 2 category of associations, whose gross receipts do not exceed \$250,000 or whose current assets do not exceed \$500,000 for the last financial year.

Examples of incorporated associations include sporting clubs, art and craft groups, ethnic and cultural groups, musical societies, childcare services and environmental groups. A search of incorporated associations in the 2259 postcode, in my electorate, returned 42 names. This included groups like the Wyong Pony Club Inc., Wyong-Gosford Community Legal Service Incorporated and Wadalba Community School P and C Incorporated. This legislation covers a wide range of groups that operate in our community, and I recognise and thank them for their contribution to the life of our community. This legislation is important to the operation of these groups that are run in the main by volunteers. Governance is important, as I recognise as a former president of surf lifesaving at Soldiers Beach and current president of a charity through my involvement with Men of Football. In the year ending 30 June 2015 there were 1,770 new registrations across New South Wales, 453 voluntary cancellations and 2,198 involuntary cancellations. The number of associations thus decreased over the year, a trend that is expected to continue as registrations are actively managed by NSW Fair Trading.

A statutory review of associations was held in 2015. The experience of grassroots association members was sought for this report and 1,504 association members answered the survey. The responses came from the entire spectrum of activity groups and clubs including those for historic and antique machinery, social motoring, fellowship amongst retired business professionals, art, photography, various occupations, men's sheds, Landcare, tidy towns, natural disaster fundraising responses, aspects of health, quilting, aged care, wood-turning, tourism, country music, gardening, disability services, model railways, ex-military fraternity, community hall maintenance, recreational cycling, computer training for seniors, family support groups for various needs, neighbourhood progress associations, youth groups, sports clubs and bridge clubs. The list goes on and shows the wide range of associations that operate in our community and their importance.

There are many important amendments in the legislation that came from the statutory review. These include amendments in areas such as rights and liabilities of association members, failure to

reserve names, electronic voting, as well as provisions covering committee members such as duty of due diligence and protection from liability and maximum number of consecutive terms for office-bearers. But I want to draw attention to the section on the model constitution. Under section 25 (2) when an association incorporates it may adopt the model constitution as its constitution or it may customise its constitution. It is proposed that a new provision be made to the effect that where the association has adopted the model constitution as its constitution, it is taken to have adopted the model constitution as being in force from time to time. This will avoid the need for the association to adopt or register any changes to the model constitution. As anyone who has been involved in an association would know, one has to wait for an annual general meeting or move a special meeting in order to make changes to the association's constitution, so this is a good amendment.

Importantly, under this legislation when the model constitution is changed, this change will avoid confusion and the need to ascertain which version of the model constitution applies to a particular association, as the model constitution is published in the regulation. Recently we tried to update our surf club constitution and we thought we had made changes in 2004 but we found we had not adopted those changes. We realised our real constitution was dated 1992, so we had been operating under regulations without realising we had not made changes. We had to send our revised constitution for revision and put back the changes another 12 months, which makes me realise that this is an important amendment. However, I would caution that it is very important that there is a mechanism to inform groups of any changes in the model constitution as quickly as possible to ensure they understand any implications of any changes and continue to act properly under the model constitution as amended.

Whilst this is not in the legislation, I hope the Government will also adopt the recommendation to review the guidance material produced by NSW Fair Trading. It was recommended that guidance material be reviewed by verifying whether the material is suitably responsive to the inquiries being made by associations. The examples given were that the material could better explain the effect of transfer of registration on an association's rights, claims, liabilities and actions, and any other matters relevant to the prior function of the association. Also, that the guidance material should be prepared to illustrate the best practice meeting procedures including the recording of any conflict of interest and how it is managed. As there are many changes in executives from year to year, that material is very important in educating new members of committees as to their rights and responsibilities. I believe the amendments contained in this bill are good and that they will help associations. I am pleased to commend the bill to the House.

**Mr GLENN BROOKES** (East Hills) [10.30 a.m.]: I support the Associations Incorporation Amendment (Review) Bill 2016, which amends the Associations Incorporation Act 2009. The amendments in the bill are consistent with the recommendations of the statutory review of the Act, which was carried out in 2013 and completed last year. This Government has a strong history of working tirelessly with our dedicated community groups to make the State stronger. The East Hills electorate has a number of associations that bring like-minded people together to share common interests and goals. These associations range from sporting organisations to environmental groups and other not-for-profit organisations. I am always pleased to support initiatives and pieces of legislation that assist the running of community organisations to ensure their success.

The Act is significant as it establishes the process for registering associations that engage in small-scale, not-for-profit, non-commercial activities. The act of incorporating an organisation is important because an incorporated organisation has its own legal identity separate from its members. It allows committee members to be protected from personal liability if they act in good faith when exercising their functions as a member of a committee.

The key aspects of the bill are: to assist associations to comply with the Act; to simplify the rules related to the closure of an association; to enhance governance of committee members; and to improve enforcement. The bill assists associations to comply with the Act by clarifying the rights and responsibilities of association members. Further, this bill permits electronic voting and changes to the official address of an organisation to ensure that documents can be served in a timely manner and allows

for an association's constitution to deal with the maximum number of consecutive terms of office-bearers.

The bill has simplified the rules relating to the closure of organisations by providing for a wind-up clause in an association's constitution. When an organisation is wound up, the bill clarifies the provisions relating to the distribution of assets. While the Act currently sets out the procedure for the distribution of surplus property, the bill has created a requirement for a winding up clause to be in the association's constitution. The governance of committee members is further enhanced through this bill. The bill sets out the common law duties of committee members regarding due diligence and their protection from liability. Further, this bill ensures that where an association has adopted the model constitution the constitution is updated whenever the model is amended. The bill has added a note to ensure that committee members are aware of their duties in order for their association to remain solvent and that they manage the association in a financially responsible and legal manner.

The bill also deals with improving enforcement. It contains proposals that allow the registration of an association to be cancelled by the Secretary of the Department of Finance and Services if it is in the public interest to do so. Further, it allows the secretary to change an association's name to its registration number if the association fails to change it when directed. Overall, this bill will enhance the operation of the Act and make it easier for associations to operate within our communities. I again commend all the hardworking organisations, community groups and other associations that operate in the East Hills electorate. I am pleased to speak in support of this bill, which will make it easier for these associations to continue to operate well into the future. I commend the bill to the House.

**Dr HUGH McDERMOTT** (Prospect) [10.34 a.m.]: I support the Opposition's position of not opposing the Associations Incorporation Amendment (Review) Bill 2016. Small associations are the backbone of our communities. They include clubs that provide an opportunity for our kids to play sport on weekends; clubs that offer support to elderly members of our community; clubs that create relationships among those who do not have the English language skills to confidently interact in their community; and clubs that run fundraisers, such as barbeques at Bunnings. These associations are not wealthy and are mostly run by volunteers. This bill aims to reform the rights and responsibilities of organisations that have annual gross receipts of less than \$250,000 or less than \$500,000 in assets. In New South Wales something like 93 per cent of associations fall within this financial category—a significant number.

The bill includes amendments to the Associations Incorporation Act 2009 that will guide associations. In particular, the bill clarifies the rights and liabilities of association members; protects members, often volunteers, who are acting in good faith from civil liability; allows electronic voting for annual general and other meetings, permitting time-poor volunteer members to participate without having to attend; standardises mailing addresses; requires associations to include term limits in their constitution; and amends the model constitution that can be used by associations. I am pleased that the Baird Government—a party whose idea of individual liberty and responsibility often involves leaving people to fend for themselves—has accepted the recommendations of the most recent statutory review of the Act.

Members of this House are particularly aware of the vulnerability of local organisations. Some associations are impeccably well managed and easy to deal with. Others are not so well organised and need clearer guidelines on how to operate effectively and safely. These are issues that members of this House experience firsthand on a regular basis, not only through our involvement in such associations but also through representations to our offices. More must be done to ensure the proper management of small associations. A number of local community-based associations within the Prospect electorate will be affected by these reforms in a positive way. I will continue to consult with these associations and obtain their views and opinions on the effects of these reforms.

There are many such organisations in my electorate. I will name just a few because I do not have the time to name them all. Every member of Parliament has hundreds of such associations in his or her electorate, for example, a parents and citizens association at every school. In Prospect, the Parks Community Network and the Fairfield Parent Support Centre are two associations that do a lot of work in

our community on domestic violence by helping people break the cycles of violence and poverty and implementing education and literacy programs. Their work is vitally important for people to succeed in life.

Our local sporting associations include Holroyd-Parramatta Blacktown Australian Football Club—the Goannas—which has the only full-time Australian football club field in the State. It was originally the home of the Giants, who have gone on to bigger and better things. The Wetherill Park Rotary Club, the "workers club" of Wetherill Park, is an amazing organisation of dedicated people who raise tens of thousands of dollars every year for charities and causes throughout the electorate of Prospect and New South Wales. The newly created Indian Support Centre received funding from this Government prior to the last election. I am pleased that the Government provided funding for this centre, which helps new migrants from Indian origins and also from sub-continent origins, such as, Tamil, Sir Lankan, Bangladeshi and Pakistani, to help them integrate into our society in Western Sydney.

The Cassia Community Centre, which has been operating for about 30 years, helps young mothers through the provision of postnatal classes, child care and other services. It is the bedrock of our community in Pendle Hill. Our electorate has a number of ethnic groups, for example, the Armenian Cultural Centre which runs the Smithfield Scouts. Smithfield Scouts is a very active group and it is wonderful to see that the Armenian community is heavily involved in scouting in the electorate of Prospect. Recently I saw about 80 scouts at the centre. I am told that is a regular attendance. The Prospect electorate also has the Australian Tamil Congress, which does a lot of work within the electorate and in the surrounding areas of Western Sydney. My electorate has a very large Tamil population, many of whom are refugees who fled the civil war in Sri Lanka as well as those who have arrived by boat in the past 10 years.

The Australian Tamil Congress does a lot of good work with and for refugees. The Arabic Women's Group is a new association that deals with issues of Arabic women in the community. It helps women to integrate into the community, to gain an education, and on issues relating to domestic violence. It is a key organisation that promotes women's rights and strengthens women's involvement in our local communities. Many members would know of the Assyrian Resource Centre, which has recently become famous through the resettling of 5,000 to 7,000 refugees of the Syrian conflict in the electorates of Prospect and Fairfield. The Assyrian Resource Centre assists people to integrate, for example, through English language classes. The Spanish Speaking Pensioners Association brings together people from South America and Portugal through social events. Other organisations such as the Maltese Association also promote social gatherings.

There are far too many organisations for me to mention in the 10 minutes I have available, but the sample I have given shows the variety of associations in the Prospect electorate. Every community organisation and association that I have mentioned will be affected by this bill. Of particular interest is item [9] of the bill, which relates to the model constitution. The Government, as well as the associations, must monitor the model constitution because the responsibility of the associations now rests with the committees and the boards that run them. It is important that these associations follow the model constitution and make sure that it works effectively. The recent statutory review examined the need for a review of the duties and responsibilities of an association and its office bearers. That is important.

The bill requires an association to deal with term limits, and that can be included in the model constitution. It streamlines the process for organisations to impose term limits should they be required. Amendments to the model constitution will no longer require the approval of the "Director-General" and a special resolution. These matters should be included in the model constitution. I am pleased the Minister intends to amend the regulation in the near future. The Associations Incorporation Amendment (Review) Bill 2016 is a welcome reform that will benefit the thousands of associations and community organisations in New South Wales. It is a subtle but important reform. I am pleased the 2013 review of the 2009 Act is now being addressed and supported by this House.

**Ms MELANIE GIBBONS** (Holsworthy) [10.42 a.m.]: I am pleased to support the Associations



Incorporation Amendment (Review) Bill 2016, which aims to assist and support the running of community associations. This bill makes amendments to the Associations Incorporation Act 2009 to assist associations comply with the Act, to simplify rules related to the closure of an association, to enhance governance and to improve enforcement. The Associations Incorporation Act 2009 allows for a group of people to organise and participate in a common interest or pastime. It allows community members to have a low-cost option when incorporating and establishing a legal entity, with the requirements to comply with the legislation being inexpensive and uncomplicated.

In New South Wales there are about 36,000 registered associations. Each year 2,000 new associations are incorporated and a similar number are wound up. I am pleased to know that the 2015 consultation survey received 1,504 responses, with two-thirds of respondents finding the laws regulating incorporated associations to be clear and simple. It is interesting to note that almost 80 per cent of the respondents to the survey have been involved with an association for more than five years and more than 25 per cent have been involved for between 10 and 20 years. The Government is committed to continuous improvement to enhance the function of this Act in order to support the community and satisfy its needs, interests and desires. That is why the Government has introduced this bill.

As I alluded to earlier, a key purpose of the bill is to improve the enforcement of associations. The current Act allows a community of interest with a minimum of five persons to incorporate, providing it does not engage in for-profit and commercial activities. Provisions are currently in place to ensure that mischievous opportunities do not arise within associations. The perception of the behaviour of some associations led to the 2013 review of current provisions. As a result of this statutory review, proposed amendments were considered and consequently are now contained in this bill. This bill allows for the secretary to initiate the closure of an association. This extends on provisions already present in the Act under section 73 that allow the secretary to direct the association to apply for cancellation.

This would occur where there is a provision in the association's constitution which is against the law and/or where the association's dealings with the public provide sufficient reason to issue a direction to make an application for cancellation of its registration. If the direction is complied with, then it would be noted that the association was voluntarily cancelled. Under the Act, there are provisions within section 76 that allow for the secretary to cancel the association's registration. The secretary may do this due to non-compliance with the Act by the association such as a failure to hold an annual general meeting with respect to the last three financial years or the association having fewer than five members.

The bill introduces a new power that allows the secretary to cancel an association's registration if it is in the public's best interest to do so. The association has a right of appeal if the secretary is investigating a voluntary or involuntary cancellation which includes the option for a review to the NSW Civil and Administrative Tribunal. The secretary, under new section 11 (3) (c) of the Act, may direct an association to change its name because it is unacceptable. Inserted in section 11 of the Act is a note stating that changing circumstances may mean that what was acceptable when an association was registered has now become unacceptable. In addition to the unacceptable names set out in section 18 and in the regulation the review recommended further names be prescribed.

In the next few months these names will form part of the consultation draft to remake the Associations Incorporation Regulation. For example, the name of a criminal organisation or declared organisation under part 2 of the Crimes (Criminal Organisations Control) Act 2012, or any variation of such a name, will be prescribed as unacceptable. Section 76 allows the secretary to cancel an association's registration if it fails to comply with the change of name requirements under section 11. With this bill, an additional power is being created in section 11 that will be more effective and simpler to implement. If the direction to change the name of an association is not complied with, the secretary will be able to change the association's name to its registration number.

As stated previously, one of the goals of this bill is to enhance sound governance within associations. One way this is achieved is by incorporating two common law duties of the committee.

Under the changes in the bill an association's committee member must carry out his or her functions for the benefit of the association as practicably as possible and with the utmost care and diligence. A member of the association's committee is protected from personal liability if he or she is acting in good faith for the purpose of exercising functions for the organisation. Included in the bill are a number of offences that an association committee member may commit by failing to carry out their role in an honest way.

These offences include failing to disclose a personal interest in a matter, dishonest use of information obtained as an association committee member and dishonest use of their position on the association committee. Although these offences are included in the bill, they are not the only offences an association committee member can commit. As a result, a note has been added in the bill to make clear that the committee has an explicit duty to ensure that the association must remain solvent and is managed in a financially responsible and legal way. This duty is by far the most important role of an association committee.

Another governance augmentation in the bill allows for associations to limit the number of consecutive terms for which an individual can hold office and for it to be specified in the constitution. This change recognises that even a temporary break in holding a particular office on the association's committee—even if there are limited people who share office-bearer roles—can create potential opportunities for new directions of the organisation, if it is desired. We are aware that conflict is always a possibility within an association, but if there are well developed structures which focus on the future, there is an increased capacity to resolve in an amicable way any differences that arise.

As mentioned earlier, the bill also incorporates provisions regarding the winding up of an association. Within the bill there is now a clarification regarding the distribution of assets upon winding up of the association. While currently in the Act there is a road map for the procedure for distributing surplus property, it has been missing a requirement for a winding-up clause to be included in the association's constitution. As I have been made aware, a large number of associations have already included winding-up clauses within their constitutions to show that they are non-profit and are not to incur income tax liability. This non-profit mentality is a key point of the Associations Incorporation Act 2009 and, as such, is the reason behind the Act being amended to include a winding-up clause in the association's constitution.

Under the bill a power will be created to allow the secretary to provide a certificate to wind up an association, which is based on a provision in the Co-operatives National Law (NSW). This provision will be useful to allow for especially complicated cases where there are large amounts of assets and potential liabilities present. In the review report cases were cited of associations that had been funded by the government and had failed because all of the association's committee members had resigned. This had left the association with no form of leadership and also no future plans for resuming operations. The government funding body then had no way to recover in some cases finite government funds without commencing legal actions in the Supreme Court to appoint a liquidator and incurring legal expenses. This amendment is a sensible one and a huge improvement on the alternatives.

Under new section 72 a procedure is set out that allows an organisation to voluntarily wind up. A practical improvement to the legislation that has been included now allows for a single committee member to certify that there are no outstanding liabilities and to sign the statutory declaration to accompany the application and special resolution. As a member of Parliament I often have the pleasure of dealing with many community associations that this bill will assist. I am proud of the many associations in my electorate, such as the Sandy Point Progress Association, the Fairfield Liverpool Cricket Association, the Young Adult Disabled Association and the Southern Districts Soccer Football Association to name a few. I thank the Ministers involved in the creation of this bill and believe it will make a genuine difference to our community associations. I commend the bill to the House.

**Ms TAMARA SMITH** (Ballina) [10.52 a.m.]: As spokesperson I lead for The Greens in debate on

the second reading of the Associations Incorporation Amendment (Review) Bill 2016. In regional New South Wales associations and the volunteers who support sporting and social clubs, provide charitable safety nets and run incredible programs such as Scouts and Girl Guides are the lifeblood of our communities. The Greens welcome and support this bill which reforms matters raised by the statutory review process, but we also have a few concerns that I will outline shortly. As the member for Holsworthy noted, incorporating may be inexpensive but it can place an unnecessary burden on already taxed volunteers. We need to strike the right balance between community members in situ and the intervention of government.

We are not suggesting that the Government has that agenda; however, we would not like to see the bill used to defy what local community members want from their associations. The bill takes up many of the changes recommended by the 2014-15 statutory review. It intends to reform the registration process, the circumstances in which an incorporated association can be wound up or deregistered, the duty of committee members and the use of a model constitution. We think those reforms are progressive and good. According to the review, there were almost 40,000 associations registered in New South Wales as of 30 June 2015.

**Mr Gareth Ward:** Name them.

**Ms TAMARA SMITH:** I will refrain from naming them, but I have alluded to some and will add that many child care services and environmental groups do incredible work in my electorate of Ballina. While there are benefits to be gained from incorporation, there are also onerous requirements. I am a non-member of an ocean swimming club—we have chosen not to incorporate because we do not want to have to meet or comply with other obligations. I am, however, very aware of what volunteers do in organisations that have incorporated and the benefits that come with that. The Act distinguishes between large tier 1 organisations and small tier 2 associations for the purposes of financial reporting to enable tighter reporting and auditing.

Approximately 93 per cent of associations fall into the tier 2 category, that is, their gross receipts do not exceed \$250,000 or current assets \$500,000 for the last financial year. In 2013 the Government launched the review process with the purpose of improving governance within incorporated associations, citing concerns that some associations suffer from ineffective governance. The Greens suggest that that comes down to an education process much of the time. The review was intended to complement the statutory review. The Greens NSW put in a submission raising concerns, one of which I will raise today. Some 1,500 association members completed the survey, which was an incredible take-up. Key findings from the statutory review included:

The majority of responses want practical assistance such as easily understood legislation, focus on essentials from the perspective of a very small organisation and reduced fees for compliance particularly as many associations have very low revenue.

The recommendations were a mixed bag—some were purely administrative while others transferred significant control. We note that the Government has taken up some of the recommendations from the review but not others. The Greens will take up that matter in the other place. For now I will say that the bill implements the substance of the recommendations; however, we have some concerns that we will raise. We are also waiting for the review of the Associations Incorporation Regulation 2010, which will fill in some of the gaps.

The bill gives the secretary—being the Commissioner for Fair Trading, Department of Finance, Services and Innovation or the secretaries of the department—significant powers to intervene in the activities of incorporated associations. Under new section 61A (1) (c), if an association's committee has not been able to form a quorum for two months the association may be wound up on a certificate of the secretary. Paragraph (d) also specifies that an incorporated association may be wound up if the secretary is satisfied that there is a significant public interest. Item [20] of the bill inserts new section 76 (1) (k),

which extends the power to cancel the association's registration.

Whilst one imagines that would only happen in quite extreme circumstances, The Greens are concerned about giving such broad discretionary powers to government bureaucrats as part of the review of incorporated associations. Being the secretary of a small sporting association is very different from being the commissioner or the commissioner's secretary in the big smoke. We think the potential ambiguity of "public interest" and the broad discretionary power it imbues within the commissioner require explanatory guidelines so that associations are informed as to their obligations to the public and so that they cannot be deregistered at the whim, in a sense, of a bureaucrat.

A review mechanism to challenge the commissioner's decision is necessary in order to avoid denying individuals and groups of individuals their right to procedural fairness and to limit the ability of the commissioner to impose on an organisation her or his personal views of what is and what is not in the public interest. The Greens feel that the public interest as it is used throughout the area of administrative law needs fleshing out. Without guidelines as to what constitutes the public interest in the context of a small association, there exists, in our view, the potential for associations to be underinformed about their obligations under the commissioner and that they must discharge to the public. We hope the Government will take up a plain English campaign to educate associations about that.

The Greens NSW are concerned not only by the ambiguity of the public interest test but by the omission of a review mechanism to challenge the commissioner's decision. It is important to note that there are already certain circumstances where it is appropriate for the Government to intervene in the activities of an incorporated association, albeit in an extreme example: if an association is engaged in misleading or deceptive conduct. The statutory review noted the controversy, for example, surrounding the Australian Vaccination Network. It was ordered to change its name or face deregistration. So that precedent is there. Overall, with the amendments incorporating the review's recommendations, we support the bill. We will continue to raise concern around the public interest test and the commissioner's decision-making power, which greatly impacts on small associations who through no fault of their own may be struggling with or unaware of their obligations under that provision. We commend the bill with those reservations.

**Mr ALISTER HENSKENS** (Ku-ring-gai) [11.02 a.m.]: I thank members of the House for their contribution to the debate on the Associations Incorporation Amendment (Review) Bill 2016. There have already been important contributions in the House from the members for the electorates of Riverstone, East Hills, Holsworthy and Ballina, and it was a pleasant surprise to see that the member for Prospect could leave his full-time job on Sky News to give some time to his parliamentary duties as a member of this place. The importance of the incorporation of voluntary associations cannot be underestimated. It has been my pleasure over many years to provide legal advice to voluntary organisations and sporting bodies who operate for the benefit of our community and to further the important benefits of voluntary service to our community.

I start by recognising, as examples, two bodies that are incorporated under the Associations Incorporation Act in my electorate: the Hornsby Spiders—their full name being the Hornsby Ku-ring-gai Basketball Association—have incorporation under that legislation, as do their cross-North Shore rivals, the Norths Bears or the Northern Suburbs Basketball Association. They are but two of the many sporting bodies and community service organisations incorporated under the principal legislation that is sought to be amended by this bill.

The incorporation of voluntary associations under the Associations Incorporation Act is very important. Prior to that piece of legislation being enacted in 2009 there were many problems with unincorporated associations concerning their governance. There were problems with their capacity to enter into contracts for periods longer than the term of the committee members appointed by the unincorporated association. There were problems with perpetual succession and the like. So the ability to incorporate under the principal piece of legislation was incredibly important to the operation of voluntary

bodies.

Due to the lower costs and lower level of complexity, it was far superior to the much more expensive and complex alternatives—the typical one being to incorporate as a company limited by guarantee under the corporations legislation. Therefore the original legislation which is today being amended is significant, as are the further refinements to it brought about through this bill. Indeed, I remember the complexity of drafting and creating a company limited by guarantee in the early 1990s—before the 2009 legislation—when I was a committee member and later director of the Basketball Association of Newcastle and Lake Macquarie Limited.

The bill before the House has four essential areas of refinement to the 2009 Act. The first is assisting associations to comply with the Act. The bill provides some important innovations and improvements to the Act. The first aspect of that is to permit electronic voting—a very important refinement and addition when people today are very time poor in their busy lives. The second change with regard to compliance with the Act is to enable changes to the official address to which documents can be served to be more streamlined. There are also provisions to deal with the maximum number of consecutive terms of office bearers.

The second area covered by the bill is to simplify the rules relating to the closure of associations. In particular the process of voluntary winding up of an association is streamlined. The third area refined by the bill is the enhancement of governance. The bill sets out common law duties for committee members regarding due diligence and also an important provision with regard to protection from liability. I will say a little more about those provisions in a moment. By those amendments the bill also ensures that where an association has adopted the model constitution the constitution will be updated whenever the model is amended. The fourth area covered by the bill is improvement of enforcement. There are some quite important provisions relating to the cancellation of registration and the winding up of an association by the secretary in certain circumstances.

I turn to more detailed consideration of some of the provisions. With regard to governance, the amendment bill includes two common law duties for committee members of an incorporated association. Under this bill, each member of a committee of an association must now carry out his or her functions for the benefit of the association and, as far as practicable, with due care and diligence. These duties are similar to some of the much more extensive duties that apply to directors of corporations. It is important that, while the committee members do not have onerous duties upon them, they do have some minimal duties to ensure proper governance of their organisation—bearing in mind, too, that the organisations incorporated under the principal Act are providing important services to the community.

On the other hand, another important aspect of governance introduced by the bill is to protect committee members from any personal liability in the discharge of their duties on the committee if they act in good faith for the purpose of exercising their functions. So there is both a duty and a protection under the bill. That is very important for the committee members to know. It is, of course, always prudent for any committee of any incorporated association to take out directors and officers insurance to properly protect them in the performance of their functions. There are a number of potential offences if committee members do not carry out their roles properly and honestly—for example, offences for failing to disclose personal interests in a matter that is before the committee; offences for dishonest use of information obtained as a committee member; and offences for dishonest use of their position on the committee.

To assist committee members to understand the nature of their duties the bill inserts a note prior to part 4, division 1A of the principal Act to make clear that the explicit duties of the committee members also extend to the association remaining solvent and that the association must be financially responsible and in a legal manner—that is, managed in a financially responsible and legal manner. That sort of transparent and simple instruction to committee members is highly desirable and will assist them to understand their duties under the entire Act. The bill also introduces an important provision as to the number of consecutive terms an office bearer can serve in his or her incorporated association. We have

all experienced—another member has already mentioned this—those salts of the earth who remain heavily involved in leadership positions at voluntary associations for long periods of time.

**Mr Gareth Ward:** We congratulate them.

**Mr ALISTER HENSKENS:** Indeed. Whilst that is commendable and great from a community point of view, it is important for the load to be evenly shared. This will not only avoid burnout but also all members of the association can be fully engaged so that when that valued volunteer can no longer continue with their duties other people will be able to keep the association vibrant.

**Mr RON HOENIG** (Heffron) [11.12 a.m.]: I contribute to debate on the Associations Incorporation Amendment (Review) Bill 2016. At the outset I observe that this bill is the result of a statutory review of the Associations Incorporation Act 2009. That was a fine reform by the former Labor Government, and the Minister for Innovation and Better Regulation and his department have conducted a fine review. It is not usually appropriate for the Opposition to say so, but this Minister has undertaken a number of important reviews within his portfolio, many of them are innovative and, without giving him the kiss of death, indicative of the sorts of reviews and suggestions in consumer protection that the Labor Party has a long history of legislating for. The Minister has approached this task in the same way he has done in respect of a number of areas that directly affect ordinary people in society, and for that reason the Opposition will not be opposing this bill. However, I am somewhat concerned about something that is missing from the 2009 Act, that has been the subject of some form of review and that is not proposed to change—that is, disputes that occur within incorporated associations.

I am a member of an incorporated association. For many years I was the patron of Pagewood Botany Football Club, both in my former and current capacity. Following the redistribution of the electorate of Heffron, with the Pagewood Botany Football Club no longer located in my electorate, I agreed to be the honorary vice president of that organisation. That organisation not only organises football but also works with intellectually disabled children and its president, George Lundy, does an immense job in helping intellectually disabled children and in raising funds for the Sydney Children's Hospital. If by lending my name to that incorporated association I can further those aims and objectives, I am delighted to do so.

One of the prime examples requiring consideration is the model constitution, which is currently contained in schedule 1 to the principal Act and needs to be amended arising from this bill, and how one determines significant disputes between parties. The model constitution says that if an association's constitution is silent—because then the model constitution prevails—a dispute is to be referred to a community justice centre and then perhaps for mediation. What happens then if there is substantial unlawful conduct, for example, by the Eastern Suburbs Football Association, which unlawfully and in breach of its constitution seeks to suspend for a period of 18 months people like George Lundy and prevent them from serving intellectually disabled people? What is the recourse? These people at the Pagewood Botany Football Club were about to engage in litigation in the Supreme Court of New South Wales, which would have had a horrendous impact on the other incorporated association—namely, the Eastern Suburbs Football Association. That would have caused considerable cost, if not bankrupted them. Even if it had not bankrupted them, it would have required the parents of five and six-year-old children to effectively pay increased fees to participate in that sport.

So the in-house legal counsel of the peak body in New South Wales, Football NSW, asked me to prevail upon the Pagewood Botany Football Club not to engage in litigation but to follow the internal processes provided for by the Eastern Suburbs Football Association and by Football NSW. The problem is that the Eastern Suburbs Football Association continues to act in breach of its own constitution. There is no internal constitutional mechanism by which that incorporated association can deal with the issue. So when these people go to Football NSW, a company limited by guarantee, to undergo grievance procedures—for example, so they could access board minutes and demonstrate that there was no power within the Eastern Suburbs Football Association to impose these suspensions and that they were

unlawful—Football NSW for its own internal political reasons refuses to hear the grievance. So this peak body is asking me to stop these highly reputable gentlemen from commencing proceedings in the Supreme Court whilst the local Eastern Suburbs Football Association, through its own belligerence and stupidity, and the incompetence of General Manager Aaron Dibdin, refuses to read its own constitution where clearly a non-lawyer would see within three minutes that there is no constitutional provision or mechanism that would enable them to try to effect what they have sought to effect against these reputable people.

A number of years ago I chaired a commission of inquiry into Football NSW. That organisation provides football in this State for more than a quarter of a million people. I recommended the removal of its president and all but one director and that the Football Federation Australia [FFA] chairman should appoint replacements. I envisaged that in so doing Football NSW would clean up its act; that it would provide a proper oversight mechanism for this sport and these stupid associations, these belligerent football officials who fail to understand their responsibilities. As a result of internal political battles at their annual general meetings they do not want to comply with their own regulations. The company limited by guarantee, which is supposedly the peak sporting body, comes to the Executive Government of this Parliament for public sector handouts. The Eastern Suburbs Football Association operates on grounds subsidised by local councils but will not follow the provisions of its own constitution. The matter will end up in the Supreme Court. My suggestion to the Minister is not to have a line tucked away in the model constitution that requires them to go to a community justice centre. When trying to interpret the provisions of the regulations in schedule 1 with the constitutional provisions of the association, who will decide which provision prevails?

Football NSW, through Football Federation Australia, says that any attempt to seek redress outside their sport will result in disciplinary proceedings. This House should examine the wording in schedule 1 regardless of which provision is used by associations to resolve internal disputes. I am not suggesting it be done by amendment because it may have consequences, but the Minister should look at it. I confess I have not had an opportunity to raise this issue with him but he might have time to consider it before he speaks in reply. It should be determined whether it is appropriate for the Associations Incorporation Act to permit an incorporated association to construct its constitution in a way which prevents external review of the decision-making process by a penal sanction or intimidating action. *[Extension of time agreed to.]*

The rules and regulations of FFA show that a person should not have access to external processes without first undergoing their internal process. It will cost the man responsible for looking after intellectually disabled children \$500 to go to Football NSW for his grievance. If it refuses to hear the claim, it will cost him another \$500 to go to FFA to access its constitution and minutes. Its own regulations include penal sanctions for accessing external sources. If a grievance is taken to a community justice centre, it would no doubt be used as an excuse to suspend players from the game. My solution is that the NSW Civil and Administrative Tribunal [NCAT] should be used to determine those disputes and that it is able to make binding rulings. NCAT can consider them quickly and efficiently; it has a proven track record in doing so. There is no need to follow the commercial disputes provision. It is a question of how quickly a community justice centre can hear a dispute.

I direct the Minister's attention to the stupidity, belligerence and incompetence of people such as Aaron Dibdin, who is also the public officer of the Eastern Suburbs Football Association. The Parliament should legislate that it is unlawful for associations to bypass the dispute resolution process. It will prevent Football Federation Australia and Football NSW from intimidating people to seek a lawful resolution of their process. It is ludicrous that Football NSW and its in-house legal counsel are telling members of the Pagewood Botany Football Club to accept an unconstitutional tribunal to determine an issue. In December last year I deterred them from commencing action in the Supreme Court. It is now February going into March. The Eastern Suburbs Football Association will vote next month in the annual general meeting of Football NSW and it will want those involved to accept an unconstitutional tribunal. Somebody who has read their constitution could resolve the issue in five minutes.

These people want only to coach intellectually disabled children and raise money for charities. Whilst the constitutional provisions in the Associations Incorporation Act are worthwhile, problems will occur when there is a dispute. Sometimes voluntary organisations act as a law unto themselves and do not like other people contributing. However, there must be an independent process whereby ordinary mums and dads can have access to dispute resolution for unlawful, improper or unconstitutional conduct.

**Mr LEE EVANS** (Heathcote) [11.25 a.m.]: I am pleased to support all of the initiatives that assist and support the running of community associations. In particular, I speak in support of the provisions regarding the winding up of an association as set out in the Associations Incorporation Amendment (Review) Bill 2016. About 2,000 new associations incorporate every year and a similar number are wound up. This dynamic reflects the changing interests and circumstances of the sector, which is predominantly run by volunteers. Those volunteers, however, are very experienced. Almost 80 per cent of the respondents to the community survey undertaken about the statutory review stated that they had been involved in incorporated associations for more than five years, and more than 25 per cent of them had been involved for more than 10 and 20 years. It was heartening to see that the volunteers completing the survey were usually the public officer or community member. Their priceless experience is being donated to community life.

The review report cited experience with associations funded by government where they have failed because the entire committee resigned. This had left an association without leadership and with no prospect of recommencing operations. The funding body has then had no choice other than to commence Supreme Court proceedings to appoint a liquidator to recover government funds, causing legal expenses from finite government funds. This is an example of an amendment which was sensible and a vast improvement on the alternatives. Where an association is voluntarily winding up, the procedure is set out in section 72. In future, to assist an association that is closing in an orderly manner, the statutory declaration to accompany the application and resolution need only be signed by a single community member who can certify that there are no outstanding liabilities. This is another practical improvement to the legislation.

I have only admiration for the associations in my electorate, such as the AFL NSW/ACT, Burning Palms Surf Life Saving Burning, the Older Women's Network Wellness Centre, the Sutherland Shire Fellowship of Australian Writers, St Patrick's Junior Rugby League Football Club, Sutherland Loftus United Junior Rugby League Football Club, Sutherland Shire Historical Society, Bundeena RSL Memorial Club, Coledale RSL, Austinmer Surf Life Saving Club, Coalcliff Surf Life Saving Club, Coledale Surf Life Saving Club, Era Surf Life Saving Club, Garie Surf Life Saving Club, Helensburgh-Stanwell Park Surf Life Saving Club, Sandon Point Surf Life Saving Club, Scarborough Wombarra Surf Life Saving Club, Thirroul Surf Life Saving Club, Cole Orthotics, Engadine Bowling and Recreation Club, Club Engadine, Engadine Probus Club Inc., Engadine Dragons Junior Rugby League Football Club, the Rotary Club of Engadine, Rebekah Lucas Counselling Services, John Paul Village, Nova Employment, Bundeena Community Band, Heathcote Waratahs Football Club and Bundeena Men's Shed.

I also mention Waterfall Cemetery at Garrawarra Hospital, Thirroul Bowling Leagues and Recreation Club, Helensburgh Workers, Sports and Social Club, Heathcote Scout Group, Cancer Council—MP Liaison, Constables Point Bushcare Group, Shire Women, Friends of the Royal National Park, Loftus Yarrawarra Rovers Football Club, Assistance Dogs Australia at Engadine, Heathcote Services and Citizens Club, Bundeena Bowling and Sports Club, Menai Men's Shed, Loftus Combined Probus Club, Illawarra District Rugby League, Sydney Tramway Museum, Engadine RSL Social Club, the Rotary Club of Menai, the Rotary Club of Sutherland, Sutherland/Cronulla Home Care, Sutherland Combined Probus Club, Kirrawee Ladies Probus Club, Combined Probus Club of Engadine Inc., Sutherland Ladies Probus Club, Heathcote Oval Touch Football Association, Sutherland Shire Netball Association, Helensburgh Junior Rugby League Football Club— Illawarra District Rugby League, Northern Suburbs Junior Rugby League Football Club—Illawarra District Rugby League, St John Bosco—Cronulla/Sutherland Junior Rugby League, Yarrawarra Tigers— Cronulla/Sutherland Junior



Rugby League, Menai District Junior Rugby League Football Club, Helensburgh Cricket Club Inc., Sutherland Shire Family Services, Engadine Ambulance Station, Menai Ambulance Station, Bundeena Ambulance Station, and Helensburgh Ambulance Station.

Heathcote could be considered quite a small electorate, although it comprises 60,000 residents. The associations I have listed are in the Heathcote electorate alone, so one can imagine how many associations there are across New South Wales and how many volunteers are working for our community. I congratulate them all on their fantastic work. I am pleased to speak in support of the Associations Incorporation Amendment (Review) Bill 2016, and I commend the bill to the House.

**Ms KATRINA HODGKINSON** (Cootamundra—Parliamentary Secretary) [11.31 a.m.]: I support the Associations Incorporation Amendment (Review) Bill 2016 and I congratulate the hardworking Minister for Innovation and Better Regulation on putting the bill together. The bill makes only minor amendments to the Associations Incorporation Act 2009 and supports all the recommendations of the statutory review of the Act, which was conducted and completed last year. The Act establishes the scheme for registered associations that are engaged in small-scale, not-for-profit and non-commercial activities, and it makes provision for the corporate governance and financial accountability of associations.

We just heard an absolutely outstanding contribution from the member for Heathcote, who listed almost every association in his electorate—it was certainly a lengthy list. My contribution will not be as detailed but I take this opportunity to acknowledge all the hardworking volunteers in the Cootamundra electorate—and there are thousands and thousands of them. The further one goes into the country the more one sees how volunteering is part of everyday life. Small communities do not necessarily have the facilities, the buildings, the infrastructure and, may I say, the government assistance that they require to operate in a similar manner to those in metropolitan areas. So volunteers come together, form groups and then go on to form associations. They are the people who keep communities strong, villages and towns growing, and communities thriving.

I will mention a few such associations in my electorate. We have all the traditional associations—the wonderful historical societies, tennis, cricket and netball clubs, and Australian Football League, rugby union and league clubs—in every one of the 11 shires that I represent throughout the 35,000 square kilometres of the Cootamundra electorate. I do not know how common it is in the city, but the men's shed movement in country New South Wales plays a very important role not only in men's health but in ensuring that there is a sense of belonging, particularly for older men in country areas. Whether men are on farm or they live in town, the local men's shed is a place where a bloke can go and perhaps work by himself, doing something constructive such as making a toy or a chair, or enjoy a bit of company. It is a great place to go and have an off-the-record chat with another bloke who has probably felt the same way at some time.

I wish to acknowledge a couple of very special blokes who have been associated with men's sheds over the years. In Grenfell there was a fabulous fellow by the name of Len Wallace, who sadly lost his battle with depression a couple of years ago. He made beautiful enormous bronze sculptures and recently we immortalised Len by placing one of his wonderful sculptures outside the local men's shed. The Grenfell Men's Shed is an old train carriage—it is very creative—and about 30 blokes gather there regularly. I was given the honour of unveiling that very important memorial to Len.

I remember Len very well. He was a founder of the men's shed movement, and together we fought the system to get an incorporated Grenfell Men's Shed association. We had a battle with then fair trading Minister Reba Meagher, who, from memory, was not that impressed even with naming an association a "men's shed" because it was gender specific. It took quite a lot of persuasion and letter writing. We asked why if there is a Country Women's Association could we not have a men's shed association? We battled through and in 2007 the Australian Men's Shed Association was born. There are now thousands of men's sheds across the nation, and many in my electorate—in fact, I cannot think of a

town in my electorate that does not have a men's shed. I must also mention another very special person who was attached to the Yass Men's Shed. Yass was in my electorate of Burrinjuck prior to the redistribution at the last election. Being born in Yass hospital and having a long family history with Yass, I am still very close to the town and its people.

Dara Madden was a special bloke. Dara, a lovely, handsome man in his early fifties with a lovely wife and young children, unfortunately also lost his battle with depression last year. This is where men's sheds are so important: We dedicated in his name a couple of shipping containers that had been converted into extra rooms for the shed. It was a very sad day but we all remembered Dara with great fondness. He was a great speechwriter and a special person. We feel for Kate and his kids and for the other members of the Yass Men's Shed who took it pretty hard. I mention also David Staines—he is a great president of the Yass Men's Shed—and other hardworking members such as Brian Millett, Richard, Ruben, Jack, Reg, Joe and Chris. My former staff member David White is now a member of the Yass Men's Shed and is loving his retirement. Every time I visit the shed they put on a wonderful morning tea.

In conclusion, I sincerely thank all the associations in the electorate of Cootamundra: Probus, Red Cross, the Country Women's Association, the historical societies, the tennis clubs and the netball clubs—netball is huge in the electorate of Cootamundra, as is football. Aussie Rules is a big winner in that part of the world, but rugby union and league also get a mention. Cricket is played in every town every Saturday. There are literally thousands of associations across country New South Wales and many hundreds of them are located within my electorate.

This bill will making life a lot easier for associations to become incorporated, which will benefit those wonderful people in our community who volunteer out of the love for their local communities and in order to make country New South Wales a better place in which to live. If we can make the rules a little simpler for them it will be good for everybody. I praise the Hon. Victor Dominello, Minister for Innovation and Better Regulation, for putting this bill together. I thank those who were involved in the statutory review and I commend the bill to the House.

**Mr ADAM CROUCH** (Terrigal) [11.40 a.m.]: I support the Associations Incorporation Amendment (Review) Bill 2016, which has been brought to the House by an outstanding Minister, Minister Dominello. I acknowledge the contributors to debate on this bill. Recently the member for Cootamundra took the time to acknowledge some of the outstanding associations in her electorate. Like the member for Cootamundra, I am blessed to have many great associations in the Terrigal electorate. I would love to name all of them and highlight the great jobs they do but that would entail my being here for the rest of the afternoon. Unfortunately, I do not have the time.

The purpose of this amendment bill is to address the Associations Incorporation Act 2009. The bill supports all the recommendations of the statutory review that was carried out last year, 2015. I will outline the background to the amendments in the bill. They benefit registering associations that are engaged in small-scale, not-for-profit, non-commercial activities. There are so many of these wonderful incorporated bodies in our electorates across New South Wales. They are usually led by volunteers, who give of their time and their efforts and receive no financial benefit. They make those commitments because they want to help and be part of the associations.

The provisions with regard to the corporate governance and financial accountability of associations have always been quite complex. This amendment bill makes that process a lot easier for volunteers. I commend the Minister for taking the initiative. Many of us have been volunteers in associations. I am privileged to have served on association boards and I know that the complex job of running associations accounts for much of the time of volunteer board members. Board members are always concerned to do the best by the members of their associations and to look after their interests.

As part of the statutory review, more than 1,500 associations were surveyed as there is a wide range of associations. The survey found that while the Act was very popular it needed to be simplified so

that it was easier and less costly for associations to comply with it. It found that the Act could be complicated, unclear and, in some cases, impractical. So the recommendations of the review that will be implemented by this bill should assist in making those processes easier. The bill contains four main parts. The first part assists associations to comply with the Act. This bill clarifies all the liabilities of association members and their rights. It permits electronic voting, which is obviously a step forward in making the whole process of running an association simpler.

The bill changes the rules associated with officials' addresses to ensure that documentation is supplied with respect to association members. I recall quite clearly being the secretary of a community bank. It was a very onerous task to keep records up to date and make sure that all members were supplied with the correct information in a timely manner. The bill provides for an association's constitution to deal with a maximum number of consecutive terms for office bearers. That is a fantastic move, because it means that those boards will often be refreshed. People want to make ongoing contributions on boards of associations but it is important that those associations flourish and grow. Refreshing the membership of boards allows others to step up to the plate and bring new and fresh ideas to associations.

Like the member for Cootamundra, I must mention the outstanding associations in my electorate, including the men's sheds. I have spoken before in this place about the outstanding work that the men's sheds on the Central Coast—especially in the Terrigal electorate—do for our community. These associations are usually run by professional men who have retired and who find they have a lot of spare time. Only last week I was at the Kincumber Men's Shed, celebrating its ninth birthday. It was pleasing to see that its membership has grown and it now has in excess of 48 members, all of whom are local gentlemen. Some of them have retired from professional jobs and feel that the Kincumber Men's Shed gives them the ability to continue to contribute productively to the community.

I have made multiple visits to the Kincumber Men's Shed, which has joined with the Gosford City Model Railroad Club. Those two very passionate groups of gentlemen are having fun while sharing their knowledge of trains and the toy-making skills that they put to good use for the community. Last Christmas the Kincumber Men's Shed donated a large quantity of toys to the Coast Shelter association. The toys, which were all handmade, were delivered to Coast Shelter for children who would not otherwise have received a Christmas gift. As it does every year, the fantastic Kincumber Men's Shed stepped up to the plate and provided, I think, more than 100 toys to kids who were, for various reasons—but through no fault of their own—doing it tough.

The Kincumber Men's Shed meets on a weekly basis. Members follow all the protocols and comply with all the regulations of the association every year. We are now able to go to men's sheds in Kincumber, Terrigal, Erina and Gosford and say to those guys, "We are here to make it simpler for you; we are here to make it easier." The member for Wollondilly has joined us in the Chamber. In March last year he attended the Gosford Men's Shed and made a sizeable funding contribution, in his capacity as the Minister for Mental Health, that has enabled the shed to look at building a new establishment. It is an example of the Government working collaboratively with fantastic associations.

The bill makes the day-to-day running of associations no more onerous than it needs to be. People volunteer to run associations such as men's sheds, local football clubs like the Terrigal Trojans Rugby Club and the Country Women's Association branches. All those associations are usually run by very dedicated volunteers who give of their time unquestioningly. The bill simplifies the rules, such as those relating to the closing of an association or rules enhancing governance. It sets out the common law duty for committee members regarding due diligence, which is always a concern. It covers the protection of liability. The bill ensures that when an association has adopted a model constitution—as they all have—the constitution can be updated whenever the model needs to be amended. I can see the associations on the Central Coast benefiting greatly from this bill.

The bill also improves enforcement. It contains proposals that will allow the Department of

Finance, Services and Innovation to cancel registration if that is in the public interest. It is important that associations do the right thing by their members. Minister Dominello has made a concerted effort to listen to the 1,500 associations that provided feedback. I have no doubt that some of those associations were from my electorate, and I commend them for making a contribution. Given the matters addressed by the Associations Incorporation Amendment (Review) Bill 2016, I have no hesitation in saying that its effect will be beneficial. I commend the bill to the House.

**Mr JAI ROWELL** (Wollondilly) [11.49 a.m.]: I thank the member for Terrigal for the great work he is doing in his electorate. He mentioned that I visited him last March, when I was Minister for Mental Health and Assistant Minister for Health. His commitment to his community is second to none. I am pleased to hear that, a year later, the members of the men's shed in his electorate are forging ahead with their extension plans. They are a great group of guys. I had the opportunity to spend time with them, see what they do, have some morning tea and share a few yarns. Wherever the member for Terrigal went, they went, because they know what a fantastic advocate they have in him. He twisted my arm—and no doubt he continues to twist the arms of other Ministers—for money for his community.

It gives me great pleasure to speak in favour of the innovative Associations Incorporation Amendment (Review) Bill 2016. I have experienced firsthand the dedication and devotion of local associations to our community. Therefore, I am delighted to support a bill which will equip community groups with essential corporate governance and financial accountability frameworks. At its heart, this bill makes it easier for community groups to incorporate, giving them the benefit of a separate legal identity for their association. The bill has been brought forward following the suggestion of a statutory review of the Act that was undertaken in 2015. As part of the review, more than 1,500 members of associations were surveyed. It was found that, while the Act was widely supported, there were impracticalities that needed to be addressed. The survey illustrated that more than 66 per cent of respondents thought that the current Act was clear and simple. Close to 80 per cent of survey respondents outlined that they had been involved with their association for more than five years. It is crucial that we take their suggestions on board in amending the Act.

Year in and year out, there are typically 36,000 registered associations, factoring in the establishment of new clubs and the liquidation of old clubs. The number of registered associations, as well as their size, illustrates the importance of associations in our community. The member for Terrigal spoke about some of the associations in his electorate. In my community there are also many associations that do great work. Without their contribution, government would come to a standstill. Around 200 associations start up every year, while a similar number close. This turnover illustrates the changing nature of communities across the State. It further dictates how many regular Australians dedicate their time to associations to improve their community. Fundamentally, this demonstrates the resounding success of the Associations Incorporation Act 2009.

The statutory review seeks to amend impracticalities and streamline the incorporations process. Essentially, the amending legislation provides a low-cost opportunity for community groups to become a legal entity. The amendments provide a framework under which associations are able to register. The bill expedites the establishment of associations that are made for the purpose of taking part in community, not-for-profit and non-commercial activities while providing adequate frameworks for the corporate governance of the association and for the financial accountability of associations that have been registered under the existing structure.

The bill clearly dictates the responsibilities of associations and their members. It introduces certain changes to the existing Act to modernise incorporation, such as the permission of electronic voting within the association, and specifies the right of an association and its constitution to dictate term limits for office bearers. The provision allows the association's constitution to stipulate the number of consecutive terms that an individual may serve in a particular office-bearer position. This is an important step forward for associations, as it means that volunteers will be able to take a more active role. They will not be dissuaded from putting their hand up and volunteering to take a leadership role. It also has benefits for

the management of the association, as it ensures that there is as much community involvement within the association as possible and that, within an association, more people will volunteer to become involved and bring new ideas to the table to further enrich our community.

Moreover, the legislation specifies a provision for the voluntary liquidation and closure of associations. The bill provides for a winding-up clause to be inserted into an association's constitution. This seeks to expedite and streamline the process of voluntary closure of the association. The bill clearly stipulates the duties of an association's committee concerning due diligence and the separation of identities between members and the association. Primarily, this is to enhance and improve the governance of the association, particularly in cases where associations have adopted model constitutions and in situations where those constitutions can be amended. The amendment implements two duties for committee members, derived from common law—essentially that each committee member carries out their functions solely to benefit the association, with due diligence. This ensures that committee members are shielded from liability if their actions were undertaken in order to look after the association.

Despite streamlining the process of incorporation for associations, the bill includes sufficient provisions to ensure that community groups do not take advantage of the process. The Associations Incorporation Amendment (Review) Bill 2016 allows the Secretary of the Department of Finance, Services and Innovation to rebuke the registration of a particular association if she or he finds the association does not comply with public interest. It further gives the secretary the option to change an association's name and replace it with the registration number if the association does not comply with a request to change its name. The bill ensures that there is sufficient governance over the association and outlines offences that could potentially be committed by association members. These offences include a failure to disclose potential conflicts of interest and deceitful use of information that they obtained from their position on the committee. The bill makes it clear that one of the primary duties of a committee member is to ensure that the association remains financially viable.

My electorate of Wollondilly is home to many important associations that make an amazing investment in our community. I thoroughly respect them and thank them for their time and their dedication to Wollondilly and the Southern Highlands. From Community Links Wollondilly, to the Picton and District Senior Citizens Association, to the Picton Anzac Day Committee and the Thirlmere Chamber of Commerce, associations have given so much to the growth and development of the citizens who call Wollondilly home. I strongly believe community associations should be encouraged throughout New South Wales and Australia for their ability to bring people together and to promote unparalleled community spirit. For that reason I strongly support the amendment bill and urge members to support it. It is important that we equip our community associations with the tools to run as smoothly as possible and that we expedite the process of setting up community groups. After seeing the dedication of associations in the Wollondilly area, I fully support a program that is designed to help them.

Members from the Mittagong and Bowral branches of the Country Women's Association are visiting Parliament House today. We are about to have lunch. They are coming to see question time, so I urge members to behave—they have already told me to. The Country Women's Association does amazing work in the community. The branches in my community are very large. I attended their Christmas lunch, with more than 100 women. They come together not only for fellowship and to support one another but also to support the community in times of need. They hold charity drives to help those who are doing it tough in our community. Inviting them to Parliament House is my small way of saying thank you for all the work that they do. The Country Women's Association does an important job right across the State, and particularly in regional and rural areas. If I speak for much longer my guests will scold me, so I commend the bill to the House.

**Mr KEVIN ANDERSON** (Tamworth) [11.58 a.m.]: It is with great pleasure that I speak in support of the Associations Incorporation Amendment (Review) Bill 2016. There are many organisations in the electorate of Tamworth that do wonderful things across the board. Without them our community life would be much poorer, and we thank them sincerely for their efforts. This bill seeks to make it easier for those

incorporated organisations to operate under a governance structure that assists them. We often see community members put their hands up to take part willingly in community events or a community organisation that seeks to do good in our community. In the first instance we must provide the framework for them to be protected and ensure that they understand what they are signing up for—their duties and the requirements to act in accordance with the proper governance structure. It is really important that they understand that.

I point prospective volunteers joining organisations to the NSW Fair Trading website and encourage them to look at the model rules for incorporated associations. Flicking through those will certainly arm them with the information they need and give them an insight into what is expected of them, particularly what they need to do to act in accordance with the requirements for an incorporated association. For example, there is a whole section on general meetings—including special general meetings, notices, procedures, presiding members, adjournments, making of decisions, special resolutions, voting, appointment of proxies, insurance funds, funds management, alteration of objects and rules, the common seal custody of books, the inspection of books and the service of notices. There is a great deal to know upon becoming a member of an incorporated association. Volunteers, who do such a great job, clearly need to understand their duties and the requirements of an incorporated association.

The bill makes provision for changes in four main areas. First, it assists associations to comply with the Act. The bill clarifies the rights and liabilities of association members, permits electronic voting and changes to the official address to ensure that documents can always be served on an association, and provides for an association's constitution to deal with the maximum number of consecutive terms of office for office-bearers. That is a critical point, because volunteers give their time selflessly and will continue to do so. But it is important to revitalise committees and associations because that brings new ideas to the table and fresh blood, particularly in terms of the direction and the strategy of an association or committee. Volunteers are welcome at any time but there must be a point where a person says, "I have served my time. I have offered as much as I can. It is time for some fresh ideas." Regeneration also keeps transparency and openness at the forefront for an association so that the incorporated entity operates appropriately in accordance with the governance structure.

Secondly, the bill simplifies the rules related to the closure of an association. The bill provides for a winding up clause in the association's constitution and streamlines the processes of voluntary winding up. Thirdly, the bill enhances governance. The bill sets out the common law duty for committee members regarding due diligence and the associated protection from liability. It ensures that, where an association has adopted the model constitution, the constitution is updated whenever the model is amended. That is very important because we need to ensure that they are aware of the protection offered to members in relation to personal liability.

Today we have heard members refer to organisations that have gone down a particular path that has put members in the precarious position of facing personal liability unbeknownst to them. If they are unaware that the organisation is going down that path then that puts them in a very dire position indeed. The ability to become completely familiar with the rules, the requirements and their duties in terms of the governance framework that protects members' personal liability is a very good thing. It is incumbent upon the members of an incorporated association to do their homework and due diligence in relation to their roles and responsibilities, and they must be aware of how the organisation is tracking. The part of the bill that sets out the common law duty for committee members regarding due diligence and the associated protection from liability is very important.

Fourthly, the bill improves enforcement. The bill contains proposals that would enable the Secretary of the Department of Finance, Services and Innovation to cancel registration if it is in the public interest to do so. It also enables the secretary to change an association's name to its registration number if the association fails to change when directed. This facilitates the winding up of an association on certificate by the secretary in a manner comparable to the Co-operatives National Law in New South Wales. There are a number of key points that this bill seeks to impress upon community organisations

about what they need to do. I commend the Hon. Victor Dominello, the Minister for Innovation and Better Regulation, for his carriage of the Associations Incorporation Amendment (Review) Bill 2016, which makes changes that make sense.

Every time we consider amending legislation, regulations or rules we must ensure that it is in the best interests of the community and those organisations, which play a very important role in our community. Without those organisations our society certainly would be poorer for those who do not choose to take part. The Tamworth electorate is blessed with many organisations that are ready, willing and able to say, "Yes, we want to be involved." Those organisations include Landcare, fishing clubs, and the residents and ratepayers association. The Tamworth electorate also has a plethora of sporting organisations that consistently ensure we have the framework and the structure for organised sport such as hockey, soccer, Aussie rules, rugby league, rugby union and cricket. Those are the sorts of things we have been talking about where those incorporated organisations have a significant role to play. Without those associations our community life certainly would be much poorer.

It is very difficult to put a value on volunteering because it is priceless. I thank those community groups for all their efforts. As a father who has children playing organised sport, whether it be netball, cricket, rugby union, rugby league or soccer, I thank all the volunteers involved in sport—the coaches, the trainers, the drivers and the ground staff. They continually put in a great effort for their community. Parents will get involved with a particular sporting organisation while their child is part of that organisation. They will be part of that incorporated association for three, four or five years. These parents are doing the right thing; they are joining an organisation for the betterment of the sport, which ultimately helps their child. They should be aware of their duties and the requirements to act in accordance with the proper governance structure, and that is what this bill is all about. It makes changes that make sense, and that is what this Government is all about. I commend the bill to the House.

**Mr JONATHAN O'DEA** (Davidson—Parliamentary Secretary) [12.08 p.m.]: I am delighted to speak in debate on the Associations Incorporation Amendment (Review) Bill 2016. I do not intend to go over all the relevant provisions of the bill, as other members have done more than sufficiently, but I will highlight a couple of areas and in particular acknowledge a number of the incorporated associations within my electorate. There is no doubt that there is a need in legislation for a balance between transparency and accountability, and simplicity and efficiency. I believe that this legislation achieves that balance.

One area I found of particular interest is the reform regarding the right and, indeed, the duty of associations to have an acceptable name. This bill introduces a new power for the secretary to cancel an association's registration if satisfied that it is in the public interest to do so. I expect interpretive material about exercising this power to be produced in time. Earlier this week I was at a forum on the outlook for hotels in Sydney. This hotel property outlook was sponsored by a group called SHAPE, a leading fitout and refurbishment company. At the forum I heard some positive news about investors choosing Sydney for developing new five-star hotels as this is an exciting time for the tourism industry in New South Wales for a range of reasons.

The reason I refer to this forum is that SHAPE has had a pretty tough 12 months and has had to rebrand after having signage taken down from building sites, logos removed from uniforms and a challenging market environment on the back of the association with the company's previous name, ISIS Group. Obviously, this name was associated with the terrorist group of the same name operating in the Middle East. That is an example of how over time a changing environment may warrant an association's name to change, either voluntarily or involuntarily. In the legislation before us, proposed section 11 allows for the secretary to direct an association to change its name because its name is unacceptable. The new section also contains a note to the effect that changing circumstances may mean that a name that was acceptable when the association was registered has become unacceptable, as in the example of SHAPE.

A point raised by the Governance Institute of Australia is that the ideal is for this type of regulation

to be more consistent and harmonious with regulations of other jurisdictions. I have made this point in the context of other debates and I will continue to make this point. Regulation or legislation of this nature lends itself to a more consistent approach across jurisdictions, in the same way that corporations law has been made consistent by States referring powers to the Commonwealth. As a broad principle I would encourage governments in the longer term to move to a similar situation of taking a harmonious regulatory approach across all jurisdictions. That goal should remain in our sights. Having said that, I believe it is appropriate for the State to make changes as foreshadowed by previous speakers in this debate.

Finally, I acknowledge some of the numerous incorporated associations in the Davidson electorate that do a fantastic job. Their important role in our society warrants our consideration of their governance framework and the regulatory structure in which they operate by helping to facilitate their good work. I list a range of these associations, starting with the Forest Community Men's Shed Inc.—there are a number of men's sheds in the State and their value has already been mentioned—and the Belrose Rural Community Association Inc., which also runs a shed in my electorate. Other associations include the Blue Gum High Forest Group, Step Inc., St Ives Progress Association Inc., the Archbold Estate in Roseville, Friends of Lindfield, Friends of Ku-ring-gai Environment Inc., Lindfield Public School Parents & Citizens Association Inc.—and, indeed, a whole range of school associations—KYDS Youth Development Incorporated, Lindfield Football Club Inc. and a range of sporting organisations, Pymble Players Inc., Pymble Action Group for the Environment, Ku-ring-gai Preservation Trust Inc., Ku-ring-gai Neighbourhood Centre Inc. at St Ives—

**Mr Ray Williams:** A great organisation.

**Mr JONATHAN O'DEA:** Indeed, it is and I know the member for Castle Hill has many great organisations in his electorate that are ably supported by him. In my electorate we also have a few associations with a broader role across the State such as the Doctors Health Advisory Service (NSW) Inc., the Australasian Bat Society Inc., the Australian Severe Weather Association Inc., Australian Society of Calligraphers Inc., Bush Children's Education Foundation of NSW Inc., Aboriginal Early Childhood Support and Learning Inc., NSW Postcard Collectors Society Inc. and the Society for Insect Studies, in which I know the member for Castle Hill has a keen interest. He does all sorts of things with insects.

Importantly, there is the Association for Children with a Disability NSW Inc. There are business organisations, such as the Ku-ring-gai Chamber of Commerce Inc., and important cultural organisations, such as the Ku-ring-gai Historical Society. The Davidson electorate is also host to the Australian Collectors of Mechanical Musical Instruments Inc. in St Ives. These are an indicative range of incorporated associations whose operation will be made easier and whose operational regulation will be made more efficient by the passage of this bill. I commend the Minister for the admirable reforms before us and commend the bill to the House.

**Mr RAY WILLIAMS** (Castle Hill—Parliamentary Secretary) [12.16 p.m.]: It gives me great pleasure to speak in debate on the Associations Incorporation Amendment (Review) Bill 2016. This is another piece of reformist legislation by the Minister for Innovation and Better Regulation. All government members would remember an outstanding piece of legislation the Minister brought before the House just prior to Christmas to remove the sunset clause concerning property owners. I understand I am straying slightly from the legislation before us, but it is worth nothing that this Government implements legislation to protect and aid our communities. Certainly, removing the sunset clause, which I had raised with the Minister some months earlier, has protected no fewer than 54 innocent people who had purchased property in my electorate. People may have seen this covered recently on Channel 7 News. This item was of particular interest to Channel 7 News and the story was covered explicitly and implicitly. The story highlighted the need to embrace important legislation and once again I commend the Minister for Innovation and Better Regulation on that important legislation. He has had a busy year and has started the new year on the right foot with the bill before us today.



The legislation enables groups of people to practise and enjoy a common interest. It is a low-cost option to incorporate and create a legal entity. It is inexpensive to comply with the requirements, which are uncomplicated. I speak with some knowledge—not some expertise—of incorporations. I remember in 2000 the insurance problems of bodies such as progress associations and sporting clubs. Insurance costs had increased dramatically because certain executive members of clubs that were not incorporated were subject to litigation by members of the club who had been injured. That brought a new focus, which enabled these groups to become incorporated to protect individual members from litigation and to apply the appropriate insurance they needed. But most importantly the only risks associated with those groups following incorporation was the loss of any funds being held by incorporation.

In the past, if a small sporting body made up of volunteers from the community held healthy outdoor activities on the weekend and someone was injured, an aggrieved parent sought recompense for medical expenses and undertook legal action against executives on that body. If I remember correctly, some executives lost their homes after being taken to court when costs and damages were awarded against them. That was when I was first involved in the incorporations Act and the need for certain sporting bodies and other groups to become incorporated. At the time—15 or 16 years ago—I was involved in the Kellyville Rouse Hill Progress Association, which some in the Chamber are far too young to remember. It was a particularly successful advocacy group for infrastructure in my electorate, which is now Castle Hill, specifically the upgrade of the Windsor Road. That progress association had a great working group of people and became incorporated.

I remember Kim Ferguson, Liz Vernan and Lyn Cole, who now belong to other incorporated associations such as the Beaumont Hills residents action group. I remember the great people like the Anderson family and Simon Hillel who still may be a member of the Kellyville Rouse Hill Progress Association. The entire focus of the progress association was to advocate for better infrastructure in the area and it had to become incorporated. I have a thorough knowledge of the requirements and procedures in relation to incorporation, and the bill makes those procedures a little clearer for people. It demonstrates that incorporation is not such an onerous process. Recently I went through this process on behalf of a great well-meaning group now known as the Sydney Hills Football Association. I will have great pleasure mentioning it in future because in my electorate and right across the Hills we now have our very own football association—soccer association for the uninitiated. Certainly the diehards and the true believers call it "football". The member for Granville would know that full well as she had a strong contingent of football players in her area.

**Ms Julia Finn:** It was strong until you took them away.

**Mr RAY WILLIAMS:** The member for Granville is acknowledging that our association has been built up because we have 10,000 committed members who want to play soccer in our area. I acknowledge that the oldest football association in the country is the Granville and Districts Football Association Inc. Up until this season our members played in that association for a long time. For about three decades we argued very strongly as to why we should have to travel all the way from areas such as Pottsville and Rouse Hill to Granville. Twenty-five years ago, when my son first signed up to the Kellyville Kolts Soccer Club, I could drive to Auburn, South Granville, Lidcombe and Villawood on a Saturday morning in about 35 minutes, but today I would have to take a packed lunch as it would be a half-day trip. I can see members in the Chamber nodding—they understand why I am inspiring this new association. The Sydney Hills Football Association had to be incorporated to protect its executives and maintain it as a separate entity.

In the 2015 consultation survey, more than two-thirds of 1,504 responses found the laws regulating incorporated associations needed to be clear and simple. The bill, which will enhance the operation of the Act, is part of the continuous improvement being undertaken by government to support the community to satisfy its needs, desires and interests. The goal of sound and proportional governance will be enhanced. The amending bill includes two common law duties for the committee. Each member of a committee of an association must carry out his or her functions for the benefit of the association, so far

as practicable, and with due care and diligence. A committee member is protected from personal liability if he or she acts in good faith for the purpose of exercising his or her functions

A committee member may commit a number of offences in failing to carry out his or her role honestly. One would hardly believe that any good, well-intentioned community member would fail to comply, but, unfortunately, from time to time some do. Therefore there are offences for failing to disclose a personal interest in a matter, for dishonest use of information obtained as a committee member and for dishonest use of the position of a committee member. However these are not the only offences that a committee member can commit. For this reason a note is added in the bill to make clear the explicit duty to ensure that the association remains solvent and is managed in a financially responsible and legal manner. This is possibly the most important function and obligation of an association's management. *[Extension of time agreed to.]*

Another augmentation to the governance arrangements concerns office-bearers, which is a very important aspect of the association. If the constitution provides for office-bearers, the number of consecutive terms for which the same person can hold the office may be specified. This provision recognises that while there may be few willing volunteers to share office-bearer roles, even a temporary break in holding a particular office on the committee can create the opportunity for a potential new approach to the association's business, if desired. This provision will also mean that there is a sharing of responsibility for organisational roles as well as some succession planning, while at the same time an enabling of the continuous involvement by committed volunteers. It will definitely benefit the hardworking volunteers so they do not burn out. When a person becomes a volunteer I can almost guarantee that it will not be for only one association. Members of Parliament move around their electorates and see volunteers in the Red Cross, the Rural Fire Service and the State Emergency Service or in parents and citizens associations—

**Mr Christopher Gulaptis:** Landcare.

**Mr RAY WILLIAMS:** Landcare, as the member for Clarence said. Volunteers expand their duties into other organisations. I acknowledge that my electorate has one of the largest numbers of volunteers anywhere in this country and the dual roles that many of them undertake. Unfortunately, there is a possibility for conflict within any association. Developing good structures with the future in mind increases the capacity to resolve differences amicably—we all know how important that is. Considering that there are always around 36,000 associations after exits and entries each year, the Act has repeatedly proven itself as being well suited to its purpose. The bill will establish a scheme for the registration of associations that are constituted for the purpose of engaging in small-scale not-for-profit and non-commercial activities and to make provision with respect to the corporate governance and financial accountability of associations registered under that scheme. I certainly admire various associations in my electorate. Earlier the member for Davidson referred to the men's shed in his electorate—an organisation that has proved its worth.

I have referred many times in this Chamber—I am happy to refer to it again—to the fabulous work of the Dural Men's Shed. The Dural Men's Shed, which has 80 committed members—an extraordinary achievement—has an expanded role in the intergenerational mentoring of young people. I am proud to say that that organisation has spread its wings to include high schools in Bossley Park and Fairfield, and young people across Western Sydney regularly undergo intergenerational mentoring and are learning skills such as woodwork, working on motor vehicles and go-carts, and engaging in a range of activities of interest to them. Feedback from school principals reveals that when these young men return to high school they complete their Higher School Certificate, are more focused on their studies, obtain apprenticeships and jobs, or go on to university, which is a wonderful achievement. I am pleased to speak in support of the Associations Incorporation Amendment (Review) Bill 2016 and I commend it to the House.

**Mr CHRISTOPHER GULAPTIS** (Clarence—Parliamentary Secretary) [12.31 p.m.]: I am pleased

to speak in support of the Associations Incorporation Amendment (Review) Bill 2016, which is another example of the Liberal-Nationals Government removing red tape and making life easier. On this occasion it is making life easier for non-profit small-scale non-commercial organisations. New South Wales is the premier State, the number one State in this country, because the Liberal-Nationals Government is committed to making life easier not just for business but also for not-for-profit organisations. I congratulate the Minister for Fair Trading on introducing this long overdue legislation which I know community organisations will welcome.

Community organisations are comprised of volunteers who give up their time to improve the communities that they live in. It is often said that they are the lifeblood of our communities. I am pleased that this bill recognises the value of volunteer organisations and seeks to make life easier for them. These volunteer organisations include Meals on Wheels, Girl Guides, Boy Scouts, Neighbourhood Watch, arts and crafts organisations and men's sheds. The member for Castle Hill spoke earlier about the men's shed in his electorate. I have five men's sheds in my electorate located in Casino, Evans Head, Grafton, Maclean and Iluka. They are all built on a common theme but they are all individual and different, and they all contribute much to their respective communities. The men's shed in Grafton has been commissioned by Roads and Maritime Services to build hundreds of wildlife boxes to be placed along the Pacific Highway—essentially, homes for critters that will be disturbed by the highway upgrade. The Grafton Men's Shed also makes its premises available for women to enjoy friendship and camaraderie.

Other volunteer organisations include community radio, showground trusts, Landcare NSW and sporting organisations. As the member for Castle Hill said earlier, there is a long list of volunteer organisations. This bill will go a long way towards streamlining the administrative processes of community organisations. The Act enables groups of five or more people to incorporate, provided their purpose is to engage in non-profit and non-commercial activities. It is designed for small-scale and not-for-profit operations, which is what volunteer community organisations are. Due to the ease of incorporation, provisions exist to ensure that the opportunity is not used for mischievous purposes.

In 2013 perceptions of the behaviour of associations led to a focused review of governance being carried out. The review explored various concerns which were again considered in the statutory review. As a consequence there are proposed amendments to the Act. In certain cases the secretary can initiate closure of the association. There is an existing power under section 73 for the secretary to direct an association to apply for cancellation. This would be where there is a provision in the association's constitution that is contrary to law or where, having regard to the objects of the Act, after an assessment of the nature and extent of association activities and/or dealings with the public there appears to be sufficient reason to issue the direction to make the application for cancellation of its registration. This would be a voluntary cancellation if the direction is complied with.

Section 76 of the Act contains provision for the secretary to cancel an association's registration. The grounds essentially cover noncompliance with the requirements of the Act, such as failure to hold an annual general meeting with respect to at least the last three financial years, or the association having fewer than five members. A new power is introduced in the bill for the secretary to cancel the association's registration if satisfied that it is in the public interest to do so. Interpretive material about the exercise of this power will be introduced in due course. Whether the secretary is instigating a voluntary or involuntary cancellation there is a right of appeal that accords with proper decision-making under administrative law, including application for a review to the NSW Civil and Administrative Tribunal.

Under section 11 of the Act the secretary may direct an association to change its name because the name is unacceptable. The section contains a note to the effect that changing circumstances may mean that a name that was acceptable when the association was registered has since become unacceptable. In addition to the unacceptable names set out in section 18 and in the regulation, the review recommended further names be prescribed. In the next few months those names will be part of the consultation draft for the remake of the Associations Incorporation Regulation 2010. For example, the name of a criminal organisation or declared organisation under part 2 of the Crimes (Criminal

Organisations Control) Act 2012, or a variation of such a name, will be prescribed as an unacceptable name. Under section 76 the secretary may cancel an association's registration where the association fails to comply with a direction under section 11 for the change of its name. A new power, however, is being introduced into section 11 that will be more effective because it is simpler to implement. The secretary will be able to change an association's name to its registration number if the direction to change the name is not complied with. That is a prudent amendment.

I welcome these amendments to support the operation of the associations sector. The proposed amendments in the Associations Incorporation Amendment (Review) Bill 2016 will help to maintain the sector's reputation and ensure it receives the public's ongoing respect. I can assure members that I understand exactly how these amendments will assist in the administration of non-profit organisations. Like many members, I have been part of many not-for-profit organisations such as parents and citizens associations and kids' sporting clubs. It is clear from attending annual general meetings that not-for-profit organisations must deal with a significant amount of red tape. These amendments will certainly assist those organisations to do what they do best—that is, supporting their communities in their respective fields.

As I said, parents and citizens associations, men's sheds and sporting clubs work on behalf of the community. Their members should not have to sit down night after night and concern themselves with the process of running a not-for-profit, small-scale organisation. That was not the intention of the legislation. We do not want these organisations to get tied up in so much red tape that they ultimately disappear. We want to make life easier for our volunteers so that they can continue to help their communities. I am positive that this amendment bill will do that. I have great pleasure in commending the bill to the House.

**Mr JOHN SIDOTI** (Drummoyne—Parliamentary Secretary) [12.41 p.m.]: I speak in favour of this important legislation. The Associations Incorporation Amendment (Review) Bill 2016 is the result of an extensive review of the Associations Incorporation Act 2009. That Act replaced the Associations Incorporation Act 1994 and the purpose of the review was to determine whether the policy objectives of the Act remained valid and whether the terms of the Act remained appropriate. At the end of 2015 the Department of Fair Trading completed its statutory review of the Associations Incorporation Act 2009. Incorporated associations make a valuable contribution to my electorate of Drummoyne. They are the backbone of the community. In fact, incorporated associations play a vital role in each and every community. They are generally run by volunteers and range from sporting clubs, to musical societies, housing providers and arts, crafts, cultural and community groups. Their legal identity is provided by the Associations Incorporation Act 2009.

The review of the Act found that the legislation is popular with its users but that it could be improved with amendments to deal with certain aspects of running an organisation. Under the current provisions some things are either unclear or proving to be impractical. The review received input from a large number of organisations across the State and from more than 1,500 association members who completed a survey and provided the important grassroots perspective. Incorporation of an association enables the creation of a legal entity and governance structure that is easy to understand, low cost and fit for purpose. The Act enables groups of five or more people to incorporate and is central to a community's social life and development.

In drafting this legislation the Government has adopted all of the recommendations of the review. Many associations are part of other networks and comply with additional and different accountability measures arising from their affiliations. These may include requirements imposed by sporting federations or financial providers. In this way the Act is a foundation to enable the achievement of an organisation's purpose. As at 30 June 2015 there were 36,097 associations registered in New South Wales. In the year ending 30 June 2015 there were 1,770 new registrations, 453 voluntary cancellations and 2,198 involuntary cancellations.

The first recommendation of the review provides for limitations of rights and liabilities of members

of an association. This will be achieved by the amendment to section 26 which makes an existing provision easier to comprehend. The second recommendation was to remove the failure to reserve a name as a ground for refusing a registration application. This ground is removed where it occurs in the amendments to sections 7 and 12. A further recommendation provides that association members may vote electronically if they are unable to attend a meeting in person. The provisions in the bill make it easier for associations to manage themselves within the law. As I mentioned earlier, they are made up of volunteers who do not wish to be curtailed in their activities by too much red tape. The bill will enhance the operation of the Act and support the community to satisfy its needs.

The bill will enhance the goal of sound governance. It includes two common law duties for the committee. Each member of a committee of an association must carry out his or her functions for the benefit of the association so far as practicable and with due care and diligence. Committee members are protected from personal liability if they act in good faith in carrying out their duties. There are a number of offences committee members may commit in failing to carry out their role with honesty. Offences for failing to disclose a personal interest in a matter and the penalties for offences are outlined in the bill. Conflicts are an inevitable possibility in any association. If good structures are developed there is more capacity to resolve the difference amicably. I have nothing but admiration for the many associations in my electorate.

Due to the ease of incorporation, provisions exist to ensure that the opportunity is not used for mischievous purposes. Perceptions about the behaviour of associations led to the focused review of governance in 2013. The bill introduces a new power for the secretary to cancel the association's registration if satisfied that it is in the public interest to do so. Interpretative material about the exercise of this power would, I expect, be produced in due course. Whether the secretary is instigating a voluntary or involuntary cancellation there is a right of appeal which accords with proper decision-making under administrative law, including application for review to the NSW Civil and Administrative Tribunal. I am pleased to support this bill. I congratulate the Minister and members of the review panel. I commend the bill to the House.

**Mr MARK COURE** (Oatley) [12.48 p.m.]: It is my great honour to support the Associations Incorporation Amendment (Review) Bill 2016 as well as the hundreds of associations in my electorate. Members opposite support the bill and it has been spoken to extensively today. This bill is about cutting red tape. It is about making it easier for clubs and associations to run effectively. I have had a fair bit to do with many associations in my electorate over my past 10 to 12 years in public life as a councillor and alderman on Kogarah City Council and more recently as a member of Parliament. The groups I have worked with include multicultural organisations such as Chinese associations and men's sheds.

I pay special tribute to the Penshurst Men's Shed, the St George Men's Shed and the Arncliffe Men's Shed in the St George area in the Rockdale electorate. They do a wonderful job and have done for many years. Many of the many sporting associations throughout my electorate and the Canterbury, Kogarah, Hurstville and Rockdale council areas—some of them have been in existence for 20, 30, 40 or 50 years and, in one or two cases, almost 100 years—will certainly find it a lot easier to run effectively due to the provisions in the bill. For example, a template constitution makes it easier for these associations to run effectively.

In addition to the associations just mentioned, part of this bill will also encompass associations such as, for example, Oatley historical society, Hurstville historical society, Oatley seniors and many other associations in my electorate. The Associations Incorporation Act enables groups of people to practise and enjoy a common interest. It is a low-cost option for incorporations to create a legal entity. The requirements are inexpensive and uncomplicated to comply with. In a 2015 consultation survey, more than two-thirds of the 1,504 respondents found the laws regulating incorporated associations clear and simple. This bill, which will enhance the operation of the Act, is part of the continuous improvement being undertaken by the Government—and I acknowledge the work of the Minister for Innovation and Better Regulation—to support community organisations to satisfy the community's needs, desires and interests.

The goal of sound and proportional governance will be enhanced. The amendment bill includes two common law duties for a committee. Each member of a committee of an association must carry out his or her functions for the benefit of the association, so far as practicable, and with due care. A committee member is protected from personal liability if he or she acts in good faith for the purpose of exercising his or her functions. There are a number of offences which committee members may commit in failing to carry out their role honestly. These are offences for failing to disclose personal interest in a matter, for dishonest use of information obtained as a committee member and for dishonest use of their position on the committee. However, these are not the only offences which a committee member can commit. For this reason a note is added in the bill to make clear the explicit duty to ensure that the association remains solvent and is managed in a financially responsible and legal manner. This is possibly the most important function and obligation of an association's management.

This amendment legislation is cutting red tape and giving associations and their committees clear rules and regulations of governance to ensure that they are run effectively. Another augmentation to the governance arrangements concerns office bearers. If the constitution provides for office bearers, the number of consecutive terms for which the same person can hold the office may be specified. The legislation outlines everything that is needed to make governance a whole lot easier and to run smoothly. This provision recognises that, while there may be few willing volunteers to share office bearer roles, even a temporary break in holding a particular office on the committee can create the opportunity for a potential new approach to an association's business, if desired. That is outlined in this bill.

As you, Temporary Speaker Evans, rightly mentioned in your speech, this provision will also mean that there is a sharing of responsibility for organisational roles as well as some succession planning while at the same time enabling continuous involvement by committed volunteers. It will definitely benefit the hardworking volunteers of these associations so they do not burn out. Another part of the bill will establish a scheme for the registration of associations that are constituted for the purpose of engaging in small-scale, non-profit and non-commercial activities, and to make provision with respect to the corporate governance and financial accountability of associations registered under the scheme.

I congratulate the Minister on tidying up this legislation. Importantly, it gives direction to associations and their committees. On a number of occasions we have visited many associations in my electorate and in surrounding electorates, such as multicultural associations, men's sheds and sporting group associations. I am active in the sporting association world, just as you are, Mr Temporary Speaker. The template constitution which is part of the legislation gives them fit for purpose, a duty of care, and guidelines and regulations with which they can run an association more effectively.

This legislation is all about tidying it up and cutting red tape that unfortunately can be part of many associations, particularly if someone is a new volunteer to an association and he or she wants to make a difference—for instance, if the person wants to be a part of the executive or committee that runs the association. Importantly, it gives guidelines to those people, many of whom may just be mums and dads who have never been part of running an association before. There are many wonderful associations in my electorate which is why I speak today in support of this bill, which I commend to the House.

**Mr VICTOR DOMINELLO** (Ryde—Minister for Innovation and Better Regulation) [12.57 p.m.], in reply: I recognise the contributions to this debate of many members in this Chamber. Nineteen members contributed to this extraordinary debate. It is large legacy reform which is why these members have made such an important contribution. I single them out for taking the time to add to this legacy. Those who contributed included the members representing the electorates of Fairfield, Riverstone, Wyong, East Hills, Prospect, Holsworthy, Ballina, Ku-ring-gai, Terrigal, Wollondilly, Davidson, Castle Hill and Clarence, Heffron, Heathcote, Cootamundra, Tamworth, Drummoyne and Oatley.

It was great to see the member for Heffron turn up and contribute to this debate. The contribution of the member for Heathcote was sensational and we all love him. I cannot say enough to demonstrate

my deep affection for the member for Cootamundra. The member for Tamworth is a great guitarist and singer; members should listen to him one day. The member for Drummoyne owes me a coffee, but I will chase it up later. The physical prowess of the member for Oatley is evident when he stands tall and shows he has been working out with the sporting associations in his electorate. I thank each and every one of those members for their contributions to this debate.

The governance of associations will be enhanced by setting out the common law duty for committee members regarding due diligence and associated protection from liability. Where an association has adopted the model constitution, the constitution is updated whenever the model in the regulation is amended. Changes will be made to the official address of the association to ensure that documents can always be served on an association. Provisions will be made for the association's constitution to deal with the maximum number of consecutive terms of any office bearer on their committee. Amendments to aid enforcement of the legislation are included in the bill. The secretary will be able to cancel registration if it is in the public interest to do so. The secretary will also be able to change an association's name to its registration number if the association fails to change when directed. In future the winding up of an association on specific grounds will be facilitated on certificate by the secretary in a manner comparable to the Co-operatives National Law (NSW).

The recommendations of the review were the product of extensive and considered consultation with the sector undertaken in 2013 and 2015. More than 1,500 association members were consulted as part of the review. Many of those members have decades of experience in participating and running associations. Almost 80 per cent of the respondents to the community survey undertaken in the statutory review stated that they had been involved with incorporated associations for more than five years, and more than 25 per cent had been involved between 10 and 20 years. The individual who completed the survey was usually the public officer or a committee member. This is priceless experience that is being donated to community life. I thank those members for their time and input in the review process. I also thank all association members for the time and effort they volunteer to their associations.

I am proud to say that the Government has adopted all of the recommendations of the review. This amendment bill is the first stage of the improvements to the regulatory regime being made to the Act. The remaining stages are to remake the Associations Incorporation Regulation this year and, in consultation with the sector, to rewrite and refresh advisory guidance published by the department to ensure that all the provisions are accessible for the layperson. Associations play a pivotal role in society; sports clubs, interest groups, cultural programs, welfare alliances and education groups comprise the make-up of our communities. Maintaining a register of rules is essential for achieving better regulation and this housekeeping assists citizens to understand their obligations and exercise their rights. The Government's commitment to better regulation means that we will continue to look for ways to ensure that the requirements keep currency and relevance and do not add to regulatory burden.

I have said time and again that the most powerful form of regulation is providing citizens with a transparent and open marketplace. The best platform for better regulation is by empowering citizens to make informed decisions. One of the most powerful demonstrations of this is TripAdvisor. Recently when I was overseas a person said to me, "TripAdvisor is so powerful in the marketplace as a regulator." I said, "Please explain." They said, "In the old days when you were travelling overseas you would get out your *Lonely Planet*. There would be one or two authors who would talk about a given place, but that was a static review. It would last for a year or two, depending on how long you kept your *Lonely Planet*. With TripAdvisor every traveller has a voice in the marketplace. It is not static. It changes minute to minute, day to day, month to month."

Empowering consumers and giving them access to the marketplace is the best form of regulation because instead of government getting in the way and saying, "This business is bad, this business is good, this hotel is bad, this hotel is sensational", we have consumers in the marketplace saying, "This is where you should go". If businesses in the marketplace do not respond to consumers they do not stay in the marketplace for long, they do not have an effective business model and their profits go down. That is

one of the central drivers to better regulation. I am pushing to empower the consumer in the marketplace. The Consumer Complaints Register, which was brought out by NSW Fair Trading last year, is an example of this. It is a way of empowering the consumer in the marketplace to make decisions. In circumstances where consumers can vote with their feet, there is less incentive for government to come in with burdensome red tape.

In the Associations Incorporation Amendment (Review) Bill 2016 the Government was looking at ways to make sure that there was not excessive burden on these associations because of the important role they play. My beloved electorate of Ryde is widely diverse and has a number of associations, particularly of a multicultural nature, that provide enormous services to the community. A lot of those associations simply could not exist under the tougher regulatory regime of the Corporations Act. The beauty of an association incorporation is that in many ways it is a lightweight structure: it is easy to move around and easy to understand. That is exactly what we want for community associations. We do not want the extraordinary rigour that will bury these associations and prevent people from participating in them. As I said, they play a very important role and generally perform volunteer-type functions. Indeed, as the Minister for Citizenship and Communities I saw firsthand how important these associations are in weaving the fabric of our society together.

Returning to the multicultural nature of my electorate, a number of associations provide food for festivals such as Harmony Day and the Lunar New Year. Many use their model to bring people together, which is good for the whole community. There are also welfare alliances, but probably most important are the sporting clubs. Sporting clubs provide an enormous platform for our society. There would not be too many mums and dads in this State who do not have a regular interface with a sporting association. Sporting associations need structure and their structures are predominantly created through associated incorporations. It is important that those structures are flexible and lightweight so that members can participate in their association. Maintaining the register of rules is essential for achieving better regulation, and this housekeeping will assist citizens in understanding their obligations and exercising their rights.

This Government's commitment to better regulation means that it will continue to look for ways to ensure that regulation is current and relevant and does not add to the regulatory burden. Using the marketplace in an open and transparent way by giving citizens the power to flex their muscle in the marketplace is a great way of regulating the marketplace naturally without red tape. The open complaints register that Fair Trading is now embarking on is another great example of empowering citizens to exercise their muscle in the marketplace. It will remove government from the marketplace and help to create a better form of regulation.

Another way to regulate the marketplace without being burdened with red tape is through data and analytics. I was proud last year to have the Data Analytics Centre legislation introduced to this House with bipartisan approval. Although the Chamber was empty when I gave my speech, it is one of the most important reforms that members of this Chamber will ever see in their lifetime. We are in the information age and data is king. If we harness data with the appropriate privacy and security settings in place, it will be the greatest lever we could ever use to improve social outcomes. If that data is harnessed in a safe harbour such as the Data Analytics Centre, we will begin to see serious outcomes that we could not have imagined. Those outcomes include better regulation.

Too often government is involved in regulating market situations because of abhorrent behaviour. However, because one or more players act poorly we end up regulating everyone. That happens because too often data is not available about those who are not playing by the rules. In 2016 data and analytics collected from Police and Environment and Planning should be used to ascertain where the problems are in the market, and to relieve the market of a thick layer of red tape. The market can play itself out and once those who should not be in the market are identified a negative licensing regime can be placed around them. That is a classic example of being smart about regulation. It is akin to using a sharp scalpel rather than a blunt instrument. There is so much more I could say about the power of data and its benefits in better regulation and lifting the base of society, which I am particularly passionate about, but I will leave



that for another day.

I thank all members for their contribution to debate on the Associations Incorporation Amendment (Review) Bill 2016. I thank the many officers at NSW Fair Trading who have helped to introduce this bill to the House, including Regina Haestch, Rod Stowe, Lucas Kolenberg and Rhys Bollen. I also thank members of my ministerial staff: policy adviser Martin Grey, policy director Jason Standish, chief of staff Matt Dawson, and parliamentary legal officer Tom Green. I also want to acknowledge the contribution of the Government Whip's office. As I was walking into the Chamber in preparation for this debate the Government Whip, the outstanding member for Camden, Chris Patterson, said to me, "I do not think my officers get enough acknowledgment for the work they do." That is a good point. Members walk past his office and occasionally pick up apples and good food and we walk in and out of this Chamber thinking that things happen magically. The Whip's office is essential. As many people do these days, I looked up Wikipedia to find the definition of the role of the whip. Wikipedia states:

A whip is an official in a political party whose primary person is to ensure party discipline in a legislature. Whips are a party's "enforcers" ...

**Mr Andrew Gee:** That is Patto. Patto is the enforcer

**Mr VICTOR DOMINELLO:** But Patto cannot do this without assistance from the real enforcers, Alex Carne and Rebecca Cartwright. I acknowledge those quiet enforcers who give the Government Whip so much strength. 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 Victor Dominello 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.**

**Pursuant to sessional order community recognition statements proceeded with.**

### **COMMUNITY RECOGNITION STATEMENTS**

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#### **CAITLIN HORWOOD, AUSTRALIAN FUTSAL PLAYER**

**Mr STEPHEN BROMHEAD** (Myall Lakes) [1.16 p.m.]: I inform the House that Caitlin Horwood from Cundletown will be the youngest player in the Australian under-15 futsal team to tour Malaysia in November and December this year. Caitlin turns 13 this year. She is a goalkeeper and was selected in the Australian team following the national championships, where she played for Northern New South Wales. In 2015, Caitlin played keeper for the Football Mid North Coast under-12 team in the premier league against teams from the Newcastle and Hunter areas. This year Caitlin successfully trialled for the Football Mid North Coast under-14 team, which will play in the Women's Premier League.

#### **WALLSEND LOCAL HEROES**

**Ms SONIA HORNER** (Wallsend) [1.17 p.m.]: Wallsend is proud of its four young heroes, 17-year-old Jackson Rickford, Michael Zechel and Elijah Startin and 16-year-old Jereme Wann. It is thanks to these young locals that 90-year-old Mr Alwyne Watkins was rescued after he fell into a sinkhole at Wallsend Park and was pinned under his mobility scooter. On behalf of all the people of Wallsend and the New South Wales Parliament, I express my gratitude to Michael, Jackson, Elijah and Jereme for their kindness, maturity and humanity.

#### **CALoola ROAD RESERVE**

**Mr MARK TAYLOR** (Seven Hills) [1.18 p.m.]: I congratulate the community of Constitution Hill. In January I received confirmation from Sydney Water that the historical Caloola Road Reserve would not be sold off and closed. Ownership of this site, with incredible views of the Parramatta central business district, the Sydney city skyline and Sydney Harbour Bridge can now be transferred with the assistance of Parramatta City Council and kept open as a park for the families of the Seven Hills electorate. Caloola Road Reserve has a unique historical significance in Australia as it is believed to be the site at which rebel Irish convicts met to plan an attack on the Parramatta central business district in 1804 during the Irish uprising and prior to the famous Battle of Vinegar Hill.

A petition against the closure and sale of the site collected more than 1,000 signatures and I am pleased to have assisted by making representations on behalf of those constituents to the relevant Minister. This is a fantastic win for the community of Constitution Hill and the families of Seven Hills. It is a great display of how community involvement and lobbying can achieve meaningful outcomes for the people of New South Wales and, more importantly, the electorate of Seven Hills.

#### **GELATO WORLD CUP**

**Mr GUY ZANGARI** (Fairfield) [1.19 p.m.]: Congratulations go to gelatier Mr Martino Piccolo and the Australian gelato team on achieving third place behind Italy and Spain in this year's Gelato World Cup. Local resident Mr Martino Piccolo captained the Australian team at the biennial competition in Rimini, Italy, in January 2016. Congratulations are also in order to the other Australian team members consisting of Mr Andre Sanderson, Mr Donato Toce, Mr William Song and Ms Tiffany Jones.

Mr Martino Piccolo is the proud owner of the Carramar-based gelato store Art of Gelato Michelangelo, a favourite with many locals. Art of Gelato Michelangelo produces amazingly high-quality products on a daily basis, ranging from traditional flavours to favourites such as watermelon, mango and fig, to name a few. Well done to Mr Martino Piccolo and the rest of the Australian Gelato World Cup team on all their efforts in putting Australia on the Gelato World Cup map.

#### **KAROL O'BRIEN, REGIONAL WOMAN OF THE YEAR FINALIST**

**Mrs LESLIE WILLIAMS** (Port Macquarie—Minister for Early Childhood Education, Minister for Aboriginal Affairs, and Assistant Minister for Education) [1.20 p.m.]: I recognise and congratulate Karol O'Brien on being named a finalist for the 2016 Rex Airlines Regional Woman of the Year award. From a field of close to 250 nominees across all categories, Karol's dedication to working with people with a disability for more than 15 years has seen her join three other finalists for the Rex Airlines Regional Woman of the Year. Starting as a volunteer in disability support, Karol has since set up several innovative businesses to support work for the intellectually disabled, including a second-hand clothing shop, a recycling business and a recycling building materials business. These businesses have helped support employment in our community.

Karol has a love for her work and believes helping her clients succeed in their employment is the job's greatest reward. As general manager of the Willing and Able Foundation, Karol has been instrumental in providing meaningful employment and personal growth opportunities for adults with

intellectual disabilities in a safe and happy environment. In typical humble fashion Karol said she hoped her finalist nomination would help promote the Willing and Able Foundation even further. Karol O'Brien is an inspiration and role model for us all and on behalf of the Port Macquarie-Hastings community I wish her every success with her nomination.

### **FAR NORTH COAST RURAL FIRE SERVICE**

**Ms TAMARA SMITH** (Ballina) [1.21 p.m.]: Today I acknowledge the bravery and valour of the service men and women of the Far North Coast Rural Fire Service. Under the dedicated leadership of Superintendent Dave Cook and 27 brigade captains across 2,500 square kilometres of terrain, 600 volunteer firefighters are on call 24 hours a day, seven days a week, willing and ready to protect the members of my community and their homes as well as the biodiverse-rich landscape we so dearly love. The Far North Coast Rural Fire Service attends more than 800 incidents a year and sends deployments interstate to support firefighters wherever they are needed.

In the last few years our volunteers have been deployed to Tasmania, Victoria, Western Australia and the recent shocking South Australian fires. Our firefighters do this without hesitation, which demonstrates their high calibre. Next week at the Ocean Shores Country Club volunteers will be receiving service medals. Congratulations to all recipients, in particular, Darren Bailey, Newrybar Brigade, on his National Medal for Diligent Service First Class, and Michael Rushby, Wardell Brigade, on his National Medal for Diligent Service.

### **GLENMORE PARK PUBLIC SCHOOL TRAFFIC FORUM**

**Mrs TANYA DAVIES** (Mulgoa—Parliamentary Secretary) [1.22 p.m.]: Today I commend students and staff of Glenmore Park Public School for their recent Traffic in Glenmore Park forum, hosted by year 1 students on 5 November 2015. It was a pleasure to attend the forum as a panellist, alongside Adam Wilkinson and Catherine Waerner from Penrith City Council and Belinda Sanders from the *Glenmore Gazette*. Throughout the forum students asked a variety of thoughtful and challenging questions, ranging from the way in which Glenmore Park residents can participate in decisions about road and traffic management to the rationale for the design of Glenmore Park's current roads and potential solutions to current and future traffic needs for the growing suburb.

I was particularly impressed by the response given by the year 1 students to the question: "Why is it important to wear a helmet and protect your head?" Their answer was, "So it does not crack open". They are wise words indeed. I take this opportunity to praise the moderators of the forum, Helena De Santis and Cohen Cunningham, for demonstrating skills well beyond their young years. Special mention must also be made of Laura Curran for facilitating the students' learning by leading this thought-provoking survey of the community and research project. I congratulate once more the year 1 students of Glenmore Park Public School on their ongoing intellectual curiosity and scholastic endeavours.

### **KEVIN SMITH, OAM**

**Ms YASMIN CATLEY** (Swansea) [1.23 p.m.]: When people talk about netball in Lake Macquarie and Newcastle they will always hear the name Kevin Smith. I congratulate Kevin Smith on being awarded the Medal of the Order of Australia in this year's Australia Day honour awards for his contribution and service to netball. Since 1962 Kevin has been an active member of the Hunter netball community, first as a member of the Lakeside Netball Association, then in Newcastle and, most recently, in Charlestown.

Kevin has contributed more than 50 years of service to the sport. Over the past five decades Kevin has held too many positions to list. However, his accomplishments as an elite State-level umpire and coach of A grade and representative teams put him at the top of the netball world. Importantly, however, it is Kevin's role as a mentor that holds him in the highest regard amongst his peers. A man of great knowledge, patience and genuine interest in the lives of others, it would be hard to find a person

more worthy of a Medal of the Order of Australia for his contribution to sport in our region. On top of his netball life, it should be noted that Kevin is a passionate community advocate.

### **JULIA EAGLES, DAVIDSON WOMAN OF THE YEAR**

**Mr JONATHAN O'DEA** (Davidson—Parliamentary Secretary) [1.24 p.m.]: Julia Eagles is a devoted volunteer living in my electorate of Davidson. I have selected her as the local Davidson Woman of the Year. Julia primarily volunteers with NSW Police, where she helps with crime prevention projects, which include completing break-and-enter information packs and working at local event information stalls. Julia also helped set up the metal fabrication shed at The Shed facility in Ku-ring-gai, where she put her skills in metalwork to good use. She is also a coordinator for Neighbourhood Watch and a volunteer with Ku-ring-gai Council's Bushcare and Streetcare programs.

Julia has demonstrated tireless commitment to community service. She is an inspiration to the local community and to many local women looking for ways to become more constructively involved in their local communities. I look forward to further acknowledging and celebrating her achievements at the Women of the Year event on 9 March in New South Wales Parliament House.

### **LUNAR NEW YEAR**

**Ms JENNY LEONG** (Newtown) [1.25 p.m.]: It is the Year of the Monkey. My Lunar New Year celebrations began with Summer on the Green in Waterloo, coordinated by the Redfern and Waterloo Neighbourhood Advisory Board Events Group. About 650 people attended this event and enjoyed performances by the Lok Wan Cantonese Opera and Dancing Group and Mr Wu's tai chi sword and fan dance, as well as receiving a fortune cookie from the Chinese god of prosperity, Mason.

I was also honoured to attend the Haymarket Chamber of Commerce Chinese New Year banquet with my Greens colleague the member for Balmain. I thank the Chamber president, Simon Chan, and the executive for a wonderful night. Celebrations continue this week when I will join the Australian Malaysian Singaporean Association banquet as a guest of the president, Peter Wong, and members of the Malaysian and Singaporean communities. I recognise the invaluable contribution made by each of these and many other organisations and communities throughout New South Wales that celebrate Lunar New Year. Kung Hei Fat Choy.

### **PARKES ELVIS EXPRESS**

**Mr ANDREW GEE** (Orange—Parliamentary Secretary) [1.26 p.m.]: One of the highlights of the Parkes Elvis Festival is the arrival of the Elvis Express, which is greeted by hundreds if not thousands of wellwishers at Parkes railway station. This year I boarded the Elvis Express at Orange, where I was joined by a team of highly trained Elvis and Priscilla tribute artists from Parkes, who assisted in distributing Elvis Festival packs to the Elvis fans who were travelling to Parkes from Sydney.

I pay tribute to my fellow tribute artists, who did such a magnificent job in making the Elvis Express experience such a memorable one for all concerned, including the great Al Gersbach, who is also known as Alvis and the famed No. 8 for the Parkes Boars. He is celebrating his fifty-seventh birthday today and the House wishes him all the best. I also mention Greg Jones, Brad Byrnes, Chris Summerhayes, David Nicholls, and Ashleigh Smith, who was Miss Priscilla 2015. Further, I mention Angus Wylie, the great Mayor of Parkes Ken Keith, who stepped out in a powder-blue jumpsuit this year, and Councillor George Pratt. Congratulations on a great team effort for the Elvis Express 2016.

### **ANITA COBBY 30TH MEMORIAL CHARITY DINNER**

**Dr HUGH McDERMOTT** (Prospect) [1.27 p.m.]: On Tuesday 2 February 2016, the Anita Cobby 30th Anniversary Memorial Charity Dinner was held at Blacktown Workers Club. The goal of the dinner

was to raise funds towards building Grace's Place. Simon Bouda from Channel 9 and Kathryn Szyszka, Anita Cobby's sister, were guests of honour and speakers. A number of moving speeches were also made by members of the Homicide Victims Support Group. Money raised on the night will contribute to the project Grace's Place, which is a facility to be built and operated by the Homicide Victims Support Group to help those left behind after a murder, especially children. This is a world-first initiative for families affected by homicide.

The facility will offer safe and secure refuge with professional counsellors on site to help the families through their devastation and grieving. Before their deaths Anita's mum and dad, the late Grace and Garry Lynch, always requested that "something good come out of something bad". The establishment of Grace's Place will honour that request. The dinner highlighted the campaign to prevent violence against women and also Grace and Garry's work with the Homicide Victims Support Group. I congratulate the dinner organisers.

### **TRIBUTE TO SUZY NEDELKOVSKI**

**Ms ELENi PETINOS** (Miranda) [1.28 p.m.]: This afternoon I acknowledge Ms Suzy Nedelkovski of Kangaroo Point for her extensive volunteering work throughout our local community. Since 2014, Ms Nedelkovski has been offering hairdressing services at The Hub Community Centre in Caringbah. Each client pays Ms Nedelkovski \$5 for a cut and blow-dry and the money is then donated back into The Hub to fund its free and discounted services, including free groceries, a free meal or even Zumba classes. Volunteering has always been at the heart of our shire and contributes to our unbounded sense of community. Ms Nedelkovski undoubtedly embodies this community-minded spirit, and her styling services are a testament to her selfless nature. I thank Ms Nedelkovski for uplifting the spirits of those experiencing hardship and for her ongoing contribution to our community.

### **MAX YOUNG, MAITLAND HIGH SCHOOL STUDENT**

**Ms JENNY AITCHISON** (Maitland) [1.29 p.m.]: Maitland High School student Max Young was today announced as a finalist at the Youth Frontiers Mentoring Program award ceremony in this place. It was fantastic to share that experience with his mum, Nicola, and his sister, Mackenzie, who represented him as he is currently in Finland.

Max was recognised for his innovative plan to paint GPS coordinates on house roofs, pinpointing exact locations for helicopters to drop supplies during floods. After experiencing the effects of the April super storm last year, which severely impacted so many in our community, Max worked on this project as part of the Youth Frontiers Program to ensure that assistance was provided in a timely manner to disaster-affected communities. With around 1,000 students involved in the program it is very exciting that Max's efforts and his commitment to this project have been acknowledged and rewarded by the Minister. Congratulations, Max, on your outstanding achievement. I hope to catch up with you when you get back.

### **WARREN TOZER, OAM**

**Mr CHRISTOPHER GULAPTIS** (Clarence—Parliamentary Secretary) [1.30 p.m.]: I offer my congratulations to Warren Tozer of Grafton, who was awarded the Medal of the Order of Australia in the Australia Day honours. Warren has worked tirelessly for his local community through various groups including the Grafton District Services Club, the Grafton Helping Hands committee and the Westpac Rescue Helicopter Service, to name just a few. It is Warren's humble approach to volunteering that makes him such a special man, and the community is all the better for his selflessness. Congratulations, Warren. This is well deserved. I know that you are not after personal recognition but that you simply see a job that has to be done and are more than happy to do it.

### **PORT STEPHENS SUICIDE PREVENTION NETWORK**

**Ms KATE WASHINGTON** (Port Stephens) [1.30 p.m.]: It was terrific to be part of an inspiring event last week, hosted by the Port Stephens Suicide Prevention Network and Salamander Bay Rotary Club. Guest speaker Soraya Saraswati showed enormous courage to share her own story of loss and recovery, for the first time, with people from across our community.

The important message from the day was that suicide can affect any family, that it does affect many families, and that we must talk about suicide. The network aims to reduce the impact of suicide in Port Stephens by engaging the community in discussions about suicide and educating the community in suicide awareness and intervention skills. I extend my gratitude to Bernie Fitzsimmons, Elizabeth Scheimer and the Port Stephens Suicide Prevention Network committee for their efforts in raising awareness and their ongoing commitment to supporting our community. I commend them particularly for the compassion, positivity and understanding they give to those people and families who are experiencing the darkest of times.

#### **EVE ROSS, RED CROSS AWARD WINNER**

**Mr GREG APLIN** (Albury) [1.31 p.m.]: Congratulations to Eve Ross, who received the Gilt Rosette for 60 years of service to the Red Cross. Eve joined the Red Cross when living on a farm near Brocklesby and continued her involvement when she moved to Albury. Over the decades her contributions have included knitting rugs and beanies, and raising money for those in need. A special afternoon tea presentation was held at Murray Gardens Retirement Village in Albury. Thank you, Eve, for your wonderful years of service. I also thank the dedicated Red Cross volunteers from all the branches in the Albury area.

#### **INDOOR HOCKEY NATIONAL CHAMPIONSHIPS**

**Ms NOREEN HAY** (Wollongong) [1.32 p.m.]: Hockey Australia presented medals at this year's indoor hockey national championships that were held at the Illawarra Hockey Stadium in Unanderra. Congratulations to all those who participated in and officiated at the event. I am very proud to have the Unanderra stadium in my electorate. I make special mention of the New South Wales under-21 women's side who took out the national title: Tegan Lamond, Zoe Newman, Samantha Danckert, Amelia Leard, Emma Corcoran, Kelsey Hughes, Chloe Barrett, Alexandra Morrison, Kiarra Marsh, Tahlia McKenzie, Taylor Thomson and Sarah Watterson.

#### **TRIBUTE TO FERGUS HANNAN**

**Mr ADAM MARSHALL** (Northern Tablelands) [1.33 p.m.]: I congratulate and recognise five-year-old Fergus Hannan, who has been doing some great work to keep his small community of Tingha free from rubbish. Fergus has been working hard, walking around the community and picking up rubbish that has been thrown down or has blown into the community, to keep the wonderful town of Tingha as beautiful and well presented as possible. This effort has brought Fergus a great reward. He has recently received his first-ever bicycle, which was donated by local resident John Stansfield who, in an effort to encourage young people in Tingha to keep their town clean and tidy, put the challenge to them—the best cleaner-upper would receive a free bicycle. Well done, Fergus. I am glad to see that you are keen to keep Tingha clean and tidy. You are a tremendous role model for other young people in Tingha.

#### **JADE WILLIAMS, HUNTER JUNIOR LIFESAVER OF THE YEAR**

**Mr TIM CRAKANTHROP** (Newcastle) [1.34 p.m.]: Today I speak about one of the younger members of the community in Newcastle, Jade Williams. Jade was recently announced as the Hunter Branch of Surf Life Saving NSW Junior Lifesaver of the Year. She has contributed a lot to her Cooks Hill club in teaching other nippers, competing in trials, and assisting with fundraisers. She commenced patrolling this year. Jade is also active in the community, volunteering at the annual Newcastle Hill to

Harbour running event and the Special Olympics in 2013.

I was already aware of Jade's charitable side when I presented her with the Tim Crakanthorp Social Justice Award last year. Jade won the medal for the incredible feat of shaving off her hair in the name of charity at the World's Greatest Shave. She raised more than \$5,500, donating it to the Leukaemia Foundation and the Princess Charlotte Alopecia Program. At 13 years old, Jade is already a high achiever and I am so proud to have her in the Newcastle community.

#### **CHIEF SUPERINTENDENT PETER GILLAM, APM**

**Ms MELANIE GIBBONS** (Holsworthy) [1.35 p.m.]: I congratulate Chief Superintendent Peter Gillam, from Liverpool Police, for being awarded one of nine Australian Police Medals for his service ensuring people's safety within our local community. Chief Superintendent Gillam joined the NSW Police Force in 1978 at Liverpool police station. He has held many roles over the years, including in the Tactical Response Group, as a crash investigator, in the State Protection Group and in the Witness Security Unit. He was also an integral part of the development of the NSW Police Force witness protection program—a large achievement in itself. It is always wonderful to see people in our community working selflessly to better their local areas. Peter Gillam truly exemplifies the principles of an outstanding citizen. I again congratulate the chief superintendent on receiving his Australian Police Medal. We are very lucky to have him.

#### **PREMIERE OF ZABAICAL COSSACKS ODYSSEY**

**Ms TANIA MIHAILUK** (Bankstown) [1.36 p.m.]: On 12 February I was delighted to attend the premiere of *Zabaikal Cossacks Odyssey* at Burwood. The documentary is a film about the Russian Cossacks of the Baikal Lake area and their odyssey from what was the Soviet Union to China and then to Australia, and how they preserved their culture, faith and heritage, despite the many challenges before them. The film premiere was sponsored by the Russian Australian Representative Council with the participation of the Australian Zabaikal Cossacks in association with the Ministry of Culture of the Russian Federation.

I take this opportunity to acknowledge the distinguished guests, including His Eminence Metropolitan Hilarion; Mrs Irina Simonian; the many reverend fathers in attendance; Simeon Boikov; Fedor Lukovstev; Peter Tatarinov; and the many other distinguished guests that were part of the committee organising the prestigious event and making sure that our history is preserved in this wonderful documentary.

#### **CENTRAL COAST BEACH SAFETY LESSONS**

**Mr ADAM CROUCH** (Terrigal) [1.37 p.m.]: Central Coast school students are receiving free beach safety lessons thanks to a \$345,000 election commitment by the New South Wales Government to Central Coast Surf Life Saving. The grant has been used to upgrade technology and facilitate education programs, in schools and on the beach, aimed at reducing drowning deaths.

Central Coast lifesavers do a fantastic job in helping keep swimmers safe and this grant has allowed them to provide a program tailored to school students on the Central Coast, free of charge. The grant is also used to purchase essential equipment such as digital radios and portable public-address systems to assist lifesavers cope with the growing public demand at the Central Coast's beautiful beaches. Volunteer lifesavers provide a vital service, not only to locals on the Central Coast but to the thousands of visitors who come to the coast each year. I take this opportunity to thank Chief Executive Officer Chris Parker and Surf Life Saving Central Coast for the great work they do in protecting our community and educating our youth.

#### **WINMALEE RURAL FIRE SERVICE**

**Ms TRISH DOYLE** (Blue Mountains) [1.38 p.m.]: Nearly 2½ years on from horrific bushfires, Winmalee Rural Fire Service brigade hosted the official opening of its new satellite fire station at Yellow Rock on Saturday 6 February 2016. In October 2013, the Blue Mountains townships of Yellow Rock, Winmalee and Mount Victoria were devastated by bushfire. More than 200 homes were destroyed and many others damaged. Many families were displaced.

Out of this trauma, the new Yellow Rock fire shed is a milestone in the bushfire recovery process. The opening of the new station acted as a symbol of hope and resilience. Among those who joined me on this special day were the many wonderful local Yellow Rock and Winmalee residents and businesses who donated time, money and effort for the rebuild; Winmalee Rural Fire Service brigade members; Winmalee Captain Anthony Black; brigade member and master of ceremonies John Buchar; our Blue Mountains mayor, Mark Greenhill; Minister David Elliott; Rural Fire Service Assistant Commissioner Rob Rogers; and Rural Fire Service District Superintendent David Jones. Thank you, one and all.

**IAN GOODE, OAM**

**ALLAN CAMERON, OAM**

**Mr MARK SPEAKMAN** (Cronulla—Minister for the Environment, Minister for Heritage, and Assistant Minister for Planning) [1.38 p.m.]: I congratulate Ian Goode on receiving the Medal of the Order of Australia in the Australia Day honours list. This recognises more than 53 years of support for surf lifesaving. Ian joined Cronulla Surf Life Saving Club in 1962 and became a life member in 1985. He has been a referee with Surf Life Saving NSW for the past 30 years. As Australian team coach with Surf Life Saving Australia, Ian managed teams that competed overseas. Ian also led the Cronulla team to win the World Championships in 1988.

I congratulate Allan Cameron on receiving the Medal of the Order of Australia for his services to surf lifesaving. This comes on top of his British Empire Medal, awarded for bravery in 1964 after he became the last crewman to escape the sinking destroyer HMAS *Voyager*. He has served the North Cronulla Surf Life Saving Club for almost 80 years and has been a life member since 1986.

#### **NARRANDERA LIONS CLUB SCHOLARSHIP**

**Ms KATRINA HODGKINSON** (Cootamundra—Parliamentary Secretary) [1.39 p.m.]: As a founding member of the New South Wales Parliamentary Lions Club I am pleased to acknowledge that the 2016 Narrandera Lions Club Neville Mitchell Memorial Scholarship has been won by Molly Darrington. A student leader at Narrandera High School, for the past six years Molly was a representative on the student representative council. She was also a school captain. Molly and her parents, Brett and Heather, went to the Lions meeting last Wednesday at the ex-servicemen's club, where Molly received a cheque for \$1,000 and her certificate of achievement. Molly has always been passionate about leadership. She was recommended for this award by the principal and staff of Narrandera High School. She is a great example to those around her. Molly helps many to study. She achieves outstanding results and helps others to achieve outstanding results. She is an amazing person and I commend her for winning this wonderful award.

#### **FORBES CITIZEN OF THE YEAR AWARDS**

**Mr ANDREW GEE** (Orange—Parliamentary Secretary) [1.40 p.m.]: I draw to the attention of the House the fact that the Forbes 2016 Citizen of the Year is Patrick [Paddy] Molloy. Paddy was nominated for Citizen of the Year because of his dedication to the Forbes community in many areas. For the past 37 years Paddy, along with Ray Lassere, has entertained the residents of Jemalong Residential Village and Mater Aged Care by playing guitar and singing songs for them. Throughout the years Paddy has also been involved in other community activities, including rodeos, sprint racing and the Forbes Country Music



Club.

The 2016 Forbes Young Citizen of the Year is Daniel Ashcroft. Daniel is a member of the Forbes Youth Advisory Committee and was a founding member of Spectacular Screenings. He has donated toys to Havannah House for its Christmas lunch for the past three years, has volunteered at Forbes North Public School fete and has participated in numerous other community events. I again congratulate both Paddy Malloy and Daniel Ashcroft on receiving Citizen of the Year awards at the Forbes Australia Day Awards. I pass on to both the congratulations of the House.

**Community recognition statements concluded.**

*[Temporary Speaker (Mr Lee Evans) left the chair at 1.41 p.m. The House resumed at 2.15 p.m.]*

**VISITORS**

**The SPEAKER:** I welcome all our guests to the House for question time this afternoon. I hope they enjoy the next 1½ hours or so. In particular, I welcome members of the Bowral Country Women's Association [CWA]—Helen Kent, Sandra Draper, Diana Innes, Margaret Caseley, Marietta Lowe, Maggie Stewart, Jean Woodman, Jan Marsh, Janel Doust and Di Ratcliffe, guests of the member for Wollondilly. I also welcome to the visitors' gallery members of the Mittagong Country Women's Association: Margaret Warby, Maureen Fleming, Donna Fleming, Kathy Fleming, Meredith Van Til, Laura Harkham, Barbara Thirkell, Shaun Moore, Liz Links and Rita Gilroy, guests of the member for Wollondilly. I welcome all our fine guests from the CWA, of which I am also a member. I am a member of the Milton branch of the CWA. I also extend a warm welcome to Tara Smith, daughter of the member for Ballina, and Christopher Macfarlane, guests of the member for Ballina.

**REPRESENTATION OF MINISTERS ABSENT DURING QUESTIONS**

**Mr MIKE BAIRD:** I advise members that the Minister for Finance, Services and Property will today answer questions relating to the portfolio of the Minister for Trade, Tourism and Major Events, and Minister for Sport during his absence.

**BUSINESS OF THE HOUSE**

**Routine of Business**

*[During the giving of notices of motions to be accorded priority.]*

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

**DISTINGUISHED VISITOR**

**The SPEAKER:** Order! I welcome to the gallery the former member for Strathfield, Charles Casuscelli.

**QUESTION TIME**

*[Question time commenced at 2.25 p.m.]*

**MINISTER FOR FAMILY AND COMMUNITY SERVICES**

**Mr LUKE FOLEY:** My question is directed to the Minister for Family and Community Services, and Minister for Social Housing. Did the Minister speak with counsel assisting the Independent Commission Against Corruption on Operation Hale shortly before the scheduled public hearing and say to

him, "Do you know what you are doing?"

**Mr BRAD HAZZARD:** I have no idea whether that—

**Mr Michael Daley:** We know that.

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

**Mr BRAD HAZZARD:** I have no recollection. I said yesterday that I did speak to the counsel who had just been appointed and advised him of the availability to be a witness. I have no recollection of what the member is asserting

**The SPEAKER:** Order! The member for Maroubra will listen to the answer or he will be called to order.

**Mr BRAD HAZZARD:** But if I read what the member is asserting to be vaguely what the member is asserting, the day anybody can tell a senior counsel what to do, I would be very surprised.

**Mr LUKE FOLEY:** I ask a supplementary question. I thank the Minister for his answer and ask: Why can the Minister not give honourable members of this House an assurance that he did not say to counsel assisting the Independent Commission Against Corruption, "Do you know what you are doing?" days before a scheduled public hearing into a most controversial matter?

**Mr Chris Patterson:** Point of order: A member cannot ask a supplementary question unless the matter raised was drawn from the substance of the previous answer, and that clearly was not the case, as per resolution.

**The SPEAKER:** Order! The original question was questionable as it was wide ranging rather than a question about fact, and the supplementary question relates to the answer that was given. The member for Camden is prudent to raise a point of order; however, I rule that the supplementary question is in order.

**Mr BRAD HAZZARD:** I have indicated what my answer was. I indicated also yesterday and I will read it again, because it sounds as if the honourable member has not read it. I said yesterday in a statement:

While I was Attorney General, my office received a call from a member of the public who claimed to have information regarding an incident that was part of an investigation that had been announced by ICAC, and involved Margaret Cunneen SC.

I telephoned the person and she confirmed she had certain information as she alleged she was an eye witness.

It is not appropriate that I detail the assertions made by the alleged witness.

I recollect that the person wanted to give evidence that she felt would support Ms Cunneen and wanted to contact her.

I recollect referring her to ICAC and indeed I spoke to ICAC to ensure that contact between ICAC and the witness was made.

I don't recollect whether I gave the witness the details of how to contact Ms Cunneen or her lawyers but if I did so, it would have been entirely appropriate to ensure that the witness could give both the ICAC and Ms Cunneen's lawyers her alleged observations.

I add to that the fact that the Attorney General's role is certainly a matter of much discussion over many years.

**Mr Luke Foley:** It is not to heavy counsel assisting days before a hearing.

**The SPEAKER:** Order! The Leader of the Opposition asked the question. He should listen to the answer.

**Mr BRAD HAZZARD:** The Leader of the Opposition is a very immature and inexperienced leader and he needs to grow up.

**Mr Michael Daley:** Point of order—

**The SPEAKER:** Order! Members will come to order. The member for Maroubra is entitled to take a point of order. Opposition members will come to order. I cannot hear the member for Maroubra.

**Mr Michael Daley:** Under Standing Order 73, if the Minister wants to launch into that sort of diatribe against the Leader of the Opposition, he should try to fix his own imperfect memory.

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

**Mr Michael Daley:** His lack of memory about this incident is astounding and everyone in here, particularly the Premier, should be concerned about this because the Minister is obviously hiding something.

**The SPEAKER:** Order! The member for Maroubra is guilty of the same things of which he accuses the Minister. There is no point of order.

## **STATE TRANSPORT INFRASTRUCTURE**

**Dr GEOFF LEE:** My question is addressed to the Premier. What is the Premier's response to accusations from the member for Auburn that he has too narrow a focus on road and rail projects?

**The SPEAKER:** Order! I repeat the warning I gave yesterday: Members who continue to interject will be removed from the Chamber. Members will come to order.

**Mr MIKE BAIRD:** I thank the outstanding member for Parramatta, who is doing an incredible job in his community. He is interested in the development of road and rail projects in his electorate, and indeed across the State. It was interesting over summer because we did not see a lot of the Leader of the Opposition—just a couple of musings. I thought it was a particularly unusual approach to attack me for being focused on building road and rail projects. That is quite an unusual way for the Opposition to go about its strategy: let us attack the Government because it is building public transport and roads that have been needed for decades. This Government is carrying out both, but the Opposition decided to attack us.

I say to the Leader of the Opposition, "Guilty". I am focused on building the road and the rail that the former Labor Government promised for 16 long years. The difference between the Opposition and the Government is that we are building the infrastructure this State needs. It does not matter where one turns, infrastructure is being built across this State, but is there any reason that anyone needs any more evidence on why the judgement of the Leader of the Opposition is being questioned? If the Leader of the Opposition wants to be known as the number one smear merchant in this State he is living up to it.

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

**Mr MIKE BAIRD:** If he wants to go down the smear path as a leader—he seems to have orchestrated and asked for this to be done and is executing it—he needs to be sure of the ground on which he is standing. If the member for Liverpool is listening, he is in all sorts of trouble as a general rule, but if he is going to do it he has to be very careful.

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

**Mr MIKE BAIRD:** We have all seen reports in the media about where they might have got documents from in relation to this matter. If they are going to attack an outstanding Minister who is doing more in Family and Community Services than any of them could ever dream of, they had better be thinking about their strategy.

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

**Ms Jenny Aitchison:** Point of order: I cannot quite decide whether I should take a point of order under Standing Order 129, relevance, because the question was about roads and rail, or under Standing Order 73—

**The SPEAKER:** Order! The member for Maitland will resume her seat until she decides which standing order she wishes to cite.

**Mr MIKE BAIRD:** According to media reports, apparently the material has been sourced from confidential material presented to the Committee on the Independent Commission Against Corruption. I note the chair of the committee has rightly convened a meeting as a matter of priority to determine where that information might have come from. I certainly think that the Opposition should be aware—

**Mr Guy Zangari:** Point of order: It is relevance under Standing Order 129. This has nothing to do with the question from the member for Parramatta, which was about road and rail.

**The SPEAKER:** Order! I am sure the Premier will return to the substance of the question. There is no point of order.

**Mr MIKE BAIRD:** I note that he has sought the advice of the Clerk concerning potential breaches of privilege and possible contempt relating to proceedings of the Committee on the Independent Commission Against Corruption.

**Mr Guy Zangari:** Point of order—

**The SPEAKER:** Order! If it is the same point of order, I have ruled on the matter. The member for Fairfield will not waste my time.

**Mr Guy Zangari:** My point of order is under Standing Order 129. Once again the Minister is straying from the question.

**The SPEAKER:** Order! I am sure the Premier will return to the substance of the question. There is no point of order. The member for Fairfield will resume his seat.

**Mr MIKE BAIRD:** Section 70 (4) of the Independent Commission Against Corruption Act states:

- (4) Where evidence is taken by the Joint Committee in private otherwise than at the request of a witness, a person (including a member of the Committee) shall not, without the authority of the Committee under subsection (5), disclose or publish the whole or a part of that evidence.

There are very seriously penalties for that. I ask the Opposition whether it really knows what it is doing.

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

**Pursuant to standing order additional information provided.**

**Mr MIKE BAIRD:** I say to members of the Opposition that they can pursue smear; we will continue to pursue good policy for the people of this State.

**Mr Michael Daley:** Point of order: I refer to Standing Order 73. I have two words to say to the Premier about smear, "East Hills".

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

**Mr MIKE BAIRD:** The member for Maroubra should not pretend that he is trying to protect the Leader of the Opposition, because no-one believes it. That was as weak as he gets.

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

**Mr MIKE BAIRD:** It has been a long time since we have had a Minister who has paid as much attention to his portfolio as he has in respect of looking after the homeless, visiting caseworkers, and improving social housing by providing thousands and thousands more dwellings. They can do whatever they want—

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

**Mr MIKE BAIRD:** We will get on with the job. That is exactly why the judgement of the Leader of the Opposition is in question.

**Ms Jodi McKay:** Point of order: I refer to Standing Order 129. The question specifically related to road and rail; I want to know more about that.

**The SPEAKER:** Order! The question was not just about road and rail; it asked whether the Premier was focusing on just road and rail. The Premier is explaining that he is focusing on other things also. The member for Strathfield should have listened to the question, which was very clear. There is no point of order.

**Mr MIKE BAIRD:** That is why those opposite are not in any way fit for government but members on this side continue to deliver for the people of this State—whether it be road, rail, schools or hospitals, we are delivering for the people of this State on the issues that matter. The Opposition can get on with whatever smear campaign it wants.

## **REGIONAL TRANSPORT INFRASTRUCTURE**

**Mr THOMAS GEORGE:** My question is addressed to the Deputy Premier. How is the Government working to connect residents of regional New South Wales with safer roads, hospitals and bridges?

**Mr TROY GRANT:** I thank the member for Lismore for his outstanding question and his advocacy in his electorate.

**The SPEAKER:** Order! Opposition members who continue to interject will be removed from the Chamber. There are far too many injections. If necessary, I will extend the time of the Deputy Premier every time I direct members to cease interjecting.

**Dr Hugh McDermott:** It's going to be a long afternoon.

**The SPEAKER:** Order! It could well be, but I will make the member for Prospect stay in the Chamber as a punishment. I will also make the member for Rockdale stay because I know he hates to be here. I call the member for Maroubra to order for the second time.

**Mr TROY GRANT:** The member for Lismore understands the significant bonanza that is occurring not only in his electorate but also across the great regional areas of New South Wales. In the Lismore electorate there have been upgrades to Lismore airport, the Lismore Base Hospital and the Pacific Highway near Ballina. He knows that people living in the regions understand the tyranny of distance and the importance of being able to travel safely, whether it is for emergency medical treatment, work, business or pleasure. The member understands that distance is another matter entirely. Regional communities are especially glad when they hear that money will be invested in a new bridge, road or airport because it means so much to their day-to-day lives. Members on this side of the House are absolutely thrilled when their local hospital is being fixed up. Members on this side of the House know how long and hard travel can be and understand the positive impact that this Government is having on regional areas.

One example is the Stingray Creek Bridge in the Port Macquarie electorate. It was built more than 50 years ago and more than 8,000 vehicles use it each day. The old bridge was narrow, dilapidated and unsafe. This Government is now building a wider, stronger and safer bridge, which is crucial for motorists now and into the future. Regional people understand and know that when this Government undertakes a project such as the Stingray Creek Bridge local people are employed and local suppliers will be responsible for providing the materials, providing an economic boost to the area.

The iconic stretch of the Pacific Highway between Tintenbar and Ewingsdale near Ballina is another example of infrastructure improvement by this Government. It was one of the last roads our former Deputy Prime Minister Warren Truss, a true country gentleman, opened with the New South Wales Minister for Roads, Maritime and Freight, the best roads Minister in the history of this State, the Hon. Duncan Gay. It is a project worth \$862 million for regional New South Wales. The member for Ballina understands how important this investment is to that part of the State. There are seven new bridges, new interchanges for safer travel and a new link road for local school buses, another important issue.

Let us take note of the 17 regional airports being repaired under the guidance of the Minister for Regional Development and the Minister for Transport and Infrastructure. From Albury to Armidale and from Lismore to Lord Howe Island, regional airports are receiving funds for better terminals, runways and lighting to allow them to take more and bigger aircraft. Those are the projects and investment that will make 2016 the year of delivery for regions. We know about it and we appreciate it.

There is a new era for regional health care under the guidance of Minister Skinner. As we heard from the Premier yesterday, in the Central West the member for Orange recently joined the Premier, Minister Skinner and me to open three upgraded or new hospitals within four hours. It is an absolute transformation and a significant and proud achievement for this Government. My electorate of Dubbo is central to health care for western New South Wales and has received a \$90 million hospital upgrade. Parkes now has access to the most modern health service in New South Wales with a brand new hospital. It was promised by those opposite for 15 years but delivered by this Government. A new investment strategy has been launched across western New South Wales to ensure that remote patients have access to health care through innovative technology.

**Pursuant to standing order additional information provided.**

**Mr TROY GRANT:** Patients in the isolated community of Walgett can now be examined by a specialist in Dubbo, saving them a three- to four-hour one-way journey to seek that help. The member for Barwon well understands the importance of that upgrade. This Government believes that regional communities deserve access to these vital services no matter where they live. Labor's reign of neglect for the regions is well and truly over. Historic levels of funding are flowing into roads, bridges, freight, health, hospitals and airports across New South Wales. Since 2011 more than \$19.5 billion has been invested in these areas. Projects that we could only dream about under the former Labor Government are now being delivered in our communities. Regional New South Wales is seeing its communities rebuilt and it is a trend that has momentum and is not going to stop any time soon.

#### **MINISTER FOR FAMILY AND COMMUNITY SERVICES**

**Mr PAUL LYNCH:** I direct my question to the Minister for Family and Community Services. Will the Minister produce his diary records and file notes of his conversations with an eyewitness to the accident of Sophie Tilley, with counsel assisting the Independent Commission Against Corruption, with the Independent Commission Against Corruption Commissioner, Mr Lloyd Babb, and with Margaret Cunneen during the period of the Independent Commission Against Corruption Inquiry into Operation Hale?

**The SPEAKER:** Order! Again, it is a questionable question. Nevertheless, I call the Minister.

**Mr BRAD HAZZARD:** I have indicated very clearly what my—

**Mr Michael Daley:** It is a yes or no question.

**The SPEAKER:** Order! The member for Maroubra will not determine how the Minister answers the question.

**Mr BRAD HAZZARD:** —position is. When I was the Attorney General and I conducted myself with total probity, I ensured that each individual was heard, the rule of law was protected and the administration of justice was conducted and there were no questions from any on that side. Privately—I will not name them—most members opposite are very supportive of the way I conducted myself as Attorney General. I add that, as a lawyer of coming up to 40 years next year, I understand what the rule of law is about and I understand my role in protecting it. I understand that everything I did absolutely complied and will comply.

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

#### **TRANSPORT INFRASTRUCTURE PROGRAM**

**Mr BRUCE NOTLEY-SMITH:** I address a question to the Minister for Transport and Infrastructure. What progress is being made in delivering the Government's transport infrastructure program?

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

**Mr ANDREW CONSTANCE:** I thank the member for his question and note what an incredible advocate he has been for his local community in relation to the light rail project. He is a man who sought changes and delivered when it came to High Cross Park.

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

**Mr ANDREW CONSTANCE:** I was interested to read over the weekend some comments made

by the Leader of the Opposition in relation to himself.

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

**Mr ANDREW CONSTANCE:** He stated, "I will lead a party of solutions and never a party of mere protest." That is somewhat bewildering, given that only a week ago he wanted me to build a roller-coaster zigzag railway all the way out to Randwick. The bottom line is that this Government is delivering. This State is in a global sweet spot when it comes to infrastructure focus, delivery and development. We have seen enormous interest from around the world. Having spoken with global investors at a recent forum at the Opera House I can assure the House that the global interest in what is happening in our State now is significant. Never before in the State's history have we seen such a rollout of megaprojects as there are underway at this time. Approximately \$38 billion of the budget has been spent on public transport and roads and that is before we include the benefits to be derived from the poles and wires transaction.

We live in a time that will see unprecedented infrastructure rollout. Look at the great projects being delivered and the way in which they are being delivered. Only a couple of weeks ago I was joined by the Premier to congratulate 4,600 construction workers who had completed the tunnelling on the Sydney Metro Northwest project. There are 30 kilometres of tunnel that required the removal of 2.7 million tonnes of Sydney sandstone and shale in order to deliver what is going to be a game changing project for rail in this city. At the same time we are cracking on with the planning for the Sydney Metro City and Southwest. It is pleasing that later this year the environmental impact statement will be delivered, with planning work well underway. There is engagement with global expertise to deliver the project and major construction will be underway next year, with the tunnel boring machines back in the ground in 2018. As I said, that project will change rail. At the same time we are getting on with other projects such as the Barangaroo Ferry Hub, where piling is soon to start.

Over the summer recess it was pleasing to announce also that we will build a light rail network in Parramatta. We did not announce a single line; we announced a network. We will build a spine through the heart of the Parramatta central business district that links to Westmead Hospital. The network will branch out with a line through to the Olympic precinct at Strathfield and—in recognition of the member for Parramatta, who has been advocating for this—another line will extend along the existing rail corridor from Camellia to Carlingford. That is being delivered.

At the same time we will continue meeting milestone after milestone across the board. In Newcastle we are getting on with the job and working in increasing collaboration with the community. I look forward to meeting with the Newcastle mayor later this week to talk about ways in which we can give the community the revitalised city it so richly deserves after decades of indecision about Newcastle from the Labor Party. Whilst I am on the topic of indecision in Newcastle and on the matter of light rail, I was intrigued to see the Leader of the Opposition venture to Newcastle a couple of weeks ago. I particularly welcomed the comments of the member for Charlestown on this project: She said that the rail is gone, the fight is lost. That, of course, elicited a response from the member for Maitland, who said that she was the most disappointed person in Maitland.

**Pursuant to standing order additional information provided.**

**Mr ANDREW CONSTANCE:** The member for Maitland said that she was the most disappointed; I think she meant the most disappointing. But her words pretty much said it all. The irony is that when the Leader of the Opposition visited the area the member for Newcastle and the member for Maitland said that Labor's policy on heavy rail in Newcastle had not changed. The interesting point is that the member for Newcastle declined to comment but encouraged the media to look at what he said about the policy in September.

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



**Mr ANDREW CONSTANCE:** It is astounding that after almost five years in opposition Labor has decided to develop a transport policy for Newcastle.

**The SPEAKER:** Order! The member for Newcastle will come to order. This is not a debate.

**Mr ANDREW CONSTANCE:** There lies a bright idea—the Labor Party continues to oppose every public transport project in the State.

**The SPEAKER:** Order! The member for Cessnock will come to order. The member for Port Stephens will come to order. They are on their final warning.

**Mr ANDREW CONSTANCE:** It does not matter if it is the member for Maroubra saying that the metro is uneconomical. It does not matter if it is the Leader of the Opposition opposing the CBD light rail and fighting it every step of the way.

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

**Mr ANDREW CONSTANCE:** It does not matter if it is Labor members in Newcastle continuing to oppose the development of light rail there.

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

**Mr ANDREW CONSTANCE:** To top it off, they are now running around the State telling every commuter that their fares will increase by \$1,000. The Labor Party has lost its way. Labor members need to look closely at a government that is delivering outcomes on high-priority projects, as Infrastructure Australia noted today. I note that the member for Kogarah is interjecting again. I look forward to disclosing more about him in future.

#### **MINISTER FOR FAMILY AND COMMUNITY SERVICES**

**Mr PAUL LYNCH:** My question is directed to the Minister for Family and Community Services.

**The SPEAKER:** Order! The Minister will come to order. I cannot hear the member for Liverpool. The member for Maroubra will resume his seat.

**Mr PAUL LYNCH:** Will the Minister confirm that he had not just one but at least three conversations with an eyewitness to Sophia Tilley's car accident?

**The SPEAKER:** Order! Members will come to order. The Minister will be heard in silence.

**Mr BRAD HAZZARD:** In the statement I made yesterday I indicated what is relevant. An Attorney General has a role. That role is to protect the administration of justice, it is very much to protect the rule of law and it is also to ensure that the public is always engaged in those processes where appropriate. I note that the President of the Bar Association said in a speech in 2008:

At its highest, the Attorney-General's public interest role seeks to promote the rule of law in a representative democracy. It is a recognition that government is founded on the will of the people, and that government should therefore strive to act lawfully, and with respect when enforcing or defending a claim.

That is what I aimed to do as Attorney General. I assure members that that is what I did at all times, every time. I am not sure that I should give credit to this particular source but while talking about the role of an Attorney General I will note that someone who perhaps least understands it tried to exercise some

comments about it. He said:

There is a sense that Attorneys and even Shadow Attorneys in Shadow Cabinet are there to provide some advice, to perhaps not be as entirely partisan and driven by the day to day political events as other Ministers.

**Mr Michael Daley:** Point of order—

**Mr Mike Baird:** Don't protect him, Michael. Save yourself, mate.

**Mr Michael Daley:** Premier, it is a very weak smokescreen.

**The SPEAKER:** Order! The member for Maroubra will address his point of order to me and will not respond to interjections. Members will come to order. The Treasurer will come to order.

**Mr Michael Daley:** My point of order relates to Standing Order 129. The question was did he have three—

**The SPEAKER:** Order! There is no point of order. The Minister is being relevant to the question. I remind the member for Maroubra that he is on three calls to order. If he takes another spurious point of order he will be removed from the Chamber.

**Mr BRAD HAZZARD:** As I was saying, he said:

There is a sense that Attorneys and even Shadow Attorneys in Shadow Cabinet are there to provide some advice, to perhaps not be as entirely partisan and driven by the day to day political events as other Ministers.

When I was Attorney General I was not driven by the day-to-day political pressures. I will not be drawn today as the former Attorney General—particularly by the member for Liverpool, who said those words in a podcast. God, it was a boring podcast. Nevertheless, he was right on that front, and I am not going to be drawn. Thank you very much for the amusement.

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

## **HOUSING SUPPLY AND INFRASTRUCTURE**

**Mrs TANYA DAVIES:** My question is addressed to the Minister for Planning.

**The SPEAKER:** Order! The Leader of the Opposition will come to order. Members will come to order. The member for Mulgoa will be heard in silence.

**Mrs TANYA DAVIES:** How is the Government delivering more housing supply and supporting infrastructure for the people of New South Wales?

**Mr ROB STOKES:** Hello, Madam Speaker. Hello, everyone. I hope you have missed me at least as much as I have missed you. I thank the member for Mulgoa for her question. It is highly relevant to the people she serves in one of this nation's fastest-growing regions. I am pleased to inform members that in the past few weeks—in fact, it may have been yesterday—

**The SPEAKER:** Order! Members will cease interjecting.

**Mr ROB STOKES:** I am delighted to announce that Australia's population reached 24 million.

**The SPEAKER:** Order! Members will come to order. I remind members that several of them are on three calls to order.

**Mr ROB STOKES:** While we do not officially know who he or she is, the *Sydney Morning Herald* speculated it could well have been Brandon Oliver, son of Peina and Lui Milosia, who was born at 1.29 a.m. yesterday at Fairfield Hospital. However, we all know that accounting is complex and the 24-millionth Australian could have been born a few weeks earlier. In fact, it could have been William Perrottet, the son of the Minister for Finance, Services and Property. While the Minister has been busy doing his bit for our country, this Government has been busy doing its bit for the people of New South Wales. Unlike members opposite, who have spoken in the past of Sydney being full, we want to make sure that the growing numbers of families in New South Wales like Brandon's or William's have access to quality and affordable homes that are close to schools, jobs, transport, and social and environmental infrastructure.

Since this Government was re-elected in March, baby William has grown from a glint in his father's eyes into a healthy newborn, who was delivered last month. Over the same period this Government has also been growing and delivering. We have grown housing approvals in New South Wales by more than our target of 50,000 new homes and in doing so we have helped deliver the highest number of completed new homes in more than a decade. Central to all this growth is infrastructure. We have not shrugged our shoulders, thrown up our hands and said, "Sydney is full." We are building the rail, roads and homes that New South Wales needs to accommodate its growing population. Growth was flaccid under those opposite; it is virile under those on this side of the House.

The latest Australian Bureau of Statistics [ABS] housing approvals figures show that the building boom is continuing across New South Wales at unprecedented levels. Nearly 67,000 homes were approved in the 12 months to December 2015. This is the highest result in recorded history. It is 92 per cent higher than in 2011 and 74 per cent higher than the 10-year average. At the same time as delivering more housing supply we are making sure the growth happens in the right spots, rezoning locations that are connected to transport and will have access to more open spaces, community facilities and local employment as part of strategic planning. In the greater Parramatta corridor the Carter Street precinct at Lidcombe was rezoned for 5,500 new homes and the Parramatta north precinct rezoned for a further 3,000. Land around three stations along the Sydney Metro Northwest corridor—Macquarie University, Cudgegong Road and North Ryde—was rezoned to accommodate many more homes as well. Three other precincts—Kellyville, Bella Vista and Showground stations—along the corridor are currently on exhibition and have the potential to supply lots of new homes and jobs as well.

Looking outside existing urban areas, we are shaping growth by making sure that when we release new sites they are strategically planned communities with access to essential infrastructure like utilities and transport. More than 8,000 new greenfield lots were created in 2014-15—part of the 80,000 potential dwellings with access to essential infrastructure that were available as at 1 July last year. Looking to the future, we have released our strategy for the Glenfield to Macarthur rail corridor, identifying the potential for an additional 15,000 new homes and 20,000 jobs to 2036. The latest data from the ABS shows that more than 62,000 homes are under construction across New South Wales. This is almost double the number of new homes being built just four years ago. To put that into a global perspective, housing starts in London totalled 22,570 in the year until September 2015 according to the Greater London Authority. To put that in context, we are delivering almost three times as many homes.

**Pursuant to standing order additional information provided.**

**Mr ROB STOKES:** Not only that, we are delivering on what we started. During the 12 months to September 2015, a total of 46,523 new homes were completed. This is the best result in more than a decade and will continue to rise as record housing approvals and construction starts flow through to completions. There is no doubt that communities are highly engaged in how our city should grow. This morning I attended the Better Planning Network summit, which is being held at Parliament today, and listened to Bob Meyer outline a number of visions for how Sydney might choose to grow. We have a

responsibility to our children, like Brandon and William, to make people's lives better through sustainable, inclusive growth. To paraphrase a conservative philosopher of whom the Minister for Finance and the member for Liverpool would obviously both approve, Edmund Burke once said that the social contract is a contract between the living, the dead and the as yet unborn. We need to think of those who are yet to come in this great city and provide the homes, the jobs, the open spaces and the opportunities that are going to make their lives great.

### **LICENSED PREMISES TRADING RESTRICTIONS**

**Ms JENNY LEONG:** My question is directed to the Premier. Does the Premier recognise the enormous negative impact that the lockouts have had on Sydney's night-time economy and vibrant nightlife, acknowledging that there are other measures that can reduce violence and keep Sydney open?

**Mr MIKE BAIRD:** I thank the member for Newtown for her question and her constructive approach to this issue. I understand the sentiments that she has expressed. Certainly, as part of this discussion I will go back a little in the sense of what happened and the reason we put these provisions in place. A couple of years ago there were scenes that not many of us would like to recall. They were horrific. We saw tragic loss of life—young men who could have done anything and gone anywhere were struck down in senseless acts—and there was rightly community outrage against what we saw. The measures we put in place were focused purely on trying to reduce those sorts of incidents and to keep our community safe.

As we look at any provisions or laws that come in, it is entirely appropriate that they are considered in terms of effectiveness and potential impacts. We are in the midst of doing that. As I went through those days I did reflect. I have said it will take a lot to change my mind on this. But that does not mean I am not open to what the review finds—that is why we have established it and that is exactly what we will do. I have had the privilege, in many ways, of meeting with some of the victims' families. If we are honest, none of us can imagine what that would be like—we have to be in their shoes, and we cannot be. But you can see the pain and you can try to understand what that would be like. That is where this debate needs to come to.

We need to understand what these laws and these provisions have done for our city. There is no doubt that they have increased safety and reduced violence. We have to listen to our police, our ambos and our doctors. The Senior Australian of the Year is not talking about this issue just because he wants to talk about it; he is the one who deals with the victims of this violence on too regular a basis. As part of this process I received a lot of constructive feedback on social media. That is part of government today; it is part of public policy—if you have views and positions, people have every right to respond. My hope is that they are not always as abusive as some of those received, but it is part of the process. Having said that, I will give a sample of other comments that were not necessarily seen. I received one from a 28-year-old. She said:

Dear Premier,

Please do not bow to the pressure of these anti-lockout groups.

I'm 28 years old and I regularly enjoy going out for drinks with my friends, seeing live bands and going to festivals.

The lockout laws have not impacted any of this.

That is her view and her perspective, and we must be open to it. The review is being undertaken—and it is being undertaken by the eminent Ian Callinan, who brings a lifetime of experience of leading evidence-based inquiries and exercising independence in the highest court in the country. He brings great expertise to considering all sides of this debate. I have said on a regular basis that if part of the review

shows there are changes we can make to improve the laws and help business and jobs while keeping people safe, we will look at them closely. So I thank the member for her contribution to the debate, and I am very open to it. I encourage everyone to participate. Everyone has ownership of this great city—every single person who counts themselves lucky to live in what I think is the greatest city in the world. We all have a stake in it. On that basis, I encourage everyone who wants to participate in this review to do so. Together, we will continue to keep Sydney the greatest city in the world.

## **REGIONAL CONNECTIVITY**

**Mr ADAM MARSHALL:** My question is addressed to the Minister for Regional Development. How is the Government delivering better connectivity for regional New South Wales?

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

**Mr JOHN BARILARO:** I thank the fantastic member for Northern Tablelands, who is a strong advocate for regional New South Wales and who is pushing the Government's clear narrative: Regional New South Wales is front and centre of the decision-making of this Government. When I think of regional New South Wales I think about the tyranny of distance. Those opposite do not think about regional New South Wales. One has only to look to the NSW Labor State Conference that was held last weekend. It was Valentine's Day—a day of love—but the Leader of the Opposition showed no love for country New South Wales because he never mentioned it in his address to his comrades. Those on the other side of the House have a clear agenda not to focus on and deliver for the people of regional New South Wales.

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

**Mr JOHN BARILARO:** Connectivity is so important to regional communities. Connectivity comes in a range of different forms—for example, the roads and bridges being built by the Hon. Duncan Gay, the Minister for Roads, Maritime and Freight in the other place; the billions of dollars being spent on the Pacific, Kings and Monaro highways, and fixing country roads; and the Bridges for the Bush program.

**The SPEAKER:** Order! There is too much audible conversation in the Chamber. The member for Shellharbour and the member for Kiama will cease arguing across the Chamber. This subject should interest both members. The Minister has the call and will be heard in silence.

**Mr JOHN BARILARO:** This Government has made significant investment in regional roads in this State to ensure that our communities stay connected. Before Christmas, along with the Minister for Transport, we announced \$95 million to upgrade regional airports. This will make sure that regional communities stay connected to metropolitan New South Wales. We know the importance of air services to regional centres for tourism and the regional economy, for doing business and for allowing families to stay connected. But the Mobile Black Spot Programme is one of the most important programs this Government has ever embarked upon to make sure that regional New South Wales stays connected. It involves a \$92 million investment in 144 mobile phone towers across New South Wales—this Government will invest \$24 million; the Federal Government, \$26 million; and the telcos, \$42 million.

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

**Mr JOHN BARILARO:** Some 144 towers and 795 blackspot areas across 14,000 square kilometres of New South Wales will be covered by this record investment. This is the first time that the State has been a player in telecommunications. Why? It is because this Government has put regional New South Wales front and centre of our decision-making about investment in services and infrastructure. What will this mean for regional communities? During times of crisis—for example, fires and floods—staying connected to emergency services is most important in regional communities. That is

why we are investing in mobile towers across New South Wales.

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

**Mr JOHN BARILARO:** We all know that for a small business to survive these days they need to work on a digital platform, and for that they need telecommunications. Regional businesses need investment in infrastructure to allow them to stay connected to the major cities and the global market.

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

**Mr JOHN BARILARO:** It is important for families and communities in regional New South Wales to stay connected. This is an opportunity to continue to put regional New South Wales first. We have had some great endorsements by many in the community regarding his investment. The first, of course, came from NSW Farmers.

**Pursuant to standing order additional information provided.**

**Mr JOHN BARILARO:** The Government received a press release from NSW Farmers—which I have here—congratulating it on putting agribusiness first by investing in telecommunications infrastructure. I will update the House today about the completion of some of those 144 towers—namely, towers have been completed at Deniliquin, Wentworth and Spring Mountain Road in the Northern Tablelands. By June 2016 an additional 26 towers will have been rolled out in regional New South Wales. Our partnership with the Federal Government is not just an announcement or a media release; unlike those opposite, when we make a commitment we deliver. This was an election commitment by the Deputy Premier, the Hon. Troy Grant, when he was Minister for Regional Infrastructure and Services. I am proud to be part of a government that has once again put regional New South Wales first.

**The SPEAKER:** Order! Opposition members will come to order.

**Mr JOHN BARILARO:** Most importantly, one of the greatest endorsements of this program came from my good friend the Minister for Innovation and Better Regulation. He said to me, "John, rolling out more mobile phone towers and investing in telecommunications in regional New South Wales has made it a lot easier for me; you have given me a greater talent pool on my Tinder account."

**Mr John Robertson:** Point of order: I was going to say that I would be swiping right—

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

**Mr JOHN BARILARO:** The Minister for Innovation and Better Regulation, along with many others on this side of the House, is investing in innovation and technology that will make a difference in regional New South Wales.

**Question time concluded at 3.15 p.m.**

## **BUSINESS OF THE HOUSE**

### **Suspension of Standing and Sessional Orders: Order of Business**

**Motion by Mr ANTHONY ROBERTS agreed to:**

That standing and sessional orders be suspended at this sitting to permit the determination of the motion accorded priority after 4.00 p.m., and then provide for the following routine of business:

- (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.

## **NSW OMBUDSMAN**

### **Reports**

**The Speaker** tabled, pursuant to section 31AA of the Ombudsman's Act 1974, the report of the NSW Ombudsman entitled "Strengthening the oversight of workplace child abuse allegations", dated February 2016.

**The Speaker** tabled, pursuant to section 24 of the Law Enforcement (Controlled Operations) Act 1997, the report of the NSW Ombudsman entitled "Law Enforcement (Controlled Operations) Act 1997 Annual Report 2014-2015", dated February 2016.

**Ordered to be printed.**

### **UNPROCLAIMED LEGISLATION**

**The SPEAKER:** Pursuant to Standing Order 117, I table a list detailing all legislation unproclaimed 90 calendar days after assent as at 17 February 2016.

### **PETITIONS**

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

#### **Powerhouse Museum Ultimo**

Petition requesting the retention of the Powerhouse Museum in Ultimo and the expansion of museum services to other parts of New South Wales, received from **Mr Alex Greenwich**.

#### **Edgecliff Railway Station and Interchange**

Petition requesting that the New South Wales Government upgrade the Edgecliff railway station and interchange to provide full access, 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**.

#### **Low-cost Housing and Homelessness**

Petition requesting increased funding for low-cost housing and homelessness services, received from **Mr Alex Greenwich**.

#### **Mental Health Services**

Petition requesting increased mental health support for people with a mental illness who are tenants of Housing NSW and community housing, received from **Mr Alex Greenwich**.

#### **Pet Shops**

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

#### **Slaughterhouse Monitoring**

Petition requesting mandatory closed-circuit television for all New South Wales slaughterhouses, received from **Mr Alex Greenwich**.

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

#### **Surry Hills Light Rail Station**

Petition calling on the Government to build a second light rail station in Surry Hills at the Wimbo Park-Olivia Gardens site, using appropriate landscaping to minimise visual and noise impacts and provide a quality park for the local community, received from **Ms Jenny Leong**.

**The SPEAKER:** Order! There is too much audible conversation in the Chamber. Those members who wish to have private conversations should do so outside the Chamber.

### **BUSINESS OF THE HOUSE**

#### **Reordering of General Business**

**Mr ADAM MARSHALL** (Northern Tablelands) [3.19 p.m.]: I move:

That the General Business Notice of Motion (General Notice) given by me this day [rural road and bridge infrastructure investment] have precedence on Thursday 18 February 2016.

An historic \$19.5 billion has been invested in roads and bridge infrastructure in country New South Wales since 2011 by this Government, the results of which are now becoming evident. Wherever we go across the length and breadth of country New South Wales, our nostrils will be gently caressed by the agreeable smell of fresh bitumen going down, the site of new bridge pylons going up and the sound of ribbons being cut on projects that are addressing infrastructure backlogs, fixing freight pinch points and unlocking the vast potential of a place we are proud to call home—the bush. All this activity is welcomed by grateful communities. Once neglected by those opposite, these projects are now at the heart of this Government.

Whether it is the \$56 million Goanna Hill project in Orange—for which residents have waited for 30 years; the replacement of Stingray Creek Bridge near Port Macquarie; the Newell Highway upgrades along the great spine that is the Newell that runs down the middle of this State from north to south; the major bypasses for the Newell around Moree, Coonabarabran, Parkes and the mighty Boggabilla; the new Tangaratta bridge at Tamworth; the second rail overpass at Gunnedah; the new Emu Crossing Bridge at Bundarra—for which the community has waited for 70 years; or the \$200 million new Grafton Bridge promised by Bob Carr and delivered by us—

**The SPEAKER:** Order! Members will show respect to the member with the call. It is disrespectful to converse while a member is speaking. I will extend the speaking time of the member for Northern Tablelands if necessary.



**Mr ADAM MARSHALL:** As I was saying, there is a huge array of projects throughout country New South Wales that have been completed, are underway or are about to start. I am reminded that \$8 billion is being spent on the Pacific Highway, which is one of the largest infrastructure projects in the Southern Hemisphere, and \$1 billion is being spent on the Princes Highway, which runs through the electorate of the member for Kiama. There is more to come.

**The SPEAKER:** Mine?

**Mr ADAM MARSHALL:** Yours too, Madam Speaker. There is a veritable feast of projects to be completed, that is in train or is on the way. We have a great story to tell in country New South Wales and there is no greater place to have that discussion than on the floor of this House. The bush is back in business. I look forward to debating this subject tomorrow so that I can tell more of the story of the bounty of the bush.

**Mr CLAYTON BARR** (Cessnock) [3.22 p.m.]: We cannot reorder or prioritise the motion of the member for Northern Tablelands because a more important motion that deals with regional New South Wales has been put before the House. The State priorities of New South Wales are an appalling failure of The Nationals. The document does not make one mention of regional New South Wales. There is no mention of agricultural farming, food security, primary industries, agricultural exports, biodiversity, or water.

**The SPEAKER:** Order! Members will cease interjecting.

**Mr CLAYTON BARR:** Readers of the New South Wales State priorities document can be forgiven for not realising that regional New South Wales or The Nationals exist.

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

**Mr CLAYTON BARR:** In September 2015, just six months after the election, the Premier presented the glossy brochure. One might suggest he should have done it beforehand. Of course, that would have made The Nationals in New South Wales completely irrelevant. It would have crystallised for the people of New South Wales that The Nationals have no strength or spine when it comes to Macquarie Street, Sydney. Its members do not represent the people of New South Wales; they only represent the Liberal Party. They are Liberals in tan pants. They say one thing in the country and another thing when they come to the city. It is an appalling record.

**Ms Katrina Hodgkinson:** Point of order—

**The SPEAKER:** Order! Members will cease interjecting. Members are entitled to take points of order. I call the member for Canterbury to order for the third time.

**Ms Katrina Hodgkinson:** I take great offence to the description of me by the member for Cessnock as a bloke in tan pants. I have never been a bloke, I do not wear tan pants, and I ask him to take it back.

**The SPEAKER:** Order! The member for Cessnock has been asked to withdraw the comment.

**Mr John Robertson:** No, don't.

**The SPEAKER:** Order! That is not a decision for the member for Blacktown.

**Mr CLAYTON BARR:** I am happy to withdraw it.

**The SPEAKER:** Order! The remark is withdrawn. I thank the member for Cessnock.

**Mr CLAYTON BARR:** Let us talk about jobs that could have been a State priority for regional New South Wales. Let us talk about the 21,000 jobs in agriculture, forestry and fishing that have disappeared since this Government came to office. It is a fall of 29 per cent. Let us talk about the 31,000 fewer jobs in manufacturing, 15,000 of which were lost in regional New South Wales. What about the 3,000 jobs that have gone from electricity, gas and water in regional New South Wales? What about the 4,000 jobs in information, media and telecommunications that have gone from regional New South Wales? Jobs should have been a State priority, but they are not, because The Nationals have no say in the combined Cabinet. Let us talk about the forced council amalgamations that its communities do not want. The Nationals will not speak about that in this Parliament. Let us talk about TAFEs that are closing down on this Government's watch, but it will do nothing about that. We can no longer be silent on the State's priorities.

**Question—That the motion be agreed to—put.**

**The House divided.**

**Ayes, 51**

Mr Anderson  
Mr Aplin  
Mr Baird  
Mr Barilaro  
Ms Berejiklian  
Mr Brookes  
Mr Conolly  
Mr Constance  
Mr Coure  
Mr Crouch  
Mrs Davies  
Mr Dominello  
Mr Elliott  
Mr Evans  
Mr Fraser  
Mr Gee  
Mr George  
Ms Gibbons

Ms Goward  
Mr Grant  
Mr Gulaptis  
Mr Hazzard  
Mr Henskens  
Ms Hodgkinson  
Mr Humphries  
Mr Johnsen  
Mr Kean  
Dr Lee  
Mr Maguire  
Mr Marshall  
Mr Notley-Smith  
Mr O'Dea  
Mrs Pavey  
Mr Perrottet  
Ms Petinos  
Mr Piccoli

Mr Provest  
Mr Roberts  
Mr Rowell  
Mr Sidoti  
Mr Speakman  
Mr Stokes  
Mr Taylor  
Mr Toole  
Mr Tudehope  
Ms Upton  
Mr Ward  
Mr Williams  
Mrs Williams

*Tellers,*  
Mr Bromhead  
Mr Patterson

**Noes, 38**

Ms Aitchison  
Mr Atalla  
Mr Barr  
Ms Burney  
Ms Car  
Ms Catley  
Mr Chanthivong  
Mr Crakanthorp  
Mr Daley  
Mr Dib  
Ms Doyle

Mr Harris  
Ms Harrison  
Ms Hay  
Ms Haylen  
Mr Hoenig  
Ms Hornery  
Mr Kamper  
Ms Leong  
Mr Lynch  
Dr McDermott  
Ms McKay

Mr Minns  
Mr Park  
Mr Parker  
Mr Piper  
Mr Robertson  
Ms K. Smith  
Ms T. F. Smith  
Ms Washington  
Ms Watson  
Mr Zangari  
*Tellers,*

Ms Finn  
Mr Greenwich

Mr Mehan  
Ms Mihailuk

Mr Lalich  
Mr Warren

**Pair**

Mr Ayres

Mr Foley

**Question resolved in the affirmative.**

**Motion agreed to.**

**CONSIDERATION OF MOTIONS TO BE ACCORDED PRIORITY**

**Regional Growth and Investment**

**Mr GEOFF PROVEST** (Tweed) [3.32 p.m.]: It gives me a great deal of pleasure to seek priority for this motion. It is most important that we recognise the significant milestone in the creation of regional jobs. By last year and since April 2011, 315,100 jobs have been created in New South Wales, which is more than were created in any other State. Those opposite sit and criticise, but their policies were flawed. For 16 long years we had to tolerate their indifference and their total ignoring of regional New South Wales. In any regional town people can tell horror stories of what Labor created during those 16 years: high unemployment, lack of investment and lack of recognition of communities. Those opposite know that is true. The Nationals members come from regional New South Wales and we know that is true.

Since April 2015, 133,300 jobs have been created in New South Wales—the highest of any State. New South Wales created 168,000 jobs during 2015. It is most important that we recognise the great work that is being done because it is all about business confidence in the regions—whether in Lismore, Bega, Armidale, Broken Hill, the great Tweed or wherever it is—getting people to come into our towns and to create business and employment. We all know the social issues that we often face on a daily basis, but if people are actively employed they are responsible citizens.

That is why this motion should be accorded priority and should have the support of this House. This issue does not need hollow rhetoric from the Labor Party, which claims it is doing a great job but does absolutely nothing, to the detriment of the wider community. The regional heartland feeds the cities in New South Wales; it creates many great things that the people in the city enjoy, and it is about time that this House recognised that. I applaud the Liberal-Nationals Government for supporting regional New South Wales.

**Opal Card**

**Ms KATHY SMITH** (Gosford) [3.35 p.m.]: My motion should be accorded priority today. In an effort to encourage the changeover to Opal cards the then Minister for Transport, Gladys Berejiklian, said:

I want people to find the savings because they are there to be had.

Our current Minister for Transport, Andrew Constance, says that his colleague was encouraging the rorting of a system he is eager to change. In fewer than five months regular commuters could be slugged \$959 more per year, those who travel farthest will be hit for an extra \$2.56 every journey and seniors tickets may increase from \$2.50 to \$9. These changes will hit regular commuters and those travelling longer distances hard, but they will hit seniors the hardest. The proposed changes will replace the current eight-trip cap and instead charge the 10 most expensive journeys each week. A regular commuter will

travel to work and back five days a week, which means that commuters from Woy Woy to Tuggerah will pay an extra \$459 a year. The Minister wants to ignore these issues, but they are real.

Jane from my office makes that very trip every day and she will have to pay this increase. And these are not even the worst examples. Commuters from Helensburgh to North Wollongong, from Blacktown to Central, from Parramatta to Penrith, from Hurstville to Helensburgh and from Woy Woy to Warnervale will pay an extra \$959 a year to get to work. The Minister hides behind the weekly cap, but the weekly cap is increasing by \$5 a year for the next three years. By 2018 it will be \$75. The extra \$15 on the weekly cap amounts to \$780 a year. It will impact on those who travel the farthest, including my neighbours on the Central Coast.

Finally, the most unfair element of these changes is that they will hurt our seniors. The Gold Opal card will increase the daily fare from \$2.50 to \$4 by 2018. This will almost double transport costs for most elderly people. For those seniors who do not claim the pension there is even more bad news. They will be forced off the Gold Opal card and onto a concession card for which the daily cap will be \$9—an increase of 360 per cent. Public transport must be accessible for all. For those with limited means of travel it is often their only way to participate in our community. As leaders we must end the uncertainty for regular commuters, for those who travel the farthest and, most importantly, for seniors. That is why this motion should be accorded priority. I commend the motion to the House.

**Question—That the motion of the member for Tweed be accorded priority—put.**

**The House divided.**

**Ayes, 50**

Mr Anderson  
Mr Aplin  
Mr Baird  
Mr Barilaro  
Ms Berejiklian  
Mr Brookes  
Mr Conolly  
Mr Constance  
Mr Coure  
Mr Crouch  
Mrs Davies  
Mr Dominello  
Mr Elliott  
Mr Evans  
Mr Fraser  
Mr Gee  
Ms Gibbons

Ms Goward  
Mr Grant  
Mr Gulaptis  
Mr Hazzard  
Mr Henskens  
Ms Hodgkinson  
Mr Humphries  
Mr Johnsen  
Mr Kean  
Dr Lee  
Mr Maguire  
Mr Marshall  
Mr Notley-Smith  
Mr O'Dea  
Mrs Pavey  
Mr Perrottet  
Ms Petinos

Mr Piccoli  
Mr Provest  
Mr Roberts  
Mr Rowell  
Mr Sidoti  
Mr Speakman  
Mr Stokes  
Mr Taylor  
Mr Toole  
Mr Tudehope  
Ms Upton  
Mr Ward  
Mr Williams  
Mrs Williams  
*Tellers,*  
Mr Bromhead  
Mr Patterson

**Noes, 38**

Ms Aitchison  
Mr Atalla  
Mr Barr  
Ms Burney  
Ms Car

Ms Harrison  
Ms Hay  
Ms Haylen  
Mr Hoenig  
Ms Hornery

Mr Parker  
Mr Piper  
Mr Robertson  
Ms K. Smith  
Ms T. F. Smith

Ms Catley  
Mr Chanthivong  
Mr Crakanthorp  
Mr Daley  
Mr Dib  
Ms Doyle  
Ms Finn  
Mr Greenwich  
Mr Harris

Mr Kamper  
Ms Leong  
Mr Lynch  
Dr McDermott  
Ms McKay  
Mr Mehan  
Ms Mihailuk  
Mr Minns  
Mr Park

Mr Warren  
Ms Washington  
Ms Watson  
Mr Zangari  
  
*Tellers,*  
Mr Lulich  
Mr Warren

**Pair**

Mr Ayres

Mr Foley

**Question resolved in the affirmative.**

**REGIONAL GROWTH AND INVESTMENT**

**Motion Accorded Priority**

**Mr GEOFF PROVEST** (Tweed) [3.45 p.m.]: I move:

That this House:

- (1) Notes that regional New South Wales was responsible for close to half of the jobs created in New South Wales in the past year.
- (2) Notes that regional New South Wales is leading regional growth across the country, responsible for over 65 per cent of last year's regional job creation.
- (3) Welcomes further evidence that shows the Government's investment in regional New South Wales is driving business confidence, creating more opportunities and delivering new jobs for regional communities—in stark contrast to the record of those opposite.

I take great pleasure in moving this motion to note growth in regional New South Wales. I also take pleasure in noting the policies implemented since 2011 by the Liberal Party and The Nationals to invest in regional New South Wales. We know that jobs are a lifeline for every regional area including remote areas, coastal areas and areas in the Central West. Jobs are the most important thing in regional towns because without jobs there are no economic flows, no prosperity and no sense of social wellbeing. Deputy Speaker George could attest to the fact that over many years there was a total lack of support by previous Labor governments for economic growth and job generation. Many industries moved to the cities and infrastructure failed time and again. I have been a member of Parliament for nine years, and many times I came into this Chamber with Deputy Speaker George when we were in opposition, to plead for more support for the regions. I am glad to say that since 2011 this Government has been able to do that.

I have noticed that governments on both sides of the political fence are often very big on announcing policies, but the real meat in the sandwich is the delivery of those policies—the outcomes. As a member of the Liberal-Nationals Government I am proud to say that after 16 years of Labor government we have seen significant jobs growth under our watch. We have created 315,000 jobs since April 2011. That is more than 300,000 extra jobs, with 133,000 jobs being created in New South Wales since April in 2015—the highest jobs growth of any State. Almost half of the jobs created in New South Wales last year

were in the regions. Regional areas are leading the way in New South Wales, which is in turn leading the way for Australia.

On the Central Coast 30,100 jobs have been created—a rise of 21 per cent. In the Illawarra 13,800 jobs have been created—a rise of 10 per cent. In the Central West, 17,400 jobs have been created—a rise of 18 per cent. In the Hunter area, excluding Newcastle, 13,500 new jobs have been created—a rise of 11 per cent. In the greater Illawarra area 21,000 jobs have been created—a rise of 11 per cent. In the greater Hunter area 19,200 jobs have been created—a rise of 6.7 per cent. The Richmond-Tweed—our area, Mr Deputy Speaker—has seen a growth of 25,200 jobs—a rise of 30.9 per cent. In the last quarter the growth was 18 per cent.

Contrast that with the negativity from the Opposition. I particularly refer to the Hon. Walt Secord, who continually downgrades the North Coast. He flies in, criticises any achievement of this Government and flies out. The facts are quite clear. Within the Tweed-Richmond area there has been a 30 per cent increase in jobs—an increase of 25,000 jobs right across the board. Since coming to government the Liberal-Nationals have facilitated more than \$4 billion worth of investment in job creation initiatives across New South Wales. We have invested \$100 million in assisting businesses across regional New South Wales. As at January 2015, 320,000 jobs were registered under the Jobs Action Plan—22 per cent from regional New South Wales. Jobs for NSW will help drive the economic potential of regional New South Wales.

This Government initiative will create 150,000 new jobs by 2019. A Jobs for NSW Fund has been established to help target the industries that are going to deliver the strongest job gains for regional New South Wales. I know that more businesses are relocating to northern New South Wales from Queensland. I have seen the relocation of a number of industries, such as organic produce industries and manufacturing industries. The Jobs for NSW board will investigate the opportunities and challenges facing regional areas and advise the Government on how regional areas can expand and improve their competitive edge.

We are not going to rest on our laurels. We are going to continue to improve. The New South Wales Government, through the office of regional development, continues to work with key stakeholders, industry networks and businesses to facilitate the creation of long-term, sustainable new jobs in regional New South Wales. In 2014-15 the office of regional development assisted projects in regional New South Wales that invested almost \$500 million and supported more than 3,000 jobs. This is real. Regional New South Wales is much better off under this Government.

**Ms KATE WASHINGTON** (Port Stephens) [3.50 p.m.]: Frankly, I am agog. I am stunned by the figures that the House has been presented with, because they make no sense. It is disturbing that there appears to be a belief in those figures. That is disturbing, because how can the Government change its policies and understand what it has to deal with unless it can accept what is happening on the ground? The situation is certainly not as it has been portrayed here today.

I will describe what is actually happening in rural and regional communities. I start with a geography lesson. Sydney's central business district and the western suburbs are not rural and regional communities. I welcome the opportunity to discuss jobs in rural and regional communities today because it is an opportunity to put the facts on the table. Specifically, I will talk about the Hunter Valley. In 2011, when this Government was formed, unemployment in the Hunter Valley was 4 per cent. It is now 10.1 per cent. In 2011 youth unemployment in the Hunter Valley was 12.4 per cent. It is now sitting at an appalling 21.9 per cent. That is more than one in five youth unable to find work in our community.

In 2011 this Government promised to create 40,000 jobs in rural and regional New South Wales. Instead, in its first term, unemployment increased, tragically, by more than 34,000. The Government never talks about a net figure. It talks about job creation but does not marry that with job losses. The job losses in my region have been astonishingly awful. Instead of investment in regions we have seen TAFEs

shut down, specialist women's shelters close and community psychology services disappear. Communities like mine are without any emergency housing for women escaping violence and without mental health services. TAFEs at Scone, Murwillumbah, Narrandera, Corowa, and Grenfell are to be sold.

I turn to council amalgamations. The Government talks about business confidence. Good Lord! Destination Port Stephens has made submissions to me saying that the state of our healthy and successful tourism industry will be compromised by this Government's proposed council amalgamations. The savings from those proposed council amalgamations will be made on the back of local jobs. People who live and work in our communities will lose their jobs. The Government talks about business confidence and supporting our communities but its policies are making people fearful. The Government is putting businesses at risk of becoming unviable. Today we learnt that Essential Energy is planning to sack 800 workers across country New South Wales. Far from looking after rural and regional New South Wales, this Government treats us with utter disrespect and neglect.

**Mr ADAM CROUCH** (Terrigal) [3.53 p.m.]: It gives me great pleasure to speak in support of my colleague and coalition partner the member for Tweed. Mr Deputy-Speaker George, as the member for Lismore you have seen firsthand the benefits to rural and regional New South Wales delivered by this Government since coming to power in 2011. In question time today we heard the Deputy Premier describe a "bonanza". That is a fantastic way to describe the job situation in regional and rural New South Wales. We also heard the phrase "bounty of the bush". The Opposition, as we have heard many times, ignored country and regional New South Wales for 16 long years. Unfortunately, the credibility of those opposite in debating this issue is zero. My friend the member for Tweed quoted fantastic numbers today to illustrate that almost half of the jobs created in New South Wales last year were in the regions. They were not in the metropolitan area; they were in the regions. The regions are leading the way for New South Wales, which is in turn leading the way for Australia.

Since coming to government we have facilitated more than \$4 billion of investment in job creation initiatives across regional New South Wales. That is a record we are proud of and stand by. Jobs for NSW will help to drive the economic potential of regional New South Wales. This new Government initiative will help to create in excess of 150,000 new jobs by 2019. A Jobs for NSW Fund has been established to help target the industries that will deliver the strongest job gains for regional New South Wales. After 16 long years of neglect, the people of New South Wales realise that the only government they can trust is this Government.

**Ms Kate Washington:** Why has unemployment gone up? Why has it doubled?

**Mr ADAM CROUCH:** I endure the interjections from Opposition members. Obviously they do not like hearing the truth. The Jobs for NSW board will investigate the opportunities and challenges facing regional areas and advise the Government on how regional areas can expand and improve their competitive advantage. The funniest thing I have heard today is the comment that council jobs will be lost under amalgamation. The reality is that under the Local Government Act 1993 all jobs for council staff below management level are guaranteed for the next three years. I find it staggering that Opposition members yet again cannot stand hearing the truth.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! The member for Port Stephens has had an opportunity to contribute to the debate.

**Mr ADAM CROUCH:** In 2014-15 the office of regional development assisted projects in regional New South Wales that are expected to invest more than \$500 million and create more than 3,000 jobs.

**Mr DAVID MEHAN** (The Entrance) [3.56 p.m.]: I oppose the motion. Job creation is an important topic for this House to debate. It may well be that more jobs are being created in regional New South Wales than in the rest of the State at the moment. However—and it is a big however—the true measure of the success or otherwise of job creation is the headline unemployment rate at the end of the process.

The headline unemployment rate reports the results after one creates all those jobs and takes away all the jobs that were lost in the process. When one looks at those figures, the Government does not have a good story to tell the people of this State.

Let us take my region, the Central Coast, as an example. Figures compiled by the New South Wales Parliamentary Research Service and published in *e-brief* 16/2015 show very well that on the Central Coast employment figures have gone backwards. That publication reports that the lowest unemployment rate since 2005 occurred in January 2011. It was 5.1 per cent. That is the benchmark for Government members when they talk about the Central Coast region. Since the election of the O'Farrell-Baird Government in March 2011 the unemployment trend in my area has been going up. In December 2015 it was 6.7 per cent. Youth unemployment was 16.5 per cent. If one looks at the regions overall and takes away metropolitan Sydney, where this Government is spending all of its money, one finds that in March 2011 the unemployment rate was 5.6 per cent and in December 2015 it was 7.6 per cent. The Government may be creating jobs out there, but 65 per cent of bugger all is still bugger all.

In the regions there are now more unemployed persons than there were in 2011. I will go through some of the raw figures. Taking away the figures for metropolitan Sydney, there were 69,439 unemployed persons in the regions as at March 2011. By December 2015 that figure had jumped to 93,079 persons. In Richmond and Tweed, and we never hear this figure mentioned by the member for Tweed, in March 2011 there were 7,717 unemployed persons. By December 2015 there were 9,849 persons unemployed. In the Hunter Valley, where there has been an absolute failure by those opposite, in March 2011 there were 5,108 unemployed persons. By December 2015 that figure had more than doubled to 13,459 unemployed persons. It should come as no surprise to those opposite that when they make TAFE unaffordable, when they trash council jobs, when they sack electricity workers and when they have no plans for the State they lose jobs rather than create them.

**Mr GEOFF PROVEST** (Tweed) [3.59 p.m.], in reply: It is a pleasure to speak in reply in debate on this motion. First, I would like to respond to a couple of comments made by the member for Port Stephens. I had a bit of difficulty making sense of some of her comments. For 16 years we had Labor governments putting out policies that did absolutely nothing for this State and that achieved nothing. I have been a member of Parliament since 2007. Back then it was a bit like a scene from *Oliver Twist*—we had to go with our begging bowls to the Labor Ministers. In four years I think I went through 37 different Labor Ministers. That is how efficient they were. We all remember Eddie Obeid and the other people there.

**Ms Kate Washington:** This is your sixth year in government. You should talk about what you are doing now, and what you have done.

**Mr GEOFF PROVEST:** No, I am talking about the 16 years of Labor government. Members opposite talked about TAFE. I have some news for them. The TAFE campus at Kingscliff has record enrolments this year and has employed more teachers. We saw the theatrics from those opposite about shutting down TAFE campuses and sacking workers. There was a protest rally at Kingscliff of three or four people from the Greens. What a big turnout! They stood in front of the locked gate and said, "This place is closing. The Government is doing wrong." In fact there are record enrolments there. There is a similar situation in Murwillumbah. We have employed extra teachers because we have record demand. We have record demand because people are crying out for tradesmen and for more workers. Those opposite should be standing up for the people in that region. We have announced record funding.

The contribution of the member for Terrigal was a breath of fresh air. He talked about the bonanza and about new policies that actually work. I think the big difference between those of us on this side of the Chamber and those opposite is that our policies are working. Our policies are achieving positive results. If the city-centric Labor Party ever decided to go outside Sydney it would recognise what is happening in the regions. I note that at the New South Wales Labor conference Labor members' esteemed leader mentioned rural and regional areas only once in his entire speech. It was all about



Sydney. That was what happened at the New South Wales Labor conference. There was no mention of Country Labor which I think has only one or two members. They could meet in a telephone box.

I note the support of the member for The Entrance for the Government's policy, which I appreciate. I am sure the good people of The Entrance would appreciate their member supporting such a great policy. Once again, Labor members are all about spreading fear and misinformation. How about looking at the facts? How about supporting regional New South Wales? Those opposite need to stop worrying about retaining their seats.

**Question—That the motion be agreed to—put.**

**The House divided.**

**Ayes, 47**

Mr Anderson	Mr Gulaptis	Mr Piper
Mr Aplin	Mr Hazzard	Mr Provest
Mr Barilaro	Mr Henskens	Mr Rowell
Ms Berejiklian	Ms Hodgkinson	Mr Sidoti
Mr Brookes	Mr Humphries	Mr Speakman
Mr Conolly	Mr Johnsen	Mr Stokes
Mr Coure	Mr Kean	Mr Taylor
Mr Crouch	Dr Lee	Mr Toole
Mrs Davies	Mr Maguire	Mr Tudehope
Mr Dominello	Mr Marshall	Ms Upton
Mr Elliott	Mr Notley-Smith	Mr Ward
Mr Evans	Mr O'Dea	Mr Williams
Mr Fraser	Mrs Pavey	Mrs Williams
Mr Gee	Mr Perrottet	<i>Tellers,</i>
Ms Gibbons	Ms Petinos	Mr Bromhead
Ms Goward	Mr Piccoli	Mr Patterson

**Noes, 37**

Ms Aitchison	Mr Harris	Mr Minns
Mr Atalla	Ms Harrison	Mr Park
Mr Barr	Ms Hay	Mr Parker
Ms Burney	Ms Haylen	Mr Robertson
Ms Car	Mr Hoenig	Ms K. Smith
Ms Catley	Ms Hornery	Ms T. F. Smith
Mr Chanthivong	Mr Kamper	Ms Washington
Mr Crakanthorp	Ms Leong	Ms Watson
Mr Daley	Mr Lynch	Mr Zangari
Mr Dib	Dr McDermott	
Ms Doyle	Ms McKay	<i>Tellers,</i>
Ms Finn	Mr Mehan	Mr Lalich
Mr Greenwich	Ms Mihailuk	Mr Warren

**Pair**

Mr Ayres

Mr Foley

**Question resolved in the affirmative.**

**Motion agreed to.**

**GOVERNMENT SECTOR EMPLOYMENT LEGISLATION AMENDMENT BILL 2016**

**Bill introduced on motion by Mr Ray Williams, on behalf of Mr Mike Baird, read a first time and printed.**

**Second Reading**

**Mr RAY WILLIAMS** (Castle Hill—Parliamentary Secretary) [4.11 p.m.], on behalf of Mr Mike Baird: I move:

That this bill be now read a second time.

It gives me great pleasure to introduce the Government Sector Employment Legislation Amendment Bill 2016 on behalf of the Premier of New South Wales. We expect a lot from the women and men who work in the myriad roles across the New South Wales public sector. Whether they are educating our children to be highly skilled and competitive in a global economy, meeting the health and other needs of our ageing population, keeping our communities safe, or developing innovative solutions to significant policy challenges, their work is vital to the fabric of our society. Because we expect much of our public sector employees, this Government is determined to create workforce arrangements that: provide opportunities; provide choices in career path; ensure that people get properly developed to make the best contribution that they can; develop quality leaders; encourage innovation; and support people to take risks. In short, we want the best arrangements in place to support the kind of public sector people want to work in and the kind of public sector that can do its best for the elected Government of the day and the people of our State.

In October 2015, the Premier gave the Garran Oration at the Institute of Public Administration's national conference in Sydney, the first State Premier to do so in 20 years. Addressing a large gathering of public sector leaders from around the country, the Premier made the point that the public sector is a great jewel in this nation, the potential of which we must unleash. I can only agree that there is a great depth of talent and capacity within the public sector, with enormous potential to play a leading role in grappling with the challenges we face. The Premier also said that to play that role we need a public sector filled with people who have a passion for what they do. They must be prepared to take risks; they must be supported in taking risks. They must understand that building a workforce made up of the right people with the right capabilities is a critical task for all.

We need to invest in our people. We need to encourage them to develop and contribute their knowledge and talents. It is in this context—of building the right foundations for excellence in public service—that I bring forward the Government Sector Employment Legislation Amendment Bill 2016. This bill continues this Government's program of bold reform and continuous improvement to workforce management in the public sector. This Government's process of supporting the public sector to realise its full potential began back in 2011 when, newly elected, we established the Commission of Audit. As a key part of that exercise, Dr Kerry Schott closely examined the way people had been managed in the New South Wales public sector.

Kerry Schott was very positive about the commitment and achievements of public servants, but she was critical of many of the characteristics of the system of workforce management that she

observed—a system, at the time, characterised by: a lack of focus on capability; ad hoc leadership arrangements; no focus on performance management; multi-layered executive structures with long decision-making chains; poorly developed strategic human resource management capability and a marginalised role for the human resources function within many departments and agencies; and poor use of workforce data. This Government's establishment of a Public Service Commission to lead the sector on workforce management has allowed for an energetic and focused response to the problems Kerry Schott identified.

Since 2011, we have been transforming the way we manage people in the public sector: performance management is mandated by legislation; recruitment is now based on capability rather than just technical knowledge; and streamlined executive structures provide better accountability and flexibility. We have focused attention on talent management, with the establishment of a leadership academy. Our new legislative settings support people to be mobile across the sector, bringing their skills, knowledge and experience to new areas, and building their careers. For the first time, the public sector runs a regular survey to find out how people feel about every aspect of workforce management, giving a sound basis for future policy development. Our public servants have responded well to this change program. How do we know this? In 2012 and 2014 the Public Service Commissioner surveyed people across the sector about every aspect of workforce management. I am pleased to report that over the first two years of our reforms, there was an improvement in positive responses to 80 per cent of the survey questions. The next survey will happen later this year and annually after that so we can continue to monitor how things are going.

In January, the Audit Office of New South Wales completed a performance audit on the implementation of the public sector management reforms to date. I am pleased to report that it concluded the Public Service Commission had made good progress and the reforms, when fully implemented, aim to provide the foundation for a modern, high performing government sector. The performance audit highlighted that the public sector management reforms are ambitious in nature, covering a substantial workforce and requiring a lot to be done in a short time. The performance audit concluded that the Public Service Commission had developed a robust case for action in response to the Commission of Audit recommendations, with all the reforms underpinned by a sound evidence base. The logic of the reform architecture was not questioned.

As with any ambitious piece of reform, the report identifies areas for improvement, including the need to more clearly communicate the overarching reform agenda plus better integration and optimisation of the benefits across the public sector. As part of this Government's commitment to continuous improvement to workforce management, implementation of the bill will incorporate the insights and recommendations made by the Audit Office regarding the public sector management reforms to date. The Government Sector Employment Act 2013 is one of the foundation reforms we introduced. It fundamentally overhauled and modernised the government sector employment and management framework in New South Wales. The passage of that Act was a significant achievement, creating the structural foundations for a strategic, responsive and effective workforce able to meet the expectations of the taxpayers of New South Wales.

The Act introduced a range of reforms to the structure and management of the New South Wales government sector, both for executive and non-executive employees, by enhancing public sector values, merit, mobility, capability development, workforce diversity and performance management. In particular, the Act provided the foundation for a single, leaner, flatter and more mobile executive structure for the public service senior executive group. New South Wales public service agencies have until February 2017 to transition to these new senior executive employment arrangements. To transition, agencies must clearly demonstrate that they have reduced bureaucratic reporting layers to streamline decision-making and provide clearer lines of accountability and broader spans of control, in line with best practice. The New South Wales public service has embraced the senior executive reforms. The executive reform program is on track to meet the three-year transition deadline set out in the Government Sector Employment Act.

As at this time, I am advised that over 1,000 executive roles have transitioned to the new Government Sector Employment Act employment arrangements, representing approximately 50 per cent of the public service executive roles covered by the Government Sector Employment Act. And by 30 June 2016 most departments, executive agencies related to a department and separate agencies will have largely completed the review of their executive structures, completed transition, and implemented the executive reform program. The transition to the new arrangements will establish structures with agility and flexibility hard-baked into their DNA, allowing the flexible deployment of executives across the public service to meet the service delivery needs of the people of New South Wales. Mobility is fundamentally important to the New South Wales public sector.

The Government Sector Employment Act, and now this bill, creates a framework that encourages career movement across government, thereby developing broad capability, sparking innovation and the cross-fertilisation of ideas, and building a collaborative community of practice that is better able to deliver government services and meet the needs of the people of New South Wales. At the same time, this mobile executive cohort is benefitting from this Government's stronger emphasis on performance and career development. And bringing to life the Premier's vision to create "the best public sector in the world", the new New South Wales Leadership Academy is a whole-of-government initiative to identify and develop a succession pipeline of leaders, skilling them with the important capabilities required for leadership.

Turning to the bill, in January 2012 the New South Wales Commission of Audit report, "Public Sector Management" noted that "a single sector-wide executive structure brings benefits including cross-fertilisation between clusters, encouraging fresh thinking and the ability to develop a leadership cadre". During the passage of the Government Sector Employment Act in June 2013, this Government indicated that a second stage bill to align the police, transport and health executive services with that of the public service would be introduced in 2013.

In October 2013, the Government Sector Employment Legislation Amendment Bill 2013 was passed by the Legislative Assembly but did not complete all stages of the legislative process in the previous Parliament.

Subsequent statute law amendments made some of the minor, technical amendments that had been in the 2013 bill. These amendments updated references in other legislation to reflect the language and terminology of the Government Sector Employment Act, and made minor amendments to align employment arrangements for certain statutory officers who were previously subject to the Public Sector Employment and Management Act 2002. This new Government Sector Employment Legislation Amendment Bill 2016 gives effect to the policy settings in the 2013 bill, while also addressing some further technical adjustments and new matters.

I will now describe the main thrust of the bill concerning the changes to executive arrangements for the health, transport and police services and then turn to the bill's other important provisions. The bill amends the Health Services Act 1997, the Police Act 1990, and the Transport Administration Act 1988 to align the employment model for executives in the Health Executive Service, the Transport Senior Service, and the Police Force Senior Executive Service with the senior executive employment model in the Government Sector Employment Act 2013—the model that now applies to public service senior executives.

The bill will achieve the Government's original intent of aligning the executive employment arrangements of police, health and transport with those of the New South Wales public service. This alignment means that the executives in police, health and transport will share the benefits of the Government Sector Employment Act 2013 reforms designed to create a more agile, mobile executive with enhanced career opportunities and will be able to deliver better front-line services to the people of New South Wales. The bill separately aligns the employment arrangements of non-executive employees of the Police Force with those contained in the Government Sector Employment Act 2013, thereby continuing

employment arrangements that apply to those employees which mirror those of the public service.

The Public Service Commissioner, the secretaries of Health and Transport, and the Commissioner of Police have all collaborated to develop this cross-sector legislation, and the Government thanks them for their assistance in completing its vision for executive leadership and employment in the government sector. When this legislation has been fully implemented, an additional 700 executive roles will be covered by the reforms, bringing the total to over 2,700 executive employees across the government sector. It should be noted that all of the executives covered by these reforms are already in contract-based employment apart from NSW Police unsworn senior officers, who will be included in the executive reforms in the same way as former senior officer roles have been included in the executive reform program across the public service. Importantly, the bill recognises the unique operating environments of the health, police and transport services and provides for variations to support special operational arrangements, where required.

The bill aligns the core concepts of the senior executive reforms in the Government Sector Employment Act across the transport, health and police services but recognises that a one-size-fits-all approach to transitioning to the new arrangements would not work. Each service has transitional arrangements which reflect its particular, unique operating environments. The bill also enables the Public Service Commissioner to make rules that apply to health, police, and transport senior executives. Before making these rules the Commissioner will be required to consult with the relevant secretary or the Commissioner of Police. The bill provides that the amendments to the health, police and transport legislation will not commence before 1 January 2017, which will ensure that those three services can make a smooth transition to the new arrangements.

Schedule 2 to the bill amends the Health Services Act 1997 to align the provisions applying to New South Wales health services senior executives under the Health Services Act with those under the Government Sector Employment Act. The bill also introduces changes to further devolve responsibility and accountability and return decision-making closer to the local level as far as practicable. Local health districts and specialty networks will control and be responsible for their own health executive workforce, including the deployment of that workforce locally. The chief executive of a local health district or specialty network will be the employer of health executives of the local health district or specialty network.

In relation to a chief executive, the employer function will be exercised by the local health district or specialty network board. The health secretary will be the employer of health executives in other statewide health agencies. In the context of this devolution, the bill also contains measures that recognise the health secretary's system manager role. In respect of local health districts or specialty networks, the health secretary's concurrence will be required for the appointment or termination of a chief executive, and he or she will retain a "reserve power" to remove a health executive. This schedule also includes provisions relating to the issuing of directions in relation to the employment arrangements of health executives. The bill retains the health secretary's ability to give directions to or otherwise manage NSW Health senior executives in respect of the health or safety of any person or essential health services.

In certain circumstances the health secretary will be required to consult with the commissioner in relation to any inconsistency between the secretary's directions and the commissioner's rules. The bill improves executive mobility by enabling the transfer of executives between health and each of the public, transport and police services and provides that the remuneration of a senior executive is to be within the relevant range determined under the Statutory and Other Offices Remuneration Act 1975, except where the health secretary determines a higher market remuneration rate in accordance with parameters agreed with the Public Service Commissioner. The higher rate may be required to attract high calibre applicants such as those with specialist clinical expertise.

The bill provides that the new senior executive arrangements in the health services will apply from the date of commencement of schedule 2 to the bill, which I have noted will not commence before 1 January 2017. At this time, all officers in the health executive service will be subject to terms and

conditions of the new senior executive arrangements, including having ongoing, rather than time-limited, employment contracts. However, the bill includes transitional provisions that preserve the remuneration package entitlements of current health executives.

I now turn to the provisions for police. The executive and non-executive administrative employment arrangements in the NSW Police Force have historically been aligned with the provisions of the former Public Sector Employment and Management Act 2002. The bill continues this arrangement by amending the Government Sector Employment Act 2013 and Police Act 1990 to align employment for NSW Police Force executives and non-executive administrative employees with those in the public service. The amendments are supported by the Commissioner of Police and will mean that the NSW Police Force will share the benefits of the Government Sector Employment Act 2013.

Importantly, the bill reflects the unique nature of the NSW Police Force and does not amend any aspect of the command and control of its members nor any aspect of operational policing. As such, the current employment arrangements for police superintendents, inspectors, sergeants and constables are not affected. These sworn non-executive police officers will continue to be appointed as before under part 6 of the Police Act 1990. Minor amendments proposed to the Government Sector Employment Act will ensure that there is no unintended application of provisions to sworn officers. As a result of the bill, part 5 of the Police Act will align the police force senior executive service with the employment model applying to public service senior executives in the Government Sector Employment Act.

As I have previously stated, the police force senior executive service [SES] is currently aligned with the former Public Sector Employment and Management Act 2002 public service SES arrangements, that is, eight levels, remuneration determined by the Statutory and Other Offices Remuneration Tribunal, and time-limited employment contracts of up to five years. The senior executive employment model will apply to all police force senior executive service officers, including all sworn senior executives, deputy commissioners and assistant commissioners; all unsworn senior executives; and police force unsworn senior officer and equivalents. The bill provides that executives will be employed within a band and enables the Commissioner of Police to assign a senior executive to another role within the same band within the NSW Police Force.

The bill improves executive mobility by enabling the transfer of unsworn executives between the NSW Police Force and each of the public service transport and health services, in consultation with the individual concerned and with agreement of the relevant agency head. It provides that the remuneration of a senior executive is to be within the relevant range determined under the Statutory and Other Offices Remuneration Act 1975, except where the Commissioner of Police determines a higher remuneration package, in accordance with parameters agreed with the Public Service Commissioner. Again, a higher rate may be needed to attract high-calibre applicants.

In recognition of the unique nature of the NSW Police Force, in particular, for reasons of appointment and the exercise of policing duties, sworn police senior executives will retain the concepts of an office and a position. The Commissioner of Police will retain the current power to unattach sworn police force senior executives. This is needed to allow the commissioner flexibility to consider redeployment of an executive to another executive or non-executive position. Due to the nature of sworn police officer positions, sworn police executives will not be subject to the provisions that enable transfer to the public service or health or transport service.

Sworn police executives will continue to have the benefit of existing provisions in the Police Act which allow for secondments to other agencies. There is no ability to transfer executives from the other services into sworn police officer positions as it is not feasible, or appropriate, to have public service, health or transport employees transferring into operational police officer positions, which require the incumbent to have sworn the oath of office and to exercise the office of constable. With regard to transitional arrangements, transition to the new senior executive employment arrangements in the police force is set out in the bill. In summary, on commencement of schedule 3 current members of the NSW

Police Force senior executive service will become either transitional police senior executives, existing deputy commissioners and assistant commissioners or transitional administrative senior executives.

Under these transitional arrangements, all transitional police and administrative senior executives will continue to receive the same level of remuneration as they received before the arrangements came into effect. In addition, they will continue to be employed for the balance of their existing contract term as transitional executives and any additional period before the implementation date that the Commissioner of Police may approve. The new senior executive arrangements will apply in the NSW Police Force in accordance with a staged implementation schedule to be prepared by the Commissioner of Police in consultation with the Public Service Commissioner. On the implementation date for a transitional police senior executive, deputy commissioners and assistant commissioners, the person ceases to be a transitional police senior executive and is employed as a NSW Police Force senior executive under the new senior executive provisions.

With regard to misconduct and unsatisfactory performance applying to unsworn executive and non-executive employees, it is noted that the Government Sector Employment Act misconduct provisions and unsatisfactory performance provisions will apply to unsworn executive and unsworn non-executive employees within the NSW Police Force. This will not affect the equivalent provisions under the Police Act 1990, which will continue to apply to sworn executive and sworn non-executive police officers to manage performance and conduct. If the Commissioner of Police is satisfied that a police officer has engaged in poor performance or misconduct, the commissioner will continue to be able to take appropriate action in respect of that officer, including non-reviewable action under schedule 1 to the Police Act, reviewable action under section 173 or removal under section 181D.

Currently, with regard to police force non-executive unsworn staff employment arrangements, unsworn non-executive administrative employees are employed under the Police Act. These arrangements will be continued in alignment with the public service non-executive provisions of the Government Sector Employment Act, with industrial rights, obligations and entitlements reflected in the Police Act to ensure a consistent approach. Without these amendments the employment of unsworn administrative employees of the police force would continue to rely on and refer to the repealed Public Sector Employment and Management Act 2002. There will be no reduction in leave entitlements, which will remain in the police regulations. Transitional arrangements will ensure that existing entitlements are preserved. The non-executive unsworn staff will be employed in a classification of work and assigned to a role like other non-executive public service employees. This alignment will modernise the NSW Police Force employment arrangements and provide this group of employees with the opportunity to broaden and diversify their skills.

With regard to schedule 4, amendment of the Transport Administration Act, I turn to the provisions for transport. The bill amends the Transport Administration Act 1988 to establish employment in the transport service in the following three categories: transport service senior executives; transport service senior managers; and transport service non-executive employees. Transport service senior executives will have an implementation date that applies to their employment in a band that aligns with a band under the Premier's public service senior executive bands determination. These roles are in scope for the senior executive alignment reforms.

The remaining staff employed in the transport senior executive service immediately before commencement of the new provisions will continue to be employed as senior managers in the transport service on transport service contracts rather than on model contracts under the Government Sector Employment Rules 2014 and will not be subject to the public service senior executive bands determination. All other persons employed in the transport service who are covered by awards will continue to be transport service non-executive employees and are not impacted by this bill.

The 2013 bill provided for two categories of employees, senior executives and non-executives. However, a third category, senior managers, is needed for the group of contract-based employees in

roles that appropriately sit below the public service senior executive bands. Creation of a senior manager category will allow the flexibility and efficiencies gained through previous transport reforms to be maintained whilst distinguishing the group from transport service senior executives. To ensure business continuity and, in particular, that the Government is able to deliver on its major transport and infrastructure commitments, the application of the new senior executive arrangements to existing senior executives from their implementation date will be subject to comprehensive grandfathering provisions. In contrast, new senior executives will be subject to the new arrangements in full following commencement of the relevant provisions. This means that the existing and new arrangements will effectively coexist for a period of time.

The public service senior executive bands and the remuneration ranges as determined under the Statutory and Other Officers Remuneration Act will apply to new senior executives except where the Transport Secretary determines a higher market remuneration rate in accordance with parameters agreed with the Public Service Commissioner. Here also, the higher rate may be required to attract high-calibre applicants. In relation to transport service senior managers, it is proposed that prior to the relevant provisions of the bill commencing this group will be created and relevant existing employees designated as being in that group. The employment of senior managers will not be subject to the Government Sector Employment Rules that will apply to transport service senior executives. Their conditions of employment and remuneration will continue to be determined by the Transport Secretary and they will remain on contracts of employment. If required transitional provisions will preserve their current contracts, remuneration, remuneration ranges and conditions through transitional regulations.

I turn now to the other provisions in the bill. The bill makes amendments to the Government Sector Employment Act that address an anomaly which existed under the former Public Sector Employment and Management Act 2002 and was carried through to the current Act. An important provision under the Public Interest Disclosures Act 1994 makes it an offence for a person to take detrimental action against another that is substantially in reprisal for the other person making a public interest disclosure, known as a PID. An award-based employee whose employment has been terminated substantially in reprisal for making a PID can seek reinstatement or re-employment through the unfair dismissal provisions of the Industrial Relations Act 1996. The Industrial Relations Commission has jurisdiction to order reinstatement or re-employment of the employee where it considers this appropriate. However, an executive whose employment is, for whatever reason, terminated under the Government Sector Employment Act is prevented by that Act from seeking reinstatement or any other relief. This is the case even if the termination was substantially in reprisal for the executive making a PID.

This anomaly was highlighted in the May 2014 Independent Commission Against Corruption [ICAC] report on Operation Dewar. In the ICAC report a senior executive was found to have had their employment terminated substantially in reprisal for the executive making a public interest disclosure. The current Government Sector Employment Act would not have enabled that former senior executive to be directly reinstated in their previous role or directly re-employed in another suitable role. In light of the ICAC report, and following consultations with the Office of the NSW Ombudsman, the Public Service Commissioner has recommended the changes contained in this bill.

The amendments enable the reinstatement or re-employment of a former public service senior executive where the Public Service Commissioner is satisfied that the executive's termination was substantially in reprisal for making a PID and, after consulting the former executive, the former executive wishes to be reinstated or re-employed. If reinstatement to the executive's former role would be impracticable, the provisions would enable the former executive to be re-employed in a similar role or other appropriate role, whether in the agency in which their former role is located or a different agency. They would, under these new arrangements, not be subject to the usual merit-based recruitment requirements under the Government Sector Employment Act 2013. The amendments, just as importantly, restore the entitlements such as sick leave and extended leave and forgone salary of the reinstated or re-employed person so that they are in the same position they would have been if they had not been terminated, subject to repayment of compensation and any other amount paid on termination. These



reinstatement provisions will also apply to health, transport and police force senior executives.

Schedule 1 to the bill also contains amendments to the Government Sector Employment Act 2013 to refine its operation. These include amendments to allow the Public Service Commissioner, subject to the Government Sector Employment Regulation, to determine the kinds and value of "employment benefits" for public service senior executives that may form part of the total remuneration package. This will not impact on the total amount of the remuneration package of a senior executive, which will continue to be within the range determined under the Statutory and Other Offices Remuneration Act 1975. It also includes amendments to strengthen the "portability" of the executive contracts within the public service and across the other services without termination of a contract and compensation. It also contains amendments to the membership of the Public Service Commission's Advisory Board to include the Secretary of the Treasury or the secretary's nominee.

Schedule 1 also includes amendments to ensure that the secretary of a department who is, pursuant to section 26 of the Government Sector Employment Act, the employer of senior executives of an executive agency related to that department is able to exercise all the key employer functions under the Government Sector Employment Act, including implementing a direction of the Public Service Commissioner that relates to those senior executives. It also contains amendments to list Crown law officers expressly by title as excluded from part 6 of the Act, which deals with removal of statutory office holders. While the Government Sector Employment Act did not change the position relating to the removal of Crown law officers, the amendment is made for abundant clarity, as promised during debate on the Government Sector Employment Bill 2013.

In addition, schedule 1 contains amendments that also strengthen the misconduct regime in relation to serious offences. Misconduct is to include where there is a finding of guilt for a serious offence with no conviction recorded and the scope will include offences committed outside New South Wales which if committed in New South Wales would be a serious offence within the defined meaning. Schedule 5 to the bill contains amendments to other legislation, including the Statutory and Other Offices Remuneration Act 1975, the Constitution Act 1902, the Sydney Cricket and Sports Ground Act 1978, and other minor miscellaneous amendments. The amendment to the Constitution Act 1902 clarifies that parliamentary officers and staff may continue to be appointed and employed outside of the Government Sector Employment Act. The amendments to the Sydney Cricket and Sports Ground Act 1978 will provide the trust with the power to employ its own staff. The amendments to the Statutory and Other Offices Remuneration Act 1975 will provide the Statutory and Other Offices Remuneration Tribunal with the necessary range of options to determine a consistent and transparent remuneration framework for executives across the sector.

Public service senior executives are employed in a band and receive a remuneration package within a remuneration range determined by the tribunal. In limited circumstances, however, it will be appropriate, due to competitive market pressures, for an office, a role, a class of senior executives or a particular person assigned to a role to have a remuneration package that is above the general remuneration range for the band. Under legislative provisions which applied to the former senior executive service the tribunal was able to make determinations to address a range of employment circumstances. This included the ability to: fix a remuneration package for a particular executive office holder who is named in the determination; fix remuneration packages for particular executive office holders without the office holders having to be named; fix remuneration packages for classes of executive office holders; and make a determination that applies in relation to an office holder even though no person holds the office for the time being.

Under the existing legislative provisions the tribunal may only make a determination of an above band remuneration package in respect of appointments of named individuals. It is not able to make a general determination which would apply to a specific role, regardless of the occupant, or to a class of public service senior executive offices or roles. This was not intended. The proposed amendments will extend to the tribunal the previous powers and enable it to determine remuneration suitable for the

diverse range of senior executive roles across the sector.

Kerry Schott showed us in her Commission of Audit that the public sector had been neglected. In effect, the fine women and men who devote their careers to public service were delivering for communities in spite of the workforce management systems in their organisations rather than with the support of those systems. This Government has been systematically turning this situation around. We want to unlock the potential within our public sector. We want to attract the best and the brightest to work in public service. This bill is the next important step in that process of reform. I commend the bill to the House.

**Debate adjourned on motion by Mr Edmond Atalla and set down as an order of the day for a future day.**

## **CENTENARY OF ANZAC**

**Debate resumed from 16 February 2016.**

**Dr HUGH McDERMOTT** (Prospect) [4.48 p.m.]: In 2015 we commemorated the immortal day 100 years ago when young Australians at Gallipoli demonstrated to the world through their bravery, deeds and sacrifice that Australia was truly a nation. As part of the commemoration we must also remember the other Commonwealth forces that made massive sacrifices at Gallipoli as well as in other theatres of war in the First World War. They include forces from Britain and Ireland, New Zealand, India, Sri Lanka, Pakistan as it is today, Malta and Assyria.

**Mr Andrew Gee:** And the Gurkhas.

**Dr HUGH McDERMOTT:** And the Gurkhas. I include them in the Indian forces. At Gallipoli the casualties were quite significant. There were more than 26,000 casualties amongst the Australian forces. Of those, more than 8,000 were killed in action. During the First World War more than 164,000 people from New South Wales enlisted. Along with those from all the other States, the total number of Australians that enlisted was 416,000, which is a huge number when Australia had a population of only a few million people. Of those, 61,514 were killed in action and more than 155,000 were wounded in action in the First World War. Those are horrific numbers to think about.

Every family in Australia lost a family member, friend or colleague in the First World War. From this House we lost two people that we know of. There is no doubt that there are members of Parliament and staff who lost friends, colleagues and family members. On this day we remember the sacrifice of such men and women for an ideal—for an Australian way of life. Let us take strength in the knowledge that our sons and daughters will never forget the example set by their forefathers and mothers. In our everyday life let us also endeavour to carry forward the traditions established by the Anzacs at such a tragic cost.

Today I talk about two local heroes from the Prospect electorate. The McCarthy family lived on a small farm near Smithfield in the south of the Prospect electorate. Norman and Leo McCarthy were brothers. Norman was a light horseman. He served with the 12th Australian Light Horse Regiment and went on to fight in the Battle of Beersheba in the First World War. Beersheba was one of the last great cavalry charges. The 12th Light Horse is remembered today and the tradition continues as A Squadron of the 12th/16th Hunter River Lancers [HRL] based in Armidale. I know this regiment very well because I too served in A Squadron of the 12th/16th HRL.

Despite being married, Norman McCarthy enlisted at the age of 28. He survived a gunshot wound to the head in April 1917 while fighting in France. He returned to Australia in 1919 and continued living in the Smithfield area. His brother, Leo, was also a soldier in World War I who enlisted and fought with the Australian Imperial Force [AIF] in France. After he returned to Australia, he re-enrolled in the military at the beginning of World War II. He served with distinction. Sadly, Leo McCarthy died at the Sandakan

prisoner of war camp in Borneo. Sandakan was pretty much an extermination camp run by the Japanese. I shudder to think of the horrible time he and his fellow soldiers must have had at that camp in Borneo. We must also remember the Australian Special Forces, Force Z, who tried to liberate that camp to prevent the soldiers' extermination. So many Australians died.

Norman, who survived the wars, came home and in 1953 decided that he would help establish the Smithfield RSL Sub-Branch. It is named after his brother: the Leo McCarthy Memorial Club. There is also the McCarthy Memorial Park. Both brothers received a number of medals—the stars from their campaigns, war medals and victory medals. Those medals are on display at Smithfield. Until very recently the family had lived their entire lives in that area. I also briefly mention Robert Roberts who served with the Australian Field Ambulance. He was a soldier but he decided that he did not want to kill people; he wanted to protect and save them. So he went on to serve with distinction, winning the Military Medal for bravery as an ambulance man. I read from his citation:

At 1am near Bullecourt [France] on the 14th May a man was lying wounded in the German barrage of HE and gas. Sergeant Roberts ... led a squad of three men through the barrage and assisted in carrying the patient into a place of safety, thereby saving the man's life at the risk of his own, as the man's gas helmet was destroyed. Throughout the night ... [Sergeant Roberts] regardless of his own safety, was untiring in his efforts to stimulate the bearers under him in the execution of their duty, thereby materially assisting in the evacuation of the wounded from a particularly dangerous zone. He showed pluck ... and initiative of a high order.

Since the end of the First World War, Australians have continued the Anzac tradition and come forward without question, taking on their responsibilities to defend our democracy during World War II, the Cold War, Korea, Malaya, Borneo, Indonesia, Vietnam, Iran and Afghanistan—and the current war on terror. They have also served in the United Nations peacekeeping operations in the Sinai, Golan Heights, Rhodesia, Pakistan, Rwanda, East Timor, Cambodia, Bougainville and the Solomon Islands.

We think of every man, woman and child who, in those crucial years, died so that the light of democracy, freedom and humanity might continue to shine. We nurture too the obligation to show gratitude for the peace we enjoy and the responsibility to ensure that the freedom and liberty so dearly won is not lost. My uncle who served in Korea came to this Chamber for my inaugural speech. At 15 years old he was the youngest soldier from the Commonwealth forces in the Korean War. He ran away from home to go and serve and went on to serve in Vietnam and do a number of tours. He also served in other places in peacekeeping forces. He said to me once that all soldiers really want is to be thanked—to be acknowledged for their service. I think that is very important to do. It is certainly wonderful to see the Anzac Day services and the thousands upon thousands of people who turn up to acknowledge the military service of so many Australians and our allies. After serving in Vietnam, my uncle was treated appallingly, like many veterans and their families. I am so pleased that today those ghosts have been put aside and those veterans are acknowledged, as are those who are serving now and those who have served recently.

In the electorate of Prospect we are surrounded not only by the spirit of those brave Anzacs but also by physical links to Gallipoli and other battlefields. For example, at Smithfield there is an honour roll for the Fairfield area, as it was known then, with the names of more than 300 people who perished in the First World War. There is the Lone Pine tree which was grown from a cutting from the Gallipoli battlefield at Lone Pine. There are rosemary bushes throughout the area which are also from cuttings from Anzac Cove. There is a memorial to those Australian soldiers still missing in action from the Korean War. On the memorial walls near the RSL at Smithfield are the names of our local veterans from all the wars who have since passed away but are always remembered. Today we take the time to remember the Anzacs from each generation and thank these local heroes that have given so much so we may have the freedoms we enjoy. In conclusion I think it is appropriate to read the *Ode of Remembrance*:

They went with songs to the battle, they were young,

Straight of limb, true of eye, steady and aglow,  
They were staunch to the end against odds uncounted,  
They fell with their faces to the foe.

They shall not grow old, as we that are left grow old:  
Age shall not weary them, nor the years condemn.  
At the going down of the sun, and in the morning  
We will remember them.

Lest we forget.

**Mr MATT KEAN** (Hornsby—Parliamentary Secretary) [4.58 p.m.]: At school most of us were challenged to try to work out the causes of the First World War. There have been many books written on the subject and many different theories presented. To this day I find it remarkable that a world as happy as the Edwardian one could undertake mass destruction on the scale of that of 1914 to 1918. This was a period of post-Victorian naughtiness, where women in bustle dresses accompanied men in boaters to musicals such as *Florodora*. Here, in Hornsby, musical entertainments at the school of arts were major fundraisers, and dancers lingered until the morning rays of sunshine lit the way home. However, a quick glance at the local area reveals a growing taste for militarism.

Some local men had served in the Boer War, and in the period leading up to the Great War even Hornsby had its own area officer, Captain Harry Jacobs. He lived in William Street, Hornsby. Kids in school were fed the poetry of Rudyard Kipling and dined on a diet of British Empire heroics. In Hornsby the Boer War had triggered a huge interest in military training. The 6th Regiment of the Australian Rifles formed F Company—a unit based in Hornsby and drawn from Hornsby, Thornleigh and Galston. The company was formed in 1897 under Lieutenant E. C. Cooke. It appears to have had about a hundred men on its rolls. Its drill hall was constructed and officially opened in 1900. The unit needed a range on which to practise its marksmanship and in 1898 an area of Crown land was set aside for that purpose. In 1899 a match was held at the range at a distance of 400 yards. In 1900 funds were provided for the establishment and construction of the range, and in that year a match over 800 yards was contested.

For a few years the Hornsby company of the Australian Rifles conducted its own competitions and matches. However, in 1905 numbers in the company had dropped and it was transferred to Sydney. On 28 July 1905 a meeting was held in the old drill hall to form a civilian rifle club—Mr J. Pulbrook was elected captain, Mr E. Steneford was elected secretary and Mr A. A. Rogers was elected treasurer. Fifty members indicated that they would join. Permission had to be obtained from military authorities to form the club; this was received later in 1905. The club began its operations and in 1906 a pavilion was added for protection against the weather. Further upgrading brought the range up to top standard in 1908 and the Premier arrived to fire the first shot.

F Company and the rifle club indicated a strong local interest in military matters, although the patriotic fervour of the Boer War had subsided and interest in drilling had declined when F Company ceased to exist in Hornsby in 1905. The rifle club served a military purpose but it was not until the 1911 Commonwealth Defence Act was passed, which introduced compulsory military training for all males between the ages of 12 and 26, that Hornsby's military presence was again felt. Men from 18 to 26 were compelled to train with the militia and had to join the 18th Military Infantry, Parramatta to Hornsby. Junior cadets from 12 to 14 were largely trained by their schools. The middle group of cadets, aged between 14 and 18, joined the unit of 19B area under the command of Captain Harold Jacobs of William Street, Hornsby.

No doubt some of the young cadets were enthusiastic about giving up their spare time to attend parades, but for the ones who were not so enthusiastic the courts awaited. Captain Jacobs freely charged the boys aged between 14 and 18 with offences such as failing to attend parades. On Tuesday 16 September 1913 some 50 Hornsby lads appeared before the court charged with being in arrears in their

drill time. The magistrate ordered them to serve double the number of hours they had missed. One youngster complained that he worked so hard in his trade that he was too tired to attend night drill. The magistrate expressed some sympathy but said that the law must be obeyed. On 22 November of that same year a further 30 cadets were ushered into court. They were fined sums of either £3 or £5, depending on the time lost. Allen Hayes complained that he had to walk four miles to the drill. The magistrate told him that if he had to spend a month confined to the barracks at Middle Head he would soon learn to walk. Just prior to going into court another drill dodger called to his father, "If I don't happen to be home tonight, don't forget to feed my pony and the calf." The old man queried, "Where are you going?" The drill dodger replied, "Oh, I may have to go to barracks for 20 days." His father was not happy.

Hornsby, along with so many other Australian localities, blundered into war in its boaters and bustle dresses ready to defend Britain "to the last man and to the last shilling". Often forgotten in commemorations is the small force that was sent to New Guinea at the outbreak of World War I. It seems that the first men from Hornsby to go on active service were Signaller Lyle Reeves and Sergeant Gordon Oliver who joined the Australian expeditionary force sent to take over the German possessions in 1914. Lyle Reeves was the son of a railway inspector who lived in Peat's Ferry Road, Hornsby. He was 23 years old when he volunteered for the expeditionary force, which left on 19 August 1914. He returned on 4 March 1915 but enlisted again in the Australian Imperial Force [AIF] on 11 June 1915. He served in the 30th Battalion until the end of the war, by which time he had attained the rank of sergeant. Lyle Reeves was closely connected with Hornsby, having worked as a clerk for the council.

Gordon Oliver appears to have already been in the AIF on his enlistment to serve in New Guinea. He returned to Australia from France in 1917 as a lieutenant in the 34th Battalion. Reeves and Oliver were followed by other Hornsby men who enlisted in the AIF for service overseas. However, not many would have landed at Gallipoli on Anzac Day, 25 April 1915. The *Cumberland Argus* noted that Ray King, a well-known friendly society man, who enlisted on 13 February 1915, was the seventeenth volunteer from Hornsby to join up. It should be noted that official World War 1 records are not infallible and sometimes we need to look a little further to find information. Ray King, for example, is not found on the Nominal Roll but he was discharged from the Australian Army in September 1916, having been wounded by a bomb that blew four toes from his right foot and cost him the sight in his left eye—he probably felt as if he was at war. As our troops settled in Egypt, in 1915 letters reached relatives at home in the Hornsby area. Mrs P. Provost heard from her brother, Stanley Hughes, of the 1st Australian Field Artillery Brigade, who wrote:

We were on the water seven weeks altogether, and I was just glad when we landed. Cairo is the finest place of the lot we called at. I couldn't describe to you how lovely a place it is.

We are camping about 200 yards from the Pyramids and Sphinx. They are the finest buildings I have ever seen: over 3,000 years old, and 400 feet high, and on the tops are stones hundreds of tons in weight.

We are ten miles out from Cairo, but the tram runs into the camp. It was built specially for the troops and the fare is a penny farthing for ten miles. That is cheap enough travelling, isn't it? We pay five pence a week for our washing, and judging from the lowness of prices, one could buy half the town for a sovereign. I got a hundred cigars for one shilling.

Sydney could be put in one corner of Cairo. The people cannot speak English and it is very funny trying to explain anything to them.

There are three or four different races; and the women are the finest I have ever seen. The Arabian women go about veiled, and to pull off one of their veils would be to commit one of the worst crimes possible in Egypt. All the men wear a kind of skirt, and when we first saw them, we thought they were women."

The age of political correctness had not yet arrived! Stanley Hughes, the son of David and Emily Hughes of Normanhurst, was a regular army soldier before the war. His letter captures the spirit of the "great adventure" that attracted many of the early enlistments. Stanley Hughes survived until 4 September 1918 when he was accidentally killed in France—sadly, a month before the end of the war. The troops moved to Lemnos, with some Hornsby boys among them, and trained for a landing that would be remembered a century later. On the fateful day of 25 April, Tom Nelson, the son of the Hornsby police sergeant, landed with the 13th Battalion and described the landing in a letter to his parents:

Most of the troops landed under hellish fire, and I don't think there was ever such an awfully formidable and terrible place for troops to take. Just imagine the hill down to the valley just in front of Hornsby police station.

The troops were asked to take a hill as steep or steeper than that and 776 feet high, with the Turks heavily entrenched and everything ready.

Corporal Nelson continued with his description of his unit's activities, unloading equipment and stores amidst shrapnel and spent bullets. He said:

We have been having quite an easy time in our little dug-out in the face of the hill. I am acting as Quarter-Master for our little lot again. If our O.C. had pushed it we could have been in the firing line, but I suppose it is all for the best.

I would like to be there to give our good lads a spell, but someone must get out the stores, and we run almost as much risk as they do.

He commented:

The plan, so far as I can make it out, is for us to hold our lines and for the French and British to drive them in at the flanks. I do not know how long it will last, but expect that, although the odds are very much against us, it will be OK in the finish.

After our spell of hard work and little sleep, we are having a nice rest in our little dug-out and our shirts are having an airing in the sun. As I haven't had my boots off for five days, I have been down to the beach and had a swim and a personal clean-up. I am growing a beard like all the rest so won't I look nice when I come back!

Corporal Nelson concluded his letter:

Am just off to the firing line and will write you my experiences when I come back in 24 or 36 hours' time, or whenever we are relieved. Au revoir, your loving boy, Tom.

The next letter never arrived. While at the front line, Tom Nelson suffered gunshot wounds to his stomach. He was evacuated to Alexandria, where he died from his wounds. Corporal Thomas Hill Nelson was buried at the Chatby Military and War Memorial Cemetery in Alexandria. To adapt a famous line, it is now a corner of some foreign field that is forever Hornsby. Another to land on the first Anzac Day was Roy Glynn, son of the Hornsby station master. He was a member of the 2nd Battalion, which stormed ashore under the command of Lieutenant Braund. Roy Glynn was in the thick of things but it still came as a great concern for his father when he received a telegram in May 1915, advising him that his son had been wounded. In those days, information was hard to obtain but in July a letter arrived from his son. Roy told his father:

I would not have missed it for all the world despite the fact that I was one of the unlucky ones. We made a bayonet charge. The Turks could run faster than we could, however, so we had to come back to our trenches again. I was about to sit down in the trench when I got two wounds, one in

the shoulder and another in the back.

Roy had been wounded in action at the Gulf of Saros. He underwent an operation in Alexandria and was taken to Great Britain to complete his recovery at Manchester Hospital and in North Wales. He sailed from London for Australia in October 1915. His service at the front was finished, but he arrived as a corporal and, by November 1916, he had received an appointment as regimental sergeant major at Gosford.

The early wounded had magnificent receptions when they arrived back in their local areas. Syd Sutton was 31 years of age when he enlisted for service in the First Australian Imperial Force. He signed up in December 1914 and was allocated to the 2nd Battalion, 2nd Reinforcements. He joined his unit not long after the landing at Gallipoli. Syd came from Brooklyn, where he was well known. His father was a descendant of pioneer Peter Hibbs and his mother was a daughter of pioneer James Cole, thus the whole of Brooklyn was worried when a report was received in 1915 that he had been wounded. He had in fact been hit in the shoulder during fierce fighting around a feature known as "The Pimple". He was evacuated from Gallipoli to the Heliopolis Hospital in Egypt, where he was reported to be recovering. On 29 July 1915, he embarked for home. His arrival in Brooklyn overwhelmed him. A reception committee met him and he was carried shoulder high to what is now McKell Park, which had been decorated with flags and bunting. Addresses of welcome were delivered and reports inform us that "many are the stirring incidents he has to tell of the Dardanelles". He was too badly wounded to return and married in 1917.

No reception, however, could have been greater than that given to 38-year-old Charles Grimson, a resident of Lodge Street, Hornsby. When he arrived back in Australia with a wound to his foot, he was carried shoulder high by P. A. James and Reverend Wade to a waiting car. The crowd cheered to the echo as he departed because Charles Grimson was responsible for one of the most outstanding acts of bravery in the whole Gallipoli campaign. Grimson was in the trenches near Gaba Tepe in 1915 when he volunteered to do some underground mining near the Turkish trenches. His party was relieved at 9.00 p.m. When he returned at 8.00 a.m., he found that the Turks had struck first and blown up the Australian diggers. Grimson said:

I found that brother Turk had possession of the trenches. There was only one entrance and 500 of our men were close and handy.

Three went forward and were shot down one by one. Then I took a turn and, though I was told it was a hopeless proposition, I went on. Having been accustomed to stalk kangaroos, I knew a thing or two. I crept up the trench and found a Turk facing me, but as I had him covered with my rifle, I told him to come quietly if he valued his skin.

Using sign language, Grimson disarmed the Turk and made him sit down next to him. He then conveyed to the Turkish soldier to call one of his mates in, which he did. One by one, the enemy soldier called in 10 of his mates. As each came around the corner, he was covered by Grimson's rifle and surrendered. He had captured 11 Turks single-handedly without firing a shot. When he was relatively sure that he had the whole raiding party, he charged to the trench section that they had been holding. He was able to release a number of Australians who were being held prisoner and captured a large stockpile of weapons, including sugar bags full of bombs.

For his morning's work, Grimson was immediately promoted to corporal and, in due course, he was awarded the Distinguished Conduct Medal. At this stage his medal ranked second only to the Victoria Cross [VC]. At the time there was a certain amount of resentment among the soldiers that acts of bravery at Gallipoli had not earned their heroes the top award. Several pointed out that an act such as Grimson's would almost certainly have won the VC if it had been carried out in France. Grimson had served in the Boer War and was a member of the dismounted Light Horse. He came to Hornsby in 1908 and was married to a sister of a local real estate agent. He was our genuine Hornsby hero. In fact, they were all heroes. Any person who could stand and charge into machine-gun fire needed to have

exceptional bravery just as any officer who ordered them to do so had to be a callous fool.

It is hard to say how many Hornsby men died in the Gallipoli campaign. Tom Nelson was one. Sergeant Sid Parkes, a veteran of the Boer War, is buried in the Shrapnel Valley Cemetery. No record can be found in the Roll of Honour for Captain George Lewis Concannon of Wahroonga. He was in command of the local militia before enlisting with the AIF. His military experience did not help the cause a great deal because he was killed on 25 April 1915 while landing. Arthur Roe, from Wahroonga, is buried in the Lone Pine Cemetery, as is one of the more curious Hornsby veterans.

Everard Digges la Touche was an Anglican clergyman living in Dural Street, Hornsby when he enlisted. An Irish Anglican Minister, he first tried to enlist as a padre but was rejected on medical grounds. He then enlisted as an ordinary soldier and worked his way through the ranks until he was commissioned as a second lieutenant. He was killed in action at Lone Pine on 6 August 1915 while leading a group "over the top" into a merciless hail of machine-gun bullets. Reverend Digges la Touche had a doctorate degree and was a lecturer and missionary for the Sydney diocese. He was the author of two books and a brilliant speaker. When he died, his aunt penned this poem:

Far from his country, at the Dardanelles,  
He, priest and soldier fell—his work fulfilled.  
Wielder of pen and sword, he wrote for Christ,  
Master and Lord and preached of Him;  
Then, when his country called, and in her stress,  
Her sons of all degrees went to her aid,  
The laws of justice and humanity  
To right, he from the pulpit stepped and took  
The sword, and facing danger for the cause  
Of God, upon the battlefield, through death  
Met the Sweet Master Christ, and went with Him  
Into the service veiled from mortal eyes.

The story of Hornsby is the story of many towns around the country. Many fine men and women gave up their young lives so that we can enjoy the freedoms of today. It was their sacrifice that has given all of us opportunities to live in this great democracy that is Australia. Today, in reflecting on those heroes of Hornsby, I acknowledge all heroes who have served our country in the theatre of conflict, whether it be Gallipoli, Lone Pine, World War I, World War II, Vietnam, Korea, or the theatres of conflict we face today. They are many and they are ongoing. Those brave men and women sacrificed all for the freedoms we enjoy. Lest we forget.

**Debate adjourned on motion by Ms Jenny Aitchison and set down as an order of the day for a future day.**

**Pursuant to resolution private members' statements proceeded with.**

#### **PRIVATE MEMBERS' STATEMENTS**

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#### **COMMUNITY BUILDING PARTNERSHIP PROGRAM**

**Mr JIHAD DIB** (Lakemba) [5.19 p.m.]: This coming Friday I will have the pleasure of hosting representatives from local organisations from the Lakemba electorate that are to receive grants under the New South Wales Community Building Partnership program. As we all know, this program supports the improvement of community infrastructure and is focused on the purchase, construction or maintenance of capital infrastructure. I want to take the time to congratulate the various organisations that secured



funding and also to speak more generally about the importance of community organisations. Being a part of this process was a strong reminder to me and to the selection panel of a number of important things, especially the diversity of community organisations, the ingenuity of these groups, the significance and impact of the not-for-profit sector, working for others and, lastly, the absolute need to keep supporting these organisations with in-kind as well as financial measures.

Reviewing the grants applications was not easy. Like many of my colleagues will have experienced, my panel had the unenviable task of choosing between many worthy causes. The biggest problem was that we were oversubscribed by three to one, with grants requests totalling almost three times more than the money we had to distribute. Let us not forget that these were the grants that had passed the eligibility tests and made it past the first series of hurdles. That was an indication to me of the degree of need in my electorate. I am proud of my electorate and I often talk about the great things people do there. Yet, knowing all that, I was still struck by the diversity of organisations and their needs—from churches and other faith groups through to Scouts, councils, community centres, sporting associations and a theatre group. To me, this was a great overview of the network of organisations each working in their own unique way to support a part of the community.

I was also struck by the obvious care that these groups had taken in making their applications. Critical questions about need and priorities had been asked and answered. So often the need was not glamorous—fixing change rooms, repairing kitchens and repairing stormwater facilities. These issues are the nitty-gritty of the not-for-profit community sector and they are the issues that keep hardworking managers and volunteers awake at night. These elements make the metaphoric wheels turn. So I hope that the grants go some way towards alleviating these issues and will enable the groups to get on with their real work of helping others. These compelling causes are what get people up in the morning.

There were a number of successful grant applications for groups such as the Scouts, Life Education, Australian National Sports Club, St John's Youth Group and Riverwood Community Centre. Each of them has a great story of how the grant will enable them to build the community, but I will share with the House one story in particular—it is one of my favourites—and I am looking forward to joining the group when the equipment is purchased. I am delighted that we can support the La'u Samoa Council in its purchase of a mobile barbecue. This particular group has a long tradition grounded in a deeply collective culture of supporting each other, especially in times of need. The mobile barbecue can be purchased at a modest cost—less than \$5,000—but its purchase will enable the council not only to feed the needy in the community but also to take the barbecue to other events and use it to help raise money for its broader activities. When I saw the application and the photo of the mobile barbecue I thought how clever the design was and how equally clever it was that the La'u Samoa Council had thought through the many possible ways of using it.

This is the ingenuity and resourcefulness of community groups—groups who know how to squeeze value out of every investment. I appreciate, as does my community, the funding made available through this particular grants process, but I wonder whether, with its sole focus on building or the maintenance of physical things, it could potentially be a little restrictive. What of the community building groups, the ones that focus on building "social capital", as it is sometimes described—groups that are not as dependent on bricks and mortar or physical capital to get their work done? I understand that there are other grants processes, but if this particular program is designed to support community building are we sure that it is delivering on its intent and potential? For example, are there highly effective community building groups who are forced to abandon opportunities through lack of financial means and who cannot ever qualify for these grants?

I do not intend this in any way to be a harsh criticism. I think the grants program is very well administered and supported by the public servants who deploy it diligently. However, I believe we should always think creatively and objectively about how we can better support our communities, and we can do that by looking at things we can deliver down the track.

## TRIBUTE TO MICHAEL TYNAN, OAM

**Mr MARK SPEAKMAN** (Cronulla—Minister for the Environment, Minister for Heritage, and Assistant Minister for Planning) [5.23 p.m.]: Today I pay tribute to the late Michael Tynan, OAM, a colossus of public life in the Sutherland shire and beyond, who died on 1 February 2016 aged 80. I knew Michael Tynan for more than 30 years as a forthright, passionate, genial and humorous servant of the community on many fronts. His contribution to life in the shire—as a businessman, as a councillor and as a volunteer—cannot be overstated.

Michael was born at Carlton in 1935 and was educated at Marist Brothers College, Kogarah, which he attended until year 10. He dabbled in a few different jobs as a young adult, which included a brief stint on a dairy farm at Hoxton Park and a jewellery store at Kogarah, which he operated for 10 years. In 1966, Tynan Motors began as a modest service station at Sutherland. This was at a time when the baby boomers were beginning to hit the roads. Prior to this, though, he had been a keen rally driver, racing cars on dirt roads for General Motors and the British Motor Corporation. His business was to grow into the multi-franchise organisation that we know today, employing more than 300 people and selling 14 different makes of vehicle. Michael used to remark that 80 per cent of Sutherland shire residents driving new cars had purchased them from one of his dealerships.

Tynan Motors is Australia's largest family car dealership and was recognised as such when Tynan Motors was admitted to the Family Business Australia Hall of Fame in 2013. Significantly though, Michael will be remembered by many not for his success in business but for his generosity of spirit and for his support of important local charities and causes. That Michael Tynan had a profound interest in his local community was demonstrated, at least in part, by his 18 years of dedicated service on Sutherland Shire Council, including four terms as president. His time on the council saw, among other things, significant development of the Menai area and Cronulla mall, upgrades to the Sutherland Leisure Centre and the signing of a formal Sister City Affiliation with Chuo-ku, Tokyo.

His many years of service to local government were recognised with the Queen's Medal for Local Government, the Federal Bicentennial Medal for Local Government and the Medal of the Order of Australia. Add to that list of accolades a Rotary Paul Harris medal for his extensive community service, including more than 35 years with Calvary Hospital and its national board, and numerous other charities and good causes. Michael described his role with Calvary as "one of the joys of my life". The St George and Sutherland Medical Research Foundation, Hazlehurst Regional Gallery and Arts Centre, and the Sharks and Dragons National Rugby League clubs have all received sponsorship from Tynan Motors. He was also a board member of the Honda Foundation and, through the Leader-Tynan Honda Sports Star of the Year awards, recognised thousands of local achievers over 40 years. Importantly, he engendered this sense of service in his employees, recognising the importance of giving back to one's community.

Amongst his colleagues in the motoring industry Michael Tynan was known for being a strong advocate for motor dealers and he was instrumental in the formation of a new peak national body, the Australian Automotive Dealer Association. He was also a director of the NRMA from 2003 to 2015. He represented the region of Hoddle, which covers St George, the Sutherland shire and the Illawarra. During his period with the NRMA, Michael, as chairman of the finance committee, oversaw a significant turnaround in what was a dire financial position for the organisation. He succeeded in securing government funding for road improvements in Sydney's south and the Illawarra, and agitated for flashing lights in all school zones. As we know, the F6 extension had a great champion in Michael Tynan, and he enthusiastically welcomed action taken by this Government to get the feasibility study underway.

Michael Tynan's passing is a great loss for the Sutherland shire. There is no doubt that his kindness, his ambition, and his dedication to his community have made an enduring impression on the very many lives he touched. His legacy is one of which his wife, Annette, and their children, Francene, Kieran, Madeline, Daniel and Claire, and grandchildren can be very proud.

**The ASSISTANT-SPEAKER (Mr Andrew Fraser):** Order! I concur with the member for Cronulla. Michael Tynan was well known not only in his local community but across New South Wales and his death was felt by many in the motor industry in my electorate. It is great that he has been remembered today in this House.

### **NEW ENGLAND NORTH WEST WESTPAC RESCUE HELICOPTER SERVICE**

**Mr KEVIN ANDERSON** (Tamworth) [5.28 p.m.]: There is a continued community push to reinstate the winching capability of the New England North West Westpac Rescue Helicopter Service, which is based at Tamworth. The helicopter service was ordered to cease winching operations in 2013 following an aeromedical retrieval report that raised safety concerns about the low amount of winching being conducted in the area and subsequently recommended that operations be suspended. I believe the time has come to review that decision. There is a very strong case to reinstate winching in the New England North West as circumstances are changing within wider and regional communities. Many people, including those who have had a direct role in the service, have come to me as the local member and said that the mission data received by the Minister's office does not always match or accurately reflect what is happening on the ground in the New England North West region. As a result, I have conducted local research and gathered information and data in relation to this issue. I believe this research is timely.

I have had discussions with a range of stakeholders about actual missions and their frequency. In addition, I looked at what occurred during those missions—whether a winch extraction was needed and whether back-up resources were sourced from other regions. My research revealed that there has been duplication of service delivery on a number of occasions. For example, the Tamworth service was tasked with a job but when the helicopter arrived it was discovered that winching was required and either Lismore or Newcastle was tasked to attend, with the Tamworth helicopter being sent back to base. In some cases, the Tamworth helicopter and paramedics had to stay on the ground at the incident to provide relief while waiting for the additional helicopter to arrive. It was reported to me that there were dual responses on approximately six occasions.

When a winch is required on a mission in the New England North West, the Tamworth helicopter is overlooked while an out-of-area helicopter is tasked. At times this has left Lismore or Newcastle without aerial cover. I do not believe this is a very efficient use of an emergency resource and, given their very high financial contribution, members of the community have every reason to question such practice. Timing is everything, and it was reported to me that an out-of-area helicopter that was four hours away was tasked to attend an incident in our area while the Tamworth helicopter sat on the ground just eight minutes away. I believe there is another opportunity and reason to reinstate winching. At present the Westpac Rescue Helicopter Service operates the BK117 helicopter, but a new aircraft, the AW139, will be coming on line in Tamworth in approximately May 2017. It has been suggested to me that now is the right time to reinstate training of our emergency service personnel in readiness for the new aircraft.

As per my previous representations to the Minister, I again respectfully ask that a winching training program for local clinical crews be implemented so that they can once again perform that lifesaving operation from the Tamworth base should it be required. We have a highly professional and dedicated aeromedical retrieval service based in Tamworth and it should be given the opportunity to use every rescue retrieval option available to it. Our communities depend on it. The time to do that is now.

### **TRIBUTE TO MICHAEL TYNAN, OAM**

**Mr LEE EVANS** (Heathcote) [5.33 p.m.]: I, too, speak today about Mr Michael Tynan, OAM. Michael Tynan died at home, surrounded by his family, at the age of 80 after a long illness. I knew Michael all my life. He was a great man and it can be said of him that he left his mark on the world. I am deeply sorrowful at his passing. Michael was one of the Sutherland shire's best-known and most-respected residents. His involvement with the community spanned numerous years and he has touched many lives. I recall working with my dad and Michael on the Japan Australia Friendship

Association when he first became an importer of the Japanese car, Mazda.

Michael was born in Carlton in 1935, and was educated at Marist Brothers High School, Kogarah. After working as a farmhand he took a job in a general warehouse, where he worked in the jewellery department. Shortly afterwards he decided to open a jewellery shop at Kogarah. Michael began working in his jewellery business. However, his enthusiasm for his hobby and pastime, rally driving, coupled with his passion for cars, ultimately led him to an opportunity to begin a business that became a lifelong passion and family business.

Michael married Annette and they made their home in Sylvania Waters, where they raised five children: Francene, Kieran, Madeline, Daniel and Claire. The Tynans were an extremely close family unit. Michael began selling cars from an old petrol station at Sutherland in 1966 and went on to become one of the shire's biggest employers and a leader in the motor industry. The Southerland dealership is about 55 metres from where his original Total service station was located. He developed the Tynan Motor Group with his family and it became one of the largest employers in the Sutherland shire, with approximately 300 employees. The group, which is run by his sons, Daniel and Kieran, and his daughter, Madeline, today sells a variety of makes of vehicles in locations across Miranda, Kirrawee, Sutherland, Wollongong and Nowra.

In addition to his business achievements, Michael served on Sutherland Shire Council for 18 years, from 1974. He was elected shire president—mayor—from 1975 to 1978 and again from 1988 to 1989. Michael had extensive involvement as a member of the NRMA board for 12 years, from 2003. He was a strong supporter of Calvary Hospital in Kogarah for more than 35 years, which is indicative of his commitment to the local community. About a week before his death the nurses and doctors formed a guard of honour when he left the hospital for the last time—unfortunately to pass away at home.

Michael's accolades included his being awarded a Medal of the Order of Australia—OAM—in 1995 and the Queen's Medal and Australian Bicentennial Medal in recognition of his service to local government. Although the list of Michael's achievements are long and varied—from his community work to his support of many charities and his involvement with various peak industry bodies—the mark of him as a man lies in his humble and modest nature. He was a true gentleman and someone whose company you would seek out in order to enjoy a chat and a glass of red wine. I conclude with the words he always signed off with: Michael Tynan, God bless.

## **HUNTER REGION NATURAL DISASTER FUNDING**

**Ms JENNY AITCHISON** (Maitland) [5.38 p.m.]: I convey my condolences to the member for Heathcote. On 6 January 2016, nine months after the April super storm, the Hunter was again inundated. Maitland received, in some areas, up to 200 millimetres of rain within 24 hours and our farmers were devastated. Some of the comments from members opposite about Labor not caring about such matters were of great interest to me. A large section of the Labor conference was devoted to talking about country and regional issues. In his speech our leader spoke at length about the impact of policies on our regional colleagues, particularly in the area of local government. I would like to see action from the Government to help the farmers in my community and across the wider Hunter.

Following the super storm of April 2015 the Natural Disaster Relief and Recovery Arrangements—or category C funding, as it came to be known—took eight weeks to come through. The state of emergency declaration was made almost immediately—within a couple of days of the event—but in January 2016 it took one week to declare a state of emergency. I am told that there will be no call for Federal assistance because the Government is not interested in pursuing assistance for farmers who have been approaching me about this matter. I believe this is because many farmers were found to be ineligible for that funding. It is only a small amount for farmers—\$15,000—to cover losses that will not necessarily be met by insurance. In his report on this matter retired Brigadier Darren Naumann, AM, advocated for funding to be increased because the losses experienced by the farmers totalled up to

\$100,000. In addition, he advocated a review of the eligibility requirements.

The eligibility requirements state that 51 per cent of the farmer's income must be derived from the farm. The retired brigadier makes the salient point that in today's modern economy many farmers increase their resilience and build their businesses—their farms—by engaging in off-farm work. Two farmers in my electorate moved in and established their farms in the month before the April super storm. They were second generation farmers. They were well equipped and had prepared themselves, but their farms were devastated by up to 98 per cent flooding. Because they had not operated the farm for a year they were not eligible for any assistance, nothing. I find that disturbing. Now, nine months on, they are re-sowing their crops. They halved their number of cattle, which they bought for \$1.50 a kilo on the hoof, and now it is costing them \$3.50 a kilo to restock. They have been left behind by the Government. It is a disgrace. They are devastated. One of the farmers told me that it will take her seven years to get back to the situation that she was in in March 2015.

In his report the brigadier says that we need to reward farmers who engage in positive industry building initiatives. We need to provide assistance to them for events that cannot be insured. I am concerned about the small farmers in my area. They may be small, they may have herds of only 50 or 100 cattle, but there are many of them. Many of the farmers I have spoken to lost half their stock. That is half the herds in our region. They are facing increases in the price of cattle, which will be passed on to consumers. The Government is treating them like cattle barons or hobby farmers, but they are neither. They are small business people, small farmers, and they deserve our support. I urge the Government to take a more realistic attitude and to act on the recommendations of this report. I note that the report was released just after the second floods, which was a pitiful attempt to provide a long-term recovery strategy for our region.

#### **INVERELL KURRAJONGS RECRUITMENT MARCH RE-ENACTMENT**

**Mr ADAM MARSHALL** (Northern Tablelands) [5.43 p.m.]: Early on the morning of 12 January 1916, the township of Inverell witnessed a memorable day in its young history. A huge crowd assembled in the streets to farewell Inverell's first large contingent of World War I recruits, the Kurrajongs. This group of 114 men formed one of 10 recruiting marches held in New South Wales to encourage enlistment. The marches snowballed. At the time, the Inverell men were the largest group to leave a country town together for war service. Wearing white hats, the men marched from the corner of Rivers and Otho streets to the town hall for the official farewell by the mayor. The huge procession then proceeded down Byron Street and on to the railway station, passing shops closed for the occasion. Banners were held high by volunteers. Thousands of people, including women and children in white dresses and shady hats, stood in the streets as bands led the way. At the railway station the train had been decorated for the occasion with kurrajong leaves and flags.

A special train had been arranged to take the recruits to the Narrabri camp. Along the way the train stopped overnight at Wyallda and Moree, where further rallies were held and more recruits joined the Kurrajongs. Further volunteers followed during the next two months, including 19 men on 1 February and 50 men who made up the second contingent of the Kurrajongs on 29 February 1916. Many of these men became part of the 33rd, 34th, 35th and 36th battalions of the Third Division of the Australian Imperial Force. In all, 1,200 men and women from the Inverell district served in the Great War and at least one in five, or 20 per cent, paid the ultimate sacrifice. One hundred years on, the good people of Inverell lined the streets again, this time in memory of those who marched off so proudly, to so much fanfare, to join the Allied forces in the fields of Flanders and Fromelles and in the sands of Egypt and the Middle East.

The Great War took so many of this young nation's men, leaving small towns and villages decimated, sometimes never to recover. The very least we as a nation can do now is to remember and commemorate their sacrifice and that of their families. That is exactly what Inverell did with the re-enactment of the Kurrajong recruitment march on 10 January this year. I had the privilege of walking

beside and talking with more than 1,000 Inverell residents and visitors on that Sunday morning as we remembered the Kurrajongs and all other men and women who served in the First World War. The march re-enactment began at Varley Oval and concluded at the Inverell Pioneer Village, at the original Inverell railway station where the Kurrajongs boarded the train 100 years earlier. It was an incredible and heart-warming event made all the more special by the fact that around 300 descendants of the Kurrajongs travelled from all parts of Australia to feature in the re-enactment. The 1916 speeches were also re-enacted on the day by former dignitaries.

The march was led by the New South Wales Mounted Police, in historical costume, followed by two descendants of the Light Horse men, the Inverell Pipe Band, current veterans, relatives of other WWI service men and women, Red Cross members, Inverell cadets, the Royal Australian Artillery Band of the 1st Field Regiment from Brisbane, Inverell schoolchildren, the Freemasons, rugby club members, the Guides and Scouts, the original Inverell fire engine, St John Ambulance members and the Royal Australian Artillery Historical Company's 18-pound gun, which was drawn by four horses. Not many were left out of the wonderful commemoration. It was a long time in the making—two years, to be exact.

Successful events are always supported by hardworking committee members and volunteers who work tirelessly to ensure that the event flows seamlessly. I acknowledge the Kurrajong Re-enactment Committee members. The indefatigable president, Kim Blomfield, did a mountain of work, along with her trusty sidekick Ann Hodgens, OAM. I acknowledge the secretary, Noela Turner; the treasurer, Philip Plowman; the Inverell tourism officer, Peter Caddey; and Inverell RSL sub-branch members Pat McMahon and Graeme Clinch. All the volunteers did a magnificent job. I also acknowledge the Parliamentary Secretary for Veterans' Affairs and the Centenary of Anzac, the member for Wagga Wagga, who was present at the commemoration. I thank him for his words and for making the trip to Inverell. I again offer my congratulations to the organising committee. Well done, Inverell, on commemorating the sacrifice. It was a wonderful weekend that showcased Inverell at its very finest.

**Mr DARYL MAGUIRE** (Wagga Wagga—Parliamentary Secretary) [5.48 p.m.]: I congratulate the community of Inverell and the local member on bringing to the attention of the House the Inverell re-enactment march. It was a wonderful commemoration held over a number of days. I offer my warmest congratulations to the organising committee and to the dignitaries and members of Parliament—including the hardworking local member—who attended to support the initiative. Across Australia, communities are coming together to commemorate the Centenary of Anzac, whether through small projects such as the refurbishment of honour boards and the painting of flagpoles and cenotaph fences or through more adventurous projects such as re-enactment marches. The local council and everyone involved should be congratulated. I particularly thank the organising committee, led by Kim Blomfield, who did a marvellous job, along with Ann Hodgens, Noela Turner, Philip Plowman, the local RSL sub-branch and all volunteers. Congratulations to the community for turning up in their thousands.

#### **TOM MCMULLEN, OAM**

**Mr DARYL MAGUIRE** (Wagga Wagga—Parliamentary Secretary) [5.49 p.m.]: The Australia Day honours are an appropriate way for members of the public to nominate individuals for outstanding service to the community. On Australia Day a number of people in the Riverina were awarded the Medal of the Order of Australia [OAM] or the Companion of the Order of Australia [AC]. Today I pay tribute to the efforts of Thomas Ignatius McMullen, who was recognised with the awarding of an OAM.

Tom McMullen established the first branch of Can Assist in Wagga Wagga in 1979. It was formerly known as the Cancer Patients Assistance Society. The Wagga Wagga local has since dedicated his life to a myriad of other causes by volunteering his time and money. Tom McMullen is now 83. He has received one of the country's highest honours, which is awarded for outstanding service. Mr McMullen decided to establish the Wagga Wagga branch of Can Assist after seeing the good the organisation was doing in Sydney. He and his wife, Patricia, who sadly has passed away, made multiple visits to Sydney when she was undergoing treatment for breast cancer. He said of bringing the organisation to Wagga

Wagga that it needed doing. He said, "They had one in Orange and one on the coast." He said, "I was involved in Farmers Home Social Club and when they got on board it was quite easy to get it up and running."

Can Assist has grown to 50 branches across the State. It provides services to families by way of travel and accommodation expenses, et cetera. Tom McMullen is a life member of Can Assist and received an award recognising his 25 years of service in 2008. He also volunteers with various other organisations, including the Apex Club, St Vincent de Paul Society, Edel Quinn Shelter and the Loreto Home of Compassion. Mr McMullen is a very modest man. He was very involved in the building and maintenance of Lilier Lodge, which offers accommodation for cancer patients who travel from across the region to the radiotherapy centre in Wagga Wagga.

It was a great honour to join Tom and his family in Wagga Wagga on Friday 5 February when Governor David Hurley presented Tom with his Medal of the Order of Australia. This is only the second time that such a ceremony has occurred in Wagga Wagga. Tom is suffering from a degenerative lung disease and travel is difficult for him and his family. Prior to the recent visit the Governor agreed that he would award Tom his OAM. It was a great function. Tom had about 70 family, friends and guests. They travelled from the Central Coast, Canberra and other places to be with him. Tom said, and this shows the humility of the man, "A lot of other people did more than I did. I just brought an idea back from Sydney." He continued, "To be acknowledged by people outside your own group, family or community is very humbling."

The Governor in response said, "Tom has seen beyond himself and given beyond himself. To be able to have an investiture outside of Sydney does not happen often. It is a rare privilege." Indeed it is, and it was truly fitting that the Governor and Mrs Hurley could join Tom and his family in Wagga Wagga. It was a fantastic occasion. These are just some of the things that Tom has been involved in with his fundraising and community activities. Indeed his entire family is very well respected. Family members, who are local builders, got involved and would never say no to anyone who asks for help.

I congratulate Tom on his award and commend his nominators. I understand Kay Hull had something to do with that. It is an honour that not a lot of Australians receive—only about 800 this year—but one that Tom well deserves and has been given warmly. I wish Tom and his family well. It was a wonderful day and one that I am sure Tom and his family will remember. I certainly enjoyed it. I congratulate Tom on the honour that has been bestowed upon him. He is a most humble man.

## **LOCAL GOVERNMENT AMALGAMATIONS**

**Ms KATE WASHINGTON** (Port Stephens) [5.54 p.m.]: I congratulate the Premier and the Minister for Local Government on a job well done. For the first time in the history of Port Stephens our community is united. It is no secret that I have not been the biggest fan of Port Stephens Council, and particularly our mayor. So I thank the Premier and the Minister for finding an issue on which all sides of politics can agree that the Government has got it very wrong. In fact, I have been surprised at the extent to which those on the conservative side of politics are prepared to speak out against the Government on forced council amalgamations. Liberal councillors, including the Liberal candidate at the last State election, have all denounced the Government's decision. My Liberal predecessor as member for Port Stephens has even gone so far as to say he would have quit the Liberal Party over this issue had he still been a member. Staunch Liberal supporters are telling me they will never vote for the Liberal Party again, they will hand out how to vote cards for me at the next State election and they will even vote for me. I would have thought that the Government would at least listen to its support base and show them some respect. Strangely, that does not seem to be the case.

Across the State we have heard stories of communities rallying against this Government's plans to forcibly amalgamate their council, rallying against their own sitting members who sit on the opposite side of this Chamber. We have seen senior members of The Nationals quitting in disgust. We have even

had the godfather of conservatives, Alan Jones, calling this policy a "betrayal of the public and a betrayal of an election commitment by a Liberal Government". When the residents of Port Stephens learned of this Government's plans to forcibly merge their council they were shocked. Only months earlier the Government had used its flawed Fit for the Future report to try to justify mergers across New South Wales. But that report said Port Stephens Council should be left alone. Before I share some of the reactions residents have had to this proposal, it is important to consider how we got to this point. In 2013 the Independent Local Government Review Panel put forward proposals for a number of councils to merge. Port Stephens was not one of them. In fact, its report said:

Port Stephens council appears likely to remain sustainable in its present form well into the future  
...

In 2014 the Government roped in the Independent Pricing and Regulatory Tribunal [IPART] to conduct a further study of council mergers. Throughout 2014 and 2015 the Government was adamant that forced mergers were not being considered. In October 2015, IPART released its report suggesting a number of Hunter councils should merge, but Port Stephens Council was not one of them. Then something mysterious happened between October and December. There were secret meetings between goodness knows who. The member for Upper Hunter claimed he had stopped the Maitland City Council from merging. Sadly, he left Dungog Shire Council to merge with Gloucester Shire Council—he sacrificed Gloucester—the two councils in the Hunter with the most roads and the least ratepayers. That one is a very sad arranged marriage.

On 18 December, a week before Christmas, Port Stephens residents woke up to the news that their council was to be merged with Newcastle City Council, despite that not being a recommendation of the 2013 report or the 2015 report. Since this announcement I have been inundated with phone calls, emails and Facebook messages from concerned and irate residents. I held a public meeting soon after the announcement and scores of residents filled the room to share their concerns. The message could not be clearer: the Port Stephens community does not want to merge its council.

At the first meeting of the public inquiry almost 400 residents turned out on a Thursday morning, many sitting in an overflow marquee in the rain, so they could show the delegate that this merger is not supported. Not one resident at that meeting spoke in favour of the amalgamation. Seven hundred people turned out at rallies over the weekend to vent their frustrations at this illogical proposal. Residents have been clear in their reasons for not wanting to merge with Newcastle City Council. Newcastle is a regional city, focused on its central business district. Port Stephens has beaches and a rural landscape dotted with small communities, each with its own unique virtues. We have a council that supports an amazing array of volunteers, who do an enormous amount for our community, through section 355 committees.

Representation for Port Stephens residents in a merged council will be reduced. Port Stephens representatives will always be in the minority. Any savings resulting from the merger are to be made off the back of local people losing their jobs. Tourism is one of the most important economic drivers in Port Stephens. Yet tourism operators fear that the inevitable rate increases will not only have an impact on their bottom line but also may affect their viability and the viability of their industry. I look forward to debating this matter with the Minister when the petition circulating in our community reaches 10,000 signatures. The clear message my community sends to the Premier is: Leave Port Stephens alone.

**Private members' statements concluded.**

**Pursuant to resolution matter of public importance proceeded with.**

**INTERNATIONAL MOTHER LANGUAGE DAY**

**Matter of Public Importance**



**Mr JIHAD DIB** (Lakemba) [5.59 p.m.]: Today I discuss a matter of public importance: the celebration of International Mother Language Day on 21 February. The day was proclaimed by the General Conference of the United Nations Educational, Scientific and Cultural Organisation—UNESCO—in November 1999. Since 2000 it has been celebrated to promote multilingualism and linguistic diversity, including the preservation of endangered languages. The specific event recognised by this official day is very significant for the Bangladeshi community worldwide, including the large and very proud Bangla community in my electorate of Lakemba. The date commemorates those who were shot and killed in Dhaka during a student demonstration. They were simply demanding recognition for their native language, Bangla, as one of the two national languages of Pakistan, as it was then. According to the United Nations more than 7,000 languages are spoken in the world. But just as our physical world risks destruction of biodiversity, so too the world of language is under threat, with more than 50 per cent of the world's languages likely to die out within a few generations.

There is a temptation to simply regard this as the natural progression of things, a side effect of an increasingly connected modern global world. But if we think of language as one of the key expressions of culture, a critical way to preserve understanding of sometimes quite unique concepts and traditions, then the loss of languages is something to be mourned. Australian Indigenous communities speak of this loss. But conversely, having multilingual people in our community is to be celebrated, as is some of the remarkable work in some Indigenous communities in this country to recapture ancient languages. As a small personal example, often in my own electorate office, explanation of a particular Arabic term becomes a way for me to explain a broader cultural tradition to my non-Arabic office manager. These are the daily conversations that build mutual understanding and appreciation of the great multicultural society in which we live.

The same rings true for any language—look at schools, workplaces and shopping centres. Language diversity is not just about Australian people being able to work effectively in trade negotiations and travel with ease, although those things are useful and important. However, language diversity reflects cultural diversity and in an electorate like mine, with its 150 cultures and where the world comes to life, it is a critical feature to be celebrated and promoted. I often think of the advantages of speaking many different languages in breaking down boundaries and defences and getting to know "the other". I believe that International Mother Language Day provides a great opportunity to reflect on language diversity in general and what it means for a country like Australia. Our reflection on the history of multiculturalism and Indigenous affairs in Australia, combined with what we know about the ability of people and kids especially to learn languages, tells us that we have a great opportunity in this country and in this State.

New migrants to this country are always encouraged to learn English. For many, of course, this may be not a second language but a third or even a fourth. Learning English is most definitely a critical enabler to participation in the broader society and to being employed. But I think we now know that in encouraging the development of a new language we are not asking people to abandon their mother tongue or other languages. We would be a poorer country if that were the case. Similarly, it is a wonderful thing to see children who easily move between languages—sometimes one is more dominant at home. Last weekend I was very proud to see the Labor Party make language education a priority, starting in primary schools.

As announced on the weekend, a New South Wales Labor government will introduce the study of a second language to the primary school curriculum. Under a Labor government, every primary school student will study a second language in New South Wales. We will focus on primary schools because New South Wales is not performing well in this area and because of the extensive benefits derived from learning a language early in life. We want our students to achieve academic excellence, to be truly global citizens and to be better equipped to embrace the cultures in which they live and learn in Australia.

It worries me that currently New South Wales lags behind other States in the provision of language education, particularly in primary schools. Fewer than 40 per cent of New South Wales primary schools have a language program and the majority of those are in the Sydney metropolitan area. In

Victoria, more than 70 per cent of government primary schools have a language program. In New South Wales 4,541 government primary school students are studying Indonesian, whereas in Victoria it is nearly 40,000. This matter of public importance is about International Mother Language Day. This Sunday I will proudly go to Ashfield to attend the tenth anniversary of the unveiling of the memorial to commemorate mother tongue language.

**Mr GREG APLIN** (Albury) [6.04 p.m.]: I am pleased to make a contribution to recognise International Mother Language Day, which is celebrated annually on 21 February. International Mother Language Day has been observed every year since February 2000. As the previous speaker said, the day promotes linguistic and cultural diversity and multilingualism. This day commemorates the day in 1952 when students were killed during their demonstrations for recognition of their language, Bangla, in Dhaka, the capital of what is now Bangladesh. International Mother Language Day was proclaimed by the United Nations Educational, Scientific and Cultural Organisation [UNESCO] in November 1999, and is now promoted around the world by the United Nations.

To push forward and strengthen the UNESCO work, the world's first International Mother Language Day Monument was established in 2006, with the global monument appeal "Conserve your Mother Language" at Ashfield Park, Ashfield. To expand the mission and reach out to all communities in facilitating their active involvement and participation in caring for the mother languages, the Mother Languages Conservation Movement International Inc. is holding a tenth anniversary celebration of the monument this week. It will also include a seminar with discussion on language endangerment and the importance of International Mother Language Day observation. An exhibition of alphabets will be held, along with performances by members of different linguistic and cultural communities.

The promotion of International Mother Language Day is indeed a most worthy initiative. The New South Wales Government considers the linguistic and cultural diversity of New South Wales to be a great asset for the State. The Government is ensuring that more people understand the value in learning another language, and harnessing the existing language capabilities within the community. As one of the most culturally diverse places in the world, New South Wales is well placed to successfully teach, learn and value languages. More than 350,000 New South Wales students speak another language at home. In New South Wales we come from about 225 birthplaces, speak more than 200 languages and practise at least 125 different religions. Approximately 50 per cent of New South Wales residents were either born overseas or have one parent born overseas.

All of this goes to show that New South Wales has a strong history of and connection with cultural and linguistic diversity. This is why we champion our diversity. Indeed, we see it as a distinct social and economic advantage. Many different organisations are involved in promoting mother languages throughout the world. I speak from experience, as a member of a Rotary Club that sponsors a preschool in the little village of Kitenden, Tanzania. This school teaches Masai children Swahili because if they cannot speak Swahili when they commence proper school they are unable to participate, due to the fact that Swahili is the only language spoken in Tanzania. Our group helps to provide a preschool in Africa to help a local community that would otherwise be unable to help children to participate in the next level of education. We hope to continue this initiative and grow it. At this stage the preschool educates around 140 children who graduate and move on to the school system.

The issue of mother languages is fraught with danger. The reason that we talk about its origins in 1952, when people were killed during their demonstrations for recognition of their language, is a reason that drove physician L. L. Zamenhof, in 1887, to construct an international language. This international auxiliary language was called Esperanto, which translates as "one who hopes", a name derived from Doktoro Esperanto, a pseudonym of Zamenhof. His goal was to create an easy-to-learn, politically neutral language that would transcend nationality, and foster peace and international understanding between people speaking different languages.

Up to two million people worldwide speak Esperanto to varying degrees, including perhaps 2,000

native speakers who learned it from birth. The World Esperanto Association has members in 120 countries. Its usage is highest in Europe, East Asia and South America. On 22 February 2012 Google Translate added Esperanto as its sixty-fourth language. The first World Congress of Esperanto was organised in France in 1995, and congresses have been held every year since that time in various countries. This shows that language is key to understanding, but nothing beats a person's native language, their international mother language. I am proud to join everyone in supporting International Mother Language Day this week.

**Mr ANOULACK CHANTHIVONG** (Macquarie Fields) [6.09 p.m.]: I am delighted to join my colleagues the member for Lakemba and the member for Albury in speaking on, celebrating and commemorating International Mother Language Day. It is a United Nations Educational, Scientific and Cultural Organisation recognised day of observance to promote linguistic and cultural diversity. This day also celebrates the fight for freedom and culture of the Bangladeshi people. As a successful culturally diverse nation, it is important and appropriate for us in Australia's oldest Parliament to recognise this day, especially for our growing Bengali community. As the member for Macquarie Fields I am privileged to represent such a culturally and linguistically diverse electorate. My growing local Bengali community adds culture, colour and delicious cuisine to our local community.

On Sunday 14 February 2016, together with Federal member of Parliament Laurie Ferguson, I attended our local Bengali International Mother Language Day event. The local Bengali community always makes me feel welcome at its events and it was a pleasure to witness the singing of national Bengali songs and the reading of poetry, and to see so many young Bengali-Australian children dressed up in the national costume performing for their parents, family and friends. The sight of so many children also made me feel confident that the future of the Bengali language and culture in our local community is in very good shape.

I also recognise Ms Selima Begum, her husband, Tariq, and other members of our Bengali community who put in so much effort to organise the International Mother Language Day event at Ingleburn on Sunday and undoubtedly many other events in our local area. Selima is a leading figure in our Bengali community and, along with many others, works so hard to promote cultural harmony, understanding and diversity in our area. Jobs are agile and global, and we need to make sure that our kids are equipped and equal to the challenges in a competitive and global job market. That is why Selima and her community are working hard to ensure that there is a Bengali language Saturday school for their kids of primary school age in south-west Sydney.

As someone who has a second language, I know that learning a second language should start at an early age, because it is easier to learn when you are young than when you are older. Learning a second language is more than just increasing your vocabulary and word count. It is also about learning the history, customs and traditions of another culture. In my local area, there is an array of languages and cultures: Indigenous, Bengali, Hindi, Chinese dialects, Tagalog, Indo-Chinese languages of Bahasa, and languages of the South Pacific. Our diversity is an intrinsic, valued and permanent part of our social fabric. The kids of New South Wales, the future of our nation, must be equipped with developed linguistic skills if they are to compete with other kids from around the world. That is why Labor's policy of languages in primary schools is good for our students, good for our society and good for our economic future. International Mother Language Day, whether it is celebrated in Dhaka, Ingleburn or Lakemba, recognises the importance and valued contributions a culturally and linguistically diverse community makes to our nation's future. I especially thank my local Bengali community in Macquarie Fields who do so much to make our community a better place.

**Mr JIHAD DIB** (Lakemba) [6.12 p.m.], in reply: I thank my colleagues the member for Albury and the member for Macquarie Fields for their contributions to this debate. The member for Albury provided a very good argument for the social and cultural advantages of languages. I was impressed by the story of the contributions to the Swahili community. If we can teach young people to be great native speakers in their first language it makes the second language a lot easier, which actually helps them with the study of

their own language. I say to my colleague and friend the member for Macquarie Fields that it is wonderful to be in this place with people from different cultural heritages who are proud of their mother tongue language as well as being proud Australians. I know the member for Macquarie Fields is a proud Australian and very proud of his own heritage.

I understand what he said; I am starting to learn Arabic slowly. I wish I had not run away from Arabic school on Saturdays when I was 10 years old. It was a problem when dad discovered me at the shopping centre one day. We have spoken so much about the importance of language and we know it boosts brain power, helps with multi-tasking, assists people with their first language and allows for a closer study of a native language. We talk about the trade benefits, but there is also a great deal of social benefits. The world is a better place when people get to know one another. I know it sounds like a pipedream but if we all understood one another a little better it would break down many of the barriers.

This Sunday I will celebrate the unveiling of the memorial in the national park for International Mother Language Day. I am exceptionally proud of it and it is something that I encourage. I have spoken many times in this place about multiculturalism and about the contribution that people make. I have also talked about Indigenous affairs—it is important to know that our Australian heritage is made up of a complete migrant community from our very first peoples through to the most recent. It is only fitting that I test my Arabic. I know that Mr Assistant-Speaker has a little Arabic skill as well. I conclude by saying, "Shukran tisbah ala kheir", which means, "Thank you, good night."

**Discussion concluded.**

**The House adjourned, pursuant to resolution, at 6.15 p.m. until  
Thursday 18 February 2016 at 10.00 a.m.**

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