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# LEGISLATIVE ASSEMBLY

Wednesday 9 September 2015

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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 a performance audit report of the Auditor-General entitled "Sydney metropolitan bus contracts: Transport for NSW", dated September 2015.

## BUSINESS OF THE HOUSE

### Notices of Motions

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

## JOBS FOR NSW BILL 2015

### Second Reading

**Debate resumed from 8 September 2015.**

**Mr CLAYTON BARR** (Cessnock) [10.13 a.m.]: I will make a couple of important points in my contribution to the second reading debate on the Jobs for NSW Bill 2015. I say, from the outset, that the New South Wales Opposition will not be opposing the bill. At the time of the introduction of this bill I was struck by a sense of *deja vu*. I was reminded that in 2012 the New South Wales Labor Opposition introduced the NSW Jobs Commission Bill 2012. When the Government has a great majority it finds it unpalatable to accept a good idea from the Opposition. Members of the Government took to attacking the NSW Jobs Commission Bill 2012 proposed by the New South Wales Labor Party—the Opposition at the time—with some vigour.

*Hansard* is a wonderful thing, because *Hansard* records every word of the debate. So, a couple of years down the track, we have an identical bill being introduced by the Government, and *Hansard* gave me the opportunity to reflect on the words used by those opposite when they were so opposed to the legislation. I will summarise the original bill. The NSW Jobs Commission Bill 2012 was essentially going to set aside \$188 million over a four-year period to oversee changes in job structure, the number of jobs and industries being supported or those that were successful, Government procurement, in particular, and what that meant for regional areas.

Essentially, the bulk of that \$188 million was going to be set aside to attract, support, develop and assist innovation and transition in job-creating industries. Instead of employing staff to do that, staff were going to be seconded from other Government departments. Almost the entirety of the \$188 million was going to be spent on job creation. If we fast-forward to 2015 we see the Jobs for NSW Bill being introduced by the Government in a road-to-Damascus moment, when all of a sudden there has been a realisation that the Government needs to invest in a body to create and develop job opportunities across New South Wales.

A significant difference between the 2012 bill and the bill being put forward in 2015 is that, instead of the entirety of the \$190 million going into the creation of jobs, a big chunk is now going to be set aside for staff and the board—jobs for the mates. Members opposite are setting up a department, getting their mates a gig on the board and paying them some ridiculous amount of money to turn up to a meeting once a month when we could have used the skills and expertise within government.

**Mr John Barilaro:** What is the commission, then?

**Mr CLAYTON BARR:** I just explained the commission. If the member for Monaro was not listening I am not going to explain that again; I have limited time. I will refer now to some of the contributions made at the time of the introduction of the NSW Jobs Commission Bill 2012, including the member for Drummoyne. I suspect the member for Drummoyne might well call a division today, because one of his brilliant contributions in 2012—given that these two pieces of legislation are almost identical—was:

I do not support this bill, and I will never support such a bill.

He referred to the first bill as "window dressing at its most odious" and said that it would not work. He asked why we needed it and he said:

This Government does not need to create a jobs commission to tell us what we already know ...

He said that the jobs commission would do nothing more than to "expand the bureaucracy and create a \$188 million letter and report writing department". I would be very surprised if the member for Drummoyne is sitting upstairs, watching this debate and supporting the legislation being moved. The member for Monaro was quite severe in his criticism of the NSW Jobs Commission Bill 2012 at the time. As part of his contribution to the second reading debate he said:

...a jobs commission will not create a single job in this State.

At the time he was a backbencher and new to Parliament. He might not have understood quite what Hansard does and how it works. He might not have realised that his words might come back to haunt him. The member is now a Minister; he has done quite well for himself since arriving here in Parliament, supporting the Liberal Party policies. As I understand it, he is going to make a reply on behalf of the Minister, so he might be able to explain his road-to-Damascus moment during the period 2012 to 2015, where he has gone from declaring that a body like this would not create a single job in this State to now declaring his full support for this legislation. Of course, I could not go past the contribution of the member for Baulkham Hills in 2012. He said:

When there is a problem with employment fill the gap with the taxpayers' obligation to build the public sector ... We believe government should get out of economic management ... The answer is not more government institutions or more taxpayers' money spent creating public service jobs

I wonder what the member for Baulkham Hills thinks about this piece of legislation. I will make two final points. The first is that we need to address procurement in this State. The Government already has a number of procurement documents in place. Indeed, if we were smarter about procurement we might be able to solve many of these problems before they arise. We have the Procurement Strategic Directions Statement for 2014-15 and the NSW Procurement Policy Framework for NSW Government Agencies. Amongst all of that is the ProcurePoint website that contains a number of statements, one of which is entitled "Statement on Value for Money". Part of the structure that is meant to exist within New South Wales procurement is referred to as upfront benefits and/or costs and risks. When assessing procurement foreseeable changes to revenue, savings and transitioning costs are supposed to be taken into account, as are after-purchase costs relating to contract periods, transactions, transitioning-out costs and contingencies.

In essence, the document talks broadly about the fact that procurement is not just about dollars and cents; it is about understanding the impact of the procurement on the communities that members are elected to represent. There are a number of examples in the Illawarra and Hunter where if different procurement decisions had been made we would be facing a different employment situation. We can talk about trains in the Hunter and out west in Bathurst and Orange. In the Illawarra we can talk about steel. With the money being spent on infrastructure at the moment it is bizarre that some manufacturing industries are struggling to turn a dollar. I met with the manufacturing network in the Hunter. They cannot explain how they can possibly be struggling to make ends meet at this time. I also met with the Illawarra steel manufacturers group. They cannot understand how they can be failing to make ends meet in this period of infrastructure investment. It is all about procurement policy.

I have made my final point a number of times in this Chamber and will continue to make it until something changes. It is that The Nationals who form part of the Coalition do not understand the budget. They do not understand the numbers and the difference between recurrent funding and capital funding. They do not understand that the Government is offering them a lollipop while stealing their bike, scooter and skateboard. When the lollipop is gone they will turn around to play with those items but they will not be there. They do not understand that. The member for Wyong, Mr David Harris, made an excellent contribution to this debate and spoke about some of the numbers. He said that there used to be a \$22 million per year Regional Industries

Investment Fund. The Nationals are now accepting an aspiration target—not a guaranteed target—of \$14.25 million. More than \$7 million is disappearing from regional New South Wales. I am surprised that The Nationals are supporting this bill. The Labor Party will not oppose it.

**Mr MICHAEL DALEY** (Maroubra) [10.23 a.m.]: I note the concluding words of my good friend and colleague the member for Cessnock, who said that Labor will not oppose the Jobs for NSW Bill 2015. One reason we will not oppose it is that jobs are at the heart of our being as the Labor Party. That is why working men and women created our party more than a century ago and it remains our core business today. The other reason we will not oppose the bill is that it is a great rip-off. As the member for Cessnock advised the House, this bill is a rip-off of the NSW Jobs Commission Bill that former Leader of the Opposition, the member for Blacktown, put to this place in 2012 and which created outrage on the other side.

The member for Cessnock referred in great detail to some of the comments of Government members who opposed the bill as an outrage. Since then either the Minister has run out of ideas and looked back through some of Labor's proposals over the past four years—and there are many of them—or a bright spark in his department or office dug up our bill and said to his mate, "Why don't we just create a bill from this one? The Minister will never know. He won't remember what happened in 2012 because he is old and it's too long ago."

**Mr John Barilaro:** That's harsh.

**Mr MICHAEL DALEY:** The Minister is my age so I can say that. We have been mates since 1995. Someone has snuck this one in under the cover of a bright new Government idea.

**Mr Clayton Barr:** It seemed like a good idea.

**Mr MICHAEL DALEY:** It was a bad idea when we put it up; now it is a good idea. The Government has matched almost the entirety of the bill and its funding. Any time a government proposes ideas about jobs we are on board, but that does not mean that the bill is not a rip-off and a gimmick. The Labor Party has a proud history when it comes to jobs in this State. In the last four years of the Labor Government there was strong economic growth. We created almost 200,000 new jobs in our last two years in office in spite of the global economic meltdown in 2008-09. When we left office in 2011 the unemployment rate was at 5.1 per cent. It is now at 5.8 per cent. A total of 183,000 people were unemployed in New South Wales then and 229,900 people are unemployed in New South Wales now. Almost 47,000 more people are on the unemployment scrap heap today than four years ago. That is not a measure of success of this Government.

Governments can undertake measures to lower unemployment and get people into work. I remember sitting at the Cabinet table in 2008 for an Expenditure Review Committee or budget subcommittee of Cabinet meeting when we received a briefing from the Treasury. It did not refer to the global financial crisis because they did not know what to call it, but that early briefing is etched in my brain. It said that if government revenues started to collapse and State and Federal governments did not do something a quarter of a million people would hit the unemployment scrap heap within about two years. The lever that we pulled with great success was infrastructure spending. In a year we spent \$18 billion, assisted by the Rudd stimulus package. Australia avoided a recession. The State budget dipped into the red for one year but was returned to surplus within 12 months and we did not sack a single public servant. We did not have to sack a single valued government worker to get the budget back into surplus, as we did 14 or 15 times in 16 years. In the past four years this Government has embarked on what can only be described as a deliberate go-slow on infrastructure spending.

**Ms Gabrielle Upton:** A go-slow? Oh my God.

**Mr MICHAEL DALEY:** If the Attorney General reads the Government's first budget in 2011 she will see that the then Treasurer and now Premier promised to spend a record \$62.5 billion on infrastructure over four years. He spent much less than that. In the first budget he promised to spend \$15.3 billion. He spent \$13.4 billion, which was a shortfall of \$1.9 billion, and so it went on every year of the first four years of the Government. There was a \$513 million shortfall in 2011-13, a \$1.4 billion shortfall in capital expenditure promised spending in 2013-14 and a \$1.3 billion shortfall in 2015. The total underspend was \$5.1 billion.

That must be viewed in the context of large projects, such as WestConnex, which was announced in October 2012. I remember what the Treasurer said at the time. He said, "The money for the project is there. It is in the budget; it is ready to go". It is now September 2015 and only this week have we seen the environmental

impact statement [EIS], the initiating document, for that project. The Government promised to spend \$5.1 billion over the past four years but it has underspent. Tens of thousands of jobs would have been created if the Government had spent that money, but it did not. Yet Government members have the hide to walk into this House and, with hand on heart, say that they are in favour of jobs creation.

Earlier this year the Government introduced in this House and passed the Small Business Grants (Employment Incentive) Bill 2015. The Opposition supported the bill but suggested some amendments that went to the heart of jobs creation. The bill was about rebates and incentives for small business. I notice the presence in the House of the Minister for Skills, and Minister for Small Business. The Opposition amendments targeted small business and geographical areas of high unemployment. The Government knocked off each and every Opposition amendment in the upper House, including amendments targeting geographical areas of high youth unemployment, and taking on new apprentices and possibly providing grants for each year an apprentice remains on an employer's books with a reward grant for an employer who keeps on an apprentice throughout the duration of his or her apprenticeship to the point of completion of the apprenticeship.

The Opposition amendments also targeted start-up businesses that employed new employees; the employment of Aboriginal or Torres Strait Islander workers; and, to provide employers with more flexibility, considered changing the registration period from 60 days because new employees may have three- or six-month probation periods. Each and every Opposition amendment proposed in relation to the Small Business Grants (Employment Incentive) Bill 2015, which targeted the scheme better to address unemployment as well as areas of high unemployment and high youth unemployment, were knocked off without explanation and without argument in the upper House—simply because they were Opposition amendments.

I conclude my comments on the Jobs for NSW Bill 2015 where I began: The bill is not an effort on the part of the Government to introduce bipartisan legislation to help unemployed people to find employment. The Government opposed the jobs bill formulated by the member for Blacktown, ripped it off and introduced it as the Jobs for NSW Bill 2015. The Government opposed every single Opposition amendment to employment schemes on the basis of pure politics. This legislation shows that the Government talks a lot but is not doing very much. This Government is trying to create the illusion that it really does care and that it is a government of purposefully targeted activity that is directed towards getting unemployed people into work.

But the Government is not doing that. If the Government were doing that, first and foremost—apart from getting stuck into the capital projects that it promised over the past four years yet has inexplicably failed to deliver—it would reverse TAFE cuts. The Government is now awash in stamp duty revenue. The Government has collected almost \$1.3 billion more this year than was forecast last year. The budget is in the black because of Sydney's housing boom. Now is the time to reverse the TAFE cuts. Now is the time for the Government to look at TAFE and see it for what it is: a splendidly unique Australian place that educates young people into employment and helps to re-educate mostly middle-age people who have found themselves on the employment scrap heap. Unless the Government reverses its TAFE cuts, it will have not a shred of credibility when it comes to unemployment. [*Extension of time agreed to.*]

Until the Government reverses its TAFE cuts, stops smashing TAFE to pieces and stops farming out TAFE's work to the private sector—all for the sake of reducing recurrent expenditure, which is false economy of the highest order—the Government will have not a shred of credibility when it comes to addressing the issues of jobs and unemployment.

**Mr JOHN BARILARO** (Monaro—Minister for Regional Development, Minister for Skills, and Minister for Small Business) [10.34 a.m.], on behalf of Mr Anthony Roberts, in reply: First, I thank members from the Government side of the House—the member for Tamworth, the member for Albury, the member for Davidson, the member for Cootamundra, the member for Miranda, the member for Oatley, the member for Clarence and the member for Holsworthy—for their contributions to debate on the Jobs for NSW Bill 2015. I also thank and make special mention of contributions to the debate by the shadow Treasurer and the member for Cessnock. Secondly, I will counter a couple of comments made by the shadow Treasurer that relate to my portfolio as the Minister for Skills, and Minister for Small Business. The greatest thing that we can do for small business is do what we are doing as a State and as a Government—invest in infrastructure. The Government has made record investment in infrastructure. It is an infrastructure government.

As the Government grows the economy we know that its ripple effect will cause benefits to flow through the economy to small business. When we look towards the sky, the crane metre—or crane index—shows clearly that a record number of cranes in Sydney and across the State are engaged in building the

infrastructure that will create jobs. That infrastructure is funded not only by the Government but also by private sector investment. The Barangaroo project is a fantastic example of private sector infrastructure that will not only create an iconic Sydney landmark but also leave a legacy. During the more than two years that the project has been underway, TAFE NSW has worked in partnership with the Barangaroo Skills Exchange to find employment for more than 500 apprentices. They are apprentices today, but they will be tradesmen and small business entrepreneurs in the future. That will be the legacy of this Government.

The Government is using taxpayers' dollars to leverage private sector investment to build infrastructure from which the community benefits, but the most important legacy will be a skilled workforce. By completion of the Barangaroo project, I envisage that it will have employed approximately 3,500 apprentices whose lives have been changed forever. They are future small business entrepreneurs who will continue to generate employment in this State. When it comes to TAFE, I agree with the shadow Treasurer about its importance. TAFE is an institution that is more than 120 years old. It is renowned for its quality and respected by both industry and students for training, educating and skilling young people and mature-age workers so that they have the opportunity to find employment in the future. The shadow Treasurer and I are on the same side, but what the shadow Treasurer has not realised is that the world and the market have changed.

Students have clearly told the Government that they want their training to be delivered differently—with flexibility and in a delivery mode that meets their needs. Industry is telling the Government that training and skills should be delivered where industry wants it and how industry wants it so that we are matching education and training with job outcomes. By establishing pathways that create jobs, the Government will deliver the best outcomes for students and communities in this State. The Government is transforming TAFE to meet the needs of the day. Opposition members accuse the Government of dismantling TAFE, but they should examine the TAFE budget. TAFE received a record budgetary allocation of more than \$1.992 billion from a \$2.3 billion vocational education and training [VET] budget. The Government is putting in place investment that will create the opportunity to give the people of New South Wales the skills they need to do the jobs of tomorrow.

Last weekend the Government announced the investment of \$10 million in a growing sector. With the National Disability Insurance Scheme [NDIS] rollout, the Government knows that within the next four years the disabilities sector will require an additional 25,000 workers. On Sunday I announced \$10 million of additional targeted funding to create 2,000 training places in the State to ensure that New South Wales has the requisite skilled workforce to care for the most vulnerable people in our community. Yet, as usual, Opposition members were negative about that investment. The Opposition has no credibility. The member for Cessnock referred to the proposed jobs commission. The difference between the jobs commission and the Government's approach to jobs creation is that, fundamentally, the Government complements rather than duplicates the range of policies for jobs creation in New South Wales. Significantly, the bill refers to including private sector expertise to help government to identify and create opportunities.

The Government is looking to existing and start-up industries that need innovation and technology to build a bright future. We know that if this nation's industries and businesses are to remain competitive it will require investment in innovation and technology. And that is the difference. Of course, the usual approach of those opposite is to take a "jobs for the boys" approach, dominated by union members. We have seen that previously in Labor's board appointments, which were driven by union membership not by the broader good of the community. Labor's approach is vastly different from that of the Government. We are empowering the private sector to work with the Government by leveraging taxpayers' dollars to seek greater private sector investment.

This bill will create Jobs for NSW and the Jobs for NSW Fund. It will establish a new and innovative job creation model that will help the Government to drive economic development across the State. It will ensure that New South Wales is on the front foot and able to take advantage of new and emerging opportunities in a rapidly changing world. This bill establishes the Jobs for NSW Fund, which will provide funding for job creation programs and initiatives across New South Wales, including in rural and regional areas. A strong New South Wales requires a diverse, productive and thriving regional New South Wales. Jobs for NSW provides an opportunity for government to capitalise on the body's expertise and to support fresh initiatives that will create jobs, drive economic growth and unleash the economic potential of regional New South Wales—as well as the whole of New South Wales.

Regional New South Wales is home to a dynamic range of industries that contribute almost one-third, or \$138 billion, of the State's total gross domestic product. These diverse industries range from agriculture to

manufacturing, mining, education and services. The potential is untapped. For example, in the electorate of Northern Tablelands the great city of Armidale is the only city in Australia to have full fibre National Broadband Network. That creates great opportunities and potential for innovative industries such as science-based engineering, engineering businesses, manufacturing and data centres. Having that sort of technology in that part of the world is fantastically exciting. Jobs for NSW can play an important role in facilitating opportunities that will see the great city of Armidale continue to grow. It is certainly represented by a fantastic local member, who is in the chair as Temporary Speaker.

Regional New South Wales has seen strong jobs growth over the past 12 months, with the latest Australian Bureau of Statistics [ABS] figures showing an increase of 61,000 jobs and the unemployment rate falling to 6.4 per cent. The Jobs for NSW initiative will deliver new opportunities for regional economies by helping to attract new businesses and delivering business confidence in communities for investment. Workforce and industry needs are changing rapidly, with three-quarters of the fastest-growing occupations in Australia requiring skills in science, technology, engineering and mathematics [STEM]. As the Minister for Skills, I am proud that the Government has announced \$25 million in STEM scholarships, to commence on 1 January 2016. Again, we have identified and acknowledged where the growth is coming from for jobs creation in this State. We are putting in place the pathways to make sure that we have a skilled workforce as industry continues to grow.

The Government recognises that apprenticeships and traineeships are vital to the economic growth and development of New South Wales and is encouraging students to gain the skills not only for the jobs of today but also for the jobs of the future. We know that the ability of the New South Wales economy to compete and grow depends on a steady supply of the right blend of skills and talents. That is why Jobs for NSW will leverage private sector expertise and tap into the brightest business minds to unleash the potential of New South Wales. The Government is putting regional New South Wales back on the map, as it has done for the past four years with initiatives such as the Regional Industries Investment Fund, which saw \$100 million of government investment bring in \$4 billion of private sector investment—so for every \$1 invested by the Government we saw \$40-plus invested by the private sector. We are putting business front and centre. The New South Wales Liberal-Nationals Government is not afraid to push the boundaries—to look at new opportunities and to harness the best and brightest from across our community.

Last night the rabble opposite made a few assumptions about funding arrangements for regional New South Wales. I would like to set the record straight. The Jobs for NSW Fund delivers on our election commitment to provide \$190 million to attract business investment to New South Wales. The authoritative sources for funding figures are the budget papers. As Budget Paper No. 3 states, we allocated \$55 million to boost the State's economic performance, to drive economic growth in regional areas and to complement the Jobs Action Plan in the 2014-15 financial year. We allocated \$49 million for the 2015-16 financial year. I assure the House that all remaining funding in the Regional Industries Investment Fund and the State Investment Attraction Scheme will be rolled into Jobs for NSW as an initial down payment. It is unclear where the member for Wyong and his colleagues got their figures from; they are, as usual, plucking numbers out of the air. I am happy to offer those opposite a free lesson on how to read the budget papers.

The Jobs for NSW Bill 2015 guarantees that at least 30 per cent of the \$190 million from the Jobs for NSW Fund will be spent in rural and regional areas—and that is just a minimum. For the benefit of those opposite, we are talking about the areas outside Sydney and Wollongong. I welcome the member for Clarence to the House, and I acknowledge my other colleagues in the Chamber: the member for Upper Hunter, the member for Northern Tablelands and the member for Drummoyne. We all recognise the importance of regional New South Wales. We know because many of us represent those communities in this place. We are passionate about making sure that our communities grow and that we see economic investment in our regions. We need not only to build the bridges, roads, hospitals and schools that our regional communities deserve but also to ensure that those communities are part of a thriving New South Wales economy that continues to create opportunities.

We want to see more private sector investment. The Liberal-Nationals Government understands how important regional New South Wales is not only to local and regional economies but also to the State economy as a whole. I welcome business leaders bringing forward strong proposals for government investment in rural and regional areas because, as I touched upon before, there are great opportunities around places such as Armidale, Dubbo, Tamworth, Orange and in my neck of the woods in the Monaro. There are plenty of opportunities for investment in new and growing industries. This is what Jobs for NSW will do. We have an unprecedented opportunity to boost regional economies. Over the past four years our job creation initiatives

through the Regional Industries Investment Fund and the State Investment Attraction Scheme have supported many jobs. As I said, we have seen not only a quarter of a million jobs across New South Wales but also, over the past 12 months, the creation of 61,300 jobs in regional New South Wales.

Since 2011 funding in excess of \$100 million from the State Government has assisted businesses across regional New South Wales. I touched on this earlier. For every dollar invested by the Government we have seen \$40 invested by the private sector. That is how you use taxpayers' dollars to leverage private investment for the broader good of the entire State. Jobs for NSW will build on these successes. We have a track record—through the policies, programs and the buckets of money we have provided—of using taxpayers' dollars to leverage private sector investment. We have a proven track record over four years, and we have seen the benefits of that. That is why we have rolled those particular programs into Jobs for NSW. Those opposite claim that somehow this is a lesser approach or means less investment in jobs. This is about doing things strategically in such a way as to deliver greater opportunity. Jobs for NSW will build on the successes, focusing on innovation and further diversification of our economy.

In relation to points raised by the member for Sydney, I assure him and the House that the Government is committed to ensuring equitable female representation on the board of Jobs for NSW as part of the recruitment process. I also assure the member for Sydney and the House that the Jobs for NSW Board will include members with significant commercial experience to ensure that New South Wales can make the right decisions about driving jobs growth, including significant knowledge of and expertise in our already strong digital and start-up economy. Jobs for NSW is good for the people of New South Wales and is good for businesses in New South Wales. 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 John Barilaro, on behalf of Mr Anthony Roberts, agreed to:**

That this bill be now read a third time.

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

## **DAMS SAFETY BILL 2015**

### **Second Reading**

**Debate resumed from 26 August 2015.**

**Mr CLAYTON BARR** (Cessnock) [10.48 a.m.]: I lead for the Opposition in debate on the Dams Safety Bill 2015. I indicate from the outset that we will not be opposing the bill. This bill introduces a new method of managing dams in New South Wales. It provides for a new regime of ensuring dam safety for the residents of New South Wales. Dams provide safe drinking water in our cities and towns. Dams allow our farmers to irrigate their paddocks, and dams play a vital role in containing contaminated run-off from mining activities. The Dams Safety Bill 2015 replaces the Dams Safety Act 1978. In his second reading speech the Minister stated that the Government aims to "modernise the regulatory framework for dam safety in New South Wales and ensure that the Act reflects the outcomes of the review of the dams safety regime conducted in 2013". The bill establishes new objects that seek to balance the risks arising from dams, encourage the proper and efficient management of dam safety while also promoting greater transparency, and encourage the application of risk management and cost-benefit analysis in regulating dams.

In our consultation on the bill, the New South Wales Opposition was advised by stakeholders that they were not opposed to regulation introduced by the bill, providing it ensures an ongoing, high level of service delivery and safety to New South Wales communities. Stakeholders expressed some concern that we need to be very careful that the New South Wales Government does not introduce an unwieldy compliance burden for dam

owners with minimal impact on dam safety. But there was broad support for the bill. Currently, the Dams Safety Act 1978 constitutes the Dams Safety Committee and confers on the committee functions and powers to ensure the safety of prescribed dams in New South Wales. While the Act constitutes and sets out the functions and procedures of the Dams Safety Committee, the current standards and prescriptions are in the form of guidelines that sit outside the regulation. This is of course not ideal.

Following a recommendation by the Commission of Audit, we are advised that the New South Wales Government arranged for an independent review of the Dams Safety Act and the Dams Safety Committee. The primary reason for this review was to address findings by the Commission of Audit that there are relatively high levels of spending on dam safety in New South Wales that are not commensurate with risk reduction. The Government then engaged KPMG to conduct an independent review. In its report, KPMG found evidence that the current approach to dam safety may result in a disproportionate level of investment in infrastructure for very limited, albeit important, safety gains. Some of the stakeholders we spoke with expressed concern that the excessive levels of engineering and structural works aimed at improved levels of dam safety have in fact increased costs to the community. These increases are in the running of the dams as well as upgrades of dam safety.

One stakeholder indicated that some operators have worn a significant cost for safety construction works when the actual effectiveness of these works in significantly mitigating risks might be termed "questionable". Indeed, someone must bear the cost burden of the safety works. The KPMG review also observed that best practice was not achieved in relation to clarity and transparency for measures required to improve public safety. Further, it also acknowledged a general lack of adequate cost-benefit analysis for decisions about the most appropriate options for risk management. The Minister's second reading speech adequately described the process resulting in this new bill: the Commission of Audit resulting in the KPMG review.

It is noted that this process also included sufficient community and stakeholder consultation—something the Opposition always welcomes and which is all too rare from this Government. The result of this open, honest and engaging process is that the proposed reforms have received broad support. The net result is the Dams Safety Bill 2015. However, this all too rare and uncommonly genuine process by this Government should be appropriately praised. The clauses of the Dams Safety Bill 2015 were also well detailed in the Minister's second reading speech, so I will not use the time of the House to repeat them ad nauseum. The aims are best outlined by a sentence from the Minister's second reading speech, which states:

The bill seeks to retain important elements of the current dam safety regime, to modernise and address gaps in the current legislation and provide a best practice framework for the ongoing regulation of dam safety in New South Wales.

Again, this general principle should be appropriately praised as the right approach to such an undertaking. It is vital to note that this bill is not an excuse to suddenly and recklessly abandon dam safety. Rather, it is a means to be more reasonable with dam safety such that the costs reflect the risks and the outcomes desired. If, as an unintended consequence of this bill, dam safety is ignored, overlooked or otherwise wanes, then we will need to revisit this bill. To dig into a selection of the bill's functions, I note that the bill will replace the Dams Safety Committee with a new body to be known as Dams Safety NSW. The purpose for this is to avoid the current risk of perceived conflict of interest by including dam owner representatives on the current Dams Safety Committee.

This bill proposes that the new body, Dams Safety NSW, will comprise at least five members with professional expertise in dam engineering, mine engineering, emergency management, dam operations and management, and best practice regulation, including cost-benefit analysis and business case development. This change is sensible and has the support of the Opposition. In fact, it leads to the question of how many other statutory committees in New South Wales could benefit from similar reforms. But that is a question for another day. The Opposition is pleased to note a specific requirement that consultation occur with those affected by the proposals for the introduction and amendment of dams safety standards. The Opposition is also pleased to note the undertaking of a cost-benefit analysis on the proposed standards before they are enshrined, as they may bring with them a significant impact and cost burden to declared dam owners.

The bill also gives the regulator strong powers to audit and curtail works and operations on dams to ensure safety is the highest priority, which provides comfort that compliance will be consistent and of a high standard. I note that there has also been a significant increase in penalties, reflecting the potentially devastating effects of dam failure. The current Act provides for a penalty of 10 penalty units for failure to comply, whereas dam safety non-compliance penalties in the new Act would range from 10,000 penalty units for corporations to 2,250 penalty units for individuals. I understand that this new penalty regime is in line with the regimes

currently in place in Queensland and the Australian Capital Territory for similar offences. Consistency of penalties across borders is a positive development. The changes to penalties for non-compliance proposed in this bill are another strong indicator of the need for ongoing dam safety. This bill is not an excuse for dam owners to get out of the business of dam safety.

I note that once this bill is passed there will be a significant degree of work still to be undertaken to set up the new framework and apply the new standards and operations enabled by this bill. The Opposition will closely monitor the implementation of the bill and regulations to ensure that the promised consultation with affected stakeholders is both timely and appropriate. This bill and its associated regulations are embedded with important public safety considerations, and it is vital that the framework is set correctly from the very beginning. In closing, there is nothing objectionable or intolerable that the Opposition has found in the bill. Consistent with this, the Opposition's broad stakeholder consultation has not raised anything significantly untoward either.

In fact, I congratulate the Minister on delivering a second reading speech that actually does what it is supposed to do—that is, detail the process that brought the bill to where it is, explain the bill clause by clause, and describe the next steps on how the bill is to be implemented. That is how a second reading speech is meant to operate. It is becoming a rarity in this Government to have such a detailed second reading speech, but well done to the Minister. It is equally rare for this Government to broadly expose its intention, actually engage in community consultation and offer some level of transparency or rationale. Again, in this instance, I say well done to the Minister and his team. As I said at the outset of my contribution, the New South Wales Opposition will not oppose the bill.

**Ms KATRINA HODGKINSON** (Cootamundra—Parliamentary Secretary) [10.58 a.m.]: What a pleasant change to listen to a member of the Opposition commending the Government for another excellent piece of legislation. The member for Cessnock spoke eloquently and truthfully. I congratulate him. I support the Dams Safety Bill 2015. I congratulate the advisers who worked on this bill. It is not possible to thank everybody because the bill has been a long time in the making but, in particular, I congratulate Helen Day and Kirsty Cooper from the Department of Primary Industries. I also congratulate Matt Coulton and a previous water adviser, Warwick Pelly.

The objects of the bill are:

- (a) to ensure that any risks that may arise in relation to dams (including any risks to public safety and to environmental and economic assets) are of a level that is acceptable to the community,
- (b) to promote transparency in regulating dams safety,
- (c) to encourage proper and efficient management in matters relating to dams safety,
- (d) to encourage the application of risk management and the principles of cost benefit analysis in relation to dams safety.

One could put a tick next to each object. The bill repeals the Dams Safety Act 1978. I acknowledge the second reading speech given by the Minister in the other place and his representative in this place. In the second reading speech the Minister noted that the Commission of Audit recommended an independent review of the Dams Safety Act and the Dams Safety Committee. I commissioned that review, as the Minister with responsibility for water, in 2013. The primary reason for the review was the high level of spending on dam safety in New South Wales. The level of spending did not result in any reduction of risk, which did not make sense to me. KPMG Australia was engaged to conduct an independent review. It found, as had my office, that there was a disproportionate level of investment in infrastructure for very limited safety gains. KPMG proposed an independent regulator. It also recommended that, to reduce compliance costs, dam owners be responsible for ensuring their own compliance with safety standards. Those common-sense regulations were the starting point for the current bill.

The Government is committed to safe dams and safety for the people of New South Wales. The Dams Safety Bill introduces important reforms to improve transparency in the regulation of dam safety. Consistent with best practice regulation, the bill also ensures that the regulator is clearly independent from the dam owners that it regulates. A key aspect of this bill is the change to the membership of the dam safety regulator, to be known as Dams Safety NSW. This change in membership is based on the outcomes of the review of dam safety undertaken by KPMG. KPMG suggested that a system where the regulator has appropriate independence and dam owners are more clearly responsible for ensuring and demonstrating compliance with safety standards could reduce compliance costs.

The bill proposes that Dams Safety NSW comprise at least five members, who collectively have the appropriate qualifications, experience and professional expertise in dam engineering, mine engineering, emergency management, dam operations and management, and best practice regulation, including cost-benefit analysis and business case development. That is a sensible and practical approach to dam safety. The Minister will appoint members to Dams Safety NSW on the basis of merit. To ensure independence, no dam owners may be appointed. It is intended that the new composition and the broad range of expertise of members of Dams Safety NSW will better equip the regulator to meet the objects of the Act and to undertake its required functions, informed by a best practice and a modern risk-management approach. I have the greatest respect for engineers in New South Wales; they are a fine group of individuals who work very hard.

**Mr Christopher Gulaptis:** Don't forget the surveyors.

**Ms KATRINA HODGKINSON:** Surveyors are wonderful people too. The current Dams Safety Committee consists of engineers. There is no diversity on the board, and there is no gender equality on the board. Something had to give. I say that with the greatest respect to the wonderful people who have served on the Dams Safety Committee for many years. As Minister I would read the minutes of the meetings religiously. Sometimes the contents were surprising, but I was always provided with a thorough update of dam safety. Often the same dams were referred to in the minutes month after month. The interim Dams Safety Advisory Committee will be established. The key function of the interim committee will be the development of safety standards for dams and criteria for declaring dams. These are significant tasks and represent a complex body of work that will include comprehensive consultation with technical experts, dam owners and the community. [*Extension of time agreed to.*]

The interim committee will work to develop the new standards and criteria, while the current Dams Safety Committee will continue to ensure the safety of dams and the New South Wales community. The formation of the interim committee will ensure that work on the standards and criteria can commence as soon as possible. It allows the Minister time to seek the best candidates for membership of Dams Safety NSW. Commencement of the provisions of the bill that establish Dams Safety NSW will not occur until the interim committee has completed its work on the standards and criteria for declared dams. This ensures that Dams Safety NSW will have all the tools it requires to operate as soon as it comes into being. In developing these tools, it is anticipated that the interim committee will consider current Dams Safety Committee guidelines and documentation, as well as national and international standards in the development of the new dams safety standards. This will include consultation with the Dams Safety Committee and a range of technical experts.

I would be remiss not to mention other people who have been involved in the development of this legislation: David Dawson, Tim Scott, Fiona Dewar, Scott Barrett and Julian Luke, and I could mention many more in the department. The legislation is a compliment to their work. I am pleased to support a bill which addresses dam safety and which will continue to ensure that the community is protected from the risks associated with dams. The Dams Safety Bill introduces a clear and transparent regulatory framework for dam safety and provides for an independent, best practice regulator in Dams Safety NSW. The establishment of the interim advisory committee will allow immediate progress on these important reforms to ensure the continued safety of dams and of the community of New South Wales. I commend the bill to the House.

**Mr KEVIN ANDERSON (Tamworth)** [11.08 a.m.]: I support the Dams Safety Bill 2015. Dam safety is important to protect regional and metropolitan communities from the potential risks associated with dams. The Government is committed to ensuring the safety of dams and of our community. The Dams Safety Bill introduces long-overdue reforms to the legislative framework for dams that will not only modernise the way dams are regulated but also ensure that dams in New South Wales continue to be safe. We have a number of dams in and around the New England North West and, in particular, in the Tamworth electorate we have Split Rock Dam, Lake Keepit Dam and Chaffey Dam. Chaffey Dam is the water source for the city of Tamworth and for irrigators in the Peel Valley, and water from the dam flows down to Lake Keepit. Lake Keepit Dam is a great dam that is used extensively for recreational purposes, but it is also the water source for farms further downstream into the Namoi.

A key component of the reform package is the dams safety standards. These standards will underpin the new regulatory framework and will ensure that the public continues to be protected from the risks of dam failure. Another small dam in my electorate that also augments the water supply for Tamworth city is Dungowan Dam. It is a much smaller dam of about 6,000 megalitres that is used predominantly because Chaffey Dam—the main water source for Tamworth, which currently contains 62,000 megalitres—is being augmented

to 100,000 megalitres to provide water security for Tamworth city well into the future. As part of that augmentation, a dam safety upgrade—an extensive body of work costing just under \$50 million—is being carried out and the dam wall is being lifted by some eight metres.

In addition, a new bridge at Bowling Alley Point was opened just the other day, and residents who travel from Nundle to Tamworth greatly appreciate it. Nundle is a magnificent tourist village now and having that bridge makes the drive from Tamworth to Nundle a lot easier. Having great roads gives more people the opportunity to access the great New England North West. We thank Roads and Maritime Services for its continued support for the upgrade of Chaffey Dam.

The Dams Safety Bill 2015 will give dam owners the ability to develop a broad range of options in deciding how to comply with the standards. It will also promote the ongoing development of innovative and efficient solutions for dam safety. The new dams safety standards will, for the first time, be set out in regulation. This will give greater transparency to dam owners and the community in two ways. First, the standards will be clearly identifiable and, secondly, they will be subjected to the rigours associated with the regulation-making process. The interim Dams Safety Advisory Committee will initially be responsible for developing the dams safety standards. One of the objects of this bill is to give flexibility in the regulation about a one-in-100-year event, a one-in-200-year event or a one-in-300-year event. We need to look at each individual dam, its location and its surrounds downstream.

Some concern was raised about the Dams Safety Committee and the very strict regulatory process that was imposed on Dungowan Dam, which resulted in Tamworth Regional Council holding a series of meetings with landholders and the acquisition of some homes that were in danger should a one-in-100-year event occur and the dam failed. The council had to go down that path because of the framework in which it had to operate. We believe that councils who own their own dams—and quite a few do across New South Wales—should have the ability to consult with the interim Dams Safety Advisory Committee on unique situations that affect them.

When in place, a key function of Dams Safety NSW will be to provide advice and recommendations to the Minister on the standards. In this way, the standards, once in place, will continue to be reviewed by the expert members of Dams Safety NSW. A key component in the development of the new standards will be the requirement that the standards be subject to a cost-benefit analysis. The bill requires the Minister to ensure that a cost-benefit analysis of the proposed regulation setting out the standards is carried out. This reflects the findings of the KPMG Australia report into dam safety and, in particular, the need to identify the most efficient and effective risk-reduction options in ensuring that dams continue to be safe. That brings me back to the point I raised earlier in relation to Dungowan Dam: There needs to be some room for input from councils and the owners of dams when it comes to dam safety and identifying the potential risks associated with dam failure.

In developing the dams safety standards, the interim advisory committee will have regard to the current industry position and international practices in dams safety management. This will include the Australian National Committee on Large Dams [ANCOLD] guidelines together with the current Dams Safety Committee guidelines. The New South Wales Government recognises the key role that the safety standards will play in regulating dams. It will involve extensive consultation during the development of the standards. In fact, the bill requires that there be consultation on the standards with those who are likely to be affected by them, and that would include all owners of declared dams, such as Dungowan Dam and Tamworth Regional Council.

Once the dams safety standards have been established, they will be enforced by Dams Safety NSW. In recognition of the importance of dam safety, the bill creates an offence for failing to comply with the dams safety standards. Owners of declared dams could face penalties up to a maximum of \$1.1 million for corporations or \$247,500 for individuals for a breach of the standards. The onus will be on owners of declared dams to demonstrate how they have complied with the standards. In fact, the bill requires owners of declared dams to provide a report annually demonstrating how they have complied with the standards. This report must be made publicly available to ensure greater transparency and accountability of dam owners. In addition, Dams Safety NSW will have the ability to serve compliance notices where an owner of a declared dam fails to comply with the standards. This is an important compliance tool that can be used to ensure the safety of dams and to protect the community from the risks associated with dam safety.

New South Wales has an impeccable record on dam safety and we want to keep it that way. This Government is committed to ensuring that this high standard continues. The dams safety standards provide the foundation to the new regulatory regime and are fundamental to ensuring that this record in dam safety

continues. The significant work in upgrading dams such as Lake Keepit, Split Rock and Chaffey in the Tamworth electorate is testament to the way this Government is committed to maintaining those very high standards. I commend the bill to the House.

**Mr GREG APLIN** (Albury) [11.18 a.m.]: Albury is a dam city perched on the Hume Weir—a massive body of water held back by a dam constructed over 17 years from 1919 to 1936. Every decade or so more work has been undertaken on that dam. Dams are professionally engineered and constructed to high standards and we can rely on them. Or can we? The simple truth is that dams, like other infrastructure, require maintenance, and materials can age, creating points of weakness—even the ground can move around them. The Dams Safety Bill 2015 is a fresh start for the management of dams and the setting of standards to deal with the potential impacts on public safety. The risk a dam poses to its community and neighbours downstream is significant. Let us go back to the Hume Weir, where things were not as settled as everyone thought.

Regular monitoring in the early 1990s revealed that water pressure and leakage had caused the dam to move ever so slightly on its foundations. Questions were asked about whether the dam remained safe. Should the dam be decommissioned? Would there be horrific flooding through Albury, Wodonga and along the Murray basin? Remedial works were undertaken, with a second round commencing late in 2011. These latter works involved "shifting" the Murray River and building a concrete wall comprising some 50,000 tonnes. A coffer dam was added to divert the Murray River downstream of the concrete spillway. The new concrete buttress wall is an embankment comprising more than a million cubic metres of earth and gravel. That is a lot of soil to dump at the point where New South Wales strikes Victoria. Of course, the result was a strengthening of the bonds which bind us, across the river that marks the border. To this day, people wonder what might have happened if the dam wall had not been monitored.

A more difficult and curious example can be found near Tumbarumba. The floods of October 2010 were some of the worst our region had experienced in decades and caused enormous damage, especially to the Mannus Creek Dam. This is a 2,300 megalitre general purpose recreational dam. Behind the wall lies Mannus Lake, which is a major regional tourism resource, especially for fishing and for recreational vehicle users; it provides water for firefighting and is the emergency water supply for the township of Tumbarumba. I worked with the council and the community to access the State Government's Natural Disaster Relief Assistance Program so we could restore council assets to their pre-disaster condition. In 2011 we received news that funding would be forthcoming. Overall, it was pleasing to help bring \$8.99 million to this vital restoration project.

New works include construction of the new dam embankment, excavation of the primary spillway floor to remove highly decomposed granite, and batter protection works downstream. The works were a combined project between Tumbarumba Shire Council, Leeds Engineering and Construction and the Department of Public Works. Finally, on 6 February this year then New South Wales Minister for Transport, the Hon. Gladys Berejiklian, opened the newly rebuilt Mannus Dam. The Mannus Dam episode is instructive as we look at the bill before us. The dam wall failed after overtopping during a storm that was declared a natural disaster. An immediate complexity was that it was a privately built dam which collapsed, contributing to devastation of farms and bridge and road infrastructure. Who is held responsible? And who should pay for the restoration work? The asset had long been simply part of the landscape. These are issues which this bill sets out to manage.

The restoration was delayed at several stages, sometimes by the nature of the complex paperwork, and at other times by environmental issues such as the need to make provision for a fish passage structure to mitigate the impact on native fish species by the proposed dam restoration. In the end, the issues were resolved. Yet we can only guess at the time it took and burden this placed on the local shire council as well as State government staff. We must also consider the revenue lost by local businesses. This can be hard to assess, but in June 2013 Tumbarumba Shire Council estimated that the loss of the lake had, by that point, cost the Tumbarumba shire tourism economy more than \$1.6 million; and there was still a year and a half to go before the lake was fully back in action. This reminds us just how costly dam failure can be—even if it is a modest regional dam and its recreational lake.

I mentioned that this bill will help to guide management of our dams. Proposed section 3 sets out the objects of the Act, which are to ensure that any risks that may arise in relation to dams, including any risks to public safety and to environmental and economic assets, are of a level that is acceptable to the community; to promote transparency in regulating dam safety; to encourage proper and efficient management in matters relating to dam safety; and to encourage the application of risk management and the principles of cost-benefit analysis in relation to dam safety. We are looking for assurance when it comes to public safety, transparency in regulation and proper management. We are trying to define what amounts to "acceptable" risk.

The bill does not cover all dams. Proposed section 5 (1) provides that Dams Safety NSW "may, by order published in the *Gazette*, declare a dam or proposed dam to be a declared dam for the purposes of this Act". Members of the public will be able to find out which dams are covered by the Act. Proposed subsection (4) provides that Dams Safety NSW is to "publish on its public website (or, if no such website is available, the public website of the Department) an up-to-date list of declared dams". Having identified the dams, the bill establishes a new body to take charge. Dams Safety NSW will have members appointed who, working together, have a strong mix of skills, professional expertise or experience. It will be an expert group.

Importantly, one of the specific skills for this group, according to proposed section 7(2), is "public safety risk analysis and best practice regulation (including cost benefit analysis and business case development)". This reflects a shift to greater accountability and, as I have noted, transparency in regulation. People want to know what things cost and whether this cost delivers the desired benefits. Proposed part 3 establishes the process by which standards will be developed and become regulations. Consultation is clearly an integral part of this process. Penalties are imposed on the owner of a declared dam who does not comply with the requirements of the dams safety standards that apply to the dam.

Proposed section 17 makes it an offence for the owner of a declared dam to fail to prepare and to implement an emergency plan for the dam that complies with the requirements specified in the regulations. A copy of the plan must be provided to, and may be audited by, Dams Safety NSW. That emergency plan will not be allowed to sit in a drawer in perpetuity. The emergency plan for a declared dam must be updated by the owner of the dam on an annual basis or at such other intervals as may be required by the regulations. The bill imposes a range of serious obligations on dam owners. This is appropriate given the risks dams pose to the community.

The Dams Safety Bill 2015 sets out to modernise the way dams are managed. The expertise of the regulator has been enhanced and new safety standards will be developed in line with contemporary best practice and as a result of consultation with key stakeholders. We will better know who is responsible for a dam and what they are doing about maintaining safety for their community. For the people of the Albury electorate, their dams are never simply "out of sight and out of mind". This bill will help to deliver greater safety. I commend the bill to the House.

**Mr CHRISTOPHER GULAPTIS** (Clarence—Parliamentary Secretary) [11.26 a.m.]: I commend the Minister for Primary Industries, and Minister for Lands and Water in the other place, the Hon. Niall Blair, for introducing the Dams Safety Bill 2015. Dam safety is a critical factor in regional New South Wales. We see far too many deaths as a consequence of dams built on private properties; and it is timely that this bill is introduced. It will result in a more effective and outcomes-based framework for the regulation of dam safety, which will be underpinned by risk management cost-benefit analysis.

I will now address some background to the bill. Dam safety in New South Wales is currently regulated under the Dams Safety Act 1978 and managed by the Dams Safety Committee. In 2012 the Independent Pricing and Regulatory Tribunal and the NSW Commission of Audit raised concerns about whether the level of dam safety expenditure in New South Wales was in accord with good public management practice. Consequently, a review of the New South Wales dams safety regulatory framework was conducted by consultants KPMG Australia. Its report concluded that the existing regulatory framework could result in over-investment in dam infrastructure in New South Wales. It identified a number of opportunities to enhance the current regulatory framework.

Dam safety is a critical concern to the New South Wales Government and the community. New South Wales has an impeccable dam safety record, and this bill builds on that record by ensuring that the regulatory framework is contemporary and follows best practice. Extensive consultation has been undertaken with key dam owners, the existing Dams Safety Committee and the wider community, and there is broad support for the proposed reforms. The objects of the bill are to ensure that any risks that may arise in relation to dams, including any risks to public safety and to environmental and economic assets, are of a level that is acceptable to the community; to promote transparency in regulating dams safety; to encourage proper and efficient management in matters relating to dams safety; and to encourage the application of risk management and the principles of cost-benefit analysis in relation to dams safety. This bill is very timely. I commend the Minister for introducing the bill and I commend the bill to the House.

**Mr ADAM MARSHALL** (Northern Tablelands) [11.30 a.m.]: I make a brief contribution to the Dams Safety Bill 2015. Thank goodness for its introduction. It has been a while coming, but it will be welcomed

wholeheartedly by not only the people of the Northern Tablelands electorate but also people in rural and regional New South Wales. As we have heard, the bill emanated from concerns raised by the Independent Pricing and Regulatory Tribunal and the Commission of Audit in 2012 about the Dams Safety Committee, which is governed by the Dams Safety Act 1978. The concerns related to whether the level of dams safety expenditure in New South Wales was in accord with good public management practice.

Consequently a review was commissioned and KPMG was engaged to undertake that review. KPMG found evidence that the current approach to dams safety management in New South Wales may result in a disproportionate level of investment in infrastructure for limited safety gains. On multiple occasions concerns have been raised with me, both during my time in local government in the Gunnedah shire around measures taken at Lake Keepit, a considerable sized irrigation dam, and now in my role representing the good people of the Northern Tablelands in this place concerning Dumaresq Dam in the Armidale Dumaresq Council area. Their concerns were that the requirements of the Dams Safety Committee were onerous and expensive for dam operators, and even if finally met they may not greatly improve safety outcomes for the community; they could actually burden those ratepayers with significant expense for limited safety gains.

Dumaresq Dam was constructed in 1896 as a gravity-fed dam and was the main water source for the Armidale community up until 1968 when it was decommissioned following construction of Malpas Dam. At the time the community rallied strongly to keep the facility and since 1968 the dam has gone from being a primary water storage facility to a very popular recreational facility. Whilst it has a theoretical capacity of 440 megalitres, which is not large, with siltation over the years the reality is that its capacity is around 380 megalitres—it may be even a little less now. However, in its infinite wisdom the Dams Safety Committee, chock-a-block full of engineers, deemed that given the age of the structure, it should be assessed as a high-sea flood category, the very highest category of risky dams in this State.

As a result of that classification and the very prescribed and onerous structure that the Dams Safety Committee had adopted, the owners of the dam were required to undertake works on the dam to ensure that it could withstand a one-in-100,000-year annual exceedance probability [AEP]. According to the Dams Safety Committee, council had to undertake works on that dam, which had been in existence since 1896 without any issue and had withstood many, many floods, to bring it up to a one-in-100,000-year AEP. It would require only a cursory glance at the various flood studies council had undertaken to realise that if the community did experience a one-in-100,000-year annual exceedance probability any failure of Dumaresq Dam was the least of the community's worries.

**Mr Clayton Barr:** With the ark.

**Mr ADAM MARSHALL:** Yes, we would all be floating away if that were to happen, even in a community like Armidale. At the time council argued quite strongly that although it could spend \$3.5 million on a you-beat engineering solution for Dumaresq Dam it would do nothing to resolve the significant risk issues in the community if it experienced a one-in-100,000-year AEP event; everyone would be flooded out. Council argued and argued, but rules are rules and the Dams Safety Committee has given council instructions that it must undertake work to either drain the dam to virtually zero or spend around \$3.5 million to add metres and metres to the dam wall to build a stronger buttress. Strengthening the dam wall and developing a flood evacuation plan for Armidale should the dam wall break would resolve almost all the potential risks. Nevertheless, an engineering solution costing \$3.5 million was required, which would do three parts of nothing to resolve any risks to the community in a one-in-100,000-year event; but such was the infinite wisdom and logic of the Dams Safety Committee.

This legislation is fantastic because it will negate the need to solve a flood risk with a strictly engineering solution, which, as I have outlined, is futile in the case of Armidale's Dumaresq Dam. It will require the Dams Safety Committee, or the new Dams Safety NSW, to apply risk management and the principles of cost-benefit analysis to dams safety. Hallelujah! Finally some common sense will be brought to bear to dams safety in New South Wales. I fully support this legislation. I will not go through the other details about increased penalties and transparency because the most important aspect for my Northern Tablelands community is changing the composition of the committee to involve emergency management and risk management expertise, not just strictly engineering, to force Dams Safety NSW to look at a full cost-benefit analysis when recommending safety measures for dams. It should look at the whole risk management process not just fix a risk with an engineering solution; it should look at a whole-of-catchment solution to potential risks. I think that is an excellent idea.

The legislation is long overdue, but it is an excellent reform that builds on concerns raised over many years. The legislation is one of the reasons I wanted to be elected to this place. I want to make practical changes that will provide huge benefits for communities so that councils or owners are no longer forced to shell out millions of dollars for solutions that are over-engineered yet do little to resolve any of the real risk issues. Armidale Dumaresq Council has been quite wise. It has been dragging its heels on implementing the recommendations of the Dams Safety Committee. I hope it continues to do that until the legislation is fully implemented and we have a proper review of the recommendations of the former Dams Safety Committee so that we can develop a common-sense solution to reduce community expenditure, but do a lot more in practice to resolve any potential safety and risk issues when we have a huge flood event in the Armidale Dumaresq local government area.

I commend the Minister for Lands and Water in the upper House for this good, common-sense legislation. I welcome the fact that it is supported by those opposite. This legislation will remove silly prescribed rules and regulations, and put in place common-sense rules that bring experts from a wide variety of fields, not just engineers, so that we can develop a whole-of-community and cheaper solution, and a better safety solution for regional communities that have risky dams. I wholeheartedly commend this bill to the House.

**Mr DARYL MAGUIRE** (Wagga Wagga—Parliamentary Secretary) [11.40 a.m.]: I support the Dams Safety Bill 2015, which is an important step in ensuring the continued safety of our dams. The bill sets up Dams Safety NSW as a modern regulator with all the necessary compliance and enforcement tools to respond to dams safety issues. A failure in dams safety could have a catastrophic impact on the community, infrastructure and our environment. I note that the member for Albury referred to the dam on Mannus Lake that failed during a catastrophic flood. The destruction that caused came at great cost. I congratulate the member for Albury and the local council in conjunction with the State Government on the construction of the new dam that was opened last year by the member for Albury, which was a great event. If I recall, Mannus Dam was built to a certain standard by a private landholder but I do not believe anything could have withstood the tremendous force of the flood that destroyed the valley that is the catchment for the Murrumbidgee.

Dams are the lifeline of many communities around New South Wales and provide much-needed water as well as protection from floods in times of high river flows. It is crucial that the regulatory framework for dams safety includes strong enforcement and compliance powers to protect communities adequately from the failure of dams. The Dams Safety Bill builds on the current framework in the Dams Safety Act 1978. But it goes much further. It includes new and improved investigative powers and greater compliance powers. This will enable the regulator to respond to dams safety issues more effectively. The electorate of Wagga Wagga shares the Talbingo, Tumut Pond, Tumut 2 and Jounama dams that provide water for the Snowy Mountains Scheme. They help provide irrigation water, and recreation from Blowering and Tumut dams. They are terrific tourism venues to which I will refer later.

The bill provides for the appointment of authorised officers. Dams Safety will be able to appoint authorised officers from within Dams Safety NSW or any other public servant. If necessary it will also be possible to prescribe other authorised officers in any regulations made under the Act. All authorised officers will be required to carry appropriate identification, which will include a photograph. Authorised officers will have the ability to properly and comprehensively investigate potential breaches of the Act. This could include a breach of the dams safety standards or the failure to prepare and implement an operations and maintenance plan. The investigative powers that authorised officers will hold under the Dams Safety Bill are consistent with other environmental legislation in New South Wales. Their authority to inspect and seize things as well as to require information and records, and to properly investigate potential breaches of the Act, is critical in providing the community with certainty that breaches in dams safety can and will be detected, and appropriately responded to.

The Dams Safety Bill includes comprehensive compliance powers that will better enable Dams Safety NSW to proactively manage and respond to failures or possible failures in dams safety. A key tool for Dams Safety NSW will be the ability to serve a compliance notice when an owner of a declared dam has failed to comply with a requirement of the Act. This will enable Dams Safety NSW to proactively take steps to force owners back into compliance with the Act. Importantly the failure to comply with a compliance notice is an offence under the Act. Dams Safety NSW will also be able to issue directions when the safety of a dam is threatened. This includes a direction to ensure the safety of a dam as well as a stop work direction. A direction to ensure the safety of a dam can be used to direct an owner of a declared dam to do anything that may be reasonably necessary to ensure the safety and proper maintenance and operation of the dam.

The circumstances in which a stop work direction could be used will include when a dam is unsafe or in danger of becoming unsafe, or when an activity could endanger the safety of a dam. The stop work direction

will give Dams Safety NSW the ability to respond quickly when an activity may be endangering the safety of a dam. Dams Safety NSW can require any person to stop doing the thing that is making the dam unsafe. In this way, the regulator can respond efficiently and effectively to emerging issues that may impact on the safety of dams in New South Wales. An important component of any enforcement and compliance framework is strong offences and penalties. The Dams Safety Bill includes new offences and penalties that better reflect the importance of dams safety. The bill contains a number of new offences to support the regulatory framework.

I particularly highlight the offence of failing to comply with the dams safety standards. The standards are critical to the new regulatory regime. The new offence of failing to comply with the standards sends a clear message to dam owners that this Government takes dams safety seriously. Dam owners will be expected to comply with the standards. If they do not, they will face tough penalties. In any regulatory regime, it is important that penalties are sufficiently high enough to act as a real deterrent to potential offenders. This is equally true for dams safety. The penalties for offences under the current Dams Safety Act 1978 of up to a maximum of \$1,100 are far too low. They in no way reflect the level of risk associated with dams safety. That is why the penalties under the Act have been increased significantly.

An offence for failing to comply with a compliance notice or a direction under the new Act could attract a maximum penalty of up to \$1.1 million for a corporation or \$247,500 for an individual. These new penalty amounts are in line with other contemporary environmental legislation and reflect the seriousness of dams safety. I am pleased to support a bill that recognises the importance of dams safety and that will continue to ensure that the community is protected from the risks associated with dam failure. The Dams Safety Bill introduces strong new enforcement and compliance powers together with new offences and penalties. It will set up Dams Safety NSW as a modern regulator with the ability to take strong action against dam owners when the safety of dams is at stake. I welcome this legislation because it will do much to improve dams safety.

I refer to dam foreshores and the greater management of catchment areas. The areas to which I referred in the Snowy Mountains Scheme are a very popular tourist destination for boating and fishing, et cetera, which presents problems with management of the foreshores. The boat ramps need to be extended because of a regular diminished water level because Blowering Dam, in particular, supplies irrigation areas. Amenities need to be provided for the many thousands of campers in those beautiful areas in the Snowy Mountains around Tumut, Batlow and Talbingo, for example. We must come to grips with how to manage those infrastructure needs and their maintenance, in conjunction with the National Parks and Wildlife Service, State Forests and local councils, which are ultimately responsible for providing the facilities.

There is still more work to be done. I give credit to the Ministers for taking action to meet with councillors and others to better understand the pressures on local government and organisations to provide and maintain facilities. I will be raising that issue as we go along. I will be encouraging the departments to get together to work towards better preserving the foreshores and improving amenities so that people can utilise those recreational areas and we can create a great tourism asset for our region. Making our dams safe and having this new instrumentation in place is an important part of that but, holistically, other issues such as access to and maintenance of foreshores and the compliance of facilities need to be addressed. I will be encouraging the Ministers to see that happen.

**Mr ANTHONY ROBERTS** (Lane Cove—Minister for Industry, Resources and Energy) [11.50 a.m.], in reply: I thank the member for Cessnock, the member for Cootamundra, the member for Albury, the member for Tamworth, the member for Clarence, the member for New England and the member for Wagga Wagga for their contributions to the debate. The Dams Safety Bill 2015 will modernise the regulatory framework for dams safety in New South Wales, strengthen the independence of the dams safety regulator and ensure that the Act reflects the outcomes of the review of the dams safety regime conducted in 2013. The bill establishes clear objects that seek to balance the risks arising from dams and encourages the proper and efficient management of dams safety. The objects also promote greater transparency and provide for the application of risk management and cost-benefit analysis in the development of dams safety standards.

The bill establishes a process for developing clearer dams safety standards, better compliance powers, and stronger penalties and enforcement. The bill also provides dam owners with better flexibility to determine how they achieve the dams safety standards. The purpose of the bill is to ensure that the people of New South Wales are protected from the risks of unsafe dams and that dam owners have a clear understanding of their obligations around the safety of their dams. I thank the Opposition for supporting the bill. In relation to the points the member for Cessnock raised, I can assure the member that the Government is committed to the safety of dams in New South Wales. The dams safety standards will set clear outcome-based safety requirements that

will ensure that dams continue to stay safe. The bill implements the principles of cost-benefit analysis and will require that the standards are subject to those principles. That will ensure that the standards established will drive the most efficient and effective solutions to achieving dam safety.

Implementation of the bill will take time, but the Government is committed to ensuring that these important reforms are completed as thoroughly and efficiently as possible. It reflects the highly technical nature of the work and the importance of community consultation during the process. I must acknowledge the role of the member for Cootamundra in driving the review that led to these reforms during her time as Minister. I am also pleased that the Opposition supports these important reforms to the regulatory framework for dams safety. The bill will modernise the regulatory framework for dams safety in New South Wales and ensure that the regulator has the necessary powers to continue to protect the people of New South Wales from the risks of unsafe dams. It will provide clarity to dam owners regarding their obligations for ensuring the safety of their dams and provide them with the flexibility to meet safety standards in the most efficient way.

The New South Wales Liberal-Nationals Government remains committed to protecting the community, our environment and important infrastructure from the risk of dam failure. I acknowledge the hardworking Minister in the upper House and his fantastic team, who have done a tremendous amount of work on the bill. Importantly, I acknowledge and pay tribute to the fine public servants who serve this great State. I do not think we do that enough in this House. The individuals from the department who were directly involved in ensuring that this smart piece of legislation was brought before the House were Gavin Hanlon, Michael Scotland, Helen Day and Kristy Cooper. 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 Anthony Roberts agreed to:**

That this bill be now read a third time.

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

## **STATE ARMS, SYMBOLS AND EMBLEMS AMENDMENT (FOSSIL EMBLEM) BILL 2015**

### **Second Reading**

**Debate resumed from 26 August 2015.**

**Mr RYAN PARK** (Keira) [11.54 a.m.]: We come to this place because we want to make changes. Wow! I never thought I would be on the floor of the oldest Parliament in Australia debating a fossil bill, but here we are. The Government has the Opposition's unwavering support for the State Arms, Symbols and Emblems Amendment (Fossil Emblem) Bill 2015. We only ask that 55 Coalition members do not take up the rest of the parliamentary week to talk about it. I am sure it is very important legislation, but perhaps there are one or two more pressing issues for the communities we represent. I am not sure the Government has our undivided attention, but it has our undivided support for the bill.

**Mr ANDREW GEE** (Orange—Parliamentary Secretary) [11.55 a.m.]: This is a great day for Canowindra and the Central West. Indeed, it is a great day for New South Wales and Australia. I support the State Arms, Symbols and Emblems Amendment (Fossil Emblem) Bill 2015, which is a landmark piece of legislation for the Central West that elevates Mandageria fairfaxi to the position of State fossil emblem. This important piece of legislation has attracted interest from around the country and the world. The story of the Mandageria fairfaxi fossil commenced some 370 million years ago, but the modern chapter of its story dates back to 1955 when a council worker unearthed a number of important fossils while grading the road between Canowindra and Gooloogong and brought them to the attention of the authorities. In 1993 the site was excavated, during which time Mandageria fairfaxi was discovered.

Canowindra lies between Cowra and Orange, and is home to an important and vibrant community in the Orange electorate. Millions of years ago the fish that were found at the fossil site were trapped in a mass grave of a shrinking lake or billabong about 10 kilometres from Canowindra. As the waters receded the dead fish were covered by sediments, possibly through some type of flooding. Thousands of fish are now preserved at the site. Sir David Attenborough visited the site at Canowindra. He described it as a world-class site that deserved even more recognition than it had. Sir David Attenborough said, "It would be nice to think that the state or the nation should support such a thing." That is exactly what New South Wales is doing.

To qualify as a State emblem a fossil must be unique to a State or represent the best known example ever found. As I said, 15 specimens of *Mandageria fairfaxi* were discovered near Canowindra in 1993. The "*Mandageria*" in the name refers to the prominent Mandagery Creek that flows through the area and "*fairfaxi*" relates to the generous support of James Fairfax. This site has huge significance for not only New South Wales but also the world. Scientifically, it is vital because *Mandageria fairfaxi* was the forerunner of life as we know it—that is, life with limbs. It is thought that when the rest of the Canowindra site is excavated we may find footprints leading out of the water. This would represent the first time a living being walked out of the water to become the human life we know today. That is why this site is so important: It is a world-class fossil find. It is one of the most important, if not the most important, fossil finds on the planet.

If this fossil find was in Sydney or in a metropolitan area then it would be the focus of absolutely huge interest. But instead, and fortunately for Canowindra, it is out in central western New South Wales. *Mandageria fairfaxi* will join other State emblems of New South Wales, including the floral emblem, the waratah; the bird emblem, the kookaburra; the animal emblem, the platypus; the fish emblem, the blue groper; and the gemstone emblem, the black opal. For the benefit of the House, I am holding up a picture of *Mandageria fairfaxi*. *Mandageria fairfaxi* was about 1.7 metres in length. As the member for Parramatta will note, it is quite a fearsome-looking creature. Indeed, members of the press gallery have suggested that the fossil could help support our State of Origin team as a mascot in next year's matches against Queensland.

**Dr Geoff Lee:** It couldn't hurt.

**Mr ANDREW GEE:** As the member for Parramatta rightly points out, it could not hurt. This fossil find has not only huge scientific importance for the world but also huge tourism potential for the Central West of New South Wales. Canowindra has already built the Age of Fishes Museum on the site. As Sir David Attenborough has implored, help is finally on the way in the form of the Australian Museum, which is now taking an active interest in the site. It is hoped that steps will now be taken to provide new storage for the fossils. Eventually we would all like to see the site, which is currently covered, reopened so that scientists—and indeed tourists—from all over the world can come to the site and carry out research.

I must make mention of a number of individuals associated with this important site over the years. Dr Alex Ritchie led the first and only excavation of the road site, which is just outside Canowindra in the electorate of Orange. Professor Per Ahlberg from Uppsala University in Sweden and Dr Zerina Johanson from the Natural History Museum in London wrote scientific papers on *Mandageria fairfaxi*. Mr Bruce Loomes is the honorary collections manager of the Age of Fishes Museum. He has been involved since day one and was responsible for the life-size clay reconstruction of the fossil fish, which came to Parliament just a few weeks ago. James Fairfax has been a generous financial supporter of the project. I also make mention of Fiona Ferguson, who was the manager of the Age of Fishes Museum for 10 years and led the museum to where it is today. I take this opportunity to acknowledge the hardworking staff at the Age of Fishes Museum.

The Age of Fishes Museum is a wonderful place of knowledge. Its manager, Warren Keedle, works very hard. The volunteers include Kim McClintock, Vicki Williams, Greg Morton, Michael Grimshaw, Colin Prior, Renata Prior, Gwyneth McCarron, Blythe Englund, David Stack, John Spear, and Susan Shorten. I also acknowledge the Deputy Premier, the member for Dubbo, for his support of not only the fossil site but also Canowindra more generally. At the last State election the electorate boundaries changed, taking Canowindra out of the seat of Dubbo and putting it into the electorate of Orange. But the Deputy Premier has remained a fierce advocate for Canowindra and the importance of this fossil find. I also thank Minister Roberts for his support of this fossil site and of elevating *Mandageria fairfaxi* as one of our State emblems.

Apart from elevating *Mandageria fairfaxi* to become one of our State emblems, the Division of Resources and Energy is running a competition for New South Wales primary school children to nickname the fossils. I note that entries close on Friday 18 September. There has been much mirth and merriment about whom in this House *Mandageria fairfaxi* most resembles. Indeed, the fossil itself, being 370 million years old, does lend itself to jokes associated with the Assistant-Speaker, being the father of the House.

**The ASSISTANT-SPEAKER (Mr Andrew Fraser):** Order! I draw the member for Orange back to the leave of the bill.

**Mr ANDREW GEE:** It would be unkind of me to make such links on this occasion, and I do not want to make jokes about this fossil because it is so important to the people of Canowindra. I thank everyone associated with working to make Mandageria fairfaxi our State fossil emblem. I congratulate the community of Canowindra and its surrounding districts on all their support for the Age of Fishes Museum. It, and this world-class fossil site, is only going to get bigger and better as time goes on.

**Mr DAVID MEHAN (The Entrance) [12.05 p.m.]:** I speak in support of the State Arms, Symbols and Emblems Amendment (Fossil Emblem) Bill 2015. The object of the bill is to recognise the fish fossil Mandageria fairfaxi as a State emblem. I note that currently the State emblems recognised under the State Arms, Symbols and Emblems Act 2004 are as follows: the animal emblem of New South Wales is the platypus, the bird emblem is the kookaburra, the floral emblem is the waratah, the State fish is the blue groper and the gemstone State emblem of New South Wales is the black opal. I commend the addition of a fossil to the list of our State emblems. It is recognition of the importance of the sciences of geology and palaeontology to our understanding of the world and how it was formed.

Palaeontology is the study of ancient life, and fossils are the basis of that science. Fossils form when living things, be it plant or animal, are covered by sediment before the organic material decays. Over time, different types of sediment are deposited above the buried remains. As an aside, it follows then that the sediments at the bottom will be older than the sediments above. This idea is one of the most basic principles of the science of geology, and is known as the law of superposition. The passage of time results in more sediments being deposited above the fossil. Pressure and chemical reactions turn the buried remains into a fossil and the sediment to rock. There they remain until erosion or excavation exposes the fossil remains. And that is what happened in 1955 near Canowindra in central western New South Wales when a road worker exposed a slab of sandstone rock in which the fossil remains of 140 fish were found and removed to the Australian Museum.

Another 40 years passed before the Canowindra site was revisited. It is now recognised as one of the richest sites for fossil fish in the world. Eight types of long-extinct fish have been identified, and other types may yet be discovered. Mandageria fairfaxi was a large air-breathing fish that lived in freshwater lakes and rivers during the Devonian period, which is also known as the "Age of Fishes", around 370 million years ago. Mandageria fairfaxi is the largest of the Canowindra fish. It grew to around 1.7 metres in length. Mandageria fairfaxi had sharp teeth and we suppose this means that it hunted other fish. I noted that Mandageria fairfaxi lived during the Devonian period. Mandageria fairfaxi is a reminder of the immensity of our prehistory and of geological time.

Fossils of the Devonian period are exclusively fish and land plants. None of the better known features of the fossil record, such as the dinosaurs that we like to look at in museums, are found in the Devonian period. Dinosaurs appeared much later, during the Jurassic and Cretaceous periods, and at a higher level of the geological timescale, along with very different plant fossils. That these fossils are not found mixed together but are separated by time and space is confirmation that the Earth evolved over millions of years and was not formed in six days at the hand of a creator god. I welcome the addition of Mandageria to our list of State emblems. I encourage the Government to go further; I know some members on this side of the House do not. I note that while the list of emblems includes an iconic gemstone it does not include an emblematic rock for the State.

**Dr Geoff Lee:** Coal!

**Mr DAVID MEHAN:** Coal would not be an obvious choice. A better choice would be the Triassic Hawkesbury sandstone, which is the rock used to build the historic colonial buildings of our State capital, including this House. Hawkesbury sandstone is one of the most beautiful rocks in the world. It is emblematic of the State capital. There are many rocks to choose from and members of this House will have different views on them. I am sure the member for Northern Tablelands would prefer the granites of that area. I find those rocks attractive. I encourage the Government to go further now that it has embarked on expanding the list of emblems. I commend the addition of Mandageria to the list of State emblems and congratulate the Government on the bill. I look forward to an emblematic rock being added to the list. I commend the bill to the House.

**Ms KATRINA HODGKINSON (Cootamundra—Parliamentary Secretary) [12.11 p.m.]:** I speak in support of the State Arms, Symbols and Emblems Amendment (Fossil Emblem) Bill 2015. This brief bill

provides for the creation of a new fossil emblem for New South Wales. That is terrific. The bill recognises the fish fossil *Mandageria fairfaxi* as the State fossil emblem. I congratulate Minister Roberts, the Deputy Premier and everyone who has had anything to do with making sure that this gets off the ground—or out of the ground, so to speak. I credit the Age of Fishes Museum, which is based in Canowindra in central western New South Wales, for doing much research on this topic and for storing the fossils. In the Devonian period, between 410 and 360 million years ago, the eastern coastline of Australia was much further west than it is today. An extensive river and lake system covered large parts of the continent, draining into shallow seas. In the "Age of Fishes", the area between Canowindra and Gooloogong, which is in my electorate of Cootamundra, would have been a wide floodplain dotted with large rivers, lakes and billabongs.

The Canowindra fauna was dominated by two kinds of armoured placoderm, or fish, known as *Bothriolepis* and *Remigolepis*, which belonged to a long-extinct placoderm group called the antiarchs. There was a third and less common armoured fish known as *Groenlandaspis*, which belonged to another placoderm group called the arthrodires. The largest fish found in Canowindra belonged to the air-breathing, lobe-finned sarcopterygians, which included the ancestors of the first vertebrates to invade dry land—amphibians. The larger sarcopterygians from Canowindra have been named after local towns, councils and localities. There is *Canowindra grossi*, *Mandageria Fairfaxi*, *Cabonichthys burnsi* and *Gooloogongia loomesi*. One would never guess which town *Gooloogongia* is named after. Could it be Gooloogong? I dare say it is.

At almost two metres long, *Mandageria* was the top predator in the Canowindra fish community. It had a long, torpedo-shaped body superficially resembling the pike, although it is unrelated to that fish. Large pike are agile. They catch their prey by ambushing it. The long body is very good for rapid acceleration. According to the Age of Fishes Museum in Canowindra, it is likely that both the pike and *Mandageria* hunted in a similar way. In sarcopterygian fish a series of internal supporting bones within their paired pectoral fins enabled them to move easily in the water. The bones in the fins compare with our limb bones, which I found interesting. They had a humerus, a radius and an ulna. *Mandageria*'s large pectoral fins probably helped it to move around submerged logs when attacking its prey. Another interesting fact is that a small bone discovered at the rear of this fish's braincase was connected to the first vertebra. It displayed two distinct facets and meant that the fish could lift and lower its large head. That provides evidence of the beginning of a distinct neck joint in sarcopterygian fish.

The bill is interesting. The subject matter is highly educational. I encourage people to enter the naming competition that Minister Roberts announced in his second reading speech. I encourage all schoolchildren in my electorate of Cootamundra to enter the competition and propose nicknames for the fossil. Entries close on Friday 18 September. If principals and teachers wish to download information about the competition they can find it at [www.resourcesandenergy.nsw.gov.au](http://www.resourcesandenergy.nsw.gov.au). The fossil joins a list of existing State emblems. The waratah remains the official State floral emblem. Other emblems include the kookaburra, the platypus, the blue grouper and the black opal. I commend this bill to the House. I congratulate all those who have worked so hard to turn this dream into a reality.

**Ms JULIA FINN** (Granville) [12.17 p.m.]: I support the State Arms, Symbols and Emblems Amendment (Fossil Emblem) Bill 2015. Western Australia is the only other Australian State or Territory to have a State fossil emblem. Although I have lived in Sydney for 25 years, as someone who grew up in Canowindra, where my mother, aunt and many cousins live, I am very proud that one of the Canowindra fossils has been chosen as the New South Wales fossil emblem. The waratah remains the official State floral emblem. The fossil joins the list of other State emblems, which are the kookaburra, the platypus, the blue grouper and the black opal. Canowindra hosts one of the most significant fish fossil sites in the world. The fossils were formed from a mass fish kill in the Devonian period, 370 million years ago. It is thought that a billabong or pond flooded and dried out, leaving thousands of fish stranded then fossilised by later deposits of silt and mud.

As a small child, I went to see the fossils from Canowindra when they were housed at the Australian Museum. The small display did not do them justice. When palaeontologist Professor Alex Ritchie began further excavation at the fossil site in 1993, the community supported him, providing dozens of volunteers for the 10-day excavation. Cabonne Council provided earthmoving equipment. The site was much larger than expected. Around 80 tonnes of rock slabs containing fossils were recovered, many of which were unique to the site. Many more rocks remain at the site, awaiting excavation. A few years later, in 1996, the Carr Government funded the construction of the iconic Age of Fishes Museum to house the fossils. It has become a great tourist attraction and educational institution. The "Age of Fishes" refers to the Devonian period when fish dominated the world. I am pleased to see *Mandageria fairfaxi* named as the fossil emblem for New South Wales; it is the largest fish discovered in the Canowindra fossils and the top predator at the site. It is named after Mandagery sandstone, in which it was found, and the philanthropist James Fairfax, who has supported research into the fossils found at Canowindra.

I am not at all surprised that a Liberal-Nationals Government would choose an apex predator named after a wealthy philanthropist as our fossil symbol. My personal choice would have been the unique *Canowindra grossi*—a single fossilised fish found in the original 1955 fossil slab and not found again in any of the thousands of fish fossils discovered at the site. It has gills and nasal passages so it can breathe in air or underwater. It was the first of the *Canowindra* fish fossils to be named, in 1976 by Professor Kevin Thompson. It is totally unique at this site, to this site and to New South Wales, and it is named after both *Canowindra* and Professor Walter Gross, who spent his career in the study of Devonian fishes.

Another fine choice would be *Gooloogongia loomesi*, which has only three specimens and is named after the nearby town of Gooloogong and Bruce Loomes, the foreman at the 1993 excavation and the collections manager at the museum. *Remogelepis walkerii*, one of the most common specimens at the site, is also named after a *Canowindra* local, Kevin Walker, the founding chairman of the Age of Fishes Museum. *Cabonnichthis burnsi* is named after the council and Bruce Burns, who instigated the 1993 excavation of the fossil site. While money to fund the research into identifying and studying the fossils is essential, the further discoveries and the success of the Age of Fishes Museum would not have been possible without Bruce Loomes, Kevin Walker and Bruce Burns. There are also many fish not unique to Australia, including some first identified from Greenland.

The department is looking for a nickname to give to our fossil emblem. I can think of quite a few but none would be as good as "Kevin" or "Bruce", and "James" is not quite the same. The member for Maroubra has suggested "Bronwyn" and that seems an appropriate name for a fossil and an apex predator. While I do not necessarily want to name the fish after me or my family, growing up in *Canowindra*, my nickname and that of many members of the Finn family was "Finnie", which seems like a pretty good name for a fish from *Canowindra*—although perhaps a better nickname for the *Canowindra grossi* than the *Mandageria fairfaxi*. Jokes aside, the State fossil emblem is a wonderful acknowledgement of the *Canowindra* fossil site and I am very pleased to commend the bill to the House.

**Mr JONATHAN O'DEA** (Davidson—Parliamentary Secretary) [12.21 p.m.]: Four hundred and sixteen million years ago when the Devonian period began, the planet's appearance was changing. Gondwana—of which Australia was part—was heading northward away from the South Pole and a second supercontinent known as Euroamerica, or Laurussia, straddled the equator. The Devonian period, some 416 to 359 million years ago, and part of the Paleozoic era, is also known as the "Age of Fishes" because it spawned a variety of fish. It was only later in the Devonian period that tetrapods—four-legged animals—appeared. By announcing *Mandageria fairfaxi* as the official State fossil emblem for New South Wales we are showcasing New South Wales' extraordinary faunal and geological history, while highlighting its rich fossil heritage. I congratulate the member for Orange, the Minister for Industry, Resources and Energy, the Deputy Premier and all others involved on their efforts to bring this initiative to fruition. I am wearing a fish tie today to celebrate—I am sorry it cannot be recorded adequately in *Hansard*.

*Mandageria fairfaxi* is a fish fossil discovered in 1993 near *Canowindra* in central western New South Wales. My uncle and aunt, David and Elizabeth, still live on their property in *Canowindra* and I have fond memories of staying there as a child as a contemporary of my cousin Stephen. *Canowindra* has great wine and considerable tourist appeal. The 370 million year old fish found there in a *Mandageria* sandstone formation is unique to New South Wales and is one of the largest fish fossil finds in the world. Its discovery bolstered *Canowindra*'s reputation as a significant paleontological destination. *Mandageria fairfaxi* was the top predator in the ancient *Canowindra* site. With a long, torpedo-shaped body and large pectoral fins, it manoeuvred precisely and quickly when preparing to attack its smaller marine prey. Its large, deep skull had robust jaws lined with a series of large fangs, and it had a movable neck. This movable neck is considered by scientists to represent a critical stage in vertebrate evolution.

The fossil was located in a dried-up former billabong that preserved thousands of fish fossils from the late Devonian period. The fossil site is unique because the fish skeletons were buried quickly, with little disturbance, by sediment that probably arrived when the rain returned after a long dry spell. The site is listed as part of Australia's National Heritage because of its international scientific importance. *Canowindra* is also home to the Age of Fishes Museum, which displays some of the best examples of fish fossils discovered at the site—many new to science. I understand that there are plans to reopen the site to try to find an early example of a tetrapod, which means new fossils might soon be displayed.

In celebration of the announcement of *Mandageria fairfaxi* as New South Wales' official fossil, the Division of Resources and Energy is holding a competition to determine a nickname for the fossil emblem. We have heard a number of suggestions in the House today. The competition is open to all primary school students,

and I note from the Minister's second reading speech that it is being expanded to include New South Wales parliamentarians as well. I sat down with my youngest son, Joshua, who is 10 years old and attends Roseville Public School, and we brainstormed some nickname ideas. He has entered the competition with various suggestions. Other people can copy these names but he has his entries locked in. His first entry is "Precious Neckus"—a name with a faux Latin-rhyming flavour that values the fish fossil's moving neck. Joshua's second entry is "The Head Turner"—a name that acknowledges the fish fossil's spinal head-moving feature and that it has attracted attention from many people.

I understand that the fossil was first thoroughly described by Dr Zerina Johanson, but the next suggestion is inspired by Dr Seuss. "Fish Foss Fax" is an alliterative name in the style of *The Cat in the Hat* that recognises "the fish in the billabong" fossil was found with support from James Fairfax—a very generous man who does not deserve to be derided. The final, simple proposals to establish a nickname for the Mandageria fairfaxi fossil are "Fairman", "Mandy" and the more gender neutral "Fossy". Fossils help explain the natural world and can be fun. By raising awareness of fossils and New South Wales' unique geological history, geotourism should become more popular. The responsible collection of fossils is a free, interesting, outdoor family activity. People may fossick on Crown land, where it is not leased, and keep what they find. However, it is prohibited to collect fossils in national parks or other areas declared as reserves for preservation of fossils, or on private land without permission from the owners.

I hope many primary school students in New South Wales help to celebrate the State's unique fossil heritage by embracing the competition to nickname the Mandageria fairfaxi fossil. In my capacity as Parliamentary Secretary for Major Events and Tourism, I also hope that adding the fossil emblem to the other existing New South Wales State emblems inspires primary school students and their families to fossick all over New South Wales; or at least for palaeontology enthusiasts and others to visit Canowindra, including its Age of Fishes Museum. I commend the bill to the House.

**Ms YASMIN CATLEY** (Swansea) [12.28 p.m.]: The State Arms, Symbols and Emblems Amendment (Fossil Emblem) Bill 2015 seeks to introduce into the inventory of State arms, symbols and emblems Mandageria fairfaxi as the official State Fossil Emblem of New South Wales. Named for a local creek and publisher James Fairfax, the fish fossil is one of the largest in the world, measuring up to 1.7 metres in length. The Mandageria fairfaxi fossil was discovered during roadworks in the Canowindra Fish Bed in central western New South Wales in the 1950s and is believed to be about 370 million years old, placing it the Devonian era. Speaking to the ABC recently about this discovery, Australian Museum director Kim McKay said the fossil emblem was great recognition for "citizen science", adding:

It was a bloke on a tractor digging a road on the outskirts of Canowindra in the mid-50s and he saw something on a rock. He thought it was a snake fossil and he propped it up against a country fence, but he had enough initiative to ring the Australian Museum in Sydney and say, "I found something." These specimens, these fish from the Devonian era, had never been seen before in the world. Another 15 specimens were found in the Canowindra area in 1993.

The Devonian period was an interesting time for planet Earth. The Devonian is also known as the Age of Fishes, since several major fish lineages evolved at this time. Sea levels were high and the global climate was warm. Sea surface temperatures in the tropics averaged 30° Celsius, much like the warmer parts of the Pacific today. Growth rings from corals living during the Devonian period have provided evidence that there were more than 365 days in the year back then—about 404 at the start of the period, falling to 396 by its end. Interestingly, the Devonian period ended with an event, or perhaps a series of events, known as the Late Devonian mass extinction.

Three-quarters of all species on Earth died out in the Late Devonian mass extinction, though it may have been a series of extinctions over several million years, rather than a single event. Life forms in the shallow seas were the worst affected, and reefs took a hammering, not returning to their former glory until new types of coral evolved more than 100 million years later. In fact, much of the seabed became devoid of oxygen, rendering it effectively out of bounds for anything except bacteria. Changes in sea level, asteroid impacts, climate change and new kinds of plants messing with the soil have all been blamed for these extinctions. The Canowindra site represents a mass grave of thousands of fish trapped in a shrinking lake or billabong. The dead fish were rapidly covered by sediments that preserved them. This ensured that the fossils of these important fish were complete and in excellent condition.

But back to our old friend the Mandageria fairfaxi, or "Mandy" as I like to call her. I will not be taking part in the competition to give this fossil a name; I call it "Mandy" for ease of pronunciation. The lobe-finned fish was the largest in its family—growing well past 1.5 metres long—and a top predator in its habitat, with

large fang-like teeth. Its moveable neck is considered by scientists to represent a critical stage in vertebrate evolution. A small bone at the rear of Mandy's braincase, which contacted the first vertebra in its backbone, displayed two distinct facets. These confirmed that Mandy could raise and lower her head and thus provide evidence for the beginnings of a distinct neck joint in these distinct types of fish. Her paddle-like tail helped her swim at high speeds. Her long, torpedo-shaped body superficially resembles the unrelated pike of today. Large pike are very agile, and catch their prey by ambushing it. Their long body is particularly good for rapid acceleration, and it is likely that Mandy hunted in a similar way.

With the passing of this bill, New South Wales will become only the second State, behind Western Australia, to have a unique State fossil officially recognised as the State fossil emblem of a State. I acknowledge that this is a great gesture to the New South Wales scientific community, and I did find reading about the fossil very interesting. I also agree with the Minister when he said that "This declaration recognises the rich scientific heritage that lies beneath our feet". However, I cannot help but think, "Is this all that this Parliament has to debate in this House today?"

Here we are talking about new emblems and symbols in this place, when instead we could be talking about the crisis that our TAFE sector is in because of cuts made by this Government. Could we not be talking about the 2,600 jobs in the TAFE sector that have been slashed since the election of the Liberals in 2011, or the fact that TAFE enrolments are down more than 43,000 since the introduction of Smart and Skilled? Surely the Minister for Skills could be telling us why he refuses to rule out the closure of the Belmont TAFE campus. We could even be talking about the jobs crisis that is gripping the Hunter and Central Coast regions—

**Mr Jonathan O'Dea:** Point of order: The member has strayed a long way from the subject matter of the bill before the House. It was a good speech until a minute or two ago. I ask that the member be directed to return to the matter before the House.

**TEMPORARY SPEAKER (Mr Lee Evans):** Order! The member will return to the leave of the bill.

**Ms YASMIN CATLEY:** I believe it is very important that members of this place speak about things such as the matter I raised. Though I have acknowledged the importance of this fossil, I believe technical and further education is of equal, if not greater, importance. That is certainly so for the area that I represent in the Hunter. However, I am only too pleased to come back to the topic of this debate. The previous speaker, the member for Davidson, referred to this fossil showcasing New South Wales. He is probably right. But I would like to see New South Wales showcasing our excellence in manufacturing, in education, particularly in TAFE, and in health, reducing waiting times and providing services to New South Wales.

**Mr Jonathan O'Dea:** Point of order: The member is flouting the ruling of the Chair.

**TEMPORARY SPEAKER (Mr Lee Evans):** Order! The member will return to the leave of the bill or will be directed to resume her seat.

**Ms YASMIN CATLEY:** Whilst those on this side of the House do not oppose the bill, I would like members of this Chamber to be talking about jobs, hospital waiting times, how to fix up the mess that our schools have been left in through the Learning Management and Business Reforms.

**Mr Kevin Conolly:** Point of order—

**Ms YASMIN CATLEY:** It has been a pleasure contributing to this debate.

**Mr Kevin Conolly:** I am not sure whether the member has concluded her speech.

**Ms Yasmin Catley:** I have.

**Mr Kevin Conolly:** In the circumstances, I withdraw my point of order.

**Mr DAVID HARRIS (Wyang)** [12.37 p.m.]: It gives me great pleasure, particularly as a school teacher of longstanding, to speak on the State Arms, Symbols and Emblems Amendment (Fossil Emblem) Bill 2015, which proposes that the Mandageria fairfaxi be this State's fossil emblem. New South Wales is the second State, joining Western Australia, to have formally adopted a fossil emblem. The 365 million-year-old Devonian fish Mandageria fairfaxi was last month announced as the State fossil emblem of New South Wales. Mandageria

fairfaxi was a lobe-finned fish that grew to nearly two metres long. It was a voracious predator with large fangs whose complete fossil remains have been found at the Canowindra fossil site. These can be seen on display at the Age of Fishes Museum in Canowindra.

It should be acknowledged that the selection of this New South Wales fossil was driven by a number of individuals, but the key person was Dr Alex Ritchie, a former curator in palaeontology at the Australian Museum. He had been working at the Canowindra site for many years and found many new species of ancient fish. The Geological Survey of New South Wales officiated in the selection of the State fossil. Unfortunately, even though I totally support the selection of this fossil as this State's emblem, its selection did not involve any public input. That is a different process than that followed by the first State to adopt a fossil as part of its emblem, Western Australia. There, the selection was guided by public submissions.

Why should each State have a fossil emblem? The importance of fossils in our natural history cannot be underestimated. Australian States all have a floral, faunal and marine emblem, representing animals, plants and marine creatures that best epitomise their State's unique natural history, and they can be used to promote things like tourism. The fossil emblem embodies concepts such as the length of time that creatures have existed on this Earth, and the evolutionary transition that is important to understanding the natural history of a particular part of Australia.

Fossils add another dimension to understanding our current biodiversity. For example, I found in an article online that the numbat is the faunal emblem of Western Australia. That is the only place it can be found today, although we know that it once lived in New South Wales and was therefore widespread across the nation. This concept originally came from the United States, where every State has an official State fossil emblem as well as floral, faunal and mineral emblems. The first States to embrace the fossil emblem were Louisiana, which had the petrified palmwood, Maine, which had the prehistoric plant *Pertica quadrifaria*, and Georgia, which had a shark tooth designating their State fossils as far back as 1976.

When did Australia, and particularly Western Australia, start to recognise fossil emblems? According to an online article in *The Conversation* Australia's first State fossil emblem was proclaimed on 5 December 1995 as the Devonian fish *Mcnamaraspis kaprios* from the 380 million-year-old Gogo sites in Western Australia discovered in 1986 and named as the fossil in a paper published in 1995. The selection of that particular fossil for Western Australia was a democratic process. It is interesting that that was the result of the efforts of staff at Sutherland Dianella Primary School in northern Perth who had heard about the practice of having fossils as State emblems from the United States. The teachers thought that convincing the State Government to have a State fossil would be an educational exercise for their students; they would learn about local fossils and how government works.

The students then lobbied the State Government and it listened. They put out a public call for suggestions of fossils that would fit the bill. Information about suitable fossils for an emblem was supplied to the public and the arts Minister appointed the State Fossil Emblem Committee. The school then sent a delegation to the museum to see some suitable fossils. They decided that the Gogo fish, as it became known, was the one they wanted to support. They gathered 1,000 signatures on a petition and supporting letters from international palaeontologists to democratically select that fossil as their State emblem. The State emblem in Western Australia has been written about in books and used, among other things, as a topic for a children's musical. It has been used signposts advertising the Kimberley, and I understand that later this year the State will celebrate the emblem's twentieth anniversary. The concept of naming a fossil emblem in New South Wales is excellent and will have practical applications in the future.

Other speakers have gone into detail about the characteristics of the Devonian fossil fish, so I shall not go into that. However, we should welcome this fossil emblem, along with our other emblems, the waratah; the kookaburra, our bird emblem; the platypus, our animal emblem; the blue groper, our fish emblem; and the black opal, our gemstone emblem. I congratulate the Government, those involved and the people of Canowindra on having a specimen from their area named as the State's fossil emblem. It will provide a further dimension for students to study at school when learning about the natural history of our State and country. There has been a little mirth among some people, but these sorts of things are very important to the life of the State and can promote tourism.

I am sure the Age of Fishes Museum in Canowindra will experience increased visitor numbers as a result of this move. Things like this are important to regional communities and to local economies. Having this fossil as our State's fossil emblem will further promote Canowindra. It is already a great place to visit, with its

wonderful wines and the famous Balloon Challenge. However, it must be acknowledged that the original concept came from school students and teachers and highlights the important role of our education system. I congratulate the people of Sutherland Dianella Primary School in northern Perth on bringing this concept to Australia. I welcome the fact that now in New South Wales we have the *Mandageria fairfaxi* as our fossil emblem.

**Mr GUY ZANGARI** (Fairfield) [12.45 p.m.]: I note from the outset that the New South Wales Labor Opposition does not oppose the State Arms, Symbols and Emblems Amendment (Fossil Emblem) Bill 2015. The main purpose and description of the bill is as follows:

Currently, the State emblems recognised under the *State Arms, Symbols and Emblems Act 2004* are as follows:

- (a) the animal emblem of New South Wales is the platypus,
- (b) the bird emblem of New South Wales is the kookaburra,
- (c) the floral emblem of New South Wales is the waratah,
- (d) the state fish of New South Wales is the blue groper,
- (e) the gemstone emblem of New South Wales is the black opal.

The object of this Bill is to recognise the fish fossil *Mandageria fairfaxi* as the State emblem.

There is now no legislated State fossil emblem in New South Wales. The bill seeks to address that by introducing the *Mandageria fairfaxi* as our fossil emblem. The *Mandageria fairfaxi* is a long-extinct fish that roamed freshwater rivers and lakes around 370 million years ago. The fossil was discovered in 1955 outside the town of Canowindra. The recognition of the *Mandageria fairfaxi* as a State emblem is supported by palaeontologists and geologists from the Australian Museum and the Geological Survey of New South Wales.

As a former teacher I believe it is important for our students to know exactly what is happening with fossils in our State; certainly I enjoyed this part of the curriculum at school. It is important to highlight that *Mandageria fairfaxi*, named after a local creek and commemorating the contribution of publisher James Fairfax in supporting the research into fossil fish, is unique to New South Wales. It featured a movable neck that marked a critical stage in vertebrate evolution. As the shadow Minister for Tourism, I am always looking for tourism opportunities and to spruik opportunities for our great State. Canowindra is now home to the Age of Fishes Museum, which is close to where the fossil was found 60 years ago and which has become a tourism beacon for the region in that it brings tourism dollars and visitors to the region. Minister Grant stated:

Visitors to this Museum can follow in the footsteps of Sir David Attenborough and actually touch the real fossils of this particular fish.

I support interactive learning and, as I stated at the outset, the New South Wales Labor Opposition does not oppose the bill.

**Mr CLAYTON BARR** (Cessnock) [12.48 p.m.]: I have listened with interest to many of the contributions to the debate on the State Arms, Symbols and Emblems Amendment (Fossil Emblem) Bill 2015. As a former educator, it is important that I highlight one element of the inclusion of this important fish fossil in our State arms, symbols and emblems. I appreciate the comments of the member for Wyong, who said that the idea of having a fossil emblem was imported from the United States of America. There are some things we can learn from the Americans and there are some things that we should ignore, which is why I am speaking today. The fossil emblem is a strong and significant symbol in the science of evolution, which states that as a species on this place we call Earth we have evolved over approximately four billion years since the Devonian period, otherwise known as the Age of Fishes. It is widely recognised and accepted, certainly by scientists, that many of the first live species began in and around water, and the Age of Fishes is a further demonstration of that.

The time of the fishes, which led to the emergence of tetrapods some 350 or 360 million years ago, is an indicator that in some way they are connected to fish and to what we now recognise as the human species—Neanderthal man. We must recognise that as humans we are essentially connected to water and fish species. I say that because there can be no debate about the science of evolution. It has been tried, tested and proven on so many occasions and on so many fronts. Some people reject the science of evolution and look for the smoking gun or an incredible link that shows that we at some point transitioned from, for example, a tetrapod or a fish species into the human species. Much has been said in this debate about the concept of a neck joint, which

demonstrates the evolution of fish from what they had been for many millions of years to a tetrapod. Members talked about elbows, a radius and an ulna feature, which again indicates that fish species were transitioning to something else.

I never want to see our schoolchildren being taught creationism as a science. That theory was imported from the United States of America. Nor do I want our schools to be prevented from teaching evolution as a science. Legislating to have this fossil emblem as one of our State emblems will generate questions about that weird, whacky creature and how it fits into the big scheme of things. If that happens, we will have inspired a curiosity about science and evolution and about this great planet which we are fortunate to inhabit and which hopefully we will not destroy. I commend the bill to the House and offer the Opposition's support of it.

**Mr ANTHONY ROBERTS** (Lane Cove—Minister for Industry, Resources and Energy) [12.53 p.m.], in reply: I thank the members representing the electorates of Keira, Cootamundra, The Entrance, Granville, Davidson, Swansea, Wyong and Fairfield. In particular, I thank the member for Orange and the member for Cessnock for their detailed contributions. I also thank those who have worked to bring this significant piece of history to its rightful place as the State's fossil emblem. I thank Dr Zerina Johnson, who first described the fossil, the staff of the Age of Fishes Museum and staff of the Division of Resources and Energy Geological Survey, all of whom are remarkable public servants who give so much to this great State. I place on the record the support of this House and its thanks for their dedication. 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 Anthony Roberts agreed to:**

That this bill be now read a third time.

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

## **BUDGET ESTIMATES AND RELATED PAPERS**

### **Financial Year 2015-16**

**Debate resumed from 27 August 2015.**

**Mr CHRIS PATTERSON** (Camden) [12.54 p.m.]: On the last occasion on which I spoke on the Budget Estimates and Related Papers 2014-16, I referred to some wonderful community groups, police officers and schools in my electorate. I now draw the attention of the House to three fantastic groups of which I am extremely proud. I recently attended events at three wonderful sporting clubs in Camden for various reasons. The first event I attended was the thirtieth anniversary of the Camden RSL Soccer Club, known as the Falcons. The club was formed in 1984, when its home ground was Onslow Park in Camden. In 1991, the club moved to its current home ground, Belgenny Oval. The oval is named after the farm established by John and Elizabeth Macarthur, Belgenny Farm. The farm is part of the original 5,000 acres granted to the Macarthur family by Lord Camden in 1805.

The Macarthur family established a merino wool production, wheat growing, dairying, horticulture and grape growing property. Today, it is a major educational centre with direct links to Australia's agricultural history and is managed by Trade and Investment NSW and the Belgenny Farm Trust. In 1995, approval was given by council to allow the Falcons finally to build a canteen/clubhouse, and by 1998 the project was completed. It was only due to the hard work of volunteers giving up their time that the building became a reality. Over 30 years, the Camden Falcons have had many successes in local and regional competitions. The local competition is managed by Macarthur Football Association, formerly Macarthur Soccer Association. In 2013, the Camden RSL Soccer Club changed its name to reflect the global recognition of the game of football and is now known as the Camden Falcons Football Club.

The club has a very hardworking committee, headed by president Paul Ellis; vice-president David Skillen; secretary Margret Bell—who celebrated her birthday on Sunday; treasurer Gwen Gibson, registrar Kylie Ellis; social media and communications officer John Kemp; club coaching coordinator Roy Hudson; groundsman Phil Sheedy; and equipment officers Chris Foley, Dom Vullo, David Wales, David Fenner, Karen Wood, Jodi Vullo, David Feeney, Tim Arnold, Matt Fitzpatrick and John Kemp. Congratulations to all involved at the club on its thirtieth anniversary.

The second club event I was privileged to attend last Saturday was the Camden Red Sox Baseball Club presentation. It was great to join the club in celebrating the achievements of its members. I had the wonderful honour of being officially named as club patron. I am grateful for that privilege and look forward to working with the club in our community for its betterment. I know the club is in good hands with its committee: president Matt Redman; vice-president Ian Rochester; secretary Amanda Coles; treasurer Kylie Bate; senior coordinator Scott "Deadman" McKelvey; junior coordinator Rob Nelson; assistant secretary Naomi Bates; assistant treasurer Julie Danswan; assistant registrar Suzette Rochester; publicity officer Amanda Coles, who worked for the former member for Camden, Geoff Corrigan; child protection officer Brooke Grech; fundraising and canteen coordinator Kylie Bate; uniform coordinator Naomi Bates; coaching coordinator Darren Falls; scorer coordinator Kaye Cooper, who has a wealth of experience with the ins and outs of scoring; and umpires coordinator Darren Falls. The club members look stunning in their uniform, which is similar to the uniform worn by the Boston Red Sox. The season starts this weekend and I wish everyone at that tremendous club well as they hit off.

Last but not least, on Friday night I attended the Camden Little Athletics season opening. Established in 1931 by Reverend Keith Brodie, it has a long and successful history. Camden Little Athletics is an outstanding club that teeters between being the first, second or third largest in New South Wales. I think nearly 600 members have signed up already. I give its committee, led by president Andrew Hreszczuk, a big rap. I congratulate vice-president Gavin Brimble; secretary Norm Campbell; treasurer Janine Mladin; registrar, recorder and website manager Veronique Jackson, who was given a life membership award; website manager and championships coordinator Norm Campbell; canteen coordinator Amanda Waights; uniform coordinator Melissa Gibson; and first aid officer Alison Waine. I also congratulate other hardworking members Michael Shanahan, Carole Campbell, Chris Johnson, Kylie Johnson, Jason Waine and Paul Tinson.

**Mr DAMIEN TUDEHOPE** (Epping) [1.01 p.m.]: In debate on the Budget Estimates and Related Papers 2015-16 I will address several salient issues in detail but make some general remarks before I do so. A surplus of \$712.6 million underscores the budget. The value of building up the State's finances should never be taken for granted. It is an incredibly important venture that government is obliged to embark on under the constitutional pillar of responsible government. That responsibility has been more frequently flouted in modern politics because of the appetite for immediate results. The Rudd handout at the expense of the Future Fund is a classic example of that. While responsible fiscal policy bears some immediate fruit such as the stabilisation of the State's credit rating, it is generally an unspectacular policy. Despite not having any immediate effects it is nonetheless critically important.

Fiscal responsibility is a rare characteristic in our times. It is an integral practice for our State to flourish and absolutely necessary to prevent financial crisis. We need only look at the situation in Greece to see the dangers that irresponsible budgeting poses. With our global, digital and intricate economy, the Greek spiral may sometimes only be a step away. The commitment to building strong State finances is as much in the interest of future generations as it is for this generation. For that reason, I commend the Government for opting for prudence rather than fiscal laziness. It is a praiseworthy venture in and of itself—especially so when it is such a rare characteristic.

Apart from that important underscore, a host of other measures in the budget are worth mentioning. I would not presume to account for all of their effects only two months after the budget has been handed down, but evident measures and themes reassure me as a local member that the Baird-Grant Government is working towards ensuring the common good. An important budget highlight is the Government's commitment to supporting the creation of 150,000 additional new jobs. That is good news for the people of New South Wales, especially those in my electorate. It further emphasises the importance of the Jobs for NSW Bill that is currently before the Parliament. I will make a passing comment on the debate conducted in this place yesterday. The member for Maitland spent some time bemoaning the unemployment rate in her electorate.

I understand her point; however, her challenge is to stop moaning, get on board with the Government and seek outcomes. I suggest that when she conducts her roundtable with community groups, unions and

business leaders the first item on the agenda should be support for the China-Australia Free Trade Agreement. She should come into this place this afternoon and disavow the advertising campaign that her mates in the Electrical Trades Union and the Construction, Forestry, Mining and Energy Union are conducting. She should also call on her Federal colleagues to immediately support the Government on the agreement. Additionally, I suggest that she take steps to support the jobs of people in the mining sector by looking for ways to support those projects.

One of the greatest obstacles to people discovering their inherent dignity is unemployment. It is also a catalyst for family breakdown. I am pleased that the Government has budgeted \$678 million over the next four years for jobs growth. Moreover, I am especially pleased to see its plans for jobs growth. The money has not been budgeted to simply drown the issue in cash. Rather, it is to stimulate and activate authentic growth. Small business incentives, payroll tax cuts, scholarships, and increasing national and international competitiveness are all ventures that will help authentic long-term growth and jobs emerge. In addition, the Government's measures and budgeting for Health and services are also commendable.

The carrying capacity of those departments needs to be seriously assessed. The spectre of an ageing population and other longer term obstacles need to be planned for today so that they may be successfully navigated tomorrow. The Health budget for 2015-16 is a record \$19.6 billion. Much of that is either directed at increasing frontline medical staff or accommodating for increased hospital activity. The record Health expenditure tells us two things: that our public health expenses are increasing and that the Baird-Grant Government is up to the task of budgeting for that increase. However, an increase in expenditure is only one side of the story. I am glad that the Government is taking steps to increase the service delivery of all our departments.

Efficiency is an important aspect of government. Using taxpayer dollars efficiently, freeing up departments and investing in capital are important traits that departments should strive towards. The revolution of Service NSW and the introduction of the Opal card are just some examples of the Government increasing service delivery and exhibiting great respect for the people of New South Wales by always striving to use every dollar more efficiently and in better places. As the member for Epping, I approve of the key budgetary measures and themes in the 2015-16 budget. I look forward to seeing Government policy keep moving in that direction. I am sure it will provide many benefits for our polity in general, but I am especially confident of the benefits it will sow for Epping constituents.

The general directions and commitments of the Baird-Grant Government are commendable; however, I will highlight some specific commitments in this year's budget. The Sydney Metro Northwest is one of the greatest success stories in Australian infrastructure development. The former Labor regime promised that piece of infrastructure for more than 10 years. It is now being delivered with commitment and vision. The train line is unlike any other in Australia. It will be the benchmark that all future lines will aspire to and represents the future of suburban train lines in Australia. It will be fully automated and deliver a train every four minutes and the track design will meld into the region's suburb design. On those characteristics alone it would be right to call the Sydney Metro Northwest "visionary".

Labor promised the North West Rail Link as far back as 1998, at a time when the north-western suburbs were beginning to emerge as the greatest residential development area in Sydney. They continue to be so today. The line was supposed to be finished by 2010, five years ago, yet the deadline came and went with not one centimetre of tunnel bored. In fact, Labor went to the last election with a plan to stop building the North West Rail Link and allow the line to finish at Epping. They should be ashamed of themselves. The Government is getting on with the job. Four tunnel boring machines are now digging in the ground. The Government has spent \$8.3 billion on the Sydney Metro Northwest, which will open to customers by 2019. It is the largest public transport infrastructure project under construction in Australia and will deliver eight new railway stations and 4,000 new commuter car parking spaces and provide trains every four minutes.

This project is ahead of schedule and \$300 million under budget. More than 30 million customer trips a year are expected on Sydney Metro Northwest between Cudgegong Road and Chatswood within seven years of opening. There will be almost 14 million fewer car trips each year soon after it opens—that is 12,000 fewer car trips in an average two-hour morning peak. Anyone would say that is both a blessing for the environment and a responsible use of public transport. Sydney Metro Northwest is part of the broader Sydney's Rail Future program, which includes: Sydney Metro City and Southwest lines; a new metro rail line under Sydney Harbour through the central business district [CBD] to Bankstown; investment in infrastructure and signalling for

Western Sydney; up to 60 per cent more trains every hour across the network; capacity for an extra 100,000 people every hour during peak; more express trains from Penrith, Parramatta and Blacktown to the city; and four new underground CBD stations, which will ease congestion at Wynyard and Town Hall.

The benefits of Sydney Metro include safer trains with visibility through the length of the train, closed circuit television monitoring in every carriage, and platform screen doors and doors level with the platform height. The trains will be 98 per cent more reliable and with shorter dwell times at platforms. They will also be easy to use, with simpler stopping patterns and a turn-up-and-go service. Currently, the 36-kilometre Sydney Metro Northwest project is on time and under budget. More than 60 per cent of tunnelling is complete and the first section of the skytrain at Cudgegong Road has now been built. Two massive horizontal cranes are now in place at Kellyville and Cudgegong Road. Together they will build up to 70 metres of skytrain track each week. This is indeed a visionary project and an engineering marvel.

There are some challenges ahead. The Epping to Chatswood rail link will be converted. Customers between Epping and Chatswood will have more than triple the number of trains they have today while this conversion process takes place. The Epping to Chatswood line will be transformed into a next-generation metro. There will be temporary inconvenience to customers during this major construction. This is a problem Labor never had because it never did anything. Buses will replace trains for around seven months. More than 300 bus services will be in place every day in order to minimise the impact of the works. Customers and other stakeholders will be kept informed every step of the way. While there will be some inconvenience to customers between Epping and Chatswood during the temporary closure, once complete the metro line will completely transform public transport for Sydney commuters.

Post 2019 there is indeed a visionary program ahead. The need to interchange at Chatswood is an interim measure while the metro is extended as part of the Sydney Metro City and Southwest. Customers between Hornsby and North Strathfield will be able to catch direct trains to the city via Strathfield during this period of upgrade. More than 100,000 people interchange every day on the Sydney rail network and interchange is common on all major rail networks throughout the world. Customers who interchange at Chatswood will be able to cross the platform—

**Pursuant to sessional order business interrupted and set down as an order of the day for a later hour.**

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

## COMMUNITY RECOGNITION STATEMENTS

### TRIBUTE TO CARLO FAVORITO

**Mr MARK COURE** (Oatley) [1.13 p.m.]: I acknowledge in this House the contribution to the City of Canterbury of former councillor Carlo Favorito, whom I have known for many years and who served the residents of east ward on the City of Canterbury Council for 27 years. It is fitting that Canterbury City Council has decided to name the space adjacent to Earlwood Senior Citizens Centre, on the corner of Homer Street and Joy Avenue, Carlo Favorito Square. I have known Carlo Favorito for a number of years, and the renaming of this square honours his hard work and commitment to the community he served. In 2004 the NSW Local Government Association awarded Councillor Favorito the Outstanding Service Award in recognition of his work on council, particularly with regards to the Canterbury Traffic Committee and the City Development Committee. The naming of the square acknowledges that Councillor Favorito is the longest serving councillor in the history of the City of Canterbury and pays homage to a man who dedicated himself to a life of public service.

### BANKSTOWN CITY PACEWAY AND JAMES WEBB

**Ms TANIA MIHAILUK** (Bankstown) [1.14 p.m.]: On Thursday 27 August I had the pleasure of attending the Bankstown City Cup race meet and fundraising dinner for James Webb at the Bankstown Paceway. Sydney trainer James Webb sustained serious injuries to his neck in June after falling from a lightweight cart whilst working with a horse. The trotting community, and especially the paceway, have rallied behind James and his family to provide the support and financial assistance needed as they come to terms with his injury and long-term rehabilitation needs. Despite this setback, Jim, as he is affectionately known, is upbeat and appreciative of the community's support.

I acknowledge the board of the Bankstown City Paceway, in particular President Les Bentley, for coordinating the fundraising event. The Leader of the Opposition and member for Auburn, the Hon. Luke Foley, was honoured to be able to attend the evening in support of Jim and the Webb family. Also in attendance were the member for Cessnock, Mr Clayton Barr, the former Federal member for Banks, Daryl Melham, the former member for East Hills, Alan Ashton, the Mayor of Bankstown, Linda Downey and a number of councillors. I was delighted to attend the evening with my husband, Councillor Alex Kuskoff, and our children. I wish Jim Webb a speedy recovery.

### **SHOALHAVEN BUSINESS AWARDS 2015**

**Mrs SHELLEY HANCOCK** (South Coast—The Speaker) [1.15 p.m.]: Last Friday I attended the Shoalhaven Business Awards 2015. I congratulate the committee of the Shoalhaven Business Chamber for organising this wonderful event. I congratulate all of the winners of awards on the evening, including: Business of the Year, Stormtech Proprietary Limited; Outstanding Home Based Business, Red Car Driving School; Excellence in Business Ethics, Bendigo Bank Sanctuary Point; Excellence in Business, Nowchem; Employer of Choice, The Flagstaff Group Ltd; Excellence in Community Service—Not for Profit, Southern Cross Community Housing Limited; Excellence in Customer Service, Simmark Proprietary Limited; Excellence in Innovation, Stormtech Proprietary Limited; and Excellence in Professional and Commercial Sectors, Jervis Bay Hearing Centre.

Other winners included: Excellence in Small Business, Waterways Swim School; Excellence in Sustainability, Nowchem; Excellence in Tourism and Hospitality, Shoalhaven Shuttle; Young Business Executive, Adam Sturt; Business Leader, Peter Russell; and Young Entrepreneur, Adam Sturt. The South Coast has a thriving small business community which drives growth and employment in the region. I again congratulate all of those individuals businesses that were recognised on their contribution to the South Coast community.

### **MAITLAND GROSSMANN HIGH SCHOOL SENIOR FOOTBALL TEAM**

**Ms JENNY AITCHISON** (Maitland) [1.16 p.m.]: Today I recognise the victorious Maitland Grossmann High School senior football team who, for the first time, took out the New South Wales Combined High Schools State Cup, which is the premier football competition in the State for secondary schools. I am really proud of their achievement. The victory demonstrates the brilliant football talent and skills of the students at Maitland Grossmann High School. Their path to victory saw them triumph over a number of competitive teams, including teams from Crestwood, Castle Hill, Oatley, Lambton, Callaghan, Muswellbrook and Cessnock. This is a fantastic achievement from a group of exceptionally talented young men, their coach, their school and their families who supported them on this journey. Special mention must go to captain Jayden Ziernek, vice-captain James Harkin, and Blake Roy who was named player of the series. Congratulations, gentlemen.

### **TRIBUTE TO INSPECTOR COLIN KENNEDY, APM**

**Mr MARK TAYLOR** (Seven Hills) [1.17 p.m.]: Recently the NSW Police Force marked the last day of service for one of the most distinguished police prosecutors ever to have served the people of New South Wales. My former colleague Inspector Colin Kennedy has retired after 34 years of service, 31 of those as a police prosecutor. He was admitted as a solicitor to the Supreme Court in 1997. Inspector Kennedy appeared in courts all over New South Wales, as well doing pioneering work at the Drug Court and managing the training of new prosecutors.

For the past 11 years Inspector Kennedy provided high-level legal advice to the NSW Police Force, including advising on new legislation and new technology such as body-worn video, serious public order incidents and counter-terrorism matters. Inspector Kennedy could always be relied on for detailed, practical and accurate legal advice. He will be missed by his colleagues and the people of New South Wales. I wish him all the best for his retirement and hope that his fishing is very successful. Maybe he will finally catch the "big one" that he always told us just got away.

### **LEICHHARDT ROWING CLUB**

**Mr JAMIE PARKER** (Balmain) [1.18 p.m.]: I draw the attention of the House to an event I attended recently, the 129th annual general meeting of the Leichhardt Rowing Club. The club has occupied its current site on Port Jackson at Iron Cove since 1886, making it one of the oldest rowing clubs in New South Wales.

I congratulate the club on a successful year, which has included many achievements and the christening of a new \$33,000 trailer and two new boats. I am pleased to say that the club was a recipient of a grant under the Community Building Partnership program, which helped support that investment.

I acknowledge the outgoing office bearers, including president Charles Bartlett; captain Steve Duff; junior vice-president Lachlan Andrew; treasurer Colin Whybourne; secretaries Doreen Borg and Jan McClelland; and president of the Leichhardt Union of Old Rowers Barry Moynahan. I also congratulate the incoming office bearers: Justin Milne, Marcus Trimble, Steve Duff, Ben Adams, Anna Cicognani, Lachlan Andrew, Colin Whybourne, Sandy Rourke, Geoffrey Rich, Kirsten Moss, Belinda Brigham, Bob Kelsall and Heidi Parkes. I wish the new committee, coaches and rowers a very successful season and thank everyone involved for their positive contribution to the health and wellbeing of our local community.

#### **WARRINGAH COUNCIL ROADWORKS**

**Mr JONATHAN O'DEA** (Davidson—Parliamentary Secretary) [1.19 p.m.]: I acknowledge the work of Warringah Council in maintaining local roads in my electorate of Davidson. This was brought to my attention by year 10 student Gareth Wynne, who is spending this week in my office on work experience. Warringah Council is resurfacing a number of roads and undertaking patch work on others to improve safety, provide a more comfortable ride for motorists and contribute to quicker travel times. Streets currently receiving attention include Ellis Street, Oxford Falls; Neridah Avenue, Belrose; Prahlan Avenue and Sorlie Road, Frenchs Forest; Fletcher Place, Davidson; and Kambora Avenue, Belrose. Some of those roads were in urgent need of repair or upgrading. I commend Warringah Council on its efforts to keep local roads in good repair. May they continue.

#### **NELSON BAY VIEW CLUB**

**Ms KATE WASHINGTON** (Port Stephens) [1.20 p.m.]: Last week I was delighted to attend the Nelson Bay VIEW Club's spring luncheon. VIEW stands for Voices, Interest and Education of Women. It was established 55 years ago by The Smith Family as a club where women can meet, become involved in the issues of the day and learn from guest speakers about what is happening in their communities. I was fortunate to be their guest speaker at the spring luncheon.

Nationally there are about 350 VIEW clubs. The Nelson Bay club has 88 members. It holds monthly meetings and has a primary focus on fundraising for The Smith Family programs, which are based on education and support of disadvantaged children. VIEW clubs take on the sponsorship of children. The Nelson Bay VIEW Club currently sponsors eight children, which requires a constant fundraising effort. Other moneys raised by the club go to The Smith Family programs such as breakfast clubs, study and homework clubs and student-to-student reading support programs. I recognise President Carol Buckingham for her hard work and commitment and thank the Nelson Bay VIEW Club for changing lives by helping children to access education.

#### **CIVIL CONTRACTORS FEDERATION OF NEW SOUTH WALES**

**Mr DAVID ELLIOTT** (Baulkham Hills—Minister for Corrections, Minister for Emergency Services, and Minister for Veterans Affairs) [1.21 p.m.]: When red tape strangles efficiency, the Civil Contractors Federation of New South Wales [CCF NSW] tasks itself with representing the interests of employers in civil infrastructure, protecting its members, and growing their businesses. I am pleased to inform the House of the elevation of Mr Mick Boyle to the presidency of the Civil Contractors Federation. Mr Boyle is also the founder and managing director of Abergeldie Complex Infrastructure. His predecessor, Hills resident John Wade, has ably served as president of the CCF NSW since 2009. As a director of Wade Civil Engineering, Mr Wade also brought the genuine perspective of employers to this representative federation. I commend them both for their advocacy in the interests of employers in the industry. I wish Mr Boyle a successful presidency.

#### **TRIBUTE TO CHESTER MEURANT**

**Mr RYAN PARK** (Keira) [1.22 p.m.]: It gives me great pleasure to speak about Chester Meurant, who has contributed 20 years of his teaching experience to the academically gifted students of the Illawarra. He is a constituent in the great electorate of Keira. At the end of this year Mr Meurant will retire from his position as program coordinator and move on to enjoy a new chapter in his life. The program for academically gifted children in the Illawarra enriches selected students on a weekly basis, where pupils are given specific opportunities to broaden their learning. Chester has been a fundamental asset to the success of the program.

I thank him for his personal contribution to a remarkable program. As a former teacher, I can appreciate the hours of lesson planning and time that Chester has allocated to ensuring that talented students are given every opportunity to reach their full potential. I wish him the best in his future endeavours.

#### **WOLLONDILLY ELECTORATE FEMALE POLICE OFFICERS**

**Mr JAI ROWELL** (Wollondilly) [1.23 p.m.]: I am proud to recognise the outstanding service of our local female police officers as part of this year's 100 Years of Women in Policing celebrations. My thanks go to the first female police officer to operate in the Wollondilly electorate, Paula Daley, who commenced her service in 1980 and spent many years protecting the Wollondilly community while stationed at the Camden Local Area Command. Over the decades, our Police Force has increased the number of female officers and extended the opportunity for these remarkable women to participate in duties equal to their male counterparts. These women have proven themselves capable of performing to an exceptional standard in all aspects of police work and are to be commended for their dedication to the communities which they serve. I look forward to seeing the legacy of female involvement in police work in the future.

#### **WARGAMING—GREENWICH LITTLE WARS 2015**

**Mr DAVID MEHAN** (The Entrance) [1.24 p.m.]: On Sunday 30 August I attended the sixth annual Greenwich Little Wars. Each year the event introduces up to 20 young people aged from six to 16 to the fascinating hobby of wargames. The roots of the modern hobby can be traced to the 1913 book *Little Wars* by that famous Fabian socialist and pacifist Herbert George Wells. *Little Wars* included a set of rules for playing a game with toy soldiers and cannons on a battlefield created on the floor of the family home. The modern wargame is played on a tabletop and dice have replaced toy cannons.

This year's overall winner was Bas Braham. The handicapped winner was Eddie Goodman. The novice award went to Louis Callanan and Joe Ghosh was runner-up. Greenwich Little Wars is organised and run by Peter S. Braham, SC, who will be known to members of this House as counsel assisting the Commissioner of the Independent Commission Against Corruption during operations Acacia and Jasper. He is ably assisted by Greg Unwin. The patron and generous donor of trophies was Richard Watters. I commend Peter and his friends for their service to the hobby of wargaming.

#### **SUPERINTENDENT PETER THURTELL, RIFLE SHOOTING QUEEN'S PRIZE**

##### **TRIBUTE TO BRENDON LEWIS**

**Mr STEPHEN BROMHEAD** (Myall Lakes) [1.25 p.m.]: I inform the House that Superintendent Peter Thurtell of Manning-Great Lakes Local Area Command and a member of the Wingham Rifle Club has won the prestigious 125th Queensland Rifle Association Queen's Prize. He is only the second member of the club in its 132-year history to win a Queen's medal. Peter was in superb form over the five days of the championship, in which 500 rounds were fired. He dropped only two shots and his final score was 498 out of 500. Peter held off the challenge of the world number two to win by three centre bullseyes.

I also inform the House that Great Lakes College student Brendon Lewis was recently driving to school for his trial Higher School Certificate exams when the vehicle in front of him drifted off the road, crashed into a tree and flipped on its side. Brendon was the first person on the scene and used his experience and training as a member of the Pacific Palms Rural Fire Service for the past three years to render assistance to the driver and to keep the person calm and still until the ambulance arrived. Brendon intends to join Fire and Rescue NSW when he finishes school.

#### **PACIFIC AWARDS 2015**

**Mr ANOULACK CHANTHIVONG** (Macquarie Fields) [1.26 p.m.]: Our cultural diversity and model of social inclusion are the world's best. People from many countries across every continent now call New South Wales home. Through effort, dedication and commitment, each cultural community adds colour to our social fabric. It was a delight for me, the member for Campbelltown and other members of Parliament to celebrate the tenth anniversary of the Pacific Awards for our Pacific Islander community. The first awards ceremony was held in 2005 at Minto Library, with 30 people in attendance. The awards recognise personal and community achievements and are the pre-eminent annual awards event for the Pacific Islander community.

Special recognition goes to Mal Fruean and her executive committee for bringing our community together for an evening to showcase the talents and achievements of so many in our community. I congratulate the masters of ceremony for the evening, Patsy Nai and Rick Manu, on receiving their Chairperson's Award for their ongoing dedication and commitment to hosting the event and promoting the achievements of the Pacific Islander community.

### **ARMIDALE BUSINESS CHAMBER AWARDS**

**Mr ADAM MARSHALL** (Northern Tablelands) [1.27 p.m.], by leave: I congratulate the nominees and winners of the recent annual Armidale Business Chamber Awards. In particular, I congratulate 24-year-old Adrian Wood, whose security business White Hack, which specialises in ethical hacking, won three major awards: Business of the Year, Excellence in Innovation and Emerging Business Leader. Les Davis and his team at Saumarez Homestead won the Digital Innovation award. Annie Keoghan of Annie K Communication Matters received the Excellence in Business Ethics award. Fergus Fitzsimons and his staff at Centacare New England North West were recognised for their contribution to the community with an Excellence in Mental Health and Recovery Support award.

The award for Outstanding Contribution to Community Development was won by Tara Toomey and her excellent team, who have created the wonderful event in Uralla called Seasons of New England. I was delighted to see the Excellence in Sustainability award go to Phil Mitchell and staff at the Armidale Tourist Park. Employer of the Year was won by Moxons Bakery. Best New Business was won by Bronwyn Pearson and her staff at Pinnacle People Solutions. Gayle Kee at TG's Childcare in Uralla was awarded Business Leader of the Year. This is an impressive line-up of winners. I congratulate them all. Well done.

### **TRIBUTE TO MARGARUITTA PERRYMAN**

**Mr ALEX GREENWICH** (Sydney) [1.28 p.m.], by leave: I acknowledge the life and contribution of Margaruitta Perryman. Despite disadvantage, hardship and poor health, Margaruitta found meaning, purpose and hope in her volunteer work, advocacy and community. Margaruitta volunteered at the Northcott Community Centre, the Kings Cross Community Centre and at the 2008 World Youth Day. She was a tenant advocate on the Surry Hills Neighbourhood Advisory Board, a member of the Surry Hills Public Tenants Association and was an active member in the Country Women's Association.

Margaruitta was proud of her community and worked to engage others. For years her friendly and welcoming demeanour was a fixture at the Northcott Community Centre and David's Place homeless support before ailing health forced her to move to a nursing home. Margaruitta volunteered for the Sydney and Bligh electorate offices for many years and worked on election campaigns for the Lord Mayor of Sydney and former member, Clover Moore. She extended her support to my election campaigns, despite the loss of a limb and deteriorating health. Margaruitta is survived by her grandson, Thomas Perryman, and will live on in the memories and hearts of the many people whose lives she touched.

### **ELLA LAMROCK AND BRAVE THE SHAVE**

**Mr ANDREW GEE** (Orange—Parliamentary Secretary) [1.29 p.m.], by leave: I inform the House about 11-year-old Ella Lamrock from Orange, who possesses generosity and courage far beyond her years. Ella, who is in year 5 at the Calare Public School, has made the decision to chop off her long hair in term four this year to help cancer sufferers. Two weeks ago Ella started a fundraising page through Brave the Shave to encourage people to donate money to support research into cancer in children. Ella has raised \$1,459.76 already. Her goal is to raise \$1,907, which she chose because those figures represent the day and month of her birth date. This is not the first time Ella has engaged in a selfless act. One year for her birthday Ella asked people to give her money instead of presents. All the money was donated to Ronald McDonald House in Orange. Well done, Ella! I congratulate her.

### **CHRYSTAL DUGGAN, 2015 PIERRE DE COUBERTIN AWARD**

**Mr GREG WARREN** (Campbelltown) [1.30 p.m.], by leave: I am delighted to acknowledge Bradbury student Chrystal Duggan, who recently was recognised for her achievements in football when she received the 2015 Pierre de Coubertin Award, which is run by the Australian Olympic Committee and named after the founder of the modern Olympics. The award is made annually to high school students who actively participate in sport and display Olympic values of sportsmanship and fair play.

Chrystal, who attends the Campbelltown Performing Arts High School, was presented with the award for her excellence and fair play as a striker with the Macarthur Rams Women's Football Club. Chrystal also has been identified for the Matildas youth program as a potential future national representative. I ask the House to join me in congratulating Chrystal Duggan on being awarded the Pierre de Coubertin Award and in wishing her success throughout her sporting journey. Chrystal is yet another one of our magnificent young people who represent the good character of the great city of Campbelltown.

### **SOUTH GRAFTON REBELS AND GRAFTON GHOSTS RUGBY LEAGUE PREMIERS**

**Mr CHRISTOPHER GULAPTIS** (Clarence—Parliamentary Secretary) [1.31 p.m.], by leave: I offer my congratulations to the South Grafton Rebels, which, a couple of weeks ago, won the Group 2 First Grade Grand Final—breaking a 40-year hoodoo to win 46-18 over the Coffs Harbour Comets. I congratulate also the Grafton Ghosts, who won the Group 2 Reserve Grade Grand Final 28-20 over the Sawtell Panthers. I also offer my hearty congratulations to the coaches, managers, players and supporters of those two teams and their clubs. Those two mighty football clubs have a healthy rivalry within their local communities. It is wonderful to see them both excel. I wish both clubs continued success in the future.

### **BLUE MOUNTAINS ARTS COMMUNITY**

**Ms TRISH DOYLE** (Blue Mountains) [1.32 p.m.], by leave: I pay tribute to the vibrant, diverse and active arts community in the Blue Mountains. Recently I had the pleasure of attending the opening of the Springwood Art Show, which showcased the talents of well-known local artists and emerging student artists at the Springwood High School. I was honoured to be invited to open the Six Views exhibition at the Pop Atelier Gallery in Katoomba—a spectacular exhibition of landscapes by Lucy Dawson, Roland Hemmert, Joachim Herrmann, Samantha McKay, Victor Peralta, and Sanja Zemljacenko.

I take this opportunity to briefly acknowledge the work of Modern Art Projects—WEST at Hazelbrook, which is an independent artist-run space that has hosted a number of eclectic exhibitions in recent times. Billy Gruner, Sarah Knightley, Beata Geyer, Miriam Williamson, Roger Foley-Fogg, Ian Milliss and many other fabulous artists are doing excellent work in raising awareness of the vital role that arts and culture play in our lives. They seek to inject some local vitality into an underfunded arts scene in the Blue Mountains and beyond. This weekend I will open Naturally Local, which is a colourful exhibition of paintings by Dirk Romeyn and Marilyn Ecob at the Heritage Centre in Blackheath.

### **RICHARD GARNSEY, 2015 SLNSW RESCUE OF THE YEAR**

**Mr MARK SPEAKMAN** (Cronulla—Minister for the Environment, Minister for Heritage, and Assistant Minister for Planning) [1.33 p.m.], by leave: I congratulate Richard Garnsey of the Cronulla Surf Life Saving Club on his award of Rescue of the Year at the 2015 Surf Life Saving NSW Awards of Excellence. Mr Garnsey has been a lifesaver for 28 years and has spent 18 years as a professional lifeguard. His award was for the rescue of three swimmers on 12 December last year. He arrived for work at 7.00 a.m. and was told that a swimmer was caught in a rip approximately one kilometre offshore. He battled through three-to-four metre surf and 70 kilometre-an-hour winds to save the swimmer. He then returned to the surf to rescue a father and son who had become stranded off Cronulla Beach. I thank Mr Garnsey for his continued protection of our swimmers. I also thank all members of the Cronulla Surf Life Saving Club for everything they do for our local community.

### **LITTLE WINGS FLIGHT PROGRAM**

**Mr TIM CRAKANTHORP** (Newcastle) [1.34 p.m.], by leave: In recent weeks I have spoken about the need for more funding for staff in cystic fibrosis clinics, and also more support for paramedics and ambulances. While the Government continues to cut services, it is inspiring to hear about not-for-profit groups that are willing to fill the gaps that the Government is simply ignoring. Little Wings is a not-for-profit organisation whose mission is to provide a free, safe and professional flight for children with life-threatening illnesses from remote areas to the Maitland Airport and shuttle them and their carers to the John Hunter Children's Hospital. The Newcastle Permanent Charitable Foundation provided a grant of \$50,000 to help to provide this critical link for families from remote areas to access medical services for their sick children. This year the Little Wings flight program will provide 50 free flights from patients' homes to the John Hunter Children's Hospital. As a father, I am very happy to give this organisation the recognition it deserves.

### TRIBUTE TO MR NEVILLE RIGGS

**Ms JULIA FINN** (Granville) [1.35 p.m.], by leave: I acknowledge the recent passing of Mr Neville Riggs, who made a great contribution to the Granville community over his life. Many of his family and friends live in Rockdale, where he was also well loved. After Neville's wife passed away, he became a very active member of the Granville lodge of the Royal Antediluvian Order of Buffaloes and also was a long-term volunteer at Parramatta Mission's Meals Plus, serving food to the homeless for 27 years. Reverend Dr Manas Ghosh, from the Leigh Memorial Church and the Parramatta Mission, conducted Neville's funeral and noted how much he meant to his many friends among the volunteers as well as the great support he gave to homeless people.

Neville Riggs also ran social clubs at the Royal and Granville hotels and organised raffles, meat trays and social gatherings. For many years Neville was a member of the Australian Labor Party. He provided great assistance to a number of Labor members of Parliament and candidates with letterboxing and campaigning. Even in failing health, Neville did what he could to help me this year. Neville Riggs gave so much to the community and he will be missed by all his family and friends.

*[Temporary Speaker (Mr Lee Evans) left the chair at 1.36 p.m. The House resumed at 2.15 p.m.]*

### VISITORS

**The SPEAKER:** I acknowledge and welcome Anthony and Carroll Sarks, guests of the Minister for Early Childhood Education, Minister for Aboriginal Affairs, and Assistant Minister for Education, and member for Port Macquarie.

I extend a very warm welcome to Australian rugby union legend and chief executive officer of the Kids Cancer Project, Owen Finegan, and the team from the Kids Cancer Project, guests of the member for Coogee. I remind members that the member for Coogee, in conjunction with the Kids Cancer Project, invites members to afternoon tea in the Speaker's Garden this afternoon, straight after question time, to mark Childhood Cancer Awareness Month and to honour children and families affected by the disease. With a \$20.00 donation members can support this fantastic cause. Congratulations to the member for Coogee for organising the event.

I welcome 17 students and their teachers from Mount Brown Public School's Student Representative Council, guests of the member for Shellharbour. I also welcome 45 students and their teachers from All Saints College, St Peter's Campus, guests of the member for Maitland.

### REPRESENTATION OF MINISTERS ABSENT DURING QUESTIONS

**Mr MIKE BAIRD:** I advise members that the Minister for Planning will answer questions today in the absence of the Minister for Local Government.

### SYRIAN AND IRAQI REFUGEES

#### Ministerial Statement

**Mr MIKE BAIRD** (Manly—Premier, and Minister for Western Sydney) [2.20 p.m.]: Today I was thrilled to hear that 12,000 Syrian and Iraqi refugees will soon be able to find safety on our shores. I congratulate the Prime Minister on making this special increase on top of our normal annual refugee intake. I applaud this generous decision and reiterate that New South Wales is eager to do more than its fair share to assist the Commonwealth Government. The Government is already in active talks with the Commonwealth Government on the details of the additional intake, and I will soon talk with Minister Dutton upon his return from Geneva. I am also heartened by the response of other State and Territory leaders.

As current chair of the Council for the Australian Federation, I have been asking other State and Territory leaders what we can do in addition to taking our fair share of these refugees. This would supplement the Commonwealth Government's generous announcement of \$44 million in funding to support 240,000 refugees. Those funds will be used for things that we take for granted on a daily basis—food, housing, emergency supplies and health care. Those things need to be provided and they need to be provided now. I will certainly be talking to other State and Territory leaders to see what else we can do. This is a long-running crisis and it is getting worse, but, despite the darkest hours of humanity such as we have seen across the world over the past weeks, months and years, we often find the best of humanity, and that is what we are seeing across the world as we respond to this unfolding crisis.

Everyone in Australia has come together to say that our boundless plains are here to share, particularly for those in such desperate circumstances as we are seeing across the world. I reiterate that New South Wales is very eager to do more than its fair share to assist in this very real crisis. Australia has been defined; it has a proud history in responding humanely to these sorts of crises. On the back of the Prime Minister's leadership today, like our parents and grandparents, we are showing that this is the Australian way.

**Mr LUKE FOLEY** (Auburn—Leader of the Opposition) [2.23 p.m.]: I join the Premier in welcoming the Federal Government's announcement of an increase of 12,000 in the refugee intake to deal with the humanitarian crisis in Syria. Let me tell the House about the Syrian community in my electorate. Tomorrow I will catch up with His Eminence Archbishop Mor Malatius Malki Malki, the Archbishop of the ancient Syrian Orthodox Church. The church's cathedral is at Lidcombe, in my electorate. I will also catch up with Father Nabil Kaplo, our parish priest at St Ephraim's, Lidcombe. He came here last year from Aleppo. Since I was elected in March I have talked to the Syrian Christian parish community in Lidcombe regularly about their fears for their loved ones. The Syrian Orthodox Church claims the status of the most ancient Christian church in the world. It employs the oldest surviving liturgy in Christianity, the Liturgy of St James the Apostle. Its roots date back to AD 37. St Luke wrote:

The disciples were first called Christians in Antioch.

If members want to hear the language that Jesus Christ and his disciples spoke, they should come to the Syrian Orthodox cathedral in my electorate, where Archbishop Malki Malki and Bishop Antoine-Charbel Tarabay of the Maronite Church co-founded the Syriac Aramaic Language Centre earlier this year. These are the most ancient Christian communities on Earth and they are under the gravest threat. Let us also remember that ISIS slaughters not only Christians but also Muslims. Anyone who does not share their extremist interpretation is damned as an apostate. It is vital that Australia, as a prosperous First World country, does its bit. I am happy to join with the Premier in saying that all sides of New South Wales politics will work with the Commonwealth Government to absorb refugees from Syria and Iraq.

I speak for this side of the House in saying, with Sydney the home to the majority of Syrians in this country, that we know that our communities in Auburn, Lakemba, Bankstown, Cabramatta, Fairfield and Prospect will bear the heaviest load of absorbing this influx of thousands of refugees from Syria. We as members will work with our local communities to welcome those people, to resettle them in Australia, to bear the cost that must be paid and ought to be paid by a civilised society. People of all faiths, and of none, from Syria and Iraq deserve our assistance. I welcome the Premier's intervention on the weekend, and I welcome what the Prime Minister has done today. Let us step up to the mark as representatives and as a State to help these people.

## **BUSINESS OF THE HOUSE**

### **Notices of Motions**

**Government Business Notices of Motions (for Bills) given.**

### **QUESTION TIME**

[*Question time commenced at 2.28 p.m.*]

## **LEARNING MANAGEMENT AND BUSINESS REFORM PROGRAM**

**Mr LUKE FOLEY:** My question is directed to the Minister for Education. Is it acceptable that Killara High School Parents and Citizens had to pay \$45,516 to employ an extra administrative person to cope with the bungled rollout of the Learning Management and Business Reform program at that school?

**Mr ADRIAN PICCOLI:** The first mistake the Leader of the Opposition makes is to trust the *Daily Telegraph* as a source. Let us not be specific; reading something in the newspaper does not necessarily mean it is true. I am aware that Killara High School spent some of its parents and citizens resources in employing additional staff. I am very confident that is not the reason it employed that additional staff, but it is a pilot scheme and, as I said yesterday, the very purpose of running a pilot is to see how a new system operates and the

issues that are raised. As I said yesterday, there are issues around some of the hardware that schools use. Some of the schools have not updated their operating systems to the latest operating system. The department has learnt from that so that when it is rolled out to other schools next year they will go through systematically to the school making sure that they are prepared and ready for the rollout of the new system. This is a complicated business, with 96,000 staff, larger than the Australian Defence Force, to put the size of the department into some context. Estimates last week were very interesting, particularly that racist question from Walt Secord—

**Ms Linda Burney:** Point of order: My point of order is under Standing Order 73. If the Minister wants to make imputations he should do so by way of substantive motion.

**The SPEAKER:** Order! I have not discerned any imputations at this stage. The Minister has the call.

**Mr ADRIAN PICCOLI:** Walt Secord was indeed racist because the question was whether it was true that Malaysians and Indians had been employed to help with the rollout of the information technology system. I made the point in estimates of asking whether it would be okay if it were Americans and Italians, but I do take issue with pointing out two particular nationalities. It was a completely inappropriate question to ask and a little bit consistent—

**Ms Linda Burney:** Point of order: My point of order is under Standing Order 129. The question was about Killara High School and the fact that they are spending their own money.

**The SPEAKER:** Order! The Minister has answered the question. He remains relevant to the question.

**Mr ADRIAN PICCOLI:** The question was in relation to Learning Management and Business Reform [LMBR] during estimates. I am pointing out the recurring theme. The Leader of the Opposition has given notice of his priority motion trying to claim back some of this ground following the campaign that Labor ran on the long-term lease of the poles and wires against the Chinese—the union campaign against the free trade agreement that the member for Parramatta has given notice of and then a question in the upper House suggests that somehow there is an issue with Malaysians and Indians being involved in the rollout.

**Mr Ryan Park:** Point of order: My point of order is relevance under Standing Order 129. That is completely irrelevant and offensive. The question was not in any way racist and we will not sit here and tolerate that.

**The SPEAKER:** Order! The matter to which the Minister is referring is relevant to the question he was asked, which he has answered already.

**Mr ADRIAN PICCOLI:** The Department of Education and Communities seeks expert advice from the people who can give the best advice, irrespective of their nationality. If there is an issue with foreign organisations being involved, one says so; one does not identify nationalities.

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

**Mr ADRIAN PICCOLI:** Walt Secord is a liability for the Labor Party.

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

**Mr ADRIAN PICCOLI:** I point that out for the benefit of members opposite. His involvement in Cecil Hills High—that school was maligned by Walt Secord, who was Bob Carr's press adviser at the time—shows there is a recurring theme here. That person in the other place is a liability to Labor.

**The SPEAKER:** Order! Members who have complained about not being able to hear the Minister should listen.

**Mr ADRIAN PICCOLI:** He is a liability for them. Questions like that are inappropriate. LMBR is an important reform and, as I have said many times before, there have been issues with it that the department has sought to resolve. It has been going for a long time, but it is absolutely inexcusable to bring race into a matter as important as LMBR.

**The SPEAKER:** Order! Members should listen to the answer to the question.

**SPORTS INFRASTRUCTURE**

**Dr GEOFF LEE:** My question is addressed to the Premier. How is the New South Wales Government delivering the world-class sporting venues that sporting teams and their families deserve?

**Mr MIKE BAIRD:** I congratulate the member on his great work in Parramatta and his support for a new stadium in Parramatta. He told me he wanted it to be called the Nathan Hindmarsh stadium. I also acknowledge Owen Finegan in the public gallery. Everyone here will remember that incredible try that he scored in the World Cup final. I happened to be there, amongst all my friends in the New Zealand touring group; in fact, I put on the record that my dear Kiwi friends were going for France. It is great to talk about sport in this State and to support the development of sport and stadiums in Sydney and across New South Wales. Even Her Majesty's loyal Opposition has supported this in some way, shape or form. Last Friday the sports Minister made this claim, and it is very true. He said that we have just announced the biggest investment in sport and major event infrastructure in New South Wales since the 2000 Sydney Olympics.

We know that under those opposite we waited for investment in sport. They got old and nothing happened but under this Government and this sports Minister it is happening, and we are delighted to be doing it—over \$1 billion extra in stadium work over the next 10 years, with \$600 million already reserved. This will deliver a new experience for this city, with 30,000 new seats at Parramatta Stadium, a new rectangular stadium at Moore Park, with up to 55,000 seats, a redevelopment of Stadium Australia—ANZ Stadium—which may well include a retractable roof, a new indoor arena for basketball, netball and tennis near the central business district and in the longer term a new outer Western Sydney sporting venue and the completion of the Sydney Cricket Ground upgrade. This was supported by many people. Indeed David Borger—we all remember David Borger—said—

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

**Mr MIKE BAIRD:** David Borger said:

This investment is so important. It allows Western Sydney to attract business and industry investment, which will boost economic activity and generate local jobs to support the region's growing population ...

The Government has listened to the community and should be congratulated ...

I thought that was a nice summation. We have seen all types of commentary, including, "the investment in the city's stadiums is exactly the game-changer we needed". That is a great thing this Government is delivering. I note the presence of the shadow Minister for Sport. In years to come political students will look at the case study on how to be a shadow Minister by the shadow Minister for Sport in this debate. It was spectacular. He was on the pulse. I will give him a little tip: "If you have nothing to say, don't say it." But that did not stop him. Out he went; he charged. He was huffing and puffing. I do not know what he was prosecuting, but he was doing it.

This fellow was on fire. I will give you some of his gems. He said, "There are some serious questions to be asked when it comes to stadium infrastructure"—he had been speaking to the member for Keira. "The codes need to know what's going to happen." He was everywhere. They have to know what is going to happen. Where? What? They are going to get new stadiums. He was brilliant. It was an absolute case study in brilliance. He then said, "There is no doubt we want sporting infrastructure. We want to attract the best events. What the people deserve to know is, they deserve to know." Brilliant stuff. He was out there—

**Mr Ryan Park:** Point of order—

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

**Mr Ryan Park:** It is Standing Order 129. I notice the Illawarra region and WIN Stadium have not had a mention.

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

**Mr MIKE BAIRD:** It was an absolute eye-opener.

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

**Mr MIKE BAIRD:** He was all over the radio saying nothing about nothing, absolutely adding nothing to the debate, huffing and puffing.

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

**Mr MIKE BAIRD:** When the sports Minister and I brought down the details and were proud to deliver this game-changing decade of investment in infrastructure, after all of his complaining, his concluding statement to the people of this State said this. Do you know what you said?

**Mr Guy Zangari:** You don't. You're answering your own question.

**Mr MIKE BAIRD:** "What has been brought forward is probably what needs to be done." There it is. That is an excellent effort. That was a spectacular effort. We thank the shadow Minister for keeping us honest in this debate. It was a spectacular effort. All students in the future will watch that unbelievable performance. The good news is we did not actually listen to the shadow Minister; we got on with the job of delivering what this city needs. We are very proud to be delivering the sporting infrastructure that will stand for a generation, providing the fans in Sydney, the fans across the State and indeed the country as they come to major events in this city. That is what the sports Minister and I have said.

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

**Mr MIKE BAIRD:** We look forward to working with the codes to ensure that we get the content that we deserve in this city for the next generation. As the codes come alongside us that is what we will deliver—great fan experience, great facilities, great events for Sydney and we will do it every day of the week.

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

**Mr MIKE BAIRD:** That is what we love doing, because the people of New South Wales deserve nothing less.

**LEARNING MANAGEMENT AND BUSINESS REFORM PROGRAM**

**Ms LINDA BURNEY:** I am just getting over the Jerry Seinfeld of New South Wales politics.

**The SPEAKER:** Order! Perhaps have a drink of water if you are just getting over it.

**Ms LINDA BURNEY:** My question is directed to the Treasurer.

**The SPEAKER:** Order! Members will come to order so that I can hear the member's question.

**Ms LINDA BURNEY:** My question is directed to the Treasurer. Given the Auditor-General has said of the Learning Management and Business Reform [LMBR] information and technology [IT] program that it "did not consistently meet time, cost and quality requirements", have Treasury officers expressed concerns to her about the seemingly endless cost and indeterminate length of the LMBR program in the Department of Education?

**Ms GLADYS BEREJIKLIAN:** I thank the member for her question. I inform the House that the member for Canterbury referred to an Auditor-General's report about concerns raised about the LMBR. I have an article in my folder that illustrates that the timing of that was in the first few months of 2011. It was in 2011 when the Auditor-General first raised concerns. The reason the Auditor-General first raised concerns in 2011 is that when we came to government the contract was five years old.

**Ms Linda Burney:** That's not right.

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

**Ms GLADYS BEREJIKLIAN:** The member for Canterbury says, "That's not right" but the Labor Party signed the LMBR contract in 2006.

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

**Ms GLADYS BEREJIKLIAN:** Peter Achterstraat, the Auditor-General in 2011, had a lot to say about that project on reflection of the five years under which the Labor Party managed that project. It wrecks of absolute hypocrisy that the Labor Party now first—

**Ms Linda Burney:** Point of order: It is under Standing Order 129. My question asked if any Treasury officials had raised concerns with the Treasurer in relation to the program.

**The SPEAKER:** Order! The Treasurer remains relevant to the question asked by the member for Canterbury. There is no point of order.

**Ms GLADYS BEREJIKLIAN:** I note that the member for Canterbury has conveniently excised the first part of her question, which is about the Auditor-General's report. I note the 2011 Auditor-General's report reflected on the first five years of the project that was administered by the Labor Party. Whether it is the Minister for Education, the Premier, me or any of us on this side of the House, we acknowledge that the project is challenging, and we have acknowledged that since day one.

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

**Ms GLADYS BEREJIKLIAN:** We acknowledged that from day one when this Government inherited the project. We also made sure and continue to make sure that we listen very closely to what the Auditor-General at the time had said reflecting on their five years. It is worth mentioning again that when you invest in a project of this nature, it is one thing to invest in the capital cost of the project but it is another thing to invest in the operational costs. That means that when you build a project, in this case build an IT system, you have to assume that once that is built, once it is rolled out and people start using it that a cost is associated with it. The Labor Party did not do that.

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

**Ms GLADYS BEREJIKLIAN:** Now those opposite stand up in this place, after five years of mismanaging this project, after not appropriating one single dollar in operational costs, and have the hide to ask me a question about an Auditor-General's report which initially reflected on their five years of managing the project.

**The SPEAKER:** Order! I call the member for Kogarah to order for the second time. He will come to order and cease shouting at the Treasurer.

**Ms GLADYS BEREJIKLIAN:** I am sure those of us on this side of the House are not surprised by this, because they have the same form with a whole bunch of other projects. Whether it was the Tcard, whether it was the famous solar bonus scheme, whether it was the CBD-Rozelle Metro—

**Mr Michael Daley:** Point of order: It is under Standing Order 129. The Treasurer was asked a simple question about briefings she has had from her officials. The Liberal-Nationals have been in government for 4½ years—take some responsibility.

**The SPEAKER:** Order! The Treasurer remains relevant to the question that she was asked. The member for Maroubra will resume his seat. There is no point of order.

**Ms GLADYS BEREJIKLIAN:** I do not think it is appropriate for those opposite to lecture us on project management. Let us not forget that during the time that Labor was in government and it was managing the LMBR project, the member for Maroubra was the finance Minister. Last time I looked, finance Ministers—

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

**Ms GLADYS BEREJIKLIAN:** The last time I looked finance Ministers had responsibility for procurement. What was his role in this project? But let me go back to the question. The Auditor-General did have something to say in 2011 and it was in large part overseeing the five years of the project.

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

**Ms GLADYS BEREJIKLIAN:** Secondly, if the Opposition cared about this project and schools it would have put money aside for actually operating the system.

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

### ARTS FUNDING

**Mr RAY WILLIAMS:** My question is addressed to the Deputy Premier, Minister for the Arts. How is the Government delivering record levels of investment in our arts and cultural institutions?

**Mr TROY GRANT:** I thank the member for Castle Hill for his question. He certainly is a wonderful Parliamentary Secretary for the Premier, and Minister for Western Sydney and he who understands the great value of arts not only across the whole State but particularly the emerging arts and cultural sector in that wonderful part of our State, Western Sydney. We all know that we have some of the world's best arts and cultural institutions right here in Sydney—right here in New South Wales. These institutions are the home to our creativity and passion. They are the home of our ideas, our dreams and our aspirations. Our curators, writers, artists and designers are leaders in their field, and we are enormously proud of them. We recognise their leadership. We have hosted some of the most famous contemporary artists in the world who have chosen New South Wales as a place to showcase their work, perform and be inspired in both Sydney and the bush.

The value of arts and cultural experiences to our community is difficult to define. It is difficult to put a dollar figure on an artwork that challenges perceptions and teaches, or a performance that inspires generations. Calculating the monetary value of everything means we could become, as Oscar Wilde famously said, a cynic who knows the price of everything and the value of nothing. I notice a few cynics on the other side of the Chamber. Arts and culture provide an opportunity for emotional and intellectual reflection, and are a testament to our nation's young and vibrant identity. New South Wales events such as the fantastic and revered Sydney Festival and the Sculpture by the Sea exhibition not only impress our visitors but also allow residents of our city to reflect on the beauty of our natural and built surrounds. Cultural institutions such as the Australian Museum teach us the value of our history.

The Powerhouse Museum teaches us the value of the applied sciences of engineering and design. We love to learn. At our popular free museums weekend we see the fascination on the faces of people young and old as they learn and contemplate. That is especially valuable to children, who are granted free entry into those two museums on that weekend. For those reasons, the Government is investing in our arts and cultural spaces with a record-breaking \$600 million infrastructure fund to help enrich the cultural institutions that in turn enrich our lives. I am pleased to announce that we have narrowed our search for the right site on which to build a new Powerhouse Museum in Parramatta. I congratulate the member for Parramatta on his advocacy. That new museum for applied arts and sciences will be close to our schools, homes and the geographic centre of our global city. The vibrant new cultural destination will be iconic and have all the ingredients for success.

**The SPEAKER:** Order! There are too many audible conversations between members across the table.

**Mr TROY GRANT:** The museum needs to be easy to access and visit. That is why in the budget we committed \$10 million over two years to create an entirely new museum in Parramatta as part of a cultural precinct, and \$20 million to further develop arts and cultural endeavours based in Western Sydney. I hear too often that families and educators who want to give children new cultural experiences find the destinations hard to reach. The Government's actions will put the Powerhouse firmly in the heart of Western Sydney. It will be closer and more connected than ever to our schools, young people, learners and visitors.

This morning our investment was on show when I was enormously proud to join the Premier at the Australian Museum to begin a new era of infrastructure with the opening of Crystal Hall and the wonderful Wild Planet exhibition. There is a new energy at the Australian Museum. I congratulate Australian Museum Trust Chairperson Catherine Livingstone, Chief Executive Officer Kim McKay and their team on the magnificent investment being made at the museum. I am confident that their investment, along with \$600 million of State Government support and our partnering with Federal and local government, the philanthropic community and corporate sponsors will herald a new dawn for arts and culture in New South Wales. It is exciting times in this space.

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

**Mr TROY GRANT:** Our cultural and heritage visitor spend in New South Wales is \$8.3 billion. That \$8.3 billion injection into our State's economy was achieved in 2013 and it is trending upwards. For the first time the New South Wales Government has a long-term strategy for the arts. The Cabinet-endorsed Create in NSW strategy gives us a 10-year vision for the future. It has been warmly embraced by the arts and cultural community. In recognition of that, and in the spirit of great learners and educators in our community, we have committed to an unprecedented investment in the arts. There is no denying that money spent on enriching our vibrant arts and cultural industry is money well spent.

**AMBULANCE SERVICE OF NSW**

**Mr GUY ZANGARI:** My question is directed to the Minister for Health. Why did a Murwillumbah footballer with a neck injury on 6 September wait 36 minutes for an ambulance at a Ballina sporting field during a Northern Rivers Regional Rugby League premiership game when an ambulance station was only one kilometre away from the ground?

**Mrs JILLIAN SKINNER:** I thank the member for the opportunity to update the House on the Ambulance Service of NSW. Calls received to 000 go through a triage process that determines the urgency of a patient's condition. All patients are responded to. The paramedics and emergency ambulances are sent out according to the urgency of a patient's condition, which means that a patient who is in a life-threatening condition will be responded to before others. I am advised that on 6 September a 000 call was received at 16:40 for a person injured at a rugby match at Kingsford Smith Park in Ballina. The patient was described as conscious and breathing. The call was correctly assessed as requiring an immediate ambulance response. The nearest paramedic crew was dispatched at 16:43, which was three minutes after the call was received. The ambulance arrived on the scene at 17:13.

**The SPEAKER:** Order! The member for Port Stephens is not asking the question. The Minister is answering the question.

**Mrs JILLIAN SKINNER:** The nearest ambulance responded within three minutes and arrived at the scene at 17:13. A doctor was at the scene treating the patient from shortly after the incident until the paramedics arrived. The patient was transported by ambulance to Lismore Base Hospital in a stable condition. I am pleased that the Ambulance Service responded exactly the way it was supposed to respond. The ambulance left within three minutes of receiving the call and was on the scene as quickly as possible. The ambulance transported the patient to Lismore Base Hospital in a stable condition. As I said, it was a perfect response on the part of the Ambulance Service.

**STATE INFRASTRUCTURE**

**Mr DAMIEN TUDEHOPE:** My question is addressed to the Minister for Transport and Infrastructure. How is the Government delivering new infrastructure to make this great State even greater?

**Mr ANDREW CONSTANCE:** What an amazing time it is in New South Wales. We are in the midst of milestone mania when it comes to mega projects. Across the State vital projects such as WestConnex, NorthConnex and rail projects are being undertaken. Last week I visited north-western Sydney with the Premier to look at the first section of the skytrain that is being completed. I can confirm that the tunnel boring machine named Elizabeth has been in the ground for 12 months. She and her colleagues have now drilled 20 kilometres of tunnels for the metro project. Also last week the Premier and I stopped by the International Convention Centre to see the progress being made on that \$1.3 billion project. It is all happening right across New South Wales.

It is not just in Sydney that we are getting on with it. In our second-largest city of Newcastle we will crack on and deliver some vital infrastructure projects. It is great to be able to confirm that we will introduce legislation into Parliament to remove the heavy rail line and build the light rail project for Newcastle. We will get on and build it, and revitalise the area. The people of Newcastle have been waiting long enough for that vital project. They want to put Labor's do-nothing legacy behind them. This is the game changer that the people of Newcastle have been after. I know that the member for Newcastle, or rather the "assistant member for Newcastle", was in the paper this morning there.

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

**Mr ANDREW CONSTANCE:** He was quoted in the *Newcastle Herald* this morning saying that he wanted legislation. I am only too happy to give it to him. "Crackers", we are going to crack on with this, my friend.

**The SPEAKER:** Order! Government members will come to order. I am finding it hard to hear the Minister.

**Mr ANDREW CONSTANCE:** I am looking forward to his bipartisan support to get on with building the light rail project for Newcastle. There have been some very strong words of support when it comes to the light rail project in Newcastle.

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

**Mr ANDREW CONSTANCE:** I love this gem in particular—

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

**Mr ANDREW CONSTANCE:** I love this gem in particular:

I think the fact that the government has committed to taking out the heavy rail is going to change the city and I think that's a very positive thing ...

She said that securing light rail for the city was "fantastic".

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

**Mr ANDREW CONSTANCE:** Guess who said that? The real member for Newcastle, Jodi McKay—

**The SPEAKER:** Order! Government members will come to order. Their behaviour is inappropriate.

**Mr ANDREW CONSTANCE:** I am looking forward to her support. I am looking forward to her joining with the Government to back in the light rail.

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

**Mr ANDREW CONSTANCE:** I have another gem to read out, and the member for Maitland will love this one. This one comes from Michael Costa, who said:

The hurdle in the revitalisation of Newcastle has always been the transport component. This plan fixes it, and Labor will lose all credibility if it opposes it in the Parliament.

So come on down and bring your trucks. Get in and back this vital legislation, which is going to deliver light rail in Newcastle. Of course, it gets even better.

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

**Mr ANDREW CONSTANCE:** I note that the "assistant member for Newcastle" has been busy on Twitter this morning, saying that Newcastle residents signed petitions and voted against the rail line removal. Some of the responses have included, "In my eyes you do not represent the majority of Newcastle." This is backed up by upper House member Penny Sharpe, who wrote a letter to the Fix Our City group.

**The SPEAKER:** Order! The member for Maitland will come to order. I remind the member for Londonderry that this is not a debate.

**Mr ANDREW CONSTANCE:** She said this: "93 per cent of respondents recognised the need for the Newcastle city centre to be rejuvenated; 71 per cent of respondents were supportive of a new transport interchange at Wickham station and the removal of the heavy rail line to Newcastle."

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

**Mr ANDREW CONSTANCE:** That has not come from a member of the Government; that has come from Penny Sharpe, who was the shadow transport Minister in the last Parliament.

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

**Mr ANDREW CONSTANCE:** There is going to be an interesting debate in this House. What is the "assistant member for Newcastle" going to do? What are his Labor colleagues going to do?

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

**The SPEAKER:** Order! Members will come to order. There have been too many interjections during the Minister's answer. I am inclined to stop the clock until the House comes to order.

**Mr ANDREW CONSTANCE:** The "assistant member for Newcastle" has to convince his colleagues, who are well known for opposing public transport projects, to get on board to deliver the Newcastle light rail project.

**Mr Guy Zangari:** Point of order: My point of order is under Standing Order 75. The Minister should refer to the member for Newcastle by his correct title.

**The SPEAKER:** Order! I remind the Minister to refer to members by their correct titles. I thank the member for Fairfield for his point of order. It is upheld.

**Mr ANDREW CONSTANCE:** I apologise to "Crackers" if I have offended him by calling him the "assistant member", but he needs to crack on and back this in. He need only go on to the *Newcastle Herald* website to see some of the responses from his community. When we announced this overnight, this was the kind of response we saw, "Christmas has arrived early; let the city grow and thrive." Another said, "In terms of the naysayers in Newcastle, how can they justify holding this wonderful place back; just go away." We are going to get on and build this, and that is why we are introducing legislation. We look forward to the support of those opposite to back Newcastle and to rejuvenate the second-largest city in this State. I urge "Crackers" to back the bill and I look forward to his support.

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

#### LAND AND WATER CONTAMINATION

**Ms KATE WASHINGTON:** My question is directed to the Minister for the Environment. When the Minister stated yesterday, "whether perfluorooctane sulfonate [PFOS] or perfluorooctanoic acid [PFOA] cause adverse health effects in humans is currently unknown," was the Minister aware that the US Environmental Protection Authority has reported an association between these chemicals—

**The SPEAKER:** Order! I will ask the member for Port Stephens to begin her question again so that I can hear her in silence. I warn Government members to refrain from interjecting. The member will be heard in silence. I call the member for Maroubra to order for the second time for instructing me to put members on calls to order.

**Ms KATE WASHINGTON:** When the Minister stated yesterday, "whether perfluorooctane sulfonate [PFOS] or perfluorooctanoic acid [PFOA] cause adverse health effects in humans is currently unknown," was the Minister aware that the US Environmental Protection Authority has reported an association between these chemicals and bladder cancer and thyroid disease?

**Mr MARK SPEAKMAN:** I thank the member for Port Stephens for that question again. It is instructive to compare the response of the New South Wales Government and our regime with a robust and independent NSW Environment Protection Authority [EPA] with the sort of responses to pollution incidents we saw under our predecessors.

**The SPEAKER:** Order! I suggest that the member for Port Stephens listen to the answer and cease interjecting. The member for Bankstown will come to order. The Leader of the Opposition will come to order.

**Mr MARK SPEAKMAN:** The response by this Government highlights the need for a robust and independent environmental regulator, which is what we have. In 2011 we moved promptly to re-establish the Environment Protection Authority as an independent environmental regular so that it could refocus on its core functions of managing waste, pollution and contamination.

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

**Mr MARK SPEAKMAN:** In Government Labor diminished the role and reduced the independence of the EPA. Indeed it removed the independence of the EPA by absorbing it into a super department—the Department of Environment and Conservation—in 2003. The EPA function was buried in a large department, underfunded and under-resourced.

**The SPEAKER:** Order! The member for Port Stephens will cease interjecting. The member for Bankstown will come to order.

**Mr Michael Daley:** Point of order: My point of order is under Standing Order 129. The member has asked the question twice, but I think the Minister has still misheard her. The question is: Was he aware of the adverse health effects?

**The SPEAKER:** Order! The Minister remains relevant. The Minister for the Environment has the call.

**Mr MARK SPEAKMAN:** We have taken decisive action by introducing changes to environment legislation to hold industry to account for its environmental performance. The legislation modernised the EPA to ensure the people of New South Wales have an environmental regulator that is responsive and flexible, with clear goals, functions and accountabilities.

**Ms Kate Washington:** Point of order: My point of order is under Standing Order 129. The Minister is giving us a lecture about the EPA, but he is not talking about what is actually happening now.

**The SPEAKER:** Order! There is no point of order. The Minister remains relevant—that is my ruling. There is no point of order.

**Mr MARK SPEAKMAN:** Those reforms have included: requiring industry to notify of pollution incidents immediately and a doubling of the fines for failing to do so; and expanding "community right to know" provisions, including requirements on industry to have pollution incident management plans, to report incidents to their residential and commercial neighbours, and to make monitoring results publicly available. We have introduced the toughest regulatory powers and the highest on-the-spot penalties in Australia. When those opposite were last in Government there were 76 major pollution incidents. Yet they ran down the EPA and diminished its core strength as an independent and robust authority.

**Ms Linda Burney:** Point of order: With respect, the Minister has gone nowhere near answering the question. My point of order is relevance under Standing Order 129.

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

**Mr MARK SPEAKMAN:** This Government has made a proportionate and measured response to what I am advised is a low-level contamination incident in Port Stephens, and it has been a prompt response. We have appointed the Chief Scientist to project manage an appropriate response to this. We have engaged all relevant State Government agencies. An expert panel chaired by Professor Mary O'Kane will be established. Its members will include animal, environmental and clinical toxicologists, a hydrologist, an Office of Environment and Heritage-Environment Protection Authority [EPA] science expert in laboratory protocols and a representative from the EPA contaminated sites division. Representatives from Food Standards Australia New Zealand, the Fisheries and Water sections of the Department of Primary Industries, NSW Health and the NSW Food Authority will also be on the panel. The expert panel will work with New South Wales agencies to guide the scope of the project in further testing of the risks associated with the contamination and will assess advice received from the Department of Defence.

The EPA will continue to work with the Department of Defence and other New South Wales government agencies to assess and confirm any potential risks of off-site contamination and to develop appropriate responses. The Government is committed to strong, independent environmental protection and to

preserving public health. The approach of the Government is measured and proportionate. It does not support the member for Port Stephens in unduly alarming the people of that area. The Government is satisfied with the work of the strong, independent Environment Protection Authority—an authority that the Opposition undermined. The Opposition abolished its independence; the Government has re-established it.

### HEALTH INFRASTRUCTURE

**Mr CHRIS PATTERSON:** My question is addressed to the Minister for Health. How is the Government delivering on its health infrastructure commitments across New South Wales?

**Mrs JILLIAN SKINNER:** I will confine my remarks to a couple of examples, one of which was the official opening of Campbelltown Hospital's new acute services building last Monday. It was the first major upgrade that the Government promised, the first to be completed and the first that it officially opened. It was a milestone of a milestone, as the Minister for Transport said. The \$134 million stage one redevelopment is a five-storey acute services building. It is a stunning building. One can see it from anywhere in Campbelltown because it sits high on a hill. It has 90 new inpatient beds, with the capacity for an additional 30 beds. Labor promised to upgrade the hospital but never delivered.

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

**Mrs JILLIAN SKINNER:** The new building has an expanded pathology laboratory and a collocated and expanded ambulatory care and outpatient floor. The redevelopment has delivered 18 new emergency places and three new birthing suites. On Monday we were joined by the Vice-Chancellor of the University of Western Sydney and the Dean of Medicine to look at the location of the new clinical school that will be built there. My friends in Campbelltown lobbied me for the new clinical school when I was in opposition. To this point the university has been required to provide clinical instruction in less than perfect conditions. The Government will share the cost of the facility with the university. It will include a clinical skills laboratory, a simulation laboratory, 16 clinical rooms, 10 shared rooms for research and academic appointments, a hospital library and a Centre for Education and Workforce Development. It will be a brilliant facility.

Stage two of the redevelopment of Campbelltown Hospital is funded from Rebuilding NSW. An amount of \$300 million has been set aside from that fund for stage two, which will include a new emergency department, more operating theatres, an expanded intensive care unit and enhanced paediatric services. It was fantastic to be on site with the member for Camden. I thank him for his ongoing support for the development of the building. Members may be interested to know that Campbelltown Hospital is performing well, despite increasing demand. For example, from April to June this year, 66 per cent of patients left the emergency department within four hours of being treated. In 2011 the number was 49 per cent.

**Mr Greg Warren:** It is 29 per cent.

**Mrs JILLIAN SKINNER:** When your Government was in office it was 49 per cent. Our target is 81 per cent.

**The SPEAKER:** Order! The member for Campbelltown will cease interjecting and come to order.

**Mrs JILLIAN SKINNER:** Last Saturday I was joined by the member for Hornsby and the member for Ku-ring-gai to open stage one of the redevelopment of Hornsby Hospital. Members will remember hearing stories about possums in that building and about fire blankets having to be installed in the operating theatres because they were not compliant with fire prevention laws. Patients had to wait in corridors. Borers attacked the walls and foundations. Despite the best efforts of the wonderful nurses, doctors and maintenance staff, the hospital desperately needed upgrading. I was pleased to open the \$120 million Surgery, Theatres, Anaesthetics and Recovery [STAR] building. The redevelopment includes a 328-bed in-patient unit, an acute assessment unit, eight new state-of-the-art operating theatres and recovery facilities with three graduated areas accommodating up to 50 patients.

Stage two of the Hornsby Hospital redevelopment has already been announced. The \$200 million project will prioritise inpatient beds, an upgraded intensive care unit, paediatric facilities, ambulatory care services and an enhanced emergency department. The staff at Hornsby Hospital are thrilled. The community is thrilled. Health Infrastructure has done a brilliant job with that hospital. I urge people who live in the area to go and look at it. It is beautiful. Great care has been taken in the public spaces. There is wonderful artwork.

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

**Mrs JILLIAN SKINNER:** The artwork in the hospital is fabulous. It is important to acknowledge the importance of art as therapy in health. Members opposite who scoff are on the wrong track. Hornsby Hospital has done exceptionally well in emergency department turnaround times. In 2011, from April to June, 52 per cent of patients left the emergency department within four hours of treatment. That was when Labor was in government. In 2015 the figure was 75 per cent. Well done to everybody associated with Hornsby Hospital. It is a marvellous hospital. It was wonderful to see Judy Hopwood there on Saturday and to acknowledge her contribution to ensuring the upgrade of the hospital.

**NORTHERN RIVERS COAL SEAM GAS**

**Ms TAMARA SMITH:** My question is directed to the Minister for Industry, Resources and Energy. Given the overwhelming level of community opposition to coal seam gas, will the Government act to ban this industry in the Northern Rivers region?

**Mr ANTHONY ROBERTS:** I thank the member for Ballina for her interest in this matter. I was concerned to note that in the Chamber yesterday the member stated:

It is clear that the Government's NSW Gas Plan is a failure. The licence buyback scheme has been bungled.

I remind the member that under the Gas Plan the footprint of coal seam gas in this State has been reduced from more than 60 per cent to 8 per cent. The Government has successfully bought back 16 petroleum exploration licences across the State. I remind the member that the petroleum exploration licence buyback is just one of 17 actions outlined in the comprehensive NSW Gas Plan. From accepting all the recommendations of the independent NSW Chief Scientist and Engineer to removing petroleum titles from national parks and supporting households and businesses to use gas more efficiently, the Government is putting in place a clear, strategic framework to deliver world's best practice regulation of the gas industry, securing vital gas supplies for the State.

The NSW Gas Plan should have been in place 15 years ago, when the industry was getting off the ground. What is upsetting about this debate is the unfair and blatantly untrue statements that are hurled around by opponents of the Government. They in no way provide clear, scientific facts for communities across New South Wales. Also upsetting are the constant false negative reflections that are made on members representing the electorates of Lismore, Clarence and Tweed. The rollout of coal seam gas licences in their electorates was not of their making; they are not to blame. No-one from The Greens made any noise about the matter when licences were issued by the then Labor Government. Indeed, I note the comment from Dr John Kaye from The Greens in 2009 that "the potential for local gas generation should be factored into any planning for the far North Coast energy strategy".

**The SPEAKER:** Order! There is too much audible conversation coming from Government members. They will cease shouting.

**Mr ANTHONY ROBERTS:** How times have changed, as has Dr Kaye's position. I can inform the House that, under this Government, three licences have been cancelled on the Northern Rivers. We have also reduced the size of licences, such as PEL 445, to such an extent that the electorate of Ballina is effectively now coal seam gas free. As recently as last week this Government successfully bought back and cancelled PEL 457 issued by former Minister Macdonald—

**Mrs Melinda Pavey:** Who?

**Mr ANTHONY ROBERTS:** Minister Macdonald—covering 75,000 hectares of the State. All these buy-backs, this claw-back and this taking control was done with the urging of local Nationals members of Parliament who understand the Gas Plan and see that it is working. What is upsetting is the highly irresponsible position that has been taken by Labor on the issue. The last election was the first time people in the Northern Rivers had ever seen a leader of the Labor Party. The Labor Party promised the people of the Northern Rivers that it would cancel licences in the area without compensation. I knew at that moment that it must have given up on becoming a responsible government, because even the Labor Party surely would realise that a government cannot walk away from commitments made in good faith without dealing with those who have been negatively affected.

The people of the Northern Rivers saw straight through Labor's fickle promises and voted accordingly. Whatever one's thoughts on this industry may be, companies such as Metgasco have invested after the government of the day issued them with licences. Should extreme action such as cancelling these licences without compensation be taken there would be severe sovereign risk issues for this State. In fact, we may see significant amounts of investment simply leave the State. There may also be questions about the legality of such actions without just cause and subsequent actions.

The Government has been negotiating and continues to negotiate with the titleholders in the Northern Rivers. I note that Metgasco has publicly stated that it wishes to continue in good-faith negotiation with the Government, and that will occur. This is a significant and complex issue and I thank the member for Lismore, the member for Clarence and the member for Tweed for the significant work they have done on behalf of their communities. This Government remains committed to putting in place the NSW Gas Plan and delivering the regulation of the gas industry the people of New South Wales deserve.

### EDUCATION INFRASTRUCTURE

**Mr BRUCE NOTLEY-SMITH:** My question is addressed to the Minister for Education. How is the New South Wales Government delivering new and improved education infrastructure across New South Wales?

**Mr ADRIAN PICCOLI:** In one word the answer to that question is "fantastically". Construction is going on right across this State in education, adding to the capital works that are being undertaken in rail lines and road projects—in the north west, the south west and in the eastern suburbs. In pretty much every electorate in this State one can see capital works being undertaken in schools. There has been an upgrade of Artarmon Public School in the great electorate of Willoughby—it is always good for a Minister to be on the right side of the Treasurer. Bella Vista Public School in the electorate of Seven Hills—

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

**Mr ADRIAN PICCOLI:** —there we were prior to the election making a great announcement to cater for the growth in that north-west region of Sydney. Cherrybrook Technology High School—one of the largest high schools in the State with quite a few demountable classrooms—has had a multimillion-dollar investment. One of the things that I am proudest of, and I know the Deputy Premier is also, is the new school for specific purposes [SSP] in Dubbo; a big regional centre, one of the biggest in the State, did not have its own school for children with disabilities. The Deputy Premier has been advocating for an SSP ever since he was elected to this Parliament in 2011. Jane Diffey, who has a child with a disability, has been a very strong advocate for the school and I know it was a very proud moment for the Deputy Premier and for me to be there that day to announce that the Liberal-Nationals Government was going to build a special needs school in Dubbo.

Homebush West Public School in the electorate of Strathfield will receive a \$15 million upgrade to accommodate a growth in enrolments in the inner west and new primary schools will be built at Narellan and on the old Kings School site in Parramatta, as well as a new high school in Parramatta. The member for Strathfield is whingeing and whining. If she is going to whinge and whine she should at least know what she is talking about. How ungrateful can the member for Strathfield be? She is whingeing and whining.

**Ms Jodi McKay:** Point of order—

**The SPEAKER:** Order! I believe it was the member for Maitland who interjected, not the member for Strathfield. Is that the member's point of order?

**Mr ADRIAN PICCOLI:** I apologise.

**Ms Jodi McKay:** Can I have that again? You what?

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

**Mr ADRIAN PICCOLI:** We on this side of Parliament really like the member for Strathfield; the member for Maitland, not so much. Members have to be credible advocates for their electorates; they cannot just sit in this place and whinge and whine.

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

**Mr ADRIAN PICCOLI:** I will run through a few projects the Government is undertaking in the electorate of Maitland. The Government is investing \$15 million to upgrade Rutherford High School—something the former Labor Government did not do—and \$3 million to virtually rebuild the Hunter River School, which is another school for children with disabilities. That is a big tick for this Government and something that the former Labor Government never did. In fact, we used Building the Education Revolution money—the same money that the former Labor Government squandered—to rebuild a school in the Maitland electorate with the \$100 million that we had left.

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

**Mr ADRIAN PICCOLI:** Mulwarra Public School has also had a major upgrade. This Government has a very proud record in Maitland.

**The SPEAKER:** Order! I warn the member for Maitland that she is on three calls to order. She will cease interjecting.

**Mr ADRIAN PICCOLI:** I expect more thanks, not criticism. This morning I was in the Coogee electorate with the member for Coogee at Coogee South Public School. Great work is being done at that school by the teachers teaching phonics. The member for Coogee and I both had a go at teaching phonics—it is a good thing we are members of Parliament and not school teachers. Upgrades are taking place at Rainbow Street Public School and Randwick Public School to accommodate the big growth in enrolments in primary schools across the eastern suburbs, and that is not to mention the \$70 million we spent on the North Shore. There is much more to come. Because of the way we have managed the economy in New South Wales—it is the strongest economy in the country—we can deliver these capital works projects across schools.

**Question time concluded at 3.27 p.m.**

#### COMMITTEE ON ENVIRONMENT AND PLANNING

##### Inquiry

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

**Mr GLENN BROOKES:** Pursuant to Standing Order 299 (1), I inform the House—

*[Interruption]*

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

**Mr GLENN BROOKES:** I inform the House—

**The SPEAKER:** Order! All members who are on calls to order are deemed to be on three calls to order. Members who are directed to leave the Chamber will be removed for the remainder of the day.

**Mr GLENN BROOKES:** Pursuant to Standing Order 299 (1), I inform the House that the Legislative Assembly Committee on Environment and Planning has resolved to conduct an inquiry into the adequacy of—

**Mr Luke Foley:** Paedophiles

**Mr GLENN BROOKES:** Have you got a problem? What is your problem? Come out here and sort the problem out here.

**The SPEAKER:** Order! Members who make interjections of that nature will be removed from the Chamber for the remainder of the day. Opposition members will come to order. I direct the Deputy Serjeant-at-Arms to remove the member for Maroubra. He will remove himself from the Chamber for the remainder of the day.

*[Pursuant to standing order the member for Maroubra left the Chamber, accompanied by the Deputy Serjeant-at-Arms.]*

**The SPEAKER:** Order! The member for East Hills is reporting on matters to do with a committee and interjections of that nature are unacceptable. Members who continue to interject will be removed from the Chamber for the remainder of the day.

**Mr GLENN BROOKES:** I will start again, Madam Speaker.

**The SPEAKER:** The member may start again, but there is no need to do so. The behaviour of Opposition members is unacceptable.

**Mr GLENN BROOKES:** The Legislative Committee on Environment and Planning has resolved to conduct an inquiry into the adequacy of the regulation of short-term holiday letting in New South Wales, the full details of which are available on the committee's home page.

### **BIOSECURITY BILL 2015**

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

**Second reading set down as an order of the day for a later hour.**

### **PETITIONS**

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

#### **Oxford Street Traffic Arrangements**

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

#### **Inner-city Social Housing**

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

#### **Same-sex Marriage**

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

#### **Pet Shops**

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

#### **Plastic Bags Ban**

Petition calling on the Government to introduce legislation to ban single-use lightweight plastic bags at retail points of sale in New South Wales to reduce waste and environmental degradation, received from **Mr Alex Greenwich**.

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

#### **Nursing Homes**

Petition requesting the Government to retain the legislative requirement of having a registered nurse on duty at all times and the appointment of a director of nursing to provide quality care in all nursing homes in New South Wales, received from **Mr Geoff Provest**.

**The Clerk announced that the following Ministers had lodged responses to petitions signed by more than 500 persons:**

The Hon. Brad Hazzard—Women's Community Shelter, Forster Tuncurry—lodged 4 August 2015 (Mr Stephen Bromhead).

The Hon. Niall Blair—Animal Breeding Facilities in New South Wales—lodged 4 August 2015 (Mr Adam Marshall).

**BUSINESS OF THE HOUSE****Reordering of General Business**

**Mr ALEX GREENWICH** (Sydney) [3.31 p.m.]: I move:

That General Business Notice of Motion No. 383, standing in my name, have precedence on Thursday 10 September 2015.

My motion builds on the comments made by the Premier and Leader of the Opposition to send a strong message of welcome to refugees fleeing the heartbreaking war and devastation that continues in Syria. I know from speaking to many colleagues and constituents that the people of New South Wales are willing and able to welcome those displaced by the global refugee humanitarian crisis. My motion will allow this Parliament to help light the dark, reflect the generosity and compassion of our State, and make it very clear that those fleeing war and devastation are warmly welcome in New South Wales.

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

**Motion agreed to.**

**The SPEAKER:** Order! Members will come to order. Those who continue to interject will be removed from the Chamber. The Leader of the Opposition will resume his seat.

**ADDRESS TO HER MAJESTY QUEEN ELIZABETH II**

**Mr MIKE BAIRD** (Manly—Premier, and Minister for Western Sydney) [3.32 p.m.]: I move:

That this House agrees to the following Address to Her Majesty The Queen conveying the congratulations of the Parliament to Her Majesty on this day becoming the longest-serving monarch of the United Kingdom and Australia, and authorises the Speaker to sign such Address, on behalf of the Legislative Assembly, in conjunction with the President of the Legislative Council on behalf of the Legislative Council:

"To Her Majesty Elizabeth The Second, Queen of Australia.

May it please Your Majesty—

We, the Members of the Legislative Assembly of New South Wales, in Parliament assembled, desire to offer to Your Majesty our sincere congratulations on this day becoming the longest-serving monarch of the United Kingdom and Australia. We assure Your Majesty of our loyalty and extend to you and His Royal Highness the Prince Philip, Duke of Edinburgh our good wishes for continued health and wellbeing.

God Save the Queen!"

**The SPEAKER:** Order! The member for Strathfield will come to order. Members will come to order. Those who continue to interject will be removed from the Chamber.

**Mr MIKE BAIRD:** Today Queen Elizabeth II passes the remarkable milestone of becoming Britain's longest-serving monarch. Having led this great State for a bit over a year, I find the idea of leading a monarchy for more than 63 years simply exhausting! Indeed she has reigned over a total of 17 Premiers of New South Wales thus far.

**The SPEAKER:** Order! The member for Cabramatta will refrain from making disrespectful interjections.

**Mr MIKE BAIRD:** But Queen Elizabeth has not merely led with longevity; she has led with grace. Indeed, this grace ensures that—although the monarchy remains a topic of debate here in Australia—the Queen continues to hold the deepest respect of people right across this nation; because real leadership is not shown in title or position; it is shown in character. And Queen Elizabeth's character has shone brightly throughout her life. When the then Princess Elizabeth was just 19 years old, she volunteered to join the war effort in World War II, seeking to make her own contribution by training as a driver. After the war, as Britain was going through a time of great austerity, the Queen used ration coupons to buy the material for her own wedding dress.

As we have seen consistently throughout the 63 years of her reign, the Queen has been an exemplar of public service. The sheer length of her reign is hard to fathom. But today we not only acknowledge her lifetime

of service, but the remarkable change in our times during her tenure. The Queen went from being the first monarch to have the coronation ceremony broadcast on television to now dealing with a 24-hour news cycle; indeed, she is even on Facebook. And whatever our personal views may be on the monarchy or a republic, it is fair to say the Queen successfully adjusted to those changes and has never put a foot wrong. Most of us are afforded privacy to deal with personal pain or tragedy.

But during Queen Elizabeth's own times of grief—be it the passing of her mother, sister or daughter-in-law Princess Diana—the world's eyes have been upon her. Yet, through it all, she has shown her true character and a commitment and dedication to those who recognise her as Queen. Queen Elizabeth is the only reigning monarch to have ever visited Australia and seems to have had the same response as most; once you come to the best country in the world you either want to stay or keep coming back. Queen Elizabeth first visited in 1954, and has made a total of 16 trips to Australia—and has been warmly received on every occasion. We hope there are more visits to come. In 1947, at the age of just 21, the then future Queen said:

I declare before you all that my whole life, whether it be long or short, shall be devoted to your service and the service of our great imperial family to which we all belong.

And so today we pay tribute to Queen Elizabeth and thank her for her devotion and a lifetime of service. We offer our sincere congratulations on this very significant milestone.

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

**Mr LUKE FOLEY** (Auburn—Leader of the Opposition) [3.36 p.m.]: I second the motion. Today Queen Elizabeth surpasses her great-great-grandmother, Victoria, to become Britain's longest reigning monarch. In 1952, when her reign began, Winston Churchill was the United Kingdom's Prime Minister, Stalin led the Soviet Union, and Robert Menzies was Australia's Prime Minister.

**The SPEAKER:** Order! Members will come to order. I have asked for silence during this debate, as is appropriate. The member for Balmain will come to order.

**Mr LUKE FOLEY:** In 1952, John Joseph Cahill was in the first year of his New South Wales Premiership. Cahill's great vision was the construction of a Sydney Opera House. And in 1973, Queen Elizabeth opened what Cahill had started in the early 1950s. That, of course, was not Queen Elizabeth's visit to our State. She visited the New South Wales Parliament in 1954 and again in 1994, when she described this place as "the Mother Parliament of Australia". In 1947, before much was known publicly about the future monarch, William Harris wrote the following in the *Atlantic Monthly*:

A constitutional sovereign's office is no sinecure. There are always State papers to master. Decisions of great moment may be called for. Resignations of Ministries have to be accepted, involving an invitation to someone, not always plainly indicated by circumstance, to form a new Cabinet ... These are not contingencies for which a girl of seventeen calls or ought to be specifically prepared. It is enough that she should acquire a working knowledge of history and constitutional practice of her country, and that her character should develop a quiet strength that can be drawn on as need arises.

In more than six decades of service Queen Elizabeth has demonstrated what Harris described as that "quiet strength". Her Majesty has born witness to immense change. She has watched an empire become a Commonwealth. She has watched societies' expectations change and, with them, the expectations of her office. Over the decades the Royal family has adapted to change. It would have been impossible in 1952 to imagine that the Head of the Commonwealth would one day jump from a plane with James Bond to open the 2012 London Olympics. The longevity and the continuity of Queen Elizabeth's reign has necessitated adaptation and change.

The Queen's rule has not always been easy. In 1997 tragedy struck with the death of the people's princess. The encouragement of Labor Prime Minister Blair ensured the Queen's public statement matched the public's grief. We should remember, as Martin Amis put it, that she is a servant as well as a potentate. My parliamentary Labor colleagues have insisted that I also pay tribute to Prince Philip. My admiration for his Highness Prince Philip is second only to Tony Abbott's. I am reminded of Tony Blair's memoirs where he writes of a reception at Buckingham Palace.

**Mr Andrew Constance:** Point of order: Most members in the House would agree with a bit of light-hearted humour from time to time but this is an important motion, regardless of people's views. I ask that the comment about the Prime Minister and head of state be withdrawn.

**The SPEAKER:** Order! Will the Leader of the Opposition withdraw?

**Mr LUKE FOLEY:** If it assists the House I will withdraw it. I am reminded of Tony Blair's memoirs. He writes of a reception at Buckingham Palace following the 1997 election of his Labour Government. He said that it was all going well until Prince Philip wandered over to a group of Labour MPs and asked Joan Walley, whom he described as a—and I use Blair's words—"very sincere leftish feminist Labour MP, and asked, 'Who do you represent?' She said, "Your Majesty, I'm the member for Stoke-on-Trent." Prince Phillip said, "Ghastly place, isn't it?" Prince Philip has, of course—

[*Interruption*]

**The SPEAKER:** Order! Members will come to order. The Leader of the Opposition has the call. That alarm was divine retribution.

**Mr LUKE FOLEY:** After that, I must assure His Royal Highness that I lead Her Majesty's loyal Opposition. Prince Philip has of course brought his own unique style and attributes to the role of Royal consort over more than six decades and we thank him for his service. We celebrate Queen Elizabeth's historic achievement. I record also Labor's commitment to an Australian republic. It is possible to have great respect and admiration for Her Majesty and also support a change in the relationship with this institution. That is only honest. I again register Labor's support for this motion. Queen Elizabeth has reigned for longer than any monarch. We thank her for her dedication, for her dignity and for her years of service to the people of New South Wales.

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

## CONSIDERATION OF MOTIONS TO BE ACCORDED PRIORITY

### China-Australia Free Trade Agreement

**Dr GEOFF LEE** (Parramatta—Parliamentary Secretary) [3.44 p.m.]: This motion deserves priority because it is just not about the jobs growth in New South Wales that the China-Australia Free Trade Agreement will deliver; it is about the future of New South Wales industry, the future of Australia, about delivering to the people of New South Wales, providing jobs and growth for industry, and Australia and New South Wales in particular taking their place as a vibrant and important part of the South Asian community. We know that the Opposition is echoing union calls to oppose the free trade agreement and we are shocked at that.

We ask the Leader of the Opposition to convince his Federal colleagues to support the free trade agreement. The free trade agreement with China is a fantastic, once-in-a-generation opportunity. It is about the globalisation and growth of the Chinese market. Anyone who has visited China would have seen the growth and development of the middle-class market and its spending power. Australia and especially New South Wales should be given an opportunity to tap into those economic benefits. The China-Australia Free Trade Agreement gives us greater access to these Chinese markets. With more than a billion people in China we now have that once-in-a-generation opportunity, which means more jobs, more income and great business opportunities for the people of New South Wales.

Unlike the Opposition, the Government welcomes Chinese investment. Last week I attended the topping off ceremony at the Starryland development owned by Chinese investors. They are providing valuable homes to Parramatta, with the first tranche involving 300 homes. My motion deserves priority because China is a welcome investor in Australia, in New South Wales and in Parramatta. From day one when implemented, some 85 per cent of Australian goods will be tariff free. When our agricultural products, professional services, educational services and a range of other different products are exported to China, 85 per cent of Australian goods will be tariff-free and on full implementation that figure will rise to 95 per cent. This motion deserves priority because it is all about business, it is about growing jobs, it is about industry in New South Wales and allowing us opportunities to market to the largest international market in the world at the moment, which is China. We welcome China's investment. This motion deserves priority because it simply makes sense.

### Foreign Investment

**Mr LUKE FOLEY** (Auburn—Leader of the Opposition) [3.47 p.m.]: It will come as a great disappointment to the Government that Labor has no quarrel with the motion in the name of the member for Parramatta.

**Mr Gareth Ward:** But you are going to vote against it anyway.

**Mr LUKE FOLEY:** No, we will vote for it, if and when it is debated. However, the motion in my name should be accorded priority because it points out the rank hypocrisy of the Premier and several Ministers in their comments in recent months about Chinese investment. Where were the Premier and his Ministers when The Nationals conference in New South Wales at Cessnock in June carried a resolution to oppose the sale of Kidman and Co. to a foreign State-owned enterprise? Was the Deputy Premier there? Was the Deputy Leader of The Nationals, who today lightly throws around smears of racism, there? Did they come to the microphone to denounce Barnaby Joyce? No, they did not. They supported the resolution that seeks to oppose foreign investment, particularly State-owned foreign investment, in agriculture in this country. That motion was passed resoundingly.

The Federal Minister for Agriculture, Barnaby Joyce said, "I just don't want to see agricultural land owned by foreign governments." Where were the Premier and his senior Ministers when Joe Hockey launched a crackdown on Chinese investment in property in this State? Where were they when Joe Hockey led a major media campaign against Chinese homebuyers by deploying 60 investigators to check on foreign home purchases and announced an initial 195 cases were being investigated? Where were the Premier and his senior Ministers when Mr Hockey forced Chinese billionaire Xu Jiayin to sell his \$39 million mansion?

Where were they when the Abbott Government dropped the Foreign Investment Review Board [FIRB] threshold for investing in food processing from \$252 million to \$55 million? The Australian Food and Grocery Council warned that those rules risked sending investment in the food processing and manufacturing sector overseas. Where were the Premier and his senior Ministers when the Abbott Government introduced a lower screening threshold for foreign investment in agricultural land? That will mean that foreign investors will face more bureaucratic hurdles and red tape. Where were the Premier and his Ministers? They are directing their selective commentary at and making base allegations against the party that opened up this country's relations with China. We have never copped it from the Coalition and we never will.

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

*[Pursuant to sessional order the member for Kogarah left the Chamber at 3.50 p.m.]*

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

**The House divided.**

**Ayes, 48**

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

**Noes, 30**

Ms Aitchison	Mr Foley	Mr Piper
Mr Atalla	Mr Harris	Mr Robertson
Mr Barr	Ms Harrison	Ms K. Smith
Ms Burney	Ms Haylen	Ms Washington
Ms Car	Mr Hoenig	Ms Watson
Ms Catley	Mr Kamper	Mr Zangari
Mr Chanthivong	Mr Lynch	
Mr Crakanthorp	Ms McKay	
Mr Dib	Mr Mehan	<i>Tellers,</i>
Ms Doyle	Ms Mihailuk	Mr Lalich
Ms Finn	Mr Park	Mr Warren

**Pairs**

Mr Grant	Ms Hay
Mr Roberts	Ms Hornery
Mr Toole	Dr McDermott

**Question resolved in the affirmative.****CHINA-AUSTRALIA FREE TRADE AGREEMENT****Motion Accorded Priority**

**Dr GEOFF LEE** (Parramatta—Parliamentary Secretary) [3.58 p.m.]: I move:

That this House:

- (1) Fully supports the China-Australia Free Trade Agreement in its negotiated form as signed by the Federal Minister for Trade and Investment, Andrew Robb, and the Chinese Commerce Minister, Mr Gao Hucheng.
- (2) Notes that the free trade agreement will unlock significant opportunities for New South Wales business and New South Wales based industries.
- (3) Welcomes the comments on the free trade agreement by former Prime Minister Bob Hawke who said: "the Labor Party and the union movement must not go backwards on this issue. Talk of opposing it is just absolutely against Australia's best interests."
- (4) Calls on the Federal Parliament to pass the China-Australia Free Trade Agreement this year to ensure the benefits flow to New South Wales businesses as soon as possible.

This important and timely motion calls on members opposite to tell their Federal colleagues to support the China-Australia Free Trade Agreement [ChAFTA], which aims to increase the free flow of trade and to develop stronger ties between our communities. We know that markets are becoming increasingly globalised and that the Australian economy is reliant on its trading partners. We have no bigger trading partner than China. In 2014, something like \$30 billion worth of bilateral trade took place between China and New South Wales. As I said, it is our largest trading partner. The ChAFTA reduces tariffs for Australian and New South Wales products entering China. It also encourages Chinese investment, which we all want.

Earlier I mentioned the opportunities for property investment in my electorate of Parramatta that will deliver high-quality housing and build high-quality communities. The agreement encourages gross domestic product growth across our nation as we gain access to the increasing Chinese middle-class market. It also fosters competition because we will be able to import new products and new intellectual property and increase competition. The agreement is about increasing the competitiveness of our exports through the free flow of goods and a reduction in tariffs. A by-product will be to foster relations and to build an agenda behind the scenes for domestic reform and trade liberalisation with our friends in China, which is important.

In 2013, the China-Australia trading relationship was characterised by \$101 billion in exports to China from Australia and \$49 billion in imports. That deficit shows that we are doing quite well out of it. The agreement is important to a range of industries. I know the member for Oatley will support the motion because

he is a wise and sensible parliamentarian. We are very proud of him. No industries will benefit more from a free flow of goods and services than the agriculture and horticulture industries. The agriculture industry will be a winner and the agreement will capitalise on Australia's image as a producer of clean and green premium products. The sugar, meat, wool and leather industries will also be big winners. It is important to support our rural colleagues and the industries in their areas.

**Ms Katrina Hodgkinson:** Hear, hear!

**Dr GEOFF LEE:** I thank the member for her interjection. She is a great supporter of rural industries and of increasing trade with China. People in rural and remote New South Wales rely upon export revenue to build sustainable businesses, to raise a family and to keep their communities together. The agreement will benefit the agribusiness, agriculture and horticulture industries. The viticulture industry will also benefit from a decrease in tariffs and greater access to the world's most lucrative market. The agreement is also about increasing education, tourism, professional services and investment. This motion is very important because it asks members opposite to tell their Federal colleagues to support the ChAFTA.

**Mr LUKE FOLEY** (Auburn—Leader of the Opposition) [4.03 p.m.]: This stunt has fallen flat. The Labor Opposition is happy to support the motion, and why would we not be? We are the party that opened this country's relations with China. It was Gough Whitlam who forged Australia's relations with China. It was Neville Wran's New South Wales Labor Government that opened our relations with China. I invite members to read the *Hansard* of Neville Wran's report on his visit to China in the first year of his premiership in 1977—the first visit made by any Premier of Australia. Members can then go on to read the comments made by the leader of the Liberal Party in 1979 in opposition to the Wran Labor Government's historic agreement with Guangdong province. In 1979 many people saw Guangdong as a backwater. Today it is responsible for one eighth of mainland China's gross domestic product.

On that relationship—as on so many other issues—Neville Wran was a visionary. John Mason, the then leader of the New South Wales Liberal Party, mocked Neville Wran's plan for New South Wales to export coal to China. That was the Liberal Party's position. Of course the New South Wales Labor Party supports a trade agreement. However, we make no apologies for saying it should be a high-quality agreement or that concerns about labour standards should be addressed. Of course we agree with Bob Hawke. In the 1980s he was opening this country up after the Tiananmen Square massacre while the political hero of members opposite was campaigning on a platform of slowing the rate of Asian migration to this country.

Yet members opposite have the hide to lecture our party on relations with China. It is an obscenity when members opposite lightly throw around accusations of racism. What are they doing about their party carrying resolutions condemning Chinese investment in Australian agriculture? Where were Troy Grant, Adrian Piccoli and the heroes of the Coalition who line up to call us racists when they were carrying that resolution at their conference? Members opposite reek of hypocrisy. The Labor Party in New South Wales will never, ever be lectured to by members opposite on relations with China. Their political hero, John Howard, sought the office of Prime Minister on a platform of slowing the pace of Asian immigration. As Prime Minister he refused to condemn the toxic racism of Pauline Hanson.

**Mr Alister Henskens:** Can you jump forward to your conduct in 2015?

**Mr LUKE FOLEY:** Let us talk about 2015. Where were the heroes opposite when Joe Hockey launched an investment regime that discriminated against Chinese property investors as opposed to property investors from the United States? What have they said? Not a syllable. Members opposite can bring on a debate about China every day: It is going really well for them.

**Mr MARK COURE** (Oatley) [4.08 p.m.]: I am glad the motion of the member for Parramatta has been accorded priority and that I have an opportunity to speak in support of it. The Australia-China Free Trade Agreement that the Federal Minister for Trade and Investment recently negotiated signals a new era in what is probably our most important international relationship. Free trade agreement negotiations were started by former Prime Minister John Howard—a true visionary for Australia. The agreement builds upon the fact that Australia and China have been trading partners for more than 40 years.

It will, in the words of the motion, "unlock significant opportunities for New South Wales businesses and NSW-based industries". Under this free trade agreement 95 per cent of tariffs on Australian exports to China will be abolished, and that is something we should prioritise. It is something that every member of this

place should be committed to—that is, boosting opportunities for New South Wales businesses. Increased trade under this agreement will lead to more jobs, more investment and higher living standards for the people of New South Wales. It will encourage growth of New South Wales businesses and make New South Wales number one again not only in jobs and the economy but also in exports—particularly primary industries exports—to the world's largest market.

Those of us on this side of the Chamber see these things as important, and that is why we support this motion today. Of course there are only some in the Labor Party who realise this. Only some in the Labor Party are genuinely concerned about the economic success of this country and Australian families. The problem is that none of them currently sits in the Federal Parliament. Bob Carr, Martin Ferguson and Daniel Andrews, the Premier of Victoria, all support the free trade agreement; but Federal Labor does not. If those opposite claim to support it, they should pick up their phones to call their Federal leader and tell him to support it. He needs to get out of the way and support it.

Most recently we heard from no less than Bob Hawke that the union movement and its political wing the Australian Labor Party would be going backwards if they oppose this. China is the largest international trading partner of New South Wales, with bilateral trade worth more than \$30 billion in 2013-14. This represents an increase of almost 50 per cent over five years. This House must support the China-Australia Free Trade Agreement and call upon the Federal Parliament to pass it as a matter of priority. At the end of the day, I say to Federal Labor that it should get out the way and not be a roadblock—it should support this important free trade agreement.

**Ms LINDA BURNEY** (Canterbury) [4.11 p.m.]: Hasn't this debate gone well for the Government? What a brilliant strategy this motion was. Those opposite claimed to have heard nothing from the Labor Party, particularly the Leader of the Labor Party. On that point, I take those opposite back to an article from 2 September 2015 in case they missed it. This is relevant to the "conspiracy of silence" those opposite talked about. In the *Australian* newspaper, and I think those opposite would know this newspaper, Luke Foley said:

Labor has led the way on engagement with China ... The next step is a free-trade agreement. Our future prosperity will rely on increased exports, particularly of non-mining goods and services.

It's right that the details of the agreement are being debated in Australia ... I hope that the federal government and opposition will reach agreement ...

How is that silence from this side of the House on the free trade agreement with China? The article comes from 2 September 2015. How is that silence? I do not think Bill Shorten is too worried about what Mike Baird is saying, quite frankly.

**Mr Mark Coure:** Why won't he take his phone call?

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

**Ms LINDA BURNEY:** Stop the clock, please.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! There will be no stopping of the clock. I ask the Deputy Leader of the Opposition to direct her comments through the Chair. The member for Oatley will cease interjecting. He has made his contribution.

**Ms LINDA BURNEY:** Through the Chair: How is it silence from this side of the House when in the *Australian* on 2 September the Leader of the Opposition made such a strong and clear statement? It is hardly secret. Let me pick up from where the Leader of the Opposition left off—through the Chair. How dare those opposite lecture us on racism? How dare they, given their own actions. Look at what Labor has done in terms of our relationship with China. I think back to what happened after the events at Tiananmen Square, which is something very relevant to this debate today.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! I ask the member for Canterbury to direct her comments through the Chair. I remind her that she is on three calls to order.

**Ms LINDA BURNEY:** Bob Hawke's Labor Government took in 20,000 refugees after the events at Tiananmen Square and granted 42,000 people from China permanent resident status. How is that racist? What about John Howard sailing on the political coat tails of Pauline Hanson, through you, Mr Chair? Tell me about that.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! The member for Canterbury will direct her comments through the Chair and not across the Chamber.

**Ms LINDA BURNEY:** I am directing my comments through the Chair. Tell me how that is so difficult—

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! The Leader of the Opposition will come to order.

**Ms LINDA BURNEY:** Tell me how those opposite can possibly lecture this side of the House on racism when Labor's record, as outlined by me and very well by the Leader of the Opposition, in terms of China is so strong? Let us be clear about the electricity debate. Let me read what was in the *Sydney Morning Herald*—*[Time expired.]*

**Dr GEOFF LEE** (Parramatta—Parliamentary Secretary) [4.14 p.m.], in reply: I thank the members for Auburn, Oatley and Canterbury for their contributions, some good and some not so good, to this important debate. It has been a high-energy debate. The member for Auburn was clearly passionate—his little face went bright red. He lectured us. He shouted at us. He was so passionate. It reminded me of the union rallies that he goes to. This whole debate is not really about the China-Australia Free Trade Agreement. Those opposite agree with the free trade agreement. It is about their actually telling their union puppet masters to tell the Federal Government to sign the agreement. It has been a very interesting debate, and seeing his contribution was an insight.

Coming from an academic background I have seen this before—this theatre of standing up and shedding crocodile tears. It is what we see at union rallies. It must be embarrassing for the Leader of the Opposition that he could not even use all of his speaking time and eventually had to sit down. I guess it is a case of spin over substance, which is what the Leader of the Opposition was trying to deliver. He should be embarrassed about that. In contrast, the member for Oatley stood up for increasing trade and decreasing trade barriers—and a better future for Australian and New South Wales businesses with more jobs and a stronger economy. He is clearly an educated person who has been brought back to the Parliament in the most recent election because he is delivering for the economy. We are very proud of the member for Oatley. His contribution on this motion was an example of common sense.

Then the member Canterbury stood up and made a contribution. She is obviously very sensitive, as the Minister for Transport said, about racism. We have had an interesting debate about racism. It is about living in the past. Both sides of the House have made mistakes around racist-type behaviours way back. But we need to look forward to embracing our Chinese friends, and encouraging investment and dealing with them. As one of the few parliamentarians with Chinese heritage, I understand about racism and the white Australia policy. Those opposite tried to lecture us and to shed crocodile tears. I ask those on the other side to get with the program and to stick up for Australia and jobs for our community. They need to stop pandering to the unions and stop listening to their union puppet masters. They need to stand up for New South Wales, its economy and jobs.

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

**Motion agreed to.**

**Pursuant to resolution Government business proceeded with.**

#### **TRANSPORT ADMINISTRATION AMENDMENT (CLOSURE OF RAILWAY LINE AT NEWCASTLE) BILL 2015**

**Bill introduced on motion by Mr Andrew Constance, read a first time and printed.**

#### **Second Reading**

**Mr ANDREW CONSTANCE** (Bega—Minister for Transport and Infrastructure) [4.17 p.m.]: I move:

That this bill be now read a second time.

Central Newcastle has the potential to be a significant economic, social and cultural centre. Currently, however, a number of factors limit its ability to capitalise on this wonderful opportunity. That is why this Government is

implementing the Newcastle Urban Transformation and Transport Program. The program will revitalise Newcastle, bringing people back to the city centre. It will create vibrant public spaces and strengthen connections between the city and the waterfront. Historically, central Newcastle has been serviced by heavy rail. Heavy rail limits the opportunities for urban renewal. To ensure public safety, and because of extensive ground and overhead infrastructure, a heavy rail line involves a wide, fenced-off corridor.

As a result, pedestrian and traffic flows are limited, and different parts of Newcastle are separated. In particular the heavy rail creates a barrier between the main street, Hunter Street, and the waterfront. The fencing and infrastructure of the heavy rail line also compromise the visual amenity of the area. In contrast, light rail is conducive to urban renewal. Due to the lower speeds and less obtrusive fixed infrastructure, pedestrians can move over a light rail line, public spaces can be more open and better integrated with the surrounding community, and visual amenity is enhanced. Light rail supports vibrant urban environments in various cities overseas, and that is the Government's vision for Newcastle.

This Government has already taken steps to revitalise Newcastle. It has opened six pedestrian crossings, reconnecting the city centre to the waterfront at Steel Street, Kuwumi Place, Worth Place, Wolfe Street, Argyle Street and Perkins Street. A seventh new pedestrian crossing will soon be opened at Civic. While the pedestrian crossings represent only the beginning of the transformation of Newcastle, already there is a change in mood, as residents begin to realise that finally they have a Government that is willing to invest in that great city and the Hunter region. The Government has committed more than \$1 billion to infrastructure projects in the Hunter region since 2011.

The purpose of the Transport Administration Amendment (Closure of Railway Line at Newcastle) Bill 2015 is to enable the replacement of heavy rail from the Wickham Transport Interchange to the beach at Newcastle with light rail. In doing so, the bill supports the Government's agenda to maximise the urban renewal opportunities of central Newcastle through economic growth and the development of the second-largest city in New South Wales. The Government has made clear its commitment to Newcastle. It is revitalising the Newcastle city centre to boost economic activity and reinforce the city's role as a twenty-first century regional centre. This bill is a continuation of this Government's commitment to the rejuvenation of Newcastle.

I turn my attention to the need for the bill. Section 99A of the Transport Administration Act 1988 provides that a rail infrastructure owner must not, unless authorised by an Act of Parliament, close a railway line. For the purposes of section 99A, a railway line is closed if the land is sold or otherwise disposed of, or the railway tracks and other works are removed. Due to specific arrangements relating to the heavy rail line into Newcastle, the relevant Government entities considered that section 99A would not require an Act of Parliament before the heavy rail infrastructure from Wickham to Newcastle was removed. The Government acted in a manner consistent with its clear commitment to deliver the timely transformation of the city. In December, a group opposed to the closure of the line—a minority group that is opposed to change and economic development—obtained a court order with the effect that Government entities could not close the line and remove the infrastructure without an Act of Parliament.

Government entities have appealed the decision to the Court of Appeal, which has not yet handed down its decision. The purpose of this bill is to end the current uncertainty and to ensure that the Newcastle Urban Transformation and Transport Program can proceed without delay. Because the bill's scope is limited to the application of section 99A to a part of the railway line into Newcastle, it is a simple bill. The key provision is section 3, which states that the rail infrastructure owner of the line between Wickham station to Newcastle station is authorised to close the whole or any part of that section of railway line. I draw the attention of the House to the significant progress that has been made already on delivering Newcastle's future. The Wickham Transport Interchange is central to it. The Interchange will be the intersection of heavy rail, light rail, regional bus, taxi and car transport.

**Mr Tim Crakanthorp:** There are no buses.

**Mr ANDREW CONSTANCE:** I have just said that there will be a regional bus. The interchange will allow seamless connections between different modes. It will be the gateway to the central business district. The design of the Wickham Transport Interchange has been unveiled. It is an impressive design that pays tribute to the city's industrial history, while at the same time looking to the future. The Government has consulted and taken on board feedback from the community so that the final design includes additional weather protection, public space and amenity. It will be a pleasure to use.

Construction contracts have already been let. The early works package is near completion. The main works will now begin. Construction is expected to start later this year. As the progress on the Wickham Transport Interchange demonstrates, the Government is getting on with the job of meeting its commitment to the people of Newcastle and revitalising their city. This bill enables the next stage—light rail. Light rail will allow Newcastle to capitalise on this opportunity for renewal and reach its potential as an economic, social and cultural centre. The Government believes Newcastle deserves a world-class transport system. This bill will ensure its delivery. I commend the bill to the House.

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

## **BIOSECURITY BILL 2015**

### **Second reading**

**Ms KATRINA HODGKINSON** (Cootamundra—Parliamentary Secretary) [4.20 p.m.], on behalf of Mr Anthony Roberts: I move:

That this bill be now read a second time.

The Biosecurity Bill 2015 was introduced into the other place by Minister Blair. I commend the Minister for his second reading speech. I thank him for his kind offer to me to lead debate in this House, as I was the original architect of the bill. The bill is important. I first introduced it in this House on 23 October 2014. I thank and congratulate Minister Blair for pursuing it in this new Parliament. Unfortunately, the Legislative Council in the last Parliament did not debate it after it passed in this place last year.

I will review some aspects of this bill. It is crucial that New South Wales maintains its biosecurity status to protect our primary industries sector from pests, diseases and weeds. The Biosecurity Bill is a single piece of modern legislation that will give New South Wales the essential tools and powers to manage pests, diseases, weeds and contaminants, and minimise biosecurity threats to the New South Wales economy, environment and community. It will ensure that we can respond efficiently and flexibly to biosecurity risks, regardless of whether it is an emergency or an ongoing management issue.

I have spoken repetitively on the seriousness of biosecurity risks not only within my electorate but across this State and the entire nation. A major biosecurity event can have far-reaching implications, from on the farm to the entire nation's economy, through trade restrictions and implications. This bill supports the nationally agreed principle that biosecurity is, indeed, a shared responsibility between governments, industries and individuals. The primary objective of the bill is to provide modern legislation to better manage biosecurity risks in New South Wales. It provides a framework for the prevention, elimination, minimisation and management of biosecurity risks. The bill adopts a risk-based approach for biosecurity. Pests, weeds and diseases do not recognise jurisdictional boundaries or fences; so we need a tenure-neutral approach to management and legislation that is compatible with neighbouring jurisdictions.

We also need to be working together at a regional level to achieve shared outcomes as efficiently and effectively as possible, and that includes public lands. Pests and disease are the biggest threat to agriculture; they can result in a loss of competitive edge, and active management is required to protect our natural environment. The framework for this important piece of legislation was established after significant community consultation. The passage of this bill will pave the way for the repeal, either in whole or in part, of 10 full Acts and sections of four other Acts of Parliament with a single Act that has the flexibility to effectively respond to all biosecurity situations. This will equate to the repeal of more than 570 years worth of legislation, significantly reducing red tape for farmers across New South Wales. Authorised officer powers will be consistent across the biosecurity spectrum, and government, industry and the community can work in partnership to determine priorities and management responses.

This bill does much more, of course, and although two second reading speeches have now been made in relation to the Biosecurity Bill, for the convenience of new members, I will summarise what this bill does. The bill will replace 14 current biosecurity-related Acts, in whole or in part, which are old, inflexible, contribute to red tape and have inconsistent authorised officers, making responses and actions for different biosecurity risks problematic. This legislation will support a tenure-neutral approach to the management of invasive plants and animals. The bill supports the nationally recognised principle that biosecurity is a shared

responsibility and that everyone who knows or ought to know about potential risks has a duty to mitigate, notify and/or manage those risks. The bill is deliberately high level and enabling to provide flexibility in how we respond to risks.

Extensive consultation has occurred in developing this legislation and more will occur with industry and other stakeholders as we develop the subordinate legislation. The bill ensures that biosecurity is managed according to risk and that there is no overregulation. The legislation is deliberately outcomes-focused so that industry has the opportunity to take greater responsibility for how they manage their business whilst mitigating and minimising risks. We want them to be able to innovate so they can access new markets and increase their market share. The bill complements the intergovernmental agreement on biosecurity and the underpinning emergency response deeds. Authorised officer powers will be consistent across the biosecurity spectrum and are no stronger than what has been in place for decades.

Penalties are high to reflect the serious consequences of a biosecurity event, especially when a person or corporation has acted wilfully or recklessly. This bill provides for self-certification and auditing commensurate with risk and compliance. A Biosecurity Advisory Committee is being established to oversee the development and implementation of the legislation. It will play a key role in considering whether management tools are proportionate to risk and what are the best avenues in which to engage with stakeholders. The passage of this bill through the other place last night was a great mark in time for biosecurity in New South Wales and I am very pleased that this has happened. I will now turn to the amendments that were passed in the other place.

The first amendment relates to the making of control orders. Control orders will now be made by the Minister. This is consistent with the process for making regulations whereby the Minister makes a recommendation to the Governor. The amendment does, however, allow the Minister to delegate this power to an appropriate person so that timely responses to biosecurity threats can be made when needed. For example, the power could be delegated to the Secretary of the department or someone such as the Chief Veterinary Officer for the State who will have firsthand knowledge of the situation as it unfolds. The amendment, regardless of the fact that it can be delegated, ensures the Minister of the day is responsible for prescribed actions in the control order. It is a sensible amendment.

The other amendments also relate to the making of control orders and consultation that should occur if the order relates to a game animal or if it affects native flora or fauna. This Government is committed to consultation where practicable because consultation ensures that informed decisions are made. There has been much consultation with industry, individuals, farming organisations, community groups and many others in the preparation of this important piece of legislation. The amendments provide for full consultation with the Chair of the Game and Pest Advisory Board in relation to game animals and with the Minister for the Environment in relation to native flora or fauna. It is also noted that the bill already provides full consultation with the relevant department with respect to protected flora and fauna, threatened species and native vegetation. The Government supports these suggestions. I commend the bill to the House.

**Mr CLAYTON BARR** (Cessnock) [4.36 p.m.]: I lead for the Opposition in debate on the Biosecurity Bill 2015. I note from the outset that the Opposition will not be opposing this bill.

**Mr Geoff Provost:** You could just say you support it.

**Mr CLAYTON BARR:** There are some ongoing concerns and I have been challenged by the member for Tweed to go so far as to say that we support the bill. The great challenge with that—and I say this for the sake of the member for Tweed, for the sake of the House, for the sake of *Hansard* and for the sake of anybody who might read my contribution later—is that this is a complex piece of legislation and there is much we are being asked by the Minister to take in good faith that will be handled by regulation that at this stage is not tabled and has not been seen.

To that end, I note the six-hour Committee stage in the other place last night and the approximately 90 amendments that were moved by various parties, other than the Government. The comment from the Opposition shadow Minister responsible for this legislation, the Hon. Mick Veitch, was that when he introduced the legislation on 12 August 2015 the second reading speech of the Minister failed to take the other place on any journey through the legislation on a clause-by-clause basis to put some more robust content behind the theory contained in the bill. Most of the contributions in the other place last night were primarily asking questions, asking for explanations and asking for clarification.

On behalf of the Hon. Mick Veitch I congratulate and thank the Minister for Primary Industries, and Minister for Lands and Water for his speech in reply at the end of the debate last night because it was what we had hoped to hear in his second reading speech: He went to some length to outline the interpretation of this complex and detailed legislation. I was handed the amended legislation about three minutes before I started this contribution—it is still warm, being fresh off the printing press. It is, in total, 199 pages long and it is an incredibly complicated and detailed piece of legislation. It is not in any way, shape or form trivial; it is about us as a community, every individual in our community and in our society, taking a responsibility for biosecurity. It is a shared responsibility that we must heed. That is why the bill needs to be 199 pages long and why this bill is so complex. This bill, having passed through the other place last night, was tabled in this Chamber just a few minutes ago, and we now have the opportunity to debate it.

**Ms Katrina Hodgkinson:** It is the same legislation as it was in 2014.

**Mr CLAYTON BARR:** I note the interjection of the former Minister that this is the same piece of legislation as came before this Parliament in 2014. It was noted in last night's debate that the legislation introduced in 2014—but unfortunately not carried to its conclusion—was the subject of amendments proposed by the Opposition, at the very least. As I understand, when the bill was brought back into that place some of those amendments had not been adopted; they were left out of the bill or ignored. Therefore, they were moved as amendments during consideration of the bill in the other place last night. In any case, the Opposition is concerned about the absence of consultation with some groups, in particular. I will refer to some examples provided in the other place by the Hon. Mick Veitch. He mentioned some groups—which he has subsequently spoken with since the bill was introduced on 12 August—that made it very clear they were not consulted.

The Hon. Mick Veitch referred specifically to the Livestock and Bulk Carriers Association, which the member described as being "a tad annoyed" that it did not know about the bill, and annoyed that the Minister's office and the department had not spoken to the association. One can appreciate that, because members of the Livestock and Bulk Carriers Association have biosecurity responsibilities when visiting farms and sites to transport livestock and other products. These carriers must transport livestock and other products to and from farms. Under this legislation, they will have a responsibility to ensure that they do not transport, accidentally or inadvertently, any biosecurity threat from farm to farm or site to site. I ask members to think about that in a logistical sense. If you are driving a livestock vehicle onto a farm, in essence, you will need to decontaminate your vehicle before you drive onto another farm. So, potentially, those drivers will need to wash, hose or otherwise clean their vehicles before driving onto the next property.

Another simple example is a person who works for, say, Telstra. If they drive their vehicles up a long driveway onto a property or part of a property to repair or replace something, and then drive off that property to go to the next job on another property, they also will need to decontaminate their vehicles. Another local example would be vineyards. I know well the grape-harvesting and processing activities. Of course, tractors and trailers, hoppers and other equipment travel from property to property, from block to block. Most grape growers these days are not necessarily winemakers; grapes are harvested and taken to a different site to be pressed and processed into the juice that then becomes wine. Again, in terms of biosecurity, in a very real and practical sense the tractors and harvesting vehicles will need to be decontaminated before moving from block to block, property to property, or before going onto public roads, et cetera.

So there are detailed practical implications of the Biosecurity Bill 2015 that are troubling to industry and require clarification. That is only fair and reasonable. Whether it is the Telstra driver, or the shearer who is moving from property to property, or the operator taking a tractor or harvester from block to block on vineyards, or members of the Livestock and Bulk Carriers Association or grain harvesters, because biosecurity is a shared responsibility—although incredibly fair, reasonable and decent—there are real and practical implications of this legislation as to the way they oversee their movements and carry out their activities. Another concern raised by the Livestock and Bulk Carriers Association relates to the paperwork that has been generated by the Queensland model, under similar legislation. This paperwork must be generated, signed off and authenticated so that carriers can track movements and, at some later date, can prove they took the necessary steps to ensure that they were not creating a biosecurity threat or posing a biosecurity hazard as they travelled from property to property. Biosecurity legislation such as this has real and practical implications that need to be thought through.

Another very real implication will be the need for education. It will be absolutely essential to roll out a large education campaign so that those who need to do so become appropriately aware of their biosecurity responsibilities. I do not know exactly how we will do that, but we need to do it—to educate people such as seasonal workers, who are often international tourists. Again, going back to what happens in vineyards in the

electorate of Cessnock, international tourists turn up in January looking for work as seasonal pickers before moving on to other regions and other areas that might have a later grape season, or to properties in other parts of the State or Australia to pick other fruits and so on. Educating those people, who will be in Australia for only six to 12 months and who might not even speak English, will be a real challenge. It will be the responsibility of the farm owner to get those people up to speed and educated about their responsibilities and what they need to do, under this shared responsibility, to ensure they do not pose a biosecurity threat.

That is a complicated and practical implication of this legislation. Last night, in the other place, questions were put to the Minister about matters that seemed to be unexplained in his second reading speech. However, I emphasise on behalf of the Labor Opposition that we take on board that, in reply, the Minister made a significant and detailed response on the interpretation of this bill and some of those real concerns. The Minister indicated how he perceived the provisions would be interpreted and enacted, and spoke about his commitment to future consultation and education around ensuring that the Biosecurity Bill 2015 is understood and implemented by all. For example, the Minister gave assurances about people who accidentally committed a biosecurity breach—say, a person who had been out shooting and happened to go from one property to the next property, might have become lost or disorientated, or might not have realised they had tracked from block A to block B where block A was carrying some biosecurity threat that could be carried on their boots into block B.

The Minister indicated that the intent would not be to prosecute such persons under the Act. However, it will be different for persons who knowingly, willingly and deliberately—for the sake of reducing costs or expenditure, through pure ignorance or just for the sake of making up time or cutting corners—disregard their biosecurity responsibilities. The Minister indicated that they would be the persons most likely pursued and prosecuted. The penalties to be introduced will be incredibly high. In the case of a farmer or business operator who might be hauling by truck, some of the penalties that may be imposed could put them out of business. I note the Minister's words. He said:

The Biosecurity Bill 2015 is a significant piece of modern legislation that will provide New South Wales with the essential tools and powers to manage pests, diseases, weeds and contaminants that threaten the New South Wales economy, environment and community.

That is a great summary of what this bill is all about. Shared responsibilities are an important aspect of the bill. The responsibilities are shared by individuals as well as by local government, local government being primarily the body that manages weed infestations. So we need local government on board as much as we need the State bodies; and of course there are international threats that come under the Commonwealth's jurisdiction, such as the red fire ants in Port Botany. So the bill is about individuals, local government, State government and the Commonwealth sharing responsibility.

The Opposition consulted widely with various stakeholders. We acknowledge that the Government has consulted with some stakeholders. However, we discovered without too much effort that a number of groups were not consulted because they expressed to us concern about a lack of consultation. Given that the bill comprises 200-odd pages and has taken several years to be introduced in this House, we would have appreciated broader consultation. The bill does not appear to contain details about how much money will be spent on educating people, so we seek clarification and budgetary advice from the Minister at some future time.

I referred earlier to the amount of paperwork that will be required under this regime. That will be handled through regulation and is still unknown. The Opposition has a few primary requests. The first relates to the statutory biosecurity committee. We note that the Minister has indicated that he will form an advisory committee. It should be part of the legislation so that it is guaranteed by law. I am not sure whether amendments moved in the other place last night addressed that matter, but I place my concern on the record in case it is not covered. The Opposition also believes membership on the committee should include a representative from Local Government NSW, which manages weeds across New South Wales, and a representative from the RSPCA. I understand that the Minister in reply last night gave a commitment to pursue that matter, although again it does not appear in the bill.

The Opposition requested that a biosecurity report—similar to an environmental report—be tabled in Parliament so that, as legislators, we have the opportunity to respond. In reply last night the Minister indicated that that will be tabled in each term of Parliament. We look forward to receiving that report but, unfortunately, it is not mandated in the legislation. The Minister only gave a verbal commitment in his reply, which is unfortunate. We note that the Natural Resources Commission and the Invasive Species Council have proposed best practice for managing the risk of incursion by dangerous plant species. The Labor Opposition has questioned why they are using a prohibited list approach when the Opposition has sought a permitted list.

I referred earlier to penalties being as high as \$1.1 million for individuals and made the point that if an individual were penalised the maximum amount, that person could lose his or her home and business. Questions were asked during debate last night about the powers that authorised officers could and should have. Concern was expressed about the ability of an officer to use force to gain access. The Minister in reply clarified that force would not be used against an individual but, rather, force could be used to break a chain or lock across a gate or fence where it was reasonable for authorised officers to attend.

**Mr Geoff Provest:** We could read the *Hansard* from last night.

**Mr CLAYTON BARR:** Yes, but my mum only reads my speeches.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! The member for Cessnock is only up to page 50.

**Mr Andrew Gee:** It is a trip down memory lane.

**Mr CLAYTON BARR:** I have unlimited time. If you keep carrying on, I will continue.

**Mr Andrew Gee:** What else did they say last night?

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! The member for Cessnock has plenty of time to make his contribution.

**Mr CLAYTON BARR:** In all fairness to me—and I am happy for *Hansard* to record this—the Opposition only just received the bill. It was literally warm when it was put into my hands. It was dealt with until 9.30 last night—which is quite a stretch for the upper House. In closing, we appreciate the clarification given by the Minister in the other place. We appreciate that the concept of shared responsibility will apply equally to everyone—that was made clear during the Committee stage. We will not single out a class of citizens or a section of the community because the bill will impact upon everyone. The second reading speech was inadequate and inept in dealing with the complexities of the bill.

However, the Minister's reply was clearer. There are stark contrasts between the two speeches, and I refer to my complimentary comments earlier today about the Dams Safety Bill 2015. Given the commitments made by the Minister in reply and noting that the Opposition will closely and meticulously scrutinise the detail of the regulations, including the need for significant stakeholder consultation—more significant than has occurred to date—as well as the implementation of the biosecurity duty, which must include adequate government resourcing for community education, the Opposition will not oppose the bill.

**Mr GEOFF PROVEST (Tweed) [4.55 p.m.]:** I support the Biosecurity Bill 2015.

**The DEPUTY-SPEAKER (Mr Thomas George):** Which is very important in the border areas.

**Mr GEOFF PROVEST:** It is extraordinarily important in the border areas, and I will address that point shortly. It is prudent for me to acknowledge the former Minister, the member for Cootamundra. I thank her and her staff for their commitment and hard work in bringing this complex bill to the House. I know that an extraordinarily large amount of effort went into the bill and we should be grateful to the Minister for her professionalism and dedication. The Liberal-Nationals Government is committed to developing and implementing nationally consistent plant and animal biosecurity legislation by 2015. Once again, we say we are going to do it and we do it. There is no mucking around—unlike members opposite.

In 2012 New South Wales joined the Commonwealth and other States and Territories to endorse a national approach to biosecurity management that requires stronger coordination and closer partnerships between government, industry and communities. This bill will meet our commitment to the New South Wales public and our national obligation to move towards a more consistent and coordinated Australian biosecurity system. It will enable us to continue to protect our primary industries and expand existing laws to better protect the environment, community and broader economy. Biosecurity is often thought of in terms of hazards to human health, such as anthrax, mad cow disease or the Hendra virus. As you would know, Mr Deputy-Speaker, unfortunately there are regular outbreaks of the Hendra virus in the border areas.

**The DEPUTY-SPEAKER (Mr Thomas George):** In the last week there was another one.

**Mr GEOFF PROVEST:** Yes. We see the devastating effects on farms and individuals, even resulting in loss of life. At State and national levels, biosecurity hazards can affect productivity, economic growth and primary industry exports. For example, it has been estimated that a large outbreak of foot-and-mouth disease [FMD] in Australia could cost the economy more than \$50 billion over 10 years in direct eradication costs and lost market access. Beef and pig production could suffer serious losses, with pig production becoming completely unprofitable if FMD became endemic. According to the Australian Bureau of Agricultural and Resource Economics and Sciences, current biosecurity regulation for a range of pests and diseases, including FMD, improves broadacre farm profits from \$12,000 to \$17,500 annually on average. This is a conservative estimate and averaged; it could be much larger for bigger enterprises.

Such issues are high priorities for all biosecurity regulators, including the New South Wales Government and of course industry. Biosecurity is broader than primary production though. Biosecurity includes measures to protect native animals and plants from the sudden arrival of new pests and diseases, such as the exotic fungus Myrtle rust, which has had an impact in my local area as it affects tea-trees. There are successful tea-tree oil producers in my electorate and the department has acted appropriately to protect them. I was going to mention Pistol and Boo, who landed in my electorate at the southern end of the Gold Coast, where large chunks of the Pirates of the Caribbean movie with Johnny Depp were filmed. I am a fan of the Pirates of the Caribbean series and Johnny Depp did a lot of charity work in my area, so I think I will leave further commentary on that issue to my Federal colleagues.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! It is well within the leave of the bill.

**Mr GEOFF PROVEST:** It is.

**Mr Christopher Gulaptis:** What about the Federal Minister?

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! That is not within the leave of the bill.

**Mr Andrew Gee:** Invite them back.

**Mr GEOFF PROVEST:** Yes, we would love to see them come back. Increasingly, the Government will play a role in the protection of public spaces from pest infestations that could affect their recreational use. For example, a national biosecurity response was mounted to the red imported fire ant incursions in Queensland, within kilometres of the New South Wales border. I think there have been some small outbreaks in the Tweed and in the Lismore area around Tenterfield. The fire ant incursion is a major threat not only to biodiversity but also to social amenity as it can infest backyards and public spaces so that they cannot be used by people. I have been bitten by a fire ant so I know it is aptly named—it hurt like hell.

**Mr Andrew Gee:** Whereabouts?

**Mr GEOFF PROVEST:** On my toe; I had thongs on. In today's world overseas travel is increasing, and greater transport and communication tools mean that trade is expanding and happening at a faster rate. This creates a global challenge about how we minimise and manage risks from pests, diseases, weeds and contaminants. The Gold Coast Airport is the fifth busiest airport in Australia, with about six million travellers every year. It is becoming a major export point to Asia for organic crops grown on the North Coast—clean and green. There are direct flights from the Gold Coast to Japan, Kuala Lumpur and Singapore and, at the end of this month, to Hong Kong and, early next month, to Shanghai. Many of our agricultural products will be exported to those countries. I compliment the border security staff, both Customs and Immigration, at Gold Coast Airport on the great job they do keeping us safe.

The bill addresses risks by providing strong investigation and management tools, and significant penalties for offenders. Once commenced, the bill will make compliance easier because it will remove the duplication and inconsistencies that we currently have due to multiple pieces of issue-specific legislation. This enabling bill will meet our national obligations and protect the enviable pest- and disease-free status of New South Wales, helping us maintain access to priority markets. This will benefit our primary industries and associated businesses, many of which are located in rural and regional areas, as well as the broader economy. This streamlined, outcomes-based legislative framework has the scope and flexibility to regulate the many, connected biosecurity risks—both known and unknown—that can negatively impact our State. It offers a best practice approach to protecting our economy, environment and community, and will reinforce our reputation as an international leader in biosecurity management. I commend the bill to the House.

**Mr GREG PIPER** (Lake Macquarie) [5.03 p.m.]: In contributing to debate on the Biosecurity Bill 2015, I add my voice to those who have already expressed concern about this legislation being used as a means to silence animal activists. That is not to say there are not many important and very worthy elements within the bill. I commend those who have developed this bill over a long time for addressing such complex issues in legislation. I acknowledge their work and the importance of it. The member for Cessnock spoke about the need to pay careful consideration to the education of people within the industry because they are at grave risk of not understanding the complexities and their responsibilities under the legislation, notwithstanding the good-faith measures that are embedded within in.

I will refer to the areas where I think the bill perhaps over-reaches in pursuing potential risks, and point out other important considerations, such as animal welfare issues that are raised from time to time. In that sense, the timing of the bill is somewhat unfortunate, coming as it does just after the Joint Select Committee on Companion Animal Breeding Practices in New South Wales handed down its report into puppy farming and other mistreatment of companion animals. I served on the inquiry and I am aware that many instances of animal abuse in these situations have come to light only through the actions and investigations of committed animal advocates. The abuses that came to light at puppy mills recently, or the cruelty previously detected in some intensive piggery and poultry farming operations, have been almost universally condemned, as they would be by members of this House. Yet it has often taken activists to bring these concerns to public notice. Therefore, it does not sit well with me now to speak to a bill that proposes measures that threaten to curb the activities of such people.

The Government may argue these laws will be put in place as a deterrent, but activists who feel strongly enough about exposing animal cruelty and have the courage of their convictions will still choose to take action—and sometimes that action will lead to the exposure of shameful mistreatment of agricultural or domestic animals. Do we really want to jail the person who brings such activities to the attention of the public and authorities, or lumber them with a six- or seven-figure fine? Certainly such a penalty could be a major deterrent. Biosecurity is an important issue but these provisions should not be part of this bill. We would all likely agree on the need to refine the current legislation into a single Act that is consistent with those in other jurisdictions. But to include in it provisions that will criminalise the behaviour of animal activists is unnecessary and inconsistent with the primary intention of the bill.

Organisations including Voiceless, Animals Australia, Friends of the Earth, Greenpeace, the Animal Defenders Office and the RSPCA have expressed their concerns about this aspect of the legislation. These names do not represent what I consider to be a ratbag group of attention-seeking troublemakers; they are largely respected organisations that have been responsible for bringing many abuses to light. The issue is not whether activists, or anyone else for that matter, should have free access to private property. That issue is already dealt with in law through the offence of trespass. It can be addressed under common law and through the Inclosed Lands Protection Act and the Crimes Act. The use of covert surveillance devices is likewise addressed in existing legislation.

People who enter farms and factories for surveillance purposes know that there is a possibility of prosecution through these avenues and take a calculated risk. There is no need for extra protective legislation exclusive to the agricultural sector to be introduced under the thin veil of biosecurity. As contributors to debate in the upper House pointed out, there is no known instance of an animal welfare activist triggering a biosecurity incident. My concern with this bill is exacerbated by the inconsistency of the Government's stated intentions and its actions. The Minister said in the upper House that the bill was not about animal welfare. He said it was not aimed at those who act in good faith and genuinely believe they are doing the right thing in relation to biosecurity. But the provisions relating to the offence of failing to discharge a biosecurity duty, as they stand, have significant implications for animal welfare.

The issues cannot be separated because the Government has chosen to group them together in this bill. The Government opposed amendments by the Animal Justice Party and The Greens in the upper House that would have clarified the position of activists in regard to prosecution under this bill and ensured the provisions could not be used to unfairly target animal protection groups and media. The Government had an opportunity to make a clear delineation between the issues of biosecurity and 'ag gag', and chose not to take it.

I acknowledge that the Minister has indicated that prosecution is always the last resort and the longstanding compliance policy is to prosecute only people who continue to do the wrong thing or who are wilful or reckless. But those assurances are not enshrined in the legislation. A future Minister, government or agency head may interpret the legislation differently. That is always the risk when we draft legislation that relies

on assumptions and past practices. I acknowledge too that many administrative and other concerns that Opposition and crossbench members raised in the Upper House have been dealt with, and overall the bill will be stronger for those amendments. However, I remain concerned about its potential to criminalise legitimate whistleblowers.

I note the interjections from the Parliamentary Secretary at the table. It would have been beneficial if there had been greater consultation with Opposition and crossbench members. It has been difficult for non-Government members who do not have speeches and briefing notes largely provided to them to come up to speed with a 200-page piece of legislation. I ask for some indulgence if there are any inaccuracies in my contribution. We do our best with the resources we are provided with. I believe we have adequate laws to deal with trespass and the additional provisions and penalties proposed in the bill are unnecessary. While I support the main objectives of the bill, I have grave concerns about that part of it.

**Ms Katrina Hodgkinson:** There is nothing in there about it.

**Mr GREG PIPER:** There is. I have great concerns about that aspect of the bill.

**Mr KEVIN ANDERSON** (Tamworth) [5.11 p.m.]: I support the Biosecurity Bill 2015. There is no doubt that biosecurity is a shared responsibility and that we need a nationally agreed approach to it. Biosecurity risks do not respect borders or different jurisdictions. We often like to have bipartisan support on matters of biosecurity. For the benefit of the member for Lake Macquarie, the bill is not about animal welfare or trespass. Those matters are addressed in other legislation. Nothing in the bill targets animal activists or any other group of people. Last night that matter was addressed extensively in response to the hysteria caused by The Greens and the Animal Justice Party in the other place.

We can help the member for Lake Macquarie by providing him with a diagram of how the bill will play out if he does not have the time to read. I am happy to furnish him with other forms of information should he wish to redress some of the inaccuracies in his speech. The bill was introduced by the Hon. Niall Blair in the other place. Former Minister the Hon. Katrina Hodgkinson, who is at the table, previously had carriage of it. That is a good example of the shared responsibility and vision for biosecurity about which I spoke. The vision has carried across not only from Minister to Minister and the department but also to its staff.

The bill is the result of an extensive and comprehensive body of work. It contains a great amount of detail about many areas such as crops, cattle, sheep, pork, poultry, horses, oysters, grapevines, pests and weeds. The bill has been coming for a long time and is much needed. I pay tribute to the Ministers who have worked together on it and the staff, in particular those who have carried across. I thank for their efforts Scott Barrett, who is in the Speaker's gallery, and Julian Luke. They have worked tirelessly to produce this document. The bill provides a robust biosecurity system, which is important to support Australia in remaining free of many pests and diseases that are common around the world. We have to get biosecurity right, because the stakes are high and getting it right benefits everyone. It is a big job. We use science to help us make the right decisions at the right time to get the best results.

On the topic of education, I know that landholders in the New England north-west are some of the people best informed about the management of biosecurity on their properties. Their key tools are livestock, people, equipment, vehicles, feed and water, and pest and weed management. Members of the Livestock and Bulk Carriers Association are also extremely vigilant when they move on and off properties across this great country of ours. Some robust regimes are in place for beef and dairy cattle, including the National Livestock Identification System and the biosecurity plan to help prevent ovine Johne's disease. They are some examples of actions taken over a long period, but it is an exercise in continuous improvement. We need to keep working on biosecurity to ensure continued vigilance in identification, diagnostics, surveillance, reporting and tracing. That is why the Commonwealth, States and Territories must work together to prevent, eliminate, minimise and manage biosecurity risks.

The Commonwealth recently passed the national Biosecurity Act 2015, which will replace the century-old Quarantine Act 1908 when it commences next year. That legislation paves the way for modern and flexible support for Australia's biosecurity system. As part of the continuous improvement exercise we need to stay abreast of what may or may not happen. Various exercises are undertaken and strategies are implemented to combat the risks. For example, the Hendra virus continues to be a significant problem. Recently, a horse death in Lismore and another in Murwillumbah were attributed to it. I note that the member for Clarence, who is in the Chamber, has a significant concern about flying foxes in his area. Flying foxes are carriers of

Hendra virus, which they pass on to horses and which can be transmitted to humans. The same can happen with lyssavirus. An increasing number of flying foxes are populating rural and regional communities. There is a significant flying fox problem in my electorate of Tamworth. Flying fox numbers are growing and people are greatly concerned about how to control them. That is an example of the sorts of things we need to continue to think about.

An outbreak of disease in any industry can have a crippling effect. I remember when equine influenza shut down the horse industry several years ago. The livelihoods of many people in that industry depended on their horses being in work and running races. The shutdown of the industry brought many families to their knees. The new Biosecurity Bill 2015 is consistent with the Intergovernmental Agreement on Biosecurity [IGAB] and its three national response agreements. It promotes national collaboration, risk-based management, increased efficiency and decreased regulation, and shared responsibility between government, industry and the community. As I said, biosecurity risks know no boundaries or borders.

The National Biosecurity Committee was created in July 2008 and is now formally established under the IGAB to provide strategic leadership in managing national approaches to emerging and ongoing biosecurity policies across jurisdictions and sectors. The committee takes an overarching, cross-sectoral approach to national biosecurity policy and works collaboratively to achieve national policy objectives for biosecurity in Australia. All biosecurity issues are considered—including environmental, animal and plant biosecurity issues—with a view to a resolution for the development of advice as appropriate. One need only think about the oyster industry, which was crippled several years ago. The industry was brought to its knees, family incomes were affected and some people were ultimately sent to the wall.

Biosecurity has implications for many different areas, including crops, cattle, sheep, pigs, poultry, horses, oysters, grapevines, and pests and weeds. New South Wales is also in the process of establishing a Biosecurity Advisory Committee to provide independent oversight and to facilitate stakeholder consultation during development, implementation and operation of this legislation. The Biosecurity Advisory Committee will be independently chaired, and will have knowledge and skills in biosecurity, science, economics, community education and engagement. No doubt there will be rural and regional engagement in that as well, because our landholders are some of the best custodians for making sure that biosecurity requirements are met on their properties. Their livelihoods are at stake and they know that, which is why they have some of the best preventative programs in place. The committee members will include representatives from government and industry and other key stakeholders.

As well as playing the obvious role of protecting Australia's environment and way of life, safeguarding Australia from unwanted biosecurity risks also protects Australia's economy. I have already spoken this evening about some of the effects biosecurity risks can have. They can shut down industries, send businesses to the wall and push producers to the brink. Safeguarding our biosecurity helps to maintain Australia's global reputation as a producer of high-quality and safe agricultural products. The Biosecurity Bill 2015 has been designed to support the biosecurity system in any age, regardless of advances in transport, technology or future challenges. I acknowledge the great work done by the previous Minister, the Hon. Katrina Hodgkinson, which has been continued by the current Minister for Primary Industries, and Minister for Lands and Water, the Hon. Niall Blair, in the other place, and their staff, who have continued to work hard to make sure they get this bill right. I commend the bill to the House.

**Mr ALEX GREENWICH** (Sydney) [5.21 p.m.]: I put on record my concerns, and the community's concerns, about the Biosecurity Bill 2015. This bill is ostensibly about the prevention, elimination and minimisation of biosecurity risks. However, many in the community believe it will also help to prevent exposure of systemic problems and cruelty, and gag those working for animal rights. I have had numerous constituents contact me and ask me to oppose these parts of the bill. While I support measures to ensure biosecurity for our farms and food supply, I oppose the catch-all provisions in this bill that could criminalise animal advocates working to uncover cruelty in factory farming. We should protect whistleblowers and those who expose illegal and unethical behaviour, particularly when it is out of sight and there are strong financial incentives.

The bill imposes penalties for breaches of up to \$1.1 million and three years imprisonment or \$220,000 for individuals, depending on the category, with further significant penalties for each day that an offence continues. I am concerned that these penalties may be used to stifle and punish those exposing cruelty and abuse. It would appear that people who expose animal cruelty could be punished more harshly than those who commit violence on animals and trick consumers about the production methods they use. The work of animal cruelty campaigners has already exposed the gruesome live export industry, caught workers pushing sick

animals with bulldozers, and forced some real changes to improve animal welfare and ensure that consumers know what they are buying. This work is often the only way we know about widespread animal abuse in our food production system.

Since the mid-twentieth century, factory farming has been the dominant method used to rear animals for meat, eggs and dairy products. Animals are kept in cramped conditions in cages or barns and are unable to act on their natural instincts by roosting, foraging for food, socialising or rearing their young. They never go outside to breathe fresh air or to see sunlight. Voiceless estimates that 500 million animals are kept in these awful conditions each year. Exposure of cruel, illegal and unethical practices is also vital for informing consumers about false labelling and marketing that covers up the real conditions. Improvements in labelling legislation and codes of practice have come about following these campaigns, albeit that more reform is needed.

We have seen what happens when consumers and the community find out more about battery hen cages, sow stalls and the live export industry. Consumers need to be reminded of how harshly animals can be treated so we can use our purchasing power to demand change. I am concerned that this bill may impede that exposure and prevent consumers from being able to act from an informed position. Animal rights campaigners have often been the main scrutineers of animal welfare standards. We need strong, independent checks to prevent systemic cruelty and abuse. I hope that the audit and inspection powers in the bill are used to ensure that all farm animals are treated with compassion and respect. Constituents and advocacy groups have raised with me serious concerns about this bill and I share their concerns about these aspects.

**Mr CHRISTOPHER GULAPTIS** (Clarence—Parliamentary Secretary) [5.24 p.m.]: I support the Biosecurity Bill 2015, and commend the Minister for Primary Industries, and Minister for Lands and Water, in the other place, for introducing it. I also acknowledge the work of the previous Minister, the Hon. Katrina Hodgkinson, in its development. This bill is important for the people of the Northern Rivers. Our area has a clean, green image. Clearly one of the reasons we are working to have a gas field free Northern Rivers is to maintain that image. It goes beyond the coal seam gas industry; it goes to ensuring that pests, parasites or diseases are not introduced. The member for Tweed made light of the case of the dogs Pistol and Boo arriving in Australia. The sad reality is that we must ensure that our biosecurity is maintained.

Those dogs are most welcome in our country. I think a lot of Johnny Depp; he is a terrific actor. Although I am not necessarily a fan of the Pirates of the Caribbean films, I did like *The Rum Diary*. Despite that, his dogs should have been brought in through the front door. They are certainly welcome, but we value our biosecurity, and for good reason. A biosecurity breach can devastate industries and businesses and leave people completely bankrupt and broken. The New South Wales Government is committed to making New South Wales more competitive and productive, both for business and the community. This bill will promote economic growth and productivity by reducing red tape, encouraging and supporting innovation, and growing exports. New South Wales primary industries are valued at approximately \$12 billion. While it is difficult to put a price on the protection of the environment and public safety, nature-based tourism contributes approximately \$23 billion per annum to the Australian economy.

One of the many ways in which this bill will make the New South Wales economy more competitive is by recognising existing self-certification for quality assurance and market access, and making provision for the recognition of similar schemes in the future. For example, the bill recognises the Interstate Certification Assurance [ICA] scheme. This is a primary industries self-certification scheme in which the horticulture and nurseries industries are the major participants in New South Wales. This scheme allows producers to certify that their produce is free from particular pests and/or diseases or that it has been treated in a certain way and therefore meets the importation requirements of other jurisdictions. Under the ICA, a producer can choose to have the department certify their goods or to undertake accreditation for self-certification, depending on what is more cost-effective.

While New South Wales is an active participant in the scheme, there is no legislative basis to sanction rogue operators. The bill includes offences for matters such as having false and misleading information on certificates and other matters that can affect the integrity of the scheme. It provides for the recognition of accredited certifiers and third-party accrediting bodies, and thus business opportunities. These tools will allow businesses to make informed decisions about where and when they will source accreditation or certification services. It will allow the Government to focus its resources on high-risk areas and operators. It will result in reduced compliance costs for businesses if they do the right thing, as audits will be linked to performance. More consistent audit performance will mean lower costs for compliant businesses.

The bill provides greater certainty for the operation of the scheme in New South Wales, and provides sufficient flexibility for other industries to adopt such a scheme if warranted. This is not about leaving industry to fend for itself. This bill is outcomes focused and will allow industry to find the most cost-effective means of meeting their obligations. It will protect the enviable pest- and disease-free status of New South Wales, thereby maintaining access to priority markets and maximising export and investment opportunities with our trading partners. At the start of my speech I spoke about the clean, green image of the North Coast. That image means that we are able to export beef products such as jerky, milk and milk products, and seafood. These high-quality products are in demand because of that clean, green image. The bill aims to protect that image. At the same time, it will reduce red tape, encourage innovation and ultimately place our primary industries and regional communities in the best possible position to take advantage of and develop new business opportunities. I commend the bill to the House.

**Ms TAMARA SMITH** (Ballina) [5.29 p.m.]: I speak on behalf of The Greens in debate on the Biosecurity Bill 2015. Pests, disease, feral animals and noxious weeds are having an impact on native flora and fauna, both terrestrial and aquatic. Globally, invasive species have been recognised as the most serious threat to biodiversity after habitat loss. Habitat loss, climate change and biosecurity are the top three threats to Australian species. The impact of pests and disease is a significant burden on the agricultural industries of New South Wales. Weeds and pest animals are estimated to cost the economy more than \$1.3 billion a year in losses to agricultural production and in the implementation of control measures. In my electorate, biosecurity is vital for the economic sustainability of the dairy and other agricultural industries. The cost does not include impacts on biodiversity, landscape, tourism and water.

**Ms Katrina Hodgkinson:** Macadamias.

**Ms TAMARA SMITH:** Yes, it affects macadamias. The Minister is right.

**Mrs Melinda Pavey:** Avocados.

**Ms TAMARA SMITH:** Yes, all the good things. My colleague in the other place spoke about what characterises a good biosecurity framework. I note the hard work that the Parliamentary Secretary did on the bill when she was the Minister responsible for this issue. I lament that the discussion on the proposed amendments to the previous bill broke down. The report card on this biosecurity framework would not give it a school grade pass. What characterises a good biosecurity framework is nil tenure. It needs independence and scientific rigour.

In this instance, there is a concern about independence. A framework needs a focus on risk prevention, not just on management. Transparency and accountability are missing from this framework. A framework needs to be well resourced. There are questions about how the proposed framework will be resourced in the future. A framework needs the involvement of the community and key stakeholders. They were consulted in this case. A framework also needs a focus on environmental and agricultural protection. The Greens believe this framework implements agricultural protection, but is not as strong on environmental protection.

Unfortunately, the bill goes halfway to fixing the biosecurity system but fails the test of independence, transparency, scientific rigour and accountability. This is a bureaucrats' bill. Over time, the resources needed to give it teeth will gradually dwindle. Since the Government came to office, 50 biosecurity staff have been cut from the Department of Primary Industries, as \$5.6 million has been removed from biosecurity services. There is nothing in the bill that holds the Government to account for its performance on biosecurity. The bill contains provisions that allow the Government to hold private landholders and other individuals to account for their biosecurity responsibility, but there are no provisions that hold the Government to account for its performance.

The Greens took a detailed policy platform on biosecurity to the election that would have given this legislation the elements it needs to be effective. The Greens proposed the establishment of a \$5 million high-risk incursion response fund and the introduction of three-yearly state of biosecurity reporting. The Greens proposed the adoption of a "permitted list" approach to the sale of plants, which would make much more sense than the existing blacklist approach. At the moment, if nursery owners want to sell a plant and are not sure whether it is legal to do so, the process in New South Wales is not as clear as it is in other jurisdictions. Other States list the permitted plants, rather than the plants that are illegal. The Greens also proposed the establishment of an independent statutory State biosecurity committee and that joint responsibility for biosecurity should be given to both the agriculture and environment Ministers.

The Greens lament that the amendments moved to the previous bill have not been discussed by the Minister in the other place. Before the election The Greens negotiated with the Government a raft of

amendments to the bill that would have improved it. Those amendments were supported by both NSW Farmers and the Invasive Species Council. The Government agreed to the amendments but did not adopt them. Labor adopted the amendments, and The Nationals have dropped their support for the amendments in this latest version of the bill. The amendments to the 2014 bill that were agreed to would have ensured the application of the precautionary principle in biosecurity decision-making. That is forward thinking and would align our approach with that of other countries.

Adoption of the amendments would have seen the establishment of a State biosecurity committee comprising independent experts, environmental and farming stakeholders, and government officials. The proposed committee would have reported on the compliance by government agencies with their obligations. It would have prepared four-yearly reports on the state of biosecurity in New South Wales. It would have made recommendations to the Minister about prohibited matter and promoted a coordinated strategic approach to biosecurity. The proposed committee would have reviewed the biosecurity aspects of any local strategic plans prepared by boards under the Local Land Services Act 2013 and provided feedback to the Minister on whether the plans were consistent with State policy. The committee would have provided policy advice on biosecurity issues when requested to do so by the Minister. The proposed amendments would also have created a chair of the State biosecurity committee as an independent statutory officer with the power to audit public sector compliance against the provisions of the Biosecurity Act.

This bill does not give powers to the Minister for the Environment or provide transparency and accountability. It does not allow for scientific rigour and independence in decision-making. The bill has not adopted a permitted list approach to the sale of plants. It does not establish a high-risk incursion response fund as recommended by the Natural Resources Commission. The bill does not promote confidence that the Government will provide the necessary resources to ensure that the biosecurity system functions effectively. The bill ignores many of the key aspects of the review of weed management in New South Wales by the Natural Resources Commission. It also ignores the key premise of the Federal Beale review, which is that the biosecurity system should operate independent of government, as the Bureau of Meteorology does. The Greens will not support the bill as it stands.

**Ms KATRINA HODGKINSON** (Cootamundra—Parliamentary Secretary) [5.37 p.m.], on behalf of Mr Anthony Roberts, in reply: I thank the member for Cessnock, who I think needs a new speechwriter. I thank the member for Tweed for his excellent contribution. Unfortunately, the member for Lake Macquarie got all his facts wrong. I point out to the member for Lake Macquarie that the RSPCA supports this bill. I thank the member for Tamworth for his outline of biosecurity issues. I thank the member for Sydney for his contribution. I thank the member for Clarence, who focused on the State's clean, green image and made a wonderful contribution. I thank the member for Ballina, whose views I respect. The concerns of members were addressed last night and are reflected in the Minister's speech in *Hansard*. I encourage members to read *Hansard* to put their minds at rest. *Hansard* is available from 10.00 a.m. every day here in the Chamber. If members cannot stay up late to listen to debate in the other place, they can read it early in the morning here. I thank all members who contributed to the debate.

The Biosecurity Bill 2015 has been in development for many years, and for good reason. The Government has consulted to ensure that it has got the bill right. The New South Wales Biosecurity Strategy has a lovely waratah on the cover. The strategy has been around for so long that the foreword is by former Premier Barry O'Farrell and me, when I was the Minister for Primary Industries. Much consultation has been undertaken on the bill. This strategy was put out in many corners of the community, consultation has occurred and advice has been sought from industry and the public in a variety of fora, both formally and informally. This bill has not been developed in a vacuum and the subordinate legislation will not be either.

This Government is leading from the front. Biosecurity is a shared responsibility and, if we are to achieve positive outcomes, everyone needs to have the opportunity to contribute to how we manage our biosecurity risks. In October 2012 the NSW Biosecurity Strategy was first released for public comment. Goal 4 of the strategy is that "biosecurity is underpinned by a responsive and contemporary legislative framework". As part of the consultation around this strategy, 24 community meetings were held around the State. The process for developing the new legislation and an outline of what it would look like was discussed at these meetings and was given strong support.

Consultation was broad reaching and included consideration of economic, environmental and community issues. It included primary industries, government, industry and community stakeholders. The proposed framework for a new Biosecurity Act was released for consultation in May and June last year. Again,

a further round of community meetings was held, webinars were made available for those who could not attend those meetings and many one-on-one meetings were held with stakeholders. We also hosted an industry forum in Parliament House in the Strangers Dining Room, which I opened, and more than 40 industry groups attended. A significant number of questions were asked at the forum and many departmental officers attended to ensure that concerns could be addressed.

Broad support was again given for this framework at that forum. The list of attendees at the forum included the Animal Welfare League, the Australian Meat Industry Council, the Australian Veterinary Association, the Invasive Animals CRC, the NSW Apiarists' Association, Plant Health Australia and the RSPCA. We have also spoken with and/or received submissions from the NSW Farmers Association, Local Land Services and local government, the Country Women's Association, the Australian Livestock and Property Agents Association and the Nursery and Garden Industry Association, as well many as others. In relation to future stakeholder advice, we are now establishing a Biosecurity Advisory Committee which will provide independent expert oversight and input and facilitate transparency in the development, implementation and operation of the biosecurity legislation reforms.

While the committee is expertise based, it will also have the authority to establish issue-specific working groups or to call on other experts to provide advice on high-risk matters. This will include calling on industry experts such as the Livestock and Bulk Carriers Association and animal welfare groups such as the RSPCA. Further, local community advisory groups may be established, especially if issue-specific advice is required. A variety of industry-specific advisory bodies such as the Vertebrate Pest Committee, the Sheep Advisory Committee, the NSW Veterinary Practitioners Board, the Natural Resources Commission and the Game and Pest Management Advisory Board, to name a few, will be asked to contribute to the development, implementation and review of the subordinate legislation.

The House can be assured that extensive consultation has occurred on this bill and will continue to occur as the subordinate legislation is developed. It is in the Government's interest to engage with key stakeholders as we go into the next phase of building a stronger biosecurity platform in New South Wales. We cannot afford to work in a vacuum. Robust biosecurity underpins our primary industries, our environment and related industries, including tourism. It contributes to economic growth and to strong and vibrant regional communities. The member for Tamworth spoke about some of the more virulent diseases out there that have impacted significantly on our livestock and farming industries, including avian influenza, which resulted in the very sad termination of half a million layer hens in my electorate, and the Hendra virus, for which Zoetis has developed a vaccine.

We encourage people to use the Hendra vaccine or to make sure that they are not feeding their horses under orchard trees that may contain bats. Red fire ants were introduced in a container terminal at the port in Sydney just last year and, once again, a biosecurity team had to go into action, which it did very well and very successfully. These are just three examples of the sorts of things that can go wrong when it comes to biosecurity in New South Wales. Without firm but flexible legislation our capacity to keep the economy, the environment and the community safe from pests, weeds, diseases and contaminants is compromised.

The bill supports risk-based decision-making and shared responsibility, which ultimately will result in greater clarity when determining priorities and where we focus valuable resources and assets. Many people have been involved over the past 4½ years in the development of this legislation. I acknowledge Scott Hansen, Bruce Christie, Di Watkins, Andrew Sanger, Janine Kermodé, Susan Alchin, Jane Gudde, Peter Regan, Jacqueline Moore, Kate Montgomery, Samantha McCallum, Jess Bonner, Brett Fifields' communications and media team, Scott Barrett, David Dawson, Julian Luke, Tim Scott, Paul Terrett, Emma Logan and Charis Ombico, to name a few. It has been a massive amount of work. 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 Ms Katrina Hodgkinson, on behalf of Mr Anthony Roberts, agreed to:**

That this bill be now read a third time.

**Bill read a third time and returned to the Legislative Council without amendment.**

**BUSINESS OF THE HOUSE****Suspension of Standing and Sessional Orders: Divisions and Quorums****Motion by Mr ANTHONY ROBERTS agreed to:**

That standing and sessional orders be suspended at this sitting to provide that from the resumption of the debate on the Address to Her Majesty The Queen until the rising of the House, no divisions be conducted or quorums be called.

**REAL PROPERTY AMENDMENT (ELECTRONIC CONVEYANCING) BILL 2015****Message received from the Legislative Council returning the bill without amendment.****ADDRESS TO HER MAJESTY QUEEN ELIZABETH II****Debate resumed from an earlier hour.**

**Mr ANTHONY ROBERTS** (Lane Cove—Minister for Industry, Resources and Energy) [5.47 p.m.]: Today I pay tribute on behalf of the Parliament and the people of New South Wales to Her Majesty Queen Elizabeth II on becoming Australia's and the Commonwealth's longest-reigning monarch, passing the record set by her great-great-grandmother, Queen Victoria. Her Majesty has now reigned for 63 years and seven months—that is 23,226 days. What a magnificent and inspirational reign it has been. It is a reign that spans an epoch. When Elizabeth II came to the Commonwealth throne, Stalin was still governing Russia and Winston Churchill was, for a second time, Prime Minister of Great Britain. Our Queen was born the Princess Elizabeth on 21 April 1926 in London. A "spare" who never expected to be "heir" let alone a monarch, her eventual accession to the throne had been completely unforeseen.

When she became Queen on 6 February 1952, her first Prime Minister of Australia was Sir Robert Menzies and her first New South Wales Premier was James McGirr. Since that time she has been served, sometimes not altogether loyally, by 13 Australian Prime Ministers and 17 New South Wales Premiers. The Empire that created this nation has evolved into what is known today as the Commonwealth of Nations—a club of nations with a shared past, working towards a better future with the Queen as their symbolic head. Within this club is another club of 16 nations around the globe—the Commonwealth Realms—which are those nations that share Her Majesty as their sovereign. These nations include Canada, Great Britain and New Zealand, which are nations we are drawing closer to, not further from, in the diplomatic, defence and cultural fields, and enterprises.

Monarchy represents our family in that sense, and it symbolises a history that the vast majority of Australians hold dear as part of their own identity. That is why these bonds of family may never be broken. There was a time—there is no point denying it—when there were those who tried to break those bonds for their own base, political reasons. We must remember that one of the facets of the magic of the monarch is the very fact that the monarchy reinvents itself with every generation. No-one who has ever seen little Prince George, the republic-slayer, can deny this. As a returned serviceman myself, it would be remiss of me not to acknowledge the fact that Her Majesty saw active service during the Second World War, a conflict that today seems an eon away from our own time. Her Majesty was a driver and mechanic in the Army. Indeed, I remind the House that the Queen and her Consort, Prince Philip, are amongst the last figures on the world stage who have seen active service during the terrible conflict that was the Second World War.

Her Majesty's Coronation, which took place in June 1953 at Westminster Abbey, was televised to a worldwide audience using what was then the latest technology. But the ceremony itself based its legitimacy and its tradition on not only the first Christian princes but also the ancient Kings of Israel, thus perfectly reflecting the Judeo-Christian heritage of our culture. The love that the Queen and the Australian Royal Family have for our nation is renowned. We see this whenever Her Majesty visits Australia. Even republicans cannot help but revert to type and fawn every time they see a royal. We all know that monarchist adage, "Never get between a republican and a royal or you will be knocked over."

The Queen was the first reigning Australian monarch to set foot on Australian soil, and has done so on some 16 occasions. In fact, it is of interest to note that Queen Elizabeth opened the New South Wales Parliament on two occasions: on 4 February 1954 and on 20 February 1992. She also did us the great honour of officially opening the Sydney Opera House in 1973 and the new Parliament House in Canberra in 1988. Her Majesty's presence at many of our great historical national events has, like it or not for some, made her as much of an icon to the Australian people as are the Opera House and vegemite.

As our constitutional monarch, Her Majesty Queen Elizabeth II is above politics, which goes some way to explaining why our valiant defence force, police force and emergency service men and women proudly display the Crown of St Edward, the Queens Crown, on their uniforms. On behalf of the Government and people of New South Wales, I congratulate Her Majesty on having become the longest-reigning Australian and Commonwealth monarch. I know that the vast majority of our State and our nation will wish here many more years. I wish her the very best of health and thank her for the graciousness, caring and love she has consistently displayed towards our nation and our State. God save Our Queen Elizabeth II.

**Mr DAVID ELLIOTT** (Baulkham Hills—Minister for Corrections, Minister for Emergency Services, and Minister for Veterans Affairs) [5.52 p.m.]: It is a well-known piece of trivia that over the past 63 years Her Majesty Queen Elizabeth II has survived the political careers of 12 loyal prime ministers in the United Kingdom. However, a more interesting figure is the sum of all the prime ministers who have led governments across the Commonwealth during her reign. Queen Elizabeth II has had 128 prime ministers across her realms, including 14 New Zealanders, 11 Canadians and 13 Australians to compare, contrast, listen to and assent to. There is no doubt there is a special place in Her Majesty's heart for her first prime minister, Sir Winston Churchill, who remains unique among her prime ministers for having served two monarchs. Churchill, with Elizabeth's father, led the country and the Commonwealth through their darkest days. On King George VI's death, Churchill broadcast these immortal words:

During these last days, the King walked with death, as if death were a companion, an acquaintance whom he recognised and did not fear ... I, whose youth was passed in the august, unchallenged and tranquil glories of the Victorian era, may well feel a thrill in invoking, once more, the prayer and the anthem: GOD SAVE THE QUEEN."

Death was something that Churchill and King George VI's generation recognised—an unwanted companion to everyday life brought by total war. But Churchill's seemingly audacious joy when invoking that prayer was well founded. Truly the generations since have enjoyed another august, unchallenged and tranquil age relative to the horror that characterised the world wars. There is no denying that today we have our own sinister challenges to deal with, but Queen Elizabeth's reign has coincided with the most peaceful and free age in world history by any standard.

With the celebration of our sovereign's milestone, we can also applaud ourselves as a society in her time. The advances in wealth, inventiveness and international peace wrought by this new Elizabethan age are achievements we can all be proud of. Constancy and commitment have characterised our Queen in this time. She has adjusted to the myriad changes in attitudes and fashions during 63 years on the throne, without ever compromising the fundamental aspects of her role. Elizabeth II has been the ideal constitutional monarch. As former Prime Minister John Howard said recently:

She shows an appreciation that her privileged position derives from the consent of those who recognise her as Queen.

In one of her early Christmas addresses the Queen placed herself, saying:

I have behind me not only the splendid traditions and the annals of more than a thousand years but the living strength and majesty of the Commonwealth; of societies old and new; of lands and races different in history and origins but all, by God's Will, united in spirit and in aim.

New South Wales is just one of those unique and still relatively new societies—bound in the same spirit of liberal democracy, striving for the same aim that is the improvement of the lot of all people under the Crown. Surely this unity of spirit and aim is something we should cherish and celebrate. The value of this unity is something the Queen has understood better than anyone. Some still do not understand its value. Republicans, in a manner akin to tempestuous teenagers, have attempted to destroy our institutions so that their feelings of angst and uncertainty about our country can be resolved with a clean or, rather, bare slate. Her Majesty's great achievement has been, basically, to keep it together in spite of this.

Mainstream Australians continually reject the republican vision. In an age where public discourse has devolved into adolescent posturing and incessant ignorance on social media, this has been no simple task. Misplaced calls to free us from the monarchy are still sometimes heard among the political class in this country. Drastic constitutional change is always for the benefit of the political class—as they are in a position to command change and comprehend its significance. It must be avoided. In an age of republicanism by stealth—where, without the consent of the people, vestiges of our constitutional system and cultural inheritance have been surreptitiously stripped away—the popularity of the monarchy remains at an all-time high. That the ideal of monarchy survives at all into the twenty-first century is largely the doing of Elizabeth II. The Queen's modest, dutiful character has maintained respect for the monarchy, I argue, for all our benefit.

Queen Elizabeth II and her governments provide two qualities rarely experienced together outside constitutional monarchies—surety and liberty. We are comfortable and reassured because there is no question of her removal. But there is no question we are also free. The modest but sincere acts of celebration and appreciation across the Commonwealth are nothing like the strained praises of a despotic regime. Those living with Queen Elizabeth II as their head of state are the freest in the world. This is the miracle of our system of Government. We rely on the sobriety and wisdom of the people. We are lucky that our Sovereign, a welcome constitutional fixture, shows the same wisdom and sobriety.

If anyone exhibits what it means to have a sense of duty in this day and age, it is the Queen. The Queen remains the world's poster girl for public service. One historian has described her as "Elizabeth the Good, Elizabeth the Dutiful". Queen Victoria once said of Elizabeth I that she "was a great Queen but a bad woman." The second Elizabeth, our Elizabeth, on the other hand, has managed to unite royal greatness with a personal goodness that has ensured the survival of the monarchy. At this point in Her Majesty's reign, as a people we do not walk with death. We are free, we are unchallenged and we are tranquil. A special Golden Jubilee coin bore a Latin inscription which reads, when translated, "The love of the people is the Queen's protection". On this measure, the Queen is well protected in New South Wales. God save the Queen. Ever longer may she reign.

**Mr CHRIS PATTERSON** (Camden) [5.59 p.m.]: As a nation we have been completely captivated by the Royal Family. They have given us so many years of intrigue and pleasure and have brought national morale in times of need. Her Majesty Queen Elizabeth II was thrown into her role as the Queen of the Commonwealth after the sad passing of her father, King George VI. As the eldest of two daughters her succession to the throne was inevitable. At the time of her birth in 1926, the Princess Elizabeth stood third in line of succession to the throne after Edward, Prince of Wales, and her father, the Duke of York. It certainly was not expected that her father would become King or that she would become Queen.

In 1936 when Princess Elizabeth's grandfather King George V died, Prince Edward was crowned King Edward VIII but, as fate had it, King Edward abdicated by the end of 1937 and Princess Elizabeth's father became the King, King George VI. Princess Elizabeth had now become the first in line for the throne at the age of 11, a huge burden for any young child to accept. Affectionately known as "Lilibet", which is what she called herself at a very young age, Princess Elizabeth was adored by her grandfather George V, and during his serious illness in 1929 Princess Elizabeth raised his spirits with every visit even though she was only three.

Most of the Princess's education was completed at home. She chose to study constitutional history and law in preparation for her future role after her father became King. The Princess was also instructed in religion by the Archbishop of Canterbury. The Princess also learned French, a skill she still uses today when visiting French-speaking countries in the Commonwealth or meeting with ambassadors or heads of state. The Princess also studied art, music and riding, and was a strong swimmer. She also enrolled as a Girl Guide and later became a Sea Ranger.

During the Second World War Princess Elizabeth begged her father to let her pitch in, and at 18 years of age the Princess joined the Women's Auxiliary Territorial Service, donning a pair of coveralls and training in London as a mechanic and military truck driver. Princess Elizabeth was married in 1947 to Prince Philip of Greece and Denmark, and in 1948 her first son, Prince Charles, was born. In 1950 her second child, Princess Anne, was born. Still only very young, Princess Elizabeth took on more and more royal duties as her father's health declined. While on a visit to Kenya in 1952, Princess Elizabeth received the news that her father had died, although it was not entirely unexpected as the Princess had travelled during that visit with her mourning clothes. At the age of 26 Princess Elizabeth was now the head of the Commonwealth.

With two young children, she was certainly confronted with a lot of responsibility. Even though her grandmother, Queen Mary, died in March 1953, the coronation of Princess Elizabeth went ahead and she was crowned Queen Elizabeth II in June 1953. The public adored her. Queen Elizabeth's first of many visits to Australia was in 1954 and to this day any time she chooses to come to our wonderful country the people of this nation embrace her with all our hearts. In 1960 and 1964 the Queen produced two more sons, Andrew and Edward, but as a mother of four she has always continued her role without question.

One of the passions the Queen has is her racehorses. Her registered racing colours of purple and scarlet jacket with a gold braiding were the colours used by her father and great-grandfather. The Queen's racehorses have won more than 1,600 races. It is said the Queen does not gamble but gets great pleasure out of the breeding of her horses. In 1954 the Australian Jockey Club renamed the AJC Plate the Queen Elizabeth Stakes, which is

one of the group one races on our annual calendar. Randwick Racecourse has the Queen Elizabeth Stand, which is another honour to the Queen and her love for racing. Many times we have seen images of the Queen cheering on her horses with the excitement of any other racehorse owner.

Today Queen Elizabeth will equal the time on the throne of Queen Victoria, who reigned from 1837 until 1901. On 10 September Queen Elizabeth will be the longest-serving monarch and I am sure the public will hope she continues while ever she can. At a spritely 89 she certainly shows up many of us with her royal duties; she never seems to tire. Since 1952 the Queen has given Royal Assent to more than 3,500 Acts of Parliament and has given regular audiences to 12 British prime ministers—Winston Churchill, Sir Anthony Eden, Harold Macmillan, Sir Alec Douglas-Home, Harold Wilson, Edward Heath, James Callaghan, Margaret Thatcher, John Major, Tony Blair, Gordon Brown and the current Prime Minister, David Cameron.

Even though we are an independent country, Australia will always embrace the Royal Family. Many of us here today have known no other monarchy; she has been so much a part of our lives. The Queen has always moved with the times whilst maintaining the tradition and dignity of the monarchy. In 2013 the rule was changed to allow all children born into the Royal Family to be in line for the throne—it no longer has to be the first son. As parents of four children, grandparents of eight and great-grandparents of five, the Queen and Prince Philip have always had the support of their family. In recent years Prince Philip has had health problems, but when he can he has always been by the Queen's side. The Queen is now handing over some of her duties to other members of the family, in particular, Prince William and Kate, the Duke and Duchess of Cambridge. Their popularity has certainly given new life to the Royal Family and, of course, his royal cuteness, George, will see the tradition continue for many, many years.

I know many people in the House today and in the wider community who call themselves republicans know only too well that the Royal Family is here to stay and acknowledge the wonderful work of the Queen and the Royal Family. For more than 63 years Queen Elizabeth has embraced the role and taken it to the people of the Commonwealth and beyond. Wherever she goes, the Queen brings the people together and the crowd increases with every event she attends. Today the Queen will celebrate her milestone without much fanfare. She has said that she does not want the anniversary to be a celebration of the death of her great-great-grandmother, Queen Victoria. This goes to show why she is so loved. The Queen has always shown so much dignity and respect for all those around her.

We can all learn from her in the way she handles disappointments and tragedies. We know she, like most of us, has had her fair share of those with the death of her father, the tragic death of Lord Mountbatten, and her own children's marriage breakdowns. I think most prominent in her mind today will be her wonderful mother, the Queen Mother. She was an absolute rock and companion to her throughout her life, passing on her experiences as the wife of the King and just simply being there for her when things got a bit tough. The Queen has never publicly shown the strain she can be under in her role or simply as a mother; those things have always been kept behind closed doors. Any thought of her abdicating her role will not be tolerated by the public. She is so loved and adored it is hard to think that one day she will no longer be Queen. But until that day comes, let us hope we see her reign for many years to come. We celebrate today her becoming the realm's longest-reigning monarch. God save the Queen.

**Mr DAVID HARRIS** (Wyang) [6.09 p.m.]: I will make a very brief statement. The date 9 September 2015 is notable in its way: Elizabeth II will become the longest-reigning monarch in British history, passing the record set by her great-great-grandmother Victoria. As someone who values history, I acknowledge this significant milestone: The Queen will have reigned for 63 years and seven months and it will be the 23,226th day of her reign. In an institution as old as the monarchy that is a rather striking measure to add to other memorable features of her reign. But I also look forward to the future, and in doing so I quote former Premier Nick Greiner, who said:

This is not an argument about the past. Of course, the monarchy, knighthoods and the British Empire have all been part of our history but leadership is about managing the present day and shaping it to meet the challenges of the future.

A republic is Australia's future. We are a diverse multicultural nation that needs to find the right glue to unite us in the twenty-first century. That means a head-of-state that can represent all of us equally, whether we are indigenous Australians, multigenerational Australians or recent migrants.

It's all about finding a future we can share, without the constraints put on us by the past.

I acknowledge this significant anniversary whilst looking forward to the day that an Australian citizen can become the Australian head of state.

**Ms KATRINA HODGKINSON** (Cootamundra—Parliamentary Secretary) [6.11 p.m.]: Today we honour the longest reign in the history of Britain and an outstanding example to Her Majesty's subjects, not least to many of us in this House. Her Majesty's career serving the public is a shining light to us all. Queen Elizabeth has kept the promise she made on her twenty-first birthday in 1947 to the letter:

I declare before you all that my whole life, whether it be long or short, shall be devoted to your service and the service of our great imperial family to which we all belong.

Five years later, on 6 February 1952 while honeymooning in Kenya with Prince Philip, Her Majesty's father, King George VI, died. My mother recalls the occasion although she was just a child at the time. King George VI had been a marvellous monarch who was devoted to his subjects and, with his wife by his side, an inspiration to all through the dark days of World War II. After a year of mourning, the young princess was crowned in 1953—still very soon after her father's death, which must have been very traumatic for her. And so began the reign that today surpasses that of her great-great-grandmother Queen Victoria—a reign of 63 years and seven months.

Now 89 years of age, Her Majesty has seen decades of social change, serving her people with Prince Philip's loyal support, through the twentieth century and into the twenty-first century. From glimpses on palace balconies, delivering the annual Christmas Message by radio—which most members listened to as children—and then later on television, to informal royal walkabouts, to embracing social media, the Queen has moved with the times. The Queen keeps up to date, meeting regularly with her prime minister and representatives of each of her dominions. Former British Foreign Secretary Douglas Hurd has written:

Our queens have achieved more popularity than our kings, if only because they have the knack for living much longer. There will be ups and downs and occasional moments of misgiving; but as an institution, the monarchy is deeply rooted in British soil.

The black clouds which seemed to threaten the monarchy 30 years ago have been dispelled, not least by the sure touch of the Queen herself.

Despite her evolution and the extraordinary changes during her reign, the Queen has honoured the important traditions of her family and the royal houses over the centuries. The monarchy in Australia has not been without debate. I was working for Senator the Hon. Nick Minchin in Canberra, a terrific fellow, when he was appointed Special Minister of State and charged with convening the Constitutional Convention in February 1998—a commitment that John Howard had made to the people. The Constitutional Convention had 152 delegates, half of whom were elected and the other half of whom were appointed. They gathered in four philosophical groups to rate their views.

It was an interesting debate that raised the profiles of some of our now key leaders. However, I believe very strongly that our system is not broken and it does not need fixing; it all works extremely well. Her Majesty has seen trials and tribulations, triumphs and tragedies throughout her realm and, of course, within her own family. Like families the world over, the Windsors have overcome their tough times and moved on. Her Majesty has delighted in her grandchildren and now her two great-grandchildren, George and Charlotte. We have all delighted in observing the royal family's celebrations, such as the Silver Jubilee in 1977. Not all members of this House were around then, but the majority of us were.

**Mr Gareth Ward:** I am surprised you were.

**Ms KATRINA HODGKINSON:** I acknowledge the interjection. There was the Queen Mother's 100th birthday, the Queen's Golden Jubilee, the marriages of princes and princesses, and the births of royal babies. These are joys in which we can all share that refocus us on the importance of family and provide welcome distractions from grim world events. Wherever she has journeyed throughout the Commonwealth, Queen Elizabeth has been greeted by adoring crowds. I have had the great honour of meeting both the Queen and Prince Philip in Canberra, Prince Charles and Camilla at the Opera House, and Prince William and Princess Catherine at last year's Royal Easter Show—what lovely people they all are. The public celebrates the Queen as she never tires of self-sacrifice, steadfast in her service and devotion to duty, resolute in her staying power, and with shining moral qualities. She is the single best role model that anybody could ever wish for. She sets a fine example too in her love of animals—those beautiful corgis, ponies and thoroughbred horses, many displaying their owner's staying power. The words of the British national anthem are:

God save our gracious Queen!  
 Long live our noble Queen!  
 God save the Queen!  
 Send her victorious,  
 Happy and glorious,  
 Long to reign over us,  
 God save the Queen.

Sung how many thousands of times, those words have worked their intent. Late this afternoon Queen Elizabeth will have reigned for more than 23,226 days and 17 hours, becoming the longest-serving monarch in British history. Queen Elizabeth II is a wonderful example to each of us. She upholds family values and is the epitome of public service. Many in this House will join me in wishing Queen Elizabeth good health through her final years in her incredible job. I respect Her Majesty, and I salute her on this her record day. God save the Queen.

[*Business interrupted.*]

## HEALTH SERVICES AMENDMENT (AMBULANCE SERVICES) BILL 2015

Message received from the Legislative Council returning the bill without amendment.

### ADDRESS TO HER MAJESTY QUEEN ELIZABETH II

[*Business resumed.*]

**Ms ELENI PETINOS** (Miranda) [6.17 p.m.]: Alongside my colleagues, I pay tribute to Her Majesty Queen Elizabeth II on the occasion of becoming the longest-reigning British monarch of all time. It was 6 February 1952 when Princess Elizabeth of the United Kingdom, as she was then known, ascended to the throne following the death of her father, at the age of 56. She was crowned on 2 June 1953, becoming Queen and taking the Coronation Oath. The deep sincerity of that oath has echoed throughout Her Majesty's reign. In leading a life of boundless service, Her Majesty has ratified that emphatic profession to "cause Law and Justice, in Mercy, to be executed in all [her] judgements", and to govern Commonwealth nations, including those of Australia and New Zealand, "according to their respective laws and customs".

Her solemn promise to execute her duties at all costs and to serve the people of this nation and this State according to her own sense of deep civic duty is reflected in our own duties as members of Parliament. In swearing our loyalty to the institution of government in New South Wales under the Crown, we are bound to protect all tenets of our constitutional democracy for the sake of the people of New South Wales. The stalwart way in which the Queen has discharged her duty over the past 63 years and seven months provides a positive pattern for all servants of the public in this place, regardless of our personal views. No matter what stance one takes in the monarchy versus republic debate, the unwavering contribution that the Queen has made throughout her lifetime of service is undeniable.

As such, I pay tribute to Her Majesty the Queen for the strong and courageous leadership she has shown over more than six decades. The Queen's reign, which is in excess of 63 years and seven months, outstrips that of the next longest reigning British monarch: her great-great-grandmother, Queen Victoria, who served for 63 years and 216 days, from 1837 to 1901. Her Majesty's reign has endured the evolution of the Commonwealth as the focus of the monarchy moved from imperial grandeur to a picture of understated duty. This period extends throughout the terms of the past 17 Premiers of New South Wales, from Joseph Cahill to our own Premier Mike Baird. Her reign also extends for the terms of nine Governors of New South Wales, from Lieutenant-General Sir John Northcott to our Governor, His Excellency General the Honourable David Hurley, AC, DSC.

Her Majesty has visited this country no fewer than 16 times. Indeed, she is the only reigning monarch to have ever set foot on Australian soil. Her Majesty landed at Farm Cove, Sydney, on 3 February 1954. Throughout that first historic visit, during which the Queen and the Duke of Edinburgh visited all six States, it was estimated that some 75 per cent of the Australian population personally witnessed the Queen at least once during her vast excursion around this stunning continent. The Queen's visits to various sites throughout New South Wales have formed part of the tapestry of our national life. In this State alone, she has visited the people of regional towns and cities such as Lismore, Newcastle, Dubbo, Wollongong, Bathurst, Katoomba, Lithgow, Wagga Wagga and Broken Hill.

It was noted that while in Leura Her Majesty met the same fishing guide, Mr Harry Andreas, who had taken her father, the then Duke of York, fishing for swordfish in the Bay of Islands almost three decades prior in 1927. That story highlights the familial element to the Royal Family's connection to Australia. From opening the Sydney Opera House in 1973—a centrepiece of our world-class city—and opening Darling Harbour in 1988 to commemorating the 150th anniversary of the incorporation of Sydney as a city in 1992, the Queen has truly borne witness to the evolving and enduring story of this State. At the conclusion of Her Majesty's initial 1954 tour, Prime Minister Robert Menzies wrote in the *Sydney Morning Herald*:

When eight million people spontaneously pour out this feeling [of common loyalty and devotion] they are engaging in a great act of common allegiance and common joy which brings them closer together and is one of the most powerful elements converting them from a mass of individuals to a great cohesive nation.

Indeed, the Queen and her representative, the Governor, have had an important constitutional, ceremonial and community-driven role to play in the life and times of this great State. The Queen has been "an anchor for our age." She is a symbol of strength and stability, who, with every passing milestone from her Golden Jubilee in 2002 to her Diamond Jubilee in 2012 and this history-making day, has devoted herself anew to the service of the people of the Commonwealth and of this nation in her capacity as Queen of Australia. A day of such historic import and a figure of such historic public standing and unfettered devotion to her people ought to be met with nothing but our profound respect and salutation. Thus I join my colleagues in congratulating Her Majesty Queen Elizabeth II on the occasion of her record-breaking reign. God save the Queen.

**Mr KEVIN CONOLLY** (Riverstone) [6.22 p.m.]: It is a privilege to address the House on this occasion commemorating the 63-year reign of Her Majesty Queen Elizabeth II. Queen Elizabeth II has been our monarch for more than half the period that Australia has existed as a federated nation. During the time since Federation, and during the period of Queen Elizabeth's reign, Australia has enjoyed great progress and prosperity underpinned by political stability and the rule of law. Her Majesty has presided over an empire transitioning into a Commonwealth—a free association of nations sharing a common heritage and commitment to democracy. She has presided with dignity and grace through all manner of changes, challenges and personal trials. Her sense of duty to her subjects in Britain, Australia and elsewhere in the Commonwealth has been manifest in the respect she has shown for all the peoples and cultures involved, and in the care she has shown at times of tragedy for any of them.

On 9 September 2015, which is a personal milestone for Queen Elizabeth II as her reign is now the longest of any British and Australian monarch, I pay tribute to her for the exemplary manner in which she has undertaken her responsibilities. It is a powerful testament to her service that those who would like to argue for a different constitutional arrangement for Australia generally acknowledge that any change they propose should occur only after the conclusion of her reign. It is worth reflecting that in 1952 Australia was a nation of 8½ million people, who were still in many respects isolated from the rest of the world by the tyranny of distance but nevertheless immensely privileged by its inheritance of democratic institutions and traditions, independent judiciary, common law tradition, free press and impartial public service. The stability, security, freedom and opportunity enjoyed by its citizens then and now are in great measure due to this inheritance.

Since 1952 Australia has grown rapidly in population, become more closely engaged with Asian and Pacific nations in its region, accepted migrants from almost every nation and culture on earth, adapted to and embraced rapid technological change and has fundamentally reassessed the place of Indigenous people within the nation. By and large, and with few exceptions, the nation has taken those major changes in its stride. Changes of that magnitude may have caused social division, tension or even violence in other parts of the world but have not done so in Australia. I believe Australia's capacity to embrace change peacefully and constructively has been enhanced by the legacy of our British foundations and the wonderfully pragmatic construct that has been the Australian constitutional monarchy. It has been a pragmatic and flexible system of government that has allowed the expression of the people's will through partisan politics and at the same time maintained the impartiality and integrity of the institutions of the State and the nation. The system has worked wonderfully well, and continues to work.

It is one of our privileges as local members to participate in citizenship ceremonies to welcome the many people who choose to make Australia their home. On such occasions it is impossible not to be reminded of just how rare it is in this world to experience freedom, safety, stability and immense opportunities. People travel from all corners of the globe seeking to share in this wonderful nation that has developed from its beginnings as a penal colony 227 years ago. Our multicultural nation has grown and developed under the constitutional monarchy. Indeed, it is arguable that it has been possible only because of it. The harmony and mutual respect that is generally characteristic of our diverse society in 2015 has not been imposed violently on an ailing culture. Rather, it has germinated and been nurtured in the fertile soil of a nation based on the traditions and democratic institutions of our constitutional monarchy.

I am thankful for the privilege of living in Australia. I know how lucky my family and I are to call this country our home. As Australia's constitutional monarchy has played a significant part in delivering the many blessings we enjoy in this country, I am grateful to those who pioneered our constitutional arrangements and who bequeathed us this unlikely but magnificently successful system of government. I congratulate Her Majesty and thank her for her career of service. I join other members of this House in wishing Her Majesty and Prince Philip good health and good fortune in the years to come.

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

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

**PRIVATE MEMBERS' STATEMENTS****BLACKTOWN CITY COUNCIL NAME CHANGE PROPOSAL**

**Mr JOHN ROBERTSON** (Blacktown) [6.27 p.m.]: It is my honour to represent the electorate and the people of Blacktown, who are proud of where they live. The Blacktown City local government area [LGA] is home to more than 350,000 people and is the largest LGA in the State. I understand the community outrage when six Blacktown City councillors—on a whim to secure support from an independent councillor for the 2015-16 mayoralty—tried to change the name and identity of our area. Blacktown is the name the area has had since the 1800s. It is deeply entrenched in the area's Aboriginal history. Those Liberal councillors on Blacktown City Council want to remove that from history.

Local elder and Darug Tribal Aboriginal Corporation Chairman Gordon Workman said the proposal was "an insult to the Indigenous people of Blacktown". I acknowledge the Darug people. Much of our nation's history has been whitewashed, and this appears to be an attempt to do more of the same. What we have seen time and time again from many in the Liberal Party is their inability to grapple with Australia's Indigenous past. This is the same group of Liberal councillors who, under the leadership of former Mayor Len Robinson, stopped the acknowledgment of country to the traditional owners of the land, the Darug people. The Blacktown local government area is home to the largest urban Aboriginal and Torres Strait Islander population in New South Wales, and the proposal to change its name, which is reflective of Blacktown's Aboriginal history, makes Indigenous and non-Indigenous locals angry.

As I have moved around Blacktown since the proposal for the change of name was pushed through council, the issue has been raised with me constantly. Local residents are furious at this attack on our local identity and local businesses are peeved at the basic lack of common sense that some councillors are showing. One local business owner raised with me the issue of the costs associated with changing signage mounted on the side of his business. It cost him thousands of dollars but would become redundant if the change of name goes ahead—not to mention the cost of new branding on letterhead and stationery. This just goes to show what happens when self-interest, rather than the public interest, feeds into political decision-making.

A referendum of any sort should be driven by mass public support and activism. In this case, a group of seven councillors saw fit to have their proposed name change forced on 350,000 constituents, costing ratepayers an estimated \$1.2 million, with no community support. The Blacktown Liberals have hitched their wagon to a horse that is running in the opposite direction to public opinion. So much so that when the public gallery at the Blacktown City Council meeting was filled with people protesting the name change, some Blacktown Liberal councillors had the nerve to call them Labor stooges. These were local residents unimpressed by the way they were being treated. One member of the public gallery took to Facebook, venting his outrage. He said, "After over 40 years of involvement in the Liberal Party, I do not appreciate being called a Labor Party stooge. Wake up. You are out on a limb with a saw in one hand and an axe in the other. I was insulted."

Adam Boidin, an 18-year-old from Blacktown, said to me, "The name Blacktown is not a lightning rod of shame; it is a celebration of our past and something of which we should be extremely proud." Others have commented by saying that "Blacktown" is not only part of the area's identity but also part of their personal identity and family history. The people of Blacktown are a proud people. Contemporary Blacktown is about harmony, fairness and a sense of community. Being from Blacktown means different things to different people, but it is somewhere that one in 20 people in New South Wales now call home. At a time when there are real issues to address in our local area, some Blacktown City councillors are pushing an agenda to secure power—and that is disgusting.

Liberal councillor Jess Diaz tried to get his son elected to Federal Parliament twice, and failed. Councillor Jess Diaz tried to roll the sitting member for Riverstone, Kevin Connolly, and failed. Councillor Jess Diaz tried to become Blacktown City Council mayor and failed because one of his own Liberal colleagues voted for the Labor candidate. Councillor Jess Diaz, as reported by the *Blacktown Advocate*, does not even live in the Blacktown local government area. Now Councillor Jess Diaz and his cronies are trying to change the name of Blacktown. If the poll carried out by one of the local papers is any indication, with 90 per cent of people opposing the name change, he will fail again.

I acknowledge the hard work of the current mayor, Stephen Bali, who is doing a great job fighting these changes on the council, as well as local advocates who are out collecting signatures on petitions and

holding peaceful protest rallies outside the Blacktown City Council. This community campaign to save the name of Blacktown will show the unity and resilience of the people of Blacktown. There is an amazing sense of community in Blacktown, and attacking that sense of community and local identity has put the local Liberal councillors on a fast track to the political wilderness.

### WIRRAMINNA ENVIRONMENTAL EDUCATION CENTRE

**Mr GREG APLIN** (Albury) [6.32 p.m.]: One of the unsung heroes of my electorate of Albury has had its praises sung at a major awards ceremony. The Wirraminna Environmental Education Centre has been proclaimed this year's outright winner of the Junior Landcare Education Award for New South Wales. It will now represent New South Wales at the National Landcare Awards to be held in 2016. The centre, which is based at Burrumbuttock, is widely respected for its innovative educative environmental work and has won the Junior Landcare Team Award for its Creative Catchment Kids program. The key reason for this recognition, according to Owen Dunlop, Business Manager for Creative Catchment Kids, is that the organisation works closely with around 30 schools in the Murray region, where it auspices many educational projects on behalf of those schools.

Indeed, the centre remains close to its roots, even 20 years after it was founded, because it is located adjacent to the small rural school of Burrumbuttock, where Owen Dunlop was an inspirational principal. Schools in regional areas have been crying out for this kind of support for locally focused environmental education material. This is where Creative Catchment Kids has found its niche. The Creative Catchment Kids "Enviro Stories" book-writing and production project is a cornerstone opportunity, showcasing community-based locals who are making a difference in fields such as pest management, biosecurity, agricultural production and natural resource management. The books, which over the past four years have profiled more than 200 individuals, have been very well received. Arguably this is because school students have gone out and identified people quietly doing their work in the local community and written their personal stories. These individuals have a wide range of skills and vocations. As a result, each book is like a mini episode of *Australian Story*.

The books are not well-meaning ornaments to be placed in the school's trophy cabinet under glass; in fact, they are well used, particularly as classroom readers. Libraries take them too, and they are moving online now as e-books. One of the advantages of the series being available as e-books is that schools can place them directly onto electronic whiteboards for use in the classroom. Furthermore, around 40 to 50 copies of a book are provided to the school to distribute among parents of the children who have participated in the project. In this way parents get an insight into the skills their children have developed, such as carrying out research or creating artworks to illustrate the theme. Finally, a copy of each book makes it to the nation's capital, where it goes into the national collection. While the national collection has large numbers of books written or published in Australia each year, apparently there is no such deluge when it comes to books created by primary school age children that actually get published. So this is a rarer species altogether.

The series is powerful. Each book is a snapshot of what was going on at the time it was written and published. We will be able to look back and see what were the particular environmental issues concerning these communities at a particular moment in time. The main funding partner for the books project is Murray Local Land Services and the New South Wales Government. In a symbiotic way, the project seeks to work with local land services and Landcare by taking their current themes and translating them into book ideas for local schools. This adds value to the work and plans of our government agencies, as the Creative Catchment Kids explore these priorities within their schools and communities. Having achieved so much—and interviewed so many people—one might wonder whether such a successful project is starting to reach its limits. But Owen Dunlop has far-reaching plans. The leadership team is looking to expand the project into the Riverina and western regions, from Griffith to Cootamundra, Tumbarumba to Mulwala and out to Oaklands in the north-west of my electorate of Albury.

Creative Catchment Kids is not just about the writing. There are videos being made, there is support for Waterwatch and opportunities for field trips. In its twentieth year, the underlying strategic task for the organisers is to see that the Wirraminna Environmental Education Centre remains healthy and viable into the future. While its home remains the village of Burrumbuttock, the centre has been expanding its envelope—stretching the limits far and wide. Wirraminna cannot rely wholly on the population of Burrumbuttock to sustain it over the years ahead. Wirraminna now has part-time staff and a board of management. It has looked to the future by developing key partnerships with what it calls "quality organisations", such as the Murray-Darling Basin Authority, councils and the New South Wales Government.

Deep down, in Wirraminna you will still find that the organisation is built on the values and hard work of the Burrumbuttock community. Wirraminna senior project officer Stacey Staunton-Latimer said, "It is very exciting to win the award because it shows our kids can get out there and engage and take home an environmental message to their family. Hopefully it will inspire them to do something after school; they may want to work on a farm or in the environment." I wish good fortune to Owen, Stacey and the Wirraminna team as they pursue this wonderful vision of environmental education for our children.

**Mr GARETH WARD** (Kiama—Parliamentary Secretary) [6.37 p.m.]: I thank the member for Albury for updating the House on the activities of the Wirraminna Environmental Education Centre at Burrumbuttock, and the Creative Catchment Kids program. I know that the member for Albury is a passionate advocate for his local environment, and he comes into this House to advance the successes of so many of his local schools. He is incredibly passionate about Landcare. One of the reasons this Government has delivered a record budget for Landcare is in recognition of its volunteers, who do such a great job right across New South Wales, and particularly in the electorate of Albury. I thank the hardworking and dedicated member for Albury for bringing this story to the House today. It reminds me of the importance of local conservationism and our commitment to teaching young people about the values of our environment, not only those of primary school age but also those of all ages. I thank the member for Albury for his private member's statement.

### GREATER PORT MACQUARIE BUSINESS AWARDS 2015

**Mrs LESLIE WILLIAMS** (Port Macquarie—Minister for Early Childhood Education, Minister for Aboriginal Affairs, and Assistant Minister for Education) [6.38 p.m.]: It is often said that small business is the backbone of the economy, so it is right that we should celebrate its achievements. Last Friday night the Port Macquarie Chamber of Commerce held its annual Business Awards, supported by major sponsor the Holiday Coast Credit Union. Around 500 people attended the event at Port Macquarie Panthers. The 33 award categories covered most facets of business. The function is one of the highlights of the chamber's calendar of events, and attendees dressed glamorously.

Businesses in Port Macquarie and the Hastings Valley are high calibre, so the judges had tough decisions to make to select the award winners from three categories of People's Choice, Business Choice and Independently Judged. I will mention some of the amazing local businesses on a list of 100 finalists that took home an award. For more than 30 years local family-owned business Pycon Homes and Constructions has been building award-winning homes in the area. Its win in the Building, Trade Services and Suppliers category was well deserved. Congratulations to Trevor Sutor and the rest of the Sutor family. One of the most popular awards is for Community and Social Services. The award went to the Willing and Able Foundation. The foundation provides meaningful employment and opportunities for personal growth for adults with intellectual disabilities. It is a worthy winner of the award. The foundation is led by general manager Karol O'Brien, who does an amazing job.

Port Macquarie has some of the best cafes on the east coast, so deciding who would take home the award for Restaurants and Cafes was always going to be tough. The finalists included Caramels@Cathie, Lv's on Clarence, Social Grounds and Zebu Bar and Grill. The judges awarded the honour to Social Grounds. Owners Chris and Andrew are both passionate young men who serve excellent coffee in a funky cafe. I wish them every success. The Real Estate and Residential Services award was won by Coast Front Realty. This business, which is owned and operated by Sue Jogeever, is a small but successful agency. Sue does not sell only property. In July this year Coast Front Realty became the first business to take steps towards becoming a dementia-friendly business, which is something close to my heart. Well done to Sue and her team.

One of the most popular awards on the night was the Women in Business award, with three outstanding nominees in Tanya Newman of Bennetts Steel, Jane Hillsdon of Dragonfly Marketing and Stacy Morgan of the Wauchope and Port Macquarie Performing Arts. This year's deserving winner was the enthusiastic Tanya Newman, who carries on the tradition of running a steel business that was established in 1990 by Gordon Bennett and her wonderful mum, Peta Simmons. Each year I join the Chamber of Commerce in sponsoring one of the categories.

This year it was the New Business award, which was won by Ruins Cafe. James and Bronwyn Craig recently opened the cafe next to the new Charles Stuart University campus. James and Bronwyn also run a cafe at Port Macquarie Airport and often see me with blurry eyes, in need of caffeine, while I wait to board my 6.30 a.m. flight to Sydney. Time does not permit me to mention every finalist or winner, but I congratulate every one of the businesses nominated. I thank the Port Macquarie Chamber of Commerce and master of ceremonies Nick James for a fantastic night. I acknowledge the many sponsors for their support for the wonderful event.

## ASYLUM SEEKERS AND REFUGEES

**Ms JENNY AITCHISON** (Maitland) [6.43 p.m.]: One of my first jobs in the Commonwealth public service in the 1990s was in a section of the Department of Immigration known as Refugee Law. The section was established to deal with the growing amount of litigation that had emerged from the number of boats arriving in Australia. One of my tasks was to read, classify and archive the applications for refugee status of the asylum seekers who had come to our shores in the late 1980s and early 1990s. I have read more of their stories than I care to remember. They were harrowing. The first asylum seekers since white settlement arrived on boats in the postwar period. They were welcomed with open arms. Between 1949 and 1960, many spent time in temporary accommodation at Greta, which is partly in my electorate of Maitland. More than 100,000 people seeking a new life in Australia passed through Greta Camp during its 11 years in operation. The next boats arrived in the 1970s, from Vietnam. Again Australia opened its arms to people fleeing a regime with which it had been at war.

Since then, some Australians have not been as generous. Some within our community have questioned the right of people to seek asylum having travelled here by boat. We have heard terms such as "economic refugees" and "queue jumpers". We have heard calls to stop the boats. We have been asked repeatedly who will bear the cost of resettling these people. They are not the words of a civil society. That is not the language of a generous and caring nation. They are the words of a defensive and frightened community that is manipulated to think that Australia is a small nation, and that there is no room in our land or in our hearts for those who flee torture, persecution and trauma. In 2013 the then Chief of Army, David Morrison, said in an unflinching video that quickly went viral that there was "no place" in the army for those who "exploit and demean" their colleagues. He added:

If we are a great national institution, if we care about the legacy left to us by those who have served before us, if we care about the legacy we leave to those who in turn will protect and secure Australia, then it is up to us to make a difference.

He continued:

The same goes for those who think that toughness is built on humiliating others. If you become aware of any individual degrading another, then show moral courage and take a stand against it.

They are powerful words that also apply to social justice in our community. Refugees are our colleagues. It is easier to think of people rather than numbers, particularly when the number of people affected by war and trauma is so large. We think of the people locally who cannot get a job or who are homeless. We prioritise them and we forget about the thousands of individuals who are suffering in a way we cannot begin to comprehend. I am relieved that the image of the lifeless body of little Aylan Kurdi was finally enough to put a face on this crisis that has raged for far too long, with inaction and indifference from our community. We should look to the words of our national anthem for inspiration on how to act when faced with such a crisis:

Beneath our radiant Southern Cross  
We'll toil with hearts and hands;  
To make this Commonwealth of ours  
Renowned of all the lands;  
For those who've come across the seas  
We've boundless plains to share;  
With courage let us all combine  
To Advance Australia Fair

We have a proud history of standing up for our mates, whether on the battlefield, in the school ground or in the neighbourhood. As a mature nation, in this Centenary of Anzac year, we should open our hearts to those who have come across the sea, fleeing torture and trauma. I welcome the announcement made by the Prime Minister today that Australia will accept another 12,000 people under its humanitarian program. I applaud the leadership shown by the Premier and the Leader of the Opposition, which has no doubt had an impact on that decision by putting pressure on the Prime Minister and all Australians to do the right thing.

**Mr GARETH WARD** (Kiama—Parliamentary Secretary) [6.48 p.m.]: I thank the member for Maitland for her comments. This issue should not be affected by partisan politics. We should focus on the humanitarian efforts that are required to support displaced people. We are seeing events overseas that we have never seen before. It is incumbent on us to think about the effect of those events on people who have been displaced. I cannot begin to imagine the horror and trauma that those people are going through. We are a generous nation. We are a bountiful and plentiful nation, and we should be generous in these difficult times. My heart goes out to every child, woman and man experiencing the horrific events we see on the news. I join with the member for Maitland in calling for support for these distressed people.

### DAYLIGHT SAVING TIME

**Mr ADAM MARSHALL** (Northern Tablelands) [6.49 p.m.]: This evening I speak to the House on a topic that has polarised discussion over the farm fence since 1971. It is a topic that has plagued rural parliamentarians for years. It has, apparently, driven many generations of chooks off the lay and kept many a curtain retailer in the bush in the black—but never in the dark. City folk staunchly defend their right to bask in its light for as long as they can, while country dwellers curse their indigestion at 10.00 p.m., the result of yet another late evening meal. What is it that has so gravely torn asunder city and country relations? What puts us westerners at odds with our easterly, saltwater-loving neighbours? It is daylight saving time. It is about the only time that a New South Welsh man or woman looks longingly north to the Queensland border—other than when the State of Origin is being played. While many people love the extra hours at the end of the day to mow the lawn, wash the car or play a few holes of golf, for most rural dwellers daylight hangs around too late, like an unwanted dinner guest.

While we have all heard the complaints about curtains fading, chooks refusing to lay, cows not providing milk and even partners straying when they stay out later playing sports in the extra daylight hours, daylight saving presents some serious issues that rural people have to grapple with, and I will share some of those issues with the House tonight. They are problems that I believe are far too important to be laughed off or ignored. In fact, a recent petition arrived at my office containing well over 3,000 signatures from people in my electorate of Northern Tablelands, which sprawls out west into the western areas of this State and to the northern boundary with Queensland. People who signed the petition were asking for the current six months of daylight saving to be reduced by two months—one month at either end. It is the last four weeks in particular that go past the autumn equinox that cause a number of problems.

Between October and April in regional areas it is not unusual to see farm kids, particularly at the back end of daylight saving, waiting at rural bus stops for their school buses literally in the dark. Those of us who are early risers—as most people are in the bush—know only too well the need to keep our body clock in check, and many rural people walk around bleary-eyed, forced to stay awake during a full day of light to get the job done after having to get up very early and in darkness because they are in a business environment that deals with countries all around the world. There is a lot of science to this issue.

Professor Leon Lack of Flinders University has been very forthright in his comments about the issues that daylight saving causes by disrupting humans' circadian rhythms and the detrimental impact it has on young people as they try to settle their circadian rhythms when they go off to school. In rural areas in particular many young people have to travel hours on a bus to get to school in the morning and daylight saving is quite disruptive. I do not believe anyone in rural areas doubts that daylight saving has its place, and no-one in this debate is calling for daylight saving to be cancelled. All we are asking is for daylight saving to be shortened by one month at the beginning and one month at the end and for some common sense to prevail.

In my electorate of Northern Tablelands, which shares a border with Queensland, the communities of Boggabilla, Toomelah and Bonshaw deal with the Queensland communities of Texas and Goondiwindi. It is incredibly difficult and complicated for school kids crossing borders and for people living in one State and doing business in another State and not knowing what time zone they are in—it is frustrating. The last month drags on for far too long and it is detrimental to the lives of rural people. Again I call on the Government and this Parliament to revert to the original daylight saving arrangement. The four months works well, it makes sense and I commend that view to the Government.

**Mr GARETH WARD** (Kiama—Parliamentary Secretary) [6.54 p.m.]: In the time that I have known the member for Northern Tablelands I have known his speeches to be full of light and shade, and that contribution was no different. I put on the record so that he can relay it to his constituents that curtains will not fade and that cows cannot tell the time, so they will not produce less milk. I make it clear that the Government has no intention at this point of making changes to daylight saving. I even say to the Queensland Government that perhaps it should get on board with the first State and look at introducing daylight saving to align with New South Wales so that Queensland businesses can do business more effectively with the number one economy in the nation. However, I certainly take on board the concerns of the member for Northern Tablelands and I look forward to relaying them dutifully to the Government. I also look forward to hearing debate on the petition he presents.

### PRODUCTIVITY BOOTCAMP

**Mr RAY WILLIAMS** (Castle Hill—Parliamentary Secretary) [6.55 p.m.]: New South Wales may be in the midst of a building boom, but it is also struggling with a shortage of tradesmen and tradeswomen. Youth

unemployment is currently running at about 17 per cent, while a recent Productivity Commission highlighted the fact that about 50 per cent of second-year apprentices drop out. One former construction company owner has decided to train and fund a new workforce while helping young people to get off welfare. Founder Paul Breen launched Productivity Bootcamp and designed the course in partnership with 2realise—a youth charity established at Rouse Hill—after witnessing the shortage of skilled workers in the labour force firsthand.

The course has two main focuses: properly training workers with the skills required to work across the industry and developing soft skills young people require to be valuable employees through group mentoring, training and workshops. This is done over an eight-week intensive training course, with four days on a simulated construction site in Mount Druitt in Sydney's north-west, learning skills such as formwork, steel, concrete and general groundworks, and one day a week in 2realise's offices in Rouse Hill developing skills required to be successful when joining the workforce, such as writing resumes, how to manage time and obtaining drivers and builders licences. Importantly, these skills culminate in giving trainees a sense of importance, confidence and an appreciation of working in a team.

Mr Breen stated that in recent years he has seen the declining level of skills of those entering the workforce and the growing shortage of skilled tradesmen, carpenters, pipe-layers, concreters and steelworkers. Mr Breen told me that the genesis of the idea began on one Sydney central business district worksite three years ago on a project that required concreting, steel-fixing and all aspects of construction. He has worked with a few young labourers and has helped them to develop and to build the skills they needed to go on to other roles and to develop a career. He stated:

It made me think; this is what training should be about, building skills that not only help them but also fill a shortfall in skills across the entire industry.

Over several years Mr Breen has developed Productivity Bootcamp after studying a range of training courses, government participation in vocational training and the effectiveness of current courses which, he said, "put students through minimal training for a qualification that leaves them without a viable career option". He said:

Productivity Bootcamp graduates will be work-ready when they have completed the course. They will not only have the skill set required to walk onto any construction site and fit into a work gang to support skilled trades people but will also be personally prepared with the confidence they need for the workplace.

Rebecca Deep from 2realise, who delivers the workshops, adds:

We aim to combat the rising youth unemployment rates by looking at every aspect of a young person and supporting them in all areas to achieve long-term employment and this partnership is the perfect way to achieve this.

Productivity Bootcamp offers training heavily focused on producing work-ready graduates who graduate not only with the right skills but also with a work ethic and the physical attributes a construction career requires. Mr Breen has also launched Productivity Driver—a technology platform that benchmarks individuals, crews and subcontractors on safety, quality and performance—and Productivity Force, the company that places Productivity Bootcamp graduates in full-time employment in a learn-and-earn environment. Students get exposure to different trades in a simulated worksite to help them find their own strengths to choose the right career path, which will reduce the 50 per cent drop-out rate in apprenticeships.

Governments will benefit by having a structure that will ensure all young people interested in the infrastructure industry will be employed before overseas workers, securing Australian jobs and helping to address youth unemployment. The Productivity Bootcamp does not rely on government funding, and any profits are reinvested in training. Ultimately, the industry building our nation's infrastructure will benefit because it will finally have a training program tailored to meet its needs with a focus on skills and productivity. On Monday 31 August I had the pleasure of visiting Productivity Bootcamp's site at Mount Druitt with Senator the Hon. Marise Payne, Assistant Minister for Employment, the Hon. Luke Hartsuyker and senior business leaders from the infrastructure sector, including Tony Shepherd, chairman of the WestConnex Delivery Authority, Don Aroney, executive director of Operations for Brookfield Multiplex, and Wilhelm Harnisch, chief executive officer of Master Builders Australia.

Paul Breen is an experienced construction manager on infrastructure projects locally and globally, managing labour for companies including John Holland and Leighton Contractors. During this time he started two companies that supplied labour to large contractors and he experienced firsthand the challenges in managing and motivating employees to produce high-quality work and to help their contractors meet project deadlines. His experiences inspired him to work with young labourers to help them build the skills necessary to develop a career whilst filling a skill shortfall in the industry. 2realise is a charity that has been operating in Sydney's

north-west for some time. This is an outstanding initiative by Paul Breen and it should be supported by our Government. It is upskilling young people, it is taking underprivileged youth off the street, it is taking them off welfare benefits, it is creating great tradesmen, and I commend it to the House.

### **CENTENNIAL PARK AND MOORE PARK TRUST**

**Mr RON HOENIG** (Heffron) [7.00 p.m.]: I express outrage at the conduct of the Centennial Park and Moore Park Trust, whose ongoing commercialisation agenda and relentless alienation of parklands is an utter insult to the people of Sydney. These historic lands, where the Federation of Australia was proclaimed, were once declared by Sir Henry Parkes as the quintessential "People's Park". He did so for a very simple reason: Centennial Park and Moore Park are not ordinary green spaces; they are not Crown land, like most other green spaces. These parks were a gift to the people of Sydney, a gift to be held in trust.

The trust which manages these lands should not be planning multi-storey carparks on green space; and it should not be developing new, fenced-off synthetic fields, or convention centres, or even drafting plans for a new 55,000 seat stadium when the current Sydney Football Stadium is often conspicuously under capacity. This park belongs to the people of Sydney. It is disgraceful that the trust should be attempting to restrict access to community members, access which is their right by birth. Secretive attempts by the trust to alienate public land and to divest control to corporate entities, as well as ridiculous developments like the \$38 million Albert Tibby Cotter Walkway to nowhere, amount to cartel-like behaviour.

From the time the electoral redistribution occurred when Centennial Park and Moore Park became part of the great electorate of Heffron, I have experienced nothing but a complete lack of cooperation from the Centennial Park and Moore Park Trust, led by the "able" Kim Ellis. The first time I attempted to get any information from the trust before meeting local residents, I was stonewalled by the trust office and informed I would need ministerial approval to find out what was happening—in my own electorate. How am I supposed to address the concerns of deeply distressed members of my community who are baulking at the rapid pace at which they are being locked out of their green spaces?

Earlier in the year, as I have previously informed the House, an agent of the trust was sent to remove me and my constituents from Robertson Road, near Centennial Park. The spectacle of a 75-year-old man, who could barely stand, let alone walk, being forced to move 100 metres down the road is simply shameful. When residents in my community complained to the trust, they were informed by Kim Ellis that Ron should have been more "sensitive" to the fact that an election was coming up. Then, in the blink of an eye, the then Liberal Minister for the Environment and member for Pittwater, and the member for Coogee were filming election advertisements inside the park next to the lake.

It is very serious for an organ of Executive Government to attempt to deny residents access to their member of Parliament. It smacks of the sort of totalitarianism reminiscent of Stalinist Russia. Nonetheless, it is the kind of conduct I have come to expect from the Centennial Park and Moore Park Trust. I suggest to the House that this lack of cooperation with me is because I will not sit idly by while the trust removes open space from the people of Sydney. It is a breach of trust in converting historical spaces for the trust's commercial agenda. Or maybe it is because, instead of staying quiet while the trust charges obscene fees to public school sporting associations to access the fields, I stand in this place and condemn the scandalous way that our local schools—including schools in the electorate of the member for Coogee—are extorted.

In the latest anti-Labor salvo fired off by the trust, my good friend the member for Sydney was given a briefing about the secret Moore Park master plan despite the fact that the park is not even in his electorate. Meanwhile, no attempt to engage me is made; and I have residents who are frantic about reports in the media revealing ongoing attacks on their public space. Honestly, I get more cooperation from Liberal and National Government Ministers than I do from this unaccountable, arrogant trust. In its secrecy, and in its conduct, this trust is morally bankrupt. The ongoing extortion of our community's schools and the attempts to commercialise the cradle of Federation is scandalous. In the coming weeks I will be calling on the House to amend the Centennial Park and Moore Park Trust Act to require the tabling, in this place and in the other place, of the trust's annual report. It is time to restore parliamentary oversight and accountability for this historic public land. It is time to restore the dignity of land, which belongs not only to the current people of Sydney but also to its future generations.

**Private members' statements concluded.**

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

**ADOPTION AMENDMENT (SAME SEX COUPLES) LEGISLATION****Matter of Public Importance**

**Ms JO HAYLEN** (Summer Hill) [7.05 p.m.]: Today marks the five-year anniversary of the Adoption Amendment (Same Sex Couples) Bill 2010, a bill that allowed same-sex couples to adopt children in New South Wales. Politics is always personal. Every decision made in this place—everything said in this place—affects someone in a deeply personal way. Too often, as a society, we see politics as being separate from people. Too rarely, as a society, do we reflect on how deeply laws can impact those in our community most in need of protection by the law.

In the five years since the bill was passed, many lives have been changed: for children of same-sex parents, who now have the certainty and sense of well-being that comes from having parents fully recognised by the law; for foster children with same-sex parents, who now have a stronger, more direct path to adoption; for same-sex couples wanting to expand their families and to raise children; and for young lesbian, gay, bisexual, and transgender [LGBT] Australians who struggle with their sexual identity because they always wanted to have a family and were told the two were incompatible. This law changes lives and touches people in a profoundly personal way.

The bill was introduced following a Legislative Council inquiry conducted by the Law and Justice Committee, referred by the then Minister for Community Services, the Hon. Linda Burney. The inquiry examined important questions, including research on what family structures best support a child, legislation recognising LGBT couples and the importance of permanency in a young adoptee's life. Each of these questions was rigorously examined, and the final report handed down was not unanimous. Similarly, debate on the bill that followed was spirited and highly contested, with each member granted a conscience vote. After weeks of negotiations and debate, the original bill passed with amendments, and the right to adopt was extended to same-sex couples, albeit with some qualifications.

Thanks must be extended to Clover Moore, the Lord Mayor and then member for Sydney, who introduced the eventual bill, and to Linda Burney, the member for Canterbury, and the Hon. Penny Sharpe, who steered the bill through the Parliament and worked tirelessly to deliver a just and decent outcome for LGBT families. Delivering difficult reform like this requires leadership—in this case, we had bipartisan leadership. I acknowledge the roles that former Premier Kristina Keneally and former Opposition leader Barry O'Farrell played. I also note the important work of former Attorney General the Hon. John Hatzistergos.

I contend that the bill did far more than extend the right to adopt to same-sex couples. It has led to a greater understanding of and respect for LGBT families. It helped us to understand that families come in different shapes and sizes, but that they are all built on the strongest of foundations—love. It helped us to understand that children do best when they are treasured and nurtured, and that the gender identity or sexuality of a child's parents has no bearing whatsoever on their ability to parent. We still have a long way to go—as last month's furore over the film *Gayby Baby* demonstrated—but this bill was a significant step in a long journey.

The next step—as is apparent to roughly 70 per cent of Australians—is to recognise same-sex marriage. With that reform in place, we can get on with addressing the other critical issues, such as protecting the rights of transgender folk and stemming the tragic tide of suicide amongst LGBT Australians. But today we can reflect on how politics is personal. Five years ago, a bill was passed that had a real impact on the lives of children and LGBT people in this State. But it is a law from which we all benefit. In a real way, it recognised that all families have value: families with a mum and dad, families with same-sex parents, families with a single parent, and families without children. It recognised that, no matter who we are or who we love, we all have a role to play in building a better society—one built on respect. A constituent of mine mentioned to me recently that his two girls attend a local day-care centre with a boy who has two dads. The constituent said:

They talk about him non-stop and tell stories about his two dads. That's the kind of world my girls will grow up in. That's just great!

Five years on, we are all the better for this bill.

**TEMPORARY SPEAKER (Ms Melanie Gibbons)**: I welcome to the public gallery school leaders from Ku-ring-gai, along with the member for Ku-ring-gai, Alister Henskens. I hope you enjoy your time in Parliament.

**Mr BRUCE NOTLEY-SMITH** (Coogee) [7.10 p.m.]: I thank the member for Summer Hill for bringing this issue to the House as a matter of public importance. In September 2010 a private member's bill in relation to adoption by same-sex couples was passed by the Parliament following a conscience vote. I remember the night that it happened. I was not a member of this place, but there was great jubilation on my side of politics that this bill had been passed. The Adoption Amendment (Same Sex Couples) Act 2010 allows couples of the same sex to apply to adopt, with an exemption from the provisions of the Anti-Discrimination Act 1977 for faith-based accredited adoption service providers in the provision of services to same-sex couples.

This Act is now in line with other Commonwealth legislation that removed similar discriminatory provisions. It is the Government's aim that all children in New South Wales be brought up in a loving and nurturing family, and adoption is one way to achieve this. The Act took into account the rights of the child and reflected the support in the community for same-sex adoptions and the removal of discrimination against same-sex couples. Overall, research suggests that whether an adoption by a particular couple is in the best interests of a child does not depend on the couple's sexuality, but most importantly on other attributes that affect their parenting capacity and ability to meet the child's needs.

This Act reaffirms New South Wales as an open and progressive community that embraces diversity and treats people fairly regardless of their sexual orientation. For all adoptions, couples applying to adopt undergo rigorous assessment to satisfy the court that they are suitable to be adoptive parents based on their parenting capacity and ability to provide for the needs of the child. In all cases the court will make an adoption order only if it is in the best interests of the child. Since the Adoption Amendment (Same Sex Couples) Act 2010 was passed, only 13 same-sex couples in New South Wales have adopted children in their care. As at May 2015 a further 24 same-sex couples were progressing with adoption at various stages of the process. In each case the paramount considerations are the needs of the children and the ability of the couples to provide them with nurturing, safe and secure homes. It has nothing to do with the couple's sexual orientation.

Whether or not an adoption by a particular couple is in the best interests of the child does not depend on the couple's sexuality, but on their parenting capacity and ability to provide for the needs of the child. New South Wales is the most progressive State in Australia. Over the past 10 years we have seen significant achievements in removing discrimination against lesbian, gay, bisexual, transgender, intersex and queer or questioning communities. However, we still have much more to do. Nevertheless, we can celebrate five years since the passage of this legislation, five years where once again we have seen removal of discrimination against minorities in our State. The naysayers have been proven wrong—the world did not come to an end, the earth did not open up and swallow us all and the sky did not fall. Life went on as normal. What is most important is that once again we have chipped away at discriminations that have been entrenched in our society for so long.

**Ms KATE WASHINGTON** (Port Stephens) [7.15 p.m.]: On Thursday 9 September 2010 the Adoption Amendment (Same Sex Couples) Bill 2010 was passed and when that happened we saw the removal of the last New South Wales law that legalised direct discrimination against same-sex couples. Let us not minimise this event. History was made here five years ago. It seems unlikely that by the simple act of altering the definition of the words "couple" and "spouse", we became a more compassionate and understanding society. By changing the definition of those two words, we legally recognised the right of same-sex couples to adopt children.

The effect of the legislation meant that gender was no longer a determining factor as to who could be a parent. It meant that the paramount consideration in any adoption is the best interests of the child. Let us be clear: The only determining factor in any adoption should be the best interests of the child. Parents' sexual orientation has no bearing and should never have had any bearing on this assessment. The law also meant that the children of same-sex couples gained more security by attracting the same protections under the law as other adopted children. The law recognised that same-sex couples are equally capable of creating loving families, providing caring and nurturing households. The law was a reflection of society's values, removing hypocritical anachronisms.

Sadly, we have seen, and continue to see, resistance to equal recognition under the law of same-sex couples. This resistance was shamefully showcased recently by this Government when it refused to allow public schools to screen the film *Gayby Baby*, which is a beautiful film with an important message that gives voice to children of same-sex parents and shines a light on the impact felt by the children of their parents' inability to legally wed. During the week the film was withdrawn by the Government my 12-year-old was watching *Karate Kid* at school. I certainly know which film I consider to be a more quality learning experience and which film I would prefer my child to have been watching. I find it galling that the Government restricted access to such meaningful content.

Thankfully, there has been progress in societal views and attitudes toward same-sex couples. Laws do not reflect society's opinion, but they can and do shape it. The past five years have seen changes in attitudes in our society and the recognition of the right of same-sex couples to adoption has been one of those influencing factors. I am proud to stand alongside my colleagues to recognise and celebrate this historic event when the last piece of direct legislative discrimination against same-sex couples was removed from New South Wales laws. I look forward to a time when we can recognise the anniversary of the removal of all direct legislative discrimination against same-sex couples, both Federal and State.

**Mr ALEX GREENWICH** (Sydney) [7.18 p.m.], by leave: I speak in support of recognising this important and historic legislation, and commend the member for Summer Hill for her commitment to the lesbian, gay, bisexual, transgender and intersex community. I remember watching the debate five years ago, being inspired by the supporters, offended by the opponents and proud of my local member for introducing this bill. In 2000 Clover Moore introduced a private member's bill that would have allowed same-sex couples to adopt as a couple. She was the only member of Parliament to support this reform in the Legislative Assembly at that time. She sat on one side of the Chamber by herself, with all the other members sitting opposite her to oppose it.

Ten years later Clover Moore tried again, working with a cross-party group of members of Parliament and this time the bill was passed with a very close margin. Her work for fairness was vindicated, with support from then Premier Kristina Keneally and Opposition leader Barry O'Farrell. An estimated 1,300 children in New South Wales have same-sex parents. This is often the result of a birth child of one parent from a previous relationship who has a same-sex partner and foster children under the care of a same-sex couple. The reform enabled these families to obtain the same legal recognition and protection as families.

The reform gave foster children in the care of a same-sex couple the same option for permanency as children in the care of a heterosexual couple. There has been high demand for foster carers to respond to the need for out-of-home care for children who cannot stay with their birth parents. Children who cannot live safely with their birth parents benefit from permanent future care in a nurturing and secure home with positive and lasting family relationships. It is important to remember that this reform affects real people. I quote my constituent Jackie Stricker-Phelps, who today shared the following with me:

Kerryn Phelps, my wife and I are grateful to those who were committed to changing the law that allowed us to adopt our beautiful, now 16 year old daughter, Gabrielle in 2012. Until the adoption went through Gabi, whom we fostered from 2009, felt her security was constantly under threat. So much so that for three years she did not grow at all.

Once the adoption went through she grew 10cm almost immediately. Her nightmares went away and she felt safe because she was finally legally our daughter. She felt safer. The security that comes with being a legally recognised member of the family with all the same rights as the other biological siblings means everything to Gabi and to us. The question we now ask is why when we are able to adopt a child, marriage equality is still not recognised in Australia.

Kerryn and I married legally in New York in September 2011. Both Gabi and our older daughter Jaime came to the ceremony in City Hall.

It seems incongruous that we are allowed to adopt as a couple and bring up our child as a couple but our marriage is still not recognised. Hopefully this law will also soon be changed so that same sex families are finally completely equal in Australia.

Jackie and Kerryn's daughter, Gabi, wrote to me today. She said:

I wanted to be adopted so badly because I did not feel secure while I was still in the foster system. I constantly was afraid I would be taken away from my parents Jackie and Kerryn.

Until the law was changed I would have had to choose either one or the other of my parents to adopt me as the law did not allow same sex couples to adopt as a couple.

I did not feel I could make that choice. They were BOTH my parents. They promised me the law would change and that the second it changed they would start the adoption process.

The day I was officially adopted felt like the best day of my life.

Thank you to all those who made it possible.

I commend Clover and all members for getting that bill through both Houses. I pay tribute to members in the upper House, such as Penny Sharpe, Trevor Khan and Don Harwin. This work set the standard for cross-party cooperation on these issues, with members from all parties working with Independents to understand other's concerns, identify common ground and ultimately get the reform through. It is now incumbent on our Federal colleagues to ensure that the children of same-sex parents are given the right to have married parents.

**Ms JO HAYLEN** (Summer Hill) [7.21 p.m.], in reply: I thank those who participated in this debate: the member for Coogee, the member for Port Stephens and the member for Sydney, who made a considered contribution in which he acknowledged his history as part of this debate and the broader issues. I am pleased that in the gallery there were some young leaders who heard part of the debate because such reforms mean that they will grow up understanding that families come in all shapes and sizes, and that is perfectly normal. That is how it is. It is about how we look after our kids. It is the foundations of love and nurturing, and how we treasure our children that matter. Frankly, often when speaking to young leaders—indeed, the boys and girls I meet every day in Summer Hill; as a young parent I have many conversations with young parents and their kids—I realise that we are well behind the eight ball when it comes to their views on these matters. They are often surprised when I explain to them that there are still inequities in our society, and that there are still things that we need to reform to ensure that everyone is equal before the law.

Earlier I said that there are still things we need to do in this place when it comes to the rights of transgender people and ensuring the health and wellbeing of LGBTI members of our community, particularly young members. We know that the suicide rate is still far too high; there is more we need to do. Most importantly, we will get there. It feels like a long, protracted journey at the moment but I know that soon we will have same-sex marriage and marriage equality in this country, and I look forward to that day. I am especially honoured to mark the five-year anniversary of the Adoption Amendment (Same-sex Couples) Bill 2010. I am incredibly proud to be part of what I believe is the most progressive Parliament in this country, and I look forward to more reforms like this.

**Discussion concluded.**

**The House adjourned, pursuant to resolution, at 7.24 p.m. until  
Thursday 10 September 2015 at 10.00 a.m.**

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