



**New South Wales**

# **Legislative Assembly**

## **PARLIAMENTARY DEBATES (HANSARD)**

**Fifty-Sixth Parliament  
First Session**

**Thursday, 2 June 2016**

Authorised by the Parliament of New South Wales



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# LEGISLATIVE ASSEMBLY

**Thursday, 2 June 2016**

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

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

## *Documents*

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

#### **Reports**

**The CLERK:** I announce the receipt, in accordance with section 63C of the Public Finance and Audit Act 1983, of the Auditor-General's Financial Audit Report, Volume Two 2016, received on 2 June 2016.

## *Committees*

### **STANDING COMMITTEE ON PARLIAMENTARY PRIVILEGE AND ETHICS**

#### **COMMITTEE ON COMMUNITY SERVICES**

#### **COMMITTEE ON INVESTMENT, INDUSTRY AND REGIONAL DEVELOPMENT**

#### **Membership**

**Mr ANTHONY ROBERTS (Lane Cove—Minister for Industry, Resources and Energy) (10:01):**  
I move:

That:

- (1) Adam John Marshall be appointed to serve on the Standing Committee on Parliamentary Privilege and Ethics in place of Kevin John Anderson, discharged.
- (2) Trisha Lee Doyle be appointed to serve on the Legislative Assembly Committee on Community Services in place of Linda Jean Burney, resigned.
- (3) Melinda Jane Pavey be appointed to serve on the Legislative Assembly Committee on Investment, Industry and Regional Development in place of Kevin John Anderson, discharged.

**Motion agreed to.**

## *Bills*

### **POINT TO POINT TRANSPORT (TAXIS AND HIRE VEHICLES) BILL 2016**

#### **First Reading**

**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) (10:13):** I move:

That this bill be now read a second time.

The Point to Point Transport (Taxis and Hire Vehicles) Bill 2016 represents the second stage of the implementation reforms arising from the Point to Point in Transport Taskforce. Members will recall that in July 2015 I commissioned Professor Gary Sturgess, AM, aided by Dr Tom Parry, AM, to undertake an examination of the future sustainability of taxis, hire cars and other emerging point to point transport providers with a view to making recommendations about the complex issues facing the industry. The task force presented its findings to me in November 2015 in a comprehensive report that contained 57 recommendations.

The New South Wales Government responded positively to the task force's vision to improve and modernise the point to point transport industry. The Government's response to the report is aimed at freeing up the industry of unnecessary red tape to allow for greater innovation and to improve customer choice, as well as to create more opportunities for industry and to boost the State economy.

Research by the Grattan Institute backs this up and noted that the collaborative economy had the effect of boosting employment and incomes for those on the fringe of the labour market. The first stage of these reforms in December 2015 allowed rideshare drivers to provide services legally so long as they met certain safety

requirements. At the same time a number of prescriptive regulations which imposed unnecessary costs on taxis and hire cars were repealed. It is heartening that, coinciding with these changes, business remains positive for the taxi industry. The New South Wales Taxi Industry Association has confirmed that network bookings for taxis are up 5 per cent year on year. There have also been significant increases in the number of people wanting to become taxidrivers. In the first five months after these changes, more than 2,200 people successfully applied to become taxidrivers. This is nearly three times as many as in the same period for any of the previous five years.

This bill represents the next and most substantial stage in the implementation of the task force findings: the establishment of a new regulatory framework for the point to point transport industry. The bill is set to give industry even greater flexibility in meeting customer demand while ensuring safety standards are maintained. The bill will apply to services in vehicles with 12 or fewer seats. It will not apply to services that are free of charge or only available to defined groups, such as community transport and courtesy transport. It allows other service types to be captured, or not, as necessary. It allows a less rigid industry structure which provides a more level playing field and allows innovation. Significantly, it creates two authorised entities: providers of taxi services and providers of booking services.

Booking services may be provided anywhere in the State, whether in a taxi or a hire vehicle. Only taxis, however, can undertake rank and hail work. There are severe penalties, including a custodial sentence, for providing a taxi service without an appropriate taxi licence. We are doing this with community safety first and foremost in mind. Importantly, in line with the task force recommendations, the bill creates a risk-based regulatory scheme with clear accountabilities based on work health and safety legislation. In line with the Point to Point Transport Taskforce recommendations, the regulatory framework should incentivise those entities whose brand is associated with the service so that they take accountability for safety outcomes. Taxi companies and booking services, including rideshare companies, will have an obligation to ensure that services are safe. They will have general safety duties, there will be clearly defined safety standards and there is a graduated penalty regime in place for noncompliance.

The bill also creates a dedicated regulator, the Commissioner for Point to Point Transport, with significant and wide-ranging powers. The task force did not specifically recommend an independent regulator. However, it is the Government's view that the creation of the commissioner's role signals a new approach to industry regulation. The commissioner will support the new framework, with an emphasis on industry accountability, safety and compliance. The new regulatory framework will promote innovation and competition. In order to encourage the existing taxi and hire car industry to adapt to changed circumstances, the Government has approved an industry adjustment package valued at \$250 million. This assistance package is amongst the most generous in the world. Many other jurisdictions that have implemented substantial reforms to taxi and hire car regulation have offered much smaller or in some circumstances no adjustment assistance to licensees.

The bill provides for the establishment of a transitional assistance panel which includes representation from the NSW Taxi Council to oversee the distribution of assistance funds, including advising the Minister on eligibility. In addition, in order to fund the industry assistance package, the Government has agreed to the establishment of a short-term passenger service levy for up to five years. The bill provides for a levy of \$1 per trip on all point to point transport trips. It will be at the service provider's discretion whether or how to pass the charge on to customers. The Government has heard directly from the taxi industry that the cost of compulsory third-party insurance is one of the biggest overheads in their business. Independent Pricing and Regulatory Tribunal [IPART] data estimates insurance costs, including compulsory third-party insurance, to be the fourth-largest outgoing expense to a taxi operator after fuel, driver earnings and taxi licence lease costs.

The task force also heard from the industry that in order to have a level playing field, the categories that the insurance industry relies upon to calculate compulsory third party [CTP] would need to be reviewed in order to reflect new business models, such as rideshare. Accordingly, the task force recommended that the Government review the current CTP regime for point to point vehicles in an effort to provide a system that is fairer, more equitable and reflective of risk for the point to point industry. Following on from the task force recommendation, a review of CTP insurance for point to point vehicles was recently commenced by the State Insurance Regulatory Authority [SIRA], which regulates the New South Wales CTP scheme to ensure greater fairness in premium settings for the sector and support ridesharing alongside more traditional point to point providers such as taxis. Separately, SIRA is also reviewing its premium system, which includes a review of CTP premiums for taxis and hire vehicles, with a primary aim of allowing insurers to innovate in underwriting and to move towards greater levels of risk-based pricing.

Both reviews are informed by recommendations made in the recent "Report of the Independent Review of Insurer Profit within the NSW Compulsory Third Party Scheme", including the development of more transparent mechanisms such as risk pools to deal directly with the issue of premium affordability. SIRA is continuing to work closely with key stakeholders to develop a fair solution and create business practices and



processes to ensure the CTP framework provides a level playing field for point to point vehicles. CTP premiums are set and sold in a competitive market by licensed CTP insurers within the Motor Accidents Compensation Act and business rules and guidelines set by SIRA.

Information on taxi and hire vehicle usage and claims is required in order to assist SIRA and CTP insurers to accurately determine the individual risk profiles of taxis and hire vehicles to set appropriate risk-based CTP premium prices. To ensure SIRA has the information it needs to make this assessment, the bill will provide SIRA with powers to collect data from the booking service and taxi service providers to help determine the appropriate CTP premiums for taxi and hire vehicles. The bill also ensures that commercially sensitive information obtained by SIRA from the booking service and taxi service providers is treated as protected information under the Motor Accidents Compensation Act 1999, which prevents that information from being divulged directly or indirectly except in limited circumstances.

As members would be aware, most workplace relations issues have been referred to the national framework through the Commonwealth. However, some industries have legacy arrangements in place, including the bailment arrangements for taxidriviers in New South Wales. These are subject to the jurisdiction of the NSW Industrial Relations Commission, which may make contract determinations with respect to bailment arrangements for taxis and hire cars. Under the contract determination in place for Sydney taxidriviers, the New South Wales Taxi Industry Association represents bailers, the owners of the taxi, and the Transport Workers Union represents bailees, the drivers.

The Point to Point Transport Taskforce discussion paper asked for comment and what steps could be taken to make taxidriviers' incomes more sustainable. The Transport Workers Union did not make a submission to the task force. The submission of the NSW Taxi Council focused on the importance of amending the current contract determination as per its application currently before the NSW Industrial Relations Commission, which has been adjourned pending the Government's broader reforms. The Government is of the view that it makes sense that the issue be looked at more thoroughly, particularly now. I note that the chair of the Legislative Assembly Standing Committee on Transport and Infrastructure is in the Chamber. The committee will be asked to investigate industrial relations across the point to point transport industry and to report back quickly.

The New South Wales Government is not alone in having to deal with the impact of new technology on transport services and the rise of the sharing economy. Jurisdictions across Australia and internationally are finding ways to deal with new disruptive business models that facilitate ridesharing and has transformed booking services with booking, tracking and payment technologies. The decision to establish the Point to Point Transport Taskforce in July 2015 arose from the desire to seek expert advice and to consult with the community on the best way forward.

The inquiry promoted huge interest. The task force had about 140 meetings with different stakeholders and received over 5,600 submissions from industry, emerging players, community transport providers, business groups, government agencies, representatives of people with disabilities, and members of the public. Responses were varied but many carried a similar message. The NRMA, for example, argued that "public transport and private vehicles will continue to do the heavy lifting in getting people around, but there is a growing demand for transport services that are more flexible than public transport but cheaper than a taxi". The motoring organisation argued that one answer to limited infrastructure capacity and congestion lay in the latent capacity in the empty seats in under-utilised private vehicles.

The NRMA's claim that ridesharing services had been well received by the community in New South Wales was supported by the numbers. Several thousand rideshare customers made submissions to the task force, and many of those gave detailed reasons in support of their choice. Further, since the first stage of the reforms in December 2015, a survey conducted on behalf of the Independent Pricing and Regulatory Tribunal [IPART] in February 2016 found that around 22 per cent of the Sydney population had used ridesharing services. Price and the perception of reliability are the two main reasons given for using a ridesharing service rather than a taxi.

Those representing the transport disadvantaged reported particular difficulties with existing taxi services. The Physical Disability Council of New South Wales complained of "no shows" and of drivers "cherry picking" jobs and refusing to provide short-distance trips. The South West Community Transport, representing the frail aged and younger people with a disability, reported the lack of a positive attitude in the taxi industry towards this vulnerable section of the community. The NSW Council of Social Service [NCOSS] suggested to the task force:

... accessible and affordable transport is a key component of social inclusion. New forms of point to point transport, such as ridesharing services, have the potential to improve transport access for people with disability and older people.

Evidence was presented that the current regime, with its overly prescriptive regulations, increased the cost of delivering services and limited the ability of industry participants, particularly the taxi industry, to innovate. IPART argued that the taxi industry is currently burdened with higher costs compared with other modes of

transport due to "inappropriate or outdated regulatory obligations". For example, until the regulation was repealed in December last year, at the recommendation of the task force, it was unlawful to operate a vehicle licensed as a taxicab in Sydney if the vehicle was more than six years old.

At the same time, according to the Australian Bureau of Statistics, the average age of all vehicles registered in Australia was 10.1 years in 2015. If a vehicle is well maintained and roadworthy its age is irrelevant. That point was made in several of the expert submissions to the task force, including by the Taxi Council and insurers. Interestingly, the task force argued that as well as deterring innovation, the system of prescriptive regulation was not ensuring good safety outcomes. The regulator's central role in compliance meant that taxi operators had a largely passive attitude to safety. For example, an audit in 2014 conducted by the NSW Police Force found that nearly half of the taxis surveyed in the Sydney central business district [CBD] had roadworthiness defects.

The new regulatory framework will impose safety duties on responsible entities, such as providers of taxi and booking services and vehicle owners, to ensure that vehicles are roadworthy at all times and to keep records relating to the vehicle's maintenance. In terms of industry costs, the task force demonstrated that the system of taxi licensing that had evolved over many years was unproductive and uncompetitive. Roads and Maritime Services data show that only 25 per cent of taxi licence holders actually operate a taxi; the rest are passive investors who lease licences to operators for considerable rent. "Taxi licences," Professor Sturgess reported, "contribute nothing to the delivery of better customer service and yet they add ... around 20 per cent to the cost of a fare." Taxi licences are a substantial asset and a barrier to entry into the industry. Muswellbrook Shire Council's submission to the task force, which was concerned about the lack of availability of services in the town, stated that the cost of taxi licences "places the running of a taxi business out of the reach of most".

As the NSW Small Business Commissioner advised the task force, new market entrants can provide alternatives to customers, inspire innovation and raise service standards across an industry. The Government should respond to market changes by regulating for effective competition and implementing policy settings that provide a level playing field for market participants. As indicated previously, the Government embraced the spirit and the intent of the task force's recommendations, including a regulatory model that incorporates the range of existing and emerging point to point transport services, initiating a new safety framework for the industry headed by a dedicated regulator, ensuring consumer protection and providing industry assistance for transition to move to a more competitive market.

Certain elements of the current system will be retained. Safety standards for drivers will be kept. As I have told honourable members, only taxis will be allowed to undertake rank and hail services, which, incidentally, account for 60 per cent of taxi work in Sydney. Providers of taxi services must be authorised by the regulator and taxis must be licensed. The penalty for providing a taxi service in a vehicle without a taxi licence is \$110,000 for a first offence. A second or subsequent offence within five years incurs a similar fine or two years imprisonment, or both. These safeguards are important because taxis are subject to more regulations for the safety and security of passengers due to the anonymous nature of rank and hail services. Taxis providing rank and hail services will continue to be clearly branded, drivers must be able to be identified and vehicles will still need to have security cameras, vehicle tracking and duress alarms.

The Government, on the advice of the IPART, will continue to set maximum fares for rank and hail taxi services, and the rates must be clearly displayed within the vehicle. This prevents price gouging. Moreover, as is the case at the moment, companies can charge less than maximum fares. Drivers of wheelchair-accessible taxis will continue to be required to be competent in the safe loading, restraining and unloading of customers in wheelchairs. The requirement that taxis be maintained by a licensed mechanic will continue for all vehicles used to provide point to point transport services. Nevertheless, much will change under the new regulatory framework to allow for the development of new business models, improved safety outcomes and increased competition. While taxi licences will continue, only annual licences will be issued via tender, with the market setting the price. This is expected eventually to reduce the cost burden on industry and customers.

There will no longer be licences for hire vehicles and no need for regulatory plates. This will remove red tape and expense especially in relation to vehicle registration transfers and renewals, as identified in industry submissions to the task force. Mandatory operator affiliation with taxi networks will be abolished: The task force found this an unnecessary layer within the industry, adding to compliance costs without evident benefits to taxi operators, drivers or customers. Drivers of point to point vehicles will no longer need to be authorised by Roads and Maritime Services, removing a cumbersome, costly and time-consuming process. However, all drivers of taxi and hire vehicles will continue to have to meet certain conditions.

These include the driver holding an unrestricted Australian driver licence for 12 months of the previous two years, having undergone criminal background checks and meeting national medical standards for commercial drivers. All point to point drivers will be subject to special range prescribed concentration of alcohol offences of

0.02 per cent, which is effectively zero blood alcohol. Importantly, under safety standards in the regulations, taxi and booking service providers will be responsible for determining requirements that drivers must meet, including those for English language proficiency. In addition, the legislation will clearly set out offences that would disqualify a person from driving a point to point passenger service.

The requirement that taxis undergo two annual inspections is to be replaced by annual inspections similar to those for light vehicles more than five years old. The task force found little positive impact on safety of the existing inspection regime as many taxi owners tended to rely on mandated inspections to find faults rather than developing proactive maintenance regimes. In addition, inspections relating to taxi comfort and service quality are to be abolished. It is up to the service provider to decide what the level of quality should be; it is not for the Government to tell them. It is a reasonable expectation that a more competitive market will encourage an improvement in service standards. That is a big change culturally, particularly for the taxi industry. The task force found that prescriptive regulatory requirements for taxis relating to security equipment not only had added to compliance costs but also had discouraged the industry from taking advantage of improvements in technology. The legislation will remove obsolete and prescriptive equipment specifications, allowing taxi service providers flexibility in meeting safety and security outcomes.

The biggest changes are to the booked market. Industry protested to the task force about the cost of hire car licence fees and limits arising from operational boundaries. The task force recommended that there be no restrictions imposed on the supply of booking service providers or vehicles. Accordingly, a hire car licence is no longer needed to provide a hire car service; this means that hire car operators no longer need to pay the annual fee of \$8,235 in metropolitan Sydney, or around \$3,000 in regional New South Wales. HC number plates will no longer be issued and geographic boundaries for all booking services, including hire cars, have been removed. Hire cars that were licensed before 18 December 2015 will keep their existing HC number plates, and continue to access bus lanes for the next four years while a long-term transition is determined in consultation with industry. To this end, I thank the hire car industry for its help in raising this issue with the Government and for working with us on this transition.

Importantly, immediate or on-demand bookings will be allowed. In addition, fares will not be regulated. However, booking service providers—whether they provide booking taxi or hire vehicle services—will be obliged to provide a fare estimate for a journey before a customer accepts the booking. The bill ensures that fare estimates must be given in Australian dollars so prospective passengers will know the amount they would need to pay. This is one of the ways in which the bill provides for consumer protection. Booking services, especially ridesharing services using a smartphone app, record the customer and driver booking transaction process. The exchange between the passenger and the driver is not anonymous, the transaction is cashless and the journey is tracked on the global positioning system [GPS]. Nevertheless, the legislation will ensure that all booking services keep sufficient records to establish driver and customer identity as well as the origin, destination, time and date of travel.

The new regulatory regime introduces stiff penalties for the provision of an unauthorised taxi service or booking service. Authorisation ensures that directors and managers are nominated; that they, or close associates, have not been convicted of a disqualifying offence; that they take responsibility for ensuring compliance with safety standards for drivers and vehicles; and that they keep accessible records. Authorisation is important for accountability and public safety. Accordingly, providing an unauthorised taxi service or booking service is a serious issue. The repeat offence of providing such a service attracts a fine of up to \$10 million for a corporation. In its investigations the task force found that the existing regulatory regime for point to point transport services allowed participants to deflect responsibility for public safety and regulatory compliance. The purpose of this bill is to place safety accountability where it clearly belongs—with industry participants. The bill establishes safety duties and safety standards, both concepts that are common to modern regulatory safety schemes such as the Rail Safety National Law, but are new to the point to point transport industry.

The bill establishes that the providers of taxi services and booking services "must ensure, so far as is reasonably practical, the health and safety of drivers and other persons while they are engaged in providing the service..." As the task force report recommended, the primary duty of care created in the bill "... imposes a requirement that a person evaluate the particular risks associated with their business and put systems in place to identify, manage, mitigate and, where possible, eliminate those risks." A person may have more than one duty under the legislation. There are three categories of safety duty offences with a descending scale of penalties according to seriousness: For example, a category 1 safety duty offence, which results in death or serious injury, incurs a maximum penalty for an individual of a \$300,000 fine or two years imprisonment, or both. The fine for a corporation is \$3 million. Importantly, the bill will allow directors to be prosecuted in safety duty offences by corporations and other matters, such as providing an unauthorised taxi or booking service. The bill also provides for safety standards for taxi service providers, booking service providers, drivers and vehicle owners or holders of taxi licences.

The regulations will specify: safety standards in relation to driver licence requirements, competence and criminal records; vehicle registration, safety and insurance; the reporting of safety incidents; records relating to vehicles, drivers and bookings; the provision of information to passengers; and safety management systems. There are penalties for the contravention of a safety standard or failure to ensure compliance with a safety standard. Members will be aware that the purpose of safety duties and safety standards in legislation is to promote a safety culture in industry from the top to the bottom. This shows how serious the Government is about ensuring the safety of everyone involved in the point to point transport services industry. That is why we are establishing an independent regulatory entity, the Point to Point Transport Commissioner.

Evidence presented to the task force strongly suggested that the current regulatory regime is overly prescriptive and largely ineffective, while the powers of the regulator are deficient. The new regulator will have wideranging functions and powers. The bill provides for compliance and enforcement powers similar to those used for heavy vehicles and rail transport operators. Importantly, authorised officers will have a range of compliance tools at their command: audit notices, improvement notices, prohibition notices, penalty notices and enforceable undertakings. The bill allows appeals to a Local Court against certain decisions of the regulator. The new regulator will move away from the traditional "tyre kicking" methods of enforcement to more sophisticated ways of ensuring that providers of passenger and booking services meet safety outcomes and other regulatory requirements. Audits of safety systems, for example, will be important to ensure that vehicles are regularly maintained and serviced.

The commissioner will use information and communication technologies to assist in his or her task, with real-time online access to criminal charge information as well as driver licensing and vehicle registration information. The bill will also allow the commissioner to provide certain information to the authorised providers of taxi and booking services to enable them to fulfil their safety duties in relation to drivers and vehicles. This new, best-practice regulatory framework will allow competition and services that better meet consumer needs. The Government is aware, however, that regulatory change will bring about further transformation on top of that already brought in by the digital disruption that led to the advent of ridesharing. The Point to Point Transport Taskforce recommended that transitional assistance payments be provided to current taxi licensees to partially offset any reduction in income. It also recommended a hardship fund, to be overseen by a panel, to provide assistance to those who are especially adversely affected, such as those at or near retirement with few other assets or sources of income.

Accordingly, as I mentioned before, a \$250 million package will provide transitional assistance to industry incumbents. This includes: a \$142 million fund for taxi licensees facing hardship as a result of the changes; \$98 million for transition assistance of \$20,000 per perpetual licence, for up to two licences, for taxi licensees who obtained a licence before 1 July 2015, to help them adjust to a more competitive market, and to offset a reduction in income; and up to \$10 million for a buyback scheme for perpetual hire car licensees. The bill establishes a Transitional Assistance Panel to oversee the distribution of the funds to help those most adversely affected, taking into account changes in the market over time and individual circumstances. The panel will be chaired by the Secretary of the Department of Transport and comprise the Secretary of the Department of Premier and Cabinet, the Secretary of the Treasury, or their delegates, as well as the Chief Executive of the NSW Taxi Council. The Government will provide other assistance to the existing point to point transport industry to ease the transition to a new marketplace.

No annual licences for taxis will be issued in the Sydney area for the next four years. Business advisory services provided by the Office of the NSW Small Business Commissioner are available to industry participants to help them to adjust to these changes and to make informed decisions about their businesses. The focus of all these efforts, including the removal of unnecessary regulation, is to encourage the taxi industry to be more competitive and sustainable. The bill also allows me to review the impacts of these reforms on the industry. A report on the outcome of the review of the bill will be tabled in both Houses of Parliament. The bill provides for the imposition of a passenger service levy to recover the cost of the industry assistance package. The levy is a tax and is collected with the authority of the Chief Commissioner of Taxation under the Taxation Administration Act 1996. A temporary charge of \$1 will be levied on all point to point journeys involving taxi services and booking services and is payable by each provider. The Point to Point Transport Commissioner will be given powers to assist the chief commissioner with the collection of the levy, including the ability to take compliance and enforcement action in certain circumstances.

Much of the Government's efforts to improve access and social inclusion fall outside this stage of the implementation of the task force's recommendations, but it would be remiss of me if I did not mention them. Members will be aware of my commitment to the disadvantaged in our community, especially to those people who meet the challenges of transport disadvantage. I am also committed to those with disability and those in regional areas, such as the electorate I represent, where the impact of transport disadvantage is more profound. In the words of Carers NSW, it "renders services inaccessible, entrenches social isolation and negative impacts on

participation in employment and education, and on health and wellbeing". The Government has already announced commitment of an additional \$15.5 million a year to support wheelchair-accessible services. Already wheelchair-accessible taxi licence fees in metropolitan areas have been reduced.

From 1 July the Taxi Transport Subsidy Scheme cap will be raised from \$30 to \$60 for each journey and the wheelchair-accessible taxi incentive payment will increase from \$7.70 to \$15, excluding GST, per trip. This is along with the wheelchair-accessible taxi interest-free loan, which will be expanded from \$1 million to \$5 million, with a maximum loan sum to rise from \$30,000 to \$100,000. We will also provide a longer loan term to cover the cost of a new wheelchair-accessible taxi or to retrofit an existing vehicle. Transport for NSW is also working to subsidise the centralised booking service for wheelchair-accessible taxis in Sydney, saving these service providers \$2,130 per year in fees.

Transport for NSW will also give priority to implement the task force recommendation for the Government to examine a provider-neutral scheme to better target subsidies and incentives for services for people with disability. Submissions to the task force were overwhelming on this issue—people wanted access to alternative service providers. However, it is important that the viability of service providers receive close attention, and this review will be careful in its consideration of how these incentives and subsidies are targeted. The Government anticipates that the new regulatory framework, which this bill will establish, should enhance the supply, extent and flexibility of point to point transport services, while upholding safety and consumer protection. Innovative services—including business models such as carpooling—will provide alternative transport services to meet growing demand.

We have heeded the NRMA's advice that in its regulatory response the Government must be "mindful not to impose burdensome requirements that could hinder competition, stifle innovation or effectively encourage a non-compliant black market". The bill will bring change to existing industries while preserving certain elements such as the exclusive right of taxis to undertake rank and hail services. Research in overseas jurisdictions such as Oregon and New York City in the United States has shown that the additional competition provided by ridesharing services has increased overall the number of journeys people take. We believe in cities like Sydney, which is experiencing a significant population increase, there will be opportunities for the point to point market also to grow significantly. I seek leave to postpone the commencement of General Business Notices of Motions (for Bill) to permit me to conclude my second reading speech.

#### **Leave granted.**

One of the key aims of the reforms is to give customers more choice—and for the community of New South Wales to exercise that choice. To this end, customers are already exercising their buying power and embracing more choice in the market, and as a consequence building the market and the benefits it offers. Recent data from a survey undertaken on behalf of IPART suggested that, overall, there has been a growth in point to point transport services. In 2012, 55 per cent of the 2,000 Sydney adults surveyed had used a taxi in the past six months. This figure rose to 61 per cent in February 2016. The broader point to point market has also grown in the past six months, driven by hire car, up from 21 per cent to 24 per cent, and ridesharing services, up from 19 per cent to 22 per cent.

The evidence suggests that, given the choice of services, many people are opting to go out more. Indeed, the freeing up of existing markets; the generation of employment, especially part-time drivers of booking services; the reduction in compliance costs; and the removal of unnecessary licensing, accreditation and inspection requirements should be beneficial to the people of the State. I will continue to consult with industry representatives to explain the regulatory framework and to fine-tune efforts to mitigate the impact of change through the assistance package and other measures. I am confident that by removing obsolete regulations and attendant costs and allowing the taxi industry to respond more flexibly to the challenges and opportunities of technology the industry will emerge in a more sustainable form. Governments must be up to meeting the challenges of the collaborative economy and industry must strive harder to provide a quality customer service as a means of attracting new customers and repeat business.

One of the hallmarks of a fair society is that governments provide reasonable assistance to those affected by regulatory change. The industry adjustment package in this bill recognises that thousands of mum-and-dad investors and self-funded retirees who invested in a highly regulated market will have their income affected and may experience hardship as a result of these changes. The package, and the bill more broadly, helps the hardworking people of the taxi and hire car industries to adapt to the new environment, and gives them greater opportunities to innovate and thrive. I recognise the leadership of the taxi industry. It has been a tough issue for the sector. Hardworking drivers, through the industry leaders, have been working around the clock to deliver a level playing field for the taxi industry. We want the taxi industry in this State to grow, thrive and survive. I commend the bill to the House.

**Debate adjourned.**

**The DEPUTY SPEAKER (10:52):** Government business having concluded, the House will now consider General Business Notices of Motions (for Bills). I apologise to the school leaders from the Hornsby electorate who visited the Parliament and have since left the public gallery without being recognised. I thank them for taking the opportunity to visit the Legislative Assembly this morning together with teachers, support staff and parents who accompanied them.

*Bills***HURLSTONE AGRICULTURAL HIGH SCHOOL SITE BILL 2016****Second Reading****Debate resumed from 12 May 2016.**

**Mr ANOULACK CHANTHIVONG (Macquarie Fields) (10:55):** I thank the House for allowing me to continue my interrupted second reading speech on the Hurlstone Agricultural High School Site Bill 2016. I spoke of the Baird Liberal-Nationals Government's betrayal and breach of trust in selling off Hurlstone and its farm when in 2009 it loudly voiced its opposition and voted for a bill to save Hurlstone from being sold to developers. I will continue to outline the reasons that Minister Piccoli's decision to sell Hurlstone and the farm, and sell out the community in the process, is plain wrong. Four local schools presently teach agriculture, or a similar curriculum, in the Hawkesbury. I previously outlined the credentials of Windsor, Richmond and Hawkesbury.

Colo High has "a proud reputation for high-quality agricultural teaching and learning programs, in addition to being champions of major competitions like the Penrith Show poultry competition, the Royal Easter Show poultry showmanship and the school's cattle team entered the UniSchools Steer Challenge". It is ridiculous therefore to locate yet another school teaching much the same material in the same district and catchment area. With four local high schools nearby, there is already an adequate supply of agricultural education in the Hawkesbury. It does not require this Minister to deny south-west Sydney the same educational opportunities through the destruction of Hurlstone's farm and its removal from Glenfield.

If the demand for agricultural education is so high then the four current high schools have plenty of capacity to meet the demand. If demand for agricultural education is stagnating or declining in the Hawkesbury region then oversupplying the Hawkesbury market with a fifth school will do nothing to address the deeper structural, social and economic demand factors that have led to that situation. Either way, the Minister's argument about the need for Hurlstone to be in the Hawkesbury does not make any sense. This is about picking winners and losers, and the families and students of Macquarie Fields and south-west Sydney are clearly the losers. I am amazed that the Auditor-General has not picked up on the proposed duplication of resources and facilities at a time when public resources are being stretched further across so many areas. This Minister sees duplication as good policy.

It is surely an example of duplicative public spending on a grand scale when facilities already exist. Students from my electorate are not going to make the minimum one and a half-hour—closer to two-hour—trek each way to go the Hawkesbury to receive a quality agricultural education. That is simply beyond belief. As the Deputy Speaker and the member for Goulburn pointed out just a few years ago, students from my part of Sydney will be denied a vital opportunity if this school is allowed to move. As the shadow education spokesperson in 2009, Mr Piccoli said, "I would have thought that supporting schools in south-west Sydney would have been a priority". It is certainly my priority, and that of the community, to keep Hurlstone and its farm at Glenfield. Is it still the Minister's priority? It is obviously not, given his betrayal and policy backflip. One of the most important reasons that this bill needs Government support was debated at length in 2009. It relates to the green buffer that the Hurlstone site at Glenfield provides. On 13 March 2009 former Leader of The Nationals Mr Stoner, said:

That is an absolute disgrace, not only for the delivery of agricultural education, but also for western Sydney—140 hectares of green space in western Sydney is invaluable.

The member for Barwon took up a similar theme when he said:

The area is the lungs of western and south western Sydney. People who live in that part of the world are far healthier because of the open space, clean water and lack of traffic congestion.

Minister Goward also wanted to get in on the act when she stated on 4 June 2009:

It is a very important piece of green space in a part of Sydney that is rapidly becoming part of the tar and cement of the city.

All speakers on the 2009 bill highlighted this one key, vital aspect—that is, the need for south-west Sydney to have valuable green space, for it to have lungs and for it to have fresh air. If the education Minister has not noticed,

south-west Sydney is already drowning in overdevelopment and congestion. Since 2009 the situation has become worse. In terms of housing development, the Macquarie Fields electorate is already doing more than its fair share and carrying a heavier burden than most areas. When I drive around my electorate what was once open space and farmland is now choked, or will be choked, with ever-expanding developments such as Edmondson Park, Willowdale, Emerald Hills, Bardia, Ingleburn Gardens and Denham Court. The need for the green open space of Hurlstone's farm is even more important than before. What is the Minister's response? It is more urban sprawl, more urban splatter, more homes on top of one another, more traffic, more tar and a cement city landscape. The continual destruction and uncontrolled development will only add to congestion and put added stress on services.

As the Hon. Charlie Lynn so aptly put it in 2009, all of this is being done so that the Minister can get his 30 pieces of silver. This really is shameful, and my community has had enough. We do not need more environmental destruction and choked communities; we need valuable green open space and a strong local school like Hurlstone Agricultural High School with its working farm to continue to give the students and families of south-west Sydney a better life through quality public education. This Minister's disregard for his colleagues' opinions expressed just a few years ago is mind blowing. If the Minister will not listen to me, he should listen to them. The objects of this bill are:

- (a) to ensure that the Hurlstone Agricultural High School site (*the site*) remains in public ownership, and
- (b) to limit the use of the site to that of a government school.

We want educational land in public ownership to be used for public education. Clause 5 of the bill is headed "Hurlstone Agricultural High School site not to be sold". It should not be sold; there should be no sell-off, no deal and no development. Clause 6 restricts development of Hurlstone's farm for anything other than government school purposes. That is clear and unambiguous in anyone's language. This bill, its objects and its clauses are all too familiar to Minister Piccoli and many members of the Liberal-Nationals Government. These are the same words that were in the Hurlstone Agricultural High School Site Bill 2009. It is the same bill, it contains the same words, and it has the same purpose—to prevent Hurlstone Agricultural High School being sold.

This is the same bill that Adrian Piccoli loudly vouched for in public and proudly voted for in Parliament on 25 June 2009. Of course, he was not the only Liberal-Nationals member to vote in support of the 2009 bill. I will list some of the other members who felt so strongly about saving Hurlstone that they were willing to have their name recorded as supporting the 2009 bill in this Parliament: the current Treasurer, Gladys Berejiklian, and current senior Cabinet ministers Andrew Constance, Victor Dominello, Pru Goward, Brad Hazzard, Anthony Roberts, Jillian Skinner, and Rob Stokes. Kevin Humphries not only voted for the bill but also came out to Hurlstone for photo opps with Adrian Piccoli. Even the Premier voted to save Hurlstone in 2009. In his inaugural speech in 2007 he stated:

Tonight I want to talk about three ideas that I believe will restore and strengthen public trust in our major political parties and in this wonderful institution.

Is this what restoring and strengthening public trust looks like under this Premier and his Minister for Education? We have seen policy backflips, public betrayal and political promises that have no purpose except to mislead. How can we restore and strengthen public trust in our major political parties and this wonderful institution when the Minister for Education has so blatantly gone back on his word, betrayed my community, and backflipped on what was an article of faith? The Premier does not need three ideas; he simply needs one: Leave Hurlstone Agricultural High School and its farm at Glenfield alone and give the children of south-west Sydney a better chance at a better life with a great local school with valuable green open space.

Episodes like Minister Piccoli's hypocrisy on Hurlstone take me back to polling day in 2015, when a softly spoken and well-informed gentleman at Robert Townson Public School approached me as he left the polling booth and said that both he and his son had just voted informal. It was a pox on both major political parties. Who could blame him when we have misleading community campaigns defending Hurlstone and then the very same person, the Minister for Education, going back on every word, every promise and every public statement he made just a few years later? This act of betrayal of Hurlstone demeans all members and devalues the Parliament as a public institution. The decision to destroy Hurlstone at Glenfield will be seen by our community as yet another broken promise, another breach of trust and another betrayal of their faith in politicians and in the Parliament. It reinforces political gamesmanship and represents political self-interest trumping the public interest.

It is no wonder that more and more Australians have less trust in major political parties and are parking their votes in minor parties. The danger for our democracy if this trend continues is the growing influence of fringe or protest parties derailing reasoned evidence-based democratic debate, a higher frequency of blocking and stalemate in much-needed legislative and policy reform, and the gerrymandering of public policy for vested interests. This represents a vicious political cycle, and we in the major political parties have only ourselves to

blame because we simply could not do the thing right by keeping our word having run such a strong campaign with regard to a policy position. Back in 2009, the Hon. Charlie Lynn concluded his speech by stating:

Obviously the Government does not see any value in protecting the last famed green belt separating us from Sydney's ugly urban sprawl. This is just a greedy cash grab ... the sale is bad for education, bad for agriculture and bad for the local community.

The member for Cootamundra also stated:

There is an old saying: If it ain't broke, don't fix it.

I must admit that I cannot improve on those words; they perfectly sum up the issues. It is extremely sad that the words said in 2009 are as relevant—if not more so—today. As the member for Macquarie Fields—an area that I have called home since my days at Robert Townson Public School—I am delighted to introduce the Hurlstone Agricultural High School Site Bill 2016 on the behalf of my community to protect Hurlstone's heritage, history and future at Glenfield; to preserve Hurlstone's working farm and the green open space; to promote educational hope, opportunity and aspiration in south-west Sydney; and to prevent any politician letting greedy developers from destroying our environment and taking away our prized school for 30 pieces of silver. I commend the bill to the House.

**Debate adjourned.**

## **CRIMES AND ANTI-DISCRIMINATION LEGISLATION AMENDMENT (VILIFICATION) BILL 2016**

### **First Reading**

**Bill introduced on motion by Mr Paul Lynch, read a first time and printed.**

### **Second Reading**

**Mr PAUL LYNCH (Liverpool) (11:07):** I move:

That this bill be now read a second time.

It gives me great pleasure on behalf of the Labor Opposition to introduce this bill. It is being introduced because of the Government's torpor and sloth. Despite widespread agreement on the inadequacy of current anti-vilification law, the Government has introduced no legislation and has taken no action to deal with the issues raised in this bill. It has taken no action over hate speech. The object of this bill is to make amendments to the Crimes Act 1990 and the Anti-Discrimination Act 1977 in relation to racial, transgender, homosexual and HIV-AIDS vilification. Specifically, the bill moves the offence of serious racial, transgender, homosexual or HIV-AIDS vilification by means of threat or incitement of physical harm into the Crimes Act 1990 from the Anti-Discrimination Act 1977.

The bill also removes the requirement for the Attorney General to give consent to a prosecution for that offence. Additionally, the bill extends the time within which prosecutions for such offences may be commenced to not later than 12 months from the date when the offence was alleged to have been committed. The objects also include bringing together into a new part—proposed part 4H—all the provisions of the Anti-Discrimination Act 1977 dealing with racial, transgender, homosexual and HIV-AIDS vilification and makes those provision consistent. It provides that unlawful vilification under the Anti-Discrimination Act 1977 occurs when a person, by a public act, intentionally or recklessly promotes—rather than incites—hatred towards, serious contempt for, or severe ridicule of, a person or group of persons on racial, transgender, homosexual and HIV-AIDS grounds.

The bill clarifies which public acts constitute such unlawful vilification. It provides that the proposed part applies whether or not the person or members of the group vilified have the characteristic that was the ground for the promotion of hatred, contempt or ridicule concerned. It also provides that the president of the Anti-Discrimination Board, after accepting a vilification complaint under the Anti-Discrimination Act 1977, is to refer the complaint to the Commissioner of Police if the president considers that the offence of serious racial, transgender, homosexual or HIV-AIDS vilification may have been committed, rather than investigating the complaint first and then referring such a complaint to the Attorney General.

The Government has refused to act. Accordingly, the Opposition presents the bill before the House today. The bill has two broad components. One is to implement unanimous legislative recommendations of the report of the Legislative Council Standing Committee on Law and Justice entitled "Racial vilification law in New South Wales", dated December 2013—three years ago. The second relates to a number of policy commitments made by the Leader of the Opposition in October last year. The target of this bill is hate speech. It is directed at people who promote or advocate violence based on race, gender or sexual orientation. There are, of course, legislative provisions presently in place. Racial vilification, for example, is targeted by section 20D of the Anti-Discrimination Act, which criminalises serious racial vilification. As is now a matter of notoriety, there has never been a



prosecution or conviction under this section. That is despite the many years that it has been on the statute books, and despite more than 30 referrals to the Director of Public Prosecutions [DPP] under this section.

Contemporary Australia is a complex, diverse society. Its diversity on a racial and cultural basis is as broad as it is anywhere in the world. It functions, I think, remarkably well. Well over half of the electorate that I represent, for example, speak a language other than English at home. However, this comparative success does not exist purely by luck or happenstance. It requires appropriate institutions and appropriate legislative frameworks. As to vilification and discrimination on the basis of gender or sexual preference, I think contemporary Australia is a better place than it used be, but with much further still to go. Most obviously one of the reasons for progress to date is legislative change—changing the laws to support the type of diverse and inclusive society most of us wish to live in and many of us champion.

These are the reasons that legislation dealing with hate speech is central to contemporary Australia. These are the reasons that the Government's sloth and torpor are so inexcusable. The report of the Standing Committee on Law and Justice, "Racial vilification in New South Wales", was released in December 2013. The inquiry was referred to the committee by then Premier O'Farrell in November 2012. The committee received 45 submissions and held public hearings. Its sensible and reasonable recommendations were adopted unanimously. The Government's response to this sweet reason has been a resounding silence. A Government response to the committee report was due in six months, at 3 June 2014. A response was received at 4.49 p.m. on that day—literally as the clock ran down. The response is worth citing in its entirety:

The NSW Government continues to consider the Report by the Legislative Council Standing Committee on Law and Justice on its inquiry into *Racial Vilification law in NSW*.

The Government is considering the important issues raised in the Report and is liaising with responsible agencies in determining its response.

The Government thanks the Committee together with those who made a submission to the inquiry for their efforts.

And that is it—after that, nothing. After this meaningless collection of bureaucratese, nothing else was heard. One can speculate on this comprehensive lack of action by the Government. One possible explanation is the general torpor and lack of legislative action that characterises this Government over recent years. The Government has introduced fewer bills, implemented fewer Law Reform Commission recommendations and exhibited a lesser legislative agenda than any government in living memory. There are fewer sitting hours than in the pre-2011 Parliament and recent changes in standing orders allow members to disappear after question time on Thursday.

The other explanation is that the Government is frightened of or controlled by the extremist forces that dress up their attachment to unfair privilege, discrimination and vilification behind declarations about the importance of free speech. No society has had no restrictions on speech. The question is always what the limits are and where boundaries should be drawn. By its inaction, the Government has demonstrated that it does not require effective barriers to hate speech in this State. We in the Labor Opposition have a different view. We think effective laws against hate speech are essential. The fact that section 20D of the Anti-Discrimination Act, for example, is on the books but there have been no prosecutions speaks volumes. It is, of course, preposterous to argue that there have been no examples of hate speech while the provision has been in force. Clearly there have been, but section 20D has not been able to be utilised. The obvious response is to make alterations to section 20D so that it can be used. That is what this bill does. I seek leave to postpone the commencement of General Business Orders of the Day (for Bills) to permit me to conclude my second reading speech.

### **Leave granted.**

This bill removes the current need in section 20D (2) for the Attorney General's consent to serious racial vilification prosecutions. This reflects recommendation 7 of the parliamentary inquiry report. This is achieved by schedules 2 [1], [2], [3] and [4]. This provision has, in effect, become a nonsense. In 1990 the Attorney delegated the consent power to the DPP, where it has remained ever since. The Attorney's involvement has potential to unnecessarily politicise the prosecution decision and was opposed by most stakeholders at the committee inquiry. This type of consent provision dates from an earlier time when the Attorney was seen as being more than just a politician and being somewhat above the fray. Occasionally attempts are made by Attorneys to behave in that way, but it has become increasingly rare—to my regret and that, I suspect, of others.

This bill also adopts recommendation 9 of the committee report, which extends the time limit for prosecutions from six months to 12 months. This makes sense, granted the current time limit of 12 months to lodge a complaint with the Anti-Discrimination Board [ADB] under section 89B. The practical difficulties of this were seen in *Simon Margan v Director of Public Prosecutions & Anor* [2013] NSWSC 44. This provision will now be contained in a new section 91N (3) of the Crimes Act. Recommendation 11 provided for the President of the ADB to directly refer serious racial vilification complaints to the NSW Police Force. This is contained in a new section 94D of the Anti-Discrimination Act. Committee recommendation 12 allows the police to prepare a

brief of evidence for the Director of Public Prosecutions [DPP] following referral of a complaint, as normally happens in a traditional prosecution. That can now occur as a result of this bill.

These sensible procedural steps are blindingly obvious. The Government's failure to act on them for three years is extraordinary. This bill adopts them. There is currently no mechanism in place for the development of a brief to the DPP. The board has limited powers to investigate, in contrast to the police, to say nothing of expertise and experience in investigation. There is also the issue of lack of ADB resources, especially granted the Government's approach to funding them. Recommendation 1 of the committee report recommends that, for the sake of clarity, the legislation provide that the offence covers communications in quasi-public places. The most obvious example of this is the lobby of a strata title apartment block or a company title apartment block. This recommendation is reflected in a new section 50AA of the Anti-Discrimination Act [ADA] in the bill. The problem otherwise is how to draw the difficult line between public and private, with the risk that the balance falls on a point that is too restrictive.

Flowing from this discussion and bearing in mind this is about criminal liability is the proposal that the offence not include conduct that a defendant could prove was intended to be in private. The obvious example is of what is clearly a private conversation on private premises accidentally overheard by someone else. There is a precedent for this in Victorian legislation. This was recommended by the committee and is adopted in the bill. The bill's provisions on these issues create a new section 50AA (3) and (4) of the ADA. There has been doubt and discussion as to the level of necessary intent—the mens rea necessary to establish the elements of the offence under section 20D. The committee recommended, and I have included in this bill, a provision that proof of recklessness is sufficient to establish intention. This is in line with general common law legal principles and has the support of several stakeholders. This is specifically seen in the new section 50AB (1).

Another recommendation of the committee included in the bill is that persons of presumed race are included in the bill. There are already similar provisions, for example, regarding people who are presumed homosexual. Obviously, people of a presumed race are equally affected by vilification. The committee notes an example of a Korean woman verbally abused in public but not able to pursue a complaint because the abuser incorrectly identified her as Japanese. This proposal is reflected in the bill in a new section 50AB (2). Apart from the agreed recommendations of the parliamentary committee, Labor has also included some other proposals in this bill. Most significantly, in relation to the substantive offence, Labor proposes replacing the word "incite" with the word "promote". That is contained in section 50AB of the ADA and section 91N of the Crimes Act. The intention of this change is very clear—Labor wishes to lower the current bar for prosecution. There have been no prosecutions at all under section 20D, so the case for lowering the bar is powerful. Moreover, the behaviour that is criminalised by this change is certainly worthy of sanction.

There has been an acknowledgment for some time of the real difficulties of ever being able to prove "incitement". In that regard, I note the 2009 paper on the topic by Nicholas Cowdery, AM, QC. There has been some debate around these terms for some time. However, I think it must be clear that "promote" is a lower bar than "incite". Additionally, the bill proposes placing the operative section of the criminal offence into the Crimes Act and removing it from the Anti-Discrimination Act. That is seen in schedule 1 to the bill, which establishes division 15C of part 3 of the Crimes Act, creating section 91N, which is the offence of serious racial, transgender, homosexual or HIV-AIDS vilification. Certainly the legal effect of a provision should be the same whether it is located in the Crimes Act or in the Anti-Discrimination Act. However, there is significant symbolism in the provision being located in the Crimes Act in the new section 91N. And symbolism, as everyone in this Chamber knows, is important.

The proposal to locate the provision in the Crimes Act has been frequently discussed. It is time it was done. Having it in the Crimes Act is consistent with the other changes made in this bill emphasising the role of the police. It is also consistent with the situation in other jurisdictions: Western Australia, the Commonwealth, the United Kingdom and Canada. Earlier reviews have recommended this. This is achieved by schedule 1 to this bill. It has taken way too long for the position to get to this stage. It is time there was some action. Before commending the bill to the House, I thank the House for allowing me the courtesy to continue this speech. I commend the bill to the House.

**Debate adjourned.**

## **PRIVACY AND PERSONAL INFORMATION PROTECTION AMENDMENT (STATE OWNED CORPORATIONS) BILL 2016**

### **Second Reading**

**Ms GABRIELLE UPTON (Vaucluse—Attorney General) (11:20):** The Opposition seeks to amend the Privacy and Personal Information Protection Act 1998 [PPIPA] to remove the exclusion of State owned

corporations from that Act and to extend that Act to State owned corporations that are not subject to the Commonwealth Privacy Act 1998. The Government opposes the Privacy and Personal Information Protection Amendment (State Owned Corporations) Bill 2016. It is interesting that the Opposition chooses to introduce this bill now. Once again, it forgets it did nothing on this issue when Labor was in Government for 16 years.

In 2004, under the Labor Carr Government, the then Department of the Attorney General conducted a review of PPIPA, which recommended that State owned corporations [SOCs] be covered by that Act. The Labor Government failed to respond to the recommendations from the review. It left it on the shelf, gathering dust. Fast forward four years. In 2008 the report of the Australian Law Reform Commission, 108, entitled "For your information: Australian privacy law and practice" expressed concerns over the inconsistent coverage of SOCs under State and Territory privacy laws. Again, the Labor Government took no steps to respond to the recommendations of the Law Reform Commission.

But wait, there is more. Two more years passed. In 2010, the report of the NSW Law Reform Commission, 127, entitled "Protecting privacy in New South Wales", recommended removing the exemption for SOCs from section 3 of PPIPA. Again the Labor Government took no steps to respond to the recommendations of the commission. By that time, the revolving door of Labor Premiers and Ministers meant good government was also out the door. So I will not stand here as the Attorney General and accept the pious words on the record from the shadow Attorney General when his side of politics had three separate sets of recommendations, but there was not one attempt to do something when it was in Government. Lofty promises, yes. An appearance of a commitment to sensible reform, but no delivery. We know that story. The Labor Party does not understand hard work and it does not deliver on promises.

On this side of the Chamber, we treat the community with respect. We work on the basis that the promises we made when we were elected to represent the community are those that we will deliver. The community is smart; it expects us to do that. It remembers all of Labor's empty words and its empty commitments not only in our legal system, which is what we are talking about today, but also those relating to our roads, hospitals, schools and public transport services. I could go on, but I will not. Let me focus on the bill before the House. It is with unmitigated gall that the shadow Attorney General chooses to finally act more than one decade after his Government ignored recommendations from its own department. It is worse than that: Labor suggests a change in a high-handed way without regard to State owned corporations, the subject of the reform, or of industry groups, or of consumers who interact with those SOCs every day.

Nowhere in his speech did the shadow Attorney General mention the current views of key stakeholders in this area, and that is because the Opposition has introduced the bill without taking any interest in what those stakeholders have to say. Let me be clear: The Government does not oppose the application of New South Wales privacy legislation to SOCs in principle. We acknowledge the recommendations in the February 2015 "Report of the Privacy Commissioner under section 61B of the Privacy and Personal Information Protection Act 1998" that all SOCs be subject to privacy regulation. We agree with the importance of protecting personal information. I note in the same report that the Privacy Commissioner found that the majority of SOCs already adopt principles that comply with either New South Wales or Commonwealth privacy legislation.

However, the Government also believes it is important that we get any extension of privacy legislation right. That acknowledges some harsh realities. SOCs are unique. They are diverse entities. There are currently 14 SOCs operating in New South Wales in various industries; for example, the water industry, electricity, ports and forestry. Some have a primary commercial purpose to their undertakings. Some of those with private commercial purposes are, of course, in direct competition with the privacy sector. There are many different ways that the privacy regime might apply to SOCs. The changes proposed by the bill could have important material operational impacts that will only be identified through a full stakeholder consultation.

It is important to understand how fully the changes will impact on SOCs before any legislative changes are made. This Government listens to stakeholders, and to the recommendations of independent commissioners and law reform bodies. It is also taking steps to improve the effectiveness, accountability and performance of State owned corporations. In 2013, the Government announced the first review of the legislative governance framework for SOCs since the State Owned Corporations Act was introduced by former Premier Nick Greiner in 1989. This work is more comprehensively considering all issues relating to SOCs. This is the approach that the Government will take—considered, consultative, thorough and methodical. The Government is finalising this important work.

Unlike Labor, any considerations of privacy regulation will be undertaken with the stakeholders and with the organisations that are the subject of any reform proposal. That is the way it should be done; that is the way it must be done. It is easy for the Opposition to propose a bill, but it is hypocritical when considering Labor's inaction on this issue over its 16 years of government, let alone its record on delivery. Labor really hates it when it is called out on this kind of behaviour, but we will remind its members time and time again. The Government strongly opposes this bill for all the reasons I have articulated. SOCs and their operations under the privacy law are

important. The Government will address those matters in a considered way and it will act. It will not be inactive, as the former Labor Government was for 16 years. It is hypocritical of the shadow Attorney General to bring this bill forward now.

**Mr CLAYTON BARR (Cessnock) (11:28):** I support the Privacy and Personal Information Protection Amendment (State Own Corporations) Bill. For the people who read my speech in *Hansard*—because they will probably not read the Attorney General's speech—I will paraphrase what she said: We will not implement this bill because Labor did not do it. She then went on to give reasons as to why it would be good to do so, but finished with: We will not do it because Labor did not do it when it was in government.

Let me give the reasons this bill should be passed. It is an overdue and entirely worthwhile recognition that State owned corporations should bear the same privacy responsibilities as commercial entities. The proposed amendments are based on a sound background of research and discussion. Not once, not twice, but on four occasions expert official reports have recommended that State owned corporations be subject to privacy legislation. In 2004, this was the recommendation of a statutory review into the Act by the Attorney General's Department. Last year, the report of the Privacy Commissioner under section 61B of the Privacy and Personal Information Protection Act 1998 recommended:

All NSW SOC's should be subject to privacy regulation so that either:

- a) the PPIP Act applies to SOC's not covered by the Privacy Act 1988 (Cth); or
- b) those currently not prescribed under the Privacy Act 1988 (Cth), are prescribed.

The commissioner stated in her executive summary of a report last year:

I am concerned about the lack of formal privacy protection for clients of some State Owned Corporations (SOC's) and recommend that all NSW SOC's be subject to privacy regulation.

Two different analyses from two different sections of the Government, 10 years apart, have come to the same conclusion about the need for privacy regulations for State owned corporations. This alone is a compelling argument in favour of the bill. At present, State owned corporations operate under what is fundamentally an honour system. The only way they are covered by privacy legislation is if they request to be listed as a prescribed organisation under the Commonwealth's Privacy Act. The message is, in effect: Follow the rules if you like, but we will not pressure you to do that. It is trusting and anachronistic in equal measure.

As a general rule, opt-in arrangements are ineffective in enforcing protections, especially in relation to something as crucial as privacy. By allowing the organisation in question to choose whether or not to comply, opt-in systems mean that the Government is indifferent as to whether the provisions are enforced. If the Government truly wanted to enforce them, it would apply them universally. There is a chasm between the certainty and enforceability offered by a legislative scheme and the reliance on magnanimity that an opt-in system requires. There is a similarly sized chasm between the circumstances surrounding the original enactment of the Act and those of the present day.

The exception for State owned corporations was intended to ensure that they had regulatory parity with commercial operators, which were not covered back in 1998. Now the private companies are covered. If the State owned corporations were private entities, every single one of them would be above the threshold that applies to the existing privacy legislation. There is regulatory inequality, but it favours the State owned corporations. None of these comments is intended to impugn the reputation of any State owned corporation, nor do the comments suggest that any of the State owned corporations is in any way untrustworthy. However, privacy is important. It is one of the fundamental rights of a human being, especially in interactions with his or her government.

Three State owned corporations in New South Wales have elected to be prescribed under the Commonwealth Act. The rest have not. Under the present arrangements, customers of two different State owned corporations can have two completely different sets of rights and two completely different pathways to address complaints. I will now compare the options available to the two sets of customers. Essential Energy, Ausgrid and Endeavour Energy are the three organisations that have chosen to be prescribed under the Commonwealth Act. As such, their customers are covered by a legislative framework for addressing privacy issues.

Section 36 of the Commonwealth Privacy Act gives customers the right to complain to the Information Commissioner if there has been an act or practice that may have interfered with their privacy. It also sets out a format for such a complaint. Section 40 requires the commissioner to investigate these complaints. Section 52 allows the commissioner to make a determination either dismissing or upholding the complaint. If the complaint is substantiated, the commissioner can make a declaration that the organisation has interfered with the complainant's privacy and make a statement on any findings of fact on which the decision was based.

The commissioner can also outline steps for redress. This can include measures to prevent such a breach in future, as well as requiring the organisation to make amends for any loss or damage suffered by the complainant. This may include compensation, for which there are clear and distinct regulations under section 60. What is more, it is enforceable. In the event that an organisation fails to comply with a direction from the commissioner, section 55A allows an application to be made to the Federal Court or Federal Circuit Court seeking an order to comply. This is a legislative process for receiving, investigating and acting upon privacy complaints. It is thorough, transparent and enforceable. It allows customers to have confidence that their privacy will be protected and gives them a clear path to take action if it is not.

Yet this scheme applies to only three of our State owned corporations. It is not sufficient to say that they are complying anyway and, therefore, should be left alone. Convention and law are totally different things. If a regulation is not enforceable then for all intents and purposes it does not exist. Guidelines that companies follow only if they see fit are no more than paper, and that is the reality for customers of Hunter Water Corporation, Sydney Water Corporation, WaterNSW, Landcom, the Forestry Corporation, the Superannuation Administration Corporation, Delta Electricity, TransGrid, the Sydney Ports Corporation, the Newcastle Port Corporation and the Port Kembla Port Corporation. You can talk all you like about voluntary compliance, but the fact is that some customers have protections and some do not. It really is as simple as that.

This bill proposes to include every State owned corporation within the remit of the privacy provisions in the Privacy and Personal Information Protection Act. Our privacy responsibilities will no longer be outsourced to the Commonwealth and we will no longer run an outdated, voluntary, opt-in system. The bill will bring State owned corporations into line with the privacy requirements placed upon councils, government departments and universities. It will bring the Privacy and Personal Information Protection Act into line with the State Records Act and the Government Information (Public Access) Act, which cover State owned corporations, as well as the Government Sector Employment Act, which explicitly classifies State owned corporations as being part of the government sector. If new technologies provide the arteries of the modern world, data provide the blood. At no stage in our history has more data been captured, stored and utilised. State owned corporations hold huge pools of it.

I urge every member to take a moment to consider what their local water corporation knows about them and to do the same with respect to their energy companies. Members should then ask themselves, "Would I want that information protected by a mandatory, enforceable law?" I suspect the answer would be an absolute and emphatic "yes". There may be a murmur about imposing additional cost on these organisations, but it is worth noting that for the State owned corporations that have already chosen to comply with the standards set out by the Privacy and Personal Information Protection Act there should not be any additional expense as a result of this bill. It seems to me that the question is not, "Why should State owned corporations be subject to privacy legislation?" but rather, "Why shouldn't they?" I am yet to hear a cogent answer to that.

I commend this bill to this House. It is supported by repeated government reports, by the NSW Law Reform Commission and by the Privacy Commissioner. It is a recognition of changing circumstances but also of something that will never change: the basic right of every person to have his or her privacy protected by law. I certainly hope the contributions yet to come from the Government will make a better case for refusing than simply saying, "Labor did not do it, so we will not."

**Mr RAY WILLIAMS (Castle Hill) (11:38):** The Opposition's Privacy and Personal Information Protection Amendment (State Owned Corporations) Bill 2016 seeks to amend the Privacy and Personal Information Protection Act 1998 to remove the exclusion of State owned corporations from that Act and to extend the Act to State owned corporations that are not the subject of the Commonwealth Privacy Act of 1998. For good reason, the Government will oppose this bill. The previous speaker, the member for Cessnock, said that he hopes the Government rectifies this issue rather than just saying that the previous Government should have done it. In response, I point out that in five years this Government has reformed the State. The Government has repaid the \$35 billion of debt left to us by the previous Labor Government.

The Government also has implemented one of the largest road and rail infrastructure projects in the history of Australia. The Government has restored, reformed and rebuilt practically every hospital right across the State. It is reasonable to suggest, given this Government's track record, that the Government would reform and address any anomalies in the legislation. But I ask the member for Cessnock, who preceded me in this debate: What the hell did Labor do for 16 years? Labor could not build the roads the State needed, the schools to educate our children, the hospitals to provide health services to our frail aged and weary people, or the roads to improve productivity. Labor certainly damned well could not build the public transport services that were required to provide people with access to and from their place of work.

In light of those facts, and bearing in mind that Labor could not do anything else, why would anyone think that Labor could amend a simple bill? Again, it will be left to the Government to amend legislation in order

to address anomalies that arise from time to time. But the Government certainly will not support the bill before the House, which has been introduced by a lazy Opposition that thinks it has found a tiny piece of political legislation and wishes to talk it up instead of focusing on the responsibilities of the State. As I mentioned earlier, the responsibility and charter of State governments is to build infrastructure on behalf of the people of the State. That is it; end of story.

The Government has worked within its budgetary constraints. Currently, the Government has a budget spend of \$68.5 billion over the forward term. If the Government works within its budget, does not overspend, and ensures that the State has surplus budgets in the foreseeable future, it will be able to provide the services required by the people of New South Wales. It will be able to build the schools, the roads and the rail projects. An innovative government also recycles tired assets, thereby sourcing more funding to Treasury for investment in larger projects. An example of innovative projects is the Government's 49 per cent lease of the poles and wires.

The remaining share of 51 per cent remains in government hands, which means that 51 per cent of the dividends continually return to the coffers of the State while the revenue from the 49 per cent lease, under Rebuilding NSW, accumulates to more than \$20 billion. That asset always remains as part of the property of the State and in the control of New South Wales residents, but the Government recognises the significant funding that can be invested above budget funds to provide the services needed by the people of New South Wales. That is what a responsible government does. When anomalies occur in legislation and amendments are required or when there is work to be done, the people of New South Wales can damn well rely on the Liberal-Nationals Government to get the job done.

All I can say to the people in the gallery is: Look no further than the track record of our predecessor. As I have said, this Government was left with a \$35 billion debt and deficit budgets into the future. Only a few short years ago, that is what Labor left for this Government. Now Labor Opposition members come into this House crying and saying, "We need you, the government of the day, to reform and make amendments to this legislation because for 16 years we didn't bother to do it. We didn't worry about it for 16 years. We also did not worry about all the infrastructure that the people of New South Wales needed. But now you, the Liberal-Nationals Government, must amend this Act."

The Government will not be giving any credence whatsoever to the Opposition's bill and will oppose it. The Privacy and Personal Information Protection Act 1998 imposes obligations on New South Wales public sector agencies in relation to the way they collect, use, disclose, secure and provide access to people's personal information, such as their customers. That is very important legislation. The Government is always open to suggestions from stakeholders about ways to improve the operation of our privacy legislation. However, it is very important that any amendments are implemented in a proper and considered manner—not in the hashed and botched-up manner of this lazy Opposition, as is evident in the bill before the House. The Government will oppose the bill.

In October last year the Attorney General introduced the Privacy and Personal Information Protection Amendment (Exemptions Consolidation) Bill 2015. The bill was passed by this Parliament in November last year. The purpose of that bill was to implement a recommendation of the NSW Law Reform Commission and a request by the Information and Privacy Commissioner New South Wales to incorporate substantial or permanent exemptions from privacy rules into legislation. By introducing that legislation, the Government has helped to simplify and clarify the manner in which New South Wales public sector agencies manage personal information.

That bill was a culmination of an extended process to address the fact that New South Wales public sector agencies have been relying on public interest directions made by the Privacy Commissioner under section 41 of the Privacy and Personal Information Protection Act and renewed on a rolling basis. The Government recognised that public interest directions were intended to provide short-term exemptions until longer-term solutions could be put in place. I point out that 14 of our State owned corporations operate in various industries in New South Wales, which include water, electricity, ports and forestry. I cite as examples the Sydney Water Corporation and UrbanGrowth NSW, which at this point is undertaking important development across various sectors to provide for the expected residential growth resulting from one million additional people moving into Western Sydney over the next 15 years.

In my capacity as the Parliamentary Secretary to the Premier for Western Sydney, I know that there is intense focus by the Government on ensuring we accommodate residential growth across Western Sydney, which is one of the fastest-growing and most important regions in Australia. Very importantly, while accommodating that growth, the Government needs to focus on jobs. If residential growth continues and the area's population increases, analyses show that there could be a shortfall in jobs of approximately 200,000. I note that at this point New South Wales does not have a shortfall of jobs. Unemployment in Western Sydney is tracking at just under 6 per cent, which is not far removed from New South Wales' lower statewide unemployment rate of 5.3 per cent. If the State's unemployment rate keeps trending downwards, Western Sydney will not have a shortfall in jobs.

However, the Government will not sit on its hands and ignore the need for jobs growth, particularly in skilled fields, over the foreseeable future. The Government will continue to work hard to ensure that appropriate investment in not only infrastructure but also business is supported to provide jobs growth and accommodate the increase in residential populations in Western Sydney over the next 15 years. I recognise that the 1998 Act introduced new protections for personal information shared by New South Wales government agencies beyond New South Wales geographical borders. The Act is in terms that are similar to provisions governing trans-border disclosure of information in the privacy legislation of Victoria, Queensland and the Commonwealth. [*Time expired.*]

**Ms JODIE HARRISON (Charlestown) (11:48):** I support the Privacy and Personal Information Protection Amendment (State Owned Corporations) Bill 2016, which is very good legislation. I choose to use the time allowed for my speech to discuss the provisions of the bill, unlike the speaker who preceded me in this debate, the member for Castle Hill. I will discuss the issues addressed by the bill and debate why I believe the bill is good legislation and should be considered by this Parliament.

The objective of this bill is to amend the Privacy and Personal Information Protection Act 1998, known as PPIPA, by removing the exclusion of State owned corporations. By doing this, privacy regulation and protections in New South Wales will be extended to include all State owned corporations that are not already subject to the Privacy Act 1988 of the Commonwealth. The bill addresses the current gap that exists in New South Wales privacy regulation. It adopts recommendations of the New South Wales Privacy Commissioner's 2015 report. This report proposes that:

All NSW SOC's should be subject to privacy regulation so that either:

- a) the PPIP Act applies to SOC's not covered by the Privacy Act 1988 (Cth); or
- b) those currently not prescribed under the Privacy Act 1988 (Cth), are prescribed.

To date, this Government has taken no action to adopt this sensible recommendation. The world is a very different place from 1998, when this legislation was first introduced. Protection of privacy and personal information will continue to be a challenge for legislators now and in the future. The bill before us is, however, a significant step in the right direction. I am proud to stand on this side of the House with Labor because we recognise the need for legislation to reflect the ever-changing technological information age in which we live and the challenges this age poses.

In order to operate effective services, State owned corporations hold significant amounts of personal information concerning residents of New South Wales. This information consists of sensitive information including bank details, video or audio footage, fingerprints and blood or DNA samples. It can also include name, address and photographic information that is considered to be neutral and not harmful. However, inappropriate use of any information can compromise an individual's privacy. For example, age discrimination could occur in the workplace if a person's date of birth were revealed. And with identity theft being one of the fastest-growing crimes in Australia there is an even greater need for our privacy to be protected.

Currently, to regulate the management and protection of personal information, State government agencies, local councils and universities are already held subject to the Privacy and Personal Information Protection Act. This Act provides for the investigation of complaints into breaches of privacy. It also holds organisations to the 12 legally binding Information Protection Principles, which describe how these agencies must collect, use and circulate personal information, as well as rights in accessing personal information. Privacy legislation is increasingly important in the digital age. Personal data is a new commodity of the twenty-first century. It is an economic asset that, in the commercially aggressive society we live in, is in increasing demand. The more intimate the personal information the more valuable it is and the higher the incentive for potential misuse. It is no wonder public concerns relating to privacy issues are increasing.

That is why it is concerning that at present, despite the significant amount of personal information held by New South Wales State owned corporations, they are exempt from New South Wales privacy legislation. The justification at the time to exclude them was to create a level playing field between State owned corporations and the private sector, which was not subject to privacy legislation at the time. However, Commonwealth privacy legislation now governs private sector companies, so the previous rationale to exclude State owned corporations does not prevail today. Entities currently operating as State owned corporations are: Networks New South Wales, comprising of Essential Energy, Endeavour Energy and Ausgrid; the Port Authority of NSW; the Hunter Water Corporation; WaterNSW; the Sydney Water Corporation; the Superannuation Administration Corporation, or Pillar; Landcom, trading as UrbanGrowth NSW; the Forestry Corporation; Delta Electricity; and TransGrid.

New South Wales State owned corporations can elect to be subject to the Commonwealth Privacy Act. However, if they do not request to be prescribed, the privacy legislation simply does not apply to them. At present, only three of the 10 State owned corporations have opted to be subject to the Commonwealth regime. They are

Essential Energy, Ausgrid and Endeavour Energy. This means that the customers of these State owned corporations have the benefit of legislative protections, formal privacy protection and avenues for external redress for any complaints, while the customers of the other State owned corporations do not. This is why Labor is moving to close the privacy loophole and close the gap between different sets of privacy rules which have left the people of New South Wales without any external protection from the misuse of their personal information.

A review of annual reports and privacy policies of corporations shows the majority of them already comply with either Commonwealth or New South Wales privacy legislation. A number of corporations, including Sydney Water, WaterNSW and TransGrid, refer to being bound to the Information Protection Principles in the Privacy and Personal Information Protection Act. TransGrid, Landcom and the Forestry Corporation refer to being bound to the Commonwealth Privacy Act 1988, despite not being prescribed under the Act. I commend those corporations for taking the initiative to comply with current privacy laws. But voluntary compliance does not offer the same level of protection as formal legislative coverage.

It is a shaky foundation for customers to be forced to rely on, and it does not provide the option for an external review of complaint handling that is available under the Privacy and Personal Information Protection Act. If these corporations are already complying with privacy laws, their being subject to New South Wales privacy laws should pose no extra burden on them and will not affect how they are already operating. These proposed changes are overdue. The current laws are simply inadequate and the Baird Government has displayed no interest in trying to rectify this situation or to take up the recommendations of the Privacy Commissioner's 2015 report. As legislators, we have a responsibility to ensure our laws reflect the new digital age in which we now live. We have a responsibility to ensure that the personal information of the people we represent is kept safe. I commend the bill to the House.

**The ASSISTANT SPEAKER:** I welcome to the Chamber student leaders from across New South Wales, particularly those from the great electorate of Coffs Harbour and the electorate of Orange, whose former member is now contesting a seat in Federal Government.

**Mr ALISTER HENSKENS (Ku-ring-gai) (11:57):** The Privacy and Personal Information Protection Amendment (State Owned Corporations) Bill 2016 is regrettably another example of a sniping Opposition concerned only about criticising the Government in any way it can rather than proposing constructive matters for the better governance of this State. It is instructive that in 16 long, dark, horrible years of government by possibly the worst administration of this State, the Labor Government, those opposite never proposed what they are now proposing—that is, to put the 14 State owned corporations under this legislation. Three of the 14 corporations have voluntarily opted into the Commonwealth privacy regime, under section 6F of the Privacy Act 1998. Those corporations have assessed the business environment in which they operate and their organisational environment and have deemed that it is appropriate in a constructive and responsible way to come under the Commonwealth legislation.

In the Stalinist world in which Australian Labor Party members operate they think every business, regardless of circumstances, and every State owned corporation ought to be, with a stroke of a pen and without consideration of their operational requirements and individual circumstances, automatically brought under the privacy legislation. Have Opposition members spoken to any of the 11 State owned corporations to see whether they ought to be brought under this legislation? Have they done any analysis or considered how those State owned corporations conduct themselves to see whether that would be appropriate? Of course not. This is the Stalinist one-size-fits-all approach that we often see from the member for Liverpool and the Stalinist, communist, one-size-fits-all world in which he operates. Why does he operate in that world? Should we be surprised? What life experience did the member for Liverpool bring to this place when he walked in the door in 1995? What business has he operated? What real-world experience does he bring to the table and to the Parliament?

**Mr John Sidoti:** Branch stacking.

**Mr ALISTER HENSKENS:** The only numbers he has counted have been in branches with phantom members. That is the only world he has operated in, not the real world of business or commerce. I inform the House and the member for Liverpool that businesses are slightly more subtle and varied in the way they operate than the Stalinist world of ignorance in which he operates. The member has no life experience of operating an enterprise. It is utterly inappropriate that, without any consultation with the 11 State owned corporations that will be affected by the bill, he proposes to change their operations with the stroke of a pen.

**Mr Bruce Notley-Smith:** He would nationalise them if he could.

**Mr ALISTER HENSKENS:** The member for Coogee reminds me that the Australian Labor Party introduced the bank nationalisation bill.

**Mr Ron Hoenig:** In 1948.



**Mr ALISTER HENSKENS:** Those opposite are still living in 1948.

**Mr Paul Lynch:** Point of order: I am being accused of wanting to nationalise these organisations; they are State owned corporations, you idiot.

**The ASSISTANT SPEAKER:** Order! There is no point of order. The member for Ku-ring-gai will stop inciting Opposition members. They were far better behaved when they were asleep.

**Mr ALISTER HENSKENS:** I apologise for waking up the member for Liverpool and causing that interjection.

**Mr John Sidoti:** I thought he was still asleep.

**Mr ALISTER HENSKENS:** He does sleepwalk. The Government opposes a blanket application to all State owned corporations without any consideration being given to their particular operating circumstances. The Government considers that to be utterly irresponsible. We want to get privacy reform right so that it is introduced in a considered way, not with the stroke of a pen in a Stalinist, one-size-fits-all manner. The Government will assess the impact on the various individual and unique State owned corporations before any legislative changes are made. The people of New South Wales have elected a government that understands a little about the way in which businesses operate and they expect us to take that approach. For those reasons we oppose the bill.

**Mr JOHN SIDOTI (Drummoyne) (12:03):** I welcome students from various schools to the New South Wales Parliament. I can tell they are very excited to be here because this is life-changing legislation. I used to go to school, so we have a lot in common—although they catch a bus and I used to travel by horse and carriage. The Privacy and Personal Information Protection Amendment (State Owned Corporations) Bill 2016 is intriguing. The members representing the electorates of Castle Hill and Ku-ring-gai brought valid points to the table. Opposition members woke up and asked, "What can we bring to the Chamber? Maybe this bill will fill in time". That is what seems to have happened. For 16 long years those opposite did nothing. Do members recall the T-card and the Rozelle metro—half a billion dollars spent and not a track laid? There was no preparation and money was spent on nothing. Planning was done on the back of a serviette. Labor did nothing during 16 years in government but it has now managed to introduce a bill.

The Government will not bend to Opposition demands. Like any responsible Government, we will do the planning and homework and address all the issues associated with the bill. The Government will not introduce a bill simply to tick a box—that is what the Opposition does. The Government acts in a responsible fashion. The bill seeks to amend the Privacy and Personal Information Protection Act 1998 to remove the exclusion of State owned corporations from it and to extend that Act to State owned corporations [SOCs] that are not subject to the Commonwealth Privacy Act 1998. As the member for Castle Hill and the member for Ku-ring-gai said, the Government opposes the bill.

The Privacy and Personal Information Protection Act 1998 imposes obligations on New South Wales public sector agencies in relation to the way they collect, use, disclose, secure and provide access to people's personal information, such as their customers. Agencies that are bound by the Privacy and Personal Information Protection Act 1998 are New South Wales public sector agencies, statutory authorities, universities, local councils and other bodies whose accounts are subject to examination by the Auditor-General. State owned corporations are not covered by the Privacy and Personal Information Protection Act 1998. The SOCs are unique entities. The State owned corporations are governed by the State Owned Corporations Act 1989. Eight enabling Acts were introduced to establish individual or small groups of similar SOCs.

State owned corporations are public trading or financial enterprises that have been corporatised and of which the Government is a shareholder. There are presently 14 State owned corporations operating in various industries including water, electricity, ports and forestry. They include Hunter Water Corporation and UrbanGrowth. UrbanGrowth plays an important role in my electorate, where it is delivering WestConnex and handling issues with regard to that project. The bill encompasses that corporation. Other State owned corporations operating in various industries are the Newcastle Port Corporation, Port Kembla Port Corporation, State Water Superannuation Administration Corporation, Sydney Ports Corporation, Sydney Water Corporation, Forestry Corporation of NSW, Essential Energy, Delta Electricity, Ausgrid, Endeavour Energy and Macquarie Generation.

Under section 6F of the Commonwealth Privacy Act 1998, a State owned corporation may opt in to the Commonwealth privacy regime by the New South Wales Government requesting that a State owned corporation be prescribed under the Privacy Regulation 2013. At present only three electricity network companies—Essential Energy, Endeavour Energy and Ausgrid—are prescribed. The proposal in the bill to cover the remaining 11 State owned corporations under the Personal Information Protection Act would mean that State owned corporations would operate under two different privacy regimes—some under a Commonwealth regime and others under a State regime. That would create inconsistent coverage of State owned corporations by privacy laws and result in

different privacy obligations for different State owned corporations. It is important to talk to all State owned corporations about the way in which they handle personal information to determine the most appropriate privacy regime. The Opposition has not undertaken that consultation. It is also important to understand fully how the changes will impact on State owned corporations before any legislative changes are made.

**Mr PAUL LYNCH (Liverpool) (12:10):** I note the contributions to this debate of the Attorney General and members representing the electorates of Cessnock, Castle Hill, Charlestown, Ku-ring-gai and Drummoyne. The Privacy and Personal Information Protection Amendment (State Owned Corporations) Bill 2016 removes the exemption for State owned corporations from the Privacy and Personal Information Protection Act. The proposal was recommended by the Privacy Commissioner in a report dated February 2015 and tabled in this Parliament. It was also recommended by the NSW Law Reform Commission Report No. 127, recommendation 2.1 and the Attorney General's review of the Privacy and Personal Information Protection Act, at paragraphs 8.4 and 8.5. The Department of Premier and Cabinet, at page 63 of the Privacy Commissioner's report, acknowledges that State owned corporations are a gap in the privacy regime. The department released an issues paper on State owned corporations in 2013, but nothing has happened since that time in that space. The department says that it is still under review. I am told that a report has been drafted. It recommends the changes that my bill proposes and the Government has taken no further action.

The arguments in favour of this proposal are as simple as they are compelling. It is inconsistent with contemporary standards for State owned corporations to be excluded from privacy regimes. Many State owned corporations say that they comply anyway, so requiring them to comply will not cost anything and will not place any extra burden on them. The fact that they say they comply but are not technically covered means customers do not have the statutory protection provided by the Privacy and Personal Information Protection Act. State owned corporations were originally excluded only to provide competitive neutrality with private companies. The rules have now changed and those private companies are now covered by privacy regimes. In fact, there is no competitive neutrality to the benefit of State owned corporations at the moment. State owned corporations are already covered by the Government Information (Public Access) Act and the State Records Act. If they are able to be covered by that legislation, it is a matter of logic that they are also covered by the privacy regime.

I turn briefly to the contributions made by members opposite. The member for Drummoyne accused the Opposition of wasting time. If that is the case, one wonders why the Government put up four speakers to oppose the bill. They claimed that the Government is doing the planning to get this right, but that is nonsense. An issues paper was released in 2003 and the Government has done nothing further. It has prepared a report, but it is not prepared to release it because it recommends the change proposed in this bill. The member for Drummoyne seems to think that instituting this regime would mean that State owned corporations would be covered by two separate regimes. In fact, they already are—some State owned corporations are covered by the Commonwealth legislation and some are not covered at all. We already have two regimes; this bill simply changes the nature of the regime.

The member for Ku-ring-gai seemed to think it was appropriate to indulge in personal abuse rather than deal with the arguments that motivate this bill and which should be dealt with in the debate. It is a pity he did not turn his mind to examining the bill properly. He said that this was a sniping Opposition bill and that it was not constructive. Of course, he would have to say the same about the Privacy Commissioner and all the other people who have recommended this action. If he really wants to suggest that they are not being constructive and are sniping, perhaps he should square up with them. His allegation that I am a Stalinist suggests that he knows as little about my politics as he does about the subject of this bill. The fact that he called the provisions in the bill "Stalinist" is interesting, because the Attorney General said that she supported them in principle. Perhaps the member for Ku-ring-gai should sort out with the Attorney General whether he supports this principle or whether he thinks it is Stalinist. Perhaps this is the beginning of his campaign to replace her as Attorney General. He is probably more competent, but he should work out what he is trying to do.

The member for Castle Hill gave us his usual entertaining stump speech that contained nothing at all about State owned corporations. The only thing he dealt with in terms of privacy was to claim with great pride that the Government had introduced privacy legislation to amend the principal Act last year. It did, but only because the Privacy Commissioner threatened not to issue any further exemptions if the Government did not amend the legislation. That is hardly an example of proactive government action; it was something it had to do because the Privacy Commissioner held a gun to its head. It was interesting to hear the Attorney General speak in this debate. She has accused all sorts of people of being hypocritical and saying one thing and doing another. I asked her a question on notice, No. 1787, on 27 October last year. She replied on 2 December saying that it had nothing to do with her, the legislation was not her responsibility, and that I should go away and deal with someone else. Given that, her participation in this debate is extraordinarily hypocritical. Of course, her contribution was intellectually inadequate. That is something for which she is now notorious.

**The ASSISTANT SPEAKER:** Order! I remind the member for Liverpool of Standing Order 73, which he has raised in this House on several occasions.

**Mr PAUL LYNCH:** I have indeed, Mr Assistant Speaker, but I did not raise it in this debate when far more serious things were said about me. I would have thought that what is good for the goose is good for the gander.

**The ASSISTANT SPEAKER:** Order! I draw the member's attention to Standing Order 73.

**Mr PAUL LYNCH:** As I was saying, the Attorney General made no substantive contribution to this debate. The best she could do was to put the intellectually inadequate argument that Labor did not do it therefore the Government will not. That is an abjectly inadequate argument to put in this sort of debate. However, she did go on to say that she agreed with the proposal in principle and that the Government is doing things seriously and giving it proper consideration. That is nonsense and unmitigated drivel. A discussion paper was issued in 2003 and nothing further has happened.

The Department of Premier and Cabinet says that the matter is still under consideration. However, on making further inquiries—discreet as they may be—it appears that the result of that discussion paper is a recommendation that the provisions in my bill be adopted. However, the Government will not do that. The claim that the Government is considering this matter seriously and properly is both untrue and intellectually inadequate. As I said, it is regrettable that the Attorney General's contribution was so lacklustre. She undoubtedly has less substance as Attorney General than anyone who has occupied that position for many decades. I commend the bill to the House.

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

The House divided.

Ayes .....29  
Noes .....45  
Majority.....16

#### AYES

Dr McDermott (teller)  
Mr Chanthivong  
Mr Harris  
Mr Lulich (teller)  
Mr Minns  
Mr Robertson  
Ms Car  
Ms Finn  
Ms Hornery  
Ms T. F. Smith

Mr Atalla  
Mr Dib  
Mr Hoenig  
Mr Lynch  
Mr Park  
Mr Zangari  
Ms Catley  
Ms Harrison  
Ms McKay  
Ms Washington

Mr Barr  
Mr Greenwiche  
Mr Kamper  
Mr Mehan  
Mr Parker  
Ms Aitchison  
Ms Doyle  
Ms Haylen  
Ms Mihailuk

#### NOES

Dr Lee  
Mr Ayres  
Mr Conolly  
Mr Crouch  
Mr Evans  
Mr Hazzard  
Mr Maguire  
Mr O'Dea  
Mr Provost  
Mr Sidoti  
Mr Taylor  
Mr Ward  
Ms Davies  
Ms Hodgkinson  
Ms Skinner

Mr Anderson  
Mr Barilaro  
Mr Constance  
Mr Dominello  
Mr George  
Mr Henskens  
Mr Marshall  
Mr Patterson (teller)  
Mr Roberts  
Mr Speakman  
Mr Toole  
Mr Williams  
Ms Gibbons  
Ms Pavey  
Ms Upton

Mr Aplin  
Mr Bromhead (teller)  
Mr Coure  
Mr Elliott  
Mr Gulaptis  
Mr Johnsen  
Mr Notley-Smith  
Mr Perrottet  
Mr Rowell  
Mr Stokes  
Mr Tudehope  
Ms Berejiklian  
Ms Goward  
Ms Petinos  
Ms Williams

## PAIRS

Mr Daley  
Mr Grant  
Ms K. Smith  
Mr Piccoli

Mr Baird  
Ms Hay  
Mr Humphries

Mr Foley  
Ms Hancock  
Ms Watson

**Motion negatived.**

**The ASSISTANT SPEAKER:** General Business Orders of the Day (for Bills) having concluded, the House will now consider General Business Notices of Motion (General Notices).

**WORLD ENVIRONMENT DAY AND WORLD OCEANS DAY**

**Mr BRUCE NOTLEY-SMITH (Coogee) (12:25):** I move:

That this House:

- (1) Acknowledges that Sunday 5 June 2016 is World Environment Day and Wednesday 8 June 2016 is World Oceans Day.
- (2) Congratulates the Government on its commitment to introduce a refund Container Deposit Scheme commencing 1 July 2017 and notes its significance in achieving a 40 per cent reduction in litter volume by 2020.
- (3) Congratulates the Government on its strong environmental record.

World Environment Day is the United Nations' most important day for encouraging worldwide awareness and action for the protection of our environment. Through decades of World Environment Day celebrations, millions of people all over the world from all sectors of society have taken part in environmental action. By focusing their energy, World Environment Day has the power to generate hugely positive results for the planet. World Oceans Day is celebrated on 8 June as a global day of ocean celebration and collaboration for a better future. This year the theme for World Oceans Day is "Healthy Oceans, Healthy Planet". Organisations and individuals around the world are promoting prevention of plastic ocean pollution.

I take the opportunity presented by World Environment Day and World Oceans Day to focus on a local initiative that will have a big impact on the terrestrial and marine environment of New South Wales and a positive effect on all our lives. One thing we can all do to help celebrate and preserve our environment is reduce the amount of litter we put into it. Disposal of used drink containers is a major issue for our environment and our communities. Whilst New South Wales already has an effective kerbside recycling scheme for used containers generated at home, drink containers consumed away from home are too often ending up as litter in our local environments. Drink containers currently account for 44 per cent of litter volume polluting our public places such as beaches, parks, waterways and roads. It is estimated that nearly 160 million drink containers are littered in New South Wales every year.

The cost to the community of littering goes well beyond pollution. The New South Wales community is currently spending more than \$162 million each year on managing and cleaning up litter. That is why this Government is committed to tackling the litter issue and why the Premier has made it one of his priorities to reduce the volume of litter by 40 per cent by 2020. To help meet that target, the Government committed earlier this year to introduce a cost-effective refund container deposit scheme. On 8 May 2016 the Premier announced the largest litter reduction initiative ever introduced in New South Wales. A 10¢ refund container deposit scheme will start on 1 July 2017. The scheme will be this Government's major initiative to help meet the Premier's priority goal of reducing litter volume by 40 per cent by 2020 and will complement existing anti-littering programs such as Hey Tosser! and the Waste Less, Recycle More litter grant program.

In fact, independent modelling demonstrated that it is only by introducing a container deposit scheme in addition to continuing other anti-littering programs that the ambitious litter reduction target will be met. From mid-2017 people in New South Wales will be able to return their eligible drink containers to a collection depot or reverse vending machine for a 10¢ refund. The scheme will apply statewide to selected drink containers between 150 millilitres and three litres that display the requisite New South Wales container deposit scheme labelling, which will be developed over the next 12 months. The drink containers covered by the New South Wales scheme are the containers most commonly found in the litter stream. Excluded items such as plain milk and large fruit juice bottles are usually consumed at home and do not feature prominently in litter. Those containers are already being largely captured in the council-run kerbside recycling systems.

The scope of eligible containers is similar to those covered in South Australia and the Northern Territory to simplify the introduction for the beverage manufacturers and reduce consumer confusion. This refund container deposit scheme will incentivise every person in New South Wales to do the right thing and recycle their drink

container waste, which will help to reduce significantly the estimated 160 million drink containers that are littered in New South Wales public places every year. A container deposit scheme addresses litter by giving people the incentive to hold on to an empty container after they have finished their drink and return the container for a refund rather than toss it away and make litter. At the same time, it provides an incentive for others to pick up littered containers and redeem the refund.

A container deposit scheme has been in operation in South Australia for almost 40 years. Its experience and the experience of container deposit schemes in overseas jurisdictions that I have seen are that they are highly effective in reducing litter. The introduction of a container deposit scheme will also provide new opportunities for charities and community groups to generate significant revenue. The implementation working group has been established to develop an implementation strategy for the rollout of the scheme, and the draft legislation will be subject to public consultation before it is introduced into Parliament. The New South Wales container deposit scheme is the single biggest anti-littering initiative undertaken by New South Wales to date. Following the introduction of the scheme, we can all expect to see a notable reduction in the volume of litter in our streets, parks and waterways. This container deposit scheme will deliver a cleaner environment for everybody in New South Wales to enjoy.

**Mr DAVID HARRIS (Wyong) (12:32):** I acknowledge the member for Coogee for moving this motion because World Environment Day and World Oceans Day are significant events that should be recognised. As with other environmental issues, they should be front and centre in the minds of the community all year around, but they are highlighted on these special days. World Environment Day is an annual event that is aimed at being the biggest and most widely celebrated global day for positive environmental action involving people from all around the world. World Environment Day is on 5 June each year, but it should be an activity that takes place all year around. This year World Oceans Day is on Wednesday 8 June. Its theme is "Healthy Oceans, Healthy Planet".

The World Environment Day celebration began in 1972 and has grown to become one of the main vehicles through which the United Nations stimulates worldwide awareness of the environment, and encourages political attention and action. World Environment Day is also a day for people from all walks of life across the community to come together to ensure a cleaner, greener and brighter outlook for themselves and future generations. Everyone counts in this initiative and World Environment Day relies on each of us to achieve a cleaner environment. The ocean is the heart of our planet and connects people across the Earth. No matter where we live, the ocean is important, but particularly for electorates along the coastline. The World Oceans Day website states that the ocean regulates the climate, feeds millions of people every year, produces most of the oxygen we breathe, is home to an incredible array of wildlife, and provides us with important medicines. It also does so much more.

In order to ensure the health and safety of our communities and future generations, it is imperative that we take the responsibility to care for the ocean as it cares for us. I do not think there would be too many people who would disagree with the sentiments expressed on the website. People across the world must act together. We cannot act only in Australia; everyone around the world must act. World Environment Day and World Oceans Day are important because they have an international focus. We know through experience, particularly those who have seen the floating plastic island in the Pacific, that plastics are one of the biggest enemies not only to the environment but also to the animals and ecosystems that exist in the ocean.

I welcome the move by the Baird Government to recycle plastic containers. It is a good initiative that has been held up too long by the Council of Australian Governments process because we have waited for all States to come on board. This Government has taken the initiative to push ahead and has been aided by new technology. Any initiative that takes plastic containers out of our environment is a good one. Labor has put forward a plan to ban single-use plastic bags across the State. Labor wants New South Wales to become the latest and most significant State or Territory to introduce a ban on the lightweight plastic bags that pollute marine ecosystems and put wildlife at risk. The proposal is principally based on the Australian Capital Territory model that bans the single use of lightweight plastic bags. South Australia, Tasmania and the Northern Territory also have similar bans in place while Queensland is actively considering the proposal.

Under Labor's proposal, retailers would be able to sell reusable bags that have a much smaller environmental impact. Heavier style retail bags, bin liners, combustible biodegradable plastic bags, and fruit and vegetable carrier bags are exempt from the ban we have proposed. Labor's plan has been welcomed by leading environmental groups. The Opposition urges the Baird Government to provide bipartisan support for its proposal. The 2015 Rubbish Report, published by Clean Up Australia, reiterated the need for a ban because 40 per cent of all rubbish collected falls within the plastics category, which is a 10 per cent increase on the 2014 figures. The collection of plastic containers and the banning of single-use plastic bags would make a significant difference to pollution in our environment.

Landcare includes Bushcare, Coastcare and Dunecare groups that work to rehabilitate urban bushland, coastal dunes, rivers, wetlands and, in my electorate, the foreshores of Tuggerah Lake, Budgewoi Lake, and in the electorate of Swansea, Lake Munmorah and the southern parts of Lake Macquarie. In recognising World Environment Day and World Oceans Day, I take the opportunity to thank the many volunteers from the Landcare groups. From my electorate I particularly mention the Palm Grove Ourimbah Creek Landcare, Hargraves Beach Dunecare, Jenny Dixon Reserve Coastcare, Norah Head Residents, Ratepayers and Coastcare Association Inc, Norah Head Lighthouse Reserve Trust Coastcare, Craigie Park Landcare at Kanwal, Rocky Point Landcare, North Lakes Landcare, Lake Haven Landcare, Wycare—the Landcare at Wyong—

**Mr Chris Patterson:** We care.

**Mr DAVID HARRIS:** We do care. I also thank the Swamp Landcare Group Inc at Wyong, Central Coast Wetlands—which is a great initiative—Porters Creek Landcare, and Berkeley Village People Landcare. I also acknowledge the important work that the Community Environment Network does on the Central Coast, not only for highlighting important environmental issues but also for its research to ensure that people understand the importance of our wetlands and how they impact on our oceans and our environment. We know plastic is bad for our environment and anything we can do to remove it is welcome. Labor supports the motion.

**Mr ADAM MARSHALL (Northern Tablelands) ( 12:39:50):** I support the motion that has been moved by my colleague the member for Coogee. World Environment Day and World Oceans Day are celebrated worldwide on 5 June and 8 June respectively every year. Both of these days give us the opportunity, as individuals and collectively, to protect our environment and oceans. We do not have too many oceans in the electorate of Northern Tablelands, but we certainly have plenty of environment. We can put focus on our local environmental issues and discuss what we are doing to address them. Reducing litter is a key objective of this Government—and, I believe, of every member of this Parliament—and we have set an ambitious target to reduce the volume of litter in this State by 40 per cent by 2020.

I join with my colleague the member for Coogee—I know the member for Drummoyne will speak about this later in the debate—in congratulating the Government for announcing a New South Wales first: A container deposit scheme that is expected to have impacts on litter reduction in this State. I know that litter is an important issue to my constituents. The problem of litter has been highlighted recently in my electorate because cattle have been grazing on roadsides, chewing down the grasses and exposing the damage done by people recklessly throwing out drinks containers and other wrappers as they drive along country roads. These lazy people are doing enormous damage to the environment. Next year, for the first time in the State's history, there will be a price on items of litter, which I hope will encourage people to think twice before needlessly throwing bottles out of car windows.

Instead of throwing bottles out people will be encouraged to cash them in—supporting local clubs and sporting organisations, or taking the 10¢ rebate on the containers. The container deposit scheme [CDS] has rightly been acknowledged as the most important anti-littering initiative introduced in New South Wales, and I look forward to seeing its impact on the amount of litter in my electorate. I look forward to seeing a number of reverse vending machines in the Northern Tablelands. Indeed, such machines will be installed right across the State. As the scheme rolls out, it is expected that depot operators will take advantage of both reverse vending machines and counting machines to speed up their processes and to provide a better experience for people returning containers.

There will also be exciting opportunities for community organisations and charities to get involved in the scheme. The experience in South Australia has been a positive one, with many community groups benefiting from the 10¢ refund. There have already been calls to my office from local rugby league clubs, scouts organisations and youth groups wanting to know when they can start collecting bottles and cans from the roadsides in country New South Wales so that they can cash in on the new container deposit scheme. I am really looking forward to July next year, and so are people throughout the Northern Tablelands. I will finish my contribution to this debate by talking about the big push for renewable energy in my electorate of Northern Tablelands. I am on the record in this House many times supporting the development of renewable energy and I am very proud to represent a region that is home to the third-largest solar farm in this State.

I am also proud that the largest wind farm project is currently under construction at White Rock Mountain, between Glen Innes and Inverell. Another two wind farm projects have been approved and at the moment I am working with TransGrid on behalf of my communities to install a renewable energy hub near Glen Innes to make it even cheaper for further renewables projects to be developed in our region, and to make our region even more attractive. The region has the ability and the desire to become a net exporter of energy instead of a net importer. I look forward to championing that process as time goes on. I commend the motion to the House.

**Ms TAMARA SMITH (Ballina) (12:44):** I commend the member for Coogee and the Government for this motion, which celebrates World Environment Day and World Oceans Day. I noted the comments of the

member for Northern Tablelands. It is welcome news that White Rock Mountain and such places will become renewable hubs, although there were recent reports that New South Wales was coming last in terms of renewable energy. I can only hope that that report will fire us up to improve things. I speak on behalf of The Greens, but I am also the New South Wales spokesperson on the marine environment, so it is particularly heartwarming for me to speak on this motion.

World Environment Day has been celebrated since 1973. Sometimes we think that we are being very progressive but if members think back to 1973—some members were not born then; I was born not long before that—they will recall that the United Nations put in place something that has been celebrated every year since. The theme of the first World Environment Day was "Only One Earth". I love the lineage. World Environment Day is celebrated to promote carbon neutrality and ecological forest management; to reduce greenhouse effects; to promote biofuels production by planting on degraded lands; to promote the use of hydro-power to enhance electricity production; to promote the public and commercial use of solar water heaters, energy production through solar sources and the development of new drainage systems; and to promote coral reef and mangrove restoration by mitigating flooding and erosion.

When I hear people speak in this Chamber I reflect on the fact that most people here are very committed to the environment and our oceans. There are lots of ways that we can reduce the amount of waste that we produce. We can look for products that have little or no packaging and we can use reusable water bottles and pack our lunches in reusable containers. Those methods are obvious. We can use cloth bags instead of plastic or paper and we can recycle. It was my pleasure to be able to introduce a bill to ban single-use plastic shopping bags—the Plastic Shopping Bags Ban (Protecting Marine Life) Bill—earlier in the year. The Greens look forward to support from across the Chamber for that bill.

This legislation delivers on The Greens' commitment in 2015 to introduce a bill to ban single-use, lightweight plastic shopping bags in New South Wales. The ban would apply primarily to single-use lightweight grocery-style shopping bags, which are often designed to carry groceries and other goods bought from retail outlets. At the Ballina Volunteer Marine Rescue Co-ordination Centre I have seen the horrendous sight of plastic bags that have ended up in turtles and other marine life. I am working with the Byron Bay Chamber of Commerce and stakeholders across my region to "Ban the Bag in Byron". Following on from the great success of community campaigns to ban plastic bag use in specific towns like Manly, we are doing the same in Byron.

A recent survey by the Byron Bay Chamber of Commerce of businesses and residents in Byron found 94 per cent want to abolish plastic bags. If Byron cannot get rid of plastic bags then there is something wrong with us. Watch this space to see some exciting ways that we will do that. Plastic Free July—all these matters relate to marine environments—is an opportunity for us all to look at how we use disposable plastics in our everyday lives and to see whether we can reduce our consumption of plastics. During the month of July, I encourage all members of the House to make a commitment to doing that.

**Mr JOHN SIDOTI (Drummoyne) (12:48):** The Government supports this wonderful motion of my great colleague the member for Coogee to celebrate these two important days on the environment calendar. We have heard wonderful contributions, but it would be remiss of me not to talk about the container deposit scheme in the limited time that I have. I am proud to be part of a government that has taken the important initiative of tackling this litter issue. You only have to walk on that beautiful seven-kilometre bay run in the Iron Cove area of Drummoyne to see the plastic bottles littering the Parramatta River. It is pathetic.

For many years I have been banging on with the local council in my electorate about the disposal of containers. The buck-passing has been incredible. I suggest that three-quarters of discarded containers come from the roads. The problem is compounded by a lack of street sweeping. The end result is that the council has not been able to control the number of containers discarded. During wet weather conditions, the containers go through stormwater traps and end up in our waterways, such as the Parramatta River, which enables the council to say that the waste is not in their jurisdiction but is in the jurisdiction of the Roads and Maritime Services [RMS]. In 2017 once and for all the buck-passing will stop with the introduction of the container deposit scheme. I congratulate the Premier and the Minister on developing the container deposit scheme to ensure that the New South Wales scheme will benefit from the experience of other jurisdictions around the world. I note that the scheme has been designed to minimise impacts on industry and householders statewide.

The New South Wales container deposit scheme is a best practice and cost-efficient refund model that builds on the many successes and learnings of more than 40 jurisdictions worldwide in which container deposit schemes operate. The scheme has been developed following extensive consultation with experts from industry, environmental groups, community groups and local government. The final design was informed by a comprehensive public consultation process that received more than 11,700 submissions, 90 per cent of which were in favour of a refund container deposit scheme. I cannot inform the House about the other 10 per cent. However, our public consultation undertaken earlier this year shows us how much the New South Wales

community supports a container deposit scheme and wants to be fully involved. We are now delivering what the people of New South Wales want to keep our environment clean.

I will highlight aspects of the scheme that help to ensure it will operate efficiently and that associated costs are minimised. More than 95 per cent of New South Wales residents enjoy the convenience of kerbside recycling services. Local councils arrange for the regular collection and processing of household waste. New South Wales has invested significant resources to build an efficient and convenient recycling network. We have seen the absolutely amazing results of that investment right across local government areas. Local councils do a wonderful job of recycling, which is great. My understanding of the difference between the New South Wales scheme and the South Australian scheme is that the New South Wales scheme is comprehensive and goes further with the addition of kerbside recycling. Following the introduction of the container deposit scheme, household recycling services will continue to operate as usual, and for many people those services will remain the most convenient way to recycle containers of beverages that have been consumed at home. I welcome to the Chamber the member for Balmain.

**Mr Jamie Parker:** Thank you.

**Mr JOHN SIDOTI:** We share electorate boundaries.

**Mr Jamie Parker:** We do, indeed.

**Mr JOHN SIDOTI:** We also share some common interests.

**Mr Jamie Parker:** That is right.

**Mr JOHN SIDOTI:** We recognise the need to keep clean and tidy the environment we all share and in which we all live.

**Mr Jamie Parker:** And the Italian community.

**Mr JOHN SIDOTI:** We are natural recyclers. Any eligible containers collected through the kerbside recycling service will be able to be redeemed. The redemption mechanisms and distribution of the refund and handling fees will be determined by the implementation working group. The refunds are expected to offset any reduction in revenue resulting from the decrease in the volume of material collected from recycling bins. This is consistent with the Government's aim to minimise the impact of a container deposit scheme on existing kerbside services. Over time, any reductions in the cost of kerbside collections are expected to pass through to local councils. It is also important to note that the Government will not be required to fund the scheme. Funding of the scheme, including the 10¢ refund as well as the associated handling and administration fees, will be provided by beverage suppliers that bring eligible containers into New South Wales. In deference to other members who wish to contribute to this debate, I will cut short my speech. I am absolutely proud of every member of this Parliament who has supported this comprehensive scheme. I look forward to the scheme's implementation in July next year.

**Mr ALEX GREENWICH (Sydney) (12:53):** I acknowledge that Sunday 5 June is World Environment Day and that Wednesday 8 June will be World Oceans Day. I congratulate the Government on the introduction of the container deposit scheme, which is long overdue. I also acknowledge many people in the environmental sector and movement and others throughout New South Wales who campaigned hard to achieve a container deposit scheme through petitions, emails, and lobbying of the Government and the Opposition. I also acknowledge the former member for Sydney, Clover Moore, who is the Lord Mayor of Sydney, for her work with a former member of the upper House, Cate Faehrmann, on container deposit scheme legislation during the last Parliament. I thank them for their work that led to and informed the container deposit scheme that will be implemented in 2017.

I also join the call by other members for a ban on lightweight plastic bags in New South Wales. Approximately four billion lightweight plastic bags are handed out every year in Australia but end up in landfill as litter and in our waterways. It is estimated that each year lightweight plastic bags kill approximately 10,000 whales, seals, turtles and birds. Voluntary reduction programs have failed to meet targets to reduce in-store recycling or reduce litter. Reusable bags provide an alternative to single-use plastic bags. South Australia and a number of other countries have successfully imposed bans. A ban on plastic bags would save clean-up costs incurred by local government and ratepayers, and protect the Government. I ask the Government to extend its commitment to environmental protection to a ban on lightweight plastic bags in New South Wales.

I also ask the Government to extend its commitment to protecting the environment by seriously considering abandoning plans to repeal the Native Vegetation Act 2003 and the Threatened Species Conservation Act 1995 and replacing them with new bills—a move that will put biodiversity protections in New South Wales at risk. As a result of a briefing provided to members by the Nature Conservation Council, we know that many people across the environmental sector and throughout New South Wales are deeply concerned about the destructive nature of the proposed legislative changes.



I assure the Government that there will be a strong campaign to protect biodiversity in New South Wales and prevent it from being put at risk by the proposed legislation. The campaign will be similar to the campaign that has resulted in implementation of the container deposit scheme in New South Wales. I support the motion, but the Government has an opportunity to extend its commitments to the environment. Its commitment to the environment does not stop at the container deposit scheme; it should be extended to a ban on lightweight plastic bags. The Government's commitment to the environment should be extended to abandoning plans that will result in the biodiversity of New South Wales being put greatly at risk.

**Ms TANYA DAVIES (Mulgoa) (12:57):** By leave: I am pleased to endorse the motion moved by the member for Coogee on World Environment Day and recognise World Oceans Day. The House has received some wonderful contributions already to this debate. A large part of the electorate of Mulgoa is rural, comprising farming lands, beautiful Western Sydney parklands that extend through the eastern part of my electorate, and magnificent creeks—for example, Blaxland Creek, which the Office of Environment and Heritage website declares to be the last pristine creek in New South Wales. It is incredibly important to me and to my community to have the opportunity to speak in debate on the motion. I am also exceedingly excited about the announcement that New South Wales will introduce a container deposit scheme. I recall that prior to the most recent State election the former Minister for the Environment, Rob Stokes, visited my electorate to announce that, if the Government was re-elected, a container deposit scheme would be introduced on 1 July 2017.

I recall that we were in Ched Towns Reserve in Glenmore Park, one of the largest suburbs in my electorate. The reserve has wonderful recreational and sports facilities. As we were there to promote the container deposit scheme, we thought that holding bottles and cans that would fall under the scheme would add visual impact to the announcement. It literally took 10 seconds to find an armful of bottles and cans that had been abandoned around the reserve. Finding these items reinforced to me and, hopefully, to those who saw the media release, the necessity for such a scheme. I am therefore excited that the Government will make the scheme happen.

However, I am quite disappointed that I have to wait 12 months until the scheme comes into effect because I have bottles and cans at home that I would like to get rid of by putting them into the recycling system. I am also disappointed because I am keen that my daughter should earn her own keep. She could go out and find cans, return them and claim a refund. That would be her pocket money, rather than it coming out of my pocket. It is a wonderful opportunity for young people to have buy-in into taking care of their environment. This is a safe, easy and fun way for them to get pocket money, with the involvement of family members or sporting and community groups. Collecting recycling will offer them ways of earning income for their family or group while they take active care of the environment in which they are living and growing up.

I commend the New South Wales Government for taking charge and leading this scheme for this wonderful State of New South Wales. I note that while a lot of effort is going into cleaning up our national parks and caring for our environment, the New South Wales Liberal-Nationals Government, as at April 2016, is developing a \$6.1 billion pipeline of renewable energy projects, with planning approval, to drive jobs and investment in our regions. This Government is active in its commitment to our environment. There is only one planet Earth and we are all responsible for caring for it. I commend the motion to the House.

**Mr JAMIE PARKER (Balmain) (13:02):** By leave: On behalf of The Greens, I add my voice to the support for the motion of the member for Coogee, which acknowledges World Environment Day and World Oceans Day and congratulates the Government on its commitment to introduce a refund container deposit scheme [CDS]. I acknowledge the Government for introducing a scheme that deserves the support of the community and the conservation movement. I particularly acknowledge the role of The Nationals for their continuing support of a CDS. The former Nationals member for Murray-Darling, John Williams, was a strong advocate for the introduction of container deposit legislation, and I acknowledge the work he did before he left Parliament to pursue other interests. I also acknowledge the Minister for the Environment, who is in the Chamber, the Premier and the member for Coogee for the work they have done to progress this scheme.

I note that three-litre containers have been included in the scheme, which is an important element of the proposal. There is a view that the Liberal Party and those who adhere to the principles of liberalism do not support the environment. There is no inherent reason for this view. In fact, this scheme is a clear example of the Government tackling market failure with strong negative externalities that the market has failed to solve. In such cases, it is important for regulation to make a difference. In the Anglo-Saxon tradition of the Conservative Party in the United Kingdom and the Liberal Party here, environmental concerns such as climate change have been compelling issues for liberals, using that term in the broad sense.

I encourage the Liberal-Nationals Government to continue acknowledging the existence of market failure due to significant negative externalities, such as those affecting climate change and pollution. In such cases, it is important for those adherents of a liberal philosophy to acknowledge the truth about the liberal tradition, which is not necessarily a conservative tradition. The introduction of a container deposit scheme has taken a long time. As

I have said previously in this place, under the Carr Government the Institute for Sustainable Futures [ISF] was engaged to undertake a report into such a scheme. The Carr Government said it would not introduce such a scheme before the report was completed. The Labor Party has improved its policy in many areas and on this scheme all parties are at one. I acknowledge all those who have been involved in formulating the proposed scheme.

I raise the issue of sub-35 micron lightweight plastic bags because tackling this issue is important for our marine environment. I encourage the Government to seriously consider and investigate this matter. New York has recently introduced a levy on plastic bags—a move that is gaining momentum around the world. Finally, if there is one thing the Government can do for the environment it is in the native vegetation laws that will come before the Parliament. I understand the Government has faith in offsetting, but there is no strong evidence to support offsetting. This is particularly true in the Queensland environment where self-assessable codes are drawing a lot of criticism and concern from the conservation movement.

This morning the Nature Conservation Council, the Environmental Defenders Office [EDO] and others talked about their concerns. I encourage the Government to consider these concerns in good faith. I also call on the Premier to respond to the invitation to meet with the Environment Liaison Office, the nine peak environment groups in this State. The office has written to the Premier several times to seek a meeting. I encourage the Premier to engage directly with these groups, including the Nature Conservation Council, Greenpeace and others, and hear their views because we will be dealing with these important issues in the future. In the spirit of multi-partisan support, I commend the motion to the House.

**Mr KEVIN CONOLLY (Riverstone) (13:06):** I seek leave to make a contribution to the debate.

**Leave not granted.**

**Mr BRUCE NOTLEY-SMITH (Coogee) (13:06):** In reply: I thank members who have made a contribution to this debate, the member for Wyong, the member for Northern Tablelands, the member for Ballina, the member for Drummoyne, the member for Sydney, the member for Mulgoa and the member for Balmain, and for their observations and comments on the Government's proposed container deposit scheme and protecting the New South Wales environment. We have a big job ahead of us over the next 12 months to deliver the parameters and mechanics of the scheme. It is most important that we have settled on a full refund scheme, something that I campaigned for as a councillor. I support the reintroduction of a container deposit scheme in New South Wales.

I saw such a scheme in action in Europe several years ago. People there were using reverse vending machines in supermarkets and train stations. After I bought a drink in a can I did not want to queue to get back my deposit so I put down the empty can and within 10 seconds it had been picked up by someone. That shows that schemes like this provide an incentive for people to pick up containers and collect money. We have recognised that from a resource and energy perspective these containers are worth recycling rather than allowing them to become litter. They are a resource to be valued and the 10¢ deposit on them incentivises people to recognise the value by getting back some money. This was the case with drink bottles when I was a kid. We would take them back to local retailers and get 2¢, I think it was in those olden days.

There was very little drink bottle container litter in those days. The former member for Murray-Darling, John Williams, has been a tireless campaigner for container deposit schemes. He was a strong advocate for this scheme and should be recognised for calling a spade a spade and for standing up for his community and his environment. He saw the results firsthand. His electorate bordered South Australia and he said as soon as he drove from South Australia, where there was no litter on the side of the road, into New South Wales the litter started. One could not show a stronger contrast. Hopefully the litter on New South Wales roads will be a thing of the past from 1 July 2017, when this scheme comes into effect. I thank the former environment Minister, Mr Rob Stokes, and the current environment Minister, Mr Mark Speakman, SC, for the wonderful work they have done in championing this cause and making it a reality in New South Wales.

**TEMPORARY SPEAKER (Mr Lee Evans):** The question is that the motion be agreed to.

**Motion agreed to.**

## **GAS BILLS**

**Ms SONIA HORNER (Wallsend) (13:11):** I move:

That this House:

- (1) Notes the increasing number of Wallsend households that are struggling to make ends meet as the number of residential gas disconnections continues to grow.
- (2) Notes the average New South Wales annual gas bill has increased from \$827 in 2013 to \$923 in 2015.
- (3) Urges the Premier to reduce gas bills in 2016.

Since 2013 gas bills across New South Wales have increased dramatically. It beggars belief that the Baird Government is unable or unwilling to address the upward pressure on the cost of living caused by these increases, especially for the good people of Wallsend. From 1 July 2013 gas prices increased by 9.2 per cent. From 1 July 2014 gas prices increased by a further 17.3 per cent. That comes to a more than staggering 28 per cent increase over two years. There was some relief when on 1 July last year gas prices went down by 7.3 per cent, only to be followed by an increase of 1.1 per cent from 1 July 2016, reversing the trend.

Over the three-year period, this means that gas bills have increased overall by an unaffordable 20 per cent. A 20 per cent increase in any bill over a three-year period hits hard, and this is compounded by a range of utility price increases, which are hammering the residents of Wallsend. Glendale TAFE is suffering death by a thousand cuts; the Wallsend after-hours medical service has disappeared; the inner-city Newcastle rail line has been unceremoniously ripped up, while public transport in the city's west remains underresourced; and the police Minister has yet to deliver on promises to build a police station in Glendale. These price increases add very real injury to the litany of insults from the conservative Liberal Government.

Energy costs are one of the major reasons Australians run into financial difficulty. All members know this because we see it in our electoral offices on a daily basis. I acknowledge that the New South Wales Government's gas rebate has gone some way towards resolving this issue. The rebate is available to residents of New South Wales who hold a pensioner concession card, a healthcare card or a Department of Veterans' Affairs gold card. Many hardworking people in my electorate, particularly those on the lower end of the wage scale, are being knocked from one direction by Premier Baird's cuts and from the other by upward pressure on the cost of living. Although they are suffering, they are ineligible for the rebate.

The rebate is beneficial but not everybody can access it. A number of locals have brought their gas bills into my office to illustrate the impact of these price rises on their lives and lifestyle. Julie, a Wallsend worker, showed me her bill from April 2013, which shows a supply charge of \$0.4480 per day, and her bill from March 2016, which shows a supply charge of \$0.5401 per day, an increase of 20 per cent. Further, the on peak charge rate in April 2013 was \$0.02967 and in March 2016 it was \$0.0351, an increase of 18.3 per cent. Julie used 2194 units in April 2013 at a cost of \$65.10 and only 1843 units in March 2016 at a cost of \$64.69. Despite a 15 per cent decrease in her usage, the prices remained nearly equal across the two bills.

Julie is a hard worker with a full-time job, but in the face of a rising cost of living she needs a little help to get by. That help is not being delivered by the Baird Government. It is shameful that the average annual cost of gas is rising from \$827 in 2013 to \$923 in 2015. There is no getting around it, cost of living pressures are being made worse by the Baird Government's policies and inaction. Housing pressures are crippling, services have been cut and gas prices are increasing exponentially. Something has to be done. I ask the Premier and the Minister for Industry, Resources and Energy to act immediately to lower the price of gas in New South Wales, to listen to the community, and to develop mechanisms that will ensure that people such as Julie are not further disadvantaged by a spike in gas bills. I urge members to support the motion.

**Mr MARK COURE (Oatley) (13:17):** I thank the member for Wallsend for moving this motion, which relates to an issue not just in her electorate but also across New South Wales. Over the years, the Government and gas and energy companies have made a number of announcements with regard to rebates in order to reduce the impact of increased gas prices and to make it easier for struggling families such as those in my electorate. Only recently we welcomed an announcement by the Government that the State's \$90 gas rebate will now include household liquefied petroleum gas [LPG]. This is an extension of the gas rebate and will help thousands of families across the St George area, in the electorate of the member for Wallsend and across the State, particularly in rural and regional New South Wales.

This rebate is crucial for the most vulnerable people in my electorate who rely on liquid petroleum gas [LPG], and it will help to relieve some of the financial pressure they may be feeling. Higher transport costs for LPG also place additional pressure on people paying bills. The extension of the rebate to include LPG means that vulnerable customers who are not connected to the natural gas distribution network and who use LPG as a key fuel source for heating, cooking and powering their hot water systems will now be eligible for assistance.

The Government's energy rebate scheme has been extended by \$8 million and the Government estimates that more than 80,000 low-income households across New South Wales that use LPG will benefit. Other measures that are available to customers include the Low Income Household Rebate of \$235, the Family Energy Rebate, the \$90 gas rebate for households connected to the natural gas distribution network, and specialist rebates for customers with increased electricity needs for medical equipment under the Life Support and Medical Energy rebates. I am advised that eligible customers need only apply to the New South Wales Division of Resources and Energy to access the rebate from 1 July 2016.

Earlier this year, the Government announced that New South Wales seniors would be offered more great discounts on their energy bills following the renewal of the extremely popular AGL Energy Seniors Energy Gas and Electricity Plan. I congratulate the Minister for Ageing, the Hon. John Ajaka, and the Minister for Industry, Resources and Energy, the Hon. Anthony Roberts, on jointly pursuing that plan for seniors not only in my electorate but also across the State. I recently issued a media release encouraging seniors to take advantage of the potential savings available on their electricity, gas and solar bills through the NSW Seniors Card program. The Government continues to make that extremely popular program bigger and better each and every year.

This new deal now includes a special offer for solar electricity, and it will help seniors' cost-of-living pressures. It is also great news for seniors in the St George area, particularly given that winter started yesterday. Under the AGL 2016 offer, Seniors Card holders in New South Wales will receive a guaranteed discount of 18 per cent on electricity, and 20 per cent if that is combined with gas; a guaranteed discount of 12 per cent on gas, and 14 per cent if that is combined with electricity; a guaranteed discount of 18 per cent on solar electricity, and 20 per cent if that is combined with gas; and three months free solar electricity and a solar monitoring service on signing up to AGL's Solar Smart Plan. In addition to that, seniors will receive a \$25 credit for online sign up for either gas or electricity, and a \$50 credit for online sign up to both gas and electricity. That will make it easier for seniors to pay their bills.

The Government partnered with AGL in May 2015 to offer New South Wales Seniors Card holders access to discounted energy plans. Since then, more than 27,000 seniors have signed up. While savings will vary depending on individual circumstances, the benefits of the AGL offer for Seniors Card holders are clear. I spoke to a senior living in my electorate at the beginning of the year and he estimated that taking up the special AGL Seniors Card offer would save him more than \$250 on his annual household electricity and gas bill compared to his current plan. That is great news for my constituents and people living in the Hunter, Wallsend and Newcastle who can access the AGL offer.

AGL's energy offer gives New South Wales Seniors Card holders access to competitive discounts on their gas and electricity usage charges as well special offers on solar and a range of other benefits. Last year the Government promised to provide more savings for Seniors Card holders by investing a further \$2 million over four years in the Seniors Card program to expand the number of businesses offering discounts. More than 1.4 million people have a NSW Seniors Card, which provides discounts on a wide range of products and services from more than 2,000 individual businesses across the State. I once again thank the member for Wallsend for moving this motion.

**Mr TIM CRAKANTHORP (Newcastle) (13:25):** I support the motion moved by the member for Wallsend, which states that this House:

- (1) Notes the increasing number of Wallsend households that are struggling to make ends meet as the number of residential gas disconnections continues to grow.
- (2) Notes the average New South Wales annual gas bill has increased from \$827 in 2013 to \$923 in 2015.
- (3) And urges the Premier to reduce gas bills in 2016.

I commend the member for Wallsend for drawing this matter to the attention of the House. As a local member, I regularly meet with people who are facing tough times and struggling to make ends meet. One of the biggest issues these people face is the rising cost of living. Whether it is increased utility bills, as mentioned in this motion, or escalating rents, medical costs or grocery bills, every dollar that their bills increase is a dollar that needs to be saved somewhere else. One of my constituents, Fay, knows this situation only too well. I met Fay at a community forum in Newcastle that was hosted by the then Leader of the Opposition, John Robertson. We were there to meet with locals who were concerned about the Government's plans to privatise the electricity network and the impact that would have on prices. Many people, including Fay, told me they could not afford any more increases in utility and electricity prices. More recently Fay has told me that as winter approaches each year and as gas prices continue to rise she worries about burning the gas heater all day and night and the impact that will have on her winter gas bill.

I acknowledge the fact that the Government makes available a small gas rebate to some residents in New South Wales. However, when I ask my constituents whether they are aware of the rebate, they reply that no-one has ever heard of it. Why is the Government not doing a better job of communicating this information? In the coming weeks I will be writing to all those who are eligible to alert them to this rebate. If I do not, they will never know about this assistance, which could make all the difference. The rebate offers eligible pensioner and healthcare cardholders \$90 a year if they have a natural gas account with a natural gas retailer of their choice. However, I question the Government's reason for limiting this rebate to so few.

My constituents include struggling low-income families with increasing bills. They tell me that they work full time and reduce usage, but the bills still increase. I ask the Premier to tell me what I should tell the residents

of Newcastle. I have heard that gas prices have risen by more than 20 per cent in the past two years alone and are set to rise again on 1 July this year. The rising cost of living is real, and it is attacking those who deserve it least—the hardworking families of Newcastle who are battling to get by. This Government must understand that taxpayers are hurting and ease some of the cost-of-living pressures now. I congratulate the member for Wallsend on moving this important motion, and I commend it to the House.

**Mr KEVIN CONOLLY (Riverstone) (13:28):** I make a contribution to debate on the motion moved by the member for Wallsend relating to gas prices. More than 1.3 million New South Wales households and 35,000 small businesses rely on gas for heating or cooking, and around 500 large industrial users also rely on having a secure gas supply. We should not forget those businesses and large industrial users in this discussion, because so many jobs and the livelihoods of so many people are dependent on having a reliable gas supply in New South Wales. The total New South Wales gas demand is approximately 140 petajoules per annum. Over three quarters of this gas is used in the industrial and power-generation sectors, and the rest in the residential and commercial sectors. Around 41 per cent of New South Wales households are connected to natural gas supply.

As an aside, I note that, for those which are not connected to natural gas but which are reliant on liquefied petroleum gas [LPG], we have recently extended the rebate, which has been mentioned in this debate, to those households that would be eligible in any case because of their circumstances. So there is no longer any discrepancy between those on natural gas and those on LPG gas and that rebate is equally available to both. New South Wales is heavily dependent on gas imported from other States, with around 95 per cent of the gas used by New South Wales residents and businesses coming from South Australia, Victoria and Queensland. When we are talking about price, that clearly is a relevant consideration. New South Wales supplies only around 5 per cent of its own demand, and this all comes from coal seam gas produced at Camden.

**TEMPORARY SPEAKER (Mr Lee Evans):** It being 1.30 p.m. the debate is now interrupted. I set down this motion as an order of the day for another day. I will now leave the chair. The House will resume at 2.15 p.m.

#### *Visitors*

#### **VISITORS**

**The SPEAKER:** Welcome to all guests in the gallery. In particular I extend a very warm welcome to the representatives from the Berry Country Women's Association, guests of the Parliamentary Secretary for the Illawarra and South Coast and member for Kiama. I also welcome to the Chamber the youth winner of the Mulgoa Photography Competition, Ms Katherine Wong, guest of the Parliamentary Secretary for Youth Affairs and Homelessness and member for Mulgoa. I welcome Jeff and Annette Ridley of Armidale, guests of the member for Northern Tablelands; members of the Forresters Beach Probus Club, guests of the member for Terrigal; and Mikaila Smith, the niece of the member for Ballina, visiting from Austin, Texas, guest of the member for Ballina—a very warm welcome to you; you have come a long way. I also welcome the year 11 students from Oxford College, guests of the member for Sydney. Welcome everyone to question time.

#### *Question Time*

#### **AUBURN CITY COUNCIL AND MR RONNEY OUEIK**

**Mr LUKE FOLEY (Auburn) (14:19):** My question is directed to the Premier. Given today's revelation at the Auburn council inquiry that former Liberal mayor Ronney Oueik intimidated council workers, what more will it take before the Premier suspends him from the Liberal Party?

**Mr MIKE BAIRD (Manly—Premier, and Minister for Western Sydney) (14:19):** As I have said before, that is a matter for the Liberal Party. I know the Leader of the Opposition talks about this—

**Mr Michael Daley:** Don't blame Mike; he's just the leader.

**Mr MIKE BAIRD:** Yeah—don't blame the member for Maroubra; he is not the leader.

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

**Mr MIKE BAIRD:** Those from the Labor Party come into this Chamber regularly and talk about party matters. They are saying it is the Government's responsibility and I have said that there are things that are a matter for the party and things that are a matter for the Government.

**The SPEAKER:** Order! I warn the member for Maroubra and the member for Bankstown that they will be out of the Chamber early if they continue to interject.

**Mr MIKE BAIRD:** I would say that the Leader of the Opposition might be familiar with that because in this specific matter we have said that the inquiry needs to run. Let us find out about these allegations—and that

is exactly what we are doing. That was instigated by us—we are doing it. In regard to party membership, as I have said, that is a matter for the party. The Labor Party comes into this Chamber and criticises me for saying that is a matter for the party. I note that Opposition members have come into this Chamber before and I have said the same thing in relation to donations. And what has the Labor Party said? I just happened to have a look at a little article and what it said in relation to donations. There were questions asked about donations—Labor Party matters—and this is what it said:

Mr Foley's office referred The Daily Telegraph to Labor's head office yesterday.

So what is the question? I heard what the member for Maroubra said.

**Mr Daryl Maguire:** Lukewarm.

**Mr MIKE BAIRD:** That is not bad; that was very good. Those in the Labor Party have two standards. They have one they talk about in this Chamber and they have the reality in which they actually operate. In relation to Auburn council we have established under this Minister an inquiry to look at all the allegations to make sure that whatever is there is found out—and if anyone has to answer to charges, they should. That is exactly why we have set up the inquiry. We will continue with that. As to the other matter, that is a matter for the party.

### STATE INFRASTRUCTURE

**Ms ELENI PETINOS (Miranda) (14:22):** My question is addressed to the Premier. How has the Government continued to deliver for the people of New South Wales over the past 12 months and is the Premier aware of any alternative plans?

**Mr MIKE BAIRD (Manly—Premier, and Minister for Western Sydney) (14:23):** It is fantastic to have such a great member for Miranda making a huge difference in her electorate. They used to have Barry and now they have Eleni. I can tell members that they are a lot happier with Eleni.

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

**Mr MIKE BAIRD:** The past 12 months have been an incredible time for the people of this State. It is great to point out a few things they have seen. Under this Treasurer, the State is number one in economic growth—what a great performance by the Treasurer—and number one on jobs creation. I think it is worth highlighting to the House that since this Government came to power 305,000 jobs have been created across the State. We are very strong in regional New South Wales under this Deputy Premier and The Nationals. We are number one on housing—indeed, annual approvals recently exceeded 70,000 for only the third time in history. Houses are coming. Infrastructure is being built. Economic growth and investment—

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

**Mr MIKE BAIRD:** Let us look at health.

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

**Mr MIKE BAIRD:** This year, Jillian the builder has opened seven new hospitals.

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

**Mr MIKE BAIRD:** Under Jillian the builder 23 hospitals are under construction. Everywhere we turn a hospital is being built.

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

**Mr MIKE BAIRD:** Under the education Minister, 10 schools are under construction or are soon to commence construction.

**The SPEAKER:** Order! The member for Prospect will come to order. There are too many audible conversations in the Chamber.

**Mr MIKE BAIRD:** Transport—where do we stop? We have not seen anyone smile as much as this transport Minister. That is a smile. Members have not seen anything like it. The Metro North-West tunnelling was completed in January. Tender processes are underway for tunnels under the harbour. We have started construction on the central business district and South East Light Rail. We know Labor does not want it, but we are proud to deliver it. More than 6.6 million Opal cards have been delivered. Remember the Tcard? All of a sudden I have remembered the Tcard when \$100 million was spent but not one card was delivered. We have delivered 6.6 million cards compared with nothing from Labor.

We continue to work on the Pacific Highway. We are getting on with its duplication. As we drive up the coast, we can see the difference we are making. I acknowledge the member for Coffs Harbour. The Princes Highway and WestConnex we are proud to be delivering for Western Sydney. Not only do we have the metro but also we are focusing on improving roads. Local governments are supporting ratepayers across the State. We are proud to be doing that. We are investing in a new stadium, which will ensure we are competitive not only in this country but also across the Asia-Pacific.

[*Interruption*]

**Mr MIKE BAIRD:** Are you right, Cessnock? At the same time, we have debt coming down, we have surpluses, and we have a triple-A credit rating that has been affirmed.

**The SPEAKER:** Order! There are too many objections from Opposition members. I call the member for Cessnock to order for the first time.

**Mr MIKE BAIRD:** Opposition members have not yet asked a budget question, even though next time we meet we will deliver the budget. Normally they do ask questions.

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

**Mr MIKE BAIRD:** I am a little concerned about the old Illawarra Steeler.

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

**Mr MIKE BAIRD:** I am concerned about the Steeler because he is going to have to help his leader deliver a budget reply speech. Imagine the mighty Illawarra Steeler giving a budget reply speech; it is horrifying. I thought it was bad when he attacked us for building a wave park. Remember, he did not understand the difference between the public sector and the private sector and he got stuck into the wave park. Then the intergenerational report came out. The intergenerational report came out and it was time for the shadow Treasurer to shine. It was time for him to tear it apart. He certainly did. [*Extension of time.*]

He got stuck into the intergenerational report and said, "This is the point. The Government is continuing to contribute to this because of its infrastructure program." I thought, hang on, we are proud to be delivering the most infrastructure ever delivered in the history of the State. We are very happy to do that. We think of roads, hospitals, schools and transport.

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

**Mr MIKE BAIRD:** The real concern I had—hang on. The member for Prospect—attention!

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

**Mr MIKE BAIRD:** It is all right—at ease. Does the member for Keira understand that the intergenerational report talks about recurrent spending? The shadow Treasurer does not know the difference between capital and recurrent spending.

**Mr Michael Daley:** Point of order—

**Mr MIKE BAIRD:** Here he comes.

**Mr Michael Daley:** I ask for an extension so we can hear about the Moore Park expansion.

**Mr MIKE BAIRD:** We worked on that before question time. He got up at the right time. The member for Maroubra is destiny's child. He is destined for leadership. The member for Keira can back him in. He can keep his job if he backs him as leader. The good news is we will keep looking after the people of New South Wales.

#### LOCAL GOVERNMENT AMALGAMATIONS

**Mr MICHAEL DALEY (Maroubra) (14:30):** My question is directed to the Premier. How can the Premier claim KPMG's report on his forced council mergers is independent when it donated more than \$100,000 to his Coalition before the 2011 election and was paid almost \$1 million to audit the Liberal Party in 2015?

**The SPEAKER:** Order! Members will cease interjecting and arguing across the Chamber.

**Mr MIKE BAIRD (Manly—Premier, and Minister for Western Sydney) (14:30):** Opposition members are so desperate that they want to attack and malign an organisation such as KPMG.

**Mr Michael Daley:** You're doing that.

**Mr MIKE BAIRD:** No, that is exactly what you are doing. You just did it with your question.

**The SPEAKER:** Order! I call the member for Maroubra to order for the second time. I warn the member that if he does not cease interjecting he will be removed from the Chamber.

**Mr MIKE BAIRD:** Here he is. Look at the member for Campbelltown. His own side run a sweep on how many times he gets up during question time. We have started to join in. That is one. Has anyone else got two or three? We have three up here. Anyone else? Four!

**Mr Michael Daley:** Point of order: It is Standing Order 129. This matter is in court. The Premier will not release his secret report and he is treating the House like it is a joke. If it is so funny why does he not release the report?

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

**Mr Michael Daley:** Standing Order 129.

**The SPEAKER:** Thank you. The point of order is upheld. The Premier will return to the leave of the question. Is the member for Rockdale all right?

**Mr MIKE BAIRD:** He had one. That is why I reckon he is going to win. The shadow Treasurer and the Opposition are trying to malign an organisation that has a proud reputation when it comes to independence. Today it made a statement in response to Labor's allegations:

KPMG strongly denies any issue of independence in its work for the NSW Government regarding council mergers.

Shock, shock. What did it do? It said:

The analysis was prepared using assumptions, which were made publicly available, to estimate the potential financial impacts of the mergers proposed by Government.

Wow! That is what it is. Whatever Labor is talking about, those are the facts. We get on with the job. It is no wonder that the Opposition and its leader are under pressure. I note that I read the *Fairfield Advance*. It was wonderful. It reported the recent reshuffle as follows:

Lalich steps up to whip service in ALP reshuffle. Cabramatta MP takes over key state party role permanently from Noreen Hay.

Permanently. I will watch that. I do not know whether it is permanent. It further states, "First to arrive and last to leave."

**Ms Jodi McKay:** Point of order: It is Standing Order 129. Madam Speaker you have already ruled on relevance. I draw the Premier's attention to your ruling.

**The SPEAKER:** Yes. The Premier did return to the leave of the question and he has answered the question. The Premier will continue.

**Mr MIKE BAIRD:** There is a change to the new Opposition Whip's life. He said, "I have got to be there at 8.30 a.m. for tactics meetings ..." What the heck? What are they doing? What sort of slave drivers do they have over there? He has to be there at 8.30. Gosh, this is unbelievable! No wonder no-one wanted the job. It was 8.30—whooh!

**Mr Luke Foley:** You have to get up early to beat the member for Cabramatta!

**The SPEAKER:** Yes, 9.30.

**Mr MIKE BAIRD:** There is so much news in that article but I will leave it. I remind the House that Cabinet met this morning at 7.00 a.m.

**Mr Adrian Piccoli:** We were finished by 8.30.

**Mr MIKE BAIRD:** Opposition members can make their attacks on individuals, corporates and organisations. If they want to do that they can go ahead and do it. The Government is going to get on with looking after the people of New South Wales.

#### REGIONAL INFRASTRUCTURE

**Ms KATRINA HODGKINSON (Cootamundra) (14:35):** My question is addressed to the Deputy Premier. How has the Government continued to deliver better outcomes for regional New South Wales over the past 12 months? What was the record of those opposite?

**The SPEAKER:** Order! I remind the member for Maroubra that if he interjects once more he will be called to order for the third time. I call the member for Lakemba to order for the first time; I have warned him before about interjecting.



**Mr TROY GRANT (Dubbo—Deputy Premier, Minister for Justice and Police, Minister for the Arts, and Minister for Racing) (14:36):** I thank the member for Cootamundra for her question and for her outstanding work as the Parliamentary Secretary for southern New South Wales. I understand that many people in the gallery come from regional New South Wales so this will be of interest to them. The member for Cootamundra has been a terrific champion for better roads and bridges in her part of the world. That region needed a champion to turn around the horrid record of deliberate geographical discrimination in investment in roads and infrastructure such as bridges in regional New South Wales. Those opposite let our country roads and bridges fall into disrepair. Our roads were so bad that, unlike the member for Cabramatta and the Whip—who was probably looking for his false teeth before 8.30 in the morning—

**Mr Guy Zangari:** Point of order—

**The SPEAKER:** Order! I am sorry, I missed that comment because there is so much noise in the Chamber.

**Mr Guy Zangari:** I had wished to make a point of order but the Deputy Premier has now withdrawn that remark about the member for Cabramatta.

**The SPEAKER:** Order! The member for Fairfield should resume his seat.

**Mr Guy Zangari:** What does he have against seniors?

**The SPEAKER:** Order! I take offence at that comment because we are about the same age. Perhaps the member for Fairfield should withdraw that comment.

**Mr TROY GRANT:** I am happy to withdraw that remark and also place on the record the interjection by the shadow spokesman, who called his colleague a senior. The truth is that we need champions like the member for Cootamundra in regional New South Wales because motorists were left to take their lives in their own hands when they were driving on regional roads. Members on the opposite side of the Chamber have no clue that one needs to invest in regional roads to get things like produce from the paddock into the markets or the ports. I am pretty sure that those opposite think that potatoes are grown in the field with the bag included. Their ignorance about regional lives is appalling and their record is equally appalling. In her electorate, the member for Cootamundra can see example after example of investment that has occurred. Every day hundreds of B-doubles and cars travel across the Gobarralong Bridge near Gundagai—where the dog sits on the tuckerbox. Labor left that bridge to rot. It was flood damaged and a century old but those opposite did not put a single dollar into it. It was so unsafe that the speed limit on the bridge was five kilometres per hour.

**Mr Edmond Atalla:** Like the M4.

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

**Mr TROY GRANT:** The heaviest trucks carrying the food for our plates had to take a lengthy—

**The SPEAKER:** I do not want to have to remove members from the Chamber, but it is getting out of hand. I am surprised at the member for Mount Druitt.

**Mr TROY GRANT:** The champion efforts of the member for Cootamundra, for example, secured \$1 million in funding from our \$42.85 million Fixing Country Roads package. That is the sort of money that regional New South Wales only dreamt of before our party got onto the government benches. Included in the package was \$16.4 million for a vital bridge in her area—Holman Bridge near Gooloogong just south of Canowindra, which is a wonderful part of the world. Members do not have to take my word for it; local resident Emma Gosper said, at the opening of this bridge, "It's a great infrastructure project for a little town. We're quite fortunate to have such a great spend in the local economy." [*Extension of time.*]

That statement is significant because this is a \$16.4 million investment in a vital link into a small country town that would never reach the radar of importance for those opposite. Members on the opposite side of the Chamber simply did not care—they still do not care—about regional towns and regional communities. They do not understand that the record amount of money that we have spent on hospitals—the Premier and the Minister for Health have spoken about that—roads, schools and other infrastructure is not about the bricks and mortar. That is not what is important. It is important because people rely on the infrastructure to get on with their lives and to access services.

It is important that people are able to live healthy, functional lives no matter where they live and that they are not discriminated against through a lack of investment, which was what happened for 16 years in country towns in New South Wales. This is not about bricks and mortar and the priorities of those opposite; it is about the people and their needs and the equity that they deserve—the equity of investment that this Government is

delivering. Those opposite should be ashamed of their lack of equity. To answer the member's question, those opposite do not have a record of investment in regional New South Wales.

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

**Mr TROY GRANT:** All those opposite have is a long, sorry story of disgraceful neglect for regional New South Wales.

#### LOCAL GOVERNMENT AMALGAMATIONS

**Ms JODI McKAY (Strathfield) (14:42):** My question is directed to the Premier. Did he really pay \$400,000 for this PowerPoint presentation or will he release the full KPMG report?

**Mr Adrian Piccoli:** That is two questions.

**The SPEAKER:** I am not sure that the question is acceptable in that form. The Premier can take the question if he wishes to.

**Mr MIKE BAIRD (Manly—Premier, and Minister for Western Sydney) (14:43):** I will have a crack at it.

**The SPEAKER:** Would the Premier like to see that document?

**Ms Jodi McKay:** It is not very heavy.

**The SPEAKER:** Order! The member for Strathfield should resume her seat; she has asked her question.

**Mr MIKE BAIRD:** In regard to the costs of the work of KPMG, which is what the member seems to be talking about, that will be disclosed as required. In regard to the work I do not quite get what she does not get. Let me explain this very quickly to her. The Government will bring together some entities in the form of mergers. To do that we asked a financial expert, who certainly is not the member for Keira, to determine the benefits that will be derived from a merger process.

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

**Mr MIKE BAIRD:** The financial experts published the reports and have confirmed they acted independently, as an organisation of repute would.

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

**Mr Dominic Perrottet:** There he goes—two.

**Mr MIKE BAIRD:** He is on two. Asking a question about how that PowerPoint presentation is involved in the overall work misses the point. The fundamental position is that an independent financial adviser was engaged to determine the financial benefits that will result from mergers.

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

**Mr MIKE BAIRD:** I think the member for Strathfield should answer this question: Is she for the WestConnex, or against it? The member for Strathfield cannot walk on both sides of the street simultaneously. She puts down WestConnex in the community, but in other places she says, "Actually, I'm for it", "I'm against it" and then "I'm for it."

**Mr Michael Daley:** Point of order. My point of order relates to Standing Order 129 in several respects. First, the WestConnex and the member for Strathfield have nothing to do with the question, which was: Will the Premier release the report? It is pretty simple.

**Mr Paul Toole:** No, it wasn't.

**Mr Michael Daley:** Yes, it was. The Premier cannot screw them for that forever.

**The SPEAKER: Order!** The member for Maroubra will resume his seat. The Premier is being relevant to the question.

**Mr MIKE BAIRD:** I ask the member for Maroubra—destiny's child—to look at the website to see the reports listed there. My answer is directly relevant because at the heart of the question is the Opposition's complete lack of understanding of financial matters. The budget will be presented shortly and it is critical for Opposition members to have some understanding of fiscal management. The member for Strathfield has demonstrated a lack of understanding of fiscal matters by the manner in which she deals with WestConnex. The member for Strathfield is pretending that there is a blowout from \$10 billion to \$16.8 billion whereas the truth is that the \$10 billion

figure is in 2012 dollar values and does not take into account the value of money after 2012, which puts the cost at \$14.8 billion. The member for Strathfield has deliberately misled her community.

**Ms Jodi McKay:** Point of order: My point of order relates to Standing Order 129. I will not be lectured by the Premier on finances when he paid \$400,000 for a PowerPoint presentation.

**The SPEAKER:** Order! The Premier has demonstrated how he was making his answer relevant. There is no point of order. The member for Strathfield will resume her seat.

**Ms Jodi McKay:** Will the Premier release the report?

**The SPEAKER:** Order! I call the member for Strathfield to order for the second time. If the member for Strathfield repeats her behaviour, she will be removed from the Chamber.

**Mr MIKE BAIRD:** The member for Strathfield demonstrates typical behaviour in relation to WestConnex: She does not get the costings right and then starts saying that the Government will impose tolls on WestConnex. The Government is asking for contributions to enable us to build it. The question that should be asked by any Opposition member who represents an electorate in Western Sydney is about the member for Strathfield, who is absolutely against WestConnex but is not coming clean about that. The member for Strathfield is against WestConnex.

**Mr Paul Lynch:** Point of order: If the Premier is intent upon launching an attack against the member for Strathfield, as he clearly is, he must do so by way of substantive motion.

**The SPEAKER:** Order! I am not sure the Premier has done that. I will listen further to the answer. It is question time, as the member for Liverpool knows, but I do not think it was an attack.

**Mr MIKE BAIRD:** So that members of the Labor Opposition understand, I repeat that KPMG was asked to provide independent financial advice on the benefits that result from mergers. That advice is on the Government's website. Opposition members can read today's comments by KPMG. The member for Strathfield should be ashamed for impugning KPMG's reputation for her own political gain. If the Opposition arrives at the position of attacking any corporation that provides advice to government that is a tell-tale sign that Labor is not ready to govern and does not understand finances.

**The SPEAKER:** Order! I call the member for Strathfield to order for the third time. If she continues to interject she will be removed from the Chamber.

**Mr MIKE BAIRD:** In many respects, although that is embarrassing, it ultimately will be a matter for members of the Opposition, whereas the Government will continue with projects such as WestConnex—in relation to which the member for Strathfield is trying to walk on both sides of the street simultaneously but should be clear whether or not she is backing the project—and will look after ratepayers. This Government will do the right thing by the people of New South Wales.

### LOCAL GOVERNMENT AMALGAMATIONS

**Mr MICHAEL JOHNSEN (Upper Hunter) (14:48):** My question is addressed to the Minister for Local Government. What feedback has the Minister received on the Government's creation of 19 new councils?

**The SPEAKER:** Order! Opposition members will come to order. I remind members that if they are removed from the Chamber, it will be for the remainder of the day.

**Mr PAUL TOOLE (Bathurst—Minister for Local Government) (14:48):** I thank the member for Upper Hunter for his interest in local government. He is a member who wants to see a stronger and more effective system of local government for the people of New South Wales. On 12 May the New South Wales Government announced the creation of 19 new councils. In addition, the Government announced its in-principle support for the creation of a further nine new councils, subject to the decision of the courts. This is historic reform for local government in New South Wales.

**Mr Jihad Dib:** Paralysis.

**Mr PAUL TOOLE:** Reform! It is a reform that has been needed desperately for decades.

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

**Mr PAUL TOOLE:** In the past three weeks, new councils already have been delivering wins for residents. Administrators have wasted no time in holding their first meetings, which have proved to be successful—aside from the disgraceful display at the Inner West Council meeting. There are members of this House who encouraged disgraceful, disgusting and repulsive behaviour, and who have a lot to answer for.

**The SPEAKER:** Order! The member for Rockdale will refrain from doing whatever it is he is doing. I call the member for Cessnock to order for the second time.

**Mr PAUL TOOLE:** Let me now focus on some of the positive outcomes. We are seeing some early wins and decisions by new councils that just make sense. The new administrators have been speaking with former councillors to put in place effective local representation and councillor implementation committees, which will ensure that former councillors with local knowledge and expertise who are committed to the success of the new council will continue to have a voice and represent the interests of their communities. Communities are beginning to see the benefits of merging.

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

**Mr PAUL TOOLE:** We have seen expanded access to northern beaches parking that will allow residents to park free of charge at more than 40 locations, better access to customer service centres, and assurance of integrity and confidence in the development application system.

**The SPEAKER:** Order! I call the member for Rockdale to order for the third time. Opposition members will come to order. Members who have been called to order are now deemed to be on three calls to order.

**Mr PAUL TOOLE:** The administrators are already doing fantastic work. Many of them have moved swiftly to set up independent hearing and assessment panels to eliminate the potential for a recurrence of alleged corruption of the planning process in places such as Auburn. Administrators are working hard for their communities. Junkets and excessive perks in newly merged councils have disappeared.

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

**Mr PAUL TOOLE:** There have been no reports of administrators being involved in bullying and dysfunctional relationships. We have seen that in councils such as North Sydney, which is currently facing a public inquiry. There have been no reports of administrators being involved in the corrupt conduct and wasteful spending that we saw in Strathfield council, which was investigated four times by the Independent Commission Against Corruption. Communities deserve better and the Government is making sure they get it.

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

**Mr Greg Warren:** Point of order: My point of order relates to Standing Order 59. The Minister is not being relevant or is being irrelevant. The point is that there has been a 23 per cent increase in the North Shore yet the Minister has referred to savings.

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

**Mr Greg Warren:** The Minister is misleading the House. The Minister should tell the truth about what is going on in Manly.

**The SPEAKER:** Order! The Minister is being relevant to the question asked. The member for Campbelltown will resume his seat. He will cease arguing with me. I place the member on three calls to order.

**Mr PAUL TOOLE:** I must also inform the House of concerns that administrators have raised relating to inappropriate behaviour and decisions by some former councillors while in office. Concerns include inappropriately influencing staff, leaking sensitive information, bullying and intimidation, the accumulation of excessive perks and conflicts of interest. That type of behaviour has no place in local government. As administrators continue their work, I assure the House that no stone will be left unturned. Where inappropriate actions have occurred, administrators will not hesitate to report that to the appropriate authorities to take further action. [*Extension of time*]

**The SPEAKER:** Order! The member for Keira will resume his seat, sit still, and cease playing and fidgeting. The member for Keira has behavioural problems of which the member for Lakemba and I are very aware. We know how to deal with him.

**Mr PAUL TOOLE:** I fear that many people who with good intentions have campaigned against reform will find themselves cheated. It would appear that some former councillors who resisted reform so vocally may not have had the purest of motives. The Opposition knows that local government reform is needed. I am often approached by Opposition members in the corridors—I will not name them—who agree with what the Government is doing. I welcome the sudden interest of the Leader of the Opposition in local government matters.

**The SPEAKER:** Order! Members who continue to interject will be removed from the Chamber for the remainder of the day.

**Mr PAUL TOOLE:** The Leader of the Opposition has been silent on this issue for long enough. I can inform the House that just this morning the staff of the Leader of the Opposition have apparently been calling former mayors and former councillors. It would appear that Lukey-come-lately is whipping up a smear and fear campaign to create more misinformation in the community.

**Mr Paul Lynch:** Point of order: The Minister is obliged to refer to the Leader of the Opposition by his proper title.

**The SPEAKER:** Order! I remind the Minister to refer to members by their correct title.

**Mr PAUL TOOLE:** None of this should come as a surprise. There is only one side of the House that actually governs and takes the hard decisions. Labor's record is a do-nothing record. That is what the Leader of the Opposition is offering the people of New South Wales. The Liberal Party and The Nationals do something. We are cleaning up local government to deliver stronger councils and stronger communities.

**The SPEAKER:** Order! I hope the Serjeant-at-Arms is ready because a number of members are on three calls to order. Government members will come to order.

#### **ZAYA TOMA LIBERAL PARTY MEMBERSHIP**

**Mr NICK LALICH (Cabramatta) (14:56):** My question is directed to the Premier. In view of the NSW Civil and Administrative Tribunal finding regarding Liberal councillor Zaya Toma's hacking of other Fairfield councillors' computers and as a police investigation into further hacking dating back to 2008 is underway, will the Premier finally act to suspend Councillor Toma from the Liberal Party?

**Mr MIKE BAIRD (Manly—Premier, and Minister for Western Sydney) (14:56):** I have answered this question before and the answer remains the same: It is a matter for the party. I ask: Is the member for Wollongong still part of the parliamentary Labor Party? That is a question for those opposite. I like the member for Cabramatta.

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

**Mr MIKE BAIRD:** But when he got promoted to Whip and he had to come to work at 8.30 a.m., what is the first thing he had to buy?

**Dr Geoff Lee:** Coffee.

**Mr MIKE BAIRD:** No, an alarm clock. He will wake up in the morning and think, "Oh my gosh, I have to get to the tactics meeting—off we go!" None of us can quite believe the article that stated those opposite have tactics meetings. The member for Cabramatta, to his credit—

**Mr Nick Lalich:** Point of order: My point of order is taken under Standing Order 129. The question was: Will the Premier act to remove Zaya Toma from the Liberal Party?

**The SPEAKER:** Order! What is the standing order? I did not hear the member for Cabramatta. There is no point of order.

**Mr MIKE BAIRD:** I acknowledge the member's question, and I have answered it. When the member for Cabramatta turns up for work at 8.30, guess what? He is the only person there and his job is to welcome members as they come in. The question is what time they come in. The member for Maroubra—destiny's child—has never come to Parliament before 10.00 a.m.

**Mr Paul Lynch:** Point of order: My point of order is taken under standing orders 129 and 73. The Premier is breaching both of them.

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

**Mr MIKE BAIRD:** Yet again, if people want to understand the difference between the Opposition and the Government in this State they need to look at what has happened this week. Opposition members had an opportunity to ask the Government, with the budget to be handed down on 21 June, questions on health or education or transport or infrastructure. Instead they smear because that is their best tactic. I encourage the people of New South Wales to look at this smear because that is what the Labor tactics group is dishing up. Those opposite have no stomach for reform. They do not want to take the difficult decisions required to get this State moving. They were against every savings measure that the Government put together because they thought there was a political opportunity. They knew that if the Government got the budget under control we could invest in initiatives like the Gonski reforms and an additional 6,000 front-line health staff. They were not prepared to support asset recycling, which meant that rather than watching them put together presentations on promises but never delivering anything we could put funding alongside our infrastructure plans. That means this State is finally moving.

**The SPEAKER:** Order! The Leader of the Opposition will cease interjecting.

**Mr MIKE BAIRD:** Everywhere people go there are cranes because we are determined to do the right thing for the people of New South Wales—that is what opportunity is all about.

**Mr Paul Lynch:** Point of order: My point of order is taken under Standing Order 129. The Premier's answer has moved a long way from Fairfield council.

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

**Mr MIKE BAIRD:** That is a good example of why those opposite continue to be in opposition. They do not put the people of New South Wales first. On this side of the House we know that when those opposite were in government New South Wales was last economically, but now it leads the nation. We are proud that the tunnelling for the North West Rail Link, which those opposite announced in 1998 but did not deliver one centimetre of track for, has been done under this Government. We are also very proud that our Minister for Education has encouraged Cabinet to invest in our children's futures by signing up to the Gonski reforms. What is that about? It is about needs-based funding—getting funding to students in need across the State. A child's education should not be determined by where the child lives and the child's circumstances. This Government believes every student deserves an opportunity to get an education. My friends, it requires guts to make difficult decisions. That is what we have done with local government reform, asset recycling and the budget. That is why New South Wales is finally moving.

### TRADE AND TOURISM

**Mr ALISTER HENSKENS (Ku-ring-gai) (15:01):** My question is addressed to the Minister for Trade, Tourism and Major Events, and Minister for Sport. How is New South Wales leading the nation on key indicators for trade and tourism?

**Mr STUART AYRES (Penrith—Minister for Trade, Tourism and Major Events, and Minister for Sport) (15:01):** I thank the member for Ku-ring-gai for his question. He understands the importance of having a strong services sector in New South Wales. I echo the Premier's remark that New South Wales is the number one State. We are driving the national economy. The Australian Bureau of Statistics [ABS] recently released data showing that the work of the Government in creating an environment that is making it easier to do business in this State is paying off for New South Wales. The ABS data revealed that New South Wales is the leading exporter of services, with more than half of Australia's growth in service exports emanating from this State.

The figures are extraordinary. New South Wales service exports have grown by more than \$3.2 billion, or 13 per cent, over the past 12 months. That is well above the nation's average of 10 per cent, and far exceeds the service export growth of Victoria and Queensland. New South Wales service exports have almost doubled in value from when Labor was in power, when this category accounted for not much more than \$1.6 billion. The Government's decision to invest in small business and economic development in New South Wales is opening up new opportunities for service exporters across this great State. Those exporters have expertise in telecommunications, computer and information services, and financial and other services.

One of the strongest drivers of growth in New South Wales is a strong financial services sector, where exports grew by more than 28 per cent in the past 12 months and now generate more than \$2.9 billion. This compares with Victoria, where there was a decline of 50 per cent. That says a lot about investor confidence in New South Wales. We have also established strong brand identities for attracting small business and financial technology—or fintech—to this State. That is evident in the establishment of organisations such as Stone & Chalk, which is making a positive impact across the globe. Our information and communications technology sector is also going from strength to strength. It has grown by more than 59 per cent in the past 12 months to a record \$1.5 billion. This significant growth means that now more than 60 per cent of all tech start-up companies in Australia are based in New South Wales.

Other business services have seen strong growth, with 9 per cent growth to a massive \$5.2 billion. We have examples across the globe such as Atlassian, which is setting the standard across the world and exports to customers in 140 countries. Business-based services such as Newex have seen more than 60 per cent growth through supporting export programs put together by the Government and the hard work of small business. Newex has won a Premier's export award. It is not just about the trade and services exports space; the tourism sector has also driven the New South Wales economy. Tourism is about more than world-class destinations; it is about having strong hospitality and retail skills, and people who provide a fantastic service.

The New South Wales tourism sector is doing extraordinarily well. The recent international visitor survey results show that there were 3.6 million international visitors to New South Wales. That is the highest figure in the country, and one million more than the next competitor State. Those results are not just for Sydney but include

the South Coast and the Far West. In the past 12 months overseas visitors have spent \$8.9 billion. This is a 20 per cent jump over the previous 12 months. If one has the right environment, growth investments and focus on supporting small business through removing regulatory barriers, one can achieve progress. In the three years that preceded this Government coming to power tourism growth dropped by 3 per cent. It has now increased by more than 9.5 per cent.

**Mr David Harris:** Don't rewrite history.

**Mr STUART AYRES:** We are not rewriting history; the facts are the facts. Opposition members could have jumped on board but they chose not to. Those opposite oppose everything. They do not like supporting small business, tourism or export services and they want to drive extra regulation.

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

**Mr STUART AYRES:** Through Destination NSW there is strong support for tourism operators and small businesses. We are exporting services and have the strongest tourism figures in the nation. New South Wales is well and truly number one again.

**The SPEAKER:** I call the member for Ballina.

**Mr Ray Williams:** Now we'll get a spray.

**The SPEAKER:** Order! The member will refrain from making such comments or he will be removed from the Chamber. If he wants to intimidate the member for Ballina like that he should watch out. I know the member for Ballina is not worried, but I am.

#### **AEROMEDICAL RETRIEVAL SERVICES**

**Ms TAMARA SMITH (Ballina) (15:07):** My question is directed to the Minister for Health. Given the location options for the Westpac rescue helicopter base, which include but are not limited to Ballina airport, where fog will not impact upon missions, what is the operational imperative to build the base at Lismore Airport?

**Ms JILLIAN SKINNER (North Shore—Minister for Health) (15:08):** I thank the member for Ballina for her question. We have had two genuine health questions in the past two days from crossbench members. I congratulate them. That was a real question, as was yesterday's question. I am happy to provide the member with the following advice. She has raised the matter with me in correspondence and in person. A review of aeromedical retrieval services was conducted some time ago and the outcome was to enhance the service dramatically. One of the locations for the base was Lismore. After the member raised her concerns with me the Ambulance Service of NSW commissioned a further independent review of the location of the base at Lismore to be conducted by Aviation Professional Services.

The Lismore base has been there for 33 years. It was in Lismore throughout the Labor Administration and remains there now. During the consultation process the location of the service, citing fog or anything else, was not raised as a concern. Those questions arose in a limited sense following the review. The aviation experts have said that there is no argument for its relocation to Ballina. Flooding was also raised with me as a concern. I can report that Lismore City Council conducted a flood assessment for the proposed helicopter base and advised that the base is designed for a one-in-100-year flood. In the event of major flooding, the ambulance would temporarily relocate its operations to Hepburn Park, as specified in the Lismore flood plan.

There is no reason to move the base from Lismore, where it has been operating successfully for some time. There are occasions when service is restricted because of fog, but that happens across the system. The other reason to keep it at Lismore is that the effectiveness of helicopter retrievals is based on access to expert staff. Lismore hospital is a major base hospital while Ballina hospital is not. While Ballina hospital is fantastic—as is the new hospital at Byron Bay—the level of care provided by the doctors, allied health professionals, nurses and paramedics at Lismore led us to the decision to maintain the service in Lismore. I thank the member for her question and commend her for her interest in this matter.

#### **STATE BUDGET**

**Mr GREG APLIN (Albury) (15:10):** My question is addressed to the Treasurer. How will the 2016-17 budget deliver for the communities of New South Wales and ensure that everyone benefits from the State's economic strength?

**Ms GLADYS BEREJIKLIAN (Willoughby—Treasurer, and Minister for Industrial Relations) (15:10):** I thank the member for Albury for his question and appreciate what a strong economy means for his community and for those of all members in this place. This week we received further good news about the economy. Again, we are outperforming every other mainland State by a long shot. Yesterday the Australian

Bureau of Statistics data showed we are not only growing strongly but also had 10 times the economic growth of any other State. Our domestic economy grew—

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

**Ms GLADYS BEREJIKLIAN:** Our domestic economy grew by \$1.2 billion in the first quarter, which is more than 10 times higher than in Victoria.

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

**Ms GLADYS BEREJIKLIAN:** We are leading the nation in economic growth and we have the strongest jobs growth. In the last year to April more than 124,000 jobs were created in New South Wales. For the past 11 months in a row we have had the lowest unemployment rate in Australia, at 5.3 per cent. We are seeing this translate into business and retail confidence. There is huge investment into our great State that allows us to build infrastructure and provide the quality services that our electorates expect from us. It means we are maintaining our triple-A credit rating and ensuring that the budget position and economy is prepared for any challenge into the future.

We look forward to outlining our plans in the State budget to be delivered on 21 June. I have outlined a set of very enviable economic conditions and a strong fiscal position. This is a far cry from what we inherited five years ago. For more than a decade Labor produced the slowest economic growth of any State. Labor introduced nine new taxes when it was in government. It left a hole of \$5.2 billion in the forward estimates and an infrastructure backlog of \$30 billion. No wonder at that time the rating agencies told New South Wales to be careful. One would have thought that after five years in opposition Labor would have developed economic credentials and policies for our community.

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

**Ms GLADYS BEREJIKLIAN:** As so eloquently stated by the Minister for Finance yesterday, the Illawarra Steeler made a great policy announcement this week—

**Mr Guy Zangari:** Point of order: The Treasurer should refer to members by their correct title.

**The SPEAKER:** Order! I uphold the point of order. I ask the Treasurer to remember the standing order. I call the Minister for Emergency Services to order for the first time.

**Ms GLADYS BEREJIKLIAN:** The member for Keira announced a cracker of a policy about the 90 per cent use of Australian steel in all projects. Not only is that an economic flop, but the member also has a very short memory. When the Labor Party was in government it built the WIN Stadium in the Illawarra, which is about two kilometres from BlueScope. Guess what? Forty per cent of the steel used in that project came from overseas. Do members opposite have any idea about jobs growth? No, they do not. Do they have any idea about investment? No. Do they have any idea about economic growth? No. Do they have any idea about what it takes to maintain taken triple-A credit rating? No. It is not too late for the member for Keira to find out. He has a few weeks until the budget to work out the difference between private and public money. He also has time to work out the difference between recurrent and capital funding. I am sure that the member for Maroubra can give him some tips. [*Extension of time*]

While members opposite continue to flounder in an economic abyss, this Government will continue to deliver for the great people of this State.

**The SPEAKER:** The time for questions has expired.

#### *Committees*

### **COMMITTEE ON THE INDEPENDENT COMMISSION AGAINST CORRUPTION**

#### **Reference**

**Mr DAMIEN TUDEHOPE (Epping) (15:16):** As Chair: In accordance with Standing Order 299 (1), I inform the House that the Committee on the Independent Commission Against Corruption has received a referral from the Premier to conduct an inquiry into the Inspector of the Independent Commission Against Corruption's "Report to the Premier: and the Inspector's Review" the full details of which are available on the committee's website.



**COMMITTEE ON COMMUNITY SERVICES****Reference**

**Mr ADAM MARSHALL (Northern Tablelands) (15:17):** As Chair: In accordance with Standing Order 299 (1), I inform the House that the Committee on Community Services has received a referral from the Deputy Premier to conduct an inquiry into and report on access to transport for seniors and disadvantaged people in rural and regional New South Wales, the full details of which are available on the committee's website.

*Business of the House***SUSPENSION OF STANDING AND SESSIONAL ORDERS****Order of Business**

**Mr ANTHONY ROBERTS (Lane Cove—Minister for Industry, Resources and Energy) (15:18):**  
I move:

That standing and sessional orders be suspended:

- (1) On Tuesday 21 June 2016, to:
  - (a) Provide for the following routine of business prior to 2.15 p.m.:
    - (i) at 12 noon, Speaker takes the chair;
    - (ii) introduction and second reading speech on the Appropriation Bill and cognate bills; and
    - (iii) the Speaker to leave the chair until 2.15 p.m.
  - (b) Permit the giving of General Business Notices of Motions (General Notices) at the conclusion of Government business.
- (2) On Thursday 23 June 2016, to:
  - (a) Interrupt the business before the House at 11.00 a.m. to permit the Leader of the Opposition to speak on the Appropriation Bill and cognate bills.
  - (b) Permit the consideration of General Business Notice of Motions (General Notices) to continue until 2.00 p.m.

**Motion agreed to.**

*Members***MEMBER FOR NEWTOWN****Absence**

**Mr JAMIE PARKER (Balmain) (15:19):** I move:

That leave of absence be granted to Jenny Leong, the member for Newtown, until Friday 23 September 2016 on account of maternity leave.

**Mr ANTHONY ROBERTS (Lane Cove—Minister for Industry, Resources and Energy) (15:19):**  
I certainly support the motion. On behalf of the Coalition and other members, I wish the member a very safe delivery. We wait in anticipation to hear about the birth of a beautiful and healthy child.

**The SPEAKER:** Indeed.

**Motion agreed to.**

**PETITIONS**

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

**Powerhouse Museum Ultimo**

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

**Safe Schools Coalition**

Petition requesting that the Government prevent the use of the Safe Schools Coalition program in government schools and support for holistic anti-bullying approaches, received from **Mr Thomas George**.

**South Coast Rail Services**

Petition requesting an hourly service from Kiama to Bomaderry station connecting with trains to Sydney, received from **Mr Gareth Ward**.

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

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

#### **Pet Shops**

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

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

#### **Marrickville West Public School Flashing Lights**

Petition requesting the installation of flashing lights at the pedestrian crossing on Beauchamp Street, Marrickville, adjacent to Marrickville West Public School, received from **Ms Jo Haylen**.

#### **Local Government Amalgamations**

Petition requesting that the forced merger of Uralla shire with Armidale Dumaresq shire or any other shire not proceed, received from **Mr Adam Marshall**.

**TEMPORARY SPEAKER (Mr Bruce Notley-Smith):** Orders of the Day (Committee Reports) will now be proceeded with.

#### *Committees*

#### **LEGISLATION REVIEW COMMITTEE**

#### **Report: Legislation Review Digest No. 19/56**

**Mr MICHAEL JOHNSEN (Upper Hunter) (15:21):** As Chair: I thank the House for the opportunity to speak about the Legislation Review Committee's nineteenth digest for the Fifty-sixth Parliament. The committee commented on three of the seven bills introduced into Parliament in the last sitting week, and I will briefly speak to the Committee's comments on each of those bills. The Courts Legislation Amendment (Disrespectful Behaviour) Bill 2016 creates a new offence covering deliberate behaviour in a court room that is disrespectful. The bill follows the events in a New South Wales District Court trial that highlighted that certain behaviour, such as failing to stand for a judge, may not amount to contempt of court. Persons will be guilty of the new offence if they intentionally engage in behaviour that is disrespectful according to established court practice and convention.

The committee highlighted that the new offence, as provided for in the bill, may be ill-defined because it does not provide guidance on what kinds of behaviour could be considered disrespectful according to established court practice and convention. This may lead to varying interpretations and inconsistency in the application of the provision. However, the committee noted the intention to provide guidance about the new offence to judges, magistrates and the community by updating the Judicial Commission's bench books. This guidance will include recommending that the judge or magistrate provide persons with an opportunity to correct their behaviour or to apologise before deciding to refer the matter to the Attorney General. The committee made no further comment on this issue.

The second bill the committee commented on was the Taxation Administration Amendment (Collection and Disclosure of Information to Commonwealth) Bill 2016. In October 2015, all Australian Treasurers, with the exception of the Treasurer of the Northern Territory, agreed to establish a national register of foreign ownership of land titles. The bill will enable New South Wales to collect new property information, such as a buyer's nationality and citizenship details, for inclusion in the national register from 1 July 2016. At the end of each quarter, the Office of State Revenue will disclose this information to the Australian Taxation Office, which will administer the register. In addition, the arrangements in the bill will provide Commonwealth and State agencies with more data to improve compliance and enforcement in areas such as land tax and capital gains tax. The committee commented that the bill impacts on privacy rights by overriding provisions in the Privacy and Personal Information Protection Act 1998 to allow disclosures of property information from New South Wales public sector agencies to the Commonwealth Commissioner of Taxation.

Thirdly and finally the committee examined the Statute Law (Miscellaneous Provisions) Bill 2016. This bill continues the statute law revision program that has been in place for more than 30 years. As the House is no doubt aware, bills of this nature have been introduced in most sessions of Parliament since 1984 and are effective

for making minor policy changes, repealing redundant legislation and maintaining the quality of New South Wales statutes. The committee made one comment in relation to some provisions in the bill commencing by proclamation rather than assent—in particular, the repeal of the Home Care Service Act 1988 and other amendments consequent upon that repeal.

The committee generally prefers legislation to commence on a fixed date or on assent. In this case, however, the committee noted that those provisions are dependent on other amendments in the bill relating to the National Disability Insurance Scheme, which will commence on 8 July 2016. As such, the committee acknowledges that it would be desirable for there to be some flexibility as to their commencement. That concludes my remarks on this digest. I again thank the committee staff in particular. I also thank committee members for their input. I commend the digest to the House.

**Mr DAVID MEHAN (The Entrance) (15:26):** I make a contribution to the debate on the digest. As usual, I endorse the comments of the Chair on the report and seek to add a few comments on behalf of the Opposition. In relation to one of the bills, the Courts Legislation Amendment (Disrespectful Behaviour) Bill 2016, I note once again the matter was not referred back to the Minister for any particular action, but we did comment on the bill being ill defined. In her reply to the debate on the bill the Minister again did not address any of the comments made by the committee about the bill and in particular the important matter that is at the centre of the bill—what is disrespectful behaviour? The Minister did not refer to that. The committee had raised it. As I said previously in this House, it is appropriate when a committee raises matters that they are at least addressed in this House by the relevant Minister.

I also remind the House that the committee has now sent out a large amount of correspondence to Ministers seeking their comment on matters highlighted by the committee in various bills that have come before the House. At our last meeting on Tuesday the outwards correspondence was two from our committee to various Ministers and the inwards correspondence was nil. We have asked the secretariat to compile a table of outwards correspondence and inwards correspondence to see what sort of response we are getting from Ministers to items raised by the committee in their comments to see whether the proper measure of judgement that Ministers should be giving to the work of the committee is being given. Again I thank the secretariat and my fellow committee members. That is the Opposition's contribution.

#### **Report noted.**

**TEMPORARY SPEAKER (Mr Bruce Notley-Smith):** Committee reports having concluded, the House will now consider the matter of public importance.

#### *Matter of Public Importance*

#### **NATIONAL TAFE DAY**

**Ms JENNY AITCHISON (Maitland) (15:28):** On Thursday 16 June educators and people who care about education in Australia will come together to call a halt to the savage attacks on our vocational education sector that are being felt nowhere more keenly than in New South Wales where the Baird Government continues to slash and burn the celebrated institution that is TAFE. According to the Teachers Federation, since this Government's election student enrolments at TAFE in New South Wales have dropped a staggering 40 per cent. More than 3,500 permanent teaching and support staff have been axed and the numbers of part-timers and casuals are estimated to be more than double that. Students are angry. Their fees are up, their course choices are limited, their enrolment was a debacle and their class time has been cut. Private vocational colleges have not been the answer, as students are left high and dry when the dominoes—Aspire College of Education, Evocca College, and the Australian Careers Network—fall.

National TAFE Day on 16 June will put the spotlight on the devastating effect of these ongoing cuts on our young people and our communities, which are experiencing youth unemployment of 12.2 per cent and higher in some regional areas, including my own, as well as high skills shortages. TAFE was designed to be high quality vocational education and, importantly, to deliver suitable, accessible services to local communities. How can it do this when it has been cut to the bone? Maitland TAFE, for example, in my electorate, was set up to serve the needs of the Maitland community, Maitland's young people and Maitland's industries. It was not set up to be part of a competitive market that is nothing but a race to the bottom.

Maitland TAFE is no longer able to offer fitting and machining courses—students have to travel to Newcastle. It is no longer able to offer commercial cookery—students have to travel to Hamilton or Kurri Kurri. And when students travel to Kurri Kurri they cannot even catch the bus because there is no public transport that services the Kurri Kurri campus. The location of the Maitland TAFE at Metford is in a very low socio-economic area, which helps students who grow up in that area often in households of social disadvantage to have a vision and an ability to skill up for the future, so it is an important and vital area for them.

The foundation studies course at this TAFE has also been savagely hit, with the loss of 120 permanent teaching and support staff and more than double that in part-timers and casuals. It is no longer possible for students in the Hunter to study for their Higher School Certificate [HSC] through TAFE. This is a shocking state of affairs. I note the member for Upper Hunter sitting in the Chamber like the cat that has got the cream—he should not be too happy because most of the campuses in his electorate will be sold off. As my colleague Prue Car, the shadow Minister for Skills and shadow Minister for Education, has drummed home, this Government's so-called Smart and Skilled program is anything but smart and skilled—in fact it would be much more appropriate to call it—

[Interruption]

**TEMPORARY SPEAKER:** Order! Members will come to order. I ask that members refrain from shouting at one another across the Chamber and allow the member for Maitland to be heard in silence.

**Ms JENNY AITCHISON:** This Government's so-called Smart and Skilled program is anything but smart and skilled—in fact it would be much more appropriate to call it "Dumb and Dumber", and that is what most of us on this side of the House are calling it. The \$1.7 billion cut from education and training has hit hard right across the State and it is not over yet with 27 TAFE sites to be sold and even more cuts on the way. In March Minister Barilaro boasted of high apprentice numbers in Western Sydney—but nothing could be further from the truth. A key finding from the Greater Western Sydney Skills Audit report released in October was a serious shortage in Western Sydney of "grey collared workers", who are highly skilled but lacking in formal qualifications—the kinds of people who benefit most from TAFE by formalising their skills. The skills shortage in the State and in Western Sydney is a direct result of the Baird Government's attack on TAFE.

On National TAFE Day, NSW Labor will reaffirm its plan to rescue TAFE from the targeted attack by the Baird Government. We have pledged to guarantee at least 70 per cent of the vocational education and training [VET] budget be allocated to TAFE, limiting the contestable public funding for private providers to just 30 per cent. While private providers do play a role in skills training, the vital role TAFE plays must be protected. As Labor leader Luke Foley has said, the Baird Government refuses to learn from the mistakes of its colleagues in Victoria where under so-called reforms vocational training and education costs skyrocketed and quality plummeted, and where, sadly, TAFE is no longer the dominant VET provider. A well-funded TAFE means reliable, affordable, accessible and suitable vocational and educational training. I urge everyone to celebrate TAFE on National TAFE Day and to stop the slash and burn by the Baird Government.

**Mr LEE EVANS (Heathcote) (15:33):** First, I commend the member for Maitland for raising National TAFE Day as a matter of public importance two weeks ahead of National TAFE Day. If one listens to the rhetoric of Labor Opposition members they would have one believe that they are the saviours of TAFE. I also note that Federal Labor is doing its best to drum up support for its TAFE agenda and today attracted 34 people and a couple of placards to its protest at Ultimo. But it seems not a lot of people believe Labor members when they say they are the saviour of TAFE. Let us examine why.

**Ms Yasmin Catley:** Were you not a TAFE teacher?

**Mr LEE EVANS:** I was. Under this Government, the total vocational education and training [VET] expenditure for TAFE in this year's budget increased from 82 per cent to 85 per cent. Under Labor, direct funding to private providers doubled from \$100 million in 2005 to \$200 million in 2010. This Government is investing in modern, industry-standard facilities, establishing specialist industry centres of excellence. Labor left a TAFE system with crippling overheads and asset costs—somewhere between 40¢ and 60¢ in every dollar invested in TAFE—which took money away from students and valuable teaching resources. This Government is supporting students into courses that lead to jobs. It is focused on making sure industry has the skilled workers it needs to meet this Government's record \$60 million infrastructure building program. Am I interfering with the conversation of the member for Wyong?

**TEMPORARY SPEAKER (Mr Bruce Notley-Smith):** I remind Opposition members many of them are on three calls. The member for Heathcote will be heard in silence.

**Mr LEE EVANS:** The Government wants TAFE NSW to deliver innovative training, leading to job opportunities for students and skilled employees for industry. We are making major investments into TAFE NSW campuses to ensure that students have the facilities they need to learn. We are investing in TAFE facilities in Western Sydney, in the Hunter and in western New South Wales, including a Plant and Heavy Vehicle Training Centre at the Kurri Kurri campus, which is an investment of \$12 million; a Centre for Drywall Plastering and Associated Trades at the Maitland campus, which is worth nearly \$10 million; Community Services, Health, Plumbing and Disability Facilities at the Tamworth campus, which is worth \$11.1 million; New Connected Learning Facilities at the Albury campus, which is an investment of \$7.1 million; and Health and Supportive Services Facilities at the Nepean College Kingswood campus, which the Minister for Skills opened only last week,

which is worth \$26.4 million. This Government supports TAFE NSW as a matter of public importance. It is important that we support TAFE for the future.

**Ms YASMIN CATLEY (Swansea) (15:37):** This year the campaign for National TAFE Day is calling on a guaranteed 70 per cent of vocational education and training [VET] funding to be committed to TAFE NSW. I stand on this side of the Chamber and say that the Labor Party is proudly committing to this guarantee. When introducing the TAFE Funding Guarantee Bill, Leader of the Opposition Luke Foley said:

Reserving at least 70 per cent of all public funding for vocational education and training for TAFE will ensure the institution's future. Labor will always stand up for the strongest possible public education system.

I am proud to stand with him. It is becoming increasingly clear that TAFE NSW is on the brink. If all members do not commit to the National TAFE Day pledge, I fear that TAFE might be tipped over the edge and lost forever. We know how bad the situation has become for TAFE in New South Wales. I will go through a few facts, because I know Government members need constant reminding. Since the Liberal-Nationals Coalition introduced Smart and Skilled in 2015 we have seen \$1.7 billion cut from education and training, 2,500 teachers and support staff sacked, student fees dramatically increase, and 27 TAFE sites flagged for sale or closure. In the Hunter alone, enrolments have crashed over the past four years—40,000 fewer students have enrolled in TAFE. In addition to these attacks, \$500 million was wasted on a botched information technology system. Imagine if the Government had invested \$500 million in education. That would be a novel idea.

**TEMPORARY SPEAKER (Mr Bruce Notley-Smith):** Order! Members will come to order.

**Ms YASMIN CATLEY:** Some of our nation's most successful and celebrated people started at TAFE. Jamie Drurie studied a Certificate IV in Horticulture and Landscape Design at Ryde TAFE. He said:

Ryde TAFE has produced some of Australia's top horticulturalists, and their reputation speaks for itself ...no regrets and nothing but positive memories of my time at Ryde TAFE.

World-renowned chef Adam Moore is another of TAFE's esteemed alumni. He said:

TAFE gave me a thirst for learning ... it unlocked my creativeness and really got me passionate about what I am doing right now. And if it wasn't for TAFE, I wouldn't be in the position that I'm in; I wouldn't have had the experiences I've had. TAFE offers so much.

The list goes on: Donna Hay, Lisa Ho, barrister Kevin Kitchener and broadcaster Jon Faine. Newcastle Knights great Mark Sargent and Kurt Gidley, Paul Keating and Sir Charles Kingsford Smith are all proud products of our once mighty TAFE system. Let us restore some of this pride. Let us make TAFE great again by guaranteeing that 70 per cent of VET funding is committed by this Parliament to TAFE NSW.

**Mr CHRIS PATTERSON (Camden) (15:40):** By leave: On National TAFE Day I acknowledge each TAFE teacher. I left school and attended university long enough to get a Higher Education Contribution Scheme [HECS] bill and realised that university was not for me.

**Ms Yasmin Catley:** You can go to TAFE now.

**Mr CHRIS PATTERSON:** I did exactly that. I completed a four-year TAFE degree at Wollongong, Hospitality Management, Associate diploma, and I loved it. It hits home that university is not for everybody. TAFE offers so much to so many people. My family business was hospitality. I then had the honour of teaching hospitality part time in TAFE at the Loftus campus. I thank each person in the TAFE system. I will leave each argument alone, but I genuinely support TAFE. It is a fantastic institution. When students leave school they can have a gap year, go to university, work for mum and dad, get a job in the local bakery, or they can always look at TAFE. It is a fantastic institution and it offers so much for so many people. Every member in this House must support TAFE. I wish everybody well at TAFE.

**Ms JENNY AITCHISON (Maitland) (15:42):** In reply: The speeches we have heard have included nice words of support for TAFE, and members have shared their experiences and ideas on how TAFE makes a valuable contribution to our economic development at a time of industry restructure in this State. We all have TAFE stories, which is why TAFE is important. I employed TAFE students in my business and had work experience students from TAFE. I presented at TAFE. Sadly, under this Government, although TAFE classes are set up for 25 students they will have 30 students who do not have access to a computer, air-conditioning or basic things that will enable them to take their education seriously. However, it is inspiring to see the passion and commitment of the teachers who take those classes and who guide students while experiencing this constant attack from the Baird Liberal Government. They are making an effort. TAFE is not only about receiving a qualification; it is also about attaining work experience and making the transition from education into employment and making a contribution to our society.

I wish to mention a couple of statistics. The member for Heathcote talked about the increases in funding. It is not only about the numbers; it is also about people no longer having access to their choice courses. Since 2012, 80,000 fewer students—picture that—have entered TAFE; 4,600 teachers and support staff have been sacked; and 11,500 fewer students with disabilities are enrolled at TAFE. The most vulnerable students in our community who want to have access to a tertiary qualification are not able to do so under this Government. Worse, there has been a 22 per cent increase in total course fees. That is a disgraceful situation for the young people in our community. At times over the past 12 months the Hunter has had 21 per cent unemployment, and students are being forced to pay a 22 per cent increase in total course fees.

**Ms Eleni Petinos:** Where are your facts? Where are they from?

**Ms JENNY AITCHISON:** Listen to the howling pack of dogs on the other side of the Chamber, who have no concern for TAFE. They will not do anything to stand up for the young people in their communities. It is the young people they are letting down with every word that they say. The young people are the future, the kids and grandkids of the members opposite. Those opposite should be ashamed of the disgraceful actions they have perpetrated on TAFE.

**TEMPORARY SPEAKER (Mr Bruce Notley-Smith):** The matter of public importance having concluded, the House will now deal with community recognition statements. With the concurrence of the House, community recognition statements will continue until 4.30 p.m.

#### *Community Recognition Statements*

#### **MURRAY FARM PUBLIC SCHOOL CRACKER CARNIVAL**

**Mr DAVID ELLIOTT (Baulkham Hills—Minister for Corrections, Minister for Emergency Services, and Minister for Veterans Affairs) (15:46):** Short days and cool nights reliably announce the coming of a great annual tradition in my electorate, which will be carried out with flair at Murray Farm Public School's annual cracker carnival on Saturday. Murray Farm not only embraces the old cracker spirit; this year it plans to introduce a "teacher dunk", which will go down very well with the many students who will attend. Thank you to Murray Farm Public School and convenor Deborah Sherwood for ensuring a bright future for this long-loved tradition celebrating the Queen's birthday. I also thank the very brave people of the North Rocks Rural Fire Service for their efforts in ensuring this year's cracker carnival is a safe one.

#### **HUNTER THOROUGHBRED BREEDERS ASSOCIATION TWENTY-FIFTH ANNUAL AWARDS**

**Ms KATE WASHINGTON (Port Stephens) (15:46):** I extend my congratulations to the Hunter Thoroughbred Breeders Association [HTBA] on holding its twenty-fifth annual awards last month. In Australia's horse capital, Scone, over 340 industry leaders, clients, sponsors and suppliers came together to celebrate the achievements of the industry's people and champion thoroughbreds. I particularly congratulate the winners: Employee of the Year in Horsemanship, Catherine Stockdale; and Employee of the Year in Administration, Pamela Parry. The Hunter Thoroughbred Breeders Association President's Award for lifetime achievement was awarded posthumously to Mr John Clift, and the Hunter Thoroughbred Breeders Association Murray Bain Service Award went to Ms Verna Metcalfe.

Then there were the awards for the horses. The two-year-old filly award went to Yankee Rose and the two-year-old colt award went to Astern; the three-year-old filly award went to Stay With Me and the three-year-old colt award went to Japonisme. The champion racehorse was Winx, the champion brood mare was Vegas Showgirl, the champion first-season sire award went to Sepoy, and the champion sire was Street Cry. The Hunter Valley thoroughbred industry contributes over \$5 billion to the national economy. I thank the HTBA not only for breeding champions but also for being the champion of breeders.

#### **BONNIE WINGHAM SCOTTISH HERITAGE FESTIVAL**

**Mr STEPHEN BROMHEAD (Myall Lakes) (15:48):** I congratulate the Bonnie Wingham Scottish Heritage Festival Committee on the ball it held at Wingham and District Memorial Service Club. I congratulate president Eric Richardson and May Richardson and the committee members. Performing at the event was the Wingham Services Pipes and Drums band, which is celebrating its fortieth anniversary this year. The band is renowned in Wingham and several members have travelled overseas to perform internationally. I congratulate all those who helped to stage the event and the other entertainment that took place over the weekend in Wingham. I congratulate also the people of Wingham on their fantastic, historic town.

### **SLOW FOOD HUNTER VALLEY PARALYMPIAN MADDISON ELLIOTT**

**Ms JENNY AITCHISON (Maitland) (15:49):** I congratulate Amorelle Dempster and the team of volunteers at Slow Food Hunter Valley. Slow Food Hunter Valley organises a monthly farmers' market, which gives local farms the opportunity to set up a stall and set their own prices on their produce. It also gives them the chance to sell any remaining produce and end-of-season crops, instead of disposing of leftover produce. Slow food is a movement that aims to increase community awareness of the value from farm to market of good, clean, local food. Farming and agriculture is an integral part of the Maitland economy, and I applaud Slow Food Hunter Valley's efforts to support our local farmers. I encourage all Maitland residents to get out there and back our local farmers. I also congratulate local Gillieston Heights resident 17-year-old Maddi Elliot, who has been nominated to represent Australia at the 2016 Paralympics in Rio. She has been a phenomenal swimmer for a number of years, winning her first Paralympic gold medal in London at the age of 13. We wish her all the best.

### **COLO FAMILY PICNIC DAY**

**Mr DOMINIC PERROTTET (Hawkesbury—Minister for Finance, Services and Property) (15:50):** I would like to talk about the awesome day I had recently at the Colo Family Picnic Day. I congratulate Cath Pickard and Sue Guymer and their team on their work in organising this year's Colo Family Picnic Day on Sunday 17 April. This annual event, which coincides with Anzac Sunday, is for the greater Colo community, that is, all the family, young and old. Sponsored by a variety of local businesses and community groups, the event features some great activities, including a bake-off, tug of war, the famous "throw the flabbit", a wheelbarrow race and busking competitions. It was my pleasure to present medals to competition winners. I look forward to participating in the wheelbarrow race next year.

### **LIFELINE WYONG CONCEPT STORE**

**Mr DAVID HARRIS (Wyang) (15:50):** Last Monday, Lifeline Hunter Central Coast opened the doors to its first-ever fashion and homewares concept store in the historic Chapman Building in Wyong. Chief executive Gillian Summers invited everyone to check out the new "paradise". Yvie Jones, a former Bateau Bay resident and one of the stars of the Logie award-winning Network 10 series *Gogglebox Australia*, officially opened the new store. Jason Fox, the retail operations manager, said that Lifeline had relocated its former Howarth Street store to a more central location in the heart of Wyong. Mr Fox said the recently restored Chapman Building was a perfect location because it was first used as a retail store when it opened in 1901. Lifeline has had a store in Wyong for 25 years and also has stores at Woy Woy and Wyoming. It has recently introduced another first: a frequent shopper discount card for customers. Lifeline is a national charity that provides all Australians experiencing a personal crisis with access to 24-hour crisis support and suicide prevention services by ringing 13 11 14.

### **ILLAWONG MENAI CRICKET CLUB**

**Ms ELENi PETINOS (Miranda) (15:51):** I congratulate the Illawong Menai Cricket Club, having attended its junior presentation event at Club Central Menai on Sunday 22 May. I particularly congratulate the 10D and 12E junior teams on being the premiership winners for the 2015-16 season. I had the honour of presenting these young sportsmen with their trophies and celebrated this wonderful achievement with them. The 10D premiership winning team comprises Bailey Parker, Jacob McLoughlin, Ryan Brice, Lachlan Brook, Samuel Follows, Ethan Hider, Vir Jamwal, Hassan Kiyani, Conor Kremmer, Griffin Robinson and Kelan Skinner, and was coached by Dean Parker and managed by Jason Brook. The 12E premiership winning team comprises Michael Ferlazzo, Riley Bristow, Connor Maloney, Reece Whitfield, Ethan Butcher, Patrick Dess, Caleb Cairns, John Papworth, Byron Pryor, Callum Pryor, Brendan Smith and Joel Stock, and was coached by Adam Smith and managed by Jodie Pryor. Winning a premiership is such an exciting milestone in young athletes' lives. I hope these young boys enjoyed their moment of recognition as much as they enjoyed playing.

### **O'BRIENS ESTATE, KOGARAH**

**Mr CHRIS MINNS (Kogarah) (15:52):** Today I pay tribute to the hard work of the residents of O'Briens Estate in my electorate of Kogarah. These residents have faced an unprecedented situation whereby the Commonwealth Taxation Office recently sold its premises in Hurstville to developers in order to cash in on the value of the site. The community fought tirelessly with innovative campaign tactics to stop the imposition of a 16-storey tower in their community. The recent decision of the Joint Regional Planning Panel went against the group, which is regrettable. However, the community-minded way in which these citizens fought for what they thought was right should not go unrecognised. I have written to the Minister for Planning to ask him to look at the size and scale of these proposed buildings and to scrutinise the effect they will have on the O'Briens Estate community. I pay tribute to the hard work and dedication of the people to the amenity of their local community. I urge them not to give up.

### **RAVENSWOOD SCHOOL FOR GIRLS RHYTHMIC GYMNASTICS TEAM**

**Mr ALISTER HENSKENS (Ku-ring-gai) (15:53):** I applaud the dedication and skills of a group of young women in the electorate of Ku-ring-gai who this week are representing not only their school and their area but this great State in the exciting and technically challenging sport of rhythmic gymnastics at the national titles being held in Melbourne. Coached by Marija Vuk-Luboya under the watchful eye of Sydney 2000 Olympian Danielle Le Ray, the quintet of Anya Patel, Ella Chapman, Sneha Naidu, Amy Burke and Olivia Owens, all from Ravenswood School for Girls, are the New South Wales champions in the Open Group Ribbon division and are this week at Hisense Arena in Melbourne battling for the national title in that event.

Ella Chapman has a busy week ahead of her, having qualified as the level 7 open State champion—which effectively is the all-around New South Wales individual champion across the rope, hoop, ribbon and clubs disciplines. These girls each train for up to 16 hours a week in this incredibly skilled and demanding sport, and they juggle their training time with their school workload. It is a commendable effort. I wish them every success and I hope they bring home a haul of medals.

### **ALEXANDRIA PARK COMMUNITY SCHOOL**

**Mr RON HOENIG (Heffron) (15:55):** On Tuesday 31 May 2016 I had the privilege of joining the secondary students and teachers of the Alexandria Park Community School in their Reconciliation Walk from the school grounds to Redfern Park to commemorate National Reconciliation Week 2016. National Reconciliation Week recognises that Indigenous reconciliation is a journey that all Australians must make together. Redfern Park is an appropriate destination for the Reconciliation Walk because on 10 December 1992 it was the location where Labor Prime Minister Paul Keating delivered his Redfern Park speech. That was the first time that an Australian Prime Minister had recognised the impact of European settlement on Indigenous Australians.

Alexandria Park Community School is widely known for raising the bar for Indigenous educational standards. The school's innovative approach of putting the Aboriginal perspective at the heart of the teaching and care of Indigenous students has resulted in improved year 12 completion and school retention rates of Indigenous students. Congratulations to the school's principal, Di Fetherston, and her team at the Alexandria Park Community School on their hard work and dedication to all students.

### **SOUTHERN HIGHLANDS CHRISTIAN SCHOOL**

**Mr JAI ROWELL (Wollondilly) (15:55):** The Southern Highlands Christian School has a very proud tradition of fundraising for charity—whether it is for a mission in Vanuatu or more recently for its efforts with the 40 Hour Famine. In August last year a total of 35 students from the Southern Highlands Christian School took part in the 40 Hour Famine, whose participants deprive themselves of a luxury—food, technology or a myriad of other daily items—that we are lucky enough to have. The group raised in excess of \$1,000, which was donated to World Vision. Looking at the example set by the Southern Highlands Christian School, I encourage schoolchildren across the Wollondilly electorate to take part in charities such as World Vision and the 40 Hour Famine so that they may also appreciate the gifts we have been given throughout our life.

### **TAMIL SENIOR CITIZENS ASSOCIATION**

**Ms JODI McKAY (Strathfield) (15:56):** I bring to the attention of the House the wonderful work of the Tamil Senior Citizens Association. The association was established in 1991 with 27 members and now has grown to more than 850. Those first 27 members fled their country of birth in the most difficult of circumstances. They came together with a vision to support each other and provide friendship and fellowship. Their vision was more than realised and in their silver jubilee year this Parliament celebrates and recognises the commitment of all Tamil seniors to our community.

The Tamil Senior Citizens Association also has established a benevolent society and a housing cooperative. It is actions such as those that enhance the reputation of innovation and compassion for which the association is known. I congratulate the Tamil Seniors Citizens Association on its dedication to its peers and its desire to see a harmonious and respectful multicultural community. I am privileged to represent many members of the association. They are kind, good and compassionate people, who have shaped a better life for their families in Australia. I thank them for all they do for the community and I wish them the very best for the future.

### **WARIALDA SHOW 2016**

**Mr ADAM MARSHALL (Northern Tablelands) (15:57):** I congratulate the Warialda Show Committee president, Mr David Coulton, and members of the show committee for successfully hosting and supporting the recent 112th Warialda Show. I also congratulate Courtney Loosemore, who was crowned the 2016 Warialda Showgirl. I thank the band of the First Regiment Royal Australian Artillery, which led the grand parade. Seventeen cars participated in the demolition derby, with Wayne Hawkins from Moree winning this back-jarring



competition. Further highlights included Jack Grabham, who won the award for Champion Lamb of the show, and Dave Schouten, who received an award for Champion Beast. The awards for Grand Champion Fleece and Grand Champion Pair of Fleeces went to K. and E. Brown.

I acknowledge the sponsorship from Crowe Horwarth for the photography section award, which was taken out by Kathy Heery. An impressive lucky gate prize of five nights' accommodation in Mooloolaba was won by Sophia and John Guihot. The Warialda Show has something for everyone. It is testament to the resilience of this rural community that the show has continued to be held through drought, disaster and the good times for more than 112 years.

### **LAW WEEK 2016**

**Mr PAUL LYNCH (Liverpool) (15:58):** I recognise in this House the activities of Law Week, which was celebrated recently in this State. In particular I acknowledge the executive and committee of the City of Sydney Law Society, which held a Law Week breakfast on 10 May 2016 for more than 100 people. Justice Beasley, who is the President of the New South Wales Court of Appeal, was the guest of honour and main speaker. The topic of her speech was "Catalyst for Change? Legal development in a shifting society". I note that the President of the New South Wales Law Society, Gary Ulman, and the past president, Ros Everett, were among others present at the event, together with the chief executive officer of the Law Society, Michael Tidball. I particularly thank for the invitation to attend the event Con Ktenas, President of the City of Sydney Law Society. I congratulate the society on its initiative. Law Week is an annual event that is held in May to promote public understanding of the law and its role in society.

### **TRIBUTE TO MICK BRANNOCK**

**Mr MARK SPEAKMAN (Cronulla—Minister for the Environment, Minister for Heritage, and Assistant Minister for Planning) (15:59):** I congratulate the 2016 Cronulla Senior of the Year, Mick Brannock. Mick has made an outstanding contribution to surf lifesaving in Cronulla over many years. Since 1994 Mick has been the race organiser for the very popular Sutherland to Surf—a significant event on the shire calendar, attracting over 8,000 racers each year. The Sutherland to Surf is also the major fundraiser for the Wanda Surf Life Saving Club [SLSC]. Mick is an active participant in all aspects of Wanda SLSC's activities for 50 years. He currently holds a position on the board of directors, is a club educator, an official, and a life member. Mick Brannock is a tremendous asset to the local community and this award is deserving recognition of his tireless efforts and generosity.

### **TRIBUTE TO LILA MULARCZYK**

**Ms JULIA FINN (Granville) (15:59):** Today I acknowledge the fantastic contribution made by Lila Mularczyk as the principal of the Merrylands High School and wish her the best for her retirement. Lila has been the principal of the Merrylands High School for the past 15 years and was the deputy principal before that. She also has been the president of the New South Wales Schools Principals Council for the past four years. Merrylands High is an incredibly diverse school, with 72 per cent of students from non-English speaking backgrounds and over 50 different cultural backgrounds, and it includes many refugee students.

Lila has been a champion of the school, is a strong advocate for public education and has created enormous opportunities for students through numerous partnerships with external organisations. She is a great educator who has warmth, strength and an infectious energy, and she is respected by students, parents and staff alike. Unsurprisingly, she is also a really strong supporter of Gonski. Lila received a Meritorious Service to Public Education Award in 2012, which recognises a devotion and energy to public education and training over many years. On behalf of the entire Granville electorate, I thank Lila Mularczyk for her great service to Merrylands High School.

### **TRIBUTE TO JAMES "BILL" LODER ARNDELL**

**Mr MATT KEAN (Hornsby) (16:01):** One of Bill Arndell's fondest memories of his time in the NSW Police Force is riding Harley Davidsons with a sidecar. These days the police may not ride Harleys, but they still have one of the most important jobs in our community. Today I recognise and congratulate one of Hornsby's very special senior citizens, James Loder Arndell, who is known affectionately by those around him as Bill. Bill celebrated his 100th birthday on 2 March 2016. A selfless citizen of our community, Bill served in the NSW Police Force for 36 years, from 1940 to 1976. He retired on his sixtieth birthday, having attained the rank of Inspector Second Class.

A majority of Bill's long career was spent in the traffic branch of the NSW Police Force, although he concluded his duties as the officer in charge at Highway Patrol. The community has recognised Bill's long contributions as he enjoyed a wonderful birthday celebration arranged by the NSW Police Force from the comfort

of his home at Christophorus House Retirement Village in Hornsby. I want not only to thank Bill for his long and dedicated service to the people of New South Wales but also to congratulate him on his 100th birthday. We are very proud to have a man like Bill in our community.

#### **PENRITH CITY COUNCIL PRIMARY SCHOOL LEADERS RECEPTION**

**Ms PRUE CAR (Londonderry) (16:01):** Last week it was a pleasure to attend the Primary School Leaders reception at Penrith City Council. It was fantastic to meet so many young and aspiring leaders from schools, especially from my electorate of Londonderry. In particular I acknowledge the leaders from the Bennett Road Primary School, the Castlereagh Primary School, the Claremont Meadows Primary School, the Llandilo Primary School, the Londonderry Primary School, the Montgrove College, Our Lady of the Rosary Primary School, the Oxley Park Primary School, the Ropes Crossing Primary School, the St Marys North Primary School, the St Marys South Primary School, the St Marys Primary School, the St Pauls Grammar Junior School, The Lakes Christian College, the Werrington County Primary School, Werrington Primary School and the Wollemi College in Werrington. I say "well done" to our junior school leaders. Keep an eye out for those people in the future.

#### **CENTRAL COAST RUGBY LEAGUE CLUBS**

**Mr ADAM CROUCH (Terrigal) (16:29):** I congratulate the Central Coast rugby league clubs for banding together to speak out against domestic violence. Last weekend's round of games was named White Ribbon Round. The goal was to raise awareness of domestic violence but also to create a more welcoming, respectful and friendly environment for women. The Central Coast rugby league clubs support that cause and are committed to making a difference in the community because women fulfil a role within rugby league clubs more so today than ever before. The great news is that clubs are becoming more proactive in promoting domestic violence as unacceptable, and that is so important in getting the message across nationwide. Every player and coach and their support bases now know the standard of behaviour that is required of everyone. I congratulate clubs on their strong message across the Central Coast.

#### **HILLSBOROUGH ROAD SAFETY**

**Ms JODIE HARRISON (Charlestown) (16:03):** Last month residents from Lake Macquarie, Newcastle, my electorate of Charlestown and the wider community mourned the tragic loss of 15-year-old Jade Frith, who passed away due to injuries sustained from being hit by a car on Hillsborough Road. Since then many people in the local community have rallied together to push for overdue upgrades to improve the safety of Hillsborough Road. Many have worked tirelessly to collect signatures for a petition to be presented to the New South Wales Parliament. I am delighted that there are now more than 10,000 signatures. Earlier this week I tabled that petition. I must thank and commend Nicole, the organiser of the petition, for her energy, tenacity and commitment, and the many volunteers for their dedication in collecting signatures over the past month. It is a true reflection of the strength and determination of our community who, as both Mayor of Lake Macquarie and the member for Charlestown, I am proud to represent.

#### **TRIBUTE TO DAZZA KONTISTA**

**Mr MARK TAYLOR (Seven Hills) (16:04):** I acknowledge the work of local community stalwart Dazza Kontista. Dazza recently organised a special music concert at the Blacktown Workers Club to raise funds for a direct contribution to a heart and lung bypass machine for the Children's Hospital at Westmead. Dazza spent months organising this concert, all because he wanted to help other people. He embodies the best of our great community spirit in my electorate of Seven Hills. Dazza is motivated by a desire to help those in need of surgery because he has a family history of heart conditions. I commend Dazza for his hard work; it was an absolute pleasure to support him at the event. It is people like Dazza in the community who make Seven Hills a great place in which to live and work. Dazza is a man with a big heart and at the heart of our community.

#### **TRIBUTE TO DR BAHIA "BETTY" ABOU-HAMAD**

**Mr JIHAD DIB (Lakemba) (16:05):** Today I thank Dr Bahia "Betty" Abou-Hamad for her dedicated support of the Australian-Arabic poetry community and congratulate her on her recent appointment recognising her broader work. During March and May I was delighted to host two separate functions held in Parliament House that served to honour the distinguished achievements of Australian poets and literary artists of Lebanese and Arabic heritage. Dr Abou-Hamad deserves special acknowledgement as the creative and driving force behind these important and successful events. These events were just one example of the commitment Dr Abou-Hamad has to providing bridges between the adopted and historical homelands of some of our most valuable cultural treasures. I also congratulate Dr Abou-Hamad on her recent appointment to the role of Ambassador of Peace. This was made by the United Peace Federation on 2 May 2016. It is a great achievement, recognising Dr Abou-Hamad's past work and the contributions she will no doubt make to this role in the future.

**FRIENDLIES CHEMIST, GRAFTON**

**Mr CHRISTOPHER GULAPTIS (Clarence) (16:06):** I offer my congratulations to the management and staff of Grafton's Friendlies Chemist, which marked 100 years of service to the community on 1 June 2016. This is a huge achievement for any business. There have been many changes and challenges during this time. New legislation and technology have meant changes in many areas during this time. To pharmacist John Dawson, manager Julie McCaughey, and staff members Leanne Pardoe, Sophie Schmidt, Hayley Buckler and Kerrie Lockett, I wish them many more years in business providing an excellent customer service.

**AUSTRALIAN TAMIL CHAMBER OF COMMERCE**

**Dr HUGH McDERMOTT (Prospect) (16:06):** I congratulate the Australian Tamil Chamber of Commerce on its trade show on 29 May at Fairfield Showground. The Australian Tamil Chamber of Commerce represents the Tamil business community in Australia and is committed to promoting and extending business relations between Australia and beyond. Incorporated in 2015, the Australian Tamil Chamber of Commerce comprises a variety of entrepreneurs, business leaders and self-employed professionals from financial services, legal services, information technology, media services, health care, engineering, education, realty, building and architectural services, restaurants, marketing, event management and other professional services operated by Tamil people residing in Australia. I congratulate the executive of the Australian Tamil Chamber of Commerce on a very successful trade show and the international work it does for the Tamil community.

**MASADA COLLEGE FIFTIETH ANNIVERSARY**

**Mr JONATHAN O'DEA (Davidson) (16:07):** I congratulate the Masada College in my electorate of Davidson on reaching its fiftieth anniversary in 2016. The college provides education excellence at a coeducational school on Sydney's North Shore, operating from its location in St Ives. Principal Wendy Barel and president David Guth lead a wonderful school community. As part of its half-century celebrations, Masada College is holding a gala dinner in July to mark the important milestone. Whilst strong in Jewish traditions, the school is inclusive and welcoming of students from all backgrounds. I wish everyone associated with Masada College the very best for strong and ongoing service to the local and wider community in the future.

**ST FRANCIS XAVIER CATHOLIC CHURCH, BELMONT**

**Ms YASMIN CATLEY (Swansea) (16:08):** I congratulate the East Lake Macquarie parish on the opening of its new church, St Francis Xavier Catholic Church, in Belmont. A \$3 million project, which began in early 2014, has resulted in a beautiful and modern church. I had the pleasure of attending the official opening and consecration with hundreds of local parishioners, Father Gerard Mackie, and Bishop Bill Wright. Opened on 15 May, Pentecost Sunday, the consecration coincided with the anniversary of the first official mass in New South Wales, which was conducted by convict Father James Dixon in 1803.

The old Belmont Catholic Church and school, originally run by the Sisters of St Joseph, has been there since the Belmont parish was established in 1950 and continues to operate, with the church now used as a hall. For more than 65 years, St Francis Xavier Catholic Church has served our community. Now, with more than 900 worshippers each week, it is great to have a brand new facility to continue to serve the community for years to come. Congratulations to Father Gerard, Bishop Bill and the East Lake Macquarie parishioners. It is a great addition to the diocese.

**AMARANTH FOUNDATION, COROWA**

**Mr GREG APLIN (Albury) (16:09):** Congratulations to Julianne Whyte and her team, particularly Heather Lane, at the Amaranth Foundation, Corowa, who organised the Scarlet Masquerade Ball in aid of the foundation's advanced chronic care project to support patients and their families coping with advanced chronic and terminal illnesses. The support from the community was tremendous. A major auction was held, with local winemaker David Whyte and Corowa RSL Club executive chef, Liam Whyte, offering a wine appreciation evening for 20 people and a three-course dinner for 10 at one's own home as two of the prizes. A five-piece band, the Bombastics from Melbourne, entertained guests, along with an excellent magician, Mr Marmalade. It certainly was a night to remember.

**MARCONI CLUB ITALIAN REPUBLIC DAY CELEBRATION**

**Mr NICK LALICH (Cabramatta) (16:09):** On Sunday 29 May 2016, I was delighted to attend the Italian Republic Day celebrations at the Marconi Club. This day marks the proclamation of the republic in 1946, and this year marks the seventieth anniversary since becoming a republic. The celebration, which is important to the large Italian community in my local area, was highly attended by both the Italian and the wider community. The festivities included a number of rides, stalls showcasing the various regional cuisines of Italy, and cultural

performances. I was joined by my State and Federal parliamentary colleagues the member for Fairfield and the member for Prospect. I thank the volunteers and organisers who helped in making this festivity a great one.

#### **FORSTER TUNCURRY QUOTA CLUB**

**Mr STEPHEN BROMHEAD (Myall Lakes) (16:10):** I congratulate the Quota Club of Forster Tuncurry on its recent changeover dinner. Three of the charter members—Doreen McMullen, Barbara Walters and Helen Pearse—were present to light the candle. It is the club's thirtieth year of service to the local community. I thank the outgoing president, Pam Bowen, who is the mother of Dolphins rugby legend Gavin Bowen. I congratulate also the incoming committee, including president Yvonne Hughes, vice president Deidre Stokes, secretary Jan Irvine and treasurer Susan Haschek. I congratulate the Quota Club on its work over the past 12 months and I know that the club will continue to provide its important services for the next 12 months to the community of Forster Tuncurry.

#### **ROCKDALE CITY COUNCILLOR ANDREW TSOUNIS**

**Mr STEPHEN KAMPER (Rockdale) (16:11):** I acknowledge the dedicated and exceptional service to my community of Rockdale city councillor Andrew Tsounis. In 2012 Andrew was elected as the Labor Party councillor for ward 1. Andrew has served on many Rockdale City Council committees, including the Traffic Committee, the Sport and Recreation Committee, the Rockdale City Aquatic Centre Advisory Committee and the Community Development Advisory Committee. Andrew is also president of the Fifth Ward Ratepayers Association.

Andrew has made an outstanding contribution over the past four years as the hardworking president of Ramsgate Life Saving Club, also known as Ramsgate Nippers, which was established in 1934. As president, Andrew has overseen the club membership climb from 150 to 320 children and he has been recognised for the introduction of many valuable activities, including a great program for disabled children. I extend my great appreciation and thanks to Andrew for his efforts in promoting health, water awareness and water safety to children in my community.

#### **TRIBUTE TO DR JAMES PRIOR**

**Ms ELENI PETINOS (Miranda) (16:12):** Today I congratulate Dr James Prior, who at 85 years of age graduated from the University of Wollongong in April. Dr Prior has accomplished many great things in his life. He left school at age 14, but due to his financial limitations a tertiary education was only a dream. After a successful career in public service and some time as a freelance journalist, he retired at age 77. However, his dream of completing his studies never left him. It was after he enrolled in a Bachelor of Arts degree in communications that the idea of further study grew. An enthusiastic history buff, Dr Prior has devoted the past six years to his thesis on Prime Minister John Curtin. It is an incredible achievement to earn a PhD at any age, and Dr Prior can also claim the impressive title of the oldest graduate of the year. While he did not even know how to use a computer when he started his studies, he embraced the challenges and his tenacity is admirable. He hopes to have his thesis published. I congratulate him on his dedication to education and on his prodigious achievement.

#### **WINMALEE HIGH SCHOOL DRAMA PRODUCTION**

**Ms TRISH DOYLE (Blue Mountains) (16:13):** On 17 October 2013 the Blue Mountains was ravaged by some of the worst bushfires ever experienced. Winmalee, Springwood, Yellow Rock and Mount Victoria were all seriously impacted, with the loss of over 200 homes. Local schools played an important role in keeping students safe as the emergency unfolded in the early afternoon. I had the great pleasure of being a special guest recently at Winmalee High School's performance of *Straw Hats, Thongs and Toothbrushes—Stories of Accelerated Intimacy After the 2013 BM Fires*.

This unique production explored the impact of the fires and the recovery process. Interviews of residents were conducted by the students and incorporated into three acts of approximately 18 snapshot moments and memories. The performance elicited moments of intense laughter followed by tears as the audience experienced a rollercoaster of emotions. I congratulate all the fantastic elective drama students at Winmalee High School, as well as principal Katrina Middlebrook, school counsellor Rose Glassock and her team, teachers Madeleine Sheehy, Voula Facas, Jarrah Tippet-Moore, and the entire stage construction and lighting and sound team.

#### **SHED FITNESS STUDIO**

**Mr JAI ROWELL (Wollondilly) (16:14):** I acknowledge the efforts of Wollondilly locals Henry Yuill, Jody Nonnenmacher, Harry Carlon, Simon McIntyre and Phil Hanratty for their commitment to promoting healthy living and fitness to the Bowral community. The team are staff at the Shed Fitness Studio at Bowral and have put in considerable effort to raise money for Diabetes Australia. Henry Yuill has used his experience and knowledge of diabetes to help clients who have been diagnosed with type 1 and type 2 diabetes. To promote healthy living

and to raise money the fitness studio offered half-price personal training sessions and held a barbeque and touch football games. It also conducted a "train the trainer" auction at which people were able to put personal trainers to the test. Those activities lined up with World Diabetes Day on 14 November 2015. I congratulate the team from the Shed Fitness Studio on their amazing efforts and encourage further community involvement with Diabetes Australia.

#### **ALAN AND JENNY TUNKS FUNDRAISING FOR CYSTIC FIBROSIS**

**Ms TAMARA SMITH (Ballina) (16:15):** I inform the House of the incredible work of Alan and Jenny Tunks, who have spent 20 consecutive years fundraising for cystic fibrosis charities at the Byron Bay Bluesfest. The Tunks, together with dedicated volunteers aged between 19 and 75 years, raised more than \$50,000 this year alone. Their total fundraising over the past 20 years stands at nearly half a million dollars. Every cent of the proceeds from their annual raffle is directed to cystic fibrosis national and State charity organisations, which use the money for research to find a cure. It was therefore very disappointing to learn that the latest new generation drug, Orcambi, will not be recommended for reimbursement by the Pharmaceutical Benefits Advisory Committee for Australians with cystic fibrosis. I know how important these new medicines are to the health and wellbeing of cystic fibrosis sufferers. Without reimbursement it could cost a family nearly a quarter of a million dollars a year instead of \$1,500. I have seen the money raised by Alan and Jenny make a real difference and they deserve the support of this Parliament. I commend the incredible work they do every year raising money for this cause.

#### **GLENN INNES LAWN BOWLS TEAMS**

**Mr ADAM MARSHALL (Northern Tablelands) (16:16):** Glenn Innes junior lawn bowlers have been in great form lately, with individual and team victories and selection in junior State teams. I congratulate Brittany Camp and Haley Ross, who have been selected in the New South Wales junior State seven-a-side team that will play in Dubbo in the near future. The pair teamed recently with fellow Glenn Innes high school student Nick Ellem when they travelled to Manila to play in the zone three junior qualifying tournament. Ellem was too good for his opponents and won the singles at that event. Camp and Ross then teamed with Ellem and Armidale's Brienna Graham to convincingly win the fours event. Ellem then played with Graham to take out the pairs. I congratulate the Glen Innes high school lawn bowls team of Nick Ellem, Haley Ross and Corey Whittla who have qualified to represent zone three at the combined high school State titles to be played in Blacktown. Watch out Sydney teams because the Glen Innes team is coming for you.

#### **MANDARIN LANGUAGE CLASSES**

**Mr CHRIS MINNS (Kogarah) (16:17):** On 21 April I had the privilege of moderating a discussion with Dr Jane Orton about the challenge of getting more Australian kids to study Mandarin. In 2008 there were 500 non-Chinese background students studying Mandarin; today that number is 400. Despite the fact that China's economy has grown to be one of the biggest, if not the biggest, in the world and our trade and export markets have become larger over that same period, we have gone backwards in one of the most important metrics we have to demonstrate a deeper relationship—that is, the ability to understand this language. Dr Orton identified clear ways to strengthen the number of Mandarin speakers. Primarily the problem is that, due to the complicated nature of the non-phonetic Mandarin language, students who have not been exposed to it from birth are getting crushed by native speakers in the classroom. We urgently need to create a native speaker stream in Australian classrooms.

#### **HOTEL DEFIBRILLATORS**

**Mr ADAM CROUCH (Terrigal) (16:18):** I congratulate bar manager Chris Beath of the Florida Beach Bar at Terrigal for his quick thinking and fast action that saved the life of Tony Collins. Mr Collins went into sudden cardiac arrest and collapsed at the bar last month. Chris Beath came to his aid with the pub's defibrillator and on the third shock Mr Collins started to breathe again. The Florida Beach Bar, located at Terrigal's Crowne Plaza, is one of the few pubs with a defibrillator on the Central Coast. Thankfully, Tony Collins has made a full recovery after being rushed to hospital, where he was fitted with an internal defibrillator. I call on all pubs on the Central Coast to take up this life-saving device.

#### **MYALL LAKES ATHLETES**

**Mr STEPHEN BROMHEAD (Myall Lakes) (16:18):** I congratulate two outstanding athletes in the electorate of Myall Lakes, waterskiing brother and sister Kye and Makayla Cornall of Cundletown, as they prepare for the world barefoot championships to be held in Wisconsin in August. Makayla is 14 years of age and Kye is 18 years of age. Kye skied for Australia in the junior boys division at the last world titles held in Victoria two years ago. Makayla started skiing competitively four years ago while Kye has been skiing since he could walk. Greg Adams coaches the siblings. They do the majority of their training on the Dawson River at Cundletown. I congratulate them both and wish them the best in the upcoming world championships.

### COUNTERPOINT COMMUNITY SERVICES

**Mr RON HOENIG (Heffron) (16:19):** I was delighted recently to join Counterpoint Community Services and staff from the wonderful Factory Community Centre to recognise the outstanding contribution made by volunteers in the Waterloo and Redfern local area at the tenth annual volunteer award day. Across our great nation approximately six million Australians volunteer their time in one way or another, making important contributions to their community. The volunteers recognised by Counterpoint Community Services on the day provide invaluable services to the Waterloo Housing Precinct in my electorate.

These range from outreach services for people from non-English speaking backgrounds, which celebrate cultural diversity; outreach and support programs for our local Indigenous groups; volunteers who work with our local elderly; volunteers who provide meals, drug and alcohol support; and so many more. Counterpoint Community Services brought together those volunteers and groups in our local area who give so much of themselves to enrich and contribute to our unique and vibrant local community. I extend my congratulations to those volunteers who received awards on the day, and to Counterpoint Community Services for organising such an important celebration of our volunteers and local culture.

### INNER WEST SPORTS TEAMS

**Ms JO HAYLEN (Summer Hill) (16:20):** I love my local inner west sports teams. Our sports teams are volunteer run. They are diverse and are committed to promoting fun, exercise and teamwork. They make the most of our limited open green spaces and get our kids outdoors. I was proud to host sports teams in my community office last week to recognise their service and to present them with grants under the Local Sport Grant Program. I congratulate Marrickville District Lawn Tennis Club, Newtown Breakaways, River Canoe Club of NSW, Marrickville Cricket Club, Ashfield Bowling Club, Summer Hill Lakers Netball Club, Canterbury and Western Suburbs Cricket Association, Trinity Community Swimming Club, and the Marrickville Football Club. These grants will provide uniforms and equipment, upgrade facilities, and allow clubs to recruit and train umpires, coaches and referees. I particularly congratulate all those sports clubs that are working hard to increase participation, particularly by women and girls, in sport. I look forward to seeing the grants in action in the community.

### LOWER CLARENCE RELAY FOR LIFE

**Mr CHRISTOPHER GULAPTIS (Clarence) (16:21):** I offer my congratulations to the organising committee of the Lower Clarence Relay for Life Masked Ball, which was held recently at the Yamba Golf and Country Club. The efforts of this committee, chaired by Lorraine Breust and consisting of Hannah Brooks, Gayle Doe, Neil Drummond, Debbie Newton, Gaewen Dickenson, Jen McKay, Cathie and David Tees, Wendi Moffit, Meegan Bell, Linda and Phil Verdouw, Stewart and Rhonda Hase, Jane Bysher and Alana Alexander, cannot be underestimated. This year 100 people attended the ball and a total of \$7,650 was raised on the night, with all funds going to the 2017 Lower Clarence Relay for Life event to be held in March next year. The event was ably supported by numerous local businesses and community organisations that saw the benefit in supporting such a worthy cause. The funds from Relay for Life events across the country have resulted in more than 61,000 Australian lives being saved over the past 20 years. A huge congratulations on a wonderful event.

### FREE WEST PAPUA CAMPAIGN

**Mr PAUL LYNCH (Liverpool) (16:22):** I recognise an event held on 23 May at the Hilda Davis Centre in Liverpool. Organised by the Free West Papua Campaign, the event featured a speech by Benny Wenda, a leader of the West Papuan people and of the West Papua freedom campaign. Benny grew up in the highlands of West Papua. His village was bombed by Indonesian military when he was young and many of his family were killed. He was subsequently arrested, imprisoned and tortured. He later escaped and is now based in England. Many of his family and friends in West Papua have been tortured and killed. Benny was in Liverpool as part of a speaking tour of Australia. West Papua declared independence on 1 December 1961 but was subsequently invaded by Indonesia. In 1969 a sham Act of Free Choice was orchestrated to provide a fig leaf for West Papua joining Indonesia. The option of "one person, one vote" was rejected by Indonesia. It was a pleasure to hear Benny speak at Liverpool and to get his perspective on West Papua.

### ASSOCIATION OF INDEPENDENT RETIREES

**Mr MARK COURE (Oatley) (16:23):** On Friday 20 May I had the pleasure of welcoming the Treasurer to my electorate to address members of the Association of Independent Retirees [AIR] group. The Association of Independent Retirees represents partly and fully self-funded retirees as well as those who are about to retire. It has 69 branches across Australia. The meeting between the Treasurer and the AIR was held at Grandviews Bowling Club in Peakhurst and offered members the opportunity to give feedback and advice to the Treasurer regarding the New South Wales economy and the delivery of services. Of particular interest to the group was the

redevelopment of St George Hospital, including the emergency department and acute services building; the importance of accessible public transport; and the Government's plan to manage traffic congestion. I thank the AIR for extending an invitation to the Treasurer and to me to address the group. I appreciate their experience and insight and wish them all the very best for the future.

#### **CESSNOCK PCYC ATHLETES**

**Mr CLAYTON BARR (Cessnock) (15:24):** Pride is flowing from my pores because I can report to the House the success of five young people from my electorate over the past 48 hours in Melbourne. They have been competing in the National Gymnastics Championships in the trampoline events. I congratulate Kaila, Isla, Mali, Aubrey and Jack. Jack won gold in the under 17 synchronised event and in the under 17 individual event; Isla won gold in the under 13 synchronised event and in the individual event; Mali won gold in the under-13 synchronised event; and Kaila won gold in the under 11 individual event. Aubrey also did well. These kids from Cessnock have performed on the national stage and smashed it by bringing home gold medals. Go you good things!

#### **ILLAWONG ATHLETICS CLUB COACH MICHAEL DOOLEY**

**Ms ELENI PETINOS (Miranda) (16:25):** I congratulate Michael Dooley on his achievements as director of coaching at Illawong Athletics Club. When Michael's daughter began training under Illawong Athletics esteemed coach Max Wilkinson, he was given the opportunity to observe coaching techniques and to learn how to put together training programs for young athletes. Ten years later he has played a paramount role in the success of athletes under his charge, including two young women who are competing in the International Association of Athletics Federations World Under-20s Championships in Poland next month. Michael also co-coaches Ella Nelson, who came first in the 200-metre sprint at the Australian Junior Championships in Perth, and will be heading to Rio for the Olympics. Michael is hoping to be by her side, supporting her as her coach.

While he is retired, Michael is still working hard and putting more than 50 hours a week into his coaching duties. Under his guidance, the Illawong Athletics Club has become one of the most respected clubs in Sydney. Athletes come away with a gold medal, but coaches are often not acknowledged for their hard work. Michael is humble about his achievements. It is this kind of selfless work that makes our shire the best place to live and it embodies the Australian spirit of giving back.

#### **CHARLESTOWN AUSTRALIA'S BIGGEST MORNING TEA**

**Ms JODIE HARRISON (Charlestown) (16:26):** Last Friday many of my Charlestown constituents and I got together for Australia's Biggest Morning Tea to raise more than \$500 for the Cancer Council. We were lucky to be joined by guest speaker Dr Soozy Smith, chief executive officer of the Australia and New Zealand Breast Cancer Trials Group, which is one of the most successful, respected and longest-established breast cancer research groups in the world. For more than 35 years this organisation has conducted the highest-quality clinical trials and research into the treatment, prevention and cure of breast cancer with a mission to eradicate all suffering from the disease. Dr Smith—or "Soozy" as she prefers to be known—provided insight into and compelling information about her research. It is great to know that we have such intelligent and capable people working hard literally to save lives. I thank everyone who made donations and attended. I extend special thanks to Windale Men's Shed for its strong presence.

#### **PASQUALE AND ALBA MARASCO SEVENTIETH WEDDING ANNIVERSARY**

**Mr CHRIS PATTERSON (Camden) (16:27):** I acknowledge two outstanding people in my community, Pasquale and Alba Marasco, who are still in love after seven decades of marriage. Alba and Pasquale are wonderful people; I cannot speak highly enough of them. Alba is always dropping in to my electorate with knitted scarves, mittens and so on. Her generosity overwhelms me. Congratulations to Alba and Pasquale on their wonderful 70 years of marriage. I look forward to celebrating more anniversaries with them.

#### **CABRAMATTA HIGH SCHOOL**

**Mr NICK LALICH (Cabramatta) (16:28):** I acknowledge the achievements of the wonderful students, staff and teachers of Cabramatta High School. Despite being located in a low socio-economic suburb, Cabramatta High School has outperformed many schools—and the results show. The school was one of the best performers based on National Assessment Program—Literacy and Numeracy results between 2013 and 2015, and it recently received coverage for its outstanding academic results in maths and science. Cabramatta High School is a great example of a school where students from all backgrounds strive to do their best. I commend the initiatives that the school has implemented, such as using Gonski funding to set up a homework centre with free tutoring from teachers and university students to provide after-school sessions to assist students who may be struggling with

maths. I take this opportunity to recognise the brilliant staff and principal Beth Godwin for their hard work in making Cabramatta High School the great place it is.

#### **CAMP QUALITY**

**Mr MARK COURE (Oatley) (16:29):** I acknowledge the work of Camp Quality and the many people and organisations that support this important cause. I recently attended a fundraising function at the Museum of Contemporary Art hosted by Sarraf Strata. Sarraf Strata is located in Hurstville and has chosen to support Camp Quality to assist and enable it to continue its vital work for children and young people living with cancer. Camp Quality relies on donations to provide hope and to care for some of our youngest cancer patients. At the heart of Camp Quality are the needs of children and young people, including the need for them to laugh and participate in normal childhood activities. I congratulate Norman Sarraf for donating approximately \$850,000 to Camp Quality, and encourage other organisations and businesses to support this worthwhile cause.

#### **SYDNEY FRIENDS OF MYALL CREEK MASSACRE MEMORIAL**

**Mr PAUL LYNCH (Liverpool) (16:29):** I draw the attention of the House to an event that occurred in this building on 12 May. The meeting was convened by Sydney Friends of Myall Creek Massacre Memorial. The theme of the meeting was "Australia's Unfinished Nationhood—The path to our future passes through the pain of the past". The focus of the event was to bring together frontier massacre memorial groups and those concerned with addressing the truth about Australia's past and the denial of Australia's frontier wars. The event saw a number of interesting contributions from a diverse range of speakers. It also saw the distribution of a newly published booklet listing many of the massacres, clashes and incidents that were part of the wars. This event and these issues are important. To quote Henry Reynolds, "Those who accuse us of wearing black armbands are themselves wearing white blindfolds." I particularly acknowledge the role of Graeme Cordiner in organising the event.

#### **PICTON MAGPIES JUNIOR RUGBY LEAGUE FOOTBALL CLUB**

**Mr JAI ROWELL (Wollondilly) (16:30):** I extend warm congratulations to the players from Picton Magpies Junior Rugby League Football Club on their performances in the group 6 rugby league competition in 2015, and wish them all the best for this year. Last year six of nine teams made it through to the grand final, where the under 11-B team won the grand final, 34 points to 12, against the Mittagong Lions. Congratulations to Ethan Cruickshank for being named player of the day. I also extend my congratulations to Alec Rochaix and Harrison Nairn on being named player of the year in the under 10-As and the under 12-As respectively. I thank all the parents and coaches who dedicate their time to making this team such an amazing success. I also thank Picton Magpies Junior President Scott Lawson, Senior Vice-President Brian Statham, Junior Vice-President Charlie McCoskery and the other dedicated members of the committee.

#### *Committees*

#### **COMMITTEE ON THE OMBUDSMAN, THE POLICE INTEGRITY COMMISSION AND THE CRIME COMMISSION**

##### **Reference**

**TEMPORARY SPEAKER (Mr Bruce Notley-Smith):** I report the following message from the Legislative Council:

Madam SPEAKER

The Legislative Council desires to inform the Legislative Assembly that having considered the Legislative Assembly's message of 1 June 2016, regarding the Committee on the Ombudsman, the Police Integrity Commission and the Crime Commission, it has this day agreed to the following resolution:

That this House refers:

- (a) the statutory review of the Public Interest Disclosures Act 1994 under section 32 of that Act; and
- (b) the Public Interest Disclosures Steering Committee's *Review of the Commonwealth Public Interest Disclosure Legislation* dated January 2014, for consideration as part of that statutory review,

to the Committee on the Ombudsman, the Police Integrity Commission and the Crime Commission.

Legislative Council  
2 June 2016

SHAYNE MALLARD  
Deputy President



*Petitions***WOODFORD RAILWAY STATION****Discussion**

**Ms TRISH DOYLE (Blue Mountains) (16:32):** We are here today to debate easy access at railway stations, in particular at Woodford in my electorate of Blue Mountains. I have spoken on this issue a number of times in the past 12 months, and I am thrilled to acknowledge the achievement of activists from my electorate—who are in the gallery today—in gathering well over 10,000 signatures for their petition. They have brought another 85 signatures with them today. I pay particular tribute to Erzsi Gimes, Melinda Kelsey, Vangie Moller Elliott, Edris Moller, Ron Bromley, Ian McMillan, and Peter Cork, although many others have also been involved. These are the names of the people behind the Woodford Railway Access Action Group [WRAAG] who have been lobbying the Minister for Transport, the Hon. Andrew Constance, and his department for a long time. They have pursued access upgrades to their railway station, but have been rebuffed by this Government at every turn. A WRAAG petition I tabled last year with more than 1,500 signatures was replied to by the Minister with a form letter boasting about all the money and effort he was putting in to upgrade railways stations elsewhere in New South Wales.

The Minister's response offered no hope and no information to these constituents who are facing a daily struggle to use essential, basic public transport. Indeed, the Liberal Government is very good at sending its politicians into this place to boast of upgrades to railway stations in their electorates. The member for Oatley tried to have me shut down when I was last on my feet talking about Woodford station because it was a distraction from his attempt to use the Parliament's processes to congratulate the Baird Government on pork-barrelling in safe Liberal seats. Sadly, that is the political approach the Liberals choose to adopt day in and day out in this place as well as in the community and in the media. They will ignore or downplay the concerns of vulnerable citizens on the one hand and manipulate parliamentary processes to run a public relations job for their own members on the other hand. They are tricky, they are slippery and they are dishonest. They are mean.

Currently on the Blue Mountains line there is no easy access station between Katoomba and Springwood. This is a distance by road of 30 kilometres—the distance between, say, Town Hall and Hornsby. That is the distance through the Blue Mountains that people need to travel by car or taxi to reach a train station that has disability accessible platforms. This is what the WRAAG activists in the gallery today are up against. They need to be able to go shopping, visit friends, family or the doctor, or even get to work, but they are excluded from these essential activities by a public transport system that is not designed for them. The Mid Mountains communities of Woodford, Hazelbrook, Lawson, Linden and Bullaburra are all many kilometres from those accessible stations in Katoomba and Springwood. The Mid Mountains needs an accessible station. Woodford residents need access to an accessible station.

Under the Commonwealth Government's Disability Standards for Accessible Public Transport Guidelines, Sydney and New South Wales trains must provide wheelchair accessibility to at least 245 of the train stations on the network. So far only 40 per cent of the 307 stations on the network have lifts or ramps installed—that is only 123 stations with easy access. There is simply no way that this Government will meet the deadline of 245 stations by 2017. The Government is not even halfway there. The Government needs to stop wasting time, stop backslapping itself and get on with it. Get on with upgrading our stations and start on the job of improving public transport; stop trying to privatise our services and cut back on government spending in these essential areas.

The message to the Minister today—if he is interested—from the 10,000 signatories could not be clearer. The people of the Blue Mountains, the village of Woodford and the members of the Woodford Railway Access Action Group assembled today in the gallery deserve better than the hand wringing and excuse making he has given them so far. Get on with the job, Minister Constance, or get out of the way. Give Woodford an upgrade and give the people of the Blue Mountains a modern, reliable and affordable public transport system.

**TEMPORARY SPEAKER (Mr Lee Evans):** Order! The member for Strathfield will come to order. I remind her that she is on three calls to order. The member for Swansea, the member for Port Stephens and the member for Bankstown are also on three calls to order.

**Dr Hugh McDermott:** So I am not on that list?

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

**Dr Hugh McDermott:** That disgraceful individual on the other side should be called to order.

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

**Mr JOHN SIDOTI (Drummoyne) (16:38):** I thank the member for Blue Mountains for her advocacy. That is what good members do—they represent their constituents. I also thank all those in the gallery who have taken the time to be here and are respectfully seeking some action on an issue that is important to their community—as I guess it is to communities throughout the State. I have had the benefit of being in this place since 2011, before the members opposite were elected—except for the member for Cabramatta—and I have heard a lot of criticism in that time. Without making this issue political, I say to those in the gallery that every day that goes past is a day too many for issues like this not to be resolved. But I also say to them that at every opportunity their representatives in this place opposed every savings measure—whether it be privatisation, leasing, resale of assets or recycling assets. Such initiatives actually raise money. Yet Labor members come into this place and say to us, "Spend all that money you have saved here, here and here in our electorates."

The New South Wales Government recognises the importance of delivering high-quality transport infrastructure to all customers, including those with a disability or limited mobility and parents with prams. I know that for a fact. As I said, there are similar issues in my electorate. I have stood alongside the member for Strathfield to try to get an easy access program approved in North Strathfield. This should not be a political issue and it should not be about pointscore. Coming into the Chamber and saying, "We want it right here, right now," is just not going to cut it. It is not a process on which one pork-barrel. The Labor Party knows about that—it did it really well when it was in government.

There is a process of prioritisation that considers patronage and so forth. In an ideal world every station would be done yesterday, but that is not possible. The Transport Access Program included more than \$770 million over four years. On 23 June 2015 the Government announced a significant boost to the Transport Access Program, with \$890 million to be invested over the next four years on station upgrades and more commuter car parks. The member for Cabramatta knows this very well because I was in his neck of the woods—and I have been to the Blue Mountains. It is a beautiful part of the world. The member can thank me later for the car park that we upgraded in Cabramatta.

**Mr Nick Lalich:** We thank you for that.

**Mr JOHN SIDOTI:** Thank you very much. And there are access ramps there as well, which is fantastic. Since the Transport Access Program was launched in April 2012, more than 450 projects are underway or have been completed. I urge the member for Blue Mountains to keep advocating for her community in an articulate way and to keep the Government informed—

**Dr Hugh McDermott:** That is what today is about, John. Give them a lift.

**Mr JOHN SIDOTI:** Fantastic. I can tell members that Wentworth Falls in the member's electorate is under construction. She forgot to mention that. Leura is in the design phase, but of course she forgot to mention that. She ought to be a little more complimentary, because she will have a hell of a lot more chance of getting her upgrade under this Government than she would have had under Labor. The members opposite were not in Parliament prior to 2011; there were only those poor members who had been here for years on end. The Transport Access Program is one way in which the Government is working to improve access to transport and increase compliance with the Federal Disability Discrimination Act and accompanying disability standards. Since March 2011, 31 stations have become wheelchair accessible. Accessibility improvements through the Transport Access Program have been made at 18 locations. As at May 2016 the Transport Access Program is working on easy access projects at 22 stations to improve wheelchair accessibility and 11 projects are under construction at Arncliffe, Broadmeadow, Croydon, Flemington, Heathcote, Marrickville, Museum, Oatley, Pendle Hill, Wentworth Falls and Wentworthville.

I mentioned Flemington and Croydon for the sake of the member for Strathfield because they were lobbied for by the previous member. She is now the beneficiary of all the hard work done by the previous member. Congratulations. She can take all the credit. That is fantastic and I am very happy for the people of Croydon and Flemington. There are nine projects in detailed design at Berala, Harris Park, Homebush—another one I mention for the benefit of the member for Strathfield—Jannali, Leura, Narwee, Panania, Toongabbie and Victoria Street. There are two projects in planning at Edgecliff and Rooty Hill stations. Those projects are being delivered by this Government. I again thank all those who have gone out of their way to be in the gallery today.

**Ms JODI McKAY (Strathfield) (16:44):** I thank the member for Blue Mountains for bringing this petition to the House, and I also pay tribute to those dedicated community members of the Woodford Railway Access Action Group who are in the public gallery today. I say well done to all of them. It is not an easy task to gather 10,000 signatures, but this is an issue that has galvanised the community. As the member for Blue Mountains has told this House numerous times, Woodford station is one of the most difficult stations to access in the Blue Mountains. It presents enormous difficulties particularly for the elderly, those with a disability, parents with children in a pram or those carrying luggage and other heavy items. In advocating for what is commonly

known as an "easy-access upgrade" for this station, the member for Blue Mountains has told this place previously about the unique geography of her electorate. In August last year she said:

As a series of small towns and villages along a ridge line, we are spread out, and our streets are often steep and winding. Bus services are sporadic, especially on weekends. For these reasons, it is not good enough to tell locals to make their own way to the next nearest station with an accessible platform.

The member's advocacy on this issue in this place has been unrelenting. While the lack of access to the station is a terrible burden for residents, it also impacts on the movement of tourists. We all know how important the Blue Mountains area is for tourism in this State. I was recently in the Blue Mountains and I saw many road and transport issues. Getting action on these issues requires community support, and that is exactly what has happened on this issue. This will require community action, because a Government Information (Public Access) Act [GIPA] request for information on train station upgrades last year revealed there are no plans to upgrade Woodford station. That same freedom of information request revealed that less than half of the train stations in New South Wales are wheelchair accessible, which leaves thousands of disabled commuters, elderly passengers and travelling parents in the lurch right across the State. The documents show the Baird Government has no plans to upgrade 131 out of 162 stations which are not currently wheelchair accessible.

As the member for Drummoyne said, in my community we have North Strathfield station, which is also not seen as a priority for an easy-access upgrade. This is an area that has been identified for massive population growth. I thank the member for Drummoyne for his support in lobbying for an easy-access upgrade there. But what does it say when the Parliamentary Secretary cannot even get an easy-access upgrade? It says a whole lot about the priorities of the Baird Government. Every commuter deserves to have access to the New South Wales rail network. At the rate the Baird Government is going, it will take 25 years to provide wheelchair access to the rest of the network. In signing this petition, local residents have sent a powerful message to the Minister—that is, make Woodford station a priority in the upgrade of New South Wales train stations. We support them.

**Mr DAMIEN TUDEHOPE (Epping) (16:47):** I also welcome the petitioners from Woodford to the public gallery of this Chamber today. I congratulate them on making the journey here. This is an important issue. It is not a party political issue. The member for Blue Mountains sought to assert that prejudice was being shown against her by virtue of the politics relating to the delivery of the Transport Access Program. I represent the electorate of Epping. I have been lobbying since I became the member for Epping, just as my predecessor lobbied when he was the member for Epping, for the delivery of lifts at Beecroft station. In fact I had a constituent recently say to me that if I could deliver a lift for Beecroft station I would be the member for Epping forever.

So this is not a party political issue; it is something that the Government is doing to improve and update stations in accordance with a list of priorities as they come to hand. I have a few observations to make. The Government is committed to improving public transport services and providing a world-class transport system, and that is evident by the delivery of the Sydney Metro Northwest, which will go from Rouse Hill through to Bankstown. It will be a world-class train line. In 2012 the New South Wales Government announced the Transport Access Program. It is being delivered by the Baird-Grant Government; it was not delivered by the Labor Government. It is delivering accessible, modern, secure and integrated transport infrastructure where it is needed most.

This includes station upgrades, better interchanges, ferry wharf upgrades and commuter car parks. Since the Transport Access Program was launched in April 2012, more than 250 projects have got underway or have been completed, and not only to lifts and ramps. In May 2013 the Government announced the delivery of a major accessibility upgrade at Wentworth Falls station. The upgrade, which is in construction, includes installation of three new lifts, canopies along the existing footbridge, stairs and entrance areas, an upgrade of station platform buildings, and commuter car parking improvements, including accessible parking on both sides of the station. This station is in the electorate of the member for Blue Mountains. The Government is also committed to delivering a major accessibility upgrade at Leura station. The project is currently in detailed design. The Government is committed to delivering station upgrades and Woodford will be included, because the Government is required to do it. I urge members of the community to stay with the program because I am confident that it will be delivered.

**TEMPORARY SPEAKER (Mr Lee Evans):** Discussion on the 10,000 signature petition having concluded, private members' statements will now be proceeded with.

*Private Members' Statements*

**HOLROYD CITY COUNCIL**

**Dr HUGH McDERMOTT (Prospect) (16:51):** I wish to speak about the recently dismissed Holroyd City Council. I will not be overly political because I will talk about the great work that the Holroyd City Council has done over 144 years. Though Labor has committed to overturn and reverse the decisions of the State

Government to force councils to merge, we do not know what will happen to Holroyd in the future. As a resident of Holroyd, I acknowledge the 12 Labor, Liberal and Independent councillors who have been dismissed. They represented more than four wards.

Holroyd City Council was without debt when it was dismissed. It had some of the highest investments in child care of any council in New South Wales. Within the past 12 months, more than 10,000 students visited the Holroyd City Council libraries, nearly 6,000 books were read in the Premier's Reading Challenge, 50 works of art were selected to be publicly displayed in the council's chambers, more than \$1 billion worth of development applications were lodged for approximately 1,000 proposals within Holroyd, and 300 students attended the Sustainability Schools Expo.

In administration, more than 1,000 incidents of illegal dumping were investigated, 7,000 tonnes of recycling was processed, 7,000 tonnes of asbestos was collected, approximately 86,000 phone calls were taken by customer service—most of which were dealt with in 70 seconds—and more than 26,000 in-person inquiries were handled. It shows its strong commitment to easy, effective local representation that has been a characteristic of the Holroyd City Council for the past 144 years. Local representation was the reason Holroyd was founded in the first place. It is why it has done well and why it is supported by the people of Holroyd.

The history of Holroyd shows that it resulted from locals petitioning the Colonial Secretary in 1872. It became the municipality of Prospect and Sherwood, named after Prospect Hill and the Sherwood Scrubs estate. They still exist under different names. The first mayor was Arthur Todd Holroyd and eventually the council area was named after him. Interestingly, Mr Holroyd was also a member of the upper House and the lower House. He was the member for Western Boroughs and from 1861 to 1865 he was the member for Parramatta. There is a long history of this House in the area. Finally, in 1872 the Government gazetted a new municipality that included areas of Parramatta and the Great Western Railway. Local elections were held and six aldermen were elected that year.

Arthur Todd Holroyd was the first mayor. Since 1872 Holroyd has gone on to be a democratic and very effective council. The infrastructure that slowly built in the Holroyd area over the next 144 years was quite amazing. Originally it was a farming area with a significant Aboriginal community within Holroyd. The Aboriginal warrior Pemulwuy is quite famous from the frontier wars in places like Toongabbie and Girraween. Toongabbie was the third settlement after both The Rocks in the city and Parramatta. It is a great shame that all that tradition and history has died since the dismissal of Holroyd City Council.

Since the 1950s there has been a significant amount of immigration into the Holroyd area with people from Malta and Lebanon, and more recently from the Sub-Continent, Sri Lanka and Palestine, and Anglo-Celtics with a real mix of different faiths—Catholic, Muslim, Hindu, Anglican and other denominations. Holroyd shows that multiculturalism has really worked. It is a great shame that Holroyd is now being dismissed. The democracy has gone and we are being forced to amalgamate with the very dysfunctional Auburn City Council. I hope that whatever comes of this amalgamation, the people of Holroyd are represented properly and that the administrator makes sure that Holroyd stays a strong and vibrant community.

### **COFFS HARBOUR CIVIL CONTRACTORS**

**Mr ANDREW FRASER (Coffs Harbour) (16:56):** Civil contractors in my electorate who have been contracting for many years to local government, private city works, private contracts, the Roads and Maritime Services and others recently contacted the Civil Contractors Federation, headed by David Castledine, regarding their concerns about Coffs CityWorks, a private company and division run by the Coffs Harbour City Council. In December 2013 council decided it would move all its work under CityWorks and resolved that the council note the scope of private works previously undertaken by CityWorks and the conclusions of phase one of the commercialisation review and allocate a budget of \$95,000 from the business development reserve 2012-13 as a budget for the next stage of the commercialisation review of CityWorks to enable the development of a detailed business case.

The council also stated the governance protocols are the means by which the general manager of council will maintain corporate governance that ensures best practice strategic direction and risk management as well as accountability of CityWorks, on behalf of council. It also said that the council would appoint members to an oversighting board. Civil contractors and the Civil Contractors Federation have told me that this qango council has been competing against them, that is, the private contractors who pay the rates and own the houses on works within the Coffs Harbour local government area and outside those areas. In fact, CityWorks has been underquoting on those works to the extent that recently a private contractor quoted \$400,000 in round figures, which the council picked up for about \$250,000—a huge discount. The contractors and the federation ask whether the governance procedures of CityWorks are being kept as promised by the council. Do they hold bimonthly meetings? Are they reporting back to council on a bimonthly basis? The answer is no.

Therefore, the councillors on the council do not know what this "firm"—for want of a better word—is doing. There are matters that have shown that this firm is underquoting and is doing works with block grants from State and Federal governments, and that profits are being made from those block grants. I am at a loss to understand how, if the firm gets an \$800,000 block grant from the State or Federal governments, that it can turn a profit of \$200,000. These figures have not been provided to councillors. We need transparency in this process. If this firm of the Coffs Harbour City Council is working in accordance with its governance and in accordance with the stipulations laid down in December 2013, why is it that no-one knows who are the directors of the advisory board and why has nobody seen the profit and loss sheets? Why is it that Coffs Harbour City has not made an open, transparent and honest account to council in relation to this? All we are asking for is transparency.

In correspondence back to the Civil Contractors Federation in part councillors basically said that because of the recommendations and the questions being asked by the Civil Contractors Federation they may have an "antagonistic relationship"—my words not theirs—with the contractors within the area. I am asking the Minister for Local Government and the Office of Local Government to conduct a full investigation into this unit. I want to know whether it is making profits on State and Federal government grants. I want to know why they have not given the councillors reports, as dictated in the original intention put before council in December 2013. I understand that a wad of papers has been received by councillors this week. That is not good enough. I do not want private contractors in the Coffs Harbour local government area affected because they have asked questions or because I have asked questions. I want openness and accountability and I want an investigation carried out into CityWorks—or Civil Works, Coastal Works or whatever it is called.

### MAMBO WETLANDS

**Ms KATE WASHINGTON (Port Stephens) (17:01):** Port Stephens is a place of outstanding natural beauty. The pristine environment is valued by our many visitors and everyone who is privileged to live there. One of the pleasures of living in Port Stephens is having the opportunity to explore less well-known parts in more depth and to discover some of the many hidden gems that make up our region. One such gem that I have recently had the pleasure of discovering is the Mambo Wetlands, an area that has been lovingly cared for by a dedicated and hardworking group of Landcare volunteers over past decades. If people have the opportunity they should visit the Mambo Wetlands and walk through the old-growth forest of ferns, eucalypts and mangroves, discover the koala pathways that stretch through the area and look up to the sea eagle nesting trees. I am told that if one is lucky one might see koalas walking along the beach and licking residual sea salt from the shoreline. This does not happen anywhere else in the world. It is a very special place.

The Mambo Wetlands serve as the lungs of the Port Stephens waterways and feed directly into the Port Stephens Marine Park and the oyster farms of the Port Stephens region. The nexus between the coastal ecosystem of the Tomaree Peninsula and the protected marine zone of Port Stephens is vital for the region's continued growth as a tourist destination and oyster-growing hub of New South Wales. A section of the wetlands has been identified as the last breeding ground for Port Stephens koalas. The site is also home to many other threatened and vulnerable species including the wallum froglet. Historically, the Mambo Wetlands were used by the Maaingal people, a clan of the Worimi tribe. A number of middens are known to be present throughout the wetland, with elevated areas likely to hold high cultural and archaeological value.

Given the enormous contribution this wetland plays in the ecological, economic, cultural and social health of the region, it came as a tremendous shock to local residents when a "for sale" sign was placed on the land overnight. Locals awoke on 6 May to find that this sign had been installed adjacent to a section of the Mambo Wetlands, and that a sale was to be undertaken by the State Government. Investigation ensued and it was revealed that the name on the title is the Minister of Education. We then learned that the sale was to be undertaken by way of an online sale, which would start in less than four weeks time.

This was the first indication the community received that the Government was selling off this sensitive and culturally significant land. For most people, it was the first time anyone knew that the land was not formally part of the wetlands. Within days of this for sale sign being installed, concerned community members organised a rally attended by more than 150 residents. The number of people present on such short notice was testament to the level of care and concern held by many members of our community. Members of the community began contacting other concerned groups and doing their own research about the importance of this site. A petition has already gathered several thousand signatures. That petition was handed to the Minister for Education today.

A community meeting I held at short notice about this matter last week was attended by more than 200 residents. It was standing room only. I must thank the numerous residents who spoke including Worimi elder Carol Ridgeway, Mambo Wetlands Landcare Committee Chair Walter Lamond, local resident and campaigner Eileen Donaldson, oyster farmer Geoff Diemar, Frank Future from EcoNetwork and Simone Aurino from the Hunter Koala Preservation Society. I also thank my colleagues the shadow Minister for Education, Jihad Dib, and the shadow Minister for the Environment and Heritage, Penny Sharpe, who travelled to Port Stephens to attend

the forum at short notice. The Minister for Education and the Minister for the Environment were invited but declined to attend.

Common to the speakers was concern about the future of the site. Everyone recognises the importance of retaining the site in public hands to ensure that the wetlands continue to survive. Prior to the sale the Government received a report from planning consultants City Plan Strategy and Development that identified the land as containing "several endangered and vulnerable flora and fauna species". It also found "approximately 50 per cent of the site consists of core koala habitat." When I questioned the Minister for the Environment about the appropriateness of selling off a known koala habitat his response was:

The presence of endangered or vulnerable flora and fauna species, or koala habitat, does not mean that sale of land is inappropriate.

That begs the question: What does it take for a sale to be considered inappropriate by this Government? Even the usually developer-friendly Port Stephens Council said in its letter to the Minister:

... the sale of the land poses unacceptable risk that development will be progressed that is inconsistent with the local community and the NSW Government environmental values.

The irony is not lost on my community that the Department of Education and Communities is selling land that is currently frequented by school groups to see koalas and learn about our natural environment. It is incumbent on us all to ensure that our precious natural environment is retained for the benefit of future generations. Simone Aurino from the Hunter Koala Preservation Society said at the forum that the site is the only breeding ground left for Port Stephens koalas. If it is developed Port Stephens koalas will become extinct. I again call on the Minister to cancel this sale and preserve the precious Mambo Wetlands before the online auction starts on Monday.

### **CALLALA BEACH TO MYOLA SHARED PATHWAY**

**Ms SHELLEY HANCOCK (South Coast) (17:06):** On 17 May I attended the official opening of stage two of the Callala Beach to Myola Shared Pathway. I was joined by Mayor Joanna Gash, the Hon. Paul Green, Trevor Smith, Greg Westlake, Lesley Oliver, Jill Talbot, Jerrinja Local Aboriginal Land Council Chief Executive Officer Alfred Wellington, Councillor White and Councillor Kearney as well as a large crowd from the community. Efforts to construct the 1.7 kilometre pathway began in February 2014 after concerns were raised regarding the danger posed to cyclists and pedestrians using the narrow roadway to travel between Callala Beach and Myola. With the enthusiasm of the Callala Beach Progress Association driving the initiative—particularly Greg Westlake—an inventive method was devised to personalise and fund the pathway. Residents were encouraged to purchase pavers that could be engraved. The pavers bearing names and personal messages would line the pavement, recording a small part of local history in the cement. To date more than 395 pavers have been sold, contributing \$12,400 to the completion of the pathway, including one from me.

The community's generosity and dedication did not stop there. A group of local residents came together to establish one of the pathway's sub-projects, Pieces in Place. Two groups of high school leavers with mild intellectual disabilities, who were participating in the Transition to Work Program and sponsored by Essential Employment and Training, created and designed four mosaic sails to be placed at the Callala Beach entrance to the pathway. Local artist Jill Talbot worked alongside the young adults to develop and deliver the necessary training and skills. The first group's two sails were made possible by a Regional Arts NSW grant. Shoalhaven High School also assisted in the firing of the clay pieces, as well as another Callala Beach local, artist Lesley Oliver. Lesley worked with the students to create additional colourful mosaic pavers that would border the collections of personalised tiles along the pathway.

The second group created the final two mosaic sails with the help of a grant provided by the Shoalhaven Arts Board. It was at this stage that a third local artist, Gail Fitzgerald, also volunteered her time to help complete the sails. The four sails now stand at the entry point to the pathway affixed to each side of vertical steel structures. They are truly remarkable works of art featuring a total of 42 species from the two surrounding ecosystems—the Bangalay-Banksia Sand Forest of the bay's foreshore and the Swamp Oak Floodplain Forest of Currumbene Creek. The students used clay textural pressings from the surface of bloodwood trees, banksias and scribbly gums, which were then shaped into images to form the foundation of the composition of each panel. Throughout the course the students would meet fortnightly at the Callala Beach Community Hall and gain skills in research, ceramics, tiling, grouting and teamwork.

Furthermore, the sessions allowed the group to develop a strong sense of capability, ownership of their work and to increase their confidence and ability to function within the community while also imbuing the community with an awareness and understanding of the barriers faced by young people with intellectual disabilities. Another local who must be acknowledged for his contribution to the pathway is respected Jerrinja elder and talented Indigenous artist Noel Wellington. Noel's contemporary artworks were commissioned to tell the story of the original custodians of the land and to depict strong symbols for the Jerrinja people. Noel planned designs for the three existing seats along the pathway. He carved and burned them using an Indigenous

tree-scarring method. Noel also will contribute artworks for the gateway structure to be erected at the Myola end of the pathway.

Lastly, thanks must be given to those who have made significant financial contributions to ensure completion of this amazingly unique project. The pathway soon will enter stage three of construction. Stage three will be funded by a council grant of \$50,000 with a contribution from the Culburra Beach Progress Association of \$9,000. The 750 metres of stage two was made possible by an extraordinary \$90,000 grant provided by the Baird-Grant Government. I thank the New South Wales Government for recognising the importance of this project. The 276 metres of stage one was funded by a \$15,000 grant from the Shoalhaven City Council and \$20,000 from the progress association.

All those who attended the many fundraisers and donated also are deserving of our thanks. In addition Ray Green and Lloyd Clarke deserve recognition of their non-monetary but vital contributions to the project. The event was the culmination of so much hard work and the hands-on community spirit of hundreds of South Coast locals. I convey to the House my great pride in the constituents of my electorate and the incredible extent to which they were involved with and responsible for this project. So many invaluable people gave their time and money, and it would prove difficult to mention them all by name this afternoon, but I thank them all for our incredible pathway that so well represents our beautiful area. Thanks to all.

**TEMPORARY SPEAKER (Mr Lee Evans):** I recognise and welcome the presence in the Speaker's gallery of a former Premier of Victoria, Mr John Cain. I also welcome Mr John Watkins, who is a former Deputy Premier of the State.

## **MACLEAY VALLEY CRICKET GROUND**

### **MACLEAY LANDCARE**

**Ms MELINDA PAVEY (Oxley) (17:11):** Mr John Cain was the Premier of Victoria when I was a young girl in Victoria. I do not remember with great fondness the economy of Victoria, but it is lovely to see Mr Cain in the Chamber. The Macleay Valley Cricket Association [MVCA] has received a grant from the New South Wales Government to replace the old wooden sightscreens at South Kempsey oval with something a bit more modern. The \$11,425 grant will provide the screens, and the MVCA will provide the labour—two for the price of one—to complete the job. The new sightscreens will make the ground, that already is considered to be one of the best on the mid North Coast, even more appealing to players. The grant was gladly accepted from the local member last week by the MVCA President, Matt Brennan, the treasurer, Dave Hill and the South Kempsey curator, Troy McKiernan. Mr Hill said the poor condition of the current sightscreens made replacement the only option. Mr Hill is a bit of a wag. He also said:

Well, the white ants have carried off most of them, and the one at the southern end of the ground has more staggers than a sailor on a Saturday night.

Mr McKiernan said the ground already had attracted visiting teams and the improved facilities would only encourage more visitors. He went on to state:

Having a facility of a certain standard means we can host games or tournaments that we could not have in the past.

That means that more people will be visiting the Macleay Valley at weekends. Mr McKiernan went on to state:

When you add in the new highway then Coffs Harbour and Port Macquarie are suddenly so much closer and ...[other] options for competition open up.

We recently hosted a game between two clubs who picked Kempsey as the venue because it was mid-way between the two and a better ground with good facilities will mean more of ... [those types of sporting events] can happen [in the Macleay].

I congratulate and thank very much the members of the Macleay Valley Cricket Association on their hard work and their dedication. They are a great group of people. There are big plans ahead for the Macleay with cricket involving not just men but also women. In the past week I was also delighted to be involved in inspecting some of the work that has been done through the New South Wales Recreational Fishing Trust Fish Habitat Action Grants. This important program is one way to improve the riparian zone for landholders. Fishing clubs and community groups also can access funding to improve fish habitat.

In 2016 the Macleay Landcare was awarded two large grants for two projects, Caring for fish habitat and Farming at Dungay Creek and the Macleay River Landholders Unite to Protect Fish Habitat. Both projects support landholders to protect delicate stream banks from erosion by undertaking weed control, stock fencing, establishing off-stream watering points, revegetation, and strategic erosion and control works. One of those landholders is Barry Lee, who farms beef cattle on his property at Sherwood. We were able to see the benefits that the funding has provided.

When the 2011 floods came roaring through the Macleay, a good 10 or 20 metres of riverbank of Mr Lee's farmland was washed into the river. Mr Lee has been able to restabilise that area with tree trunks from the Pacific Highway redevelopment as well as planting thousands of native bushes on the riverbank. That type of work is important. I know that Mr Lee also has invested extra resources, such as irrigation to help grow the replanted bushes on the riverbank. We have had a fairly dry period, so the irrigation has ensured the success of the investment in the trees and bush. I think he planted more than 1,000 plants.

This funding has helped a farmer to be productive and to protect his land from being washed into the river as well as protecting the fish habitat and ensuring the health of the Macleay River. We are not allowed to talk about it but the fish are back. The bass have returned. That is good news for the Macleay. The Macleay Landcare has been integral in driving this work. I acknowledge the work of Landcare officer Sharon Cunial in particular and the work and experience of the Soil Conservation Service in developing detailed site plans. This commonsense policy is a win-win for farmers and the environment.

### WOMEN IN THE WORKPLACE

**Ms JENNY AITCHISON (Maitland) (17:17):** I acknowledge the presence in the gallery of former Deputy Premier John Watkins. I also acknowledge the presence of former Premier of Victoria John Cain and I particularly welcome him to this place as the former Minister Responsible for Womens Affairs and his leadership in Victoria in these areas. The Federal Minister for Women, Michaelia Cash, recently commented that domestic violence leave provisions for female workers would be a barrier to women getting jobs. The Minister was quoted in the *Sydney Morning Herald* on 27 May as saying:

I think you have to be very careful as a policymaker in saying to businesses, an employee can now take an additional four weeks' leave that you pay for. Do you want to put in a perverse disincentive that "I just won't employ women"?

This has an impact throughout the State of New South Wales, particularly in the electorate of Maitland and other electorates that have experienced an increase in domestic violence of some 33 per cent in the past 12 months. The Minister's comments are a dinosaur attempt to roll back the perception of women in the workplace to the bad old days when employers made assumptions about whether young women would be worth employing before they went off to have a baby. They hark back to workplace attitudes to women from the 1960s, which should remain only in television shows like *Mad Men*.

As someone who owned and operated a business for 17 years in Maitland, I know that women with families who are employed in a supportive working environment make loyal, long-term employees and give back to their employers through increased productivity. The women I employed would talk to me about their plans to have children. By removing the worry from my female employees of having to hide their plans to expand their families in order to protect their employment, as the employer I was able to put in place appropriate plans to support them, their families and my business. But other family events are not so easily planned for.

For example, older workers have carer responsibilities for elderly parents, or may themselves have long-term illnesses that require long periods of time to recover from and come on unexpectedly. These come with little warning and cause more disruption to businesses as they cannot be planned for. Using Ms Cash's comments as a guide, perhaps businesses should stop employing people over 50 because they may have to use carer's leave or sick leave to look after parents or their own health. It is outrageous that we will continue to stereotype people in the workplace. In the case of domestic violence, health and social needs are often exacerbated by shame and low self-esteem. One of the most important benefits that discussion about domestic violence leave has raised has been the need for businesses and organisations to understand there are likely to be victims and perpetrators within their organisations. They can now have meaningful discussion about how best to support employees, and by extension even customers, experiencing domestic violence.

As shadow Minister for Small Business, I have found small businesses in this State to be supportive on a full range of family issues and not harking back to dinosaur attitudes that it is better not to employ women because they might have babies or be bashed and take time off work. Many small businesses are owned by families who understand the pressures that inflexible working arrangements can place on family members. In recent years, businesses have turned their attention to assisting women escaping domestic violence on a community level, and one business in my electorate has donated \$25,000 over five years to a domestic violence service to assist in this important work. It makes sense that business owners who show such compassion in the community would want to provide these supports for their employees.

In most cases, women who experience domestic violence will have already used up personal and sick leave. Domestic violence leave allows for extra time off for medical and counselling appointments, to see police, to get legal advice and attend court, and to find new housing, child care and schooling for children. This leave is designed to support women and help them keep their jobs—a good thing for them and the economy, as domestic violence costs New South Wales \$4.5 billion a year. Labor took a policy to the election of expanding domestic



violence leave for New South Wales public sector employees from five to 10 days per year, non-accumulative, and allowing five extra days of leave a year for a person supporting someone experiencing domestic violence. We all have a role to play in prevention of domestic violence and in the apprehension of offenders, but it is clear to see that the Liberal ideology does not extend to supporting victims. I condemn Minister Cash for her statement.

### ROSEVILLE MEMORIAL CLUB ANZAC COMMEMORATION SERVICE

**Mr ALISTER HENSKENS (Ku-ring-gai) (17:22):** On 17 April 2016 I was honoured to be an invited guest at the annual Sunday Anzac commemoration service at the Roseville Memorial Club. Those present were treated to a thoughtful and touching main address by Miss Olivia Dudley, the vice-captain of Roseville College. Her words proved true to the line from the ode, "We will remember them". Olivia is a credit to her family and her college. She reassured us all that the great sacrifice Australians made between 1914 and 1918—in fact, the sacrifices Australians have made across the globe in pursuit of stability since the Great War—are not forgotten.

Olivia was joined on the day by trumpeter Lauren O'Hara, a year 12 student at Killara High School, who played the *Last Post*, and 14-year-old violinist Andrew Liang, from Ku-ring-gai Creative Arts High School at North Turramurra to whom I was first introduced at the corresponding remembrance ceremony last year. The ceremony was also honoured by the presence of the Roseville Scouts and Cubs via their leader Dee Cleworth. I thank John Whitworth, president of the Roseville Memorial Club, for his invitation.

The recent ceremony is part of a rich historical Ku-ring-gai link extending back to the original Anzacs. In the brilliant second volume of the World War I commemoration by the Ku-ring-gai Historical Society called *Rallying the Troops*, on page 89 there is a touching photograph of a proud father on a chair in his leafy backyard in Wahroonga, his two young sons seated on either side of him. One is in the Australian Infantry uniform of the day, happy and with a pipe in his mouth. His younger brother sits on the grass on the other side of their father and all three are staring at the old-fashioned camera for the family backyard shot taken in circa 1915. The family was the Cardews and the young soldier was called Thullier Lake Cardew. In those times this family scene was one of many thousands played out in every town across Australia as moments were recorded before sons—sometimes two or three in one family—were sent to battle in lands that many of these lads had not heard of prior to their departure.

The contribution quiet Ku-ring-gai and leafy northern Sydney made to that war effort was remarkable. Just a matter of months after that happy family photo was taken, Private Cardew, serial number 2793, would be a casualty of what stands as the bloodiest day in Australia's military history, the Battle of Fromelles. Some, like Private Cardew, had been thrust onto the Western Front forward line just three days after arriving on French soil, with only limited training in Egypt. Twenty-five-year-old Private Cardew of the 54th Battalion was one of the thousands of young Australian men cut down in the trenches or on the dreaded no-man's-land at Fromelles.

The Germans had flooded the trenches with water, leaving the Australian soldiers bogged in thigh-deep mud, effectively sitting ducks for the machine gun fire. Ku-ring-gai lost 10 young men in the 24-hour Battle of Fromelles and dozens more were wounded, but the effect on the then tiny Ku-ring-gai throughout World War I was massive. It is estimated that 1,600 young men with links to Ku-ring-gai served in the Great War. Of an estimated Ku-ring-gai population of 12,000 at the time, the contribution was huge—more than 10 per cent of the population and almost every family was touched by the death or wounding of a member of their family who served in the Great War.

Ku-ring-gai's commitment in the theatres of war was exemplified by the 18th Battalion. The 18th Battalion, after an abbreviated training stint in Egypt, landed at Gallipoli and took on the enemy at Hill 60 on 19 August 1915, suffering heavy casualties. In fact, by January 1916, so heavy were the casualties within the 18th Battalion that almost half its number had been killed or injured. One of those was Private Raymond Smyth from Ku-ring-gai, killed in July 1916 at Villers-Brettonneux in France—one of our first to lose his life in that campaign.

To put a number on Ku-ring-gai's contribution to World War I does not seem right but, to put things into perspective, of the 42 soldiers from Ku-ring-gai who were attached to the 18th Battalion alone, just 30 survived—and when I say "survive" I mean they were alive but they were mentally tortured or incapacitated for the remainder of their lives. Ku-ring-gai's presence in the 18th Battalion was so significant that a decade after the Great War it was renamed the Ku-ring-gai Regiment, and it is recognised and revered to this day by way of the Pozières Cross in St John's Church in Gordon. Pozières in France is proudly a sister city to Ku-ring-gai.

In some battalions to which Ku-ring-gai contributed, the attrition rate was 25 per cent—double that of the Australian Imperial Forces during World War I. I am sure all members in this place will agree that interest in and reverence for our significant war history has not diminished as the years have passed. The fact that the last of

our Great War veterans has now left us has not dampened the fascination, intrigue or respect for those who paved the way for the Australia we have today.

### DOMESTIC VIOLENCE

**Mr ADAM CROUCH (Terrigal) (17:27):** I was shocked by the comments made by the member for Maitland and, unlike her, I congratulate the Hon. Pru Goward, Minister for Prevention of Domestic Violence, on her hard work throughout the State on domestic violence. She has travelled far and wide to talk to victims of domestic violence, including to my own electorate, to give them information and the support to protect themselves and their children from this appalling crime that often occurs inside their own home. Domestic and family violence is an all too common crime in New South Wales. Owing to a lack of reporting by victims, its true prevalence is unknown, but existing statistics show that a significant proportion of Australians, primarily but not exclusively women, suffer violence at the hands of a known partner.

It is difficult to determine exactly how many Australians are affected by domestic and family violence, as studies have shown that as few as 14 per cent of victims report incidents to police. It is astonishing to think that nearly 1.93 million Australians over the age of 15 have experienced violence at the hands of a current or previous partner or by someone who just tells them that they love them. Some individuals who do not report violence live in fear of revenge or are embarrassed about their trauma, but a significant minority simply do not believe that the authorities will be able to understand their circumstances or provide support.

It is disappointing that in New South Wales the rate of domestic violence related assaults rose by 19 per cent between 2009 and 2013. The New South Wales Government is working to change that. The New South Wales Government has announced the statewide rollout of suspect target management plans for high-risk repeat domestic violence offenders, following a successful trial in the St George Local Area Command. These plans are a standardised, coordinated approach to manage repeat offenders and they have been used by the NSW Police Force since 2005 to target offenders of other major crimes including robbery and break and enter crimes.

The identified perpetrators receive regular visits and contact from police to ensure they are complying with any orders such as apprehended domestic violence orders. A zero tolerance policy applies to reoffenders. This program has been implemented in the Brisbane Water Local Area Command [LAC]. The Minister and I met with the Brisbane Water LAC and we were impressed with the programs that it has implemented. The police are calling on the perpetrators without notice and if a breach of any order is detected they are arrested and they appear before the next available court. Two weeks ago Minister Goward attended a luncheon on the Central Coast where she addressed 130 guests on domestic violence and the trauma that victims go through time and again. She explained to the audience that most victims feel they have nowhere to go to escape physical violence or psychological manipulation.

Some victims do not recognise the quiet and controlling behaviours of perpetrators, such as phone calls every hour to check in, the incessant need to know their partners' movements, their spending, their friends and who they are talking to or meeting with. All these things are a form of domestic violence. One does not have to have a black eye to be a domestic violence victim. Minister Goward delivered the Government's message: We need to target offenders to change their attitudes and behaviours, and make a lasting change. The Minister made it clear that when it comes to domestic violence there are no innocent bystanders. The Government's message is clear: There is no place for domestic violence in our community. The Minister's message was well received and the people of the Central Coast appreciated the time that she spent with them.

That evening Minister Goward travelled to Terrigal High School to speak at a forum attended by 55 people. She organised that forum to inform the public about the help and support that is available. Minister Goward did not take the stage but she was happy to walk amongst the people, to sit down with them and to have a one-on-one talk with everyone who attended. The Minister told them that one of the Premier's priorities is to reduce the rate of domestic violence reoffending by 5 per cent by 2019. The Government has announced a \$60 million package to combat domestic and family violence.

I acknowledge the representatives of various organisations and the victims who generously gave of their time to attend the forum. They included Assistant Commissioner Mick Fuller, representatives from Wyong and Gosford police station, representatives from Wyong and Gosford courthouses, the Bungree Aboriginal Association and Wesley Mission, Janet Vickers from Family and Community Services, Laurie Maher from Coast Shelter, and Lucy Wick the Federal Member for Robertson. Former victims also attended, so the forum was attended by people from all over the Central Coast. I sincerely thank the principal of Terrigal High School for making the hall available for this public forum. Sadly, too many people on the Central Coast suffer domestic and family violence at the hands of someone they know and trust.

## SUSTAINABLE LIVING

**Mr CHRISTOPHER GULAPTIS (Clarence) (17:32):** I inform the House of the incredible environmental work that commenced in the Clarence electorate, that has spread across the northern rivers region and that is being telecast around the world. The champions I refer to are Cate McQuillen and Hewey Eustace, better known to residents of the northern rivers region and people across the world as their alter egos, Dirtgirl and Scrapboy. Cate and Hewey live a simple life on a small rural property at Whiporie. They are largely self-sufficient and sustainable and leave a minimal footprint on the environment. Cate and Hewey are musicians and creators and have a passion for the environment.

They moved from Melbourne to the Clarence Valley for a lifestyle change. As successful performers in their own style they performed as Two Pot Screamers for about 15 years before focusing on their passion; teaching people to live sustainably and improving our natural environment. And so they created Dirtgirl. Dirtgirl is an animated character who gets grubby in the garden with friends that include grubs, bugs, chickens and a scarecrow. Her message about growing good food, sustainability and recycling is spread across a number of platforms including mobile device apps for kids to take into the garden, podcasts, videos and recipes. Kids can order seeds to plant, record what they find in the garden with Dirtgirl's digital camera app and join in discussions online by voicing their own avatar. Dirtgirl is an enormous success in educating our kids on how to respect the environment. Whilst it is focused on teaching our children, the message has been picked up by communities across the northern rivers region.

Dirtgirl and Scrapboy are emblazoned on our garbage trucks and so we recognise the importance of recycling and using the right bin for our refuse. We compost and understand that garbage can be reused and when done effectively it is good for our environment. With support from the NSW Environment Protection Authority's Waste Less Recycle More program Compost Rocks! Dirtgirl, also known as Cate and Hewey, has been awarded a \$303,000 New South Wales Government grant for a new project designed to motivate more families in New South Wales to get grubby outside with recycled organics diverted from landfill. Dirtgirl describes the project as follows:

Compost Rocks! will lead this uber-grubby generation of planet-loving preschoolers and their families to love compost and learn all about why it's so important.

The project will involve the establishment of a compost academy to encourage the householder to find multiple uses for compost. The project includes the development of a toolkit for all local councils in New South Wales to distribute free through their environmental and sustainability education programs. It will also create a new 12-month social media campaign led by Dirtgirl and her get grubby co-stars, Scrapboy and Costa the garden gnome. The ABC's resident garden gnome, Costa Georgiadis, is getting down and getting grubby with Dirtgirl.

Last week it was my great pleasure to introduce Dirtgirl and Hewey to the Minister for the Environment, Mark Speakman. We had a tour of the region's new sustainability learning facility at the Grafton regional landfill, provided by the grant money, and saw an impressive presentation of the wonderful environmental work being carried out by Cate and Hewey. Their passion and enthusiasm for educating our communities was boundless and infectious. It is easy to see why kids across the world can relate to them and why we have such wonderful waste reduction programs in the northern rivers region. The Minister was extremely impressed by the work they have done to date and their future plans.

Dirtgirl is a wonderful environment program that has been recognised internationally. *Dirtgirlworld* won an Emmy Award in Cannes in 2013. It has won an Australian Film Industry [AFI] award, been nominated for a British Academy of Film and Television Arts [BAFTA] award and the Japan Prize, as well as winning the Best Kids Song at the 2012 International Songwriting Competition. We in the northern rivers region consider ourselves fortunate to have Cate and Hewey live in our community and we are proud of their achievements.

## LOCAL GOVERNMENT AMALGAMATIONS

**Mr STEPHEN KAMPER (Rockdale) (17:37):** Today I bring to the attention of the House the state of paralysis and chaos we are only just starting to feel in councils across New South Wales. Overnight, hundreds of elected councillors have been told that their democratic mandate is meaningless and that they are to be made redundant in favour of a random government appointee. No other boss in Sydney would be allowed to sack people like this. Everybody else across our State is rightfully expected to give warnings, to give notice, to treat those under them with decency. I do not believe in opposing change where appropriate and I believe that South Wales local government in New South Wales was in need of reform. However, the haphazard way in which this Government has left such large and significant regions of our State without local elected leadership for such a long time is simply reckless.

**Mr Alistair Henskens:** All you do is complain, complain, complain.

**Mr STEPHEN KAMPER:** It is in paralysis, mate. At the moment there is paralysis around Rockdale and St George. In my electorate I am already receiving reports of decisions that previously had been well advanced and were working their way through the bureaucracies of councils. They have been sent back to square one following amalgamation announcements. Sporting fields that were on the point of having synthetic pitches installed, community amenities and facilities on program for renewal, commercial and residential building and development applications ready for commencement are in limbo as a result of this careless regime change. Holding no elections until 2017 means that this dysfunction is set to continue for more than a year in amalgamated councils, with nothing likely to start operating properly for several months now and then yet more delays when councillors are eventually re-elected for these new local government areas to start working again.

Premier Baird is dreaming if he believes that governance structures can instantly re-establish themselves following such drastic upheaval. Members would do well to remember that it took 16 years for the Liberal-Nationals Coalition to become functional again the last time it lost government. It cannot simply reappoint a collection of retirees, former bureaucrats, members of Parliament and the like to replace groups of councillors who held contemporary mandates—people who lived and breathed their communities—and expect to get any sort of decent result.

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

**Mr STEPHEN KAMPER:** Many of the Baird-Grant Government's special purpose administrators have already stated that they will simply be following officers' recommendations in all regards. It is confusing the role of the public service to expect them to set a vision when we know that their role is, by law, to follow process.

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

**Mr STEPHEN KAMPER:** Council officers will be unable to deal with trivialities that elected representatives can dispense with so easily. People will be forced into the Land and Environment Court to deal with every misplaced tree or awning that is slightly off angle.

**TEMPORARY SPEAKER (Mr Adam Marshall):** Order! I call the member for Oatley to order for the third time.

**Mr STEPHEN KAMPER:** He is very loud. The tail will be wagging the dog and it will simply continue to increase the already enormous burden of red tape inherent in our planning processes. The Baird-Grant Government has said time and again that it wishes to drive investment and growth in Sydney and that we need to make housing more affordable. However, the impacts of these poorly planned amalgamations will do the exact opposite. With the removal of elected oversight, the in-trays of local planning departments will be overflowing with unprocessed applications, development applications will be gathering dust and every day the costs that eventually contribute to the price of housing will climb ever upwards. Far too often project managers now wait 30 days after their submission only to receive a response saying that they need to supply more information—a letter that likely could have been sent on day one.

**Mr Alistair Henskens:** That doesn't happen often. Come on, Rocky, you can do better than this.

**Mr STEPHEN KAMPER:** This is true. This is what is happening. The member should listen. Now they do not even have that small comfort or certainty. The effect of this will be to see the hundreds of millions of dollars in investment that the Baird-Grant Government is relying upon to prop up its budget disappear into the never-never. Back when the Premier had some accountability as an investment banker, I am sure he knew that risky investments demand higher returns. As he drives up risk across our State, he will inevitably drive prices up and investment down.

**Mr Mark Coure:** Who wrote this for you?

**Mr STEPHEN KAMPER:** I wrote it myself. If we want affordable housing, we need to make it affordable to build housing. If we want to reform local government, we need to make local democracy function. At a recent event the Mayor of Rockdale, together with fellow councillors, confronted the Premier and said, "Premier, we embraced reform and we got sacked." That is a reasonable statement, but it received no reasonable response.

## TAXATION

**Mr DOMINIC PERROTTET (Hawkesbury—Minister for Finance, Services and Property) (17:42):** I draw the attention of the House to concern about the increasing levels of taxation that have been raised with me by the Hawkesbury community. Higher taxes are destroying the aspirations of Australian families. We

are taxed on our food, our clothes and our fuel. We are taxed when we buy a home, register our cars or shop online. Our income is taxed, our super is taxed, our investments are taxed. We now have one of the highest marginal tax rates in the world. There are more than 125 different taxes across local, State and Federal governments.

We pay gambling tax, goods and services tax, company tax, customs tax, payroll tax and budget repair tax. We must now work for one-third of the year to pay off all these taxes before we even start working for ourselves. However, for some people this is still not enough. They want a carbon tax and a mining tax, a sugar tax and a drinking tax, a housing tax and an inheritance tax. They want to tax us when we drive, when we eat, when we fly and even when we die. Australians are sick and tired of being burdened with heavy taxes. Tax increases are not savings; tax cuts are not concessions. Letting us keep more of our own money is not a handout.

Let me be clear: in a free country, money belongs to those who earn it. Income tax now takes up more of the household budget than most other items. That means we have less freedom to pursue our aspirations. When working families do not have enough money to get out of debt, send their kids to child care or meet their mortgage repayments, it is because of higher taxes. When small business owners do not have enough money to cover their bills, employ more people or invest in expansion, it is because of higher taxes. When older Australians cannot pay their medical expenses, save enough for retirement or pass on much to their children, it is because of higher taxes. All of us are paying too much in tax.

That is why in New South Wales we are busy reducing, removing or rebating taxes, from payroll tax to transfer duties. We have controlled our spending, fixed our budget and made better use of our assets. At the same time we are delivering a \$65 billion infrastructure program that people want and need. As New South Wales Minister for Finance, Services and Property I know all too well the budgetary pressures that governments face. But I also know that the problem is not that people are taxed too little; the problem is that governments spend too much. Taxes are meant to buy us public goods, high-quality services we all need, such as health care that looks after us, national defence to protect us, a school system that educates our children and a safety net that will be there for those who really need it.

Too many governments have forgotten their core mission. Instead, they launch ever bigger programs, where success is measured only by how much has been spent not by what has been achieved. They write blank cheques and dig us deeper into debt. The only way to pay for that is by levying more tax today and more tax on the generations of tomorrow. Some people, consumed by a philosophy of failure and the gospel of envy, claim that higher taxes are all about fairness. But we say it is not fair to be penalised for our success. It is not fair that we are punished for creating jobs, investing wisely or providing for our families. It is not fair that we increasingly have a system that taxes those who work to subsidise those who will not. It is not fair that it will be my generation and those who follow it who will be asked to foot the bill.

Australians are sick and tired of being burdened by heavy taxes. We believe that if we work hard we should keep the fruits of our labour. We believe that, despite the cries of unfairness, Australia is in fact a land of enormous opportunity that is the envy of the world. We believe, as Chifley did, in the right of every man to a fair return for his labour, enterprise and initiative—and for him to keep it. When we allow our governments to increase taxes, we are stifling the optimism that has seen so many Australians stake their claim in our nation's abundant prosperity. That is why I am in favour of cutting taxes under any circumstances—with any excuse, for any reason, whenever it is possible. Low taxes mean growth. Growth means opportunity, and opportunity leads to prosperity. Australians are sick and tired of high taxes destroying their aspirations.

## NSW TRUSTEE AND GUARDIAN

**Mr PAUL LYNCH (Liverpool) (17:47):** I advise the House of concerns expressed to me by one of my constituents, Con Thanopoulos, in relation to the surety bond now required from private managers by the NSW Trustee and Guardian. Private managers are usually parents, children or siblings of someone who is not capable of managing his or her affairs. They are typically appointed by the NSW Civil and Administrative Tribunal or by a court and are subject to administration by the NSW Trustee and Guardian. Mr Thanopoulos, an only child, is the private manager of his father's estate. In April my constituent received a letter from the NSW Trustee and Guardian saying that it was introducing a surety bond for people whose finances are managed by private managers. The letter said:

The surety bond acts as a guarantee to pay for any financial losses suffered by the managed person only if a private manager fails to perform their duties.

This new scheme involves new fees. For estates of more than \$50,000 there will be an ongoing annual premium at the rate of 0.4 per cent on the total value of the estate. The surety company is Aviva Insurance Limited, which is not an Australian licensed or registered entity. It is registered in Perth, Scotland. Allegedly, it was selected by competitive tender. Its Australian agent is Willis Towers Watson. The NSW Trustee and Guardian says:

A Surety Bond is an unconditional guarantee to Aviva to pay as notified by New South Wales Trustee and Guardian (NSWTG) and directed by the NSW Supreme Court (the Court), any financial losses suffered by the Managed Person, up to the amount of the Security specified in the Bond, arising from the failure of a Private Manager to perform their duties.

There was no effective prior warning. Managers were expected to return the signed form within 14 days. The peremptory demand for the return of forms in 14 days seemed unreasonable. It has caused outrage. The Trustee and Guardian [T&G] has since been swamped by complaints and demands for internal reviews. Delays in that will no doubt make a bad situation even worse. Private managers already pay a fee to the Trustee and Guardian and send accounts to them. Managers say that if the Trustee and Guardian were doing their job properly they would be monitoring whether estates are being properly managed—for which they are currently paid fees—and there would then be no need for a surety bond.

There is an important principle at risk here. Court verdicts and settlements are determined on the basis of the calculation of future costs and expenses. The cost of a surety bond will not have been factored into these calculations. It is obviously being retrospectively imposed. Certainly in that respect this is clearly unfair. It also flies in the face of the principle of insurance. Insurance is about risk assessment. There has been no risk assessment here—everyone is facing the same flat fee. Moreover, for a government so enamoured of the marketplace—as Minister Perrottet and the member for Ku-ring-gai have reminded us recently—it is somewhat fascinating that Aviva has simply been given a monopoly and there has been no attempt to allow private managers to obtain their own insurance.

There is also a perverse consequence here. Those estates with private managers who have prudently and efficiently managed an estate's assets and have seen them grow will be punished by greater fees being charged: The more successful the manager, the greater the fee the estate will have to pay. And the fees in some cases would seem to be extreme and exorbitant. I have seen cases where the proposed fee is a one-third of the estate's annual income. Inevitably that will eat into the corpus of the estate. Understandably, private managers regard this as a tax on people with disabilities.

There is a broader issue as well. The Government has simply not made a case for this change. There is no Government claim of a recent dramatic increase in managers failing in their duties. It will in many cases impact on estates whose managers have provided exemplary management and who will never require the bond. They have been managing estates for decades without difficulty. Perversely, T&G presents this as a strategic direction to provide greater support to people under private financial management. The overwhelming bulk of people will not benefit from bonds. They will simply have their estates reduced in size.

The other justification lies in the Government's destruction of the NSW Trustee and Guardian. The Government wishes to move to more private managers—in effect, to privatise T&G or its functions. That increases the risk, so Government logic goes, of defaults by managers and thus there is a need for a surety bond. The introduction of the surety bond is the result of the privatisation of the functions of T&G by this Government. There is of course a further anomaly. Rather than seeking an order from the NSW Civil and Administrative Tribunal, a power of attorney might be obtained. If that were done, then the jurisdiction of the Trustee and Guardian would be avoided. There are then two classes of persons whose affairs are being managed: one paying the bond fee and one not. The only difference is the happenstance of whether they signed a power of attorney before they were overcome by Alzheimer's disease.

I also note that, curiously, none of these issues were dealt with in the recent Independent Pricing and Regulatory Tribunal report on T&G. I would have thought that was the obvious place for it to go. The bond has been introduced peremptorily and with no proper consultation. It has caused immense annoyance amongst a number of people to whom I have spoken including my constituent. The Government needs to address the issues raised by managers and in the comments I have made tonight. The Government really needs to think about this seriously.

### ANZAC CENTENARY SCHOLARSHIP TOUR

**Mr DAVID ELLIOTT (Baulkham Hills—Minister for Corrections, Minister for Emergency Services, and Minister for Veterans Affairs) (17:52):** A well-known social commentator remarked:

The youth now are so indulgent. They have bad manners, contempt for authority; they show disrespect for elders and love chatter in place of exercise.

Some of the silver-haired among us in the Chamber might be nodding quietly in agreement at this insightful if grumpy observation about seemingly new problems in today's young people. But they may be surprised to know that the well-known social commentator who made these remarks was in fact the ancient Athenian philosopher Socrates. I suppose the lesson to take away is that older, wiser members of the community have always been tempted to think a little worse of the younger generation. The same is not true for my impression of the talented

young people who have recently returned from the Anzac Centenary scholarship tour and the leaders that I and so many of my parliamentary colleagues were able to host at the Youth Leadership Breakfast on 11 May.

All six of the 2016 scholars were wonderful ambassadors for our State and Commonwealth. In France at Villers-Bretonneux, His Excellency General the Hon. Sir Peter Cosgrove implored these young custodians of our national heritage to tell their own generation about the sacrifices made by generations past. We must remember that the Anzacs, before they were hardened by war, were probably the same indulgent youth criticised by Socrates, maybe even with bad manners, a characteristically Australian contempt for authority and a preference for a good chinwag. The difference between them and our current crop of future leaders is that leadership and sacrifice were thrust upon them and the luxury of youth taken away a little earlier. Nonetheless, their example has a lasting power to inspire current and future generations.

The program gave these young people an incredible opportunity to gain firsthand knowledge of the contribution made by Anzac soldiers and nurses, and to pass that on to their peers when they return home. I hope that at the end of their scholarships these students will understand that the happiness we now all take for granted is due to the freedom we enjoy; and that freedom has been preserved due to the courage and sacrifice of the Anzacs defending our young democracy. Without my friends at ClubsNSW, in particular Chairman Peter Newell and Chief Executive Officer Anthony Ball, this tour would not have been possible. So I cannot thank them enough for their generosity and support, in particular Anthony Ball. Plans are already underway for the 2017 Premier's Anzac Memorial Scholarship.

I also thank the judges of the competition: the Hon. Natasha Maclaren-Jones, the Hon. Nathan Rees and Major General Warren Glennly of the Castle Hill RSL. This country and this great State are clearly the cradle for a great new generation of civically minded young leaders. I am so pleased to have hosted some of them at this Parliament on 11 May, and so pleased to have hosted the six students who went to the Western Front and Greece. It is incumbent on us, the beneficiaries of the sacrifice of past generations, to teach those same lessons to the next generation. The Anzac spirit is the inheritance owed to our children and the leaders among them. With the benefit of the Anzac example, I think our country's youth are a little less frustrating than old Socrates might have expected.

#### SYDNEY METRO STATIONS

**Mr RON HOENIG (Heffron) (17:56):** Today I call on the New South Wales Government to reconsider the route for the Sydney Metro. As I have indicated in this House previously, I believe Botany Road at Waterloo is the wrong location for the Waterloo metro station. The proposed location is within 10 minutes walk south of Redfern station, 10 minutes walk north of Green Square station and serviced by a number of bus services that run into the central business district [CBD]. Placing the Waterloo metro station on Botany Road has more to do with leveraging the sale of public land for the highest price from developers than meeting the current and future transport needs of the largest urban redevelopment project in Australia's history: Green Square.

If the planned metro station were to be relocated to the area by the Lachlan Precinct, or Crystal and Danks streets in Waterloo the thousands of residents who live off or near Bourke Street would finally have access to adequate public transport options. This would then present an opportunity to extend the Sydney Metro to the Green Square precinct. When complete, the Green Square precinct is expected to be home to more than 70 residents. It will be the densest precinct in the country, with a projected 20,000 people living in each square kilometre of the 278 hectare site.

Failing to provide adequate public transport options to the Green Square site represents a missed opportunity for the Government. In 2014 I called on the Government to include Green Square in the route for the City to East Sydney Light Rail. It did not listen. Earlier this year, the Government's Minister for Transport broke rank with his own party and expressed a need to build a light rail connecting Green Square and the CBD. In February 2016 Infrastructure Australia published the "Infrastructure Priority List", which identified the lack of a rapid transport option for the northern and eastern sections of Green Square, connecting Green Square to the CBD, as a serious gap in public transport infrastructure provision for our city.

Infrastructure Australia argued that increasing bus services in the area would not be an adequate solution because it would only add to road congestion. This was also the finding of the Government's 2012 report on transport management and accessibility for the Green Square precinct. This provides an opportunity for the metro rail to extend further south, to service the ongoing development in the Rosebery precincts, into Mascot and Eastlakes, and potentially the Sydney Airport and Port Botany precincts—mirroring the suggestions in Infrastructure Australia's "Infrastructure Priority List".

The Port Botany-Sydney Airport Precinct together generate more than \$10 billion a year in economic activity. Infrastructure Australia argued that connecting these economic hubs with a rapid public transport system provides opportunity for future economic growth. I am aware of the arguments that a small portion of the area

I am describing is serviced by heavy rail. I am also aware the 2012 Sydney's Rail Future report shows that from Glenfield in Sydney's south-west overcrowding and crush on the train line becomes so severe that by the time it reaches Mascot and Green Square train stations passenger displacement is occurring, meaning people cannot get on the train.

I am of the view that the Government should incorporate an alternative route to the current metro in its development of the business case, which would incorporate stations at the locations I have described in order to determine which route would best service growth and the rapid pace of development across this region before continuing along the rest of the Sydenham corridor. By doing so, the people of New South Wales will once and for all know which proposal represents the best value for money for the residents of Sydney and the taxpayers of New South Wales. If the Minister is interested in seeing the issue firsthand, I would be happy to show him around and discuss the challenges facing the region.

### **BELLEVUE HILL PUBLIC SCHOOL**

**Ms GABRIELLE UPTON (Vaucluse—Attorney General) (18:00):** On Thursday 26 May I visited Bellevue Hill Public School with the New South Wales Minister for Education, Adrian Piccoli, to investigate the site of the \$17 million upgrade of the new four-storey building fronting Birriga Road, which will include a library, canteen and classrooms with flexible learning spaces. Bellevue Hill Public School is in my electorate. It is situated adjacent to Bellevue Park, which overlooks Sydney Harbour to the north and Bondi Beach and the ocean to the east. Hence it has the name Bellevue—good look, good view. The school was first established in 1925 and the existing buildings were then extended in 1929. Many of the buildings are old and unsuited to a large and growing school community. These buildings have been supplemented over time with demountables, which has left few small open spaces for recreation and for the students to play sport. The investment into new facilities is therefore a welcome and important step for young families in my electorate.

On the morning I visited, I was warmly welcomed at the school gate by the school captains and by the wonderful principal, Suzanne Bennett; deputy principal, Janelle Warhurst; president of the school's Parents and Citizens Association, Shelley Borer; past president, Daniela Freed; and a number of the teachers. I shared morning tea with Suzanne, Minister Piccoli and the group before visiting the classrooms to surprise the young students. I was so impressed with the classrooms. I thank year 1 teachers, Ms Alice O'Connor and Mr David Andrews; year 3 teachers, Ms Kara Schembri and Mr Rohan Macpherson; and year 5 teacher, Ms Jillian Mudford, for welcoming us and introducing us to their students. Amongst other important things, Bellevue Hill Public School is unique in that it has dedicated Russian classes as well as Hebrew classes for students to fine-tune their language skills during their early life.

Classrooms have definitely changed a lot since I went to school. Each classroom has a flexible learning space with attractive seating arrangements to help students learn every day in a comfortable, attractive and colourful setting. Importantly, there will be more of these flexible learning spaces in the new building. The new building, to be completed at the end of 2017, will maximise the existing school grounds, adding 27 flexible classrooms, a new outdoor teaching area and more play space. The new classrooms will have moveable walls to provide even greater flexibility for learning, along with wi-fi to enable future technologies to be used by the students.

The upgrade will also mean teachers can use a variety of teaching methods and technologies in catering for whole classes, groups and individual students at various times. Bellevue Hill Public School has a strong focus on information communication technology [ICT] in teaching and on its students accessing the ICT through programs so they can use the technology to promote their learning. The use of iPads, student laptops, tablets, interactive whiteboards, LED interactive screens, blogs and online resources have been used to increase the motivation and engagement of students, as well as to develop their skills for twenty-first century living.

I have a long and enduring relationship with Bellevue Hill Public School which started before I was elected into Parliament as the member for Vaucluse in 2011. In 2012 I delivered on my pre-election commitment for the New South Wales Government to fund and install a new security fence at the school. The school leadership worked long and hard to achieve this outcome with me. I commend them again on their tireless efforts to make that project come to fruition. The fence, proudly installed over a number of years, is located at the junction of two major arterial roads. I am pleased that it now provides extra safety for more than 500 students in attendance at the school each day. Last week when I visited Bellevue Hill Public School with the Minister for Education, Mr Adrian Piccoli, I saw the builders in action and the excavation has already begun to enable a bright new future for this wonderful school in my electorate. I am looking forward to seeing the upgrade come to fruition and then to celebrate with teachers, students and parents once it has been completed next year. I commend my statement to the House.



**CESSNOCK PCYC ATHLETES****WEST WALLSEND BUTTERFLY CAVE**

**Mr CLAYTON BARR (Cessnock) (18:05):** I want to clarify comments I made earlier today in my community recognition statement when I talked about five outstanding young athletes from Cessnock who have gone to the National Gymnastics Championships in Melbourne. I have just received some great news from Melbourne that four of those five young people are returning home with gold medals and the fifth has finished mid-field in Australia. They are five young people from Cessnock who formed part of an elite academy in squat under coach Dzmitry Shostau who made the State team. Five went to the nationals, and four of them will return to Cessnock as national champions.

Dzmitry Shostau is from Belarus by birth and nationality, and we are hoping to change that sometime soon. He travelled through Cessnock with the Moscow circus when we were in the process building a brand new PCYC centre. When he looked at the height of the roof of the gymnastics and trampoline area he thought, "I can coach a world champion here" and he is on his way, just 2½ years after arriving in Cessnock, to coaching a world champion because he has already got four Australian champions. I take my hat off to the PCYC, to Dzmitry Shostau and those five young athletes who have been participating in Melbourne.

I also make a final plea to the Treasurer in the lead-up to the budget on behalf of the Aboriginal communities that I have the great privilege to represent. I refer to the Awabakal people and the Butterfly Cave at West Wallsend. I place in the *Hansard* my great appreciation and thanks to various Ministers in this Government—and I say this from Opposition. I refer to various Ministers for the Environment, going back to Minister Parker, and currently Minister Speakman. I also thank Minister Stokes, Minister Williams and former Minister Dominello in Aboriginal Affairs. They have given me every opportunity to make a case to them to have ministerial and departmental involvement to try to find a solution to a problem.

To summarise it as crudely and as simply as I can, the Butterfly Cave that is a sacred Aboriginal site sits inside a broader development of about 400 units in lots and homes. We all understand that our Aboriginal peoples did not construct skyscrapers, buildings, sandstone brick platforms or walkways, but worked within their natural environment. The Butterfly Cave is one such beautiful natural environment. It is a sacred women's site where they went to do women's business. The sacredness of that site has a history that is more than 35,000 years old.

Unfortunately under white fella's laws, white fella's rules and white fella's planning regulations, we simply cannot recognise the significance of this site, or its history, because it is not a built form; it is a natural form. It is a naturally occurring cave in its natural state. But for the people who walked this place 35,000 years ago, who had no capacity to build built structures and built form, the natural environment was the only opportunity to have something like a birthing place, a place of special ceremony and a place of women's business.

This site known as the Butterfly Cave sits in the middle of a 400-lot development at West Wallsend known as the Hammersmith development. The developers got all the approvals according to white fella laws. The Ministers have worked with me as much as they can but we are at a dead end. In three weeks time the Treasurer of this State will hand down a budget. The only option we have to save the Butterfly Cave is to pay the developer fair money for that land in its currently undeveloped form—to buy back 40 blocks of land undeveloped allowing for a profit of about 25 per cent, which is incredibly generous. That would amount to \$50,000 per block and would equate to \$2 million. We can save Butterfly Cave—the Aboriginal heritage and the first women's sacred site in this State—for \$2 million. I beg the Treasurer to find the money in this year's budget for this.

**TEMPORARY SPEAKER (Mr Adam Marshall):** Private members' statements having concluded, and in accordance with the standing and sessional orders, the House now stands adjourned until Tuesday 21 June 2016 at 12 noon.

**The House adjourned at 18:10.**