



**New South Wales**

# **Legislative Assembly**

## **PARLIAMENTARY DEBATES (HANSARD)**

**Fifty-Sixth Parliament  
First Session**

**Wednesday, 3 August 2016**

Authorised by the Parliament of New South Wales



## TABLE OF CONTENTS

Bills .....	1
Local Government Amendment (Governance and Planning) Bill 2016.....	1
Second Reading .....	1
Consideration in Detail .....	17
Third Reading .....	22
Bills .....	23
Fines Amendment (Electronic Penalty Notices) Bill 2016 .....	23
Second Reading .....	23
Third Reading .....	28
Community Recognition Statements .....	28
Meals on Wheels.....	28
Lambton Grocer Store of the Year.....	28
Terrigal Aboriginal Student of the Year .....	28
Campbelltown Hospital Auxiliary .....	28
River Deck Cafe.....	28
Clubgrants Program .....	29
Killara High School Volleyball Contenders .....	29
Tribute to Russell Lewis .....	29
Tribute to Steven Matthews .....	29
Tribute to Bill Hall.....	29
Tribute to Jan Thomas .....	30
Macquarie Fields Salvation Army .....	30
Nambucca Valley Red Cross .....	30
Diabetes NSW.....	30
Killcare Gallery of Art.....	31
Newcastle Electorate Olympians .....	31
The Scots School Albury Sesquicentenary .....	31
Hazelbrook Public School Teachers .....	31
Pantomime Production.....	31
Summer Hill Aboriginal Student of the Year .....	31
Kiama High School Student Representative Council .....	32
Spell and Gypsy Collective.....	32
Southern Highlands 2015 Tulip Time.....	32
Gwandalan Lionesses.....	32
Maitland Aboriginal Student of the Year.....	33
Visitors.....	33
Visitors.....	33
Ministerial Statement .....	33
Police Officers Mental Health .....	33
Question Time.....	35

## TABLE OF CONTENTS—*continuing*

Hospital Patient Care and Treatment .....	35
Greyhound Racing Industry Ban .....	35
Hospital Chemotherapy Treatment .....	37
Greyhound Racing Industry Ban .....	37
Cancer Treatment at St Vincent's Hospital .....	38
Dust Diseases Scheme .....	39
Hospital Chemotherapy Treatment .....	40
Aboriginal Languages .....	40
Compulsory Property Acquisition Process .....	41
Research and Innovation Initiatives .....	42
Documents .....	44
Printing of Papers .....	44
Cancer Treatment at St Vincent's Hospital .....	44
Tabling .....	44
Petitions .....	44
Petitions .....	44
Business of the House .....	45
Rio De Janeiro Olympic Games .....	45
Reordering .....	45
Motions Accorded Priority .....	47
Westconnex .....	47
Consideration .....	47
Public Health Services Administration .....	47
Consideration .....	47
Westconnex .....	49
Priority .....	49
Motions .....	52
Centenary of Anzac .....	52
Private Members' Statements .....	58
Hazara Community .....	58
Hornsby Musical Society .....	59
Timber Bridges .....	60
St John Eye Screening and Treatment Program .....	61
NAIDOC Week .....	62
Elder Abuse .....	63
Domestic Violence .....	64
Matter of Public Importance .....	65
Education Week .....	65

# LEGISLATIVE ASSEMBLY

**Wednesday, 3 August 2016**

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

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

*[Notices of motions given.]*

## *Bills*

### **LOCAL GOVERNMENT AMENDMENT (GOVERNANCE AND PLANNING) BILL 2016**

#### **Second Reading**

**Debate resumed from 2 August 2016.**

**Mr JOHN SIDOTI (Drummoyne) (10:13):** I speak in support of the Local Government Amendment (Governance and Planning) Bill 2016. Those opposite have spoken about a number of proposed amendments to this bill. As all members are aware, this Government, since its election in 2011, has brought in many local government reforms. As part of Destination 2036, all local councils came together to come up with long-term plans for the future of local government in this State. Following the examination of many reports, the Government's 2014 response supported the development of a modern, principle-based Local Government Act. We all want good, strong, sustainable local government into the future. This has meant consolidating existing pecuniary interest obligations of local government into the Model Code of Conduct for Councillors.

I remember vividly when I served on council the importance of a code of conduct, and so I support the amendments in this bill and compliment the Minister for Local Government, Paul Toole, and all his staff for bringing this bill before the House. The bill will move the pecuniary interest obligations out of the Act and into the model code of conduct. Councillors will continue to be obliged to comply with the same obligations currently prescribed under the Act in relation to the disclosure and management of pecuniary conflicts of interest. In essence, all that is changing is the instrument by which the standards are prescribed. This change is intended to lift councillors' awareness of these responsibilities by keeping all ethical obligations together in a single statutory instrument.

Currently, councillors must be familiar with their obligations under both the model code of conduct and the pecuniary interest provisions of the Act. The separate regulation of the obligation on councillors to disclose and appropriately manage pecuniary conflicts of interest is a historical anomaly. The distinction arises because the pecuniary interest provisions predated the prescription of a model code of conduct and a disciplinary regime with respect to councillor misconduct. Consolidation of councillors' ethical obligations into a single instrument, the model code of conduct, will highlight and reinforce all councillor ethical obligations and simplify their regulation.

The Government is also developing a new model code of conduct, which will be the subject of extensive consultation. To manage strong ethical obligations of councillors while this occurs, the current pecuniary interest obligations in the Act will be deemed to be part of the existing model code until the new model code of conduct is in place. Councils will continue to be required to refer pecuniary interest breaches by councillors to the Office of Local Government, and the office will continue to investigate breaches under the councillor misconduct provisions of the Act and, where appropriate, refer them to the NSW Civil and Administrative Tribunal [NCAT] for disciplinary action.

The key difference, however, will be that the Chief Executive of the Office of Local Government will now have the option of taking disciplinary action against a councillor for a pecuniary interest obligation breach instead of automatically referring all such matters to NCAT. The tribunal will still have the same powers to take disciplinary action against that councillor if the matter is referred to NCAT. The Local Government Amendment (Governance and Planning) Bill 2016 is essential. All of us in this place want to see strong local government in this State. On both sides of politics there are many members who, prior to coming to this place, have served their communities with distinction in local government.

In this place, we engage in argy-bargy from time to time but, in reality, we all want strong local government. We may differ in our views on how to achieve strong local government, but we all want strong local representation. I believe the only way we can achieve our goal is by passing amendments such as those that are in the bill before us today. When it comes to the model code of conduct, the last thing we want is development

applications, which affect people's lives, seemingly being played with by councillors. Councillors' misbehaviour can affect local development. As we have seen, councils can become dysfunctional as a result of not focusing on the job before them but instead getting caught up in personality, politics and so on.

On this problem and others, the Minister for Local Government has consulted with relevant stakeholders over a long time. In particular, the bill before us contains amendments that are aimed at rectifying much of this behaviour. In order for the regulation of local government to be effective, this Parliament has to pass these amendments. One amendment in this bill reduces the overlap, and therefore confusion, of roles within councils by clarifying the responsibilities of councillors, mayors, administrators and general managers. This is extremely important, particularly in the current phase of councils where there appears to be a void for councils that are under administration and those that are waiting in the wings.

The bill will increase the stability of councils. The way to do this is to increase the minimum term of councillor-elected mayors from one to two years. Often when a new mayor takes his place in council it takes a number of months to settle into the role and protocols; before you know it 12 months is up. A two-year term will create stability within the council. It is important. Having held the position of mayor I can inform the House that it does take time to become used to the role. That stability will add to the smooth functioning of councils. Where there is dysfunction amongst councillors and mayors through infighting the community loses out. If councillors can represent the interests of their community, both those that vote for them and those that do not, through common goals they can achieve great results for the common good.

These common-sense amendments will go a long way towards assisting local government move in the right direction. The overlap between local, State and Federal governments does not help. As an example, when rubbish ends up in the waterway Roads and Maritime Services [RMS] will say it is the responsibility of council due to the lack of street sweeping, council in turn blames the RMS and the community continues to walk around a bay that contains rubbish. This bill will define whose responsibility it is to do what. There should not be buck-passing at any level of government. The solution is to discover who is responsible, finance them and deliver good services.

The bill supports councils in financial distress. Across New South Wales there are councils in precarious financial situations. This bill will identify and rectify some of those problems. It emphasises the importance of councils in a strong system of government by introducing new guided principles for local government. With all the best intentions, unless it is spelt out in black and white there will be an overlap. It is difficult on occasion for both new and experienced councillors to understand their ethical obligations. It is something that took me a long time to understand and in the past those obligations were not spelt out in black and white. At each level of government knowledge of those obligations has improved over time.

One does not want to be in the position of facing a committee when one has done the wrong thing unintentionally. It will improve a council's capacity to deliver for the community and that is ultimately what everybody wants. This is a great bill and it will address some of the problems associated with local government. It is a common sense bill. I commend Minister Toole for tackling this difficult job with distinction. I commend those within his office and the bureaucracy that have contributed to this bill.

**Ms JENNY AITCHISON (Maitland) (10:23):** I speak in opposition to the Local Government Amendment (Governance and Planning) Bill 2016. The Baird Government has promised on numerous occasions both publicly and in this place to reform local government, and in every case and every way it has failed to deliver. The Government has failed the local communities of this State. Within the Hunter there are four councils in stasis and unsure of their future. They are unsure of their future direction or composition and are waiting at the whim of the Minister for Local Government to find out their fate. Developer mayors and brown paper bags containing money have been well documented by the Independent Commission Against Corruption.

Despite the apologies and promises of transparency and democracy all that has emerged is secrecy and disrespect for local communities. The local government reform process in Maitland has been a debacle. An on-and-off merger proposal with the township of Dungog is creating uncertainty as to any future partnership. Innovative ideas for the transformation of a community growing by five people per day have been put aside while amalgamations are finalised. That is too long to wait. The community of Dungog has been shopped around like a spinster at a bachelors and spinsters ball. A partnership was proposed first with Gloucester, then Maitland, then Port Stephens, and back to Maitland—who knows where they will end up at the end of the night. No real attempt has been made to address the backlog of infrastructure projects in the Dungog community.

Dungog will struggle to maintain basic services and growth for its community no matter who it is partnered with. I was recently approached by people from Dungog explaining that they had wished to put forward their views about merger partners to the Minister for Local Government via the member for Upper Hunter, but he refused to present them because he was backing the failed Dungog-Gloucester merger. It is another example of

the failure of democratic representation by this Government for a local community. This bill is heralded as the Government's attempt to transform the sector. What we have seen is an attempt to muzzle elected councillors, a failure to deal adequately with pecuniary interests, and entrenched old boys clubs that have led to a generation of disenfranchised citizens.

I will now look at these matters in detail. Schedule 1 item [30] deals with pecuniary interest. This proposed section empowers the Minister to approve a councillor, including a developer and real estate agent, who has a pecuniary interest in the matter before the council to vote on the matter without it being misconduct. It is done simply to enable a meeting to maintain a quorum. The issue of a quorum is legitimate. Liberal councillors in Newcastle have used this tactic to stymie the business of elected councillors. Labor's solution to the issue of quorums is not to promote an environment conducive to corruption, as proposed by the Government, but to ban real estate agents and property developers from election to councils.

There is a legitimate expectation from the community that this was an intention of Government and its implementation would result in a good outcome. This would largely resolve the quorum issue. A closer reading of the bill indicates that the Government is protecting property developers and real estate agents, who are current or former councillors or administrators, from having complaints made about a failure to disclose pecuniary interests. The bill explicitly removes the NSW Civil and Administrative Tribunal [NCAT] as the sole jurisdiction investigating complaints made about pecuniary interest failures by councillors and administrators. There is now no mechanism for the community to raise alleged pecuniary interest breaches by councillors or administrators. It cannot be raised through the departmental chief executive, NCAT or council itself. Instead, pecuniary interests are dealt with solely through misconduct with no scope for the community to raise a complaint.

I turn now to the state of the environment reports. The report, which is produced every four years, is proposed for deletion under item [42]. The reports inform councillors in critical long-term decision-making where their obligations under proposed section 8A (2) (c) and (d) specify that they should consider the long-term and cumulative effects of actions on future generations and the principles of ecologically sustainable development. My community is under extreme pressure from a rapidly growing population to develop housing and road infrastructure on a floodplain and it is vital that the environmental consequences of all decisions regarding planning and environment take the environment into consideration. That is then combined with a lack of health and education services. That level of planning cannot be done without an adequate, informed, regular, comprehensive and thorough environmental report every four years.

Schedule 1 item [7] will entrench mayors elected from among councillors for two years. What is wrong with having popularly elected mayors for the term of councils? That would provide stability and provide the community with a say in the people who govern them. It is vital for democracy and the stability of councils that mayors are directly elected. When they speak they are directly accountable to the community for what they say, do and, most importantly, what they vote on. The Mayor of Maitland, Mr Peter Blackmore, OAM, has been elected for the last few terms of council and the last two elections have seen him win over 50 per cent of the vote.

Although at times the mayor and I may have differing political views, I must always accept that 50 per cent of our community continues to support him as their representative. He attends many community events and has been a leader in our community for many years. When he speaks, he enjoys the support of the majority of the community. A mayor elected only by councillors cannot be said to speak for the entire community; he or she simply represents the backroom deals and politicking done in local government which disgusts our communities and which they abhor.

I draw the attention of the House to schedule 1 item [8], proposed section 232. If we have councillors, we must ensure that their roles do not call for them to "uphold and represent accurately the policies and decisions of the governing bodies". This clause is against the principles that the Government itself should apply to decision-making by councils. The bill refers to principles that should apply to decision-making by councils and the need for councils to recognise diverse local community needs and interests. It also requires them to consider social justice principles, the long-term and cumulative effects of actions on future generations, and the principles of ecologically sustainable development. It states that councils' decision-making should be transparent and that decision-makers must be accountable for decisions and omissions.

How can councillors do that if they are gagged? This legislation is simply another gag. We have seen this Government gag the community sector in respect of not-for-profit service contracts, and now we see it attempting to gag elected local government representatives. Councillors and mayors are not public servants; they are elected representatives. They may strongly oppose a decision of the majority on the council on behalf of their constituents. To take that right from them is to make them less than citizens in their local communities. Just as I in opposition must scrutinise and check this Government's action, so too must councillors and mayors scrutinise and check their local council's actions. When we find them wanting and when our communities raise concerns,

it is not only our right but also our responsibility as elected representatives to voice those concerns. That right should be extended and entrenched for local councillors.

Just as we should not be advocating for councillors to abrogate their responsibility to advocate for and represent their communities, so should we not allow them to abrogate their responsibility to govern for the people. Items [21], [23], [24] and [25] expand the roles and powers of general managers—unelected public servants—including determining the organisational structure of the council. That it should be the role of the general manager "to advise the mayor and the governing body on the appropriate form of community consultation on the strategic plans, programs, strategies and policies of the council and other matters related to the council" negates the strong relationships that local councillors have with their local communities, and dictates the appropriate forms of community consultation and engagement. This is yet another potential gag. This bill was the Government's opportunity to clean up the excesses of some local government authorities that we have seen in recent times. It also presented an opportunity to clean up our councils and to remove developers and real estate agents from councils. It has failed. I urge members to oppose this bill.

**Mr ANDREW FRASER (Coffs Harbour) (10:33):** I strongly support the Local Government Amendment (Governance and Planning) Bill 2016. I was amazed by some of the comments made by the member for Maitland. In fact, if she read the bill she might realise that it will achieve exactly what she says is required. On a local level, my community has a serious lack of confidence in Coffs Harbour City Council. The bill states that councils should provide strong and effective representation, leadership, planning and decision-making. Recently during the school holidays, Coffs Harbour City Council decided to push ahead with the installation of a set of traffic lights in Harbour Drive at the end of the former mall.

Everyone knew that that would be done even though there were strong objections. The traffic lights were being installed so that Gowings, which is continuing to develop its Coffs Harbour property, would be required to address a drainage problem. The only way that Gowings could be forced to undertake the repair works was to remove a roundabout that worked effectively and efficiently and to replace it with traffic lights. To do that, the level of the road had to be lowered, which would address the drainage problem. Of course, that work would be paid for by the developer. I am not saying that the drainage problem was the council's fault, but its solution sends a clear message to any potential developer in the Coffs Harbour council area that they will be subject to the imposition of extraneous costs that have nothing to do with them.

The proposed traffic lights will create huge traffic jams in Gordon Street, Coffs Harbour, because St Augustine's Primary School is at the other end of the road. At 3 p.m. every school day, mums and dads and school buses turn up to collect the children. I observed the situation for about an hour one afternoon and I believe that the blocking of Albany Street will result in an horrendous traffic jam. The council decided to go ahead with the work after supposedly consulting with the community by putting a temporary road through Pioneer Park. That road was supposed to be opened prior to the installation of traffic lights and the drainage works being done. Did that happen? No, it did not; the work was done in tandem. As a result, Coffs Harbour was effectively divided during the school holiday. To get from one side of the city to the other, motorists had to use the Pacific Highway. I have never seen such a terrible traffic jam in my life. Minister Speakman visited Coffs Harbour one day during the holidays and it took us nine minutes to drive to my electorate office, which is about 500 metres or 600 metres from the Pacific Highway. I was amazed.

The council also informed the general public that the beautiful old gum trees in Pioneer Park would not be removed. When I had an office in Duke Street we would often see koalas in those gum trees. What did the council do? It removed the gum trees, despite its assurances that that would not happen. This council's consultation and planning processes are inept. Shopkeepers in the mall area are going broke. Development projects are underway, including on the old Commonwealth Bank building, but rather than requiring the work to be done at night, the council has allowed it to be done during the day. Coffee shops have had to close their doors and footpath service is no longer offered. The dust, dirt and so on caused by both private developments and roadworks has been terrible. These businesses are on their knees. These are the businesses that pay the rents and the rates by which means the council has an income.

Coastal Works—which was City Works—has been set up by the council to compete with private industry on roadworks and other civil engineering works. According to a memorandum dated December 2013, Coastal Works is required to make bimonthly reports to the council. Those bimonthly reports had never been included in councillors' papers, but they did appear about a week or 10 days after I raised the issue in this place. I commend the Civil Contractors Federation for raising this matter with me and asking the Minister about the way the council has run Coastal Works. It is competing with local businesses. These people are paying rates and doing the work that needs to be done, and I believe that they can compete successfully. Allegations have been made about the council splitting up contracts so that it is not required to call for tenders and so that the work can be given directly to Coastal Works without being subjected to appropriate governance. Governance principles have



been laid down by the council with the support of the general manager, the mayor and others, who are members of the board of Coastal Works. Although I do not know whether that board has ever met, all of a sudden, and belatedly, minutes of meetings have been produced.

I question that. I have asked the Department of Local Government to investigate that and to carry out a probity check on how this is being done. I have received emails and Facebook posts over the past 24 hours from people screaming about the level of increase in their rates, which the Independent Pricing and Regulatory Tribunal [IPART] allowed. The council went to IPART and said it needed a huge rate increase to ensure that it could carry out a backlog of works costing around \$78 million. But—surprise, surprise—when the council did its Fit for the Future report, that \$78 million worth of infrastructure backlog disappeared. I have asked the Department of Local Government and the Minister to investigate the matter because I do not believe the council is being transparent. This legislation provides for transparency. *[Extension of time]*

Part and parcel of this rate increase is that the backlog of works will be cleared, but I do not know whether the backlog exists. I also have questions about profitability. I have been told of one instance where a private contractor quoted \$400,000-odd on a job for Clarence council. Yet Coffs Harbour City Council contractor Coastal Works won the contract for \$200,000. I ask: Are my rates and those of all residents being used to subsidise the Coastal Works section of council? In that case a contractor did not win a job because council cut the guts out of it. I would like to see the profitability of that particular job. New section 8A (i) of the bill provides:

Councils should be responsible employers and provide a consultative and supportive working environment for the staff.

The staff at Coffs Harbour City Council are leaving in droves. Staff say they are so fed up with the way they are being treated that they intend to wait until they qualify for long service leave, take their long service leave and then resign. To make itself fit for the future the council has sacked staff and not given them the opportunity to reapply for their jobs. Instead, it has employed on lower wages people who have absolutely no idea about the Coffs Harbour local government area—for example, they have no idea where local landmarks are. I will not embarrass the person by naming them, but at a meeting in my office about security cameras an officer did not know the location of a local pub. That planning officer was employed under the Fit for the Future regime.

Public support for Coffs Harbour City Council is at rock bottom. Remaining staff from the old council are waiting for the day they can leave. Qualified and competent staff who were not given the opportunity to reapply for their jobs or who have left their jobs are absolutely disgusted and the community has lost faith in the council. This legislation contains principles of sound management, such as integrated planning reports, and sets out the role of the governing body. In relation to the Coffs Harbour fishing club in Coffs Harbour State Park, councillors claimed they had no knowledge that they were trustees of the State park. Yet Councillor Rhoades—who also happens to be chairman of the Local Government Association—was on the council when it accepted that responsibility from the former Carr Labor Government. At the time I advised him not to take on that responsibility, but at the end of the day he claimed he did not know that the council had responsibility for the Coffs Harbour State Park.

The question I ask in relation to the designated site of the fishing club is: What developer did the council have lined up to take it over? In the end the council threw the decision back to the Minister at the eleventh hour, asking to deal directly with the fishing club. The Minister did not have enough time to authorise that because council had knocked back its previous opportunity as trustee to deal directly with the fishing club. Coffs Harbour councillors view Crown land management as an asset for them and are jacking up rates. They have asked the yacht club to pay to get a commercial valuation of the site that is designated for the club—times are tough there as the port was destroyed in the recent storms—and then to pay commercial rent. The marina has lost 180 customers because most of it is closed temporarily. The slipway is being renovated and the north wall is being reconstructed by the State Government so people can no longer walk across to Muttonbird. The marina has lost its income, yet the council is trying to jack up its rates to a commercial level.

What is the level of commercial rent for a yacht club or a fishing club that is a cooperative? A director of the yacht club came to me some time ago and said, "Your Government is trying to jack up our rent". I told him to go back and have another look at it because the council sets the rent. It so happens that that director was also a councillor. It goes to show the council's disconnect with the people and the legislation. It is high time that a copy of this bill was given to every council in New South Wales, especially to Coffs Harbour City Council, and to all those who propose to stand in the council elections in September so they can read, mark and inwardly digest and understand their roles as councillors.

As I said, the morale of council staff is terrible and the Coffs Harbour community has no faith in the council. The mayor is a friend of mine and I believe she does a good job, but I think she is taking poor advice from the former mayor and the general manager. Some councillors have told me that they do not read the business papers; they just take advice from the directors. Their job as elected councillors is not to take advice from the

directors. Their job as elected councillors, I would suggest, is to question the advice that is given to them by the directors. This legislation will ensure that councillors elected at the next elections will do that.

I could speak for hours on this legislation and give examples across the board in relation to Coffs Harbour City Council. I like the idea that councillors must swear an oath or make an affirmation to their office and their role as a councillor. The legislation dictates the role of the mayor and the governing body. Coffs Harbour City Council should have a good look at this legislation and follow the principles it contains. Councillors who want to be re-elected should read this bill and then go out and talk to constituents. They should assure them that they will not use Crown land as a bank to back up their budget bottom line; they will listen to the people, they will plan properly, they will not destroy the city centre during tourist season and they will act in accordance with the legislation and for the reasons that people elected them in the first place. I commend the bill to the House.

**Ms TANIA MIHAILUK (Bankstown) (10:47):** I make a contribution to debate on the Local Government Amendment (Governance and Planning) Bill 2016. I share the disappointment of Opposition members about the legislation, particularly in light of the fact that I thought this Government would have learnt from some of the machinations of councils, for example, in Auburn, Hurstville and elsewhere, and brought forward a better bill that the wider community could accept.

**Mr Mark Coure:** Let's talk about your track record.

**Ms TANIA MIHAILUK:** I will get to the member for Oatley—I enjoy talking about the member and his role in playing politics in local government—but before I get to that I will raise a couple of brief points. A number of Opposition members have mentioned new section 232. I acknowledge that the shadow Minister for Local Government, the Hon. Peter Primrose, is in the advisors' area and I thank him for giving caucus an astute rundown of the bill. Like other Opposition members, I have concerns about new section 232. Five days prior to the sacking of Bankstown council on 12 May, former councillor Jim Daniel—a loyal Liberal Party member for many years who was suspended after being charged by the Electoral Commission—called an extraordinary meeting. At that meeting he proposed many amendments to local environmental plans. What is concerning is that as a result of his wheeling and dealing he managed to secure a number of rezoning improvements.

**Mr Gareth Ward:** Point of order: I have great affection for the member for Bankstown but I make two points: Standing Order 76 relates to relevance and the business before the House; and the matters to which she refers are before the court and thus are sub judice. I therefore ask that you bring her back to the leave of the bill—for her own good.

**Ms TANIA MIHAILUK:** To the point of order: Firstly, I am not discussing former councillor Jim Daniel's legal case so I object to that point. Secondly, I am bringing the attention of the Chamber to my concern about new section 232—namely, the decisions made at that extraordinary council meeting, which were subsequently made by the majority—

**TEMPORARY SPEAKER (Mr Adam Marshall):** Order! I thank the member for Bankstown. I have heard the point of order. The member's remarks are relevant to the bill and within the leave of the short title of the bill. I will listen closely to the content of her further contribution to the debate.

**Mr Gareth Ward:** Sitting on the fence, Mr Temporary Speaker.

**TEMPORARY SPEAKER (Mr Adam Marshall):** Order! If the member for Kiama wishes to canvass the ruling of the Chair he may do so by way of a formal motion. He will listen in silence to the contribution of the member for Bankstown or he may leave the Chamber.

**Ms TANIA MIHAILUK:** The decisions that were subsequently made by the majority at that extraordinary meeting were deeply offensive to a number of councillors who did not support the rezoning proposed by former councillor Jim Daniel. Under the definition in new section 232, that minority of councillors—who were within their rights to support the broader public interest in opposing the proposed rezoning, which was subsequently passed—would need to uphold and represent accurately the policies and decisions of the governing body and agree to the rezoning that they opposed. For example, land, parks and car parks could be sold off, as happened in Auburn. Under new section 232, the minority of councillors who rightfully opposed those decisions would be forced to uphold them. That is the concern I bring to the attention of the Chamber. I hope the Minister will reconsider that new section and agree with the Opposition's call to delete it from the bill.

I also raise a concern about new section 378. This is the obnoxious proposal that empowers the Minister to allow a councillor, including a developer or a real estate agent—because they are not precluded from running for council—who has a pecuniary interest in matters before council to vote in order to enable the meeting to retain a quorum. I am shocked that the Government has decided to include this new section, particularly in light of the fact that taxpayers' money was spent on a public inquiry into Auburn council relating to the core issue of

councillors not declaring their pecuniary interests and continuing to vote on matters before council that directly benefited them financially. When considering the Local Government and Elections Legislation Amendment (Integrity) Bill 2016, the Minister showcased the strong argument that he was opposed to councillors with a pecuniary interest staying in the room and that they would be fined or suspended should they not declare a pecuniary interest that might benefit them in any way.

I am concerned that this new section, in effect, puts the Minister in a compromising position in that councillors will lobby the Minister to have an opportunity to remain in the room and vote on matters in which they have a direct pecuniary interest. I thought the Minister and the Government would have learned from the Auburn experience and the subsequent public inquiry. It is outrageous that this new section has been included in the bill; it should be deleted. Other proposals in the bill are also concerning. I hope there is an opportunity to consider in detail the amendments that we have foreshadowed, both in this place and in the upper House, and that the Government will reflect on its decisions. In 2012 the Government gave councillors such as Salim Mehajer the opportunity to take advantage of their position. Now the Government has an opportunity to learn from its mistakes and to ensure that people retain faith in a strong local government sector and strong councils in New South Wales. I oppose the bill in its current form.

**Mr MARK COURE (Oatley) (10:56):** It is great to speak in support of the Local Government Act 1993.

**Ms Tanya Mihailuk:** How foolish to speak after me.

**Mr MARK COURE:** Is the member for Bankstown still going? She should have asked for an extension.

**TEMPORARY SPEAKER (Mr Adam Marshall):** Order!

**Mr MARK COURE:** At the rate she is going, Bankstown will be a marginal seat; it is on our hit list. One of the most significant amendments to the Local Government Act since it was introduced by Gerry Peacocke—a good National, coalitionist and local government Minister, who passed away a couple of years ago. I acknowledge his contribution to local government across New South Wales—

**Ms Tanya Mihailuk:** Thankfully he is not hearing this speech.

**Ms Katrina Hodgkinson:** He would enjoy your speech.

**Mr MARK COURE:** I am sure he would. He will be looking down, watching, as we speak. The bill contains most significant amendments to the Local Government Act 1993. I will give nine reasons for amending the legislation and outline what the amendments involve. The bill will increase the stability of councils by extending the minimum term of councillor-elected mayors from one year to two years. I served for eight years on what was Kogarah council and it made no sense to me to elect a mayor every 12 months. I am sure that view is shared by former councillors on both sides of the Chamber.

This bill seeks to extend the term of office from one year to two years, to ensure stability within councils. The member for Drummoyne served as a councillor and mayor of Burwood for many years. He did an outstanding job. As he rightly said earlier today, the minute the mayor is elected, walks into the mayoral office and sets the agenda for the next 12 months, half of his or her time is already gone. This bill seeks to create stability in councils where councillor elected mayors are appointed. The second point of this bill is to reduce overlap and confusion in council roles by clarifying the responsibilities of councillors, mayors, administrators and general managers. Many councils have experienced issues with the roles and responsibilities of mayors and general managers. That has happened at Hurstville City Council and Kogarah City Council in the past. This bill will clarify those roles.

The bill will improve the financial management of councils across New South Wales by making the Auditor-General the auditor of all councils. I note the great work that the new Georges River Council has done in its audit. It will also support councils in financial distress by allowing the appointment of a financial controller from the Office of Local Government. The bill also emphasises the importance of councils in a strong system of government by introducing new guiding principles for local government. It will improve councillor understanding of ethical obligations, including mandating councillor induction. When I was elected to council in 2004 there was little induction. The bill amends that. It will improve the capacity of councillors to deliver for their communities by making the framework for strategic business planning and reporting central to council activities. This will ensure that the long-term plans of council are available for the community to view, comprehend and provide input.

The bill prioritises community engagement by councils to ensure that local voices inform council decisions. It will also streamline council administrative processes and governance, which is really important. Many of the amendments introduced by this bill, which were opposed by members opposite, raise the standard of local government operations. Over the past three or four years we have begun the process of council amalgamations. The aim is to ensure that councils are doing what they should be doing, which is governing for the local community. Unlike the member for Bankstown, I will not provide specific examples, but councils have

in the past lost sight of what they are supposed to be doing and why. This bill raises the standards of governance and clarifies responsibilities. That is really important. It fixes the problems that have occurred in the past. It will ensure that councils that go through the process of amalgamation are able to right historic wrongs.

I will focus on a couple of points in particular. We heard that from the Minister for Local Government that the bill contains a number of necessary measures to support the financial transparency of councils. All councils will be required to establish an internal audit function. I understand that Georges River Council, under administrator John Rayner and general manager Gail Connolly, has already proceeded down that path. The internal audit was a recommendation of the Independent Local Government Review Panel. An internal audit gives a firsthand insight into council performance. It will give councils the opportunity to develop appropriate internal financial governance practices by reference to prescribed principles of sound financial management. The community, councillors and council staff want to ensure that councils are financially viable. The prescribed principles are based on those contained in the Fiscal Responsibility Act and are well understood. Smaller councils will be able to share internal audit committees through their respective regional organisation of councils such as the Western Sydney Regional Organisation of Councils [WSROC], for example, to contain costs.

**Ms Katrina Hodgkinson:** CENTROC, REROC.

**Mr MARK COURE:** Absolutely. A new regulation-making power will offer further flexibility, if required, for smaller councils to adopt more streamlined committee processes. To the members of the Government and the average Joe Blow, these measures are what we would expect councils to be doing anyway. Unfortunately, these measures are opposed by those opposite. The bill also establishes an option for the Minister to appoint a financial controller to councils at financial risk. One would think that would already be in practice, but under Labor it was not. [*Extension of time*]

I thank members for allowing me to speak for another five minutes. These are common-sense amendments. I am trying to understand why Labor opposes them.

**Mr Clayton Barr:** Stick around for the next 10 minutes. You are about to find out.

**Mr MARK COURE:** We have heard a lot already. The power for the Minister to appoint a financial controller would be available where councils have a high risk of becoming financially unstable, but it may be exercised only in the context of the Minister's current powers to issue a performance improvement order. The performance improvement order ensures a clear and transparent process. The intent of the new power is to support councils that are not performing financially to get back on track. It removes the need to dismiss a council that is otherwise operating effectively.

Most importantly, councils will be subject to external oversight by the Auditor-General for general council audits. In making the Auditor-General the auditor for metropolitan councils and country councils, the bill promotes consistency and certainty of financial management practices in local government across the State. The bill also allows for annual reporting to Government of sector-wide trends by the Auditor-General, which will support continuous improvement. Furthermore, the bill empowers the Auditor-General to conduct statewide performance audits of local government, providing further occasions to identify trends and opportunities for improvement across the sector. The bill makes common-sense amendments; they are overdue. I support the bill.

**Mr RON HOENIG (Heffron) (11:08):** The Local Government Amendment (Governance and Planning) Bill 2016 is a novel and important bill. It will have a significant impact on local government in New South Wales. It contains important provisions that will reform the approach to local government in New South Wales. The most important provision is the proposed amendment to section 233A, where a councillor will have to say, "I solemnly and sincerely declare and affirm that I will be faithful"—sorry, that is the presidential oath that will be taken in January. A councillor will have to say:

I ... swear that I will undertake the duties of the office of councillor in the best interests of the people ... and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment. That provision will change the face of local government in New South Wales. We will have magnificent councillors who all of a sudden will discharge a particular duty. That seems to be the fundamental way in which the Government approaches local government reform. The Labor Party opposes the bill for two reasons. First, it contains many provisions with which the Opposition cannot agree. Secondly, the provisions are so incompetently drafted that there is no way the bill can rationally be amended to give effect to the Government's intentions. The 15 minutes that are available to me today will not enable me to take members through each of the many provisions that are inconsistent with good local government.

The member for Fairfield cleverly articulated the Opposition's position and I endorse his remarks. Nothing that I say, either directly or by implication, should be regarded as inconsistent with anything he has said. A number of provisions in this bill are an attempt by the Government to streamline the pecuniary interests provisions and to insert them into the code of conduct. Whilst the Minister is genuine in his attempt to streamline the pecuniary interests provisions, their insertion into the model code of conduct is inconsistent. I would have thought the Minister's advisers would have known why these codes of conduct were being utilised and they should

have been aware of the failure of codes of conduct generally. On 7 August 2015 I asked the Commissioner of the Independent Commission Against Corruption this question:

Over the last decade or so the response to advice to various statutory organisations for corruption prevention has been that codes of conduct have been adopted. Those codes of conduct are sometimes given legislative force by some regulation which says that they shall apply. The codes have now become so convoluted and complex that even experienced members of the bar have trouble reading them, let alone some punter who is working for a public authority ... There must be a better way to simplify a process that communicates to average people what is expected of them in an organisation rather than these complex codes.

The Commissioner of the Independent Commission Against Corruption referred my question to Dr Waldersee—who the commissioner said had done a lot of work in this area and was regarded in the Asia-Pacific region as a leader in this field—and he responded:

I fully agree with your issue, which is that they are extraordinarily complex ... Now, the trouble with codes of conduct as a single control is that they can be aspirational and say, "This is what we expect of you," ... But if people want to use them as a disciplinary tool they stop being codes of conduct and become specific sets of rules. It has become quite problematic.

I asked Dr Waldersee what the solution to the problem was and he said:

The thrust of what the commission is doing now is to say that the control that is likely to be obtained from the code, and further tightening of the code, has probably reached a point of diminishing returns. The risk control in a broader sense should be looking at the whole operational arrangements and the waste in the system. But to continue to add more and more rules when people do not even know the existing rules is unlikely to achieve enormous gains. That said, you would not go to no code of conduct. There is an optimum point where people understand that you do not take gifts, you do not own your own business and contract back to government.

Dr Waldersee said on oath to the committee that codes of conduct are not the appropriate vehicle for regulatory control. The appropriate vehicle for regulatory control of conduct that offends against community standards is the Parliament—the Legislative Council and the Legislative Assembly. This Parliament must enact the relevant codes of conduct for its elected representatives but the way in which the Minister is attempting to do so is not appropriate. The bill will empower the Auditor-General to conduct statewide performance audits of local government but the provisions in this bill are inadequate. The bill will enable the Auditor-General to outsource responsibility for performance audits to another firm as distinct from retaining that responsibility. The Auditor-General must take control and supervise the operations of council finances because most of the activities in which councils engage are subject to some measure of public scrutiny and oversight by the governing body, that being the mayor and councillors.

Under the current provisions of the Local Government Act, a mayor and councillors, or the governing body, are completely reliant upon the auditors and their reports to ensure proper financial accountability of council income and expenses. Recently the Independent Commission Against Corruption undertook an investigation into Botany Bay City Council and revealed that the chief financial officer had misappropriated in excess of \$4 million over a number of years. As one would expect, in accordance with the Local Government Act, a number of audits have been conducted by council auditors at considerable cost to the council but none of the money that was misappropriated was detected by them. [*Extension of time*]

If a professional audit firm cannot detect misappropriation on a massive scale by a council officer there is no prospect of a part-time mayor or councillor detecting it. The corruption risk to councils is so great that only the Auditor-General, an independent statutory officer who is accountable to Parliament, can provide that assurance to the public and to council representatives. The Independent Commission Against Corruption could give some guidance as to what statutory measures could be put in place to prevent this occurring not only in Botany Bay but also in other council areas.

The Opposition is opposed to other measures within the bill. Tinkering around the edges in respect of elections of mayors has no substance. The independent review panel recommended to the Government that mayors should be elected by popular vote. The panel also recommended that a number of other functions be added to the role of mayors. Some of those recommendations have been encapsulated in this bill. Simply adding a provision to extend the terms of mayors elected by the council to two years provides no basis for stability in councils. It is inconsistent to expand the role of the mayor, as the bill provides in new section 226, but not have the mayor directly accountable to the people in that role. It is the Opposition's position that the mayor should be elected by, and be accountable to, the people. That is true democracy. The only people who believe that mayors should be elected by the council and not by the people are those who aspire to be mayors and have absolutely no ability to attract sufficient public support to be elected to office.

I draw the attention of the House to another provision in the bill, one that again relates to the competence of the Government—that is, the wording in new section 232 (1) (f), which is designed to provide that the role of a councillor is to uphold and represent accurately the policies and decisions of the governing body. That is a responsibility that should be given to a bureaucrat; it should not be given to an elected representative. What happens if the councillor is in a minority on the council? Why would that councillor want to uphold a policy that

it vehemently disagrees with or is not part of its mandate? What nincompoop would suggest that this provision should be in a bill and claim that the Government is genuinely reforming local government? The bill does not call for a board of directors; these are councillors who are democratically elected representatives. The Minister would understand what I am saying, as he had experience in local government prior to his election to this place. I strongly urge him to have a good look at that provision.

I turn to another provision in the bill to which the Opposition is completely opposed, and was opposed when it was enacted—that is, the postal voting provision. In other States similar provisions have been used by Tories to slip up the middle in the hope that members of the working class would not be able to fill out a ballot paper and so the Tories could get control of local councils. This Government is so hopeless that in its proposed amendment to section 310B it did not know that you can have postal voting if you resolve to do it 18 months before an election. Again, this provision relates to the competence of the Government. I also take issue with section 332 in relation to giving general managers any more responsibility and taking away from councils the power to determine the structure of the council. The Minister knows, as do I and every member of the House, that the greatest problem in local government is the capacity and capability of council general managers. To give them even more responsibility is ludicrous. The Labor Party opposes this bill.

**Mr ADAM CROUCH (Terrigal) (11:23):** I support the Local Government Amendment (Governance and Planning) Bill 2016. I acknowledge in the Chamber the Minister for Local Government, Paul Toole, who is an outstanding Minister. I had the privilege of having the Minister visit the Central Coast recently on his first visit to an amalgamated council, the Central Coast Council. It is obviously a region that can benefit from local government reform. I was proud that the first council the Minister chose to visit was the Central Coast Council. Local government on the Central Coast has had a positive sea change. In the past, we realised how dysfunctional the two councils on the Central Coast had been, which was to the detriment of the local community. It is clear the Central Coast has not been afraid to take on local government reform and run with it. One of my proudest moments since being elected was on 12 May when the Government announced the formation of the amalgamated Central Coast Council. I stand firm on and proud of that move.

The bill continues with the same reform at the local government level from this Minister and his excellent team. In addition to praising the Minister, it would be remiss of me not to give credit to his fantastic staff. I have worked very closely with them leading up to and post council amalgamation. They set a benchmark for ministerial staffers. They made themselves available to me at all times, as I am sure that they did to other members of Parliament, and they were willing to work with local members, which made this amalgamation process so much more efficient, especially for the good people of the Central Coast. The bill contains a set of important changes to begin the process of streamlining the Local Government Act, which will help councils better engage in integrated planning and reporting—changes that will assist both councils and the communities they serve. These processes are already being implemented by the Central Coast Council, where the morale of council staff has never been higher. They are working as a unified team to deliver for the 332,000 people of the Central Coast.

All organisations benefit from robust strategic planning, especially one as large as the Central Coast Council. Local councils have been using integrated planning and reporting [IP&R] for at least one full term of office, and it is clear that it is working and delivering positive outcomes for local people. If properly utilised, IP&R puts communities in the driver's seat when it comes to determining local identity, local priorities and local services. It gives communities a direct say in what the future will be and the form it will take. It is through IP&R that each community works with its local council to set long-term direction and agreed priorities for providing community services, managing local facilities, protecting the environment and strengthening the local economy.

When we announced the amalgamation of Central Coast councils, members opposite from the Central Coast screamed that we were gagging democracy and taking away the voice of the people by removing councillors. It should be noted that councillors were then appointed to council committees. Had those opposite bothered to engage with the Minister, as I did, they would have understood the proposed amalgamation process. All the sitting councillors on both the Gosford and Wyong councils, with the exception of the former mayor of Gosford, took up the option of having a position on council committees. I commend them for their continued participation as they still have the opportunity to provide a voice for their community during the amalgamation process, which will end with the next local government election. That shows that the calls by those opposite that the Government was gagging democracy were yet another inaccurate scare tactic.

I was especially disappointed by the comments of the members for the electorates of Wyong, The Entrance and Gosford who, rather than getting on board with this reformist agenda, were happy for the people of the Central Coast to miss out on reform and allow dysfunctional councils to continue not to represent their communities efficiently. There has been positive evidence of the benefits of the amalgamation process. I can give an example. As local members we receive complaints about the operation of councils in our areas. As the member for Terrigal, in the past my office frequently had to deal with complaints about councils that had nothing to do

with State Government issues. The number of complaints has dropped significantly, to almost nil, since the amalgamation. The council has been working collectively and is no longer a place for petty agendas, as was the case in the past. This is a fantastic result for the Central Coast. Unfortunately, those opposite still have a lot to learn about amalgamations and their benefits. I say to them: Take a look at the Central Coast Council.

The majority of people on the Central Coast are delighted with the reforms. Each newly elected council agrees that if they work in consultation over this four year program they will have an opportunity to deliver the priorities for their region. Each of the councils will be called to account for its performance at the end of its term. I highlight object (d), which increases the term of office of mayors elected by councillors from one year to two years. The Central Coast is a good example. As previously outlined by the members for the electorates of Drummoyne and Coffs Harbour, mayors were elected for one year and would then spend 11 months negotiating their re-election rather than focusing on the agenda at hand.

The bill will give the mayor chosen by the councillors an opportunity to work with them as a team and set up a consistent structure. Those opposite say this is withholding the democratic right of the people. All the councillors are elected by the people. The democratic decision has been made by the community as to who will represent them at a council level. There are important long-term plans for councils and communities. The integrated planning and reporting framework I spoke of earlier ensures that plans work together to deliver real outcomes for our communities. That is what it is about.

Following the 2011 election the Government appointed the Independent Local Government Review Panel. Following this it appointed the Local Government Acts Taskforce to advise on specific reforms to be made. The panel and the task force made recommendations to improve strategic planning and to allow councils to more effectively partner with State agencies. The Central Coast Council is in a fantastic position as a regional council to work in a structured and strategic way, which was not available in previous decades. The Government has taken the opportunity, through amendments in the bill, to strengthen this important strategic framework and set out the principles that should guide future council operations.

The principles and practices of the integrated planning and reporting form the central framework of the Local Government Act. The bill introduces a principle-based approach that better links the integrated planning and reporting with activities of councils under the Act, such as schedule 1 [2]. The bill introduces a set of new principles that will guide all councils when they engage with the integrated planning and reporting, namely new section 8C. These new principles describe what councils will be thinking about when they discharge their planning and reporting functions under the Act. Further, through new section 232 (1) (c) individual councillors will have a clearly articulated responsibility to the integrated planning and reporting.

Giving such prominence to integrated planning and reporting means that every council's elected representatives will clearly understand their individual and collective roles in planning for the success of our local community. The bill also makes targeted amendments to the Act that expand the responsibilities of councils to engage with communities and work pro-actively with others to deliver outcomes that achieve a full potential benefit for the integrated planning and reporting. Councils will be directed to consider regional priorities under new section 8C (a). Under new section 402A councils will have to adopt a community engagement strategy that informs all of their routine activities. [*Extension of time*]

Similarly, under the proposals in this bill the existing requirements to ensure all of the council's activities are addressed in the delivery program will be strengthened and clarified. A large number of councils already successfully use integrated planning and reporting to focus on outcomes and better engage with the local community. The changes in the bill will help avoid any residual box-ticking that has occurred in the past concerning community engagement and other aspects of that framework. Linking the integrated planning and reporting with other key new principles in the Act will assist all councils to better understand the benefits of that framework.

The bill is a key part of the New South Wales local government reform program, which is building stronger councils and communities throughout New South Wales. I am proud that the Central Coast Council has led the way in this. I am confident the amendments in the bill will improve the integrated planning and reporting framework and strengthen its roles. As the Minister outlined in his second reading speech, the bill contains a number of necessary measures to support financial transparency of councils. All councils will be required to establish an internal audit function.

**Mr Mark Coure:** Common sense.

**Mr ADAM CROUCH:** I acknowledge the member for Oatley: It is absolutely common sense. It is a recommendation of the Independent Local Government Review Panel. The internal audit provides important firsthand insight into council performance. It will provide councils with the opportunity to develop appropriate

internal financial governance practices by reference to prescribed principles of sound financial management. In the past some of those have been brought into question by councils.

**Mr Mark Coure:** All this is opposed by Labor.

**Mr ADAM CROUCH:** It is staggering that such basic principles of sound financial management are opposed by those opposite. These prescribed principles are based on those contained in the Fiscal Responsibility Act and are well understood, except by those opposite. Smaller councils will be able to share internal audit committees to contain costs and a new regulation-making power will offer further flexibility if required for small councils to adopt more streamlined committee processes. As outlined by the member for Oatley, the bill establishes an option for the Minister to appoint a financial controller to councils at financial risk. This power is available where a council is a high financial sustainability risk. This may only be exercised in the context of the Minister's current powers to issue a performance improvement order.

The performance improvement order process ensures that it is a clear and transparent process. The intent of this new power is to support councils that are not performing well financially and to get them back on track without needing to dismiss a council that is otherwise operating effectively. Most importantly, councils will become subject to external oversight by the Auditor-General. In making the Auditor-General the auditor for councils the bill promotes consistency and certainty of financial management practices across the whole of local government. The bill allows for annual reporting by the Auditor-General to the Government of sector-wide trends that will support an environment of continuous improvement.

The bill will empower the Auditor-General to conduct sector-wide performance audits. The bill establishes distinct roles for mayors, general managers and councillors to address the concerns about a lack of clarity surrounding these roles. As the member for Oatley pointed out from his experience with local government, there was no guide when he first commenced his role in local government. These roles will now be clearly defined. The issue was identified as one requiring change by the Independent Local Government Review Panel. It improves the definition of the role and is intended to reduce confusion and help people to effectively fulfil the positions they have been elected to. It contains a number of key measures to delineate who should do what in local government. It will support councillors doing their jobs and delivering in these committees.

The bill sets out the features of the governing bodies of councils, which comprise the mayor, councillors and the collective decisions of the council. The governing body has the function of appointing a general manager and monitoring the performance of that general manager. The bill inserts specific features. It is of assistance to have that clarity. On the Central Coast we have an outstanding temporary general manager, Rob Noble, and administrator, Ian Reynolds. There is a clear delineation of roles within the council. With the improvements to the bill I commend it to the House.

**Mr JAMIE PARKER (Balmain) (11:38):** I address the Local Government Amendment (Governance and Planning) Bill 2016 on behalf of The Greens. Many elements in the bill are welcome, but there are some problematic elements in the bill that I will address. I invite the Minister in his reply to address new section 232 (1) (f), the role of a councillor, which states:

(f) to uphold and represent accurately the policies and decisions of the governing body. As councillors we have different points of view on different issues. How does the Government see this requirement to "uphold and represent" being adequately reflected? We do not want to diminish in any way the right of councillors to protest, to oppose, to campaign against, or to try to overturn council decisions. It is concerning that a council will be required "to uphold and represent". If "uphold" means to support, to endorse, to justify and to defend, that would be extremely concerning to anyone who promotes democratic engagement, the exchange of ideas and the power of persuasion in local government. I would appreciate the Minister's addressing that issue in his reply.

I now turn to the substance of some of the concerns that have been raised, particularly with regard to ecologically sustainable development. The significant lowering of the ecologically sustainable development requirements in this legislation represents the dreary, provincial conservatism that we see in so many pieces of legislation introduced by this Government. It is of great concern to The Greens that the new charter lowers the standard of ecologically sustainable development so that instead of requiring councils to "properly manage, develop, protect, restore, enhance and conserve the environment of the area for which it is responsible in a manner that is consistent with and to promote the principles of ecologically sustainable development", they must now merely "consider" the principles of ecologically sustainable development.

That is an incredible watering down of the requirements and principles of good, sensible government. What is wrong with a principle that requires councils to properly manage, develop, protect, restore, enhance and conserve the environment of the area for which they are responsible in a manner that is consistent with and promotes the interests of ecologically sustainable development? This Government thinks there is something wrong with the basic principle of good governance and it is lowering that standard. The Greens believe that abandoning that fundamental principle is a significant flaw in this legislation.



It is also important to note that the Government is revoking an important element of the role of councillors. I referred previously to new section 232 (1) (f). One of the significant weaknesses in this legislation is that rather than requiring councillors to provide leadership and guidance, they must now simply make all reasonable efforts to acquire and maintain the skills necessary to perform the role of a councillor. The leadership required of councillors in the existing legislation is important and should be retained. We want councillors to be community leaders, and abandoning that principle in this bill is a mistake.

The Greens are also concerned about schedule 1 [30], which inserts new section 370A. The new section gives the Minister the power to allow councillors who have pecuniary interests in developments to vote on those matters if they are convinced that too many councillors have an interest and that withdrawing would "impede the transaction of business". That is a green light for developers and their mates. We have witnessed the botched implementation of these provisions in the past. This change means that if a council can be stacked with enough developers and real estate agents and business cannot proceed because they all have a pecuniary interest in a development, the Minister can determine that there is no problem with them all voting on a development. That is despite the fact that the majority of the councillors would otherwise be prohibited from participating because of their pecuniary interest in the development.

What is the solution? Is it to give this Minister, the next Minister or the next Minister the power to allow those councillors with a conflict of interest to approve local developments, or to ban developers and real estate agents from becoming councillors? Surely the latter is a better way to restore confidence in local government. We have witnessed the problems that arise when developer and real estate agent councillors have a pecuniary interest in a project before a council. Councils have not been able to deal with a development because the majority of councillors have had a pecuniary interest in a rezoning and so on. That is not a satisfactory way to deal with the pecuniary interest issues facing councils.

It is reprehensible that this bill waters down the ecologically sustainable development provisions in the Act. We should be increasing our commitment to ecologically sustainable development, not putting our names to a bill that reduces and diminishes it. Schedule 1 [36] removes the requirement that community strategic plans address environmental and economic issues, that they are based on social justice principles, and that they are developed considering the State Plan and other high-level instruments.

What about our commitment to social justice specifically with regard to developing strategic plans and addressing environment and economic issues? This bill clearly already waters down ecologically sustainable development provisions, and now we see the watering down of the social justice provisions. The conservatism and provincial, dreary stuff we see is undermining these basic sovereign principles of good governance. The Greens believe that these provisions should not be removed. There is no evidence that councils have been producing reports that take social justice too strongly into account. There is no evidence that councils have been far too committed to ecologically sustainable development, and that we must undermine them. This legislation simply reflects this Government's political agenda, and I find that extremely concerning.

Schedule 1 [37] removes the exhibition and consultation requirements for community engagement strategies, resourcing strategies, delivery programs, operation plans, and integrated reporting guidelines. It also provides that reporting guidelines will be created by regulation. The problem is not that requirements have been lax or inflexible, but that there are no specific requirements. Local communities can rely on the legislation to provide requirements for councils to ensure that community engagement and resourcing strategies and delivery programs have been dealt with appropriately. It is concerning that that requirement is being removed. The Greens believe that the bill is inadequate in dealing with community concerns about the right to be heard. That right should be clearly stated in the legislation.

Broader reform of the Local Government Act 1993 is always welcome, and it is important that we continue to innovate in local government. However, The Greens are concerned that the legislation waters down not only the social justice principles but also the ecologically sustainable development principles that we hold so dear. If the Government were so confident that the community supported council amalgamations, why did it not allow us to vote on the issue? I have made my position clear: If the Government believes that council amalgamations are necessary, it should allow the ratepayers to decide. However, it decided that the people who pay the rates that fund local government should not decide whether their local councils should be retained.

If people were given an opportunity to support amalgamations at a referendum or a plebiscite, I would strongly support the result, and if they were rejected, I would oppose them. We must give people the opportunity to make a decision; we must have a plebiscite. The decision should not be made based on political or party positions; it should be based on the right of people to decide who governs them. The ratepayers should make that determination. We should have a plebiscite to determine whether councils should be amalgamated. The Government should put its arguments in support of amalgamation and we should have a community discussion.

**Mr Mark Coure:** Governments exist to govern.

**Mr JAMIE PARKER:** They are meant to govern, but they should also ensure that people are heard. This Government is banning this and banning that without consulting. Regardless of the outcome and whether I support it, consultation is critical. Governments that do not consult get a reputation for being arrogant, and we all know that arrogance and pride come before the fall. Governments should respect their communities and ensure that they have the capacity to make a decision.

**Mr GREG WARREN (Campbelltown) (11:48):** I am delighted to speak on the Local Government (Governance and Planning) Bill 2016.

**Mr Mark Coure:** The A-team.

**Mr GREG WARREN:** I acknowledge the interjection from the B-grader opposite. I acknowledge that the Minister for Local Government is in the Chamber to listen to this debate. Many people can be critical of the Minister's decisions, but one thing people cannot be critical of is his attendance here during the course of this debate and this process—a process that I believe has been dealt with badly. There were to be no forced amalgamations, but we have seen forced amalgamations. Labor is not opposed to amalgamations but we are opposed to the forced amalgamations of certain councils.

The contribution I make today is somewhat limited to some specific points I would like the Minister to consider in relation to the terminology and language used within the bill. At the outset it is important to acknowledge that local government is, and always will be, the closest level of government to community. Communities know their local councillors and they know their local mayors—I was a mayor and I know many in this place have been as well. It is a truly challenging yet rewarding job if it is done right. Labor has always felt that local government needs to be supported and we have never been opposed to reform to get a better process in place for local government so that councils can make the appropriate representations to their community organisations, their business community and, of course most importantly, the ratepayers.

The proposed changes to section 7 completely remove any reference to council's role as a service provider within the community—this goes to the point in relation to the language used in the bill. Council's core role is as a service provider to the people it represents. To replace the text referring to the critical role with generalised principles is inappropriate to the families that rely on council services every day. I know that many people in our community will be very concerned once this bill is passed. Changing the charter point from "directly providing services and facilities for the community" to "working with others to secure services" shows that local councils are next in the firing line of any kind of privatisation agenda or any other reform agenda that the Government may choose to impose on local government.

The change to mayoral terms from one year to two years is welcomed. However, as the Minister would be aware, Labor took a bold position to the 2015 election, saying that all mayoral terms should be for four years. The bill does not follow the recommendation of the Independent Local Government Review Panel that all mayors in metropolitan areas be popularly elected, which Labor supports as an outcome of that recommendation. If that recommendation were to be put in place it would completely remove the politicking and backroom political operations that some councillors—by and large the minority of councillors—engage in and it would put the focus of councillors back on securing outcomes for their local community, not on securing mayoral deals for themselves or their political party. I think that is why the review panel made the recommendation and that is why Labor takes that position. Labor committed to this leading into the 2015 election and it is disappointing that the Baird Government has ignored the recommendation of the panel. I am not sure why the Government does not support the recommendation. It is a matter for the community to assess but one can only wonder why the Government is happy for that situation to remain.

Removing councils' discretion to choose their own auditors and giving responsibility to the Auditor-General is welcomed because having those control models in place will increase transparency. It is noted that the Auditor-General's office can choose to continue with the auditors that are already in place or to do the audit itself, but the likelihood is that the audit will be put out to a third-party organisation or to the auditors currently in place. I believe it is good to have a provision that gives more accountability and transparency. However, giving responsibility to the Auditor-General must be met with an appropriately increased level of funding and resources that the Auditor-General's office will require. I assume that that will be an operational matter to be assessed during the course of the change to the process but I flag that it may be a situation the Government has to revisit. It is fine to put more measures onto a department, but obviously that creates a higher workload and resources may be required.

As I said at the beginning of my contribution, I would like the Minister to consider the terminology used in the bill. The way the legislation is written seems to cause some perverse outcomes that may not be intended.

The current code of conduct—schedule 6A of the Act—is to be replaced by specific clauses of the current Act. There appears to be nothing in the existing regulations or the proposed model code of conduct that allows for the making of a pecuniary interest complaint by any member of the community about councillors or administrators, current or former, and to have it investigated by the appropriate body or authority. Some clarity is required on that to ensure the accountability and transparency of those elected councillors.

The proposed amendment to section 460 of the Act specifically excludes a complaint being made by a member of the community about a councillor's or administrator's failure to disclose pecuniary interests being dealt with by the departmental chief executive or the departmental chief executive making the complaint himself or herself. Instead, anything related to councillors or administrators, current or former, and alleged failures to disclose pecuniary interests is dealt with solely under the misconduct procedures set out under sections 440F and 440P. This seems to effectively mean that only councils, broadly defined, can make a complaint about a possible breach of a pecuniary interest declaration and have it investigated. The council and the departmental chief executive become the gatekeepers in the handling of a complaint and the investigation of any alleged failures of pecuniary interest declarations. I believe that needs to be reviewed and I note the Minister's attention on this point.

Proposed amendments to sections 469 and 470 are such that the processes of the NSW Civil and Administrative Tribunal [NCAT] relate to pecuniary interest matters not involving councillors or administrators, current or former. NCAT can hear misconduct matters, of which pecuniary interest disclosures are part, but only in relation to section 438HA, a performance improvement plan, or section 440J, alternatives to disciplinary action. This means that the council and the departmental chief executive become the gatekeepers for investigating complaints made about the failure to disclose. However, it appears that the departmental chief executive can only become involved if the complaint has been referred by a council or other specific persons named under the misconduct procedures at sections 440F and 440P.

The amendment to section 482 is proposed to specifically exclude councillors and administrators, current and former. Section 482A in relation to councillors and administrators, current and former, would only apply where the matter had been referred to NCAT under sections 438HA and 440J. An amendment to section 486A is proposed so that NCAT has exclusive jurisdiction to decide allegations of pecuniary interest disclosures where it concerns non-councillors, current or former, and non-administrators, current or former. In short, Labor does not support this bill because whilst we accept that the reform agenda does need to take place in local government, every approach determines every outcome. Labor is of the view that there are too many holes in this bill and we, like many communities in New South Wales, are less than impressed with the approach the Government has taken with this particular local government reform and the council mergers. I thank the House for its indulgence.

**Mr PAUL TOOLE (Bathurst—Minister for Local Government) (11:58):** In reply: I thank all members who contributed to debate on the Local Government Amendment (Governance and Planning) Bill 2016: the members for the electorates of Holsworthy, Charlestown, Heathcote, Wyong, Davidson, Port Stephens, Drummoyne, Maitland, Coffs Harbour, Bankstown, Oatley, Heffron, Terrigal, Balmain and Campbelltown. This bill is a further milestone in the Fit for the Future local government reforms. Local councils need the tools to improve their performance, and I am committed to making them stronger. The process to reform the Local Government Act so that it meets the future needs of councils and their communities is underway. The proposals for reform contained in this bill will commence the modernisation of the Local Government Act, in phases, to support improvement across the local government sector. This bill gives effect to many of the recommendations of the Local Government Acts Taskforce and the Independent Local Government Review Panel, as endorsed by the Government.

I note that the Opposition has foreshadowed it will move amendments to the bill at the consideration in detail stage. I will address each of those in turn when they are moved. I acknowledge that a number of members have said that the Opposition does not support council-elected mayors and, therefore, does not support the proposal in the bill to extend their term from one year to two years. The Government believes the extension of council-elected mayoral terms from one year to two years will address the concerns relating to the short period currently in the Act. The Government considers it is an unnecessary and inflexible way to deal with those problems by mandating four-year popularly elected mayors in every case, as suggested by the Opposition. If a council wishes to have a popularly elected mayor for its area it can choose to do so.

The Opposition seems to doubt that the bill will assist leaders in local government to discharge their responsibilities. The Government believes the bill will promote stronger political leadership and effective representation, which are essential to strengthen and support local communities. The bill will do this in part by setting out the different responsibilities of the roles of mayor, councillor and general manager so that their responsibilities and duties are clearly understood by those performing the role and by the people and communities who interact with them. I note the Opposition does not appear to agree that the role of general manager warrants

clarification and updating along with the roles of councillor and mayor. The Government is confident that these updates will help councils to operate smoothly.

There will always be differing views about how to best describe what it is that local government does and the principles that should inform that work. However, the bill has been developed through extensive consultation to apply across the full range of council functions and responsibilities. The member for Balmain spoke about the role of councillors and he referred to section 232 (f) where it is stated that councillors will uphold and represent accurately the policies and decisions of the governing body. In response to the member, the bill sets out carefully the considered role of councillors, including this requirement. This wording was a recommendation of the Independent Local Government Review Panel. There is nothing untoward about councillors who are members of a governing body upholding the decisions of that governing body. The proposal does not silence dissent or require councillors to agree; it simply requires them to act with integrity.

The Opposition also mentioned the ethical obligations of councillors. The bill will ensure that strong ethical obligations are maintained, whilst consolidating those obligations into one instrument for easier reference and understanding. I note, however, that the Opposition will move an amendment to delete a provision in the bill that is purely consequential on moving pecuniary interest obligations out of the Act and into the code of conduct. That is unnecessary and a misunderstanding of the bill. The Opposition will also oppose provisions relating to important red tape reduction on councils such as those contained in the State of the Environment Report. Disappointingly, a number of Opposition members have criticised the improved financial accountability mechanisms in the bill.

In relation to the new role of the Auditor-General as set out in the bill, the Government is confident that this reform will ensure better financial management, including more robust financial reporting. This will help councils to be more transparent and accountable and better able to plan for their communities. The Government has been advised that the Auditor-General will engage properly accredited private auditors to undertake the majority of its council audits. I note that the Opposition plans, however, to move amendments that will prevent such contracting. The Government considers that this limitation will make the Auditor-General's new role unworkable. The proposals in this bill have been subject to extensive consideration. Feedback arising from stakeholder consultation was taken into account in finalising the bill and changes have been made to the bill in response to the issues raised.

The local government reforms are wideranging and the New South Wales Government continues to work on further reform measures, in consultation with the local government sector. I look forward to the next phase of reform to the Local Government Act. I also thank my ministerial staff and the staff of the Office of Local Government for their commitment to and diligence in the work they are undertaking to modernise local government in New South Wales. Together with the Government, they understand that strong councils mean strong communities. I commend the bill to the House.

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

**The House divided.**

Ayes .....48  
Noes .....31  
Majority.....17

AYES

Anderson, Mr K  
Berejiklian, Ms G  
Constance, Mr A  
Davies, Ms T  
Fraser, Mr A  
Goward, Ms P  
Hazzard, Mr B  
Humphries, Mr K  
Lee, Dr G  
Notley-Smith, Mr B  
Pavey, Ms M  
Piper, Mr G  
Rowell, Mr J  
Speakman, Mr M  
Toole, Mr P

Aplin, Mr G  
Bromhead, Mr S (teller)  
Coure, Mr M  
Dominello, Mr V  
George, Mr T  
Greenwich, Mr A  
Henskens, Mr A  
Johnsen, Mr M  
Maguire, Mr D  
O'Dea, Mr J  
Perrottet, Mr D  
Provest, Mr G  
Sidoti, Mr J  
Stokes, Mr R  
Tudehope, Mr D

Ayres, Mr S  
Brookes, Mr G  
Crouch, Mr A  
Elliott, Mr D  
Gibbons, Ms M  
Gulaptis, Mr C  
Hodgkinson, Ms K  
Kean, Mr M  
Marshall, Mr A  
Patterson, Mr C (teller)  
Piccoli, Mr A  
Roberts, Mr A  
Skinner, Ms J  
Taylor, Mr M  
Upton, Ms G

## AYES

Ward, Mr G

Williams, Mr R

Williams, Ms L

## NOES

Aitchison, Ms J

Car, Ms P

Crakanthorp, Mr T

Doyle, Ms T

Harrison, Ms J

Hornery, Ms S

Lynch, Mr P

Mehan, Mr D

Parker, Mr J

Warren, Mr G (teller)

Zangari, Mr G

Atalla, Mr E

Catley, Ms Y

Daley, Mr M

Finn, Ms J

Haylen, Ms J

Kamper, Mr S

McDermott, Dr H

Mihailuk, Ms T

Robertson, Mr J

Washington, Ms K

Barr, Mr C

Chanthivong, Mr A

Dib, Mr J

Harris, Mr D

Hoenig, Mr R

Lalich, Mr N (teller)

McKay, Ms J

Minns, Mr C

Smith, Ms T

Watson, Ms A

## PAIRS

Baird, Mr M

Conolly, Mr K

Grant, Mr T

Petinos, Ms E

Foley, Mr L

Smith, Ms K

Hay, Ms N

Park, Mr R

**Motion agreed to.****Consideration in detail requested by Mr Guy Zangari.****Consideration in Detail**

**TEMPORARY SPEAKER (Mr Lee Evans):** By leave: I shall propose the bill in groups of clauses and schedules. The question is that clauses 1 and 2 be agreed to.

**Clauses 1 and 2 agreed to.**

**Mr GUY ZANGARI (Fairfield) (12:15):** By leave: I move Opposition amendments Nos 1 to 19 in globo:

**No. 1 Terms of mayors**

Page 7, Schedule 1 [7], lines 11 and 12. Omit all words on those lines.

**No. 2 The role of a councillor**

Page 7, Schedule 1 [8], lines 26 and 27. Omit all words on those lines.

**No. 3 Elections conducted by postal voting**

Page 9, Schedule 1 [19], lines 19 and 20. Omit all words on those lines.

**No. 4 Determination of structure**

Page 9, Schedule 1 [21], lines 24-38. Omit all words on those lines.

**No. 5 Re-determination of structure**

Page 10, Schedule 1 [23] and [24], lines 8-12. Omit all words on those lines.

**No. 6 Functions of general manager**

Page 10, Schedule 1 [25], lines 13-41. Omit all words on those lines.

**No. 7 Powers of Minister in relation to meetings**

Page 12, Schedule 1 [30], lines 1-14. Omit all words on those lines.

**No. 8 Auditor-General to be council auditor**

Page 16, Schedule 1 [40], proposed section 422 (2), lines 7-9. Omit all words on those lines.

**No. 9 Auditor-General to be council auditor**

Page 16, Schedule 1 [40], proposed section 423 (1) and (2), lines 26 and 30. Omit "or a person authorised by the Auditor-General".

No. 10 **Auditor-General to be council auditor**

Page 16, Schedule 1 [40], proposed section 423 (2) (a), (b) and (e), lines 36, 38 and 47. Omit "or person".

No. 11 **Auditor-General to be council auditor**

Page 17, Schedule 1 [40], proposed section 423 (4), line 4. Omit "or a person".

No. 12 **Auditor-General to be council auditor**

Page 17, Schedule 1 [40], proposed section 424 (1), lines 20 and 21. Omit "or a person authorised by the Auditor-General".

No. 13 **Auditor-General to be council auditor**

Page 17, Schedule 1 [40], proposed section 424 (1) (a) and (b), lines 22 and 25. Omit "or person".

No. 14 **Auditor-General to be council auditor**

Page 17, Schedule 1 [40], proposed section 425 (1), lines 33 and 34. Omit "or any person exercising the functions of the Auditor-General".

No. 15 **Auditor-General to be council auditor**

Page 17, Schedule 1 [40], proposed section 425 (1), lines 35 and 36. Omit "or person".

No. 16 **State of the environment reports**

Page 18, Schedule 1 [42], lines 13 and 14. Omit all words on those lines.

No. 17 **Audit, Risk and Improvement Committee**

Page 18, Schedule 1 [43], proposed section 428A, line 19. Insert "At least 1 member of the Committee must be a person who is not a councillor, a staff member of the council or a member of an entity controlled by the council." after "Committee."

No. 18 **Terms of mayors**

Page 27, Schedule 1 [90], lines 14-17. Omit all words on those lines.

No. 19 **Election of mayors**

Page 29. Insert after line 32:

**Schedule 2                      Amendment of Local Government Act 1993**

**No 30—election of mayors**

[1] **Section 16 What matters must be dealt with at a constitutional referendum?**

Omit section 16 (b).

[2] **Chapter 4, Part 3, note**

Omit the following:

- Change in the way in which the mayor is chosen

[3] **Sections 227-230**

Omit the sections. Insert instead:

**227                      Who elects the mayor?**

The mayor of an area is the person elected to the office of mayor by the electors.

**228                      For what period is the mayor elected?**

A mayor holds office until the day appointed for the next ordinary election or, if the election of the councillors is uncontested, until the day on which the election of the councillors would have been held if it had been contested, subject to this Act.

[4] **Chapter 10 How are people elected to civic office?**

Omit the third paragraph from the introduction to the Chapter.

[5] **Section 275 Who is disqualified from holding civic office?**

Omit section 275 (7). Insert instead:

- (7) Despite anything to the contrary in this Chapter, a member of the Parliament of New South Wales is not disqualified because of subsection (1) (a) from being nominated for election or being elected to a civic office. If elected, the person is disqualified from holding that civic office unless the person has ceased to be a member of that Parliament before the first meeting of the council concerned after the election.

- [6] **Section 280 Ward election of councillors—method 1**  
Omit "if the mayor is to be elected by all the electors for the area" from section 280 (2).
- [7] **Section 281 Ward election of councillors—method 2**  
Omit "if the mayor is to be elected by all the electors for the area" from section 281 (2).
- [8] **Section 282 Election of mayor**  
Omit "who is to be elected by the electors" from section 282 (1).
- [9] **Section 282 (2)**  
Omit the subsection.
- [10] **Section 283 Double candidature**  
Omit "by the electors" from section 283 (2).
- [11] **Section 289 When is an election of a mayor to be held?**  
Omit "by the electors" from section 289 (1).
- [12] **Section 289 (2) and (3)**  
Omit section 289 (2). Insert instead:
- (2) A mayor of an area is to be elected on the day on which a contested election of councillors for the area is to be held.
  - (3) If the election of the councillors is delayed for any reason, the election of the mayor is also delayed and must be held on the same day as the delayed election of the councillors.
- [13] **Section 290 When is an election of a mayor by the councillors to be held?**  
Omit the section.
- [14] **Section 291A Countback to be held instead of by-election in certain circumstances**  
Omit "elected by the electors of an area" from section 291A (2) (a).
- [15] **Section 292 When is a by-election to be held?**  
Omit "elected by the electors".
- [16] **Section 294 Dispensing with by-elections**  
Omit "elected by the electors" wherever occurring in section 294 (1) and (3).
- [17] **Section 294 (2)**  
Omit "(but not the office of a mayor elected by the electors)".  
Insert instead "(other than a mayor)".
- [18] **Section 294A Casual vacancy not to be filled where councillor numbers reduced**  
Omit "(but not a mayor elected by the electors)" from section 294A (1).  
Insert instead "(other than a mayor)".
- [19] **Section 294B Casual vacancy not to be filled where councillor numbers reduced—approved by constitutional referendum**  
Omit "(but not a mayor elected by the electors)" from section 294B (1).  
Insert instead "(other than a mayor)".
- [20] **Section 295 Casual vacancy in office of mayor elected by the councillors**  
Omit the section.
- [21] **Section 296 How elections are to be administered**  
Omit "the mayor or a deputy mayor by councillors" from section 296 (8).  
Insert instead "a deputy mayor".
- [22] **Section 306 Nominations**  
Omit "by the electors of an area" wherever occurring in section 306 (1) and (2).
- [23] **Section 309 Contested elections**  
Omit "by the electors of an area as mayor of the area" from section 309 (2).  
Insert instead "as the mayor of an area".

- [24]     **Section 311 Uncontested elections**  
           Omit "by the electors of the area as the mayor of the area" from section 311 (2).  
           Insert instead "as the mayor of an area".
- [25]     **Section 312 Offence**  
           Omit "(other than an election of the mayor by the councillors)".
- [26]     **Section 318B Postponement of elections**  
           Omit section 318B (7).
- [27]     **Section 438S Election of mayor during suspension period**  
           Omit the section.
- [28]     **Section 438ZB Election of mayor during suspension period**  
           Omit the section.
- [29]     **Schedule 8 Savings, transitional and other provisions consequent on the enactment of other Acts**  
           Insert at the end of the Schedule, with appropriate clause numbering:

**Existing arrangements to continue for mayors**

If, immediately before the commencement of Schedule 2 to the amending Act, the constitution for an area provides that the mayor of the area is to be elected by the councillors, the amendments made by that Schedule do not take effect in that area until the next ordinary election after that commencement.

The amendments give rise to the three-point plan for local government reform that Leader of the Opposition, Luke Foley, announced in August last year. Labor is a party that listens and is responsive to communities and stakeholders. The amendments go to key issues identified in consultation with local government stakeholders and communities. Amendments Nos 1, 18 and 19 refer to the election and term of mayors. These three amendments allow popularly elected mayors to serve for the full term of council, in order to stop horsetrading by parties. The amendments give local communities a say on who they wish to be mayor, their key community leader, for the length of a council term.

Amendment No. 2 goes to the role of council. Labor values the role that local communities play in local government. Local councils are supposed to be representative of their local communities, including where there are divergent opinions on issues. Where there is agreement and disagreement on council policies and decisions, councillors should be able to express the views of their constituents and should not be bound to uphold and represent solely the policies and decisions of the government body. After all, council is a local government body that represents its local community, not a board of directors.

Amendment No. 3 goes to universal postal voting. The proposed amendment to section 310B will allow elections to be conducted exclusively by postal voting if a council resolves to do so. Currently, section 310B (2) requires "a resolution made at least 18 months before the next ordinary election of councillors" before this can occur. This is not proposed to be amended by the bill. The Minister's office appears unaware of this and has implied in meetings that the provision could be invoked by administrators to apply at the September 2017 poll. Labor has always maintained that local, State and Federal elections should be conducted on the same basis, where possible, to make democratic participation easy for voters. The Minister has provided no detail on how universal postal voting would work in the electorate or on how to ensure that no group will be worse off or cut off from having their say about their local representatives.

Amendments Nos 4, 5 and 6 go to the determination and structure of council and the role of the general manager. Proposed section 332, item [21] of schedule 1, provides that the general manager, rather than the council, is to determine the structure of the council. Proposed section 335, item [25] of schedule 1, also significantly expands the role and power of the general manager. This removes the legitimate role of elected councillors. Council, as the level of government with the closest interaction between constituents and their elected representatives, should be able to have a say in the structure of the organisation, especially as it has implications for the implementation of key decisions and service delivery. Amendment No. 7 refers to the powers of the Minister. Schedule 1 item [30] of the bill allows the Minister to approve a councillor with a pecuniary interest to attend, speak and vote at a council meeting, to maintain a quorum, and to not fall foul of guidelines relating to councillor misconduct. Labor accepts that the quorum issue is a real one for local government, but it has been brought about by the Government's refusal to ensure that real estate agents and property developers are not banned from being elected to local councils. If they were banned from standing, the quorum issue would disappear overnight. The Opposition would readily move again that real estate agents and property developers be so banned, but recognises that to do so would be beyond the leave of the present bill. We will return to this in the future.



Opposition amendments Nos 8 to 15 support the Auditor-General being the auditor for all councils. We oppose proposed section 422 (2), which allows the Auditor-General to appoint another person or firm to be the auditor for a council. This important role should not be delegated. Opposition amendment No. 16 refers to the state of the environment reports. We acknowledge that councils are asked to do many reports on a diverse range of issues but the state of the local environment is a critical issue, especially as the bill proposes that local decisions should consider "the long term and cumulative effects of actions on future generations" and the "principles of ecologically sustainable development".

Opposition amendment No. 17 relates to the proposal to require councils to have an audit, risk and improvement committee, which is a good idea. The issue is that it should also involve an independent person, someone from outside the organisation. The business and community not-for profit sectors share similar ideas about the composition of audit, risk and improvement committees, however named, and involving a person external to council can help better plan and manage the issues identified by the committee. Opposition amendments Nos 1 to 19 as circulated should be supported as they make sensible changes to the Local Government Amendment (Governance and Planning) Bill 2016.

**Mr PAUL TOOLE (Bathurst—Minister for Local Government) (12:21):** I put on record that the Government will be opposing each of the amendments moved by the Opposition. Opposition amendments Nos 1 to 19 are clearly unworkable. This side of the House is modernising the Local Government Act. This bill follows the recommendations of the independent Local Government Review Panel and the Local Government Acts Taskforce, which have consulted with councils. There are disadvantages and advantages to having popularly elected mayors, but the Government is proposing two-year terms for mayors across this State. We have seen some council areas paralysed after four years with a mayor who does not have majority support.

Why is the Opposition opposed to universal postal voting? Why is it opposed to raising the participation of electors? Why is it opposed to savings being made? Why is the Opposition opposed to administrative efficiencies? The Government is looking at the roles of councillors. This bill does not silence councillors; it asks them to reflect accurately the policies and decisions of the governing body and to act with integrity. The Government is clarifying the role of the general manager. The Government does not support the Opposition amendments. This bill addresses ambiguity and the responsibilities of councils' general managers but the Opposition wants to retain an existing mechanism and keep that unnecessary uncertainty. The Opposition's amendments in relation to the Auditor-General are unworkable and limit the role of the Auditor-General. We on this side of the House oppose Opposition amendments Nos 1 to 19.

**Mr RON HOENIG (Heffron) (12:24):** I am bound to raise a matter to which I referred earlier in my contribution to the second reading debate. I said that the wording of proposed section 232 (1) (f) silences a councillor who is in a minority or who does not support the majority decision of the council. I read the words to the House hoping that the Minister would at least read the bill. The words are "to uphold and represent accurately the policies and decisions of the governing body". That means that a councillor with a mandate who is totally opposed to what the majority are doing is required to uphold the decision. Instead of reading his own bill, the Minister read his second reading speech, which was written by a bureaucrat, and then in consideration in detail of the bill said it does not silence anyone. I wish the Minister would read the bill.

The last time this Minister introduced some nonsense about a boat trailer he yelled and screamed, as did the Government, and said that I did not know what I was talking about. Then when the Minister in the Legislative Council amended the bill, this Minister quietly tried to slip it through the Legislative Assembly without anybody noticing. There might be a government and opposition but we are legislators. We are passing laws. I wish somebody on the Government side of the House would read the wording of the bill when it is being considered in detail. This is indicative of the lack of competence of this Government. It is not just about what is in the *Daily Telegraph*, it is what is in these laws that the Government is putting through this House.

**TEMPORARY SPEAKER (Mr Lee Evans):** Order! I warn the member for Kiama to cease interjecting. The question is that Opposition amendments Nos 1 to 19 be agreed to.

**The House divided.**

Ayes .....32  
Noes .....47  
Majority.....15

AYES

Aitchison, Ms J  
Car, Ms P  
Crakanthorpe, Mr T

Atalla, Mr E  
Catley, Ms Y  
Daley, Mr M

Barr, Mr C  
Chanthivong, Mr A  
Dib, Mr J

## AYES

Doyle, Ms T  
Harris, Mr D  
Hoenig, Mr R  
Lalich, Mr N (teller)  
McKay, Ms J  
Minns, Mr C  
Smith, Ms T  
Watson, Ms A

Finn, Ms J  
Harrison, Ms J  
Hornery, Ms S  
Lynch, Mr P  
Mehan, Mr D  
Parker, Mr J  
Warren, Mr G (teller)  
Zangari, Mr G

Greenwich, Mr A  
Haylen, Ms J  
Kamper, Mr S  
McDermott, Dr H  
Mihailuk, Ms T  
Robertson, Mr J  
Washington, Ms K

## NOES

Anderson, Mr K  
Barilaro, Mr J  
Brookes, Mr G  
Crouch, Mr A  
Elliott, Mr D  
Gibbons, Ms M  
Hazzard, Mr B  
Humphries, Mr K  
Lee, Dr G  
Notley-Smith, Mr B  
Pavey, Ms M  
Piper, Mr G  
Rowell, Mr J  
Stokes, Mr R  
Tudehope, Mr D  
Williams, Mr R

Aplin, Mr G  
Berejiklian, Ms G  
Constance, Mr A  
Davies, Ms T  
Fraser, Mr A  
Goward, Ms P  
Henskens, Mr A  
Johnsen, Mr M  
Maguire, Mr D  
O'Dea, Mr J  
Perrottet, Mr D  
Provest, Mr G  
Sidoti, Mr J  
Taylor, Mr M  
Upton, Ms G  
Williams, Ms L

Ayres, Mr S  
Bromhead, Mr S (teller)  
Coure, Mr M  
Dominello, Mr V  
George, Mr T  
Gulaptis, Mr C  
Hodgkinson, Ms K  
Kean, Mr M  
Marshall, Mr A  
Patterson, Mr C (teller)  
Piccoli, Mr A  
Roberts, Mr A  
Speakman, Mr M  
Toole, Mr P  
Ward, Mr G

## PAIRS

Foley, Mr L  
Hay, Ms N  
Park, Mr R  
Smith, Ms K

Baird, Mr M  
Conolly, Mr K  
Skinner, Ms J  
Petinos, Ms E

**Amendments negatived.**

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

**Schedule 1 agreed to.****Third Reading**

**Mr PAUL TOOLE:** I move:

That this bill be now read a third time.

**The House divided.**

Ayes .....48  
Noes .....31  
Majority.....17

## AYES

Anderson, Mr K  
Barilaro, Mr J  
Brookes, Mr G  
Crouch, Mr A  
Elliott, Mr D  
Gibbons, Ms M  
Gulaptis, Mr C

Aplin, Mr G  
Berejiklian, Ms G  
Constance, Mr A  
Davies, Ms T  
Fraser, Mr A  
Goward, Ms P  
Hazzard, Mr B

Ayres, Mr S  
Bromhead, Mr S (teller)  
Coure, Mr M  
Dominello, Mr V  
George, Mr T  
Greenwich, Mr A  
Henskens, Mr A

## AYES

Hodgkinson, Ms K  
Kean, Mr M  
Marshall, Mr A  
Patterson, Mr C (teller)  
Piccoli, Mr A  
Roberts, Mr A  
Speakman, Mr M  
Toole, Mr P  
Ward, Mr G

Humphries, Mr K  
Lee, Dr G  
Notley-Smith, Mr B  
Pavey, Ms M  
Piper, Mr G  
Rowell, Mr J  
Stokes, Mr R  
Tudehope, Mr D  
Williams, Mr R

Johnsen, Mr M  
Maguire, Mr D  
O'Dea, Mr J  
Perrottet, Mr D  
Provest, Mr G  
Sidoti, Mr J  
Taylor, Mr M  
Upton, Ms G  
Williams, Ms L

## NOES

Aitchison, Ms J  
Car, Ms P  
Crakanthorp, Mr T  
Doyle, Ms T  
Harrison, Ms J  
Hornery, Ms S  
Lynch, Mr P  
Mehan, Mr D  
Parker, Mr J  
Warren, Mr G (teller)  
Zangari, Mr G

Atalla, Mr E  
Catley, Ms Y  
Daley, Mr M  
Finn, Ms J  
Haylen, Ms J  
Kamper, Mr S  
McDermott, Dr H  
Mihailuk, Ms T  
Robertson, Mr J  
Washington, Ms K

Barr, Mr C  
Chanthivong, Mr A  
Dib, Mr J  
Harris, Mr D  
Hoenig, Mr R  
Lalich, Mr N (teller)  
McKay, Ms J  
Minns, Mr C  
Smith, Ms T  
Watson, Ms A

## PAIRS

Baird, Mr M  
Conolly, Mr K  
Petinos, Ms E  
Skinner, Ms J

Foley, Mr L  
Hay, Ms N  
Smith, Ms K  
Park, Mr R

**Motion agreed to.**

*Bills***FINES AMENDMENT (ELECTRONIC PENALTY NOTICES) BILL 2016****Second Reading**

**Debate resumed from 23 June 2016.**

**Mr GUY ZANGARI (Fairfield) (12:40):** I speak on behalf of the New South Wales Labor Opposition in my capacity as shadow Minister for Justice and Police. The aim of the Fines Amendment (Electronic Penalty Notices) Bill 2016 is to amend the Fines Act 1996 to allow for penalty notices to be issued electronically. Provisions that relate to penalty notices will also be standardised to meet the legislative changes. A number of consequential amendments have been made in order to modernise the language used. However, this new language does not change the existing intent of any of the provisions.

Presently, the NSW Police Force has the capacity to issue penalty notices to individuals should they commit an offence. To date, penalty notices have been handwritten by the officers and served to the offender. This process is time consuming and subsequently creates data duplication as the issuing officer must then make further notes and records once he or she returns to the command. It has been estimated that each NSW Police Force highway patrol officer could save approximately one hour per day as a result of the proposed electronic penalty notices regime. Presently, this time is spent performing administrative duties. The purpose of this legislation is to optimise the existing penalty system, which in turn will allow the NSW Police Force to operate more efficiently.

This legislation has also taken the appropriate steps to establish the necessary framework to allow other authorised agencies to issue electronic penalty notices in the future without the need for any further legislative amendments. Schedule 1 [6], section 21 (1), (2) and (3) set out that any authorised officer may issue such penalty

notices. This will allow for other agencies to use this method and take the appropriate steps to modernise their penalty systems and issue penalties electronically. Schedule 1, sections 20 and 21 set out the definitions of a penalty notice and how it may be issued, specifically pertaining to the issuing of an electronic penalty notice.

Schedule 1, section 21 (5) sets out that for an electronic penalty notice to be issued, the recipient of the penalty notice must consent to receive the penalty in the form of an email or short messaging service [SMS]. Should the recipient decline to receive the penalty notice electronically then the existing paper format will be used instead. Further, if the recipient does not understand the offer to receive an electronic penalty notice, or if the issuing officer believes the individual is a vulnerable person, then the officer may decline to issue the penalty notice electronically and a paper penalty notice will be issued instead. Should the officer believe the recipient is providing a false phone number or email address then the officer may also decline to issue an electronic penalty notice even though it has been requested by the recipient.

It is worth noting that introducing the ability for authorised agencies to issue electronic penalty notices does not inherently change the penalty system that we have in place. Should an individual fail to pay an electronic penalty notice within the 28-day period, the Office of State Revenue [OSR] will issue a paper-based penalty notice to the individual. This same method is applied should the recipient not receive the penalty electronically. Schedule 1, section 24 (4) sets out that children who are aged between 10 and 16 years cannot be issued with an electronic penalty notice.

On top of the enormous amount of time the electronic penalty system will save our frontline officers, the Office of State Revenue has projected savings of approximately \$1.2 million each year by eliminating the manual handling of traffic infringement notices. The electronic penalty system relies on a modernised method of delivering documentation as opposed to the traditional means under which notices can take days, if not weeks, to arrive at the recipient's address. This system has undergone a proof of concept trial that has been heralded as a great success by everyone involved. With regard to security concerns and the devices used to process and issue the electronic penalty notices, the NSW Police Force will have the capacity to remotely locate, lock and/or wipe the contents from the device if it is lost, stolen or compromised in any way.

When electronic penalty notices are sent to an individual, each offence is sent as a separate file and each penalty will arrive as a separate portable document format [PDF]. The PDF will contain all the information pertaining to the offence, as well as offering the recipient the option to pay via hyperlink. This raises some concerns with regard to the inevitable arrival of new scams, hoax emails and SMSs targeting vulnerable persons and users who are not so tech savvy. Presently any kind of email or SMS a person would receive from any New South Wales or Australian government agency seeking moneys for an offence is easily dismissed and flagged as a phishing scam or as malicious content.

However, the inception of an electronic penalty system provides the recipient with the instruction to follow a link and pay their infringement online. That will completely change the game as we know it. Members of this House would not be strangers to hoax emails and fraudsters pretending to be from Australia Post or Telstra. We all get emails from Parliament's wonderful information technology [IT] department that give us forewarning. However, the average user does not have an IT department standing behind them to keep such content at arm's length. It is not uncommon for scammers to mimic official webpages and PDF files, which are then disseminated en masse. Such actions require very little effort and technical expertise. It is safe to say that the average user does not have the knowledge or understanding of how to determine whether the email or message they receive is genuine, particularly if it looks exactly like an official document.

This is why the NSW Police Force has cybercrime sections. This issue is not going anywhere—at least not anytime soon. Such a scam document would prompt the user to follow a spoofed hyperlink that would direct them to the "pay now" section of their fake webpage, which has mimicked the official payment page. This will open the door for a range of scammers and fraudsters to steal moneys, credit card information and an individual's personal information. I sound like a doomsayer spruiking the worst-case scenario, but that is precisely why I feel this issue needs to be brought to the attention of the House today. It is a scenario that could occur as a result of this new electronic penalty system. Cybercrime is a problem that affects many people in our community. If we open doors for the fraudsters to walk through, we need to be prepared with the appropriate measures to safeguard and educate the community.

Modern-day fraudsters do not need to breach the NSW Police Force's security system to get what they want. All they need do is to make a convincing enough copy of a system to pull the wool over an unsuspecting victim's eyes. The legislation focuses on modernising an archaic system to keep up with demand and the expectations of today's society. I trust that the new system will help to streamline the penalty process and save many arduous hours of duplication and redundant data entry undertaken by our hardworking police officers. As the shadow Minister for Justice and Police, and on behalf of my colleagues, I support the legislation.

**Mr GARETH WARD (Kiama) (12:50):** I thank the shadow Minister, the member for Fairfield, for his comments and acknowledge the Opposition's support for the Fines Amendment (Electronic Penalty Notices) Bill 2016. I share his concerns about cybercrime and commend our police officers for the work they do in dealing with it. Any government that deals with information technology communication will confront these issues. I note that the Office of Fair Trading has a unit dedicated to revealing scams, and I encourage members to draw the attention of their constituents to its website. Not a day goes by when we do not receive an email from a long-lost relative in some far-flung country saying we have inherited a fortune, and we know that that is not true. However, unsuspecting people might click on links not knowing that they are potential victims of cybercrime.

As I said, I acknowledge the shadow Minister's comments and the Opposition's support of the bill. I also support the Fines Amendment (Electronic Penalty Notices) Bill 2016. The bill contains amendments to the Fines Act 1996 to enable penalty notices to be issued electronically in the field via email or text message. If a person declines to provide a phone number or email address, the police officer will issue the penalty notice manually and send it by post in line with current practice. The police officer will first establish that the person's proof of identity is correct before issuing the penalty notice. The bill provides that police officers and those authorised by an issuing agency are able to issue electronic penalty notices in this manner.

The proof of concept trial in 2013, which assessed the effectiveness of this technology, took into account a full evaluation and considered what measures were important. The evaluation of the proof of concept focused on the system testing, ensuring that the software and cloud communications worked well, and the experience of system users. Broader issues such as the level of productivity savings to be achieved through the elimination of manual handling, data duplication, the suitability of the handheld device or comparing the traditional method of issuing penalty notices with electronic service were subject to a larger evaluation. I note the comments of the shadow Minister with regard to the reduction in the number of people involved in the handling of information and streamlining the process to make it easier for all involved. I support those remarks.

The framework for the findings has been subject to consultation with the NSW Police Force, Department of Justice, Audit Office, and Office of State Revenue. It included issues such as the evaluation of the suitability of the portable document format [PDF] version of the infringement notice; ensuring the disclaimer attached to the notice provided adequate advice, in particular for those who receive the notice in error, to report back to the police; the number of times the police or the Office of State Revenue are contacted by people about the project and feedback received from the Office of State Revenue, the NSW Police Force Contact Us page and the Police Assistance Line [PAL]; and the effect of electronic service on the speed with which infringement notices are paid and utilising this as an indicator of satisfaction with the process—as satisfactory as receiving a fine at any time can be.

The process also involved the evaluation of quantitative data on the effect of electronic service on processes for the NSW Police Force and the Office of State Revenue; a survey of police officers involved in the project, with ongoing feedback regarding their experiences of the trial; and the level of understanding of persons receiving the infringement notice that they should supply their phone number and email address only with consent. This was borne out in any complaints or feedback received via the Office of State Revenue, NSW Police Force Contact Us facility and PAL. The evaluation also examined technological data issues such as those created by utilising cloud technology, identifying software bugs, and communication failure between the NSW Police Force and the Office of State Revenue systems.

The trial achieved all its strategic aims and feedback was overwhelmingly positive. Key highlights of this feedback included strongly positive acceptance by police officers. That is important because they are on the front line and must implement this technology. The security model used to protect the application, the device and cloud worked flawlessly, and there were no security breaches. The now sunsetted section 196A of the Road Transport Act 2013 proved effective. The processing time from the point of approaching the recipient of the infringement through to sending a notice to the Office of State Revenue was reduced by half. The Office of State Revenue gained immediate benefits in that notices were received in one day as opposed to an average of 20 days. Payments also increased by 12 per cent and via the phone by 16 per cent, as opposed to the more expensive channel of Australia Post which normally represents 34 per cent of payments.

The chief information officer and the project manager found that the trial represented excellent value for money. For this investment the NSW Police Force gained valuable insight into the business requirements of a mobility solution for frontline police officers. This is an exciting, innovative, agile initiative. It will assist not only police officers and the Office of State Revenue but also infringement recipients who wish to easily and quickly pay their penalty in the same way they pay for and manage all their other business. The amendments are simple and are designed to allow the issuing of electronic penalty notices immediately. I commend the Minister and the Government for implementing stronger online solutions. Indeed, as chairman of the Joint Standing

Committee on Electoral Matters, I was pleased to oversee the implement of iVoting in this State. The people of New South Wales now have the option to vote electronically.

**Mr Clayton Barr:** Talk to the Australian Electoral Commission.

**Mr GARETH WARD:** I acknowledge that interjection. The Federal Government is a Luddite in respect of electronic voting; we should have been doing it for some time. That interjection has encouraged me to venture into irrelevant territory, and I would not want any member to take a point of order while I am focusing on the important issue of electronic fines. This Government has moved to streamline processes at Service NSW to simplify the arduous task of dealing with government services. Younger people are more savvy with and involved in online communities, and this initiative will make it easier for them to deal with government. No-one likes getting an infringement notice, but making the process as painless as possible will be good for all concerned.

I echo the comments of the shadow Minister, the member for Fairfield, about the good work done by our police officers. We should always look for ways to streamline their duties. This State is extremely lucky to be served by almost 17,000 diligent police officers. They get up every morning to do a difficult job, and they do not know the dangers they will confront. Be they a volunteer or someone on the beat, an investigating officer or an officer in the cybercrime unit, they do important work. It is the job of this Parliament to keep pace with changes in our community and to give police officers the opportunity to innovate and to utilise new technology, and this legislation is an example of exactly that. I thank the Minister for this innovation and I commend bill to the House.

**Ms JO HAYLEN (Summer Hill) (12:58):** The Fines Amendment (Electronic Penalty Notices) Bill 2016 seeks to standardise provisions relating to penalty notices and to allow the NSW Police Force to issue electronic notices. It will also create a framework for other agencies to do the same. I note the impact that this legislation may have on marginalised and vulnerable people in our community. On the face of it, this legislation makes sense—we should embrace technological advances to make the business of dealing with personal administration easier and more convenient. It is a fact of life that we are increasingly moving towards a cashless society. We pay our bills online, use our phones to pay for groceries and use our Opal cards to travel on trains.

But we must not forget that for some people these advances serve to further isolate and marginalise them and make the job of participating in our society and economy much more difficult. For those without regular access to the internet, those who cannot afford a mobile phone, the elderly, non-English-speaking people or the homeless, a move to a cashless society can make it nearly impossible to participate. A simple task such as catching a bus or paying rent can become insurmountable. Paying rates or paying a utility bill can be an all-day affair and, yes, paying a fine can become a herculean task. Most importantly, it can become increasingly difficult for some people to reach out and ask for help. This move to electronic penalty notices may intensify the impact of cumulative fines for those having already faced economic hardship.

We have a system where a failure to pay a single traffic infringement can hurl people into a cycle of debt and poverty that for some becomes insurmountable. Regularly, constituents contact my office after receiving fines, concerned that they cannot afford to pay them. They are facing penalty notices of up to \$500 or more for a single infraction, increasing in severity as deadlines they cannot meet pass them by, forcing them to make difficult choices about paying for food, shelter or clothing and meeting their basic needs. Many resort to loan sharks, where their debts intensify and their problems compound. I obviously support the need for fines and other punitive measures to ensure safety on our roads and in our communities, but I argue that we must do more to protect people caught in a debt spiral by the enforcement of fines.

I note that Federal Labor took a policy of income contingent loans to the recent Federal election, whereby residents could pay down fines over time without having to resort to loan sharks. A similar policy in New South Wales would go a long way towards protecting people from falling into inescapable debt. I note also that in New South Wales we offer a variety of alternatives for people, including paying by instalments, linking fines to Centrelink payments, applying for work development orders or postponing payment, depending on the severity of the financial institution. These are good measures, but we must consider that this amendment may funnel more people into circumstances where they are either not aware of those fines or they cannot pay them. While I support this amendment as a good way to simplify and streamline the processes of issuing and paying fines, I urge the Government to consider further measures to protect those trapped in a bleak future of debt and economic hardship all because of a traffic or parking fine.

**Mr CLAYTON BARR (Cessnock) (13:02):** I make a brief contribution to debate on the Fines Amendment (Electronic Penalty Notices) Bill 2016. The Fines Act falls within the portfolio of the Minister for Finance, Services and Property and, as the shadow Minister for that portfolio, I have the opportunity to make this contribution. The bill was introduced by the Deputy Premier and Minister for Police because, essentially, this amendment is specific to the NSW Police Force in the first instance, with the framework being established for expansion into other agencies in the future.

I acknowledge the Minister's second reading speech, which would have been prepared for him by his staff. We often fail to hear in this House good second reading speeches but the one given by the Minister was really good. He spoke about the proposed changes, why we need to have them, what the implications of those changes will be and how they will work in practice. It is a pretty straightforward formula for a speech but we hear it all too rarely. However, on this occasion the Minister's speech—and I thank his staff who prepared it—was excellent.

We recognise and appreciate that electronic penalty notices will be issued by police officers out on the beat only if the recipient consents and that in that instance the notice will be sent by SMS or by email. If the recipient does not give consent to that process the issuing of the notice goes back to the existing paper format. If the police officer is convinced that the person is having difficulty understanding what is taking place, the penalty notice goes back to the paper format. In the event that the fine is not paid after 28 days, the penalty notice goes back to the paper format and a reminder is issued. This concept will potentially save our police officers out on the beat, particularly our highway patrol officers, about 240,000 hours per annum of work time and allow them to get back to the important work they do, rather than having to do all the paperwork that bogs them down.

This electronic process is predicted to save about \$1.2 million per year. I reiterate the concerns of the member for Fairfield, who spoke about the scams that are often inflicted on people via their email. It is a matter of great concern. In the coming months and years I am sure that somebody will attempt to scam others in the area of electronic PDF format fines in New South Wales. Everyone in this Chamber is aware that people in the community will seek to scam others and expose this potential in the near future. I urge the Minister to make it clear that anyone sending out a fine and seeking to impersonate a NSW Police Force official will be caught by section 546D (2) of the Crimes Act 1900, which relates to the impersonation of police officers and specifically provides:

(2) **Aggravated offence**

A person who, with intent to deceive:

- (a) impersonates a police officer, and
- (b) purports to exercise a power or function as a police officer, is guilty of an offence.

I seek clarity in relation to paragraph (b). If a person emails someone a fake NSW Police Force penalty notice to try to rob that person of his or her money, would the offender be caught under that part of the Crimes Act or do we need to adjust the Crimes Act? It is appropriate to include something in the Crimes Act to try to catch these people, but it is not clear whether an offender is impersonating a police officer by sending an email. As the Parliamentary Secretary is about to speak in reply it might be impossible for him to address that point but I know that the Minister for Police will track me down at some stage in the future and clarify it for me. The New South Wales Labor Party supports this bill. We see this as a logical and obvious step forward. We acknowledge that there is potential in the future to expand the issuing of fines via SMS or email.

**Mr KEVIN ANDERSON (Tamworth) (13:07):** On behalf of Mr Troy Grant, in reply: I thank members for their contributions to debate on the Fines Amendment (Electronic Penalty Notices) Bill 2016. I will address some of the issues that have been raised by members during the debate. I thank the member for Cessnock for his acknowledgement of the excellent work done by the Minister. In relation to section 546D (2) and the reference to paragraph (b) relating to impersonating a police officer should someone send an infringement notice to an unsuspecting person, we are happy to come back to the member with clarification on that but we believe that at this point in time it would be a telecommunications offence as opposed to impersonating a police officer. The member for Fairfield raised concerns about fraudulent notices. A unique identifying number is provided at the scene and that number can be confirmed by later calling the Police Assistance Line on 131 444. The police system is secure and the unique identifier will not be publicly available or accessible to anyone other than the person, the police and the Office of State Revenue.

In conclusion, allowing police to issue electronic infringement notices will free up officers to spend more time on the front line. It will increase flexibility and mean less paperwork for police and people will receive and pay their fines more quickly. This is of greater benefit to officers in country areas who have to travel long distances to return to their station to complete their administrative tasks. These are straightforward amendments that reflect increased demand for more electronic communication over more traditional methods. I commend the bill to the House.

**TEMPORARY SPEAKER (Ms Melanie Gibbons):** The question is that this bill be now read a second time.

**Motion agreed to.**

### Third Reading

**Mr KEVIN ANDERSON:** On behalf of Mr Troy Grant: I move:

That this bill be now read a third time.

**Motion agreed to.**

### *Community Recognition Statements*

#### **MEALS ON WHEELS**

**Mr MATT KEAN (Hornsby) (13:11):** I am not alone when I say that many of our community organisations would not be the same without volunteers. In 2016 Meals on Wheels in Hornsby and Ku-ring-gai celebrated its fifty-fifth birthday. Meals on Wheels cooks and delivers hot meals to housebound residents across the North Shore. However, its work does not stop there. It reaches out and makes a difference to the days of hundreds of Australians by providing bright and friendly smiles and conversations with every nutritious meal. Whilst Meals on Wheels celebrates its fifty-fifth year of service to the Hornsby and Ku-ring-gai communities, it would be remiss not to acknowledge the four decades of service given by eight of its hardworking and dedicated volunteers. Those volunteers are Jenny Clarke, Padmini O'Brien, Barb Jessep, Jessie Bond, Margaret Lander, Mary Wallace, Bev Chapman and Barb Wood. Volunteering is an integral part of the Australian community and Meals on Wheels provides more than 105,000 meals per year in Hornsby and Ku-ring-gai alone. I commend not only current volunteers but also former volunteers for giving their time and compassion to prepare meals, provide company and check in on the wellbeing of their clients. I thank them for all they do for our community.

#### **LAMBTON GROCER STORE OF THE YEAR**

**Ms SONIA HORNER (Wallsend) (13:11):** I congratulate local business Lambton Grocer, its owner Steve Sternbeck and his hardworking team. Over the weekend the business was recognised as the National SPAR network 2016 Store of the Year. This came on the heels of winning the Southern Region, New South Wales and Australian Capital Territory, Affiliate Store of the Year award against 21 other stores. Only five stores were nominees for the national award. Steve and his team were announced as the national winners at the SPAR Trade Conference held on the weekend. Lambton Grocer is an important member of the Lambton community and the Elder Street precinct. Steve and his team have gone to great efforts to improve their service, opening hours and street appeal. Congratulations Lambton Grocer.

#### **TERRIGAL ABORIGINAL STUDENT OF THE YEAR**

**Mr ADAM CROUCH (Terrigal) (13:12):** I congratulate year 12 student Josh McRohan-Quensell for receiving the 2016 Local Aboriginal Student of the Year award by the Minister for Aboriginal Affairs the Hon. Leslie Williams. Josh is an outstanding student at Erina High School. He is a school captain and represents his school at a number of local community events, taking pride in his Aboriginal heritage. He is the youngest of nine children, all of whom have graduated from Erina High School. Principal Karen Nicol describes Josh as a national leader. He is a young man who is well respected by his teachers and a fellow student who always offers support and guidance. I am proud to congratulate Josh, who is an all-round great guy.

#### **CAMPBELLTOWN HOSPITAL AUXILIARY**

**Mr GREG WARREN (Campbelltown) (13:13):** I ask the House to join me in acknowledging the Campbelltown Hospital Auxiliary on its record donation this year to Campbelltown Hospital of more than \$102,000. The Campbelltown Hospital Auxiliary was started in 1953. Since then it has raised thousands of dollars every year to buy much-needed equipment for Campbelltown Hospital. In the past five years the group has raised more than \$375,000, which has gone towards improving the standard of care for patients at the hospital. I have had the privilege of attending meetings of the group on several occasions and seeing the wonderful work that President Jan Drayton and Secretary Gail Smith and other members do for the local hospital. The fundraising team works tirelessly throughout the year, having barbecues and running a store selling handmade baby items. Their efforts have clearly paid off and the money they have raised is much appreciated by the hospital staff, management and patients. I ask the House to join me in thanking the Campbelltown Hospital Auxiliary President Jan Drayton and Secretary Gail Smith and all the volunteers for the great work they do for our hospital.

#### **RIVER DECK CAFE**

**Mr GREG APLIN (Albury) (13:14):** I congratulate Albury's River Deck Cafe for winning an award at the Regional Tourism Awards held at Moama on 23 July. The prize was for the category of Tourism Restaurants and Catering Services. Not only was this the first time the River Deck Cafe had been nominated; it comes as the restaurant and cafe celebrates its first anniversary. I congratulate operator Alex Smit for his vision and drive to get his cafe established, expanded, rebuilt and performing so successfully. I congratulate all the staff of the



River Deck Cafe for helping turn this into a welcoming, important tourism and catering destination on the Murray River at Albury.

### CLUBGRANTS PROGRAM

**Ms TANIA MIHAILUK (Bankstown) (13:15):** Last Thursday I had the opportunity to attend the ClubsNSW Bankstown Local ClubGRANTS annual cheque presentation hosted at Revesby Workers Club. Many local school and community groups have received assistance from this year's program, including St Brendan's Catholic Primary, Chester Hill Neighbourhood Centre, Asian Women at Work and Bankstown City Choir. I note that the Chairman of ClubsNSW, Mr Peter Newell, OAM, was in attendance and I wish to thank and acknowledge ClubsNSW for its support of initiatives such as the annual ClubGRANTS program. I also acknowledge the clubs from Bankstown that made a contribution toward this year's program, including Bankstown Sports, Revesby Workers, Bankstown RSL, Chester Hill RSL, Bass Hill RSL, Club Condell Park, Panania Diggers, Padstow RSL, and Club Mount Lewis. Congratulations to the President of Revesby Workers Club, Mr Daryl Melham, the former Federal member for Banks, for hosting this year's successful event.

### KILLARA HIGH SCHOOL VOLLEYBALL CONTENDERS

**Mr JONATHAN O'DEA (Davidson) (13:16):** As teenagers Nicole Laird and Mariafe Artacho del Solar played beach volleyball together at Killara High School in my electorate of Davidson. This month they are leaving behind the beautiful beaches of Sydney and Australia to compete on the sands of Copacabana Beach at the 2016 Rio Olympic Games. Nicole and Mariafe recently won gold at the Asian Continental Cup final held in Cairns, earning selection for the Olympics. They became full-time beach volleyball partners in 2013 and went on to be victorious under-23 World Champions in 2014. In 2015 they won the Australian National Championships and were placed seventeenth in the World Championships. This record illustrates their great passion for beach volleyball and their determination to pursue excellence. I congratulate Nicole and Mariafe on their achievements so far and wish them and the Beach Volleyroos great success as they represent Australia in Rio de Janeiro.

### TRIBUTE TO RUSSELL LEWIS

**Ms PRUE CAR (Londonderry) (13:17):** I congratulate my friend Mr Russell Lewis, a well-known local paramedic from Colyton in my electorate, who finished his career with Ambulance NSW on 2 July after a staggering 39 years of service. Russ has worked in Western Sydney as a paramedic since 1978, having worked in Blacktown and then Colyton since 1995. His service is truly admirable. He is a well-known face in the ambulance service in Western Sydney, having earned the nickname "Poppy Smurf". Russ could also be called the local stork because over the years he has assisted in the delivery of 85 babies, including two of his own. One of those babies who was delivered roadside with the help of Russell was there with her mother for his last day on the job. Russ is a fierce advocate for health services in our region and should be congratulated on his outstanding service. I wish Russell and his family the best as they enjoy his new-found retirement. Our community is grateful for his service.

### TRIBUTE TO STEVEN MATTHEWS

**Mr JAI ROWELL (Wollondilly) (13:18):** Education is the cornerstone of our society. Developing the minds of children is a central tenet of this. The Wollondilly electorate is home to Steve Matthews, an author who acknowledges the importance of reading for the development of children. Recently he authored a book called *Lord Grott of Grott Hall*, which tells the story of a mean and unkind lord. The book seeks to teach children the importance of kindness and charity. Steve has authored three books in the past that were published in Australia, Canada and the United States of America. He now lives on a farm with his wife, Diane, after selling his business at age 55. I congratulate Steve on his continued contribution to the reading development of many young children in Wollondilly and the Southern Highlands, and children as far away as the United States and Canada.

### TRIBUTE TO BILL HALL

**Mr GREG PIPER (Lake Macquarie) (13:18):** I pay tribute today to an extraordinary man who provides inspiration to many in the community. Bill Hall will celebrate his 104th birthday in November, yet he still lives independently in his Coal Point home. Bill is a legend in amateur radio circles and much loved by those who know him. He took up what became a lifelong interest in radio in the early days of the technology. He has amassed a fantastic collection of historic radios, paraphernalia and associated spare parts, some of which date back to the late 1800s.

Bill's knowledge is regularly shared with those who have an interest and he is still occasionally called on to speak at public events, imparting his extraordinary knowledge of a world and technology many have forgotten. Over the years Bill has built a huge network of local and international friends who share an interest in radio. Each

day he chats to at least eight or nine friends around the world in a regular tune-in that has been held for decades. Those friendships have seen him travel extensively, including making 21 trips to Japan. Bill is an inspiration. I am pleased to formally recognise Bill for the contribution he has made to the rich diversity and tapestry that make our communities what they are.

#### **TRIBUTE TO JAN THOMAS**

**Mr MATT KEAN (Hornsby) (13:20):** Jan Thomas has always remarked that Hornsby is the place where she has done most of her community service. Today I pay tribute to her, a remarkable woman who has dedicated her life to the St John Ambulance. Jan enrolled her three children as cadets in 1980 and found herself assisting the Hornsby Cadet Division until she joined in 1981. From that time, Jan was heavily involved on a weekly basis for the next 25 years. The question is: What has Jan not done in the St John Ambulance? During her service Jan helped with the community care branch and involved herself in the program to aid literacy. She also joined the ophthalmic branch.

Though Jan became President of the Hornsby Cadet Division of the St John Ambulance, this did not prevent her from involving herself with founding the Sydney Youth Musical Theatre in Hornsby during the 1970s, giving young people an outlet for their musical talents. Jan lost her father, Dr Bernie Hindmarsh, in 1943 when the Australian hospital ship *Centaur* was torpedoed. In 1993 she recognised the fragmentation of community groups commemorating the 268 individuals lost on the *Centaur*, so she founded the 2/3 AHS Centaur Association, which connects the individuals affected. Jan's long community service has not gone unrecognised. She was honoured with an Order of Australia in the 2009 Queen's Birthday honours list. Today we honour Jan's remarkable contributions to Hornsby and thank her for her life's devotion to the youth of Hornsby.

#### **MACQUARIE FIELDS SALVATION ARMY**

**Mr ANOULACK CHANTHIVONG (Macquarie Fields) (13:21):** I am delighted to praise the local Macquarie Fields Salvation Army for its wonderful community work. I am a regular at the Macquarie Fields Salvos, and it is always a delight to see so many friends and familiar faces doing their bit for our local area. The number of activities undertaken by the organisation has grown substantially over the years. They include teaching TAFE courses and skills as part of transitioning to employment; holding events to celebrate everything that is great about our community, such as Christmas in July; providing financial and legal advice; and operating the Salvos store to raise money. The Salvation Army cafe makes some of the best coffee and cakes in town. Christian and his team at the Macquarie Fields Salvos must be commended for their effort, hard work and determination to serve our community. I look forward to continuing to work with them in advocating for our community.

#### **NAMBUCCA VALLEY RED CROSS**

**Ms MELINDA PAVEY (Oxley) (13:21):** I acknowledge the work of the Nambucca Valley Red Cross. It was my pleasure to attend the annual general meeting last month, the third year in a row that I have been able to attend. I highlight in particular the work of the President, Lesley Smith, who again this year went to Sydney on behalf of the branch to receive the special award from Red Cross for most money raised, the Margaret Waddell Country Achievement Cup. More than \$60,000 was raised by the Nambucca Valley Red Cross through its two shops in the main street of Nambucca. One little shop sells souvenirs and trinkets for tourists. There is also a food shop. The organisation is very lucky to have a husband and wife team, Greg and Kathleen, in the role of secretary and treasurer, because with \$60,000 raised there is a lot of money to be counted. The Nambucca Valley Red Cross has a very proud place in the community. I congratulate the Red Cross, salute it and thank its members for their work.

#### **DIABETES NSW**

**Ms JODIE HARRISON (Charlestown) (13:23):** Last month Diabetes NSW held an education and awareness forum in Parliament House. I was taken aback at the staggering figures presented at the forum. It is the fastest-growing chronic disease in Australia. The national average of people living with diabetes is 4.9 per cent, but, unfortunately, in areas of my electorate of Charlestown the number is significantly higher—almost twice the national average. For that reason I thought it important to host a diabetes forum in my electorate, in conjunction with Diabetes NSW. I thank all my constituents who attended. It was great that so many people affected by diabetes were able to attend and access expert advice. We were lucky to be joined by Dr Roza Sage and diabetes educator Angela Blair, who provided information on how to reduce or prevent the disease through lifestyle changes such as exercising more regularly, eating healthier and maintaining a healthy weight. Together they shared a wealth of knowledge about managing diabetes. Diabetes NSW provides a vital service that helps people to have control over their health and lives. I commend it for its work.

### KILLCARE GALLERY OF ART

**Mr ADAM CROUCH (Terrigal) (13:24):** I congratulate local residents Brendon and Jude Weston on celebrating their first anniversary of the opening of the art gallery at Killcare Surf Life Saving Club. Horizons at Killcare Gallery of Art supports local artists from the Central Coast. It allows them to showcase their work and charges only a gold coin donation entry fee. The money raised is donated to the local surf club and various charities throughout the year. Presently, there are more than 100 works on display by 14 local artists and two photographers. The art gallery at Killcare has become very successful, with more than 100 people a day visiting from around the region to view the work of talented Central Coast artists. I extend my best wishes to Brendon and Jude Weston for success in the coming year.

### NEWCASTLE ELECTORATE OLYMPIANS

**Mr TIM CRAKANTHROP (Newcastle) (13:24):** At this very moment, many Newcastle-born or bred athletes are getting ready for the 2016 Rio Olympic Games. This Saturday morning our time, the games will be open and events underway. I know that there are Novocastrians among Team Australia. I shout out my support to Richie Campbell in the water polo team, Chloe Logarzo in the soccer squad and Scott Westcott, who is making his debut in the marathon. I am so proud of these athletes and know that Newcastle will be cheering them on and celebrating their achievements as they compete. I also wish all the athletes, whether in a team event or individual effort, the best of luck. I congratulate them on being selected as part of the Australian team. Go, Team Australia!

### THE SCOTS SCHOOL ALBURY SESQUICENTENARY

**Mr GREG APLIN (Albury) (13:25):** I congratulate The Scots School Albury on the occasion of its sesquicentenary this year. This is a remarkable milestone for a regional school. It is being celebrated in style throughout the year, with former students and supporters coming to Albury to join in activities ranging from a spectacular Highland Games to a commemorative dinner, with musical highlights from renowned musicians and the pipe band, which is heading to the Royal Edinburgh Military Tattoo in 2017. I wish The Scots School Albury every success into the future. Fide Et Literis.

### HAZELBROOK PUBLIC SCHOOL TEACHERS

**Ms TRISH DOYLE (Blue Mountains) (13:26):** In late June I had the pleasure of attending a dinner with the staff of Hazelbrook Public School and many from surrounding schools. The dinner celebrated and acknowledged the dedication of three long-term teachers, all of whom have retired recently. The occasion honoured assistant principal Maree Cairns, and teachers Bruce Whiting and Ian Smith. Their combined teaching years total 98. That is an incredible accomplishment. I was invited to speak and formally present Department of Education medals to the retirees. As both a local member and former colleague it was an absolute pleasure to thank three outstanding educational leaders who have contributed so much to the lives of Hazelbrook's children and their families. In Education Week I celebrate Blue Mountains schools, as they are the foundation for a happy and healthy community. I take this opportunity to recognise the role of public education in this State and the importance of its dedicated, caring and skilled teachers.

### PANTOMIME PRODUCTION

**Mr JONATHAN O'DEA (Davidson) (13:27):** I recently had the opportunity to view part of the wonderful pantomime performance of *Cinderella* at the State Theatre in Market Street. I was invited by Alex Haddad, a Davidson constituent involved in assisting in marketing the production, who will, incidentally, compete at the Australian Transplant Games later this year. In addition to seeing the talented cast in action, I was fortunate to meet two of the executive producers, Christopher Wood and Bonnie Lythgoe, who is also the director. Now an annual event in Sydney, the next Bonnie Lythgoe pantomime production will be *Peter Pan*, in the middle of 2017. In an age of electronic gadgets, it is great to see Sydney hosting a traditional pantomime that provides wonderful entertainment for families, and younger children in particular.

### SUMMER HILL ABORIGINAL STUDENT OF THE YEAR

**Ms JO HAYLEN (Summer Hill) (13:28):** I was proud to host some of Summer Hill's most outstanding Indigenous students this week and to announce Isaac Bamblett of De La Salle College Ashfield as the Summer Hill Aboriginal Student of the Year. Isaac is an accomplished all-rounder, playing football for the Redfern All Blacks under 16s and his school's B-grade team; performing in a local cultural dance troupe; mentoring young students at his school; working in a part-time job; and, above all else, being a good brother to his younger sibling, Tyrell. I also congratulate Tyrell Johnson, Angeline Roberts and Kiara Haumono for being nominated by their teachers and communities and for being outstanding members of the Summer Hill community. I thank the teachers and family members who attended the presentation day and who nominated the students: Allana Taylor at Casimir

Catholic College; Marea Soulos at Christian Brothers' High School, Lewisham; and Caroline Haid Messer at Bethlehem College.

#### **KIAMA HIGH SCHOOL STUDENT REPRESENTATIVE COUNCIL**

**Mr GARETH WARD (Kiama) (13:29):** On Tuesday 26 July 2016 I was very pleased to attend Kiama High School's Student Representative Council Induction Ceremony. I thank the Student Leader Executive of 2015-16 including Captains Eliza Skorulis and Ned Wilkinson; Vice-Captains Emma Douglas and Tasman Fredericks; Secretary-Treasurer Hannah Lawrence and Toby Allen; and Aboriginal and Torres Strait Islander representative Tiarne Doughty. I also congratulate the incoming 2016-17 Student Leader Executive including Captains Grace Allen and Bryce Humphries; Vice-Captains Sharnie Heffernan and Darcy Lawton; Secretary Ryhlee Bamford; Treasurer Zander Newcombe; and Aboriginal and Torres Strait Islander representative Iesha Keys.

I also congratulate the following student representative council members from years 7 to 10, including Carlo Cullen, Mitchell Micallef, Emma Davison, Chloe Storch, Sam Scobie, Jackson Allen, Nellie Smith, Alexandra Nicholl, Ethan Corkin, Byron Moulang, Carly Abbott, Keely Regan, Alexander Wunsch, Nicholas Gregory, Josie Mansell and Lauren Perry. I also acknowledge the Student Representative Council Co-ordinator Sarah Meppem who does a tremendous job every year with this group of Kiama High School students and has attended many Kiama student leaders forums, which I host annually in New South Wales Parliament House. I also acknowledge Principal John Salmon and Deputy Principals Mr Kelly and Mr Roger for their terrific work at Kiama High School to develop our leaders of tomorrow.

#### **SPELL AND GYPSY COLLECTIVE**

**Ms TAMARA SMITH (Ballina) (13:30):** I congratulate the owners of Byron Bay business Spell and the Gypsy Collective who won the NSW Business of the Year at the Telstra Business Awards last Friday. The fashion label also took home the 2016 Telstra NSW Small Business Award. It was created by sisters Elizabeth Abegg and Isabella Pennefather. Isabella started the business from scratch by selling hand-made jewellery at Byron Bay's markets and was later joined by her sister, Elizabeth, who left Sydney and her film editing career to become Isabella's business partner. The sisters' shop in Byron Bay is a flagship store for its online brand, but also a wonderful example of how a regionally based business can compete with the best from Sydney and other big cities. This is a fantastic result for a small, regional business, and a tribute to the creative entrepreneurial spirit of the Northern Rivers region.

#### **SOUTHERN HIGHLANDS 2015 TULIP TIME**

**Mr JAI ROWELL (Wollondilly) (13:31):** The electorate of Wollondilly has a rich rural heritage, and thus I am proud to announce that 2015's Tulip Time had a record number of attendees, in fact 38,000 people, which was a record number to visit the Southern Highlands. Tulip Time is an internationally awarded event that is held across the Southern Highlands and has been running for the past 56 years. It is celebrated as one of Australia's oldest floral festivals. It spans two weeks with something for everyone. No matter whether you are aged one or 100 there is always plenty of fun to be had by everyone. People can enjoy the tulip stalls, music and entertainment, street parade, children's activities and much more. I thank Debbie Pearce and Steve Rosa from Destination Southern Highlands who showcase the Southern Highlands every day. They have done a fantastic job making Tulip Time a resounding success. I also extend my thanks to the Tulip Time working group, the representatives of Love Your Sister and the Garvan Research Foundation for their dedication to making the day such a resounding success.

#### **GWANDALAN LIONESSES**

**Ms YASMIN CATLEY (Swansea) (13:32):** As Australians, we are very fortunate to have so many fantastic people and groups doing great things for our nation. The Lions Club is an international organisation that never fails to help those in need. With more than 1,200 clubs in Australia there is no doubt that it is one of Australia's most appreciated establishments. Locally, the Gwandalan Lionesses has been helping those less fortunate since 1987. Today it has 35 dedicated members who are passionate about giving back to the community. Recently, it held its Art and Porcelain Show where all funds raised were donated to Camp Breakaway at San Remo. Camp Breakaway is a registered service provider of the National Disability Insurance Scheme and member of National Disability Services, which specialises in providing respite care for those with disabilities and their carers. I am pleased to say that the Gwandalan Lionesses raised \$4,693 for this wonderful organisation and today I acknowledge their efforts.

**MAITLAND ABORIGINAL STUDENT OF THE YEAR**

**Ms JENNY AITCHISON (Maitland) (13:33):** I congratulate Maitland's Local Aboriginal Student of the Year, Scarlet Avery, from All Saints College, St Joseph's Campus, who is today attending the Emerging Leaders Forum in the New South Wales Parliament. I have just finished having lunch with her and her mum, Heidi. It was an honour for me to present Scarlet with this award at a special ceremony last month for her outstanding commitment to her studies and her community. Scarlet is a very diligent and articulate student who demonstrates strong leadership for the Aboriginal community. Other finalists for this award were: Zoe Crouch, Maitland High School; Belle Leonard, Maitland Grossman High School; Elizabeth Davey, Francis Greenway High School; and Monique Freeman, All Saints College, St Peter's Campus. It is great to have such a fantastic cohort of Aboriginal leaders emerging in our community. I thank their teachers particularly for nominating them and their parents who supported them in this process, and particularly Scarlet's mum, Heidi, who brought her here today. I hope she has gained much from today's forum, and I look forward to seeing the best from her in the future.

**TEMPORARY SPEAKER (Ms Melanie Gibbons):** I shall now leave the chair and the House will resume at 2.15 p.m.

*Visitors***VISITORS**

**The SPEAKER:** I extend a very warm welcome to Marion Bell of Narooma High School, Aunty Victoria and Narooma High School Principal Tony Fahey, guests of the Minister for Transport and Infrastructure, and the wonderful member for Bega. I also welcome the participants of the 2016 Aboriginal Emerging Leaders Forum, the top recipients of the 2016 Aboriginal Student of the Year award, which recognises Aboriginal students in years 7 to 10 who are leaders in their community, guests of the Minister for Early Childhood Education, Minister for Aboriginal Affairs, and Assistant Minister for Education, and the wonderful member for Port Macquarie.

I also acknowledge and welcome the Tamworth Regional Council Mayor, Mr Col Murray, general manager Mr Paul Bennett, and director of business and community Mr John Sommerlad, guests of the Parliamentary Secretary to the Deputy Premier and for Regional Roads and Rail, and the wonderful member for Tamworth. I also extend a very warm welcome to Councillor Michael Pearce, mayor of Uralla Shire Council, and George Cowan, acting general manager of Uralla Shire Council, guests of the wonderful member for Northern Tablelands. I also acknowledge Mr Kevin Finlayson from the Physical Disabilities Council of NSW, guest of the wonderful member for Londonderry.

*Ministerial Statement***POLICE OFFICERS MENTAL HEALTH**

**Mr TROY GRANT (Dubbo—Deputy Premier, Minister for Justice and Police, Minister for the Arts, and Minister for Racing) (14:22):** As the Minister for Justice and Police, in concert with the shadow spokesperson, the Hon. Guy Zangari—

**Mr Luke Foley:** You could have given him some notice.

**The SPEAKER:** Order! The Leader of the Opposition will come to order. That is not a matter for me to discern. The Leader of the Opposition will cease interjecting.

**Mr Luke Foley:** There are conventions with respect to ministerial statements.

**The SPEAKER:** Order! If the Leader of the Opposition continues to argue with me he will find himself out of the Chamber. The Deputy Premier has the call.

**Mr TROY GRANT:** Unlike the Leader of the Opposition, the shadow spokesperson for police is a good and honourable man and he joins with me, as I am sure does each member of this Parliament, in recognising that the police of our State do incredible work on every given day. They have served our community in some of the most emotional and trying circumstances possible. Last Monday night the ABC showed Australia an example of the police forces of this nation getting it wrong. It does not matter which government is in office. Dealing with mental health and post traumatic stress disorder [PTSD] afflicting our police officers is not confined to New South Wales; it occurs across Australia. It is a challenge for every government in this nation.

Our television screens showed the emotional trauma suffered by serving and past NSW Police Force men and women. What we saw was not acceptable. It is an important and concerning issue that the New South Wales Government and the Opposition take seriously. There has to be more we can do for those police men and women who put themselves in harm's way. Mental health issues such as PTSD, depression and anxiety cover 90 per cent

of the injuries suffered by police. They are all conditions that become debilitating and far too often lead to tragic circumstances. As a society we have been battling, and continue to battle, the stigma of mental health.

In the NSW Police Force there has been an evolutionary change in the way that police officers are supported to cope and deal with mental health and that investment will continue to evolve and improve each day. We have learnt when supporting our police it is not about dollars, it is about dignity and the appropriate surrounding support. As the vice patron of Police Legacy I was honoured to announce a new bipartisan initiative. NSW Police Legacy is a wonderful charity that does so much for legatees and family members that have lost loved ones in the line of service. The new program is called BACKUP for Life. Police officers, people on the front line of emergency services and those in the armed forces need to know that they have backup while they are doing their duty.

The new program has been supported in the first instance with \$2 million. It will provide mentoring, additional counselling services and opportunities for police who are transitioning out of the organisation and can no longer serve our community. Once they know they can no longer serve in blue it will provide a new pathway and transition into life. I understand how important this issue is. I pay tribute to Stuart Ayres in his former role as Minister for Police and Emergency Services. The genesis of this concept occurred during his tenure. It is through Police Legacy that this idea is now borne out in the BACKUP for Life program. I understand how important this program is. I suffered PTSD, anxiety and depression during 22 years of service. I describe my experience as dancing with shadows.

It was through the support of family, colleagues and friends, and ultimately a friend who is a trained psychologist, that allowed me to survive. I think it is important to state that when using a personal experience to do something important for the community I make no claim that I am any better, more important or special than any other police officer who is serving, has served or has suffered mental or like conditions—but I do understand. I make no criticism of those who do not survive or cannot cope because this is an individual journey. Today the NSW Police Force, together with Police Legacy, has taken the biggest step in the organisation's history to wrap its arms around the police family in the most holistic way possible. The evolution in technology and policing practices has been extraordinary, but we have been too slow to deliver the same level of care to those who serve. My father was a police officer for 33 years. When I was four my father was kidnapped whilst he was on duty. He was kidnapped by escapees from Long Bay jail in an isolated area called Tintinhull north of Tamworth.

There was limited radio communication at the time and he was jumped by the offenders, who then tortured him. They played Russian roulette with his firearm, tied him to a tree, broke his back, and chewed off half of his left ear. My father dealt with that for the good part of 30 years, and his family dealt with it without any support whatsoever. We had to deal alone with the stigma associated with what happened because asking for support was not appropriate. We had to be tough, get over it, put it behind us and do our best. I understand the guilt my father felt from not being able to cope with his mental illness for a long time, as I also feel guilty about the way that I treated my friends and family as I struggled with my own journey.

Today's announcement will not be a golden panacea for those who suffer and who feel guilt. Nor will it make it easier for them, but it is the least we can do. If anything comes from today's announcement, I hope it is that fewer police officers suffer. Police officers in my father's era were offered no support, and there was emerging recognition and support in my era. We need much more understanding and much more support for police officers who are now facing difficult journeys. That is the least we can do. I thank the Opposition for its support.

**Mr GUY ZANGARI (Fairfield) (14:31):** I join with Deputy Premier Troy Grant, the Minister for Justice and Police, in supporting this ministerial statement relating to police officers suffering from post-traumatic stress disorder [PTSD]. I acknowledge the Deputy Premier's words to me prior to his presentation of this ministerial statement. Of course, the Labor Opposition supports all measures taken to assist police officers who go out each day to defend our community. I acknowledge the Minister's heartfelt words and his disclosure today about his experience with PTSD and his father's story. In years gone by, there was a stigma attached to mental illness and those who suffered from it were seen as not being manly or suitable to be a police officer. I have spoken to many men and women about their experiences with PTSD over the past few months in my capacity as the shadow Minister for Justice and Police.

Members of this place acknowledge that every local area command in our electorates is served by fine men and women who go above and beyond the call of duty every time they leave their home to protect our community. The Deputy Premier knows how it felt to pick up his bag and go to work not knowing whether he would return home in one piece. Police officers can be faced every day with traumatic scenes as they go about their duties. We know that they are regularly subjected to serious traumatic incidents that give rise to PTSD. Police officers and front-line emergency services workers are regularly subjected to horrific scenes. Like Government members, members of the Opposition believe that these workers must be supported. It is as simple

as that. We must provide ongoing support and counselling for those who are struggling through dark days, and also for their families.

It is widely known that PTSD can lead to self-harm, family breakdown and risky behaviours. Police officers can end up breaking the law because they have no coping mechanisms and because no support is available. I welcome any extra support that can be provided to police officers and their families. The Government has today announced the allocation of \$2 million in extra funding for police officers to help them to move on with their lives while retaining a bond with their police family. It is important that they have support for life. I acknowledge the many people who are members of the Forgotten 300, an advocacy group that has been championing the cause for many years through social media. I am sure that, like me, the Deputy Premier also watched the *Four Corners* program on Monday night that exposed this issue. The Opposition welcomes this move and the Government has its bipartisan support on this important issue.

*Question Time*

**HOSPITAL PATIENT CARE AND TREATMENT**

**Mr LUKE FOLEY (Auburn) (14:40):** My question is directed to the Minister for Health. In light of St George Hospital's treatment of a patient, named Tanya, with a blood disease, what steps is the Minister taking to protect patients and their families from being intimidated by senior health officials when they speak out?

**Ms JILLIAN SKINNER (North Shore—Minister for Health) (14:40):** I have no specific details of the patient in question. If the Leader of the Opposition wishes to provide the details I will seek advice. As I said in this place yesterday and to the media, any person who has a concern about their treatment has the opportunity to go to the Health Care Complaints Commission and ask that body for an independent investigation of their claims. I say to any patient, any person, that if they have concerns in relation to their treatment or in relation to the healthcare staff who are providing treatment they should use that opportunity. The Health Care Complaints Commission has been in place for a number of years and that is the appropriate channel.

**GREYHOUND RACING INDUSTRY BAN**

**Mr DARYL MAGUIRE (Wagga Wagga) (14:41):** My question is addressed to the Premier. What has been the response to the Government's decision to put a stop to systemic animal cruelty in the greyhound racing industry?

**The SPEAKER:** Order! The member for Strathfield will not interject before the answer has begun.

**Mr MIKE BAIRD (Manly—Premier, and Minister for Western Sydney) (14:41):** I thank the member for his question. The member has an understanding of the greyhound racing industry and is prepared to do the right thing on this matter. I congratulate the member not only on what he has done for Wagga Wagga but on constantly standing up for what he believes in. This Government has made a decision about this issue. Previously the Leader of the Opposition has said, "I would love to end greyhound racing." That is the position he took. When one looks at the debate across the world about this industry, which is shrinking, and the significant animal cruelty involved, we see the different approaches that have been taken, most recently in Arizona.

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

**Mr MIKE BAIRD:** In the debate in Arizona, Senator Steve Farley, a Democrat, said, "It is a cruel practice." The Governor said—

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

**Mr MIKE BAIRD:** The Republican Governor said:

Greyhound racing has run its course in Arizona and I want to thank all the lawmakers and stakeholders who worked in good faith to get it passed and sent it to my desk with unanimous support.

**The SPEAKER:** Order! I warn members about the consequences of their behaviour, as I did yesterday.

**Mr MIKE BAIRD:** All sides of politics were prepared to do what was right. They based their decision on principles, not politics.

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

**Mr MIKE BAIRD:** On the other side of the House is the man of principles—the MOP of New South Wales. He stands up on the basis of principle, but here is a political opportunity, so he says, "Let us put principles

aside and grab the political opportunity." All members of Parliament receive correspondence and they respond to it. I want to read a letter of response from one member. It states:

Overwhelmingly the people who have contacted me do so in support of a ban and I have expressed that view to the leader and will continue to argue the case within my party and the Parliament. I am a passionate advocate of animal welfare and in my view the McHugh report is clear in its conclusions. Abuse in the greyhound racing industry is systemic. There are doubts as to whether the industry can make the necessary reforms to guarantee animal welfare.

I thank the member for Summer Hill for having some principles. All those opposite should listen to the member for Summer Hill.

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

**Mr Michael Daley:** Point of order: My point of order is Standing Order 129. I ask the Premier to read the Hon. Dr Peter Phelps's correspondence as well.

**The SPEAKER:** Order! There is no point of order. If the member takes a similar point of order he will be placed on a call to order.

**Mr MIKE BAIRD:** I have talked to the member for Maroubra about the opportunity that is available to him.

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

**Mr MIKE BAIRD:** We have been talking about the leadership. The member for Kogarah is prepared to take on the Leader of the Opposition and for about 20 years we have been talking about the member for Maroubra taking on the leader.

**The SPEAKER:** Order! I remind the member for Bankstown of my earlier ruling. The member for Strathfield will come to order.

**Mr MIKE BAIRD:** But now there is a new star on the horizon—the member for Summer Hill.

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

**Mr MIKE BAIRD:** Does the member for Maroubra know that the member for Summer Hill is in the Left faction—that is, his faction?

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

**Mr MIKE BAIRD:** I commend the member for Summer Hill for standing up for what she believes in. The Leader of the Opposition is like the Wizard of Oz: when you pull back the curtains there is a little man with political levers and nothing else.

**Mr Luke Foley:** Point of order: My point of order is Standing Order 73. Here is a principle: Do not destroy thousands of livelihoods with a Facebook post.

**The SPEAKER:** Order! Is the Leader of the Opposition taking offence? There is no point of order. The next time the member takes such a point of order he will be called to order for the third time.

**Mr Luke Foley:** Don't destroy thousands of jobs.

**The SPEAKER:** Order! I call the Leader of the Opposition to order for the third time. Members will cease interjecting.

**Mr MIKE BAIRD:** The hypocrisy is quite amazing. [*Extension of time*]

The Leader of the Opposition wants the slaughter of thousands of healthy dogs to continue. That is what he is standing up for. And he wants to continue live baiting.

**The SPEAKER:** Order! I remind the Leader of the Opposition that he is on three calls to order.

**Mr MIKE BAIRD:** This was not an easy decision; it was a very difficult decision. Our response was not made on the same basis as the Opposition's response. The Leader of the Opposition decided that it is a political opportunity and to turn the debate into one of class warfare. Our decision has not been made on the basis of Left or Right or Liberal, Greens or Labor. This is not class warfare; this is purely and simply a response on animal welfare.

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



**Mr MIKE BAIRD:** The Leader of the Opposition himself has said that we, as part of a humane society, should look after our animals.

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

**Mr MIKE BAIRD:** As I said yesterday, the McHugh report is a specific report on a specific industry, and that is it.

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

**Mr MIKE BAIRD:** It is very clear that the other side of the House has a leader who is prepared to do anything to gain power.

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

**Mr MIKE BAIRD:** We know what that is like in Sussex Street: You end up standing for nothing.

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

**Mr MIKE BAIRD:** Members on the other side of the House are saying that the member for Kogarah is not quite ready yet.

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

**Mr MIKE BAIRD:** But they are going to move towards him or, if not, they will think about the member for Summer Hill—or even the member for Maroubra. What is important is that whoever takes the job stands up for what they believe in. [*Time expired.*]

#### HOSPITAL CHEMOTHERAPY TREATMENT

**Mr MICHAEL DALEY (Maroubra) (14:49):** My question is directed to the Minister for Health. Given that she knew in April this year about chemotherapy underdosing at St George and Sutherland hospitals, why did she wait until August to tell affected patients?

**Ms JILLIAN SKINNER (North Shore—Minister for Health) (14:49):** As I indicated yesterday in my response to this question, it is extremely important that when matters such as this are raised we approach them in a way that puts patients first. That is my primary concern. A nurse at Sutherland Hospital had heard about the matters identified at St Vincent's and then raised the alarm. That then triggered a thorough review of the cases, which takes some time because all of the cases of patients treated over six years had to be investigated. This issue dates back to the early 2000s. We can only imagine how many patient records must be reviewed. That investigation then identified a number of cases that had to be reviewed before we could inform the patients. As I said in my statement yesterday, that review identified 14 records that were required to undergo external clinical review and while there is less concern about the treatment of those patients, their cases will continue to be reviewed by an independent expert.

On Monday, the South Eastern Sydney Local Health District clinicians contacted all affected patients or their next of kin to advise them of the extensive review and to discuss the support that is available to them. A local helpline, manned by registered nurses, has been established for patients who wish to raise their concerns. As I indicated, that extensive review revealed that there were three patients who were identified as being affected. The care of one patient was transferred to another clinician and the families and next of kin of two deceased patients were invited in to have the disclosure made to them. That was the process we needed to go through to ensure that all of those patients and their families were kept in the loop.

#### GREYHOUND RACING INDUSTRY BAN

**Mr STEPHEN BROMHEAD (Myall Lakes) (14:51):** My question is addressed to the Deputy Premier. Will he update the House on the greyhound racing industry ban and the state of public debate on this important issue?

**The SPEAKER:** All members not already on three calls to order will be placed on three calls to order if they continue to interject. The Deputy Premier has the call and will be heard in silence. If he is not, members will be removed from the Chamber for the remainder of the day.

**Mr TROY GRANT (Dubbo—Deputy Premier, Minister for Justice and Police, Minister for the Arts, and Minister for Racing) (14:52):** I thank the member for Myall Lakes for his question. There has been a lot of talk about what this decision is and what it is not. Let me make it clear. This is not a debate about food and fibre. This is not a debate about our food supply chain. Every industry that deals with animals must do so humanely and our primary industries are the world's best in their practice of husbandry. The slippery slope argument does

not hold water. Agriculture built our modern society and it remains its foundation stone. The Nationals will always stand up for the bush and its people and will always stand up for primary industries. What we will not do is stand next to thugs and bullies unlike others who may choose to do so.

**The SPEAKER:** The member for The Entrance will come to order. The member for Swansea will come to order. I call the member for Port Stephens to order for the second time.

**Mr TROY GRANT:** Under the regime that the New South Wales Government is seeking to sweep away, a participant could call the chief executive officer [CEO] of Greyhound Racing NSW and bargain with him to not prosecute people suspected of live baiting. Under this regime, participants could call the CEO and indicate that if they had their way they would have barred journalists from greyhound racing tracks so they could not witness the injuries and deaths of greyhounds at those tracks.

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

**Mr TROY GRANT:** Under this regime, participants could call and label people in the industry who blew the whistle on live baiting "grubs". Under this regime, participants could tell the CEO that they did not understand why those being investigated for live baiting by journalists and welfare activists did not go and bash them and take their camera. This abhorrent behaviour is exactly the kind of evidence that was exposed at the special commission of inquiry. When asked about this matter at the inquiry, the same participant is quoted as saying:

Personally, I don't care about dead rabbits. I don't care about it. I'm more of a money—the issue of money is more my concern to keep the industry going.

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

**Mr TROY GRANT:** This participant is the guy that the Leader of the Opposition wants to stand shoulder to shoulder with to attack the Government on this important issue.

**The SPEAKER:** Members will come to order and cease interjecting.

**Mr TROY GRANT:** When the Leader of the Opposition stood at Wentworth Park with the member for Summer Hill and announced that a Labor Government would reintroduce greyhound racing in New South Wales, he said:

It's great to be here with respected greyhound industry figure Tony Gannon.

He again stood next to him at yesterday's rally. I seek leave to table the Investigation Report into Telephone Call involving Mr Tony Gannon and Mr Brent Hogan by David Madden for Greyhound Racing NSW, dated 12 April 2015 and Greyhound Racing New South Wales Record of Telephone Conversation between Mr Tony Gannon and Mr Brent Hogan, two documents that go to the very heart of greyhound racing and the endemic and systemic issues in the industry so as to provide insight on the level of public debate.

**Leave granted.**

**Documents tabled.**

#### **CANCER TREATMENT AT ST VINCENT'S HOSPITAL**

**Ms KATE WASHINGTON (Port Stephens) (14:56):** My question is directed to the Minister for Health. What is the Minister's response to documentation from the Medical Error Action Group [MEAG], proving they wrote to her in 2015 raising concerns about cancer treatment at St Vincent's Hospital.

**Ms JILLIAN SKINNER (North Shore—Minister for Health) (14:57):** I thank the member for the question. As I indicated yesterday, the first I was aware of the concerns regarding Dr John Grygiel's treatment of patients at St Vincent's Hospital was the same day the concerns were aired in the media in February this year. I stand by that statement. The scurrilous accusations currently being aired in the media about my failure to reply to correspondence from the Medical Error Action Group, that I have lied about receiving faxes and other scurrilous claims about secrecy and lack of transparency are all wrong. I will go through them. The allegations made in the media over the past couple of days include statements such as:

... she has not written nor has MEAG received any correspondence from her since she has been Minister for Health. The last letter MEAG received from NSW Health was dated November 2011.

This is untrue. To ensure everyone has access to my response, I will produce documents to prove it.

First, the claim that I have not written to the Medical Error Action Group since becoming Minister is untrue. I produce the latest of four letters confirmed by the NSW Health correspondence log system, dated 22 July, which states:

Your letter was referred to the Ministry for review and I have been informed that of the 34 items of correspondence listed in your letter, there is no record of receipt of 18 of those items.

Second, the claim that NSW Health has not written since November 2011 is untrue. I produce a letter from the General Counsel, NSW Health, dated 30 May 2016, which states:

I refer to correspondence to the Minister for Health, the Hon. Jillian Skinner MP outlining claims for \$82,046.25 and \$202,910.85 in respect of services provided by the Medical Error Action Group (MEAG) regarding the investigation of former Dr Graeme Reeves.

The two-page letter then reiterates points made to the correspondent previously in writing, including confirmation of written advice provided by the previous director general in 2008 that any woman who had contacted MEAG about her treatment be asked to raise concerns directly with the Health Care Complaints Commission. The letter further states:

At no time were you or your organisation asked to undertake any work for or on behalf of the Department of Health nor was there any agreement as to payment.

The letter also refers to a meeting on 26 February 2008 between the then Minister for Health, the Hon. Reba Meagher, and officers of the Department of Health where these matters were further discussed. Thirdly, MEAG's claim, through the media, that it had a fax receipt from my office of a letter sent to me in 2015 is untrue. When this was first raised with me in February a comprehensive search was made of my records and nothing was found. Yesterday, when the document purported to be a fax receipt from my office was produced we undertook a further search. Members may not be aware that when a fax is sent to a Minister's office it is converted to email and a log is kept of every email. The log is maintained by the Department of Premier and Cabinet [DPC]. I asked the DPC information technology section yesterday to confirm its computer records of all faxes received by my office in May 2015. I produce a memorandum signed by the Deputy Secretary, Government, Corporate and Regional Coordination, which states:

With regard to the fax allegedly sent from "Medical Error Action" on 25 May 2015 at 12:49 I have reviewed the log for Minister Skinner's fax number. There is no record of Minister Skinner's office receiving any fax on 25 May 2015.

It goes on to say:

I have also checked for receipt of faxes on the days either side of 25 May 2015. The log shows that a fax was received on 26 May and I have been informed that this was a generic fax from Canon.

The ludicrous claims that the flat dosing protocol for chemotherapy is a concoction of NSW Health is untrue. That is an international standard.

#### **DUST DISEASES SCHEME**

**Ms MELANIE GIBBONS (Holsworthy) (15:03):** My question is addressed to the Minister for Finance, Services and Property. Minister, how have the Government's reforms to the Dust Diseases Authority heralded a new era of compassionate care for some of the most vulnerable people in our society?

**Mr DOMINIC PERROTTET (Hawkesbury—Minister for Finance, Services and Property) (15:03):** I thank the member for her question. Our party has always been the party of progress, of compassion and of protecting the most vulnerable. As Sir Robert Menzies once said:

This country has great ... obligations to the weak, the sick, the unfortunate. It must give them all the sustenance and support it can ... To every good citizen the State not only owes a chance in life but a self-respecting life.

The Baird-Grant Government stands firmly in the Menzies tradition—using the power of government to help those who need it most.

**The SPEAKER:** Opposition members should not interject during this answer.

**Mr DOMINIC PERROTTET:** Nowhere can this be seen more than in our changes last year to the Dust Diseases Scheme. As many members would be aware, Australia has one of the highest rates of mesothelioma in the world. Many sufferers pass away within 18 to 24 months of being diagnosed. Under Labor the process for receiving support was complex, lengthy and overly bureaucratic. It was worsened by the fact that sufferers tend to be elderly and cannot afford months of waiting around. Something had to change, so in 2015 we completely redesigned the two-step application and approval process. The process now puts the person at the centre of the scheme, rather than the bureaucracy. Under Labor's scheme a dust disease victim had to wait 136 days to have their claim processed. Under the compassionate Baird-Grant Government we have slashed this to just 66 days—in other words, waiting times have been cut in half. Under Labor's scheme it took up to 30 days for the agency to approve a claim. But under the Baird-Grant Government approval times have been cut from 30 days to just two.

**The SPEAKER:** The member for Kogarah will come to order.

**Mr DOMINIC PERROTTET:** We are proud of this achievement because for sufferers and their families every single day counts. Our reforms have resulted in a process that is both compassionate and effective, where people have access to the care and support they desperately need when they need it. This is why Karen Banton, widow of Bernie Banton, recently praised our reforms, saying they made "a huge difference to people's lives". It is worthwhile to note that these substantial improvements to the Dust Diseases Scheme were opposed by those opposite, who engaged in a disgraceful and deceitful fear campaign that caused anxiety and distress for sufferers and their families. The member for Cessnock accused us of "knifing and wounding" injured workers. The member for Londonderry called the reforms "completely unacceptable" as she praised Labor's protracted 30-day processing time—a time that we have now cut to two days. The member for Lakemba said that the changes were "a kick in the guts for victims and their families". The member for Summer Hill said that our reforms were "short-sighted and cruel". The member for Newcastle accused us of "attacking injured workers". The member for Swansea said it was "a heartless thing to do".

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

**Mr DOMINIC PERROTTET:** Is it heartless to increase care to the most vulnerable people in society and to cut waiting times, to give them the care and support that they desperately need?

**The SPEAKER:** I remind the member for Swansea that this is not a debate.

**Mr DOMINIC PERROTTET:** In defence of members opposite, we all know that the fish rots from the head. What did the Leader of the Opposition say? He accused us of not having compassion and of "cost-cutting gone mad". The only thing we cut was Labor's legacy of long waiting times and inadequate support for sufferers and their families. It is clear that the Leader of the Opposition is an apologist for his scaremongering members of Parliament before he is a fighter for dust disease victims in this State. Labor's trafficking in tragedy is nothing new. [*Extension of time*]

As we have seen again this week, Labor members are merchants of misery, preying on the vulnerable, inflicting emotional harm and inciting a climate of fear in the community. It is clear that Labor members, led by the Leader of the Opposition, are nothing more than rank opportunists who shamelessly exploit other people's tragic circumstances for their own political gain. Labor's response to our changes to help people suffering from dust diseases has highlighted that it has moved from the politics of smear to the politics of fear. Meanwhile, the Baird-Grant Government will continue to deliver a social justice agenda to improve the lives of the sick and suffering across the State.

#### HOSPITAL CHEMOTHERAPY TREATMENT

**Ms JODI McKAY (Strathfield) (15:10):** My question is directed to the Minister for Health. Given the Minister's comments yesterday, how many doctors involved in chemotherapy underdosing has the Minister referred to relevant disciplinary bodies for professional misconduct and other failures?

**Ms JILLIAN SKINNER (North Shore—Minister for Health) (15:10):** I am surprised that the member for Strathfield does not understand that that is not a Minister's role. The member was formerly a Minister. She may laugh.

**The SPEAKER:** Order! The Minister has the call. The member for Strathfield will come to order. This is not a debate. Members will come to order. There are too many interjections.

**Ms JILLIAN SKINNER:** The reality is those bodies that investigate, including the Health Care Complaints Commission, and people who make an allegation can refer matters to the Medical Council and that council will take action. Furthermore, the council publishes a list of the restrictions that have been placed upon doctors in their practice that anyone can read. Unlike the former Government, this Government is open and transparent, and the information is on the Health website and the website of the Medical Council.

#### ABORIGINAL LANGUAGES

**Mr KEVIN ANDERSON (Tamworth) (15:10):** My question is addressed to the Minister for Aboriginal Affairs. How is the New South Wales Government supporting young Aboriginal people and revitalising Aboriginal languages?

**Ms LESLIE WILLIAMS (Port Macquarie—Minister for Early Childhood Education, Minister for Aboriginal Affairs, and Assistant Minister for Education) (15:11):** I thank the member for Tamworth for his support of Aboriginal languages within his electorate. I was incredibly pleased today, during Education Week, to host a forum of 25 young Aboriginal leaders from right across the State, who have joined us in the public gallery. Through the New South Wales Government's Aboriginal Affairs policy Opportunity, Choice, Healing,

Responsibility and Empowerment—or OCHRE—we have made a commitment to build resilience, to improve connectedness and participation, and to help young Aboriginal people to achieve their potential and their goals.

Aboriginal languages in New South Wales are critically endangered. Of the 35 Aboriginal languages and more than 100 dialects spoken in New South Wales in 1788, all are either severely or critically endangered. Aboriginal languages are important to all Aboriginal and non-Aboriginal people in New South Wales because they are an essential and unique part of this State's culture and identity. Recognition and protection of Aboriginal languages is critical for reconciliation and is a shared responsibility of government and communities. Across the State this Government has worked with communities to support language revitalisation. Today, through its five language and culture nests almost 5,000 students in 46 different schools and education facilities are learning an Aboriginal language. The mood in communities is enlivening, and I am heartened that children can speak to elders and to each other in Aboriginal languages, from Gumbaynggirr on the North Coast to Gamilaraay in Lightning Ridge.

Recently I travelled to Menindee in far western New South Wales and met the first two students who are studying an Aboriginal language as a subject in their Higher School Certificate—scholars of the Baakantji language. The Menindee community know how important this language revitalisation is and, like me, they are incredibly proud of Andrew and William, who I understand intend to continue their language studies and become teachers themselves. I was also struck by the success of the Connected Communities strategy, overseen by my colleague the Minister for Education, which positions schools as community hubs to facilitate a range of services from school to further training and employment. This is certainly working to support language revitalisation in Menindee. When I arrived a three-year-old preschooler welcomed me in Baakantji, elders then shared their enthusiasm for language, and schoolchildren of all ages sang and spoke proudly in Baakantji.

As well as the language nests, a further commitment to language revitalisation is the annual "Our Languages, Our Way" community grants. This year, five community organisations will deliver local language programs in Wagga Wagga, Coffs Harbour, Deniliquin, Tamworth, Glenn Innes and Bega. This Government knows the importance of celebrating and fostering all aspects of Aboriginal culture and the important role that leaders play in sustaining communities. That is why the Government established the Aboriginal Student of the Year Award to recognise and foster young people's contribution to their local community. This award recognises the resilience that young Aboriginal people demonstrate when they put up their hand, step forward and face challenges positively and constructively.

The 25 outstanding students who are recipients of the Aboriginal Student of the Year Award are here today participating in the first Emerging Leaders Forum. This is their opportunity to connect with a whole range of leaders, from politicians to Aboriginal business, public and community sector leaders as well as artists and sporting representatives. It is also timely to hold this forum during Education Week, which is a time for the community to recognise and celebrate the achievements of public schools, their students and staff.

**The SPEAKER:** Order! I am disappointed at the number of private conversations that are occurring during the Minister's answer—particularly among shadow Ministers, who should know better and should be interested in this subject, as should all members. It is incredibly disappointing. The member for Strathfield may laugh and think it is amusing; I do not.

**Ms Jodi McKay:** No, I think you are amusing.

**The SPEAKER:** Order! The member for Strathfield can leave the Chamber if that is what she thinks.

**Ms LESLIE WILLIAMS:** This year's theme, "Shared stories, better learning, strong communities", acknowledges the important role that public schools play in fostering relationships between students, staff and the community. [*Extension of time*]

Education Week is not only a time to showcase our 790,000 talented public school students and the valuable contribution of public education to our communities but also a time to celebrate the achievements of our Aboriginal students. On Monday at Georges River Secondary College, Peakhurst Campus, I joined the Premier and the Minister for Education to launch Education Week. It was fantastic to see Tallis Brown, who welcomed us to his country. Tallis is participating in our Emerging Leaders Forum today. I am really proud of the achievements of these young people, as I know many in this Chamber are. They have come from across the State and, as Minister, I look forward to continuing the partnership with Aboriginal communities to make sure that we can continue to provide them with further opportunities.

### COMPULSORY PROPERTY ACQUISITION PROCESS

**Mr JAMIE PARKER (Balmain) (15:16):** My question is directed to the Premier. How does the Premier justify the policy that sees families who have had their homes compulsorily acquired by Roads and

Maritime Services being charged full market rent while they dispute the valuation they received and pursue their legal appeal rights?

[Interruption]

**The SPEAKER:** Order! There is great praise from members of the Opposition. They could have asked that question.

**Ms Jodi McKay:** I have actually asked that question quite a few times.

**Mr MIKE BAIRD (Manly—Premier, and Minister for Western Sydney) (15:17):** It is a fair question, and I thank the member for Balmain for his interest in this issue. We are obviously aware of that case and it is being considered by the roads Minister. I strongly believe the Government has to do much better in relation to the acquisition of properties.

**Ms Jodi McKay:** What does that mean?

**The SPEAKER:** Order! It is not your question, member for Strathfield.

**Ms Jodi McKay:** He has said this before.

**The SPEAKER:** Order! I call the member for Strathfield to order for the second time. I remind the member for Cessnock that he is on three calls to order. I call the member for Strathfield to order for the third time.

**Mr MIKE BAIRD:** We all know the benefits of WestConnex. We agree strongly that there will be benefits to hundreds of thousands of Sydneysiders on a daily basis. On some of the key corridors between Parramatta Road and Concord and Haberfield there will be 45,000 fewer vehicle movements per day. Truck volumes along Parramatta Road east of Concord will be reduced by about 10,000, travel times between Parramatta and Sydney Airport will be down by 40 minutes and travel times between King Georges Road and Sydney Airport will be cut by about 15 minutes. Across the city there will be significant benefits for hundreds of thousands of people, which is a very good thing. At the same time, we need to understand that some people have had to go through incredible difficulty to achieve this result—that is, those whose homes have been acquired.

None of us would want to be in a position where our home is acquired as part of a project such as this. Everyone can understand there are big benefits, but we should not forget the personal circumstances of those whose homes are compulsorily acquired. As part of that, I strongly believe the process has not been anywhere near as good as it should be. The member for Strathfield asked: What does that mean? It means that we have to have more personal interaction with those affected and we have to show much more empathy. As part of that I have asked the State's Customer Service Commissioner, Michael Pratt, to oversee the acquisitions recently identified as being part of stage 3 so as to ensure that this process is undertaken according to world's best practice. That means that from the first time there is a knock on their door we stay with those families until they open the door of their new home. As a government, we want to take away as much inconvenience and as many of the challenges in between as we possibly can.

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

**Mr MIKE BAIRD:** In terms of the financial arrangements, the vast majority are agreed. Obviously, some are in dispute. We have to be generous and caring and we have to do everything possible to minimise the inconvenience as part of the process. Over the past couple of months I have said that I believe we have not done that. But we are determined to get it right so we are listening and responding. Mike Pratt, as part of this process, will make some recommendations to ensure that we follow world's best practice. We cannot forget the families who are impacted by the process. I assure members that we will do everything possible to do a much better job going forward.

#### RESEARCH AND INNOVATION INITIATIVES

**Mr GARETH WARD (Kiama) (15:20):** My question is addressed to the Minister for Industry, Resources and Energy. Will the Minister inform the House how the Government is supporting greater collaboration between business, industry and universities in New South Wales? Is the Minister aware of any alternative policies?

**The SPEAKER:** Order! Members will cease interjecting. The Minister will be heard in silence.

**Mr ANTHONY ROBERTS (Lane Cove—Minister for Industry, Resources and Energy) (15:21):** I thank the member for his question and commend him for his interest in this matter. Innovation and entrepreneurship are the hallmarks of great economies, and this State is no exception. Unlike those opposite, who peddle nothing but fear and smear, on this side we are getting on with the job of delivering good government for

the people of New South Wales. Thanks to this Government, the economy of New South Wales is booming and small and medium businesses have the atmosphere, encouragement and support to thrive. I give due credit to the Minister for Regional Development, Minister for Skills, and Minister for Small Business, who has unbounded passion and enthusiasm for supporting small and medium enterprises [SMEs] throughout this great State. With unflinching zeal, we on this side of the House are committed to fostering a diverse economy—one that powers innovation-led growth right across the State.

**The SPEAKER:** Order! Members will contain themselves until the end of question time.

**Mr ANTHONY ROBERTS:** Together with business, government has a key role in making sure that we support the right levers and those levers are in place. This Government is supporting a stronger culture of entrepreneurship and building more and better linkages between business and research talent. That is why I was delighted recently, together with the Minister and the Treasurer, to announce the new Sydney School of Entrepreneurship, where students will be given the opportunity to develop the business and entrepreneurial skills they need to start and grow new businesses—the new businesses that will create the wealth, jobs and prosperity of tomorrow. If it were left to those opposite all we would be seeing is deficient and unskilled results, with New South Wales again languishing at the bottom of the economic scrapheap. While those opposite focus on fear and smear, those of us on this side of the House are supporting industry and research collaboration through our industry-led knowledge hubs.

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

**Mr ANTHONY ROBERTS:** The Financial Services Knowledge Hub, for example, has resulted in the creation of Stone & Chalk.

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

**Mr ANTHONY ROBERTS:** The Financial Services Knowledge Hub, in Sydney's central business district [CBD], is one that everybody is talking about. It pleases me to inform the House that New South Wales is home to more than 55 per cent of Australia's medical technology companies, as the Minister for Health can tell us, with around 75 per cent of multinational pharmaceutical companies having their Australian corporate headquarters in this State. While those opposite peddle their fear and smear, I recently launched the Medical Technology Knowledge Hub's new report on creating additional jobs and growing the medical technology industry. It was at this launch that I met an amazing and inspirational young lady, 2016 New South Wales Young Woman of the Year Dr Dharmica Mistry. While at university Dr Mistry developed a new breast cancer screening technology that has revolutionised breast cancer detection and is already saving lives. She is a wonderful example of young people involved in science and of the skills so necessary to grow medtech in New South Wales. Further, we have supported the establishment of the Creative Digital Knowledge Hub, known as Piivot, led by the University of Technology Sydney.

Madam Speaker, as you and those on this side of the House will be aware, some 184,000 people are working directly in the creative industries in New South Wales alone, making up just over 5 per cent of the State's workforce. Obviously, when we talk about creativity it does not include those opposite because there is nothing creative in their approach to politics or policy. It does not stop there. For energy and resources, this Government has funded the Newcastle Institute for Energy and Resources—which, as we all know, is world class and a star in its field. Some of those opposite might yawn, but this is essential for the future. One of the hub's researchers, Professor Paul Dastoor, is now on the threshold of bringing to fruition a commercial-scale energy system based on solar cells that can be printed and ultimately will be painted onto surfaces.

Those opposite have a clear and grotesque aversion to supporting and delivering success. All they seem to be able to promise is infantile simplicity and fear and smear. In contrast, our quest to promote and encourage industry, research and government collaboration and cooperation does not stop there. Last month I was pleased to announce the appointment of the distinguished and highly decorated Air Marshal (Ret) John Harvey, AM, as the NSW Defence Advocate. The Defence Advocate will assist in ensuring New South Wales research, innovation and education capabilities support the nation's needs arising from the latest Defence White Paper. [*Extension of time*]

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

**Mr ANTHONY ROBERTS:** The defence industry's economic contribution to New South Wales is more than \$5 billion in turnover, with some 30,000 skilled jobs. In fact, just a couple of weeks ago I visited the Defence Materials Technology Centre based at the great University of Wollongong. That is where we announced that a number of the Illawarra-based businesses would be attending, with the New South Wales Government, Land Forces 2016—Australia's prime defence expo—which is to be held in Adelaide. The Illawarra-Shoalhaven region is in a strong position to benefit from increased defence spending announced by the Commonwealth Government.

The New South Wales Government is encouraging firms in the region to benefit from the wealth opportunities available from defence over the next decade. This was my second recent visit to the Illawarra, as I launched the new iAccelerate Centre at the University of Wollongong a week earlier, where I was joined by the member for Wollongong—it was great to see her there. This is a truly exciting development for the university and its innovation campus, which offers space for more than 280 entrepreneurs. The centre offers tailored acceleration programs aimed at rapidly developing and delivering technology-focused businesses. I am pleased that the member for Kiama was at the event. I pay tribute to the great and often difficult work that he does in advocating for the Illawarra and Shoalhaven.

This Government knows that businesses that start small and grow rapidly create the majority of new jobs in New South Wales. That is why the business environment that this Government is striving for is being created with unalterable determination. We are deliberate and effective in our approach, which is reflected in this State now leading the nation in all key economic indicators. The challenge for those opposite is whether to join us in continuing to deliver economic and social prosperity for this State, or to continue their cursed inactivity and remain in the primeval political swamp, peddling their fear and smear.

#### *Documents*

### **PRINTING OF PAPERS**

**Mr TROY GRANT:** I move that the following papers be printed:

Investigation Report into Telephone Call involving Mr Tony Gannon and Mr Brent Hogan by David Madden for Greyhound Racing NSW, dated 12 April 2015

Greyhound Racing NSW Record of Telephone Conversation between Mr Tony Gannon and Mr Brent Hogan

**Motion agreed to.**

### **CANCER TREATMENT AT ST VINCENT'S HOSPITAL**

#### **Tabling**

**Ms JILLIAN SKINNER:** I table the following papers to which I referred during question time:

Copy of a letter from Dean Bell, Acting Executive Director, Legal and Regulatory Services and General Counsel, NSW Health to Ms Lorraine Long, Medical Error Action Group regarding claims in respect of services provided by the Group, dated 30 May 2016.

Copy of a letter from the Minister for Health to Ms Lorraine Long, Medical Error Action Group regarding claims in respect of services provided by the Group, dated 22 July 2016

Copy of a memorandum from Sonja Stewart, Deputy Secretary, Government Corporate and Regional Coordination, Department of Premier and Cabinet to Andrew Kirk, Chief of Staff, Minister for Health's Office regarding faxes sent to Ministers' offices, dated 3 August 2016

I move that the papers be printed.

**Motion agreed to.**

#### *Petitions*

### **PETITIONS**

**The SPEAKER:** I announce that the following petition signed by more than 10,000 persons has been lodged for presentation:

#### **Greyhound Racing Industry**

Petition requesting that the Government reverse the decision to shut down the greyhound racing industry and implement the comprehensive reforms recommended by the Special Commission of Inquiry into the Greyhound Racing Industry in NSW, received from **Ms Sonia Hornery**.

**Discussion on petition set down as an order of the day for a future day.**

**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**.

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



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

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

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

#### **Route 389 Bus Services**

Petition requesting more reliable 389 bus services, received from **Mr Alex Greenwich**.

#### **Social Housing**

Petition requesting that the Sirius building be retained and its social housing function be continued, received from **Mr Alex Greenwich**.

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

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

#### **Pet Shops**

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

#### *Business of the House*

### **RIO DE JANEIRO OLYMPIC GAMES**

#### **Reordering**

**Mr JOHN SIDOTI (Drummoyne) (15:31):** I move:

That the General Business Notice of Motion (General Notice) given by me this day [Australian 2016 Olympic Team] have precedence on Thursday 4 August 2016.

It is important that this motion be given precedence so that the House can wish all Australian athletes competing at the Olympic Games the best of luck.

**The SPEAKER:** Order! All members who are on one or two calls to order are now on three calls to order. I call the member for Kiama to order. The member for Drummoyne will be heard in silence.

**Mr JOHN SIDOTI:** The opening ceremony for the Rio de Janeiro 2016 Olympic Games is on Saturday our time. It should be noted that the brilliant Australian women's football team, the Matildas, have their first game before the opening ceremony at 4 a.m. on Thursday our time. It is important that the New South Wales Parliament shows its support for the 2016 Australian Olympic team comprising 420 athletes and more than 300 officials. Of these 420 athletes, 140 athletes were born or live in New South Wales and 81 New South Wales Institute of Sports athletes have been selected.

Rio de Janeiro is the first South American city to host an Olympic Games. Four district venue clusters will host 42 disciplines across 28 sports with rugby sevens and golf making their Olympic debut. We wish these competitors the best of luck as they are amongst the first ever competitors to play rugby league sevens and golf at the Olympics. Australia will compete in 26 of the 28 sports on the Olympic program. The only sports Australia will not compete in are fencing and handball. It is also important that the House acknowledges the support given to our athletes by the New South Wales Government. The New South Wales Government is proud to have provided over \$10 million per annum to the New South Wales Institute of Sport and the funding will be increased by \$2 million per annum over the next four years. [*Time expired.*]

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

**Mr TIM CRAKANTHORP (Newcastle) (15:35):** The House should consider my motion because of the huge impact that dodgy port privatisations will have not only on the people of Newcastle and the Hunter but also on all the people of New South Wales. Since my first day in this place I have been working to get answers from this Liberal Government on the detail of the dodgy deal done to privatise the Port of Newcastle. It is a dodgy deal that penalises the Port of Newcastle for competing against Port Botany and Port Kembla for shipping container trade for close to the next 100 years.

**The SPEAKER:** Order! Government members will cease interjecting or I will grant the member a further five minutes.

**Mr TIM CRAKANTHORP:** Please do. I have asked 37 questions in Parliament about this matter, only to be given non-answers, redirections and contradictions. In total, 160 questions have been asked about this issue and ignored.

**The SPEAKER:** Order! Opposition members will cease interjecting. They are not assisting the member.

**Mr TIM CRAKANTHORP:** This Government has been avoiding questions for long enough. We now have some answers in the strictly confidential port document exposed by the *Newcastle Herald*. It explains that the operator of any future Newcastle container terminal will have to pay compensation to the Government, Port Kembla and Port Botany. It states:

The State of New South Wales has made contractual commitments to the private lessee of Port Botany and Port Kembla to make certain payments to New South Wales ports in respect of future container capacity development for the Port of Newcastle.

It is no wonder that Australian Competition and Consumer Commission Chairman Rod Sims says that the privatisation of New South Wales ports was designed to limit competition and, having proceeded without any pricing regulation, it is a failure he regards as "dopey". This document reveals that after 30,000 containers, or three ships, the Port of Newcastle must pay \$1 million per ship in compensation. That would make any container capacity in Newcastle unviable. This Government is robbing Newcastle blind. It is robbing us of jobs and opportunity for investment and that is why we are calling for a parliamentary inquiry into this issue. The Premier was Treasurer when he sold those ports and he has his fingerprints all over this deal. He needs to step up and tell the truth. The only way that the people of Newcastle will get the truth about how much they are being ripped off by this Government is through a parliamentary inquiry. [*Time expired*]

**The SPEAKER:** The question is that the notice of motion standing in the name of the member for Drummoyne have precedence on Thursday 4 August 2016.

**The House divided.**

Ayes .....49

Noes .....34

Majority.....15

#### AYES

Anderson, Mr K  
Baird, Mr M  
Bromhead, Mr S (teller)  
Constance, Mr A  
Dominello, Mr V  
Fraser, Mr A  
Grant, Mr T  
Henskens, Mr A  
Johnsen, Mr M  
Maguire, Mr D  
O'Dea, Mr J  
Perrottet, Mr D  
Roberts, Mr A  
Skinner, Ms J  
Taylor, Mr M  
Upton, Ms G  
Williams, Ms L

Aplin, Mr G  
Barilaro, Mr J  
Brookes, Mr G  
Coure, Mr M  
Elliott, Mr D  
Gibbons, Ms M  
Gulaptis, Mr C  
Hodgkinson, Ms K  
Kean, Mr M  
Marshall, Mr A  
Patterson, Mr C (teller)  
Piccoli, Mr A  
Rowell, Mr J  
Speakman, Mr M  
Toole, Mr P  
Ward, Mr G

Ayres, Mr S  
Berejiklian, Ms G  
Conolly, Mr K  
Crouch, Mr A  
Evans, Mr L  
Goward, Ms P  
Hazzard, Mr B  
Humphries, Mr K  
Lee, Dr G  
Notley-Smith, Mr B  
Pavey, Ms M  
Provest, Mr G  
Sidoti, Mr J  
Stokes, Mr R  
Tudehope, Mr D  
Williams, Mr R

#### NOES

Aitchison, Ms J  
Car, Ms P  
Crakanthorp, Mr T  
Doyle, Ms T  
Harris, Mr D  
Hoenig, Mr R  
Lalich, Mr N (teller)  
McKay, Ms J  
Minns, Mr C

Atalla, Mr E  
Catley, Ms Y  
Daley, Mr M  
Finn, Ms J  
Harrison, Ms J  
Hornery, Ms S  
Lynch, Mr P  
Mehan, Mr D  
Park, Mr R

Barr, Mr C  
Chanthivong, Mr A  
Dib, Mr J  
Greenwich, Mr A  
Haylen, Ms J  
Kamper, Mr S  
McDermott, Dr H  
Mihailuk, Ms T  
Parker, Mr J

## NOES

Piper, Mr G  
Warren, Mr G (teller)  
Zangari, Mr G

Robertson, Mr J  
Washington, Ms K

Smith, Ms T  
Watson, Ms A

## PAIRS

Davies, Ms T  
Hancock, Ms S  
Petinos, Ms E

Foley, Mr L  
Smith, Ms K  
Hay, Ms N

**Motion agreed to.***Motions Accorded Priority***WESTCONNEX****Consideration**

**Mr MARK TAYLOR (Seven Hills) (15:44):** My motion must be accorded priority because members must signal to the people who have elected us to represent them that we understand the importance of a government that delivers world-class infrastructure. In signalling this to the people of New South Wales, we must be mindful to acknowledge that time and again members opposite have over-promised and under-delivered. Over the past five years the Liberal-Nationals Government has been able to get on with the job of delivering for the people of this great State. It is getting on with the job of delivering a road project that is truly significant to New South Wales. It will deliver more than \$20 billion in benefits with the creation of 10,000 jobs in the construction phase alone. Members opposite could only ever dream of promising, let alone delivering, such a project. This Government promises and delivers the roads and infrastructure that Western Sydney commuters need and deserve on time, on budget, every time.

This motion deserves to be accorded priority because WestConnex is the largest and most crucial road project in Australia. This project will transform the way motorists move around Sydney. I wonder what members opposite will do. How will they explain to their constituents why they did not vote to support WestConnex? How will members opposite who represent Western Sydney electorates justify their actions to their constituents? Will they be truthful and admit that they voted against their constituents' interests? The people of Western Sydney need and deserve to have a proper road network, and this Government is proud to deliver it. People are spending hours in traffic every day. We need a world-class motor network to get people around Sydney, and that is why we need WestConnex. We must futureproof Western Sydney and the rest of Sydney. That is why improving the road network is important to members on this side of the House. It is the missing link that this Government is committed to providing. The tunnelling of the M4 East is a vital part of this process. This Government will maintain this State's number one ranking. It will continue to improve our schools, it will continue to improve our trains and it will continue to improve our roads. That is why it will deliver WestConnex and why this motion deserves priority.

**PUBLIC HEALTH SERVICES ADMINISTRATION****Consideration**

**Mr CHRIS MINNS (Kogarah) (15:47):** My motion deserves to be accorded priority because it is beyond question that the New South Wales health system is in crisis under this Minister for Health. We have seen over the past two days in this Parliament this Minister refuse to establish an open inquiry into health management under her watch. The Minister invited us to read the report into St Vincent's Hospital. I have done so and on page 21 it states:

The hospital's public statement that "no patients appeared to have suffered any negative impact as a result of the dosage issue" is not accurate because the internal investigation and external review did not examine any patient-level outcome data.

It goes on to state:

The hospital's public statement also indicated that Dr Grygiel was "*immediately counselled and placed under strict supervision*". Interviewees have corroborated that this did not occur. This is what happens when the Minister is responsible for reviews of her own department. It was a whitewash. We will no longer brook accusations made by the Government that we are politicising this issue. None of this would have been revealed without media, political and parliamentary pressure. If it were left to the Minister, we would not know about it. We are left with the grotesque scenario of the Minister being informed of cancer patients being undertreated in April and not being told about it until Monday. Her response in the *Daily Telegraph* was:

Defending her approach to the release of information the Minister said, "I think I have an obligation first and foremost to patients".

When is not telling patients about underdosage of cancer treatment putting patients first? How does waiting for three months to tell them that they received an underdosage of chemotherapy meet that criterion? No-one in this House would believe that explanation. I put it to members of this House that if they or a family member had cancer they would not be thrilled with that treatment from the Minister either—they would want to know, and we deserve an inquiry as to why we do not know under the Minister for Health.

This is a government that has an open, public inquiry into greyhounds but not into an infant's death or cancer treatment in New South Wales public hospitals. The Government has an inquiry into greyhounds, but not into the administration of health in New South Wales. Its priorities are wrong. I do not care what the Government says: Greyhounds are not more important than the health of the people of New South Wales.

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

Ayes .....49  
Noes .....34  
Majority..... 15

#### AYES

Anderson, Mr K  
Baird, Mr M  
Bromhead, Mr S (teller)  
Constance, Mr A  
Dominello, Mr V  
Fraser, Mr A  
Grant, Mr T  
Henskens, Mr A  
Johnsen, Mr M  
Maguire, Mr D  
O'Dea, Mr J  
Perrottet, Mr D  
Roberts, Mr A  
Skinner, Ms J  
Taylor, Mr M  
Upton, Ms G  
Williams, Ms L

Aplin, Mr G  
Barilaro, Mr J  
Brookes, Mr G  
Coure, Mr M  
Elliott, Mr D  
Gibbons, Ms M  
Gulaptis, Mr C  
Hodgkinson, Ms K  
Kean, Mr M  
Marshall, Mr A  
Patterson, Mr C (teller)  
Piccoli, Mr A  
Rowell, Mr J  
Speakman, Mr M  
Toole, Mr P  
Ward, Mr G

Ayres, Mr S  
Berejiklian, Ms G  
Conolly, Mr K  
Crouch, Mr A  
Evans, Mr L  
Goward, Ms P  
Hazzard, Mr B  
Humphries, Mr K  
Lee, Dr G  
Notley-Smith, Mr B  
Pavey, Ms M  
Provest, Mr G  
Sidoti, Mr J  
Stokes, Mr R  
Tudehope, Mr D  
Williams, Mr R

#### NOES

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

Atalla, Mr E  
Catley, Ms Y  
Daley, Mr M  
Finn, Ms J  
Harrison, Ms J  
Hornery, Ms S  
Lynch, Mr P  
Mehan, Mr D  
Park, Mr R  
Robertson, Mr J  
Washington, Ms K

Barr, Mr C  
Chanthivong, Mr A  
Dib, Mr J  
Greenwich, Mr A  
Haylen, Ms J  
Kamper, Mr S  
McDermott, Dr H  
Mihailuk, Ms T  
Parker, Mr J  
Smith, Ms T  
Watson, Ms A

#### PAIRS

Davies, Ms T  
Hancock, Ms S  
Petinos, Ms E

Foley, Mr L  
Hay, Ms N  
Smith, Ms K

**Motion agreed to.**

**WESTCONNEX****Priority**

**Mr MARK TAYLOR (Seven Hills) (15:57):** I move:

That this House:

- (1) Welcomes the commencement of the WestConnex tunnelling on the long awaited M4 East.
- (2) Reminds members that the current Opposition announced the M4 East in 2003 for completion by 2008 and failed to deliver.
- (3) Acknowledges that this Government is getting on with the job of delivering Australia's biggest road project which will deliver more than \$20 billion in benefits and create 10,000 jobs during construction.
- (4) Notes that only this side of the House can be trusted to deliver world-class infrastructure that Western Sydney's commuters need and deserve.

The spine of this city's network is WestConnex—a project to widen and upgrade the M4 and M5 and join them together to form a continuous, free-flowing motorway route. We owe it to the people of this State to do everything we can as a government and as a Parliament to make their lives better. Having an extra half an hour with one's family every night after work makes a big difference. That is why this Government is here to make a difference. The road tunnel link between the M5 and M4 sets WestConnex apart from past motorway concepts. Past governments have focused purely on upgrading the M4 and M5 and have overlooked the critical need to link the two of them.

Because of this short-sighted approach, past concepts have never stacked up from either a traffic-flow perspective or from a financial standpoint. When WestConnex is completed, heavy traffic from the M4 will not spill onto Parramatta Road. Likewise, heavy traffic from the M5 East, including trucks hauling cargo containers to and from Port Botany, will not spill onto inner-city residential streets. Put simply, two motorways will be joined to allow for a constant flow.

**The DEPUTY SPEAKER:** Order! I remind the member for Strathfield she is on three calls to order.

**Mr MARK TAYLOR:** This is a key feature of the WestConnex project that is often lost on its opponents, such as many of those sitting in the front row opposite. Indeed, the worst traffic scenario for the inner west is for the last stage of WestConnex, the M4 to M5 link, not to be built. I am genuinely surprised when those opposite confirm they are opposed to building the M4-M5. I am mystified how those opposite can support upgrading the M4 and M5, but do not support joining them together. As I have said, not joining the M4 and M5 together is like funnelling all of Sydney's traffic into a dead end street. WestConnex will take significant pressure off the Eastern Distributor because the link between the M4 and M5 will act as the western bypass of the central business district. Opponents of the project have conveniently forgotten that an extra million people will call Sydney home in the next 10 years and without a proper motorway network our standard of living will suffer, tradespeople will struggle to access job sites, traffic and delivery vans will struggle to supply shops and depots, and parents will struggle to get their children to sports on the weekend.

WestConnex is designed to remove shortcut runs off busy suburban streets by putting them all underground. In fact, more than two-thirds of WestConnex will be built in road tunnels and this has the added benefit of significantly reducing the number of property acquisitions. WestConnex forms the spine of a truly integrated Sydney motor network. It will also be a smart motorway. Many of the vehicles along the entire network will be able to communicate and interact directly with surrounding traffic conditions and vice versa. Combined with the role of smart vehicles, this technology will improve road safety and ease congestion across our great city. This motorway network is no longer a concept or numbers in a budget paper. Our journey is well underway with the widening of the M4 between Parramatta and Homebush, which is due for completion and will be open to motorists very soon.

The Government is proud to deliver this significant project to the people of this State. This project will not only strengthen the economy but will also provide the capacity for people to return sooner to their families each day and night. The Government thinks this is important; those opposite do not. The Government will continue to work towards achieving its aim. It will not listen to what members opposite may serve up about infrastructure because this Government is doing the work and it delivers the infrastructure that makes a difference to the everyday lives of the people of this State. Labor members do not care about saving 40 minutes in travel time, but members on this side of the House do. WestConnex will deliver a \$20 billion benefit to overhaul the New South Wales economy. We know that those opposite do not like the idea that it provides 10,000 jobs because those opposite will vote against any bill relating to WestConnex. The project will create 10,000 production jobs that will get the economy and the city moving, which will make a great difference to the daily lives of those who live in our State.

**Dr HUGH McDERMOTT (Prospect) (16:04):** I speak in opposition to this ridiculous motion. The member for Seven Hills and the member for Parramatta must be living in a fantasy world. I hope they are enjoying the whole debate and the fact that they are supporting tolls on the WestConnex roads. Let us be honest: Today the WestConnex is a \$16.8 billion toll road. In a week or two it will be another billion dollars. The scheduled completion for stage two is late. As much as they want to talk about the efficiency of this Government and how great it is doing, the completion date of the WestConnex has already been moved from 2019 to 2020.

I am most happy about the fact that the member for Seven Hills, the member for Parramatta and other Liberal members support the fact that toll booths are the first thing to be completed on the toll roads. The first thing that voters will see when they are stuck in the gridlock as they drive into the city from Penrith, Greystanes, Parramatta, Seven Hills, Prospect and other places are toll booths. Not only has this Government flogged off all of the State's electricity assets, it has also put new tolls on the M4. A WestConnex toll road is just what we need. The Government has claimed to be a great manager of its budgets, but it is a lie. In 2012 the budget allocation for WestConnex was \$10 million.

**Ms Jodi McKay:** What is it now?

**Dr HUGH McDERMOTT:** Let us look at it. In 2013 the budget allocation was \$11.5 billion. In 2014, there was a readjustment and the figure became \$14.9 billion. In June 2015 it was \$15.4 billion. The figures continue to rise. In November 2015 it was \$16.8 billion. At the moment it is \$17 billion. The budget has blown out by \$7 billion already and we have another four years of budget blowouts to go.

**Dr Geoff Lee:** Have you finished yet?

**Dr HUGH McDERMOTT:** No, but the member for Parramatta will be finished after the election. He will be gone, as will the member for Seven Hills. I look forward to a sea of Labor red across Western Sydney as a result of the tolls. Those members should be saying to their Premier, "What have you done? You are destroying the livelihoods of the people of Western Sydney." Each day tradies will have to spend money on tolls, which are rising by 4 per cent per year. At the moment the consumer price index is 1 per cent. The toll will remain for 42 years. This Government will cheat not only the current residents of Western Sydney, but also their children. The annual toll will be an average of \$2,000 a year for each person in Western Sydney who uses WestConnex. That figure is as of 2016, but it will continue to rise by 4 per cent each year. The M4 widening toll is around \$4.50. The M4 East is \$3.65. The new M5 section is \$5.72. The M5 East near Beverly Hills is \$5.71. The M4-M5 link is \$6.01. That is a WestConnex toll total of \$7.95. It is unbelievable.

That is only the monetary aspect. We also have the Government's secrets. If it is a great project that is doing well, why has the Government set up the Sydney Motorway Corporation, which is a private company, to hide all the interactions concerning WestConnex? Let us be honest, this is a Government of lobbyists. I would love to know what Nick Greiner had to say about all of this. The Government should release the David Russell report if it is so good, but it will not. There has been no transparency throughout the whole process. Hundreds of homes have been compulsorily acquired and hundreds more will be voluntarily acquired. It is a disgrace and members opposite will lose their seats as a result. [*Time expired.*]

**Dr GEOFF LEE (Parramatta) (16:08):** I support the motion moved by the member for Seven Hills. We have heard from Opposition members, but we have not heard why they hate the people of Western Sydney. Why do they want to condemn the people of Western Sydney to be stuck in traffic and to have thousands of trucks on the road? It is an opportune time to remind Labor members about their incompetence. They first announced the M4 East in 2003—13 years ago—which was scheduled for completion in 2008, but they failed to deliver it.

That is the difference between the Government and the Opposition. The Government delivers; the Opposition cancels. It is shocking. Owning a car is essential in Western Sydney to get to and from work and to drop off the children. Every day 220,000 people drive on to the M4 only to find it has become a car park. They spend hours a day driving to the city and back from the western suburbs. Without WestConnex we condemn this and future generations to being stuck in congestion. That is time they should spend with their families, their loved ones, doing exercise or relaxing. WestConnex is all about giving people in Western Sydney the opportunity to connect faster to the airport and the Sydney central business district. It provides great opportunities for the people of Parramatta.

When complete, WestConnex will save time by removing 52 sets of traffic lights from Parramatta to the airport. There will be an economic boom for Parramatta and the west, as big companies will be able to relocate their head offices to Parramatta, a short distance from the international terminal at Sydney airport. I support the motion moved by the good member for Seven Hills. It is great to see this Government delivering economic development and busting congestion. The Government is investing in the infrastructure that people demand—infrastructure that the people of Parramatta will welcome as it connects them with the central business district and

the airport. That infrastructure is essential. Residents in Western Sydney need their cars. This is one of the Government's congestion-busting approaches to looking after Parramatta and the whole of Western Sydney.

**Ms JULIA FINN (Granville) (16:11):** I oppose the motion moved by the member for Seven Hills for many reasons. The cost of WestConnex has blown out from \$10 billion to \$17 billion. The business case has been kept secret, so the \$20 billion in benefits is probably fanciful. I would not be surprised if most of the 10,000 jobs predicted to accompany the construction of WestConnex were at all the tyre repairers around town, because at the moment the road is a goat track. The M4 is awful to drive on at the moment. To add insult to injury, the Government is bringing back the tolls. The M4 toll was removed in 2010; it is being reinstated from next year. The tollgates were the first part of the widening project to be finished. That was a lovely Christmas present last year: as drivers came off James Ruse Drive the tollgate was there, waiting to take money out of our wallets every time we used that road.

The member for Seven Hills said that he will not listen to anything the Opposition has to say on WestConnex. That has been the Government's attitude every time I have raised in this House, or directly with the Minister for Roads, Maritime and Freight, the appalling treatment of Granville residents who live near the M4 widening project. Those people found asbestos dumped next to their houses. A sign saying, "Warning: dangerous asbestos" was placed facing into the site. Residents received no notification. When the asbestos was finally removed, workers did not bother to hose it down. They arrived before 6 a.m., waking everybody up with the enormous trucks that took the asbestos away. Workers also woke residents at 2 a.m. when using chainsaws and a mulcher to chop down trees right next to a house.

The company then had the hide to advise the Minister that the work had been done a kilometre away from the house. It was not; it was right next to the fence, as was seen on ABC television. People whose houses have been overshadowed by the huge overpass have been refused compulsory acquisition of their properties. They have been told to apply for voluntary acquisition. They have been told to agree to something that has not been put in writing. They have also been told that they will have to pay all moving expenses. This is despite the fact that their houses will be uninhabitable for anything except mushrooms. Other residents whose houses are being acquired have been told to pay a \$10,000 bond to stay in their house.

**Ms Jodi McKay:** And the Minister agreed that he stuffed up.

**Ms JULIA FINN:** That is true. People have been asked to pay a \$10,000 bond to stay in a \$500 a week house where the vibrations are so bad that every time a resident leaves the house they come back to find that paintings have fallen off the walls and cracks have become worse. It is an absolute disgrace. [*Time expired.*]

**Mr MARK TAYLOR (Seven Hills) (16:14):** In reply: I thank the member for Parramatta, the member for Prospect and the member for Granville for their contributions. As the member for Parramatta eloquently said, the Government delivers; the Opposition cancels. That is the message for the commuters of Western Sydney. WestConnex is for now and for the future, for the commuters of today and their children. It is about getting home after work to spend time with the family.

**The DEPUTY SPEAKER:** Order! The member for Prospect is on three calls to order.

**Mr MARK TAYLOR:** I am sure that the main concern of the member for Prospect is that by the next State election voters will be able to get home more quickly to vote him out. The member has put his beliefs on the record, and we will see what comes to fruition. As for the concerns of the member for Granville, we need only look at what Labor did in 16 long years in government: nothing. The long-awaited M4 East was not delivered. I remind members that Labor announced the M4 East in 2003, for completion in 2008, and failed to deliver. Another promise; another failure. It was the same with the north-west railway line: a promise and a failure.

This Government is getting on with the job of delivering the biggest road project. It is delivering \$20 billion worth of benefits to our great city, our great State. It is creating 10,000 jobs during construction, providing skills and training to apprentices, giving people construction jobs so that they can put food on the table for their family. Those construction jobs are very important for the people of Western Sydney. The Government delivers. The Government can be trusted to deliver the world-class infrastructure that the people of Western Sydney need and deserve.

**The DEPUTY SPEAKER:** The question is that the motion be agreed to.

**The House divided.**

Ayes .....48  
Noes .....34  
Majority..... 14

## AYES

Anderson, Mr K	Aplin, Mr G	Ayres, Mr S
Baird, Mr M	Barilaro, Mr J	Berejiklian, Ms G
Bromhead, Mr S (teller)	Brookes, Mr G	Conolly, Mr K
Constance, Mr A	Coure, Mr M	Crouch, Mr A
Dominello, Mr V	Elliott, Mr D	Evans, Mr L
Fraser, Mr A	Gibbons, Ms M	Goward, Ms P
Gulaptis, Mr C	Hazzard, Mr B	Henskens, Mr A
Hodgkinson, Ms K	Humphries, Mr K	Johnsen, Mr M
Kean, Mr M	Lee, Dr G	Maguire, Mr D
Marshall, Mr A	Notley-Smith, Mr B	O'Dea, Mr J
Patterson, Mr C (teller)	Pavey, Ms M	Perrottet, Mr D
Piccoli, Mr A	Provest, Mr G	Roberts, Mr A
Rowell, Mr J	Sidoti, Mr J	Skinner, Ms J
Speakman, Mr M	Stokes, Mr R	Taylor, Mr M
Toole, Mr P	Tudehope, Mr D	Upton, Ms G
Ward, Mr G	Williams, Mr R	Williams, Ms L

## NOES

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

## PAIRS

Davies, Ms T	Foley, Mr L
Hancock, Ms S	Hay, Ms N
Petinos, Ms E	Smith, Ms K

**Motion agreed to.**

*Motions***CENTENARY OF ANZAC**

**Debate resumed from 23 March 2016.**

**Mr DAMIEN TUDEHOPE (Epping) (16:24):** Before I was interrupted on 23 March 2016 I was discussing the role of those persons in my electorate of Epping who adorned and populated the living tradition and sacrifice and values which are encapsulated in the Anzac tradition. I spoke about Leading Seaman Gordon Corbould, who grew up in Essex Street, Epping. For the purpose of the continuity of that narrative, I said:

He could have led the normal life of a young man at the time. Rather than marry, find a home and job and play cricket on the weekend, he volunteered to join the navy at a time when storm clouds were gathering over Europe. He was enlisted to train as a torpedo man on Australia's first submarine, which involved him training in London. Upon the completion of training and the building of vessel HMAS *AE1*, Corbould and the rest of the crew made their way back to Australia. HMAS *AE1* and its imaginatively named sister ship HMAS *AE2* arrived in Australia on 24 May 1914. He was a young man serving with a new crew in the inaugural Australian submarine in a fledgling Navy.

At the outbreak of the war in August 1914, *AE1* was part of the first Australian involvement in the war. *AE1* was part of the force tasked with knocking out a German transmitter in Rabaul. *AE1* went missing on 14 September, when it and the *Parramatta* were out scouting for the German Pacific fleet. Despite a rigorous



search, no sign of *AE1* was found. The commander of *AE2*, Lieutenant Stoker, ruled out an enemy attack, and declared *AE1* must have suffered a catastrophic failure whilst making a dive, leading it to sink whilst submerged. Leading Seaman Corbould and the other men on *AE1* were among the first Australian casualties of World War I.

Corbould is among the many from Epping who provide a real embodiment of what we are commemorating in this Centenary of Anzac. In Boronia Park in Epping, the Epping Sub-Branch has a cenotaph. It is a physical reminder of those who were willing to, and in some cases did, pay the ultimate price for their country. The cenotaph remembers 23 men from Epping who paid the ultimate price in World War I, 41 who paid the ultimate price in World War II, and Private D. H. Bracewell who died in South Vietnam in 1967 at the age of 21. In this Centenary of Anzac, we commemorate the place of Anzac Day in our nation's history, the sacrifice of all the men and women in war on operational duties, and the values and motives for which they served, and in some cases died. In Epping, as with elsewhere in Australia, we will never know all their names, and not all of us will serve in the military, but the legacy of Anzac is ours to cherish and hand down.

Possibly one of the most overlooked and underappreciated contributors to the Anzac legacy are the loved ones our heroes leave behind. There is a statue in the Anzac Memorial in Hyde Park which captures their struggle. It is a depiction of a fallen soldier who is being held up by the hands of his loved ones. It is easy to overlook their often unseen sacrifice, but one of the greatest tragedies of war is that it deprives families of people they love. Parents are forced to endure a life where they outlive their children. Husbands and wives are left widowed and often as single parents. Children are forced to grow up without their mother or father. Even in circumstances where their loved ones have returned, they are still subjected to the agonising wait of not knowing, being prepared for the worst but praying for their soldier's safe return.

When a soldier goes to war, it affects not just them but everyone in their life who cares about them. During the Centenary of Anzac we should all spare a thought for the Legatees and the sacrifices they have made, often having had no say at all in the matter. In my electorate of Epping, I acknowledge the outstanding work of the Epping RSL Sub-Branch. Headed by president John Curdie, this branch has a great museum at the Epping club, which depicts Epping at the time of the Great War. In his Anzac Day message this year, John Curdie, who is a veteran himself, wrote:

Whilst it is a public holiday providing a break from the daily grind of the workplace, it is a time of relaxation to meet with family and friends, sharing goodwill one to another, it is a day that is an integral part of Australian history; a day that is dedicated to the memory of past generations of Australians who volunteered to defend world peace and the integrity of our shores in time of war and threat from an enemy.

The ANZAC Dawn Service is a centrepiece of the day, a uniquely Australian and New Zealand remembrance service. A time of remembrance that is shared nationwide, in cities and towns and across the world wherever there are Australians and Kiwis.

[*Extension of time*]

In commemorating Anzac Day this year, I attended the dawn service organised by the Epping RSL Sub-Branch at Forest Park. I also sent out an Anzac newsletter to all my constituents as a poignant reminder of the importance of Anzac in our history. In my newsletter this year I encouraged my constituents to write to our troops. As we commemorate the fallen, we must also acknowledge the present, the service men and women who relentlessly defend our nation and what we stand for. Their service requires the utmost appreciation.

A school in my electorate, Cherrybrook Technology High School, sent a number of students to the Kokoda Trail this year. Fifteen students from year 9 through to year 12 walked the Kokoda Trail in the July school holidays. The idea for this expedition came about from a Human Society and Its Environment [HSIE] teacher, Simone Kerr, who wanted a way to further immerse her students in the Australian History curriculum. These students and their teachers had a once-in-a-lifetime opportunity to follow in the footsteps of the soldiers who came before them. It is a reminder of the price that has been paid by so many who gave their tomorrows for our time of peace.

I also acknowledge a constituent and friend of mine Harry Fransman, who has lived in Epping for more than 20 years. I have mentioned Harry's remarkable story in this place before. Harry is a survivor of the Holocaust. Harry was born in Holland in 1922. Following the Nazi invasion of Holland, Harry was taken from his family and eventually found himself in a camp called Blackheimer, a sub-camp of Auschwitz. Harry was able to escape from his captors and made his way back to Holland. As a testament to his strength, he went on to serve in the Armed Forces of the Dutch East-Indies. Harry is 94 this year. Every year on Anzac Day Harry marches down George Street—or this year down Elizabeth Street. He still volunteers at the local St Vincent de Paul store in Epping. He has written a book about his harrowing story entitled *And Heaven Stood By Me*. He often drops into my office for a chat and I have been privileged to hear his personal stories. Knowing Harry personally, I can say that he wholeheartedly embodies mateship, courage and sacrifice.

Another ex-serviceman, Lieutenant Colonel Paul Key Kim, works in my electorate office. He is a veteran of the Vietnam War. Paul was born in North Korea but fled with his family as refugees to the south during the Korean War. He assisted the American and Allied forces. Paul joined the Korean Reserve Officers Training Corps, the equivalent of our Army Reserve, whilst at university. Here he was called to serve in the Vietnam War as a first lieutenant working as a logistics officer. Paul worked as a liaison officer to the United Nations command in Seoul and was twice awarded the United States of America Army Commendation Medal for his service. Paul migrated to Australia in 1992 and has embraced Australia as his home. Just like Harry Fransman, Paul marches on Anzac Day and has done so for over a decade. In his reflections, Paul says:

Our success today both in Australia and Korea would not be possible without the sacrifices of the past. Anzac Day represents our shared history and tradition. It does not matter so much what day we commemorate but why we commemorate and that future generations never forget.

I could not think of a better quote to finish on. We thank them all for this service. Lest we forget.

**Mr GREG WARREN (Campbelltown) (16:35):** I am delighted to contribute to the House's commemoration of one of the most significant days in Australian military history, the Centenary of Anzac. On 25 April last year we marked 100 years since the Anzac forces landed on the shores at Gallipoli, and it is testament to the significance of that day that a century later we are still honouring the sacrifice of those killed. The Anzac Centenary is a time to honour services and the sacrifices made for our great nation whilst also expressing our gratitude to the service men and women who put their lives on hold and, indeed, on the line for duty and to ensure that the history of the Anzacs and the renowned Anzac spirit lives on in the Australian psyche for another century.

Our national spirit was born in the landings of the first Anzac troops on the Turkish coast on 25 April 1915. Australia was a new nation and the men who landed on the shores of Suvla Bay stamped their foot in the sand and we as a nation stamped our foot in the world. There was and still is a spirit of mateship, courage, national pride, sacrifice, good humour in times of darkness and a healthy disregard for authority. Stories of the enigmatic Simpson and his donkey and many others are testament to these values. So recognisable are these traits that everyday Australians are still painted with the values of the Anzacs across the world. Since 1950 Australian military forces have been involved in numerous wars, conflicts and peacekeeping operations. The service men and women in each of these operations have added to the identity of what it means to be an Anzac and, above all, what it means to be an Australian.

One of the most significant legacies from the Anzac Centenary is that it offers knowledge and understanding to ever-changing and expanding communities within our nation about the wartime efforts and the sacrifices that were made for this nation. The centenary offers schools, communities and individuals the opportunity to engage in dialogue about the sacrifices made by those who have come before them. That dialogue will continue well beyond the commemoration of the centenary for future generations to learn from. For communities to better understand the Anzac legacy, it is imperative to engage with the experiences of service men and women who have served our great country to awaken the human element of war, whether that be through the Australian War Memorial in Canberra exhibiting galleries of images of veterans through the many stages of their preparation; poetry written by diggers longing for their families, lovers and the land that they call home; or art illustrating the experiences of war and the Anzacs. Every digger deserves to be known above all as an individual who contributed to these legends which remain pertinent to this day.

It is true that for every veteran, ex-service man and woman there is a story behind their service. For me, it began when I was a young boy of 16 who signed up to enlist in the Australian Regular Army. I was honoured to serve in the Royal Australian Infantry Corps until I sustained an injury and transferred with pride to the Royal Australian Corps of Transport. I served there for just under a decade and during that time I made many friends, who served in many theatres here and abroad.

Whilst I never confronted any wars, I still keep in contact with many of my mates who did. Their stories are humbling and I listen to them with pride. I must be clear on this point: throughout our communities we are fortunate to have so many who serve our country, State and local areas in so many different and varying ways. Not one is more or less important than the other. I take pride in the fact that so many people want to attend the Gallipoli Anzac Day dawn service year in and year out, with particularly high attendance for the 100-year anniversary. There were not enough positions available for attendees at the services at Ingleburn, Campbelltown or Martin Place.

This stands as testament to the fact that 100 years on the spirit, sentiment, contributions and significance of the Anzacs have not left us. Rightfully, the school curriculum teaches our children about the veterans, the women who supported them and kept the domestic industries alive, the organisations that sustained troops and continue to do so, the struggles that our service people faced and continue to face, and why our national character

was changed forever by that war. I hope that the Centenary of Anzac and its programs, exhibitions and discussions will prompt Australians to engage and appreciate the sacrifices made by those who have come before us.

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

Those words are familiar to us as we attend remembrance services. They represent the fabric and character of this nation; they represent the personality that is within our Australian psyche. Lest we forget.

**Mr JAI ROWELL (Wollondilly) (16:41):** I contribute to the discussion concerning the Centenary of Anzac. One hundred years ago young men and women from across Australia volunteered their lives for the defence of the Commonwealth and Australia. From the farmers tilling the rolling plains of the outback to the factory worker in the tight and crowded streets of Glebe, young men joined the Australian Imperial Force with joy, willing to pay the ultimate sacrifice for their country and their friends. Little did they know that 60,000 Australians who left to defend these values would never return home. Little did they know that 137,000 Australians would be wounded, a casualty rate of almost 65 per cent.

The Anzac spirit provided the foundation from which our fledgling nation grew and prospered. It seeded into the mind of every Australian the importance of courage and mateship, values that all Australians pride themselves on today. One of the greatest gifts given to Australia by our service men and women were the stories of courage and heroism that guide our beliefs and values to this day. Every Australian is brought up with stories of our diggers from the First World War, whether it was the rascalion Anzacs creating chaos in Egypt, the battle-hardened fervour of the diggers attacking enemy lines in Pozieres or Villers-Bretonneux, or the care shown by Simpson and his donkey—a stand-out story that I will reiterate to the House.

John Simpson Kirkpatrick was a stretcher bearer during the Anzac campaign in Gallipoli. For almost four weeks, Jack and his donkey would carry medical supplies to give treatment to wounded soldiers or to carry out evacuations. Often this occurred under heavy gunfire. Jack lost his life during a Turkish assault on the Australian position. Jack Simpson Kirkpatrick was only 22 years old when he lost his life. The outcome of this war invariably changed the course of history. Unfortunately, it was not a war that ended all wars and it is the stories of heroism from World War I that have guided our diggers through all subsequent conflicts, including World War II, Korea, Vietnam, Iraq and Afghanistan. As our diggers did during the Great War, so have our men and women shown time and again that they truly demonstrate a remarkable standard of soldiery.

Feats of Australian heroism are spoken about across the world and held in extremely high regard. Stories of such heroism and sacrifice continue to inspire young Australians in the military. Four Australians have received the Victoria Cross since 2008. Cameron Baird, Daniel Keighran, Benjamin Roberts and Mark Donaldson all fought with courage and drive motivated by a love for their mates. Cameron Baird posthumously received the Victoria Cross for his engagement of enemy positions in Afghanistan. During this engagement, Corporal Baird continually put his safety on the line as he time after time charged enemy positions in order to assist and help their seriously wounded commander. Corporal Baird showed huge dedication and selflessness as he led his troops. His service will never be forgotten by the people of Australia.

Daniel Keighran, a former member of the 6th Battalion, Royal Australian Regiment, repeatedly exposed his position in order to draw gunfire and attention from a casualty who was being treated in the theatre. This allowed the unit to leave without any further casualties. Benjamin Roberts, who was serving with the Special Air Service Regiment was awarded the Victoria Cross for exposing his position to Taliban gun nests and drawing fire away from his patrol, thereby allowing the patrol to engage with the Taliban gun nests. At that point he charged the gun nests and neutralised the enemy.

In 2008 Mark Donaldson was part of a patrol with the Special Air Service Regiment and United States and Afghan forces when their patrol was ambushed. Mark exposed his position to take fire away from the casualties, allowing them to be removed from the scene. Once they were withdrawing from the engagement, Donaldson noticed a wounded Afghan interpreter who had not been loaded onto the vehicles. Donaldson ran 80 metres under heavy fire to help the interpreter. These stories of courage and mateship should never go unnoticed. They teach Australians from Perth to Melbourne and from Hobart to Darwin the importance of looking after their mates and to value friendships and the people closest to you. These men were willing to put their lives on the line for those around them.

I extend my thanks to the Southern Highlands locals who dedicated countless hours in organising the 36-day Kangaroo March re-enactment for the Centenary of Anzac. After the failure of the then Government's conscription law, the military began conducting patriotic recruitment marches in order to maintain recruitment levels for the war. The Kangaroo March, which was 36 days long, covered 524 kilometres and ran from

Wagga Wagga to Campbelltown. It began with 88 men and finished with 222. Most of those who boarded the steam train at Campbelltown were assigned to the 55th Battalion and were affectionately known as Kangaroos.

Among their ranks was John Ryan of Tumut. John was born in 1890 and was awarded the Victoria Cross. The 55th Battalion played a key role in spearheading an assault on the Hindenburg Line in 1918. During this attack, Ryan was the first to charge the German line where the 55th Battalion observed initial success. However, a German counterattack repelled the Anzac diggers, which led to the Germans retaking the line. Ryan, having been driven back to the Australian line, organised a counteroffensive on the enemy. Leading a small group, Ryan engaged the German military long enough for forces to mobilise and retake the German trench. During this conflict Ryan was badly hurt in the arm. Ryan died from pneumonia in the Royal Melbourne Hospital on 3 June 1941.

Among his colleagues, two Kangaroos were awarded Distinguished Conduct Medals and additional members were awarded medals for their dedicated service to the Australian Imperial Force. The re-enactment of the Kangaroo March was an incredible initiative that aided in teaching the children of the Wagga Wagga, Goulburn, Wollondilly and Southern Highlands communities about the sacrifice of our service men and women in the First World War. It was also a crucial lesson for the youth about the events surrounding the Great War and how it affected every single community in Australia. It was an amazing event. As I marched, I saw people lining the streets to salute the organisers and commemorate the Anzac spirit. Sadly, we cannot look at Anzac Day purely as an historical event. There are still Australian men and women who are living with injuries that they sustained during their time protecting our shores. I fondly remember the Soldier On Remembrance Ride, which stopped in Mittagong in April 2014, as it was an undertaking surrounded by optimism and dedication.

The ride began in Sydney and passed through Mittagong on its way to the Australian War Memorial. It brought to life the memory of the participants' mates who never made it back from their engagements, and sought to open dialogue between the civilian and veteran community. It is now up to us to ensure that our veterans are well looked after and that we as Australians and as parliamentarians assist them with any help that they may need. We can easily achieve this through support of dedicated and loved charities such as Soldier On and Legacy, as well as our Returned and Services Leagues, which teach Australians military history and respect for Australian values.

I take this opportunity to acknowledge the Picton-Thirlmere-Bargo RSL sub-branch, headed by President Tim Smith. The sub-branch does a fantastic job. When I first became a member of this place the sub-branch had very few members. Under Tim Smith's leadership and with the assistance of the executive team, the membership has increased significantly. Members have reached out to men and women who have served. It looks after not only them but also other members of our community. I thank the sub-branch for everything that it does. I recently had the honour of being presented to RSL House, where I was made an honorary member. I take great pride in that; I do not take it lightly.

I will share the experiences of my family members who have dedicated their lives to the defence of Australia. Edward William was born in Gippsland and attended school at Boulder Central. On 11 May 1916, Edward enlisted and was on board a ship sailing for Egypt by 19 May 1916—just eight days later. Edward briefly spent time in the United Kingdom before sailing to France in July 1916. While serving in France, he unfortunately was diagnosed with having quincey, at which point he was forced to return to the United Kingdom. After a slow recovery, Edward put his hand up to return to combat. Sadly, he made the ultimate sacrifice on 2 October 1918. He lost his life in action near Bullecourt and Joncourt. Edward William was a cousin on my father's maternal side and lies at rest in the British Cemetery Plot 5, Row F, Grave Number 1.

Rex was born in 1904, served in the 2/4<sup>th</sup> Battalion in the Australian Imperial Force and was promoted to the rank of staff sergeant. Rex served for five years and eight months and initially joined the military on 3 November 1939. He was a member of the first contingent that sailed in January 1940. Rex spent 836 days overseas, and was medically discharged in July 1945. Upon his return home, he was elected the vice-president of the Liverpool Chamber of Commerce in 1947 and was re-elected in 1948. My great uncle Francis Thomas Rowell, OAM, was born in 1918 and served in the 2/4<sup>th</sup> Infantry Battalion. He was promoted to lance sergeant and served at that rank from 1939 to 1945. Francis assisted in the establishment of the Bardia Barracks at Ingleburn and led the Western District Disabled Serviceman's Club. Sadly, he passed away in 2007.

My grandfather, Edward Arthur Rowell, served 784 days overseas and received the 1939-1945 Africa Star, the Defence Medal, the 1939-1945 War Medal and the Australian Service Medal. I also acknowledge my uncle, Warrant Officer Terrence Rowell. Terrence was born in 1948 and was a senior submarine escape instructor in the Royal Australian Navy. Terrence—or Terry as he likes to be called—spent more than 40 years in the Royal Australian Navy. For his dedication to our armed forces and his contribution to submariner escape training, Terry was awarded the Order of Australia Medal, which he received from Prince Charles at Buckingham Palace. Terry has now since retired. My uncle Bill served in the Royal Australian Defence Force as an engineer repairing

planes. He told me some time ago that on the day he retired all the people who served under him formed a guard of honour in farewell. He said that it was a very moving experience. He said he was not the leader; he was simply one of them.

Robert Bertie served from his enlistment date of 23 June 1915 until 1918 in the 5<sup>th</sup> Field Ambulance unit. Robert served in Belgium, France and the United Kingdom and was awarded the 1914-1915 Star. Robert was a member of the Australian and New Zealand Army Corps—an Anzac—and served at Gallipoli, where he suffered gas poisoning in 1916 and in 1918. In September 1918, Robert was wounded while in action, suffering a gunshot to his right hand and his leg, fracturing his femur. He spent time in a French hospital, where he was very ill. Sadly, the injuries resulted in Robert having his arm amputated.

My final story demonstrates the importance of never losing hope and giving up. On 12 March 1945, seven men who previously had not flown together took to the skies over Denmark to lay sea mines. The crew members—Stan Slater, Ken Foster, Stoney Mitchell, Mervyn Bertie, Thomas Fairclough, Harvey Porter and Donald Morris—were hastily thrown together to man a Lancaster. Unfortunately, the Lancaster sustained damage to its wing from German cannon fire, at which point Slater gave the order to abandon the plane. Sadly, gunners Porter and Morris did not survive the initial assault and the crash of the plane. As the plane crashed, local civilians found the bodies of the men and washed them in preparation for their funeral. Local German commanders ordered the return of the bodies, stripped them of their uniforms and buried them in a shallow grave on the edge of the Tarm. Five months later, the men received a proper burial and are now at rest in an area known as Englandergraven.

Of those who survived the fall, three were immediately taken to safety in Sweden by local resistance fighters, who were able to give them shelter. However, Bertie and Mitchell did not have this option and were forced to evade German capture on their own. Knowing that their best chance for safety was to find their way to Sweden, they removed their insignia and attempted to follow their compass to safety. The following day, as Bertie and Mitchell began their long march, they were approached by Dorthea Kristensen, who knew that the Germans were stationed nearby. She took them back to her barn, where the two airmen were looked after by her parents despite the fact that they did not speak English. After one night, the Kristensens gave the airmen a safer path to travel across Jutland.

Over the following three days, the two airmen travelled 90 kilometres, being offered food and safety by Danes along the way. Luckily, people in one of the houses where they sought refuge were able to make contact with the airmen with the assistance of a few local English speakers, and they were put into contact with members of the local resistance movement. They were instructed to hide in the barn and to wait for assistance from the resistance. When they were found by local resistance fighters, they were quizzed to ensure that they were truly Allied servicemen and were taken to a safe house in Ikast. After this, they spent 12 days living in the home of a local resistance member, Alfred Balle Pederson, and his wife, Magdalene. They had the opportunity to observe the movements of German soldiers stationed across the road. Both men were given fake identity cards—Bertie was called Peter Nielson, and Mitchell was called Harald Nielson.

On 2 April, the men were being driven to Ebeltoft, where Germans demanded their identity cards. However, they were allowed to move on when the driver of the car demanded to be let through because he was an officer in the National Civil Air Defence. After further stops, Bertie and Mitchell found their way onto a resistance-owned boat destined for Sweden. After crossing the Kattegat, where only 24 days before they had planted mines, Bertie and Mitchell flew to Scotland and were debriefed by members of the intelligence agency. Bertie and Mitchell flew only once more, when hostilities had ended, to see the countryside and the devastation of the bomber control.

Unfortunately, 100 years has not been long enough to heal the wounds that our nation suffered during the Great War. With 60,000 casualties come more than 60,000 mourners. With 137,000 injuries comes the need for carers, and it engenders the depths of sadness and regret in those suffering. While our nation must rejoice for the freedoms afforded to us by our federation of States and by our Constitution, we must continue to mourn for those who selflessly volunteered their lives for us to retain it. We must continue to thank those men and women who have put their lives on the line to protect our nation, whether it was against aggressive foreign interests or disruptive interests on our own shores. We cannot forget that it is these sacrifices that ensure our enduring liberty. It is apt to repeat the words of Horace and Wilfred Owen: "Dolce et decorum est pro patria mori"—it is sweet and glorious to die for one's country. Alf Carpenter, president of the 2/4<sup>th</sup> Battalion Association penned a poem about his service:

Their marching days are over,  
Now their fighting days are gone,  
They've carried out their last fatigue,  
Their victories are won  
But although the world has changed today

And fame is a passing thing,

Along the road of memories, the old battalion swings In my remaining time I will speak about my wife's and my best friend. I will not name him because he is currently serving and it looks like he will be deployed for another six months in a very dangerous country. He does a fantastic job. He has been able to share some stories with us, and as he is only a few years younger than I am, I do not know how he does what he does. I do not know how his family are able to stand firm and wait patiently because they cannot contact him where he is usually deployed. His second child is about to be born, probably in the next month, and very shortly after that he will be deployed for another six months. He and his wife are our closest friends—they are our family. I will not mention their names for privacy reasons, but we always call him our national treasure because of what he has done, what he has seen and what he has to put up with. I do not know that anyone in this place would be able to do such a thing.

We spoke in the House today about post-traumatic stress syndrome affecting police. At a Federal level I believe we need to do more to help our veterans, both men and women of all service agencies, when they leave their respective forces as well as while they are currently serving to ensure that any mental stress or anguish is dealt with in the most appropriate way. I call on the Federal Government to do more in that area. I know the Government has a strong commitment and a strong focus in this area, but having seen firsthand friends of mine who have served in the forces I believe there is certainly a lot more that we could do. We should take a leaf out of the Premier's and Deputy Premier's book today with what they are doing for the police and other emergency services. Lest we forget.

**Debate adjourned.**

*Private Members' Statements*

**HAZARA COMMUNITY**

**Ms JULIA FINN (Granville) (17:02):** Today I bring the attention of the House to the appalling twin suicide bombings of a peaceful protest in Kabul that occurred on 23 July, targeting the Hazara community. The following day, around 400 people gathered in Merrylands Park in the Granville electorate for a candlelight vigil to mourn the loss of life, and a more formal memorial service was held on Sunday 31 July, which I attended along with the Leader of the Opposition, Luke Foley. The vigil was organised by Hazara Women of Australia, in conjunction with Setad Mardomi, the umbrella group for many Afghan associations in New South Wales. In particular I acknowledge Najeeba Wazefadost, chairperson of Hazara Women of Australia, who brought everyone together for the commemoration.

Surprisingly, this terrorist attack has received little attention in the Australian media, despite at least 80 people being killed and another 230 being injured by the twin suicide bombings, for which Islamic State has claimed responsibility, although there is some contention about this both within Afghanistan and amongst the Hazara diaspora. This was the deadliest attack on civilians in Kabul since 2001 and it follows the public beheading of seven Hazaras in November last year. Many of those killed in each of these atrocities were known to members of the Australian Hazara community, including some immediate family members. This is heartbreaking for the community here. The Hazaras are the third largest ethnic group in Afghanistan and are widely recognised as the most discriminated against since Afghanistan was established in 1919, with persecution worsening significantly under Taliban rule.

The recent terrorist attack occurred when the Enlightenment Movement was protesting peacefully in Delimazang Square in Kabul against an Afghan Government decision to reroute a major proposed powerline to bypass the predominantly Hazara Bamyán province. The TUTAP power project, funded by the Asian Development Bank and the World Bank, is designed to bring electricity to the homes and businesses of some of the poorest people in Asia, traversing Turkmenistan, Uzbekistan, Tajikistan, Afghanistan and Pakistan. It is tremendously important for the people of Afghanistan, but, in a decision seemingly in keeping with decades of discrimination against the Hazara people, it has been diverted away from the original route and away from major Hazara population centres, also preventing the construction of supporting roads and infrastructure for the power project.

Electricity supply is something we take for granted here in Australia. But in much of Afghanistan there is a major barrier to development and the reconstruction of the country after war. To deliberately prevent large sections of the community from being able to access a reliable and consistent electricity supply in the near future will ensure the continuation of widespread poverty amongst the Hazara minority. In Bamyán province, most household heating and cooking is still fuelled by burning dung or vegetation. Thousands of homes are supplied with grid-connected solar electricity in Bamyán city, but it supplies power only from 6 a.m. to 11 p.m. at a price eight times what residents of Kabul pay for their electricity. This decision has led to the establishment of the

Enlightenment Movement in Afghanistan, which is calling for equitable development and modernisation. The movement's founding statement is as follows:

In the name of God of wisdom and enlightenment

We, the collective of intellectuals, artists and writers of Afghanistan, firmly believe in a fair development of the entire territory, and we understand that the deprivation of a part of the country is the deprivation of the entire country in totality. For this reason we announce that our full and unconditional support of the civil demands are presented to the "movement for enlightenment".

We join our voice to the people's voice and ask firmly to all Afghanistan government officials, that the TUTAP energy project will be developed according to the guidelines of the original technical report and according to the will of the people themselves.

Finally, we trust that this movement will be just the beginning of a long journey on the road of sustainable and equitable development for all so that one day the entire Afghanistan shall benefit basic services and required infrastructure necessary to the progress of the country.

If this attack on the Enlightenment Movement protest has been carried out by Islamic State as has been claimed, it is yet another example of Muslims being killed by Islamic State supposedly in the name of Islam. I do not want to detract from the appalling recent Islamic State terrorist attacks in the West, or from the persecution of non-Muslims in Iraq and Syria, but I want to draw attention to their often overlooked victims—other Muslims. Persecution by the Taliban and more recently by Islamic State is the reason so many Hazaras have settled in Australia in the last 15 years and are still seeking to do so. We should not seek to stop Muslim migration, as the likes of Pauline Hanson and Sonia Kruger have said we should.

We must retain our non-discriminatory immigration policy and we must continue to resettle refugees seeking to flee war and persecution, as the Hazara community has done. The Granville electorate hosts one of Australia's largest Hazara communities, who have settled here in recent years, and I have come to know many of its members through the businesses they work in—mainly running restaurants or driving taxis—and through the many excellent community groups that have been established to help other Hazaras settle successfully in Australia. I stand with them in condemning the recent terrorist attack and I express my condolences to the entire Hazara community.

### HORNSBY MUSICAL SOCIETY

**Mr MATT KEAN (Hornsby) (17:07):** I note that you found it hard to hear my call to speak, Mr Assistant Speaker, so you may not appreciate what I am going to speak about: the role that music plays in people's lives. I think we all agree that music plays a vital role in most people's lives and that we have all been caught humming songs from *Oklahoma!* or *Chicago* at some point in time. I know the member for Macquarie Fields is a particular fan of music theatre. This year I was blown away by an unforgettable rendition of *Guys and Dolls*, which is why today I pay tribute to the Hornsby Musical Society.

In 1958 the Hornsby Musical Society was formed by a group of enthusiasts who staged concerts in St Peter's Church in Hornsby and then St John's Church in Gordon. The performances back then had a very different appearance, and Gilbert and Sullivan operettas—I know they are a particular favourite of the Assistant Speaker—were the flavour of the day. From those humble beginnings the Hornsby Musical Society has grown to become one of Sydney's premier amateur musical societies. The society later moved to Asquith Boys High School where its members performed no fewer than 40 times between 1972 and 1991. The cast and crew performed timeless classics such as *Showboat* and *The Student Prince* alongside modern legends such as *Man of La Mancha* and *West Side Story*. The society's involvement in the community had a profound impact as it was not only the society but the boys' parents and the staff of Asquith Boys High School who made improvements to the school hall for both general and community use.

By association, members of the school community were able to improve their essential stagecraft and technical skills whilst having fun and building vital relationships for life. In the early 1990s the Hornsby Musical Society once again shifted its home base to Abbotsleigh Girls School. The move brought great success in 1995, with the society's stellar production of *Les Misérables*. A bumper budget of \$96,000 and use of the school's grand auditorium established the Hornsby Musical Society as having created one of the best Sydney amateur productions to be hosted in a facility as large as the one at Abbotsleigh. The production was so successful that Jeremy Secomb, playing Javert in *Les Misérables*, moved to the United Kingdom soon after and is now playing the same role in the London concert version.

Despite the many successes of the Hornsby Musical Society, the group was again left homeless the following year when the Abbotsleigh venue was no longer available. In the following years the society had to endure life bouncing between different homes and halls while facing ever-increasing competition from other musical groups, bodies and associations. The lack of a permanent home became an ongoing problem, but that did not stop the musical society's talented men and women bringing joy to the local community. In 1998 the society introduced the mid-year play to maintain its special place within the community's calendar, to enable those actors

who did not sing to have their voices heard and to allow more directors to share their visions. In 2005 the society found a new home at the Hornsby RSL Club, and it has been there ever since.

The Hornsby Musical Society is an invaluable resource as a creative outlet for all people, young or old. It involves not only actors and singers but also those behind the scenes such as directors, producers, set designers, costume managers, accountants, marketers and even the audience. Over the years many have come to realise that their passions and dreams can be their reality. Brian Stacey, the musical director for Australia's long-running *Phantom of the Opera*, was a founding member. Andrew Bevis of the society's alumni went to London and played Marius in *Les Misérables* in the West End before going on to land the lead role in London's *Romeo and Juliet*. Phyllis Horne, another life member of the society, has directed more than 35 productions and coordinated the costume department for more than 40 years, until 2006.

Although the world has moved on and life has changed, the society's dedication to excellence and hard work remains clear. All these achievements, however, would not be possible but for the efforts of a special few throughout the years. I acknowledge former president Paul Shelden and former vice-president Phillip Youngman for their years of dedication and countless hours of volunteer service. New president Sue Rowe is continuing the society's fine tradition in the Hornsby shire alongside her fellow committee members Rick Porteous, Sue Reed, Erica Penollar, Julianne Horne and Lauren Oxenham. They have helped inspire some of the society's most successful recent productions, including *Guys and Dolls*, *South Pacific*, *Sing Your Dream Role* and *Gypsy*. I thank the many different contributors who have made those productions so memorable—Tim Selby, Mark Daniels, Liesel Reville, Michelle Millgate and Alyssa Porteous. Having attended the society's most recent production of *Guys and Dolls*, I can honestly say that the acting and singing is amongst the best in Sydney. It is fantastic that in Hornsby we can boast about having one of Sydney's premier amateur musical societies.

Today I pay tribute to those who have made our community laugh and cry, and I look forward to attending many more incredible productions in the future. I also encourage the local community to attend the society's upcoming musical *The Wedding Singer*. I know the member for Tamworth would love to see it. This production promises to be another great show. I wish the best of luck to director Andrew Castle and his star cast: Jerome Varlet-Green as Robbie, Timothy Selby as George, Robert Johnston as Sammy, and Rosemi Hart as Julia. They will be supported on stage by other talented cast members Chloe Horne, Boshko Maksimovic, Sue Rowe Hurdell, Yasemin Tounjel and Rhiannon Winchester. I wish them many more years of success.

**Mr KEVIN ANDERSON (Tamworth) (17:12):** I commend the member for Hornsby for speaking about the Hornsby Musical Society in his private members' statement. Musical societies in New South Wales play an important role in the entertainment scene, particularly in regional New South Wales. We must remember that their members are volunteers who give up their time, for which we thank them. The Tamworth Musical Society is one of the most professional amateur musical societies in New South Wales. It recently produced *Mary Poppins*, which was a sellout. The cast is now in rehearsals for *Wicked—The Untold Story of the Witches of Oz*. Again, the volunteers put in countless hours of effort for our enjoyment and entertainment. I thank the member for Hornsby for alerting the House to that fact.

### TIMBER BRIDGES

**Mr ADAM MARSHALL (Northern Tablelands) (17:13):** I would like the House to consider for a moment the humble and often maligned wooden bridge. Timber enabled our predecessors to build the foundations of our road transport system, opening up country New South Wales and establishing the thriving bush communities and inland cities that we all call home today. Bridges in that time could be built with a resource that was ready to hand, could be worked with simple technologies and, most importantly, was cheap. Those timber bridges, once considered assets, are now regarded by most councils as liabilities. Many have reached their use-by date and all need ongoing maintenance at a great cost that councils can ill afford or complete replacement.

Like beards, vinyl records and corduroy pants, everything old eventually becomes new again. I propose that this could be the case for the humble timber bridge because of the example being set in my electorate by Glen Innes Severn Council. Keith Appleby is an engineer on Glen Innes Severn Council who grew up in a sawmilling family who worked the forests near Inverell. Because he grew up with timber and knows its immense versatility, Keith does not look upon timber bridges with the same prejudice as most council engineers. When his love of timber was combined with an innovative local fabrication business, Weir Built Constructions in Glen Innes, some interesting new solutions for low-cost bridge-making emerged.

Glen Innes Severn Council had to replace an old low-lying timber bridge over Nine Mile Creek near the village of Dundee, which is 26 kilometres to the north of Glen Innes. The bridge was around 100 years old. It serviced only a handful of farming families and the estimated cost of a new concrete deck, which is traditional for bridge replacements today, was \$1 million. That bridge is about to be opened at a completion cost of only \$400,000. The sale of the old timber from the original structure, which is estimated to be worth around



\$50,000 in revenue to the council, can be deducted from that figure. The trick to building a new bridge at less than half the cost of a conventional modern structure is to use timber. To be precise, it is to use timber in a way that cuts construction cost by 60 per cent with no less of a load rating and no loss of longevity versus its more modern and favoured concrete cousin.

What Keith and Jay Weir of Weir Built Constructions have come up with is a laminated bridge deck. They are using partly local timber, partly plantation timber. To understand its construction, think of a stack of heavy six-metre long wooden planks stacked 4.5 metres high, turn it sideways, lay it on the ground and bore a series of holes through the deck. That is where the expertise comes in. Bolted together with some serious ironmongery and coated in tar for longevity, we have a modular piece of bridge decking as strong and long lasting as concrete. When several of these six by 4.5 metre timber modules are laid on an old concrete superstructure, we have a cheap new bridge that will not trouble future councils for many decades and that should outlive its modern concrete cousins.

Glen Innes Severn Council is using this technology only where there is already a concrete superstructure under the bridge, but having 42 timber bridges on the council's upgrade schedule means a lot of bridges can be replaced that might otherwise have had to be maintained at enormous cost. I do not know about others, but as someone who has spent a long time in local government before entering this place I find this innovation exciting. It means that some bridge replacement schedules could effectively progress at twice the speed and at half the cost of using concrete. New South Wales Roads and Maritime Services is looking closely at what is being done in Glen Innes and I urge all my fellow members from the regions, especially along the divide, to take this innovative thinking back to their local councils and to spread the word.

Concrete has its place, but my message to all is that timber has not disappeared as a bridge-making material. It is still cheap, still easily worked, still renewable and now it can be put together in ways that make it as strong and long lasting as concrete. I congratulate Keith Appleby and Jay Weir on their innovation and on keeping local dollars in Glen Innes to support local businesses. Well done.

#### **ST JOHN EYE SCREENING AND TREATMENT PROGRAM**

**Mr DAVID ELLIOTT (Baulkham Hills—Minister for Corrections, Minister for Emergency Services, and Minister for Veterans Affairs) (17:19):** On 24 June I was privileged to attend the annual St John Hospital ophthalmic dinner at Victoria Barracks officers' mess. The Order of St John, formerly known as the Most Venerable Order of the Hospital of St John of Jerusalem, was constituted in 1888 by royal charter of Queen Victoria. Today the order is an international organisation renowned for its medical work, including in the original St John Hospital in Jerusalem. St John's main hospital in Jerusalem has operated for more than 130 years, providing ophthalmic care across the Gaza Strip, Jerusalem and the West Bank, regardless of the religion of those who need care. This dedication to care in such a hotspot of geopolitical difficulty makes St John a leader in medical care in not just that region but the world. St John has been so successful in establishing itself as a care provider in the region that it has been training Palestinian ophthalmologists for the past 10 years, ensuring that Western expatriates who dedicate themselves to caring for others are able to provide care to a broader population base, ably supported by trained locals.

In providing care to the region, St John's mobile outreach project sends two teams into the West Bank each week. The teams can provide care for between 16,000 and 20,000 Palestinians in one year. The project teams also have access to a fully equipped vehicle, which enables them to conduct a full panel of screening tests, allowing doctors to detect a wide variety of eye conditions. St John complements this with two medical centres in the region, one in the north and one in the south of the West Bank, which host patients who need care. Other patients are cared for in St John's main hospital facility in Jerusalem. In the tradition of all fine charities, screening is provided free of charge. St John also provides considerable subsidy or, when possible, free care for patients who require treatment after screening.

Closer to home, St John provides enormously valuable eye care services across regional New South Wales. Through its strong fundraising program, which the dinner I referred to was part of, St John has been able to donate eye screening equipment to Thubbo Aboriginal Medical Services in Dubbo. Thubbo, together with the Save Sight Institute, provides eye screening and treatment for Indigenous patients in Dubbo that is able to detect diabetes at an early stage. This level of care for our rural and regional populations provides vital support to the programs already operating in Indigenous communities. In Moree the Pius X Aboriginal Corporation receives important support from St John in the form of eye screening equipment, utilised in the Pius X Eye Clinic. St John donated a mobile camera that can screen patients' eyes. The results are analysed in Tamworth and flagged for any necessary follow-up care. I acknowledge the member for Tamworth, who is in the Chamber, and his support for this project.

The project ensures that patient care is not compromised in areas where fewer medical professionals are available. The images can provide information that allows doctors to find signs of abnormal activity, which can indicate preventable eye diseases and other conditions that affect sight. St John volunteers also provide assistance to the program coordinator when conducting the mobile eye screenings in outreach areas such as Mungindi and Toomelah. As a proud member of the Order of St John, may I say that this speech barely covers the many benevolent medical services that St John provides worldwide. My hearty congratulations go to president Malcolm Little, OAM, who organised the fundraising dinner, and to New South Wales chairman Richard Neal and chief executive officer Scott Johnston on their continued success in providing eye care across the world, in the finest traditions of the Order of St John.

### NAIDOC WEEK

**Ms YASMIN CATLEY (Swansea) (17:23):** I recognise that 3 to 10 July marked NAIDOC Week in New South Wales. Established in 1938, NAIDOC Week is an opportunity to proudly acknowledge and celebrate the history, culture and achievements of Aboriginal and Torres Strait Islander peoples. NAIDOC Week has a proud history. On Australia Day in 1938 protesters marched through the streets of Sydney. This was followed by a congress attended by more than 1,000 people. One of the first major civil rights gatherings in the world, it was known as the Day of Mourning. Following the congress, a deputation led by William Cooper presented Prime Minister Joseph Lyons with a proposed national policy for Aboriginal people. This was rejected because the Government did not hold constitutional power over Aboriginal people.

After the initial Day of Mourning there was a growing feeling that it should become a regular event. In 1939 William Cooper wrote to the National Missionary Council of Australia to seek its assistance in supporting and promoting an annual event. Over many decades of activism the Day of Mourning progressed from a single day of protest to a full week of recognition of the immense contribution that Indigenous people make to our nation's rich cultural fabric. It was not an easy path to get to where we are today; nor has the work of those fighting to close the gap been completed.

This year's NAIDOC Week theme was "Songlines: The living narrative of our nation". The NAIDOC Week website explains this year's theme by saying that for Aboriginal and Torres Strait Islander people the Dreamtime describes a time when the earth, people and animals were created by our ancestral spiritual beings. They created the rivers, lakes, plants, land formations and living creatures. Dreaming tracks crisscross Australia and trace the journeys of our ancestral spirits as they created the land, animals and lore. These dreaming tracks are sometimes called songlines as they record the travels of the ancestral spirits who sang the land into life. Songlines are intricate maps of land, sea and country. They describe travel and trade routes, the location of waterholes and the presence of food. In many cases, songlines on the earth are mirrored by sky songlines that allow people to navigate vast distances in this nation and its waters. They carry significant spiritual and cultural connections to the knowledge, customs, ceremony and lore of many Aboriginal nations and Torres Strait Islander language groups.

NAIDOC Week plays a vital role in bringing our nation together. This was exemplified by the many activities in the Swansea electorate that marked this important week of recognition. I am privileged to say that my community does an excellent job of acknowledging people of Aboriginal and Torres Strait Islander background. In particular, I report the efforts of Swansea Public School, which invited schools from the Galgabba Community of Schools to celebrate the week with cultural activities. The activities included damper baking, Indigenous dot painting, traditional dancing and didgeridoo lessons. The Galgabba Community of Schools includes Blacksmiths Public School, Marks Point Public School, Pelican Flat Public School, Caves Beach Public School, Nords Wharf Public School, Swansea Public School and Swansea High School. It supports and celebrates Aboriginal student learning through tutoring and mentoring, providing opportunities for them to develop leadership skills, cultural knowledge and pride, and to improve student engagement. It has been a very successful model.

For me, being part of that day was one of the highlights of the week. I was incredibly proud of everyone involved for appreciating Indigenous traditions, customs and community. It was a rewarding experience for all involved. I was also pleased to again attend Valentine Public School's ceremony, a wonderful celebration of the achievements of Indigenous people in the Swansea electorate. There they sing the national anthem in Awabakal. NAIDOC Week in Swansea culminated in the Eastlakes NAIDOC Family Fun Day at Pelican Foreshore. Everybody had a great time.

I take this opportunity to recognise the 2016 Swansea Aboriginal Student of the Year, Piper Nowland from Northlakes High School. Piper is a proud Kamilaroi girl and an excellent role model for her peers. Excelling in sports, student leadership and academia, Piper also works hard to promote cultural awareness within her school community. She has been a student representative at Northlakes High School and a junior representative on her local Aboriginal Education Consultative Group for the past four years. Piper's creative endeavours have

led to her representing her school as an Aboriginal dancer and artist. Last year she was shortlisted for the New South Wales public schools Aboriginal dance ensemble and was also part of the winning group at the Reconciliation art exhibition at Gosford Regional Gallery. It was an absolute privilege to present Piper, who is such a talented, passionate and creative advocate, with the Aboriginal Student of the Year award. Swansea has a proud Aboriginal past and present. With young Aboriginal women like Piper leading by example, the future looks very bright.

### ELDER ABUSE

**Mr MICHAEL JOHNSEN (Upper Hunter) (17:28):** I bring to the attention of the Parliament an issue that seriously affects our nation's senior citizens. I refer to an alarming trend in the financial abuse of elderly people. It is affecting large numbers of seniors, who are losing millions of dollars. A disturbing aspect is that seniors are subjected to all kinds of abuse by predators in order to access their money. No older person deserves to be subjected to any form of abuse. Financial abuse of seniors leads to other forms of abuse.

If we can promptly introduce certain measures to stop wealth abuse we could prevent approximately 60 per cent of the abuse. Senior citizens have rights. They should be respected and they are entitled to protection. They do not deserve the indignity of wealth abuse tactics or the intimidation of being placed under duress to sign legal documents. Many older people have difficulty dealing with the strong sense of entitlement and greed, the deliberate intent or the predatory action of abusers. The perpetrators are cunning, they lie convincingly and they do not grasp the concept of respect or have moral feelings. They show no remorse. They scheme and manipulate to access an older person's money. Predatory behaviour includes coercion, badgering and verbally or physically abusing an older person in order to access his or her assets. Elders are left without money to care for themselves in their later years.

At least two out of 20 older people are financially abused. In 2014 alone that figure increased by at least 20 per cent. A number of measures for prevention could be initiated right now. Some initiatives that our Government could consider would promptly help to put an end to the issue of "inheritance impatience". In Victoria, the State Government recently tightened powers of attorney legislation. The new Powers of Attorney Act 2014 took effect on 1 September last year. In 2010 one of the recommendations from the Victorian inquiry into powers of attorney was to develop a register for powers of attorney documents. A register could help stop predators arranging for new legal documents to be drawn up or changed in their favour. Another step towards prevention could be a register for wills. Another could be to introduce a new law. One lawyer recently proposed a new law and said it could be called the elder justice law.

Awareness is key and education is paramount. Elders and their loved ones who truly care for them do not see it coming. They think it will not happen to them and that no-one would be that callous or ruthless but, sadly, they are. The perpetrators become obsessed. What begins as a plan to gain a senior person's confidence and money quickly turns into a predatory situation. They do not consider the consequences of what happens to an older person once they have taken their money and assets. Financial abuse can happen to anyone from any socio-economic group and, sadly, the victim is often unaware until it is too late. It could happen to one of our grandparents or parents, or later to us or to one of our children. Most often the abusers are family members and others who pretend to be carers, financial advisers or new-found friends. Often the abusers are in a position of trust or they move into the older peoples' homes uninvited and the seniors find it difficult to speak up.

Imagine someone that older people thought they could trust who starts abusing them. Because they have become frail they find it difficult to inform anyone and it gets worse. Imagine how devastated they would feel when they experience verbal abuse. They are told to shut up or the abuser threatens to hurt them or put them in a nursing home—or worse, they begin to badger, harass or physically abuse them to sign legal documents or to make bank withdrawals. This problem is not being spoken about loudly enough due to embarrassment and shame. The evidence I am presented with suggests it is increasing at an alarming rate.

The predators who commit these horrible acts simply do not care. They tell others how to take an older person's money and home. They tell them how to lie. They ask a different lawyer to draw up new legal documents and then arrange for the elders to sign new wills in their favour, leaving it all, or a greater share, to them, or they get them to sign new powers of attorney—a licence to steal, in the wrong hands. For moral reasons we need to take the necessary action now to protect seniors against wealth abuse. It is true to say that governments cannot afford to support all older people who can no longer support themselves and whose assets have been stolen or taken without their permission. As ludicrous as this sounds, this is happening in our State. Lawyers, financial advisers—of which I was one—and bankers are not happy to see their older clients abused in this way.

## DOMESTIC VIOLENCE

**Ms JENNY AITCHISON (Maitland) (17:33):** Earlier this month I visited the Penrith Women's Health Centre with my parliamentary colleagues the Hon. Sophie Cotsis, MLC, and shadow Minister for Women, the member for Blue Mountains and the member for Londonderry, and the newly elected Federal member for Lindsay. The Penrith Women's Health Centre is one of three services that lost a total of \$250,000 in funding for domestic violence counsellors and caseworkers on 30 June this year. They were funded under the Labor Government's domestic violence yellow card early intervention program. Managers of Sydney Women's Counselling Service and Cumberland Women's Health Centre have also lost counsellors and caseworkers and were at the meeting to add their voices to the call to reinstate funding.

Domestic violence is chronically underreported, as many women do not have anywhere to go and cannot access assistance. These services are an important first point of contact for many women experiencing domestic violence. They provide crucial early intervention for victims and their families, with counselling, case management and assistance with housing, health and access to income support. They worked specifically with women who were ineligible for assistance under the Government's Staying Home Leaving Violence program, which does not assist women who are still living with their partners. This area of need is yet another gaping hole that has still not been met in the Government's "reforms". Women and their children still living with violent partners desperately need early intervention and assistance to navigate the complex pathways to freedom from domestic violence, which is particularly difficult for those who are experiencing trauma from domestic violence.

All three services have made repeated requests to the New South Wales Government to extend their funding, with no response. I have written three letters of representation to this Government—two to the Minister for the Prevention of Domestic Violence and Sexual Assault and one to the Premier, written in conjunction with the shadow Minister for Women. However, sadly, neither the Premier nor the Minister have bothered to respond to the services, to me or to the shadow Minister for Women. With announcements being frequently made on the Government's reforms to reduce domestic violence and the Government loudly proclaiming a bipartisan approach to domestic violence, one would think that the Government would value the thoughts of the community sector and indeed the Opposition but, sadly, it appears that in this State the community, the sector and the Opposition are being treated like an accessory after the fact to the devastating cuts that are still occurring in the sector.

The Government admitted earlier this month that it did not even know how many refuge beds were available for women and children fleeing domestic violence in this State. On questioning from me the Government further admitted that this information was not useful, was subject to variances and was too difficult to collect. The Australian Bureau of Statistic [ABS] can collect this kind of data to track tourism accommodation. When I pressed the department on what kind of variances the information was subject to, it did not talk about refurbishing in order to provide better facilities, such as painting or improving rooms. Instead, the department said it had to refurbish because there were bed bugs in the rooms, as if to denigrate the most vulnerable women and children in our community who need those services.

The Government's cuts to early intervention funding and its ignorance of how many beds are provided by refuges shows that it does not understand the full complexity of the needs of victims suffering domestic violence. It also shows a total lack of commitment to providing early intervention and crisis services for victims. The consistent message I am receiving from workers in this sector and from victims who come into my office—and, I am sure, into the offices of all members in this place—is that accommodation, counselling and support services for victims are needed most but attract the least funding. Government members should welcome any efforts by the community and the Opposition to inform them, but it appears they are very comfortable in their government ivory towers while women and children live on the streets and in their cars to escape violence. It is a disgrace and it brings shame upon all of us.

The Government touts reforms and commitment to stamping out domestic violence but it is failing to put money where it is needed most—front-line workers in the area of intervention and providing much-needed beds in refuges. Women and children will continue to live in fear of domestic violence and indeed for their very lives unless the Government gets these foundations right. Working with the Opposition, the sector and the community is a vital step in this process that the Government has failed to take. The Hon. Sophie Cotsis, MLC, and I have launched a petition calling for the reinstatement of this funding. I urge all members of the community to join us in making this call to Government. The Minister must reinstate the funding urgently and, indeed, extend those services across the State to assist all victims of this terrible crime.

**The ASSISTANT SPEAKER:** Private members' statements having concluded, the House will now deal with the matter of public importance.

*Matter of Public Importance***EDUCATION WEEK**

**Mr ALISTER HENSKENS (Ku-ring-gai) (17:40):** It is a great privilege to speak in this House about Education Week, which is a celebration of our State's public education system. One of the great fortunes of my life was the 13 years I spent in two great public schools, Newcastle East Public School and Newcastle High School, and the friendships I made in them. The theme of this year's Education Week is "Shared stories, better learning, stronger communities." The scale of our State public education system is truly immense. It has more than 790,000 students across more than 2,200 schools. But our public schools are not made up of numbers and statistics; they are made up of the teachers and students within them. Our schools have great souls and are full of a rich blend of people and talents.

Whether I am speaking about now or when I went to school, it is important to start by paying tribute to the dedicated teachers who make our public education system an outstanding learning environment. Whilst our children are rarely angels, the greatest gift that our teachers can bestow upon them is to teach them to think and learn and thereby inspire them to improve themselves. We should never forget that our public schools create opportunities for children of any ability, and regardless of their background or physical presentation, to learn and choose a path that best suits them. Some may choose a trade, others will go to university and yet others will go to the arts or sports.

There is a great diversity in the schools in the Ku-ring-gai electorate. Hornsby Girls High School and Normanhurst Boys High School are selective schools in my electorate and contain many students from around Sydney and the Central Coast who have been outstanding at primary school. Those two schools regularly achieve outstanding results in the Higher School Certificate. The other public schools in my electorate also deliver an excellent education. Just last Friday I was able to join Mr McDermott's kindergarten class at Turramurra Public School in the planting of a waratah tree to mark National Schools Tree Planting Day. The school shares its vast sporting grounds equally with a brilliantly designed and maintained native garden and vegetable patch.

I have been able to witness the polished performances of many a school band, including Warrawee, Waitara, Pymble and Wahroonga public schools as well as Turramurra High School's rendition of *Macarthur Park*. I also witnessed the creativity of students in the dance and musical performances at the Turramurra North Public School and the Ku-ring-gai Creative Arts High School end-of-year presentations last year. Recently the student leadership team at Normanhurst Public School proudly showed me around their leafy school, which has its origins stretching back to 1893.

On the values that are taught, the long-time principal of Beaumont Road Public School, Malcolm McDonald, relayed the account of a broken windscreen to his car, parked on the school grounds, before school one morning. Instead of the bunch of boys involved hiding or pointing fingers after a soccer ball was accidentally kicked into the windscreen, one brave young student marched into the principal's office to declare that he was responsible for the damage. That made the principal prouder than anything and far outweighed the cost of replacing his windscreen.

Last year my Federal parliamentary colleague and Minister, the Hon. Paul Fletcher, and I visited Killara Public School where we helped teach a very well-informed group of year 5 and 6 students about government. As healthy play is so important to the growth of our children, I was pleased that a State Government community building grant was given for play equipment at Gordon West Public School last year as well as a grant for playground renewal at West Pymble Public School, where I attended and participated in a Ride to School event last year. These excellent public schools today are a continuation of a long tradition of excellent teaching in our public schools which foster a wide range of talents and future occupations.

At Newcastle High I had the opportunity to mix with an incredible group of people. I will share the stories of some of them. My fellow students went on to do many varied things after school. They became tradies, nurses, teachers, police officers, public servants, businesspeople, nightclub owners, retailers, labourers, engineers, accountants, doctors and lawyers. The year after I left school I was succeeded as vice-captain by David Currow, who lived up the street from me. Yesterday I spoke with him for the first time since school when he was in Parliament to deliver a report to the Government. David is now Professor Currow, the chief executive officer of the Cancer Institute of NSW, and he has had a stellar career as a medical clinician and now administrator. Ian Kerridge, the school captain of Newcastle High in 1979, is now a professor of bioethics and medicine at the School of Public Health at the University of Sydney.

Not all students went on to become university academics. In Ian Kerridge's year at Newcastle High was the well-known comedian Mikey Robins. Mikey turned his habit of frequently making bad jokes at school into a career—going from the Castanet Club that performed in local pubs and clubs to having a very successful television

career. Peter Brooks, who had the stage name of Maynard F# Crabbes, was a talented comedian in the year after Mikey Robins at Newcastle High and also started his career with the Castanet Club. But probably the most famous Newcastle High School alumnus is Miranda Otto, who is now an internationally renowned actor. After finishing school she went to the National Institute of Dramatic Art [NIDA], to which it is almost impossible to gain entry. She has since made Hollywood and other films and appeared on the stage as part of her investigation of the human condition through the performing arts. These stories of success are just a few of many stories I could tell. They show the independence, resilience and variety of skills which are taught in our public schools.

**Mr JIHAD DIB (Lakemba) (17:45):** Today we celebrate Education Week as a matter of public importance. We can discuss the statistics but, as my colleague the member for Ku-ring-gai said, there is a richness in schools that makes them great. A couple of months ago I had the good fortune of visiting Newcastle High School. It is doing fantastically. I commented that they must be indoctrinating the kids because all of the furniture was red and blue. I thought it was their way of getting them to support the Newcastle Knights.

**Mr Alister Henskens:** That is very important.

**Mr JIHAD DIB:** It was so clear. Education Week is a celebration of public education. Like many other people in this place, I am proud to say that I am a product of and advocate for the public education system. However, as a member of Parliament and the shadow Minister for Education I am forever mindful of the principles of the Education Act 1990 that every child has the right to receive an education and that it is the duty of the State to ensure that every child receives an education of the highest quality. The theme for Education Week this year is "Shared stories, better learning, stronger communities". I particularly like the reference to stronger communities. In this Chamber and in other places I have often spoken about the need for schools to be supported by their communities. It is also really important that schools support their communities by becoming the hub of the places in which they are situated. They can do that through their connections with families, local groups and businesses.

A wonderful feature of Education Week is the opening of schools to parents and extended families. It is an incredibly special week during which students and teachers can proudly showcase their achievements through beautiful artwork, artistic and dramatic performances, and student leadership. It is also a great week for the sharing of stories. I had the great privilege of working in schools before becoming a member of Parliament. During Education Week people get to see the things that I saw every day of my working life. I know that my colleagues in this House and in the other House love visiting schools more than anywhere else.

I started this week with a morning visit to Greenacre Public School. It was so encouraging and uplifting to see kids from many different backgrounds joyfully running various science experiments. The kids were actively engaged with the great questions of the physical world around them—gravity, the phases of the moon and chemical changes. Many people and I know that a quality education can change the world one kid, one family and one community at a time. I know that because I have seen it happen countless times. I could tell thousands of stories but I will tell only one, about a kid called Sam who came to us as a refugee from Sierra Leone.

Sam did not have any family and I knew enough history to not ask him any questions. The school became his family. That kid went from being a boy who could not smile to being one of the most beautiful children one could ever meet. I was so pleased when I saw him last year proudly showing off his new baby boy. Where we had succeeded was not in sending that young man to university but in making him the best young man he could be by giving him a sense of family and community that he had not had. He had nothing other than our school. That story is not unique to my school; things like that happen in all schools in all places. They are the things we get passionate about. It is the one thing that we all understand and in which we believe. For people like Sam and many others equitable access to a quality education represents the highest stakes. We are aware that there are some Indigenous education issues we must deal with. In 2013 Professor Chris Cunneen in his article "Time to arrest rising Aboriginal prison rates" made the sad statement:

As a society we do better at keeping Aboriginal people in prison than in school or university.

That is a damning indictment that we must look at into the future.

When we saw the recent *Four Corners* program about the treatment of children in detention, we as a nation recoiled in horror. A teacher always has to look at the glass half full and the counterpoint to that is a properly resourced education system to allow every student the opportunity to be the best they possibly can. Earlier today the member for Port Macquarie talked about the Community Connect policy and I was impressed. Sadly, and the member for Ku-ring-gai and others will agree with me, sometimes in a rush to judge schools commentators look almost exclusively at things like diagnostic testing, but great schools are so much more than that.

Great schools become the touch zones of the community. They are the safe place for that kid who does not have the family support they need, a place where kids are allowed to be creative and a place where we build

the future. In a public school, colour, faith and wealth do not matter; every person matters. So much of this greatness comes from the many non-curriculum teaching and learning activities and experiences that happen in schools every day. I congratulate the member for Ku-ring-gai on this matter of public importance and I restate our commitment to advocate for the best, fairest and most outstanding education system in this State. Finally, I thank the hardworking staff and community members who make our schools so wonderful every day.

**Mr GREG APLIN (Albury) (17:50):** Education Week is a celebration of public education, and this is Education Week 2016. Last year the theme was "Celebrating Local Heroes" and schools were encouraged to develop their alumni networks and celebrate their local heroes, including their local Anzac military heroes. That was fitting for a major anniversary year of remembrance. This year the theme is "Shared stories, better learning, stronger communities". In my electorate many schools are taking this literally, inviting parents and community members to visit the schools and see them in action. Today, for example, is Albury Public School Open Day. Parents and carers are welcome to spend recess with their children before visiting the classrooms and joining in the classroom activities.

Music has been prominent on the agenda of these schools, as we are currently in the middle of the Albury Wodonga Eisteddfod. Albury Public School's students in the years 1 to 4 choir performed *Big Yellow Taxi* by Joni Mitchell, along with the Beatles' iconic song *Blackbird*. Across town, tomorrow is Open Day at Lavington East Public School, with a Devonshire tea and then an assembly at 2.00 p.m. in the hall. The canteen will be serving soup and a roll for \$4—a bargain. The Lavington East choir also competed at the Eisteddfod singing *Rip Tide*. The junior primary choir came first with a score of 77 and will be performing at tomorrow's assembly. Lavington Public School is taking it to the streets, with displays and performances at Lavington Square Shopping Centre. Education Week for Lavington Public School will culminate in a morning tea for parents in the school library. Other schools presenting displays or performances at Lavington Square include the drama students from James Fallon High and students from Thurgoona Public, Albury North Public and the Northern Spirit Learning Community of Schools.

Heading out of Albury, Holbrook Public School has its Open Day on Friday, putting on a barbecue lunch and activities for visitors. Meanwhile, Howlong Public School has arranged its school production to coincide with Education Week. Dress rehearsal for *The Amazing Adventures of Dr Woo and his Assistant, Sue!* was yesterday, and there are two performances today. Important news for parents is that popcorn will be available at only \$1 a bag, and that represents great Education Week value. Money raised from popcorn and scones will go towards the school's Stephanie Alexander Kitchen Garden. At Murray High School Patrick Doyle, the winner of the Premier's Anzac Memorial Scholarship, is addressing the whole school assembly on his tour of the battlefields in France.

Education Week provides an opportunity to reflect on the important role New South Wales public schools play in the community and how strong the NSW Government's commitment continues to be in delivering a quality, inclusive education to more than 790,000 students across more than 2,200 schools statewide. The Government has led the nation, implementing evidence-based reforms to raise student results, support teachers and improve quality teaching. We understand the critical roles schools play in equipping young minds with the knowledge and skills needed to become productive citizens. That is why the Government is committed to ensuring that our children and the generations to come have access to the best education.

**Mr ALISTER HENSKENS (Ku-ring-gai) (17:53):** In reply: I thank the member for Lakemba and the member for Albury for their contributions regarding this matter of public importance. The comments of the member for Lakemba, who is the shadow Minister for Education, on the importance of stronger communities in schools reminded me of the great role that parents and citizens associations play in assisting our schools to be even better. He also spoke about the power of education. Indeed, his story about Sam reminded me of my year 12 master who said that not everyone would go to university, but that if we proved to be successful graduates from the university of life then the school would have done its job. The member for Albury regaled us with great anecdotes as to what the Albury electorate is doing for Education Week. That Albury Wodonga Eisteddfod would have to be an item on the calendar in his electorate not to be missed.

**Mr Kevin Anderson:** Tick.

**Mr ALISTER HENSKENS:** A big tick, as the Premier would say. I agree with the member for Lakemba that the ability for children and migrants, people from all different backgrounds, to have an opportunity in life is the great gift that our public school system gives to us.

**The House adjourned pursuant to standing and sessional orders at 17:56  
until Thursday 4 August 2016 at 10:00.**