



New South Wales

Legislative Assembly

PARLIAMENTARY DEBATES (HANSARD)

**Fifty-Sixth Parliament
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Tuesday, 18 October 2016

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LEGISLATIVE ASSEMBLY

Tuesday, 18 October 2016

The SPEAKER (The Hon. Shelley Elizabeth Hancock) took the chair at 12:00.

The SPEAKER read the Prayer and acknowledgement of country.

Visitors

VISITORS

The SPEAKER: I welcome to the public gallery visitors from the Tamil community, who are guests of the member for Prospect.

[Notices of motions given.]

Private Members' Statements

ALBURY ELECTORATE FLOODS

Mr GREG APLIN (Albury) (12:12): As I flew out of Albury last week in the late afternoon we headed towards the Albury War Memorial on Monument Hill and then banked away to the north. The Murray floodplain was an extraordinary sight with water covering an area that seemed to be a kilometre wide, glistening in the late afternoon sun and stretching as far as the eye could see down towards Howlong. Noreuil Park was inundated, with treetops masking the plight of the stranded River Deck Cafe. The quarry on the Victorian side of the border was completely flooded. Vast tracts of pasture lay shining beneath the Murray's springtime wash.

Recent flooding has had a dramatic effect on Albury and communities along the Murray River. Of course, this is not the first time. Local historian Greg Ryan recently mentioned the ongoing nature of flooding in Albury, including the Great Flood of 1867 when 35,000 bricks intended for the first telegraph office were swept away, the lower part of Albury was under water and customers reached some shops by boat. The management of floodwaters and dam storage is, as they say, fluid. In late August the Murray Darling Basin Authority made this prediction:

With high rainfall in the upper Murray River catchment over winter, the Hume Dam has been filling fast. Run-off into the dam went from the lowest 10 per cent on record in May to the highest 10 per cent in July. In all likelihood the dam will fill, so we have started releasing water at low rates to make room for incoming flows and rainfall.

A month later the news was more grim:

The total storage volume at Hume Reservoir increased by 3 gigalitres to 2,914 gigalitres (97 per cent capacity) as releases for the week were similar to inflows. Since the start of September Lake Hume has received 1,170 gigalitres of inflow, or almost 40 per cent of the total storage capacity of Hume Dam. As a result, water releases were increased. Early October outflows hit a high of 75,000 megalitres per day, but inflows averaged, at times, in excess of 100,000 megalitres per day. These flows have had a significant impact on river communities. The John Foord Oval went under water at Corowa. Corowa's civic centre had to close as floodwaters came closer. A park in Howlong was flooded. Vehicle access to a residential area of Albury known as Doctors Point was blocked off, even to four-wheel-drive vehicles. Sports events were cancelled. Sandbagging, road closures and fallen trees have kept emergency workers and volunteers busy across the electorate. Tourism operators have been hit hard by the flooding, particularly as the worst of it coincided with school holidays. Caravan parks and canoe hire businesses have suffered. The clean-up job will be daunting and costly for businesses, those on the land, and councils.

Despite warnings to keep out of floodwaters, our State Emergency Service [SES] volunteers and police have had to undertake a raft of rescues. For example, after ignoring SES warnings, a 61-year-old Yarrawonga man had to be rescued from rising floodwaters after getting isolated on his paddleboard. He climbed a gum tree for refuge, taking his wet dog with him. What can be forgotten when confronted by the exciting vastness of a river in flood is that fast-moving water carries debris that is often hidden below the surface. Sections of roads wash away and wildlife is forced onto the roads—and snakes can swim. Downstream communities have been reminded to keep in touch with developments by registering with the WaterNSW Early Warning Network service, which provides alerts via Short Message Service [SMS], email or voice message.

Heat has been on the Murray-Darling Basin Authority, as the agency responsible for management of water flows and dam releases. Communication remains the issue. There were delays in reaching the public with critical information, leaving room for guesswork, gossip and, frankly, worry. While it is always arguable as to the best time to start ramping up water releases from dams, we really should be able to rely on advanced notice and sensible predictions from the managers. River communities need to see improvements in communication and timeliness of information. It is only a month since local council elections were held. Interestingly, one team was campaigning on a platform to introduce houseboats on Lake Hume and caravan parks beside the Murray River.

A letter to the editor of the *Border Mail* took the proponents to task, reminding them of the natural realities of the situation.

Great pictures of the Albury Wodonga flood today.

said the correspondent—

They illustrate why it would be foolhardy to further develop the flood plain as previously suggested by some individuals interested in commercial development along the riverbank. I say let's retain the natural beauty and environmental balance as much as possible, so that such floods as this one do minimal damage in the future."

Much of Albury rests on floodplain and river flats. There is long precedent for politicians who put up their hands to stop the advancing flow of water. In concluding, I would like to express my thanks to our paramedics, police, SES management and all the volunteers for keeping us safe and for keeping watch faithfully.

AMBULANCE STATION AMALGAMATIONS

Mr GUY ZANGARI (Fairfield) (12:17): Today I speak with regard to a matter of great importance to the Fairfield community. It will come as no surprise that in a flagrant attempt to show how brilliant it is, the Baird Government has concluded that its next stop on the amalgamation train should be to consolidate our local ambulance stations and to force services to operate out of the one building. However, there is a tremendous difference between amalgamating our critical emergency response services as opposed to combining Roads and Maritime Services and Fair Trading. The Government's arguments and rhetoric behind amalgamating councils quite simply do not cut the mustard when it comes to our front-line emergency responders.

The key message to take away from this is that this failure of a decision can mean literally the difference between life and death. As of this moment, our purpose-built Fairfield ambulance station is scheduled to be closed and reassigned as a paramedic response point. Labelling it as a paramedic response point is just a flashy way of stating any paramedics who are assigned to the area may utilise this location as a waiting area until they receive a call. The station will no longer be functioning. It will not be an operational or stocked station. Our paramedics cannot resupply there. Under this Government's changes, Fairfield's paramedics are being reassigned to the Bankstown superstation at 96 Canterbury Road, Bankstown. This superstation will absorb the resources from the surrounding stations and essentially work as a go-to location for the region. This means whenever our local paramedics need to clean out their ambulance, resupply, change uniform or change vehicles, they will be required to travel back to Bankstown prior to being able to continue with their shift.

Under this new regime paramedics will begin their shifts at the superstation and will then travel anywhere from 10 to 20 kilometres to their designated response point to await a call-out. I have been advised that a similar model to this was trialled in Britain, but it was shut down because of the widespread concern of staff and patients about the loss of local stations. Similar momentum has been building in our local community since the announcement of the closure of the Fairfield ambulance station. Paramedics have demonstrated their grave concerns about the new system and members of the community have started an online petition advocating against it.

The closure of the Fairfield ambulance station will be to the detriment of our local community and the Government clearly does not have a firm understanding of our needs. It appears as though the Government does not value the local knowledge and local expertise ingrained in our local paramedics—namely, being local, knowing the area and understanding the community. These traits can shave valuable minutes off response times and allow them to provide an even greater service to our community. No matter where one lives or grew up, the importance of understanding the local community or how invaluable understanding the local traffic routes can be must not be undervalued. Clearly the Government either does not understand or does not care about the additional distances our paramedics will need to cover in order to return to the superstations and the additional wear and tear, stress and anxiety this will add to their day-to-day operations.

In the Fairfield region and its surrounds I can attest to the car parks that are commonly known as Horsley Drive, Polding Street, Smithfield Road, Cabramatta Road, Elizabeth Drive, Cowpasture Road and Victoria Street. These arterial thoroughfares are often bypassed by locals at varying points during the day as they are known to be chaotic. Locals in a region understand the complexity of local traffic, and having a firm understanding of how to navigate local obstacles is incredibly important. I am thankful for the amazing work our local paramedics do. It is a job like no other, and it takes a true champion to fulfil these roles in our communities. The Government needs to listen to the clear message from our community: Hands off our Fairfield ambulance station. Fairfield deserves better.

HEADSPACE

Mr GEOFF PROVEST (Tweed) (12:22): October is Mental Health Month in New South Wales and to mark the beginning of this special month last week members of headspace national youth mental health

foundation and many other organisations, which do a fabulous job in regional and rural New South Wales to raise awareness and promote better mental health throughout the community, attended a function in the Speaker's Garden. This year headspace is celebrating 10 years of servicing young people around the country, and 11 October was proclaimed as its inaugural headspace Day. Headspace Tweed Heads celebrated this day on 15 October at Jack Evans Boat Harbour. It was a relaxing and fun day in the park, with live music and activities for young people. Keiah and Meagan were two of the main organisers. Indeed, I had the pleasure of interacting with that great bunch of people who do such amazing work in our local community for a number of hours that day.

Headspace provides early intervention mental health services to 12-year-olds to 25-year-olds, along with assistance in promoting the wellbeing of young people in four key areas: mental health, physical health, work and study support, and alcohol and other drug services. In the past 12 months, one in four young people have experienced a mental health issue—a higher prevalence than in any other age group. Disturbingly, suicide is the leading cause of death in young people. Indeed, it accounts for one-third of all such deaths and research shows that 75 per cent of mental health issues emerge before people reach the age of 25. But by treating these issues early and providing a holistic model of support, the risk of them developing into more serious problems is greatly decreased.

A number of targeted national campaigns help headspace to access hard-to-reach groups such as Aboriginal and Torres Strait Islander young people, and encourage them to access support at headspace or other appropriate mental health services. Headspace has provided more than 1.5 million services—at centres, online and over the phone—to more than 255,000 young people. Headspace centres are located across metropolitan, regional and rural areas. They are built and designed with input from young people in the community, so they do not have the same look or feel as other clinical services. Services at headspace centres are either free or have a low cost.

Mark Bright from Byron Bay attended the day. Mark has the title of joyologist. He is the first joyologist I have met in my life, and his sole purpose is to bring joy to everyone with whom he comes into contact. Part of the joy that Mark brought included painting my face with pictures of dolphins and whales in many bright and wonderful colours, much to the amusement of both young and old. I did not realise at the time that the paint used would be a little more difficult to get off than it was to apply. It was a great day.

At the Speaker's Garden headspace function I met people from Penrith headspace, TAFE and RSPCA. They have started to introduce harmony dogs to young people and have had enormous success recently. As the patron of Friends of the Pound and Friends of the Hound in Tweed Heads, I entered discussions with the Ministers involved, Pru Goward and John Barilaro, to see whether we can have another positive pilot program by introducing dogs and other animals to people experiencing mental health issues. Unfortunately, Tweed Heads has one of the highest rates of youth suicide in the State. We have set up and encouraged friends and family to go to many counselling and awareness programs run by New South Wales Mental Health, beyondblue and Lifeline so that they can recognise some of the warning signs. It is a very complex issue, one I am sure that members on both sides of the House are keen to address by offering the greatest level of assistance to young people in the community. I am 100 per cent for Tweed headspace.

HUNTERS HILL JOSEPHITE SISTERS

Mr ANTHONY ROBERTS (Lane Cove—Minister for Industry, Resources and Energy) (12:26): Today I pay tribute to the role of a group of saintly women inspired by a saint. It is a story with a French flavour, a saint's guiding hand and over 150 years of community good works. I speak of the Sisters of St Joseph of the Sacred Heart at Hunters Hill. The sisters have recently celebrated their sesquicentenary—150 years of devotion to God and dedication to the community from today's Josephite Sisters and their predecessors. The Josephite Sisters order was founded by the then Sister Mary MacKillop. Mary may have been a humble sister then, but she definitely had saintly intent.

The Josephite Sisters were founded in 1866 and their hospice at St Joseph Aged Care in Gladesville Road, Hunters Hill, was purchased by Mary MacKillop a few years later at the request of the Vatican. As for the French connection, like neighbouring St Joseph's College, the hospice was originally part of Hunters Hill's French village community, led by the devout Jules Joubert, and a garden statue of St Therese of Lisieux recalls its French heritage. Today it is a home for the sisters and aged residents as well as a religious house with its own chapel, gardens and heritage furnishings. The gentle sisters who live there have devoted their lives to the order and the Catholic faith and have a proud record of service to the poor and destitute.

Education has played an important part in the lives of the Josephite Sisters. At a time when it was considered revolutionary, Mary MacKillop and the sisters led efforts to make sure that education was available to Australians no matter what their means or location. This work in education remains a major focus of their efforts in Australia and abroad. Two of today's Sisters of St Joseph spoke with my local newspaper, the *Weekly Times*.

Sister Geraldine and Sister Margaret-Mary told the *Weekly Times* that they had joined the order at a young age. While the life of a religious sister had been challenging, for them it was also a "calling they could not ignore". They went on:

Once we made the choice our lives became blessed by Faith.

These two gentle souls said:

... inspired by Saint Mary McKillop's maxim that we should never see an evil without doing something about it and that we should recognise the human dignity of every person.

As elected members of this House, certainly they are goals to which we should aspire. As members of Parliament, we should never see an evil without doing something about it. Teaching the needy is a recurring theme for Sisters Geraldine and Margaret-Mary. They fondly recall that with the influx of migrants to Australia after the Second World War they often faced classrooms of more than 120 pupils, and amongst the 120 there was possibly only one who spoke English. They recall that although this was hard, the beautiful thing was the way the children helped each other to learn.

The Second Vatican Council, from 1962 to 1965, brought profound changes to the Catholic faith, not least the introduction of an English language liturgy. The sisters fondly recall it also brought the liberation of being able to discard the religious habit in their daily lives. Another of the faith, Sister Christine, recently said that Mary McKillop's vision was for the sisters to work in pairs in remote rural areas. Sister Christine laments that because of declining numbers joining the order, rather than pairs the sisters are more likely to be found operating alone in some of Australia's more remote districts. Greg Turner, a dear friend and journalist from the *Weekly Times*, continued with his questioning of the sisters and asked if they had a prayer for the next 150 years. I quote from their prayer:

Our hope is that Saint Mary McKillop's spirit will live on and that it will inspire lay people ... Perhaps our work will change but our compassion for others, that will live on.

On behalf of this House and a grateful community, I wish them a happy sesquicentenary. One hundred and fifty years may seem to us mortals a very long time, but it is little more than a blink in the Christian world these saintly sisters inhabit. My prayer is that today's generation and future generations will answer the call to serve Christian orders. The community of Lane Cove is blessed by the good works and good intentions of the Sisters of St Joseph. I can only hope that in another 150 years the then member for Lane Cove can inform this place of the works, and perhaps miracles, of the Josephite Sisters. God bless the sisters their order and all those with the faith to believe.

Visitors

VISITORS

TEMPORARY SPEAKER (Mr Bruce Notley-Smith): I recognise in the Speaker's gallery today, as guests of the member for Kogarah, the Souter, Collins, Butterfield and Court families. I welcome to the public gallery, as guests of the member for Prospect, the Tamil community from Western Sydney, especially from the following Tamil organisations: the Consortium of Tamil Associations; the United Indian Associations; the Sydney Tamil Manram; the Wentworthville Tamil Study Centre; the Australian Tamil Congress; the Tamil Senior Association; the Australian Tamil Chamber of Commerce; the Sydney Tamil Sangam; TISI Sangam of NSW; and Kanban Kazhagan Australia. I also welcome to the gallery representatives from the Tamil language media: SBS Tamil radio; Tamil Australian; and Thenral.

Private Members' Statements

TAMIL LANGUAGE EDUCATION

Dr HUGH McDERMOTT (Prospect) (12:32): I am proud to represent the electorate of Prospect, which has one of the highest concentrations of Tamil language speakers in Australia. Tamil is one of the world's oldest languages, having been spoken as a primary language for more than 2,800 years. Its longevity has allowed for the preservation of art and literature for millennia. It is the oldest of the Dravidian languages, which are widely spoken in southern India. The Tamil language plays an essential role in the Tamil diaspora, fostering a unified identity and maintaining Tamil culture. It has been found inscribed on artefacts found as far away as Egypt, and common Tamil words are found even within Indigenous languages in Australia.

Tamil is widely spoken, not only in Tamil Nadu and Sri Lanka but also across the world. Large Tamil-speaking populations exist in Malaysia, Singapore, Mauritius, Fiji, South Africa and, of course, Australia. Today some 70 million people speak Tamil. Tamil is a thriving language in Australia, with more than 52,000 people who speak it at home. Tamil will become increasingly important for trade and commerce between Australia, Sri Lanka, and India. The potential economic benefit deriving from Tamil language education is significant. Tamil Nadu has a rapidly growing economy, and the Tamil language will become increasingly

important to international trade and investment. The State, Territory and Commonwealth governments should provide more support for young Australians to be able to learn Tamil and to experience the vibrant Tamil culture and traditions.

In 2001, the first Higher School Certificate [HSC] examination for Tamil was made available by the Carr Labor Government. Since then, studying Tamil has remained an option, and the course is aimed at students who already have an advanced understanding of the language. Under current New South Wales Government arrangements, there has been no increase in investment in Tamil language education. Furthermore, HSC Tamil is studied nearly exclusively by correspondence, with the support of community-run organisations. This means that students must often study Tamil in addition to an already stressful study load because the language is almost non-existent in mainstream schools. Further, it means that Tamil language students are deprived of the resources that are available to language classes in mainstream schools. It means also that students without an ethnic Tamil background may miss out on the opportunity to learn the Tamil language because they may lack family and community connections.

Tamil community-run organisations do an amazing job given their limited resources. Across Sydney, there are approximately 1,000 students in Tamil community language schools. The Wentworthville Tamil Study Centre in the electorate of Prospect hosts more than 650 students at Girraween Public School each Saturday. They rely on passionate volunteers who are looking to preserve knowledge of their ancient language. Recently I was approached by the Consortium of Tamil Associations NSW to support its call to have the Tamil language introduced into the national curriculum. It is one of a number of fantastic Tamil community organisations that strive to achieve a better society for the Tamil people. Many representatives of Tamil organisations from across the State are present in the gallery to support this important campaign. I thank them for taking the time to visit the Parliament of New South Wales today.

I and my parliamentary Labor colleagues are committed to supporting the inclusion of the Tamil language in the national curriculum. Last week I wrote to the Federal Minister for Education and Training, Senator the Hon. Simon Birmingham, asking him to include Tamil in the curriculum. This week I have written to the shadow Minister for Education, Tanya Plibersek, MP, urging her to support this campaign. I also urge the Government to increase the funding and resources available for Tamil language education in New South Wales, not only in our schools but also in Tamil community organisations. The famous scholar and poet Father Constanzo Beschi proudly said in Tamil, "Naan oru tamil manavan", which means, "I am a Tamil student." Such is the greatness of this language. Let us provide the opportunity for our children to learn this classical language, which promotes universal brotherhood.

PARAMEDICS

Ms KATRINA HODGKINSON (Cootamundra) (12:37): Our paramedics undertake amazing work every day of the year. Their support and expertise in times of an emergency is invaluable and, together with our other emergency services personnel, the community rests easy knowing they are just one phone call away. However, as is often the case, those based in country areas must navigate a different set of challenges from those confronting their colleagues in the city. The country paramedics whom I represent—that is, those outside the major regional centres—play a crucial role in their communities. In an emergency situation there might not be any other form of medical support within a couple of hours' drive, even travelling at 100 kilometres an hour. Therefore, the job invariably means travelling longer distances and working more hours.

These are just a couple of the issues that were raised with me when I met with Young-based paramedics Aaron Moloney and Nathan McEvoy at my office recently. These guys are young and fit and have young families. They love their work and are passionate about their local community. They went to great lengths to assure me that they were not complaining; they love their job but they have some concerns. At the top of their wish list is a safer workplace and to rest easy knowing they can continue to support their family in the event of death or disability. There has been plenty of discussion in the media and on social media platforms lately of the New South Wales Ambulance Death and Income Protection Benefits (State) Interim Award, the new, temporary death and disability benefits scheme for our paramedics that began on 20 August.

Like our police officers, our ambulance officers attend emergency situations that involve drugs and alcohol, resulting in an incredibly dangerous and unpredictable work environment. It is only fair that they have the same rights in disability as police officers. I understand this is not the case at present. In particular, ambulance officers are calling for injuries to be compensated in line with police entitlements and not involve a two-year cut-off. Other aspects of the job that are of concern include always being on call at night and being placed on shifts by themselves, without a partner working with them. Working night shifts alone on consecutive nights in a town is not appropriate, particularly for female paramedics.

Improved communication is urgently required to better address shortages with shifts. For example, someone from a nearby town could be brought in to cover shifts and to allow paramedics to receive better intelligence about jobs they will be attending. They have told me of attending jobs without being given any details of the risks associated or crucial information about whether a patient may be violent. It could be a situation where police should also be involved. I note that the *Narrandera Argus* of Thursday 22 September 2016 ran a story on this subject. In that article Narrandera Ambulance Officer Warren Boyce, a 30-year ambulance veteran, stated:

When I first started you went to work and you came home, these days you go to work but you might not come home.

Ice use is prevalent in Narrandera and my staff comes across people affected by the drug regularly and while we've been lucky and haven't had an incident yet it's only a matter of time.

Ice is certainly prevalent in many country towns across my electorate and across regional New South Wales; it is a big risk. It is vitally important that paramedics are given the opportunity to conduct a risk assessment about any pending job. There is also considerable routine patient transport work involved in the role of a country paramedic, with patients often transported from towns in my electorate to referral hospitals at Wagga Wagga, Orange and Canberra. Quite often there will be bariatric patients and ambos might not wait for a bariatric lift to come from one of the major centres and instead may enlist the assistance of friends or family to lift a patient. However, they have reached the stage where they may no longer choose to do that. That is a great concern, a concern that has been passed on to me.

Traditionally country ambos would do more than what is normally expected of them. They are saying that may not be the case in the future. On this note, if a paramedic is involved in a motor vehicle accident in the course of a job, any associated penalties apply to the individual driver. Naturally this means our ambos are driving more cautiously. As they point out, the decisions they make behind the wheel are the difference between saving a life or not saving a life. I was pleased to hear about Aaron and Nathan's concerns. Indeed, I have discussed these issues with paramedics such as Tas in Temora and others across the electorate. I firmly believe we should look after those who look after us.

BALLINA ELECTORATE SHARK ATTACKS

Ms TAMARA SMITH (Ballina) (12:42): My community has been devastated in recent years by the effects of shark bites on surfers and swimmers. Tadashi Nakahara, a Ballina resident and father of one, was part of a group of surfers at Shelley Beach on 9 February 2015 when he was bitten by a white shark and suffered terrible injuries. Darren Rogers, who had also been surfing, swam out to help others get Tadashi out of the water, without regard for his own life, and assisted in performing first aid when they got to the beach, but to no avail; Tadashi Nakahara died at the scene.

Darren Rogers recently received the Galleghan Award for the most outstanding act of bravery for the year, in addition to a silver medal from the Royal Humane Society of New South Wales, for his selfless actions that day. My heart goes out to Cooper Allen and to Seneca Rus, who were recently bitten by sharks in Ballina, to their family and friends, and to all who are feeling fearful and impacted by the increase in shark encounters in our region. While I am incredibly sad at the loss of Tadashi and also of 16-year-old Peter Edmonds before him in 2008 to a shark attack, I continue to be incredibly proud of my community in its response to these traumatic events. What I am not impressed with is the way that the media and ruthless politicians wedge our community and polarise the debate around shark mitigation strategies for their own agenda.

They oversimplify the debate to one in which a person advocating for safer ocean use is anti-environmental and a person advocating for the protection of our marine life is anti-human. We are smarter than this, but that will not stop the media or politicians from foisting this ludicrous binary argument on us. It is not an either or proposition. It has to be a nuanced debate because shark bites and encounters are a complex problem. We do not know why some sharks attack humans. Experts who have been studying shark behaviour for decades do not know the answer, nor do those of us with folklore-based theories. Millions of New South Wales State Government dollars have gone into trying to assuage public angst and have not produced the answer.

To date, all of the shark mitigation strategies that have been employed and that are currently being proposed in Ballina and my electorate are trials. What surfers have been experiencing on the North Coast has never happened in recorded history. In my lifetime of surfing and swimming on the North Coast, up until a few years ago I had only ever heard of a couple of shark encounters on our beaches. Guys 10 years my senior talked about the surfer at Tallows who lost his leg in the 1980s, but it was not something anyone I knew talked about or thought about. The situation now is unprecedented and shocking. The best marine scientists cannot tell us with certainty why it is happening or for how long it will happen. The increased frequency of encounters, tragic loss of life and uncertainty create enormous angst and fear.

Mesh nets have been touted as the cure-all that will save our community from encounters with sharks, but there are a few things to note. The reason the Premier and Minister trialled non-lethal shark mitigation

strategies is that mesh nets are being phased out in New South Wales because they do not target the few species of shark that have been known to interact with humans, but they do impact all marine life in their wake—dolphins, turtles, dugongs, stingrays, manta rays, juvenile whales and endangered species of sharks. People are attacked where there are mesh nets, which are set out on Sydney beaches and on the Gold Coast only in summer. Shark bites are now occurring in winter. Surfers surf all year round, by the way.

In Queensland, which the Opposition is glowingly putting forward as a model to emulate, people are screaming for the mesh nets to be removed and drum lines to be used because six juvenile humpback whales have been caught in the nets on the Gold Coast this year. Good one, Premier Palaszczuk! But hang on—Premier Palaszczuk also supports the world's largest coalmine that is right on the Barrier Reef. I do not agree with Premier Baird's statement that community sentiment has shifted in favour of mesh nets. That is something that will be borne out shortly with large rallies that are being organised as I speak.

My community has always been divided on shark mesh nets, but I believe we have always been able to have a civil conversation about it. That is what we are calling on the Government to do—conduct a plebiscite to find out what people would really like to see happen. But perhaps the Government has no interest in finding out what the community actually wants. The reason most of my community chooses to live near Ballina is the abundance of wildlife. *[Time expired.]*

WAGGA WAGGA ELECTORATE EVENTS

Mr DARYL MAGUIRE (Wagga Wagga) (12:47): Members will agree that spring is the most fantastic time of year throughout New South Wales. Indeed, in my electorate of Wagga Wagga, the Snowy Valleys mountains are absolutely beautiful. It is a great time to visit communities and to enjoy all the things that are good about living in regional and rural New South Wales. On the weekend I had the great pleasure of travelling to Batlow to join that community for the Batlow Apple Blossom Festival. It was the thirteenth festival held since the revival of a long tradition that started in the late 1940s. There was a magnificent crowd there. President Col Agate welcomed me along with hundreds of people who travelled to beautiful Batlow. I had the honour of opening the festival and making some remarks. Events such as this are important to regional communities and particularly to Batlow, whose apples are exported around the world. Batlow also produces a fantastic apple cider, and another of the many events held by the community is the Batlow CiderFest.

Whilst visiting Batlow I had the privilege of announcing funding for the Batlow Development League. It is another organisation that works tirelessly for the promotion, development and improvement of Batlow. ClubGRANTS awarded \$276,000 to the Batlow Literary Institute through the development league to improve what is known as the Batlow Literary Institute Hall. The funding will allow ceilings to be replaced, a kitchen refurbishment and the installation of technology to host conferences and to better utilise that facility. It will improve aspects of tourism. That announcement was welcomed. The Tumut Valley Council announced funding of \$100,000 to improve the showgrounds where the Apple Blossom Festival is held. I congratulate the community committees that have worked tirelessly, and successfully applied for funding. I am proud to be part of a government that recognises the importance of rural communities and the need to fund them.

The following day I travelled to Tumut in the Wagga Wagga electorate to open the new Tumut Aero Club facility. The facility was funded through a community partnership grant of \$85,000. The funding renewed a tired and antiquated facility. Contributions from trusts and volunteers saw an investment of \$190,000 in the new facility. The Tumut Aero Club is involved in teaching people to fly, but also provides emergency accommodation. The area is subject to wildfire through the plantations. The emergency services have established tanker, water and helicopter facilities to fight fires. This aero club is used as an emergency point to provide food, accommodation and services to the emergency services. It is a cooperative partnership with Tumut Council and others. The Tumut Aero Club has invested \$190,000 to improve the facility. It is another example of this Government recognising that with grants as large as \$85,000 or as small as \$1,000 great things can be achieved.

I congratulate everyone involved with the Tumut Aero Club on the contribution they have made to the club, including those who volunteered their time and the building companies that sponsored the refurbishment. These two great communities in the Snowy Valleys Council, Batlow and Tumut, received funding via ClubGRANTS and the community partnership program. Both of these community organisations are a credit to themselves and their communities. The investment was warmly welcomed and will provide community assets long into the future.

WYONG HOSPITAL

Mr DAVID HARRIS (Wyong) (12:53): Last Sunday more than 2,000 people attended a rally in opposition to the proposed privatisation of operations at Wyong Hospital. People came from the electorates of Wyong, Swansea, The Entrance, Lake Macquarie and across the Central Coast. This one issue has galvanised the

community more than any other in memory. Many old-timers told me that they had never seen so many people gathered in one place in joint opposition to a proposal put forward by any government. In just over three weeks almost 20,000 people have signed a petition in opposition to the proposed privatisation of the hospital. To understand the depth of feeling on the issue it is important to understand how this hospital was established.

The community began to work towards a hospital in 1956—60 years ago. The hospital opened in 1980, which means the community worked for all of those years to raise funds to buy the land and to construct many of the initial buildings that constitute Wyong Hospital. Workers in the mines and power stations had levies deducted from their wage, and fundraising balls and raffles were held to help raise money. The Wyong Hospital was so important to people that when they passed away they bequeathed their houses to help raise money. Today our hospital auxiliary, which is mainly made up of people in their sixties and seventies and service groups such as Lions and Rotary, raises money for improvements to and equipment for the hospital. In fact, the hospital auxiliary announced proudly at its recent annual general meeting that it had raised more than \$100,000 in one year to buy vital equipment.

The big issue leading into the rally and on the day of the rally was that this proposal gifts Wyong Hospital to the private sector. This is not a sell-off; it is giving the buildings and equipment for which people have raised money to a private entity for it to make money, and that has outraged the local community. People talk about the fact that there was no consultation. When the announcement was made that there would be a \$200 million upgrade to Wyong Hospital it was intended that the money would come from the leasing of poles and wires. It was never mentioned that the operation of the hospital would be privatised. People on the coast signified their opposition to the leasing of poles and wires by returning Labor members to almost every seat, and the latest attempt to privatise our hospital is causing great concern across the community.

The Minister, in a letter to one of my constituents, used the Northern Beaches Hospital as an example of a successful model. The person who received the letter pointed out that the Northern Beaches Hospital has not yet had a patient. She talked about an episode of *Yes, Minister* in which they went to a hospital that looked good but had not had any patients. She said, "Mr Harris, how can they say that is a successful model when they have not treated any people there yet? How can they hold this up as an example of what we might expect when that hospital does not open until 2018?" We know that the company running that hospital has a 40 per cent target for private health insurance, which means they will be directing people to use their private health insurance. That will be a challenge in Wyong because only 17 per cent of residents have private health insurance.

The nurses, doctors and medical staff pointed out that they fear it will create a two-tiered system where there will be one service for private patients and another service for public patients. The Minister said, "Don't worry, the staff will not be affected." We know in the private sector there are different staffing ratios and different working conditions. We also know that that impacts on patient care. We know that this proposal will gift the land, the buildings and the equipment to a private company. There is a lot of land at Wyong Hospital. We have not only asked the Minister to assure the people of Wyong that they will continue to receive the same service but also to heed of the words of the people of Wyong—we do not want this privatisation.

WAUCHOPE SHOW SOCIETY PRESIDENT BOB KENNETT RETIREMENT

TRIBUTE TO STAN CORK

Ms MELINDA PAVEY (Oxley) (12:58): Today I bring to the attention of the House that Mr Bob Kennett has retired as president of the Wauchope Show Society. I regard Bob Kennett as one of nature's gentlemen. He is a truly decent fellow with a big smile and a great heart. Serving six years as president, Bob had charge of the Wauchope Show Society and showgrounds for what some have called a critical time in the history of the society. While some rural shows are struggling, Wauchope is thriving. Wauchope showground is not on Crown land. It is under a different ownership regime, and one that has brought particular struggles because it has not been eligible for public reserve management funding, but that has not dented the enthusiasm of the Wauchope community or Bob.

During his tenure, Mr Kennett guided the organisation through a number of major infrastructure projects, including underground power connections, at a cost of around \$468,000—partly funded by the New South Wales Government—and the return of short-term caravan stays, boosting revenue for the show society and the town's businesses. His time as president also saw increased attendance figures at show time, from around 7,500 to more than 10,000 people. Other works carried out included the return of trotting on the show calendar, upgrades to the Trades Hall, the poultry shed and the Westpac barbecue shed, and improved water supply connections. This year has seen a major upgrade to the Lions club kitchen under the stands, thanks to a \$25,000 New South Wales Community Building Partnership grant. Bob has been a leader in his community. When asked what he loved about the job he said, "Doing something for the community and job satisfaction." He said that during his time as president he met a lot of lovely, hardworking people. Bob is also a 34-year veteran of the show society board and

a life member. Bob said he was introduced to the show society by Keith McKenzie when Jack Eggert was president. He said:

Keith got me on the hall committee and along with him, Lenny Bird, Jack Flanagan and Percy Goodwin we spent Saturday mornings rebuilding the stands in the hall.

That took us about three years ... but I really enjoyed it. Being on the show society board is about being hands-on and working for the betterment of the showground and the community.

Bob also served six years as Group 2 president, covering shows from Gloucester to Coffs Harbour. He said the Wauchope Show was rightly labelled the "crown of the north". When asked why the Wauchope Show stands out from the others, he said:

I think that is because everyone knows their roles and responsibilities and carries them out to perfection. With people like chief steward Reg Freeman (in control) our show would also run like clockwork.

Bob, along with his wonderful wife, Wendy—who should be congratulated on her work, her energy and the amount of support that she has given Bob—are anxiously awaiting the arrival of a new caravan. They plan to take a major holiday next year. Wendy may have a few jobs for Bob around the house as well. I thank them both for the sacrifices they have made in helping the show society in the past 35 years, and particularly in the past six, when Bob was president. I wish them the best for their holidays. I hope that they continue to be involved in our community and continue to foster the community spirit that I know is a huge part of Wauchope. The new president, Mr Neil Coombes, has been well groomed by Bob. I look forward to working with him, particularly in the poultry pen, where Mr Coombes is a regular star.

I also recognise a great Dorrigo man, Stan Cork, who passed away recently, aged 88. His influence on the Dorrigo community was evidenced by the 400 or so people who attended his farewell. He was honoured at a service in Dorrigo and people spoke movingly about his life, his machinery stand in the main street, Stan Cork Machinery, and his 37 years of involvement with the Dorrigo Rural Fire Service. He attended major blazes, including at least two at timber mills. Stan was a fabulous chap and was greatly loved. An English-made 1935 Denis motor that is believed to have last seen service in London during the Second World War before being sent to Australia led the cortege from St Stephen's Anglican Church. It had been lovingly restored by Stan and friends. Fittingly, walking in front of the old motor was the present captain of the brigade and Mr Cork's grandson, Michael Beaumont. I thank the Cork family. They are well known in Dorrigo. Stan Cork had a big influence. He was honoured in a fitting way by that very special community.

Mr ADAM MARSHALL (Northern Tablelands) (13:03): I thank the member for Oxley for bringing to the attention of the Chamber, as she always does, some magnificent people from her electorate who have given so much to their community. I take this opportunity to congratulate Bob Kennett on his 35-year involvement with the Wauchope Show Society, the past six years as president. I acknowledge the effort that he and his wife, Wendy, have made. I wish them the very best and a comfortable retirement with lots of travel. They have certainly earned it. On behalf of the House, I also pay tribute to Stan Cork from Dorrigo. I acknowledge his magnificent contribution to his community. I again thank the member for Oxley for bringing to the attention of the House some wonderful achievements by individuals in her electorate.

GONE FISHING DAY

Ms GABRIELLE UPTON (Vaucluse—Attorney General) (13:04): On Sunday 16 October I celebrated Australia's first ever Gone Fishing Day at Sydney Game Fishing Club in Watsons Bay with more than 50 schoolchildren from local schools, including Vaucluse Public School. This event was also celebrated by the Minister for Primary Industries, and Minister for Lands and Water, the Hon. Niall Blair, MLC, and South Australian Senator and Assistant Minister for Agriculture and Water Resources, the Hon. Anne Ruston. I send special thanks to tournament coordinator Karen Wright and club committee members for hosting us on the day, and to professional Al McGlashan, who helped me better understand the rules that protect the vast array of fish that make Sydney Harbour their habitat.

I was delighted that the Sydney Game Fishing Club received a New South Wales Government grant to help with the activities on the first Gone Fishing Day—a beautiful, sunny day. Gone Fishing Day is aimed at getting Australians out onto the water to celebrate our love of fishing. It was great to see our local schoolchildren getting involved in one of Australia's favourite pastimes. It did not matter whether they had not fished before, or whether they were the keenest of anglers; Gone Fishing Day on Sunday was for everyone. Each child was presented with a fishing rod, and as they clambered onto local boats to fish their excitement was almost uncontainable. In short, it was wonderful to see so many locals down on the water at Watsons Bay enjoying the sunshine and participating in this inaugural event.

Sydney Game Fishing Club was formed in 1952 and is situated at the end of Watsons Bay ferry wharf. The clubhouse includes its own weigh station, which allows temporary mooring of several boats. The members

own the club and number around 400 people, with some 80 or so registered boats of sizes varying between 17 feet and 76 feet. The club fosters a family atmosphere and holds many social functions for members who come from a very diverse cross-section of the Sydney community. In December I was pleased to find out that each year the club also holds a day when it invites patients and families from Sydney Children's Hospital at Randwick to join members at the club. During the day the club takes all invited guests on a harbour cruise on members' boats. They provide lunch and refreshments and help with fishing techniques, while also trying to catch the children a fish or two off the wharf at Watsons Bay. This is a fantastically generous initiative, and one that I believe the club should be very proud of.

The club is also a member of the New South Wales Game Fishing Association, and competitions are held against other clubs in the central zone and around the State. The club regularly sends a team of 40 or more Sydney Game Fishing Club boats to participate in the New South Wales interclub competition, which is held annually at Port Stephens. The New South Wales Government is committed to local schools having the opportunity to add fishing to their curriculum through the Get Hooked; It's Fun to Fish program, which is designed to teach students how to fish. As part of the program, primary school students in New South Wales will have the opportunity to participate in free fishing workshops over the next three months. The workshops involve lessons about rules and regulations, fish identification, catch-and-release techniques, and practical skills on rods, reels, tying knots and rigging.

Recreational fishing plays an important role in our local communities and this program will provide our young fishers with the practical skills and knowledge to take part in this fun hobby. It was great to hear that almost 100 schools across New South Wales have already registered for the Get Hooked program. On Sunday it was wonderful on such a beautiful day in Sydney to join members of my local community and the game fishing club to celebrate the launch of Gone Fishing Day at Watsons Bay. I look forward to future events at the club and to joining members in celebrating the generous community work they do across Sydney. I commend my private member's statement to the House.

SERVICE NSW

Mr ANOULACK CHANTHIVONG (Macquarie Fields) (13:08): Today I speak about an issue that continues to cause some frustration to members of my local community, who rightly feel that they have been sold short. The Government has made much of its Service NSW centres. In a response to my question No. 2472 asked on 25 February this year, the Premier himself said: The Government is committed to improving customer service and making access to government transactions easier for New South Wales residents and businesses. Service NSW was established to deliver on this vision ...

Further, on 7 July 2014, under the heading "A New Era in Customer Service", the Premier added the following comments in a video posted on the web page of Service NSW:

Service NSW is now delivering on our commitment to make it easier for the people of NSW to do business with government.

The Premier added:

As Premier of NSW and a customer myself, I'm excited about what the future holds as we continue to build on this new era of customer service delivery in the public sector.

Those words are high praise indeed. The Premier clearly thinks they are wonderful service providers—a real selling point for his Government. But I must admit that I am stumped, and in all truthfulness a little confused. If the Service NSW centres are so wonderful, the feedback so positive, the customers' experience so good then why is there not one in the Premier's own electorate? Surely the Premier, with all his power and executive authority, could make sure his electorate would be serviced by one of these wonderful centres. After all, it is over two years since he made that little video singing the centres' praises. But alas, no. His electorate is still serviced by one of those old-fashioned things called an RMS office, or as most of us know it, a motor registry.

I take quite a bit of interest in these old-fashioned motor registry offices and why some are closed and others are not. Ingleburn, where my electorate office is located, had a wonderful motor registry that was busy dealing with more than 150,000 transactions a year. And little wonder, the staff were wonderful and its location right next to the railway line was ideal and convenient. Campbelltown was a similar story. Members may have picked up that I have spoken about the motor registries in Ingleburn and Campbelltown in the past tense. That is because the Baird Liberal Government closed both of them late last year and opened new Service NSW centres in Gregory Hills, in the Camden electorate, and at Orange Grove Road. Neither is convenient nor easily accessible via rail to my constituents who were happy with their old-fashioned, conveniently located motor registry office.

When the closure of the local motor registries occurred my electorate was outraged and my office was inundated with complaints, and I still receive them. But we were assured that the Service NSW centres were the way to go and that all would be good. But alas it is not all good. There are no public toilets available at the

inconveniently located Gregory Hills centre, and it was only after a huge outcry that customers were allowed access to the staff toilets. And now, to top this off, the opening hours of the centres have been wound back, which further restricts access. But the Premier said in his video in 2014 that they were great and said as much again in his answer to my question on notice. So who am I to question?

If the Premier is to be believed about the wonderful benefits of a Service NSW centre then why is there not one in his electorate? Why is his electorate still serviced by a good old-fashioned motor registry office? After all, surely his constituents only want the best too. According to the Premier, Service NSW centres are the best—are they not? So I am left in a quandary. Surely the Premier can secure a Service NSW centre in his electorate? I suspect if the Premier gave an order to service his own electorate no less then it would be carried out post haste. So I guess no such order has been given. This leads me to the only other conclusion. The Premier does not want a Service NSW centre in his electorate.

The Premier knows that his constituents, just like mine, want a service and convenience the of a local office that deals with their everyday transactions. He knows that if his motor registry office closes and moves 20 to 25 minutes away then he too will face a barrage of complaints. He knows, just like I do, that people are not fooled by the spin that bigger is always better. If the Premier likes a good old-fashioned motor registry so much, the same one that no doubt has serviced his electorate for decades, why does he not offer the same to my constituents? It is not lost on me or my constituents that these are double standards of the worst kind: one rule for the ruling Liberals and one rule for everyone else. The people of Macquarie Fields just want to be treated fairly and want their fair share, just like the people of Manly.

GOULBURN ELECTORATE EVENTS

Ms PRU GOWARD (Goulburn—Minister for Mental Health, Minister for Medical Research, Assistant Minister for Health, Minister for Women, and Minister for the Prevention of Domestic Violence and Sexual Assault) (13:13): My electorate of Goulburn has well and truly welcomed the warmer weather that spring has to offer, notwithstanding the continuing heavy rainfall with which the Central West is still struggling. Spring in my electorate not only benefits the local community but also brings with it swathes of tourists who come to experience the natural beauty, events and culture that our region has to offer. The Goulburn electorate has a rich history.

Berrima is a small village in the north of my electorate with a history that dates back to 1831. What is remarkable is that to this day Berrima largely has preserved its heritage is a colonial town with Australian-Georgian architecture that attracts many of the tourists to whom I referred earlier. What stands out in this former colonial outpost is the Berrima Gaol, which has remained as a landmark in the community for well over 150 years. First opened in 1839, the jail has had a colourful history of its own. During the First World War it was used to house prisoners of war, including those from the German radar vessel SMS *Emden*.

It was a great pleasure to join my parliamentary colleague Minister Elliott, Commissioner Severin and the many committed correctional officers of the facility for the momentous occasion of the jail's reopening. Not only will the historic jail help to keep New South Wales safe, it also will bring real benefits to Berrima. The fully functional facility will provide 45 new jobs and help to stimulate local business. The local cafés and bakeries will have the added patronage of correctional officers during their lunch breaks. But the benefits go further: 75 minimum-security inmates will assist with Wingecarribee council projects to help keep our region beautiful. Most importantly, though, the newly recommissioned Berrima Gaol will keep our State safe.

Following on that note of the rich history of my electorate of Goulburn, I commend the organisers of this year's Goulburn Waterworks Steampunk Victoriana Fair on yet another successful event. It was pleasing to once again see the contribution that was made to this fantastic family day out and the fashions that were presented. This year, novelist Tara Moss, who was dressed in high steampunk, also helped to pick the best costume: time travellers, mechanical wings, explorers, and women in daring dress for the day were the stars. Steam engines big and small, live music, art, markets, militaria, oriental dancers, tea and parasol duels, teapot racers, steampunk novelists, penny-farthings, kids craft and games, not to mention the food, were all the terrific activities made available at the Goulburn Waterworks Museum last Saturday. It is a festival that has grown very rapidly over the three years since its inception and it attracts visitors from around the State. It is an event that makes the Goulburn community what it is. I again congratulate the organiser, Julianne Salway, from the Goulburn Mulwaree Council.

Then there is the Boorowa Irish Woolfest. We all know about the running of the bulls in Pamplona; however, an equally impressive feat in my electorate is the running of the sheep—an event that is at the heart of the woolfest. In reverence to the wealth that the wool industry has brought to our region, the Boorowa Irish Woolfest showcases this historic pillar of the Boorowa community. The role of Irish settlers also cannot be underestimated. Congratulations to Melanie Ford and Janene Hurley from the Hilltops Council for pulling off another fantastic woolfest in conjunction with Wendy Tuckerman and the Boorowa Irish Woolfest Committee.

There were bushrangers, horses, dogs, shearers all on parade—and, of course, a mob of sheep walking quite quickly up the main street.

Finally, I bring to the attention of the House the importance of Driver Reviver. I visited the Mundanoon Rest Area, which is 30 kilometres west of Yass and to the south of my electorate, to promote road safety ahead of the October long weekend. That morning I was joined by the local Highway Patrol, the State Emergency Service [SES], the Rural Fire Service [RFS], Lions Club members and local Yass Valley councillors to ensure that the importance of stopping driver fatigue is supported. Particular praise must go to Driver Reviver's national coordinator, Alan McCormack, who has dedicated over 20 years of his life to this important cause. With the Hume Highway stretching from north to south in my electorate, Driver Reviver plays a critical role in ensuring safety on our roads so that members of the community—and indeed the many tourists that visit the region for the great events to which I referred—can have a safe and enjoyable time, and get home safely too.

ROADS AND MARITIME SERVICES CARAVAN REGISTRATION

Ms JODIE HARRISON (Charlestown) (13:18): Boris Grozdanovski is one of my Charlestown constituents who has worked hard his whole life and, like many of us, long dreamed of his retirement. Boris had a clear vision of how he was going to live out his retirement: exploring Australia in a caravan. Boris sensibly planned for this. Seven years ago, at the age of 60 and on the anniversary of his wife's passing, he purchased a caravan with a view to soon retire after having run his own business for 40 years. He purchased the caravan as a repairable write-off with the expectation he would have no issues re-registering it once he was ready to begin his travels.

The caravan cost almost \$28,000. Over the following years Boris purchased many items to enhance its value and versatility and to ensure his retirement would be very relaxing. After a couple of years Boris finally wound down his business and retired. Upon attempting to register his caravan in 2015, with all documentation in order, Boris was advised by Roads and Maritime Services [RMS] that it was listed as a statutory write-off on its records. He showed the staff his original receipt proving the caravan was sold as a repairable write-off. It was only then that Boris was advised the laws had changed three years after his purchase, which meant that if a caravan had not been registered within three years of purchase it automatically became a statutory write-off. His application did not meet the specified criteria and RMS refused to issue an authorisation to repair the vehicle. RMS also told him that he would be unable to register the vehicle in any jurisdiction in Australia.

Boris was never advised of this and so had no knowledge of the law change. He is now out of pocket in excess of \$35,000, with no caravan or retirement travels to show for it. Had Boris known he was required to register his caravan within three years of purchase he assures me that naturally he would have done so. That stands to reason. Boris' wife tragically passed away at 41 years of age. He has been a single father for more than 23 years and has raised his daughters whilst managing his own business. Boris has worked hard his whole life, saved harder and looked forward to retirement for a long time. He deserves to live out his retirement dream.

Boris appealed to my office for help. I made representations on his behalf to the Minister for Finance, Services and Property. The representations had an inspection report attached from a mechanic who, having completed an authorised inspection station check report, attested that the caravan in question was in excellent condition. Despite this, no leniency was shown. The Minister upheld that Boris's caravan did not meet the necessary conditions to be registered. These are a sad set of circumstances that unfortunately could not have happened to a nicer person. It does not seem fair that a man who has done the right things his whole life—who has worked hard, paid his taxes and raised his children—just at the time he is ready to do something for himself has had his vision of retirement crushed and been set back financially. I would like the Minister to revisit his decision not to show leniency in this case. I hope Boris is able to put aside this unpleasant experience and find other ways to live out his retirement happily.

TRIBUTE TO RON DYER, OAM

Mr MATT KEAN (Hornsby) (13:22): Ron Dyer is a humble man who has worked hard for our State and left it better than he found it. It is fitting that Ron was recently honoured with an Order of Australia Medal for his service to the Parliament and the people of New South Wales. The son of a shop steward, Ron's interest in politics was sparked in primary school. Although coming from a Labor tradition, his interest was not inspired by a Labor icon but rather the founder of the Liberal Party and Australia's longest-serving Prime Minister, Sir Robert Menzies. Ron would listen to Menzies in parliamentary debate on the radio his father had made for him. It seems that we can blame my side of politics for creating such an effective opponent.

At the age of 17 Ron joined the Young Labor Council, a decision which would not only determine his future but also the course of the Australian Labor Party. It was there that Ron came into contact with Paul Keating, Laurie Brereton, Bob Carr and Leo McLeay. The five of them not only became close friends; together they formed

a political network that would transform the Australian Labor Party [ALP] into an election-winning machine and would have a huge impact on our State and country. They were the best political operators of a generation who all joined Young Labor around the same time in the 1960s. The story of these five mates as detailed in Fia Cumming's famed book by the same name is the story of the transformation of the ALP from a party seemingly committed to opposition to one that would dominate the New South Wales political landscape in the decades to come.

Ron cut his teeth in Young Labor, developing the skills that would later see him become a highly regarded member of Parliament [MP] and successful Minister. In 1969 Ron became president of Young Labor, running on the "officers recommendation ticket" and taking over from his good friend Paul Keating with Bob Carr serving as his vice president. Ron beat some very notable opponents for the presidency, including the famed economist John Edwards, a future Treasury secretary Percy Alan, Wayne Haylan and his future colleague and future New South Wales Treasurer Michael Egan. Carr remembers this period fondly, particularly how adversarial it was. Speaking to him when preparing this speech, Carr described Ron as one of the finest people he had ever met:

He was a good Chair with a great interest in foreign policy.

Whilst learning the political trade, Ron was also attending the University of Sydney, where he was completing his law degree. In 1972 Ron was admitted as a solicitor and commenced work at McLelland, Wallace and Landa before joining the personal staff of the then member for Penrith, the Hon. Ron Mullock, between 1976 and 1979. In 1979 Ron was selected by the ALP to enter the New South Wales Legislative Council to fill a casual vacancy created by the retirement of Labor icon and Ron's mentor, John Ducker. Ducker had been a former president of the New South Wales Labor Party and secretary of the Labor Council of New South Wales. Interestingly, Ducker was also a product of the Hornsby branch of the ALP, the branch that Ron would later join and where he still continues his involvement to this day—as the local Liberal MP, it means I always have to be on my toes.

After entering the Legislative Council, Ron served for 10 years on the backbench before becoming shadow spokesman for police and emergency services, housing and community services. When the ALP won office in 1995 Bob Carr appointed Ron as his Minister for Community Services, later moving to public works. In these roles he was highly regarded by both sides of the divide as hardworking, intelligent and compassionate. Most people come into public life claiming to want to make a difference; Ron actually did. As Minister for Community Services he instituted a system of juvenile conferencing to give a fairer deal to young people—a fine example of Ron's unwavering commitment to the idea of social justice. He strengthened child protection in New South Wales and established the ageing and disability department. At the same time he created over 300 permanent supported accommodation places for people living with a disability. This is a tremendous legacy.

His most high-profile achievement came during his time as Minister for Public Works when he built the Sydney Conservatorium of Music, an iconic Sydney landmark that has stood the test of time. It is also a little known fact that Ron was largely responsible for thwarting a push by then Attorney General Jeff Shaw, who wanted to introduce a New South Wales Bill of Rights, an important win for all of us who believe in the primacy of the Parliament in the democratic process. Although Ron has long since retired from public life, he is still an active contributor to the community and the ALP. He is still heavily involved in the Hornsby branch of the ALP and can be found every election day handing out pamphlets at the Hornsby RSL.

The only thing more important to Ron than politics is his family. They are indeed his greatest joy. He is a proud father of Andrew and Elspeth, who has continued Ron's commitment to parliamentary process and the committee system as an employee of the Legislative Assembly. He is also a doting grandfather to Simon and Julius. Ron has rightly earned a special place in the pantheon of Labor legends and has contributed to remaking the ALP into the modern progressive political force it is today. Everyone I have spoken to about Ron, regardless of their political badge, says the same thing—he is as honest as he is decent. He is held by all who know him in the highest regard.

Ron always has time, a kind word or some political advice for anyone who seeks it, even a Tory like me. He is one of the true gentlemen of Australian politics. He is a man of few words but big actions. I suspect Australian political life would be a little better if there were just a few more Ron Dyers in the game. Knowing Ron, I am sure he would be a little embarrassed by all the fuss—particularly a Tory speaking so well of him—but in his case it is thoroughly deserved. He never did this for any awards or special recognition. He did this because he believed in the Labor cause and because of his deep commitment to social justice. Ron, congratulations on your recognition. It is well deserved for the difference you have made. I will see you at the Hornsby RSL on election day.

TEMPORARY SPEAKER (Mr Bruce Notley-Smith): I will 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 David Arakie, Shoalhaven Superheroes Festival founder and organiser, who enjoyed a lovely function out in the Speaker's Garden with the member for Kiama. David is a guest of the Speaker and member for South Coast. I also welcome the students and teachers from Kendall Public School, guests of the Minister for Early Childhood Education, Minister for Aboriginal Affairs, and Assistant Minister for Education, and member for Port Macquarie.

*Commemorations***CENTENARY OF FIRST WORLD WAR**

The SPEAKER (14:18): A century ago this month Private Richard Martin, a native of Stradbroke Island, Queensland, and Corporal Harry Thorpe from Lake Tyers, Victoria, were among the hundreds of wounded Australian soldiers recuperating in field hospitals following the great Allied Offensive of the northern summer. Martin and Thorpe were two of a handful of Aboriginal Australians who had managed to enlist in the Australian Imperial Force [AIF]. Martin was a Gallipoli veteran, who was to be wounded three times before dying in action in March 1918. Thorpe also fell in 1918, after winning the Military Cross for his heroism near Ypres.

Martin and Thorpe had to conceal their Aboriginal heritage to enlist, as the Defence Act 1903 prohibited Aboriginal Australians joining the military. Enlistment instructions issued in 1916 stated that "Aboriginals, half-castes or men with Asiatic blood are not to be enlisted—this applies to all coloured men." After the failure of the conscription referendum in October 1917, however, this was amended to allow the recruitment of "half-castes ... provided the examining medical officers are satisfied that one of the parents is of European origin."

At a time when soldiers from India were actively recruited by the British, and French West African Zouaves were fighting at Gallipoli and in numerous French units, it must have been extraordinary for those Australian Aboriginal servicemen to ponder on the discrimination they faced when all they wanted to do was fight for their country. As we continue to work towards achieving reconciliation, it is worth recalling that when their country called, so many of our Aboriginal brothers rose above official prejudice to answer that call and, in many cases, gave their lives. Let us not forget.

*Ministry***REPRESENTATION OF MINISTER ABSENT DURING QUESTIONS**

Mr MIKE BAIRD: I advise members that during the absence from the Chamber today of the Minister for Local Government, the Minister for Planning will answer questions relating to his portfolio.

*Question Time***COMPULSORY PROPERTY ACQUISITION PROCESS**

Mr LUKE FOLEY (Auburn) (14:23): My question is directed to the Premier. Why has it taken the Premier 1,000 days since he received the Russell review to finally admit that he has short-changed and caused distress to hundreds of families across Sydney?

Mr MIKE BAIRD (Manly—Premier, and Minister for Western Sydney) (14:23): As the Leader of the Opposition will know, this side of the House is building infrastructure. A whole range of policies go into building infrastructure. For example, we know that those opposite decided to spend \$500 million building infrastructure they never delivered after acquiring hundreds of homes—for nothing. In relation to the question, this side of the House understands that the vast majority of home acquisitions were agreed to, but a number were not satisfactory and required us to do more, and that is exactly what we have announced today. We are determined to do more in relation to home acquisitions and we are putting the customer, the residents of New South Wales, at the centre of our policy.

We have said today very clearly that when we are building infrastructure we understand that yes, acquiring homes is essential, but, at the same time, that should not be an add-on to the process; it should be its own process. We need to understand the inconvenience and the distress that it causes those homeowners for the good of hundreds of thousands of others. We are determined to do the right thing by them. We have outlined a policy that I think not only will make a huge difference to homeowners but also will ensure that building the infrastructure that we desperately need in this State will be easier in that people will feel that we are treating them in the best possible way, and that is what it is all about.

Can the Government do better? Yes, we can, and we will. We know that the Leader of the Opposition stands for no infrastructure whatsoever. He is the most anti-public transport Leader of the Opposition in the history

of this State. So it is no wonder that a couple of weeks ago not only did the member for Maroubra buy a new suit, not only did he get a new flash haircut and a tie, but he also gave a headline speech to the McKell Institute. Hello McKell, here he comes. The member for Maroubra does not go to the McKell Institute for nothing. He has one thing in mind: he is after the member for Auburn's job—there is no doubt about it.

Mr Luke Foley: Point of order: The question is about the distress to hundreds of families across Sydney. They are not customers; they are families who have been ripped off by the Premier. The point of order is relevance.

The SPEAKER: That is a debating point. There is no point of order.

Mr MIKE BAIRD: Whether the Leader of the Opposition likes it or not, the member for Maroubra is on his mark and he is working that front bench very, very hard. There he goes now.

Mr Guy Zangari: Point of order: My point of order is taken under Standing Order 129, relevance. The 1,000 days—

The SPEAKER: I understand the point of order; I have just ruled on it. The Premier has been relevant up until now. He has momentarily strayed onto another matter. It is my ruling, not the member for Fairfield's.

Mr MIKE BAIRD: Look at the member for Maroubra. He is working—he is a machine. Look at his action. Take notes.

Mr Greg Warren: Point of order—

The SPEAKER: I have just ruled on two points of order relating to relevance. Nothing has emerged since that would make me change my mind. Does the member for Campbelltown have a different point of order?

Mr Greg Warren: The Premier has been cheating us on relevance. He is right outside the scope of the question.

The SPEAKER: Order! I would like to hear the point of order without members interjecting.

Mr Greg Warren: It is Standing Order 59. The Premier is right outside the bounds of this question. He was previously relevant. This might be a façade and a game for him, but this matters to many people.

The SPEAKER: There is no point of order.

Mr MIKE BAIRD: The member for Campbelltown has just secured the shadow Treasurer job. Well done. [*Time expired.*]

COMPULSORY PROPERTY ACQUISITION PROCESS

Mr JOHN SIDOTI (Drummoyne) (14:28): My question is addressed to the Premier. How is the Government getting on with the job of delivering vital infrastructure while ensuring a more caring and generous approach to land acquisitions?

Mr MIKE BAIRD (Manly—Premier, and Minister for Western Sydney) (14:29): I thank the member for Drummoyne for his question. As I said, we are getting on with the job of building infrastructure—I know those opposite do not know what that is, but it is the transport, roads, schools and hospitals needed for this State and city. We are getting on with building it. We are very proud of our record in building it. I use the example of the WestConnex project, which members opposite seem to be against. We know that delivering the M4 East will ensure that the motorway does not just end at Strathfield; it is connected to a broader network into the city. We know about the mess that was left behind on the M5: from the day it was opened it was choked; it was full.

The SPEAKER: There is still too much noise, too many conversations and too many interjections in the Chamber.

Mr MIKE BAIRD: We also know that building it will save motorists a combined 100,000 hours each day. Government members think that is worth fighting for, as well as building the infrastructure we desperately need. But as we announced today, the Russell and Pratt reports show that the current process is sound in the vast majority of cases. There is agreement in the way the acquisitions of homes are dealt with, but there is no doubt, as I have said consistently, that we can do better, and we are proud to do better.

I put on the record that it was a former Liberal-Nationals Government that put in place just terms compensation. We have announced today reforms that we think are important. We not only want to be generous—and it is the most generous in the nation—and caring, we also want to be flexible. We are not only increasing relocation compensation to a maximum of \$75,000 but also ensuring that everyone receives those payments back to when the report was first introduced. We have taken time to consider it to make sure that we get it right.

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

Mr MIKE BAIRD: On top of that, not only is there compensation, there is also a process to ensure that we treat the residents as we should in the best possible way—by having a Minister who oversees the process and by ensuring that when someone's door is knocked on, that person has a case manager who deals with them from the beginning to the end of the process. This ensures we have a manager dedicated to looking after them every step of the way. We think that is incredibly important.

As the Minister has outlined today, we are also giving a definite six-month period to enable those whose homes are being acquired time to consider every opportunity, but the manager will ensure that we do all the hard work for them because we understand that acquiring a home is a very difficult thing. Obviously it is an incredible inconvenience and difficulty for that individual or family and we want to minimise that as much as we possibly can. It is not possible to take it all away, but we want to minimise it as much as we possibly can. That is what the announcements are about today. Clearly we need to build the infrastructure that will make a huge difference to this city and this State. I encourage those opposite to learn a lesson from one of the members of this House about building this sort of infrastructure who said:

[WestConnex] Despite pressure from lobby groups like The Greens, I will not be taking up blanket opposition to this project.

Indeed, the member for Rockdale said this:

Good infrastructure should not be a partisan issue, and I am not going to whinge and complain about the construction of new roads for our area just because they're being built by my ... opponents ...

He said:

Let's focus on getting good outcomes for our community rather than trying to score a cheap and incorrect [political] point.

I like the member for Rockdale; I love him.

The SPEAKER: The member for Rockdale will come to order.

Mr MIKE BAIRD: He has made the point, which the old McKell Institute deliverers should listen to, that one should be about the best possible outcomes. We have announced today that, yes, we need to improve the process of home acquisition, but ultimately we need to deliver infrastructure for this State because we on this side want New South Wales to be number one. We want New South Wales to have the best roads, schools and hospitals, and we are going to continue to do that. [*Time expired.*]

Visitors

VISITORS

The SPEAKER: I welcome to the public gallery the new Mayor of Gunnedah Shire Council Jamie Chaffey, Deputy Mayor Gae Swain and General Manager Eric Groth, guests of the member for Tamworth. Welcome to question time.

Question Time

GOVERNMENT POLICIES

Mr MICHAEL DALEY (Maroubra) (14:34): My question is directed to the Premier. I refer to the Premier's recent public comments about how hard the last week has been for him. When will he understand that it is not about him but about the impact of his arrogant decisions on thousands of New South Wales families?

Mr MIKE BAIRD (Manly—Premier, and Minister for Western Sydney) (14:35): I do not really know what the question was but I make this point: every member of this Government understands that it is a privilege to serve the people in our communities. We understand what it is to serve this great State. We sat for 16 years watching the member for Maroubra and his colleagues spend all their time trying to change their leadership and what is very clear is that is exactly where Labor is going.

The SPEAKER: Opposition members will cease interjecting or they will be placed on calls to order.

Mr MIKE BAIRD: The member for Maroubra does not go to the McKell Institute without big intentions. This is how it starts, in parentheses—

The SPEAKER: Opposition members may not like what they are hearing, but they will not interject.

Mr MIKE BAIRD: It says these famous words, "(check against delivery)". That means it is going big time. That means he wants every media organisation to come down and listen to what he is about to say.

Mr Guy Zangari: Point of order: My point of order is Standing Order 129. The question is about the Premier, "What about me?", not about the member for Maroubra or his caring and sharing—

The SPEAKER: Order! I understand the question; it was a ridiculous question.

Mr MIKE BAIRD: We know the member for Maroubra was talking to the McKell Institute because sources such as the member for Fairfield have been saying this in the media, "Luke's survival at this stage is contingent on the performance in Orange"—sorry—"in the by-elections."

Mr Guy Zangari: Point of order: My point of order is relevance under Standing Order 129. I ask the Premier to table where that came from. The Premier should stick to the script.

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

Mr MIKE BAIRD: It is very clear that after 20 months Opposition members have absolutely nothing. The member for Newcastle—

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

Mr Clayton Barr: Point of order: My point of order is Standing Order 74, which is seeking to prevent quarrel. This is a serious issue. I ask the Premier to address the question, which is about the 1,000 days and the 1,000 families.

The SPEAKER: Order! That question could hardly be regarded as being serious. It was a silly question. The member for Cessnock will resume his seat. Questions should seek factual information. The question came close to being ruled out of order. The Premier has the call.

Mr MIKE BAIRD: As I said before I was interrupted by the member for Cessnock, for some reason the member for Newcastle opposed \$100 million being spent in his city. Opposition members are against the WestConnex.

The SPEAKER: The member for Newcastle will cease interjecting. I call the member for Newcastle to order for the first time.

Mr MIKE BAIRD: Do we have any idea what Opposition members are going to do for economic growth? Do we have any idea what they are going to do for jobs? Do we have any idea what they are going to do for transport? Do we have any idea what they are going to do for education? Do we have any idea what they are going to do for health? They stand for absolutely nothing. They have no policies; they have no credibility.

The SPEAKER: Order! Regardless of whether Opposition members like what the Premier says, they should not be provoked into interjecting in that manner. It is poor behaviour for any member in the Chamber.

Mr MIKE BAIRD: I will finish with a comment about Goat Island. Those opposite have run around all weekend saying that it was the Government's idea. Guess what—it was. It was a very good idea. This Government is interested in outcomes for the people of this State. If a good idea—as rare as it might be—arises from the Opposition, the Government is happy to implement it for the people for New South Wales.

Mr Michael Daley: Point of order: My point of order is Standing Order 129. Can members look forward to the Premier voting on the greyhound repeal bill?

The SPEAKER: There is no point of order.

COMPULSORY PROPERTY ACQUISITION PROCESS

Mr MATT KEAN (Hornsby) (14:40): I address a question to the Minister for Finance, Services and Property. Will the Minister explain to the House what steps the Government has taken to put people at the centre of the land acquisition process to make it fairer, efficient and compassionate?

The SPEAKER: Members should listen to the Minister, as his answers are particularly entertaining.

Mr DOMINIC PERROTTET (Hawkesbury—Minister for Finance, Services and Property) (14:40): I thank the member for Hornsby for his genuine interest and the work he has done in this space. He has done more than the Opposition did in 16 years in government.

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

Mr DOMINIC PERROTTET: There is no government more committed to fairness, transparency and compassion than the Baird-Grant Government. Earlier today the Premier and I announced the release of the Government's response to the Russell review for the land acquisition process.

The SPEAKER: I call the member for Lakemba to order for the first time.

Mr DOMINIC PERROTTET: Taken as a whole, this package represents the most fair and generous land acquisition process in the nation. The response strikes the right balance between the property rights of land owners and the public need for high-quality infrastructure. It provides land owners with more time, support, information and compensation. It allows the Government to continue to deliver the road, rail, schools and hospitals that communities across New South Wales desperately need. The Government has accepted the vast majority of recommendations from the Russell review and the additional recommendations made by the customer service commissioner, Mike Pratt.

The SPEAKER: The member for Strathfield and the member for Cessnock will come to order.

Mr DOMINIC PERROTTET: Each member can appreciate the sensitivity and difficulty surrounding a government's need to acquire someone's home. In some cases the Government has gone further than what both reviews recommended. Just as has been done in other areas of government, such as Service NSW and Insurance and Care NSW [icare], the new workers compensation model—these substantive reforms—put the landowner, home owner and other effected people at the centre of the process. Legislative, operational and administrative measures will overhaul the system and result in significant improvements in fairness, transparency and additional compensation. From 26 February 2014 the Government is increasing the payment for relocation, otherwise known as solatium, from \$27,000 up to \$75,000, indexed to CPI. This amount is more than both reviews recommended to the Government.

The SPEAKER: The member for Rockdale will come to order.

Mr DOMINIC PERROTTET: The requirement for property owners to pay rent for the three months post gazettal while awaiting a determination of the valuation of their property has been removed.

Ms Jenny Leong: What about people who are renting or who have been paying rent?

The SPEAKER: The member for Newtown can ask those questions of the Minister outside the Chamber.

Mr DOMINIC PERROTTET: The Government has introduced a minimum six-month negotiation period before acquisition, which will provide landowners with greater time and certainty. A team of dedicated personal managers has been established to help landowners and home owners understand their rights and to support them through this difficult process—from the moment they receive a knock on the door in the current property until they open the door on the next one.

The SPEAKER: The member for Summer Hill will cease interjecting.

Mr DOMINIC PERROTTET: A mechanism has been introduced for independent merit review of decisions by acquiring authorities in relation to hardship applications by landowners.

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

Mr DOMINIC PERROTTET: Landowners who have had their property acquired have the first opportunity to repurchase if their property is no longer required for that infrastructure project. A new property acquisition standards group has been established in central government. The Minister for Finance, Services and Property will have oversight of acquisitions resulting in a standardised process across the whole of government.

The SPEAKER: The member for Lakemba will come to order.

Mr DOMINIC PERROTTET: These are significant improvements to the system and the Government is proud of these changes. It is no accident that it is always Liberal-Nationals governments that reform the land acquisition process. In 1991 it was the Greiner Government and in 2016 it is the Baird-Grant Government.

The SPEAKER: The member for Summer Hill will cease interjecting. I call the member for Summer Hill to order for the first time. I call the member for Summer Hill to order for the second time. If the member repeats that behaviour she will be asked to leave the Chamber.

Mr DOMINIC PERROTTET: Why is it that substantial reform such as this only happens through this Government and never through the Labor Party? The answer is that this Government is governed by good conservative principles. As Edmund Burke believed so does this Government, "The right to private property is the foundation of a just social order and the spur to personal industry and national prosperity." It is important to note that this Government is doing what all good Coalition governments are elected to do, and that is to clean up Labor's mess.

The SPEAKER: Opposition members will cease interjecting.

Mr DOMINIC PERROTTET: The most significant reason that this Government has been required to acquire property is that Labor sold off the land corridors for a sugar hit to the budget. Any student of our State's history knows that the present congestion problems are the single, sole and total responsibility of failed Labor governments. In 1976 the failed Premier Neville Wran, in his infinite wisdom, sold off the vital land corridors.

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

[Pursuant to sessional order the member for Summer Hill left the Chamber at 2.45 p.m.]

Mr DOMINIC PERROTTET: The member places politics above her constituents. *[Extension of time]*

Neville Wran, in his infinite wisdom, sold off the vital land and transport corridors linking the city to the suburbs and now this Government must reacquire them. The Russell review was commissioned by this Government. The Government is now responding to a land acquisition process that Labor ignored for the 16 years that it was in government. Today's announcement reflects this Government's compassion and conviction. It has consulted widely, considered all the information and introduced a package of substantive reform. This is what good governments do. This is what the Baird-Grant Government has done. I am proud of the response that this Government has delivered. It is a response, model and process that puts people first.

LAND CLEARING AND NATIVE WILDLIFE

Ms TRISH DOYLE (Blue Mountains) (14:46): I direct my question to the Premier. The Wentworth Group of Concerned Scientists has said that the Government's land clearing laws risk the loss of habitat critical to the survival of threatened species. Will the Premier back down on these changes?

Mr MIKE BAIRD (Manly—Premier, and Minister for Western Sydney) (14:47): I thank the member for her question.

The SPEAKER: Members will cease interjecting or they will be asked to remove themselves from the Chamber.

Mr MIKE BAIRD: Improving biodiversity in this State is long overdue. Those opposite will understand the illegal clearing that was occurring under the existing provisions. This Government must ensure that it provides a balance and that appropriate protections are in place. For the first time there will be an investment in threatened species and improvement in biodiversity across the State. The Government does not believe that individual farmers should bear the cost. There is a collective good will by taxpayers to facilitate the process. Biodiversity within the State will improve. There are scare campaigns. The Government has considered the issue in detail. There are appropriate protections for endangered species and ecological communities. The Government is doing all it can to protect and to ensure a correct balance. The Government has heard from stakeholders and is proud to introduce the changes. This package addresses the sustainability, biodiversity and protection of endangered species within this State.

AGRICULTURAL INDUSTRY

Mr KEVIN ANDERSON (Tamworth) (14:48): My question is addressed to the Deputy Premier. How is the New South Wales Government investing in the country's largest and most globally connected agricultural industry?

Mr TROY GRANT (Dubbo—Deputy Premier, Minister for Justice and Police, Minister for the Arts, and Minister for Racing) (14:49): I thank the member for Tamworth for his question. He knows firsthand the importance of the agricultural sector to not only our State's economy but also the national economy. Primary industry in New South Wales directly provides 100,000 jobs. That does not include the many indirect jobs associated with the industry. It is an important industry that is making a significant contribution to the health and growth of our economy. Through the efforts of this Government there is job growth across regional New South Wales. The Treasurer has spoken about the amazing jobs growth that is occurring. The Minister for Regional Development, Minister for Skills, and Minister for Small Business has spoken about the work he is doing in skills development that is contributing to the growth in jobs.

In the 12 months to August, 44,100 jobs were added outside Sydney, comprising two-thirds of the statewide increase in jobs and almost 60 per cent of the new regional jobs across the nation. We on this side of the House are able to achieve these outcomes because we have a clear strategy to grow our State's industries, particularly primary industry, for future generations and to ensure that the industries within the sector are best placed to capitalise on the amazing demand internationally for our produce, which is world's best. This Government is committed to continuing to invest in and work with this industry to boost employment and

innovation, which is a critical part of the primary industry sector. New South Wales is a leader in not only research and reform but also innovation in the primary industry sector.

The Government is also focused on supporting the industry in times of hardship. Due to our natural environment, hardship is being experienced across the State. It is important to invest our resources and support in helping that sector in times of hardship. As Leader of The Nationals I am very proud to lead a team that has such a remarkable record of investment in the sector. It was in 1992 that one of the greats of our party made the single largest decentralisation decision and led a government project to decentralise a government department. It was Ian Armstrong, a former Deputy Premier and Minister for Agriculture, who moved the headquarters of our agriculture department to Orange. Our party's commitment to the industry has not wavered. It took The Nationals in government to secure that amazing outcome. We have always been there for Orange and we always will be.

To emphasise the significance of the work that was done in 1992, last week the current Nationals Minister for Primary Industries, the Hon. Niall Blair, announced that the Department of Primary Industries will extend its lease and stay in Orange for at least the next two decades. The lease on the current premises occupied by the department was due to expire in 2020. We are now seeking expressions of interest to secure a new lease, to extend it by decades. Orange is a renowned hub for New South Wales agriculture. This news is important for regional communities. I spoke earlier about jobs growth and jobs creation. That is an important issue for people in regional New South Wales. Job retention is also an important part of what government does. This strategy will see more than 700 public servants remain in employment in Orange.

The staff are contributing to important work, such as the first New South Wales Agriculture Industry Action Plan, which sets out our priorities for growth through to 2019, and the 2015-19 Strategic Plan, with a target of 30 per cent growth in the value of the primary industry sector by 2020. This Government has a vision and a passion for primary industry. Later this week the community will host thousands of visitors to the oldest agricultural exhibition in the country, the Australian National Field Days, just outside Orange, which is an example of how regional New South Wales is showcasing the sector. I look forward to being there on Saturday. [*Extension of time*]

Another wonderful example is AgQuip, held outside Gunnedah, in the electorate of the member for Tamworth. Our primary industry sector plays an important role in the Central West. It has contributed to the 7.4 per cent increase in employment the region has seen in the 12 months to August. I am proud that the Central West has added a total of 7,200 jobs over the period. It is a testament to business confidence, driven by stellar economic management and investment. There is no doubt that the Government understands and genuinely values the primary industries sector. That position will not be changing any time soon.

BIODIVERSITY PROTECTION LEGISLATION

Ms KATE WASHINGTON (Port Stephens) (14:55): My question is directed to the Premier. What is his response to the statement made by Paul Sullivan, the Chief Executive Officer of BirdLife Australia, that the Government's land-clearing laws represent "the biggest weakening of our nature laws in decades"—

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

Ms Jodi McKay: He should be thrown out.

The SPEAKER: The member for Kiama has been called to order. Does the member for Strathfield want me to throw him out after one call? Order! There should be no interjections while a member is asking a question.

Ms KATE WASHINGTON: I will start again.

The SPEAKER: Yes, please start again.

Ms KATE WASHINGTON: My question is directed to the Premier. What is his response to the statement made by Paul Sullivan, the Chief Executive Officer of BirdLife Australia, that the Government's land-clearing laws represent "the biggest weakening of our nature laws in decades" and would push several species of birds to extinction?

Mr MIKE BAIRD (Manly—Premier, and Minister for Western Sydney) (14:56): The important point to make is that that is wrong. This Government, for the first time, has invested \$100 million in saving endangered species. I know that does not mean much to the Opposition.

The SPEAKER: The member for Port Stephens will cease interjecting.

Mr MIKE BAIRD: It is a significant investment in ensuring that we are protecting our endangered species. Opposition members might want to talk about this reform.

The SPEAKER: Opposition members will come to order.

Mr MIKE BAIRD: They will know that an independent panel on biodiversity met and put forward 43 recommendations. The Government has accepted all of them. We will ensure that we get the balance right. Members opposite might not understand it, but we on this side of the House understand that our farmers are some of the best environmentalists in the country. As part of what we are looking to implement, our goal is to ensure that we maintain and conserve biodiversity and ecological integrity. Opposition members probably missed this detail: For the first time, the Government is investing in sustaining biodiversity in the regions of this great State. We are investing to ensure that endangered species are looked after.

We are putting in place a risk-based framework to ensure that there are real offsets for any clearing that is undertaken. The protections are there, in both Commonwealth legislation and our proposals. We strongly believe that this is a win-win-win. We think it is a win for biodiversity in this great State. There is a high level of frustration for everyone involved in this. Doing nothing is not an option, because biodiversity is declining across the State. The Opposition knows that. Stakeholders are frustrated by complex legislative and regulatory requirements. I believe we have struck the right balance. We are ensuring that we are doing everything that we can to protect biodiversity. We are providing increased flexibility. That is exactly what a good government does.

HOSPITAL PUBLIC-PRIVATE PARTNERSHIPS

Mr ADAM CROUCH (Terrigal) (14:58): My question is addressed to the Minister for Health. How is the Government progressing the five new hospital partnership upgrades across New South Wales?

The SPEAKER: I warn Opposition members not to interject.

Ms JILLIAN SKINNER (North Shore—Minister for Health) (14:59): I thank the member for Terrigal for his fantastic representation of the people of the Central Coast—one who tells it how it is.

The SPEAKER: Other members will join the member for Summer Hill shortly; they will be out of this Chamber.

Ms JILLIAN SKINNER: He tells the truth, not some fictitious interpretation of the truth. It is a great deal for patients. As members know, the Government put out an expression of interest to test the appetite in terms of five sites for the non-government sector to join us in partnership to build new hospitals.

The SPEAKER: I call the member for Rockdale to order for the first time.

Ms JILLIAN SKINNER: The expected benefits are enormous: upgrades of hospitals are delivered faster and will provide a broader range of services to the local people. There will be more opportunities for staff because, like the Northern Beaches, they will be much bigger and provide a much higher level of care—

The SPEAKER: The member for Wyong will come to order.

Ms JILLIAN SKINNER: The potential to attract more doctors and nurses and to the Local Health District—

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

Ms JILLIAN SKINNER: —and increased patient choice because they will not have to travel out of their local district to get treatment and enhanced patient outcomes.

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

Ms JILLIAN SKINNER: As illustrated by the partnership at the Northern Beaches, the operator will provide a new hospital with many more benefits. But disgraceful disinformation campaigns are being led by Labor and its union mates. For example, the rally at Wyong.

The SPEAKER: The member for Maitland will come to order. The House will come to order. Government members will come to order. The member for Port Stephens will come to order. The member for The Entrance will come to order.

Ms JILLIAN SKINNER: The Leader of the Opposition, the shadow Minister for Health and the shadow Treasurer did not attend that rally. The first falsehood came from the member for Swansea, who said on Sunday, "Residents ... are going to go down to the hospital, and they are not going to be able to afford to get care." Is he not listening? Public patients will get free public care, just as they do now in any public hospital.

The SPEAKER: I call the member for The Entrance to order for the first time.

Ms JILLIAN SKINNER: Whether it is run by the Government at St Vincent's, at the Mater or anywhere else—

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

Ms JILLIAN SKINNER: Where we have a contract we will be providing patient care.

The SPEAKER: The member for Maitland will cease interjecting.

Ms JILLIAN SKINNER: The second falsehood from the member for Swansea was when she said, "In question time the Minister for Health said 'We are going to privatise our community hospitals'". That is wrong. The member for Swansea should show me in *Hansard* where I said that. That is a straight out lie. I challenge anyone here to find that quote.

The SPEAKER: I warn the member for Maitland to not interject.

Ms JILLIAN SKINNER: I said that the Government will be inviting established non-government hospital operators to enter into a partnership program with the New South Wales Government to design, build, operate and maintain these new facilities.

The SPEAKER: I call the member for Rockdale to order for the second time. Members will cease interjecting. They should not think that because I cannot see them I cannot hear them.

Ms JILLIAN SKINNER: The third falsehood came from the member for Wyong, who said, "It should stay our community hospital." The good news for the member for Wyong is that this hospital will remain a community hospital and, just as they do now, public patients will be fully government funded. Today the member for Wyong misled this House when he said, "We also know that this is going to gift the land, buildings and equipment to a private company." That is wrong. Are you really that ignorant?

Mr David Harris: Point of order—

The SPEAKER: I call the member for Oatley to order for the first time. The member has a right to take a point of order; members do not have a right to interject. I warn the member for Wyong, who is on two calls to order, that this point of order should be valid.

Mr David Harris: I take offence at being called "ignorant" for repeating the concerns of my community.

The SPEAKER: You were not called "ignorant".

Mr David Harris: I was.

The SPEAKER: The member for Port Stephens should not continue to display her ignorance. The Minister asked the question "Are you so ignorant?"

Mr David Harris: That is calling me ignorant.

The SPEAKER: She did not say "You are ignorant." The member for Wyong will resume his seat. If he does that again, he will be out of the Chamber. The member for Port Stephens should stop questioning my rulings.

Ms JILLIAN SKINNER: Under our partnership model the Government retains ownership of the land, and the buildings and equipment return to government ownership at the end of the contract. The member for Wyong should take that in so he cannot repeat that statement. The Government retains ownership of the land and at the end of the contract, the hospital and the equipment returns to the ownership of the Government. [*Extension of time*]

Mr David Harris: Point of order—

Ms JILLIAN SKINNER: They are just trying to take up my time.

Mr David Harris: The Minister is directing her comments at me instead of through the Chair and I am trying very hard not to be placed on four calls to order.

The SPEAKER: I uphold the point of order. The Minister will direct her comments through the Chair.

Ms JILLIAN SKINNER: I will be very happy not to look at the member any more. This is an expression of interest. The Government has indicated that it will partner with a proven hospital operator who has a track record in Australia. We will proceed to proposals on the following basis that it is in the interest of patients, staff and the taxpayers of New South Wales. I believe that local hospital staff will have more job opportunities. They will transfer staff who will retain their benefits.

The SPEAKER: I call the member for Rockdale to order for the third time. I call the member for Londonderry to order for the first time.

Ms JILLIAN SKINNER: We will get quality and safety standards that are reported just like they are in any public hospital arrangements. All round it is a fantastic opportunity for the Government. Just in case the

Opposition is prepared to continue with this silly union line about Americanisation of the hospital system, I remind members that the union scare campaign about the Americanisation of New South Wales health care—

The SPEAKER: The member for Port Stephens is behaving disrespectfully.

Mr Clayton Barr: Point of order—

The SPEAKER: The Clerk will stop the clock. We will see how ridiculous this one might be.

Mr Clayton Barr: I seek clarification—

The SPEAKER: Does the member have a point of order? Do not seek clarification from me.

Mr Clayton Barr: It is Standing Order 129. The Minister identified a silly union. I just wonder whether that is the Nurses and Midwives Association.

The SPEAKER: The member for Cessnock will resume his seat. He does not have a point of order. I place the member for Cessnock on three calls to order. His point of order was childish and he knows it.

Ms JILLIAN SKINNER: I referred to the scare campaign conducted by the unions before the last elections when they talked about the Americanisation of New South Wales health care, which was totally discredited by no less than the ABC fact checker as a totally wrong and dishonest campaign.

The SPEAKER: I call the member for Londonderry to order for the second time. I remind the member for Londonderry that screaming and yelling at a Minister is unacceptable, especially from women. I direct the member for Londonderry to leave the Chamber for a period of two hours. You sit there and yell and yell.

[Pursuant to sessional order the member for Londonderry left the Chamber at 3.07 p.m.]

The SPEAKER: What is the member for Strathfield's problem?

Ms Jodi McKay: My problem is the statement you just made.

The SPEAKER: The member Strathfield will come to order.

LAND CLEARING AND NATIVE WILDLIFE

Mr LUKE FOLEY (Auburn) (15:07): I direct my question to the Premier. Given the Premier's highly principled concern for animal welfare, what is his response to the report of the World Wildlife Fund that found this Government's changes to land clearing laws would "put koalas and many other species of wildlife"—

The SPEAKER: I would like to hear the question. The Leader of the Opposition will start his question again. The Minister for Family and Community Services will come to order.

Mr LUKE FOLEY: My question is directed to the Premier. Given the Premier's highly principled concern for animal welfare, what is his response to the report of the World Wildlife Fund that found this Government's changes to land clearing laws would "put koalas and many other species of wildlife in the express lane to extinction"?

The SPEAKER: I do not think government members need to argue about that question.

Mr MIKE BAIRD (Manly—Premier, and Minister for Western Sydney) (15:08): This comes from a Leader of the Opposition who in private says something about animal welfare and then in public says the exact opposite. How can he talk about principles? What did he tell them in private?

The SPEAKER: Order! The member for Maitland will come to order or she will be removed from the Chamber.

Mr MIKE BAIRD: We are not going to listen to anything that this Leader of the Opposition says. It is no wonder that Opposition members are looking at him very closely. It is no wonder that the member for Maroubra is at the McKell Institute putting forward his framework for this State.

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

Mr MIKE BAIRD: We know the Leader of the Opposition is in trouble because this week he went back to Troy Bramston's couch.

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

Mr Jihad Dib: Point of order: My point of order is under Standing Order 129. We are almost one minute into the answer—

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

Mr MIKE BAIRD: As I said in response to this question and the previous two questions, we believe we have the balance right. We believe we are delivering appropriate protections to give us the best opportunities to ensure that we have the best biodiversity outcomes and protections for species in this State. The Leader of the Opposition knows it. The member for Maroubra is putting forward his vision at the McKell Institute. I will come to that in a minute.

Mr Michael Daley: Point of order: My point of order relates to Standing Order 129. I have a vision: that the Premier resigns as patron of the RSPCA.

The SPEAKER: Order! There is no point of order. I call the member for Maroubra to order for the first time. The Treasurer will come to order.

Mr MIKE BAIRD: They are one-trick ponies and the Leader of the Opposition has a glass jaw. Watch him when we talk about principles.

The SPEAKER: Order! The member for Macquarie Fields will cease interjecting.

Mr Stephen Kamper: Point of order: My point of order is under Standing Order 129. The question was specifically about koalas, not ponies.

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

Mr MIKE BAIRD: The member for Rockdale is a very good member.

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

Mr MIKE BAIRD: We know that the Leader of the Opposition has to work out how he is going to change the State. He is not quite sure, but he knows he needs a policy so he goes to Troy's couch. Troy says, "We've got to bring back the socialist objective." While the Leader of the Opposition is on the couch going through the socialist objective and saying that those opposite will change this great State, guess what? Members on this side of the House are getting on and rebuilding New South Wales. How about that for a policy? We can go up and down this front bench and work out what we are doing for the State. Let us start with the Minister for Early Childhood Education, who has delivered before- and after-school care across the State. Our Minister for Corrections, and Minister for Emergency Services is doing a great job.

Mr Guy Zangari: Point of order: My point of order is under Standing Order 129. The answer has nothing to do with animals that are on the highway to extinction.

The SPEAKER: Order! The Premier is being relevant to the question he was asked. The member for Fairfield will resume his seat. The Premier has the call.

Mr MIKE BAIRD: I am being very relevant because, while Labor's leader is thinking about the socialist objective, our Minister for the Environment is protecting the environment. The container deposit scheme is a little ripper from this Government. The Minister looking after TAFE is driving reform that will create hundreds of thousands of extra student places. This is a great government. Look at the Minister for Innovation and Better Regulation, who is implementing reforms that are driving the State forward.

Mr Ryan Park: Point of order: My point of order relates to Standing Order 129. This is completely irrelevant—like a lot of things the Premier says.

The SPEAKER: Order! I have ruled on relevance. There is no point of order.

Mr MIKE BAIRD: Don't worry, the McKell Institute will have you as well, member for Keira.

Mr Ryan Park: They like you in Wollongong, don't they?

Mr MIKE BAIRD: I heard a lot in Wollongong. They really like the lord mayor down there. Then there is Minister Ayres, who is overseeing the delivery of some of the greatest events this State has ever seen. Next to him is Minister Goward, who is delivering great mental health reforms across New South Wales and looking after victims of domestic violence.

Mr Paul Lynch: Point of order: My point of order is taken under Standing Order 103 and Standing Order 104. This so-called answer has moved well away from an answer under the standing orders. It now takes the form of a ministerial statement and should be given at the appropriate time in the program.

The SPEAKER: There is no point of order.

WESTERN SYDNEY EDUCATIONAL FACILITIES

Dr GEOFF LEE (Parramatta) (15:14): My question is addressed to the Minister for Education. How is the Government delivering new and future-focused educational facilities in Western Sydney? What alternative policies are available?

Mr ADRIAN PICCOLI (Murray—Minister for Education) (15:14): This Government has an embarrassment of riches in education.

The SPEAKER: Order! The member for Rockdale will not interject during an answer about education.

Mr ADRIAN PICCOLI: We have so much good news that the Premier and I have had to split up to deliver it. Yesterday the Premier was in Parramatta announcing some capital works projects. Before I get to that, I was in one of the greatest electorates in New South Wales, which we randomly selected. Somebody threw a dart at a map of New South Wales and it landed on the Orange electorate just by chance. The attendants should not be laughing at this joke. I thought we would give New South Wales a taste of the resource allocation model [RAM] funding for this year, and the Orange electorate was randomly selected—although we could have selected any one of the 93. In what I call the inner west of New South Wales, we went to Bowen Public School—which is a great Early Action for Success school in a low socioeconomic status community. It will receive \$235,000 extra next year because we signed up to Gonski.

The SPEAKER: Order! Why has the member for Rockdale moved next to the member for Shellharbour? He will resume his seat.

Mr ADRIAN PICCOLI: We made those hard decisions. We also visited Orange High School, which is getting \$200,000 extra next year. The principal asked me, "Minister, are you here for educational purposes or because there is a by-election?" I said, "I am here for educational purposes, but there happens to be a by-election."

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

Mr ADRIAN PICCOLI: I said, "I am here to remind every person in Orange and the rest of the State why this is a great government and why The Nationals candidate will beat the Labor Party candidate and the shooters party candidate." Interestingly, the shooters party candidate has been doing some doorknocking. As we know, they were called the Shooters and Fishers Party and then they changed their name to the Shooters, Fishers and Farmers Party. After doorknocking, they have changed the name of their party to the "Shooters, Fishers, Farmers, Haberdashers, Upholsterers, Bakers and Candlestick Makers Party". If members think that is funny, they should see the corflute; it is two metres high.

Getting back to business, yesterday the Premier made a great announcement at the historic Old King's School site in Parramatta. As one of four major education infrastructure works, we have allocated \$30 million to transform that historic site into a school for 1,000 primary school students. That is in addition to the redevelopment of Arthur Phillip High School, which will be transformed into a new high-rise school for up to 2,000 students. Also in Parramatta, a new primary school for up to 1,000 students will be built at Parramatta Public School and an upgrade to Rosehill Public School will cater for up to 1,000 students. There are many more great projects in Western Sydney. We have invested more than \$420 million in six years in Western Sydney schools to provide 11 new or relocated schools and seven major school upgrades, bringing the number of projects to 18.

In this year's budget from the great Treasurer there is funding for more than a dozen new projects, with Auburn North Public School, Lidcombe Public School and Marie Bashir Public School receiving significant upgrades to cater for the growth in enrolments in New South Wales. As always when we make these announcements about capital and recurrent funding, Labor members put up their hands and say, "Us too; we support the spending." Remember, they did not support anything we did to be able to afford it. Labor members say they are great supporters of public education, but they forget one word. Historically, as a political party they have always been great supporters of public education unions. Those opposite have been supporters of unions. They did not do any of the things we have done for students, teachers or principals in the public education system.

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

Mr ADRIAN PICCOLI: It was this Government that freed up the decision-making powers.

The SPEAKER: Order! I again remind the member for Cessnock that he is on three calls to order. I place the member for Kogarah on three calls to order.

Mr ADRIAN PICCOLI: This Government gave them extra recurrent funding to allow them to do the great work that is being done in public schools across this State.

The SPEAKER: Order! I call the member for Lakemba to order for the third time. The member for Cessnock, the member for Kogarah and the member for Lakemba will cease interjecting or they will be removed from the Chamber.

Mr ADRIAN PICCOLI: I have completed my answer.

Business of the House

SUSPENSION OF STANDING AND SESSIONAL ORDERS: ROUTINE OF BUSINESS

Mr ANTHONY ROBERTS (Lane Cove—Minister for Industry, Resources and Energy) (15:20):
I move:

That standing and sessional orders be suspended at this sitting to:

- (1) Permit the House to sit past 10.00 p.m.
- (2) Provide that no motions for the adjournment of the debate on the Child Protection (Working With Children) and Other Child Protection Legislation Amendment Bill 2016 or the Waste Avoidance and Resource Recovery Amendment (Container Deposit Scheme) Bill 2016 be entertained for the remainder of this sitting.
- (3) Provide that from the commencement of Government business until the rising of the House no divisions be conducted or quorums be called.
- (4) Provide that any division called be postponed and conducted tomorrow.

Mr MICHAEL DALEY (Maroubra) (15:20): Madam Speaker—

The SPEAKER: Order! The member for Maroubra will be heard in silence. The member is entitled to speak to the motion. Members will cease interjecting.

Mr MICHAEL DALEY: While I was waiting to speak a government member called out, "Enjoy the night." That sums up what this motion is about. This year there have been more occasions when the House has run out of business at 4.00 p.m. or 5.00 p.m. than I can recall in my 11 years in this place. This Thursday is the cut-off date for legislation to go to the Legislative Council. Government members are now faced with the horrifying prospect that they might have to stay until 10 o'clock tonight, tomorrow night and even Thursday night and do a bit of work. We on this side of the House are ready to debate legislation all night, if necessary, in this Chamber. We are not worried about that mob opposite wanting to go home. In the past sitting week—

The SPEAKER: Order! Members will come to order. Opposition members will cease interjecting.

Mr MICHAEL DALEY: This suspension motion seeks to achieve one thing. While Opposition members are willing to stay and debate important government legislation, those opposite want to knock off. They are saying, "We want to knock off; we have better things to do than hang around Parliament House to talk about legislation. Opposition members can knock themselves out. They can sit here all night and talk about government bills and, if there is a minor occurrence like a division in the Legislative Assembly of the Parliament of New South Wales, we will not be here. We will be either at functions or at home." Government members can go and have their parties or watch their sport, but Opposition members will be here taking care of their business. The Opposition opposes the motion.

The SPEAKER: Order! Members will come to order. I remind members that several of them are on three calls to order. I remind the member for Cessnock that he is three calls to order.

Mr ANTHONY ROBERTS (Lane Cove—Minister for Industry, Resources and Energy) (15:23):
In reply: It was just pointed out that the Carr Government did this on a regular basis. At that time I was unsure about how good it was and what role it played, but in hindsight I think it was a wonderful move. Unlike the Carr Government, we have a massive legislative agenda that we are driving through this place. Indeed, this is keeping the pipeline free as we push more and more legislation through to the upper House. Unlike those opposite, we are the party of the worker. Labor members get up at 10 o'clock, do a couple of media grabs and are back to sleep by 3 o'clock. We work long hours and we do it efficiently. But the real reason for the motion is that I have received advice.

Dr Geoff Lee: What did mum say?

Mr ANTHONY ROBERTS: No. The advice refers to Article 5 of the Universal Declaration of Human Rights, adopted by the United Nations General Assembly on 10 December 1948, and to Article 3 of the European Convention on Human Rights of 1950. I am not going to subject members on this side of the House to cruel and unusual arbitrary punishment while members opposite speak for the remainder of the night. I have a duty of care to members of this House. I am not going to have them staying back late listening to the likes of some of those opposite. Is that fair? It is not fair on anybody, including their own colleagues, the attendants and Hansard.

I recommend that everyone stay back this evening and speak to their heart's content. It is important that we all make a contribution to debate on legislation and, if there are any issues, the Government will deal with them when it decides it is appropriate to do so.

The SPEAKER: The question is that the motion of the Leader of the House be agreed to.

The House divided.

Ayes47
Noes31
Majority..... 16

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
Kean, Mr M
Marshall, Mr A
Pavey, Ms M
Piccoli, Mr A
Rowell, Mr J
Speakman, Mr M
Tudehope, Mr D
Williams, Mr R

Aplin, Mr G
Barilaro, Mr J
Brookes, Mr G
Coure, Mr M
Elliott, Mr D
George, Mr T
Gulaptis, Mr C
Hodgkinson, Ms K
Lee, Dr G
Notley-Smith, Mr B
Perrottet, Mr D
Provest, Mr G
Sidoti, Mr J
Stokes, Mr R
Upton, Ms G
Williams, Ms L

Ayres, Mr S
Berejiklian, Ms G
Conolly, Mr K
Crouch, Mr A
Evans, Mr L
Goward, Ms P
Hazzard, Mr B
Johnsen, Mr M
Maguire, Mr D
Patterson, Mr C (teller)
Petinos, Ms E
Roberts, Mr A
Skinner, Ms J
Taylor, Mr M
Ward, Mr G

NOES

Aitchison, Ms J
Catley, Ms Y
Daley, Mr M
Finn, Ms J
Harrison, Ms J
Lalich, Mr N (teller)
McDermott, Dr H
Mihailuk, Ms T
Parker, Mr J
Warren, Mr G (teller)
Zangari, Mr G

Atalla, Mr E
Chanthivong, Mr A
Dib, Mr J
Foley, Mr L
Hornery, Ms S
Leong, Ms J
McKay, Ms J
Minns, Mr C
Piper, Mr G
Washington, Ms K

Barr, Mr C
Crakanthorp, Mr T
Doyle, Ms T
Harris, Mr D
Kamper, Mr S
Lynch, Mr P
Mehan, Mr D
Park, Mr R
Smith, Ms T
Watson, Ms A

PAIRS

Gibbons, Ms M
Humphries, Mr K
Toole, Mr P

Hoenig, Mr R
Robertson, Mr J
Smith, Ms K

Motion agreed to.

Committees

LEGISLATION REVIEW COMMITTEE

Report: Legislation Review Digest No. 27/56

Mr MICHAEL JOHNSEN: As Chair: I table the report of the Legislation Review Committee entitled "Legislation Review Digest No. 27/56", dated 18 October 2016. I move:

That the report be printed.

Motion agreed to.

Mr MICHAEL JOHNSEN: I also table the minutes of the committee meeting regarding Legislation Review Digest No. 26/56, dated 11 October 2016.

COMMITTEE ON COMMUNITY SERVICES**Chair**

The DEPUTY SPEAKER: In accordance with Standing Order 282 (2), I advise the House that on 13 October 2016 Mr Christopher Gulaptis was elected Chair of the Legislative Assembly Committee on Community Services.

*Petitions***PETITIONS RECEIVED**

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**.

Ice Smoking Room Proposal

Petition requesting that the Legislative Assembly rejects any plans for an ice smoking room to be built or operated in the south or south-west region of Sydney, received from **Ms Melanie Gibbons**.

Safe Schools Coalition

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

National School of Art

Petition requesting that a long-term lease be provided to the National School of Art for its site, that it remain independent and that the Government continue its funding, received from **Mr Alex Greenwich**.

Tertiary Referral Hospital Accommodation

Petition requesting that every tertiary referral hospital in New South Wales provide affordable and accessible onsite accommodation with cooking facilities, received from **Mr Kevin Anderson**.

Route 389 Bus Service

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

Ferry Services

Petition requesting new inner city ferries, 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**.

Closed-Circuit Television Footage

Petition requesting amendment to the State's privacy laws to ensure that local councils can capture footage from closed-circuit television cameras, including areas that may be on private land, received from **Mrs Shelley Hancock**.

Pet Shops

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

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

GREYHOUND RACING INDUSTRY BAN

Petition requesting that the Government stop the closure of the greyhound industry, work towards the reform of the industry, and create better animal welfare standards, received from **Ms Melinda Pavey**.

*Bills***STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL (NO 2) 2016****First Reading**

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

The DEPUTY SPEAKER: I order that the second reading of the bill stand as an order of the day for a later hour.

*Motions Accorded Priority***STATE INFRASTRUCTURE****Consideration**

Mr JOHN SIDOTI (Drummoyne) (15:35): My motion should be accorded priority because those opposite can only dream of the infrastructure we are delivering. When building infrastructure there often some land acquisitions. We need a process that is fair, transparent and efficient. We are a government that is determined to put the people at the centre of everything we do. With a record number of infrastructure projects taking place across this State, it is imperative that we work harder to ensure we have the most supportive and the most generous acquisition process in the country. This motion is irrelevant to those opposite because infrastructure was just a simple word for the Labor Government. Infrastructure was not something one could touch or feel because the Labor Government never delivered infrastructure. The Labor Party spoke about it and made numerous announcements, but when it came to delivering infrastructure the Labor Party was limp.

My motion should be accorded priority because, as Parliamentary Secretary for Roads, I know how important the 4,600 road projects are to every member of this House. This Government is getting on with the job of delivering the vital infrastructure that this State needs so desperately. For too long, New South Wales suffered under the rule of a lacklustre and lazy Labor government whose short-sightedness and inability to deliver infrastructure projects is still being felt today. Luckily, this Government has stepped up to the plate and we are proud of the job that every member in this place is doing for their community. This motion should be accorded priority because Labor did not call for the Russell review. That is a review this Government commissioned and on which it will act.

The DEPUTY SPEAKER: Order! I remind the member for Rockdale that he is on three calls to order. I remind the member for Lakemba that he is on three calls to order. The members are lucky to still be in the Chamber.

RETURN OF GOAT ISLAND TO ABORIGINAL PEOPLE**Consideration**

Mr DAVID HARRIS (Wyang) (15:38): Imitation is the sincerest form of flattery that mediocrity can pay to greatness. In a press release on Friday afternoon—after it found out that the whole Labor shadow Cabinet was going to Memel Island on Monday—the Government belatedly followed the Labor Party's policy lead in this very important area. This important announcement is one that is dear to Labor's heart. It was pushed by former Prime Minister Paul Keating, the Hon. Linda Burney, MP, and the New South Wales Leader of the Opposition, Luke Foley. We spoke to the community about the importance of the Labor Opposition leading the way on this issue, forcing the Baird Government to get on the same page as Labor and to take this important step towards reconciliation with the First Peoples on this island.

We all know that the Aboriginal elder Bennelong and his wife, Barangaroo, were frequent visitors to the island, which was owned by Bennelong's family. There have long been strong calls for the return of the land to the Aboriginal people. It is shameful that when the Labor Opposition, led by Luke Foley, were on Memel Island, standing shoulder to shoulder with the local Aboriginal community, the Government made this announcement via another press release. Did Government members go to the island, stand with the community and show their support for the initiative? No, they did not. The Government slipped out a press release on Friday afternoon, demonstrating its level of commitment.

The Government makes announcements via press releases and Facebook; it does not stand with the community. That is the big difference between this Labor Opposition and the Government. Unlike the

Government, the Opposition stands with people in the community. Opposition members know that true reconciliation means walking side by side with people; it is not telling people what they should do. We hope that the Baird Government's announcement, which we welcome, will not result in it telling Aboriginal people how to operate the island but will ensure, through self-determination, that all Aboriginal people have a say in how the island is operated.

Closing the gap can happen only through economic empowerment and local decision-making. The Government scores an A-plus for lip-service and for feigning consultation while the Leader of the Opposition has his finger on the pulse and listens to people's views. The Labor Opposition knew about the greyhounds and Labor is leading the way on this issue. We are the leaders while Government members are the followers. [*Time expired.*]

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

The House divided.

Ayes44
Noes30
Majority.....14

AYES

Anderson, Mr K
Barilaro, Mr J
Brookes, Mr G
Coure, Mr M
Elliott, Mr D
Goward, Ms P
Henskens, Mr A
Kean, Mr M
Marshall, Mr A
Pavey, Ms M
Piccoli, Mr A
Rowell, Mr J
Speakman, Mr M
Tudehope, Mr D
Williams, Mr R

Aplin, Mr G
Berejiklian, Ms G
Conolly, Mr K
Crouch, Mr A
Evans, Mr L
Gulaptis, Mr C
Hodgkinson, Ms K
Lee, Dr G
Notley-Smith, Mr B
Perrottet, Mr D
Provest, Mr G
Sidoti, Mr J
Stokes, Mr R
Upton, Ms G
Williams, Ms L

Ayres, Mr S
Bromhead, Mr S (teller)
Constance, Mr A
Dominello, Mr V
Fraser, Mr A
Hazzard, Mr B
Johnsen, Mr M
Maguire, Mr D
Patterson, Mr C (teller)
Petinos, Ms E
Roberts, Mr A
Skinner, Ms J
Taylor, Mr M
Ward, Mr G

NOES

Aitchison, Ms J
Catley, Ms Y
Daley, Mr M
Finn, Ms J
Harrison, Ms J
Lalich, Mr N (teller)
McDermott, Dr H
Minns, Mr C
Piper, Mr G
Washington, Ms K

Atalla, Mr E
Chanthivong, Mr A
Dib, Mr J
Foley, Mr L
Hornery, Ms S
Leong, Ms J
McKay, Ms J
Park, Mr R
Smith, Ms T
Watson, Ms A

Barr, Mr C
Crakanthorp, Mr T
Doyle, Ms T
Harris, Mr D
Kamper, Mr S
Lynch, Mr P
Mehan, Mr D
Parker, Mr J
Warren, Mr G (teller)
Zangari, Mr G

PAIRS

Baird, Mr M
Gibbons, Ms M
Grant, Mr T
O'Dea, Mr J

Hoenig, Mr R
Mihailuk, Ms T
Robertson, Mr J
Smith, Ms K

Motion agreed to.

STATE INFRASTRUCTURE**Priority**

Mr JOHN SIDOTI (Drummoyne) (15:47): I move:

That this House welcomes the Government placing people at the centre of the land acquisition process by balancing a commitment to fairness, transparency and compassion with the need for essential infrastructure.

This Government is committed to a land acquisition process that is fair, transparent and efficient. To ensure the acquisition process achieves these objectives a review of the Land Acquisition (Just Terms Compensation) Act was undertaken by Mr David Russell, SC. The Government has now released Mr Russell's report and the full government response. The full government response, supported by an extensive package of legislative amendments, strikes the right balance between the needs of the public for high-quality public infrastructure and those of individual landowners.

It provides landowners with more time, support, information and compensation. It allows the Government to continue to deliver the roads, rail, schools and hospitals that communities across New South Wales desperately need. This Government is proud of the job it is doing. Mr Russell found that the Act is fundamentally sound and achieving the key objective of acquisition by agreement rather than by compulsion. More than 80 per cent of government land acquisitions are achieved through agreement with the landowner—a record of which the Government is proud. The Government will make it a better process. Only a small percentage of matters proceed to compulsory acquisition where the acquiring authority and landowner are unable to agree on land valuation and compensation.

The Valuer General is then engaged to provide an independent determination. Only 5 per cent of those determinations are appealed to the Land and Environment Court. During 2014-15 a number of improvements were made to the land acquisition framework to ensure a fairer and smoother consultation process between landowners and acquiring authorities. These improvements include mandating face-to-face meetings, providing new case coordination services and enhancing procedural fairness and transparency. The package this Government has delivered goes further than the recommendations set out in the review by Mr Russell, SC. Taken as a whole this package represents the fairest and most generous land acquisition process in the nation.

From 26 February 2014 the payments for relocation have been increased from \$27,000 up to \$75,000, indexed to the consumer price index. The requirement has been removed for property owners to pay rent during the three month post gazettal period whilst waiting for a valuation determination. A minimum fixed six-month negotiation period for acquisition will provide landowners with greater time and certainty. From the moment landowners receive a knock on the door at their current property until they open the door to the next one a team of dedicated case managers will be there to help them understand their rights and support them through this difficult process.

A mechanism has been introduced for independent merit review of decisions by inquiring authorities in relation to hardship applications by landowners. If a property is no longer required for a project landowners who had their property acquired will have the first opportunity to repurchase. There will be a new property acquisitions group in central government with oversight of acquisitions by the Minister for Finance, Services and Property. The result will be a standardised process across the whole of government. These substantive and much-needed reforms are the result of good government. These reforms are not just legislative; they are about the people at the centre of this process.

Those opposite continually overlooked this issue and placed politics before people. To ensure that people remain the focus of these reforms a number of administrative and operational changes to the acquisition process have been implemented. These include appointing case managers for landowners, providing staff with greater training and simplifying and streamlining forms for easier understanding. There are now more opportunities for consultation and information sharing. These reforms place people at the centre of the process.

Mr CLAYTON BARR (Cessnock) (15:53): I move:

That the motion be amended by leaving out all words after "That" with a view to inserting instead:

"this House notes, like the greyhound industry ban, the Government has been caught out acting poorly over infrastructure land acquisition and has been forced to make changes."

This motion relates to the land acquisition process in New South Wales. As a member of the Joint Standing Committee on the Office of the Valuer General which inquired into land acquisition in the term of the last Coalition Government, I gained some knowledge of the issue. I note the outstanding work of the member for Hornsby and chair of that committee on the report which has been cited extensively. It is important to note the

timeline in the context of this debate. It has been noted that the Government sat on the Russell report for 1,000 days but it should be remembered that it was a 2011 election commitment.

In March 2012 the Government pursued the Russell report which gives us a two-year window between March 2012 and February 2014 when the report was provided, even though the Government said it was a priority. In May 2013 the Joint Standing Committee on the Office of the Valuer General produced an outstanding report that clearly articulates a path forward and in 2014 that report was tabled in Parliament. In April 2014 the Valuer General was unable to respond to the joint standing committee as the report had been submitted and was in the hands of Cabinet. In September 2014 a new Valuer General explained that Cabinet was considering its position on just terms land acquisition.

The timeline indicates an election commitment six years ago, the issue became a priority four years ago, the Government received the report two years ago, and 1,000 days later there is some movement. Why did it take the Government 1,000 days to deal with this issue? It is a fair question to ask and one that has a simple answer. This arrogant Government wants to maintain secrecy concerning legislation in this State. If the Russell review was released shortly after February 2014 when the Government received it the community would have had a chance to respond. The Government did not release it for 1,000 days. It was not placed on the website prior to question time today but it was given to reporters downstairs so it will now permeate throughout the community. Eighteen months after receipt of the report a freedom of information application established that the Minister for Finance, Services and Property wrote a letter to the Premier stating:

The key concerns of agencies such as Roads and Maritime Services is that a number of the recommendations would likely have adverse impacts including increased disputation, valuation complexity, additional costs and delays to the completion of infrastructure. On that basis, I recommend that at this time no further action being taken to address the review report.

That was in December 2015—not even 12 months ago. This occurred 18 months after receipt of the report. The Minister said it should be ignored because it will only cause problems and cost money and it is an inconvenient truth. The people of New South Wales and the Labor Party do not accept that. The Labor Party and the community will no longer tolerate the arrogance and secrecy of this Government.

Mr MATT KEAN (Hornsby) (15:58): As much as I like the member for Cessnock I will not allow him to rewrite history in this Chamber. Members know the truth. The member for Maroubra passed the member for Cessnock a note instructing him to revise the motion and thus rewrite history regarding Labor's concern for property owners whose land was compulsorily acquired. The member for Maroubra was not concerned when Frances Vumbacca's and Koola Rafaledies' property rights were trampled by the Labor Government. Where was the Opposition's concern for the Bligh family, whose property rights were trampled? The market value of their property was thrown out the window when Labor tried to deliver its project under budget.

The amendment moved by the member for Maroubra should be seen for the cheap, shabby political stunt that it is. The reality is that Labor cannot be trusted on this issue. When Labor was in government it knew that there were systemic problems. That is exactly what the Russell report highlights and exactly what the Government report of the inquiry into land valuation highlighted. I commend the member for Cessnock for his outstanding work on defending in a bipartisan manner the interests of landowners across the State. The Russell report does exactly that. Anything that balances the ledger between individual landowners and government is a good thing. That is what the Russell report does.

Moreover, the Russell report seeks to make the valuation and compulsory acquisition process more transparent, accountable and fair. That is something everyone in this House should support. The public will not be fooled by Labor's tawdry political stunt, its attempt to get mileage out of this issue. The reality is that when Labor was in government, when it had a chance to fix this, it trampled on the property rights of individual landowners. Labor gave inadequate compensation and delivered an inadequate result. At the same time, Labor did not build additional infrastructure. The Russell report focuses on that. I commend the Minister for Finance, Services and Property for his outstanding work. He is delivering a system that will look after landowners who are being tackled by big government. The system will also be more transparent, fair and accountable to the public, who deserve that. That transparency and accountability will make sure that people are treated with the dignity and respect they deserve when they go up against big government in the compulsory acquisition process.

Ms JULIA FINN (Granville) (16:01): This report is long overdue. The Government has sat on it for 2½ years. The release of the report is welcome for the hundreds of landowners whose properties still have not been acquired. In the electorate of Granville the Government started the M4 widening process while it sat on this report. People in my electorate have been treated abominably by the WestConnex Delivery Authority, Roads and Maritime Services and everybody they have spoken to over the past 2½ years.

Mr Stephen Kamper: They have ridden roughshod over them.

Ms JULIA FINN: Yes, they have. They have ripped them off and worn them down until they have accepted shabby payments for their properties. People who continue to live in a property that has been acquired have been given ridiculous quotes for bonds. I know of one family who have been negotiating with this Government for more than two years and who are settling at the end of November. They will rent the property and have been asked to pay a \$10,000 bond to live in their property, which is falling down because of vibrations. It is one of the properties that should have been compulsorily acquired because it is completely overshadowed by and is right next to the widened M4. It is an utter disgrace.

I have been there when representatives of the WestConnex Delivery Authority have met with residents in my electorate. I was there when they came to the home of Issa Nassrallah. He raised concerns about trucks rolling off into his backyard, as they have done in the past. His concern is that the road will now be five metres closer to his home. The representatives of the authority just sat there, playing good cop, bad cop and wasting everybody's time for the entire afternoon. He is still in negotiations 15 months later, waiting for a positive outcome. He thinks that very shortly his children will not be able to use the backyard. That is an utter disgrace. The Government has been sitting on the report since before I was elected. I listened to the concerns of residents when I doorknocked the area as a candidate.

The DEPUTY SPEAKER: Order! I call the member for Oatley to order for the second time.

Ms JULIA FINN: Nothing has been done for them. No-one will lift a finger to do a single thing for these people. The lives of about a dozen people have been destroyed. They have been worn down and have accepted poor valuations, which means they cannot live in the same area. They cannot afford to buy back into the area that they love. It is not an affluent area. Living right next to the M4 in Granville does not make someone a rich person. They have to move a long way away to buy a home, based on the valuation provided by the Government. It is a disgrace. It is about time it ended.

Mr JOHN SIDOTI (Drummoyne) (16:04): In reply: The contribution by the member for Granville highlights exactly why the Government has moved this motion. The Government will assist those who have not been adequately dealt with. I make the point again that Labor did not call for the Russell review. This Government commissioned the review and this Government acted on it. The review recommends substantial amendments to the legislation but delves into the processes and structures of government. This is a substantial and difficult reform of which we are very proud. The improved framework will ensure that landowners can make better informed decisions about what is happening to their homes. It will also ensure that people have adequate time to negotiate with the relevant authorities and can be properly engaged throughout the process. The Government acknowledges that this is a stressful time for people.

However, the changes mean that we are again putting people, not government, at the centre of the process, which will ensure a fairer system for all. The announcement from the Government today shows a bold, reformist agenda led by a reformist Premier. He unveiled a comprehensive reform of the land acquisition process. The process stayed the same for the entire term of the last Labor Government. Today the Government announced a suite of measures including legislative, operational and administrative changes that will substantially improve the process for affected landowners. The Government is taking a considered, measured and deliberate approach to whole-of-government reform that carefully balances the needs of landowners with the requirement to build the infrastructure that our community so desperately needs.

Today is a great day for the people of New South Wales. We have introduced a package that will ensure the process of land acquisition is fairer, more transparent and more generous than ever before. At the same time, we will continue to promote the State's reputation as the infrastructure capital of Australia. These are substantive and extensive reforms. The comprehensive package that the Government announced this morning should be a political lesson to the Opposition. It is an example of what happens when a government puts aside politics and focuses on people. It is an example of what happens when a government gets the fundamentals right. It is an example of what happens when a good government undertakes difficult yet worthwhile reform. That is why this motion is a good motion.

The DEPUTY SPEAKER: The question is that the words proposed to be left out stand.

The House divided.

Ayes43
Noes31
Majority.....12

AYES

Anderson, Mr K

Aplin, Mr G

Ayres, Mr S

AYES

Barilaro, Mr J
Brookes, Mr G
Coure, Mr M (teller)
Elliott, Mr D
Goward, Ms P
Hazzard, Mr B
Johnsen, Mr M
Maguire, Mr D
Patterson, Mr C
Petinos, Ms E
Sidoti, Mr J
Stokes, Mr R
Upton, Ms G
Williams, Ms L

Berejiklian, Ms G
Conolly, Mr K
Crouch, Mr A
Evans, Mr L
Grant, Mr T
Henskens, Mr A
Kean, Mr M
Marshall, Mr A
Pavey, Ms M
Provest, Mr G
Skinner, Ms J
Taylor, Mr M
Ward, Mr G

Bromhead, Mr S (teller)
Constance, Mr A
Dominello, Mr V
Fraser, Mr A
Gulaptis, Mr C
Hodgkinson, Ms K
Lee, Dr G
Notley-Smith, Mr B
Perrottet, Mr D
Roberts, Mr A
Speakman, Mr M
Tudehope, Mr D
Williams, Mr R

NOES

Aitchison, Ms J
Catley, Ms Y
Daley, Mr M
Finn, Ms J
Harrison, Ms J
Lalich, Mr N (teller)
McDermott, Dr H
Mihailuk, Ms T
Parker, Mr J
Warren, Mr G (teller)
Zangari, Mr G

Atalla, Mr E
Chanthivong, Mr A
Dib, Mr J
Foley, Mr L
Hornery, Ms S
Leong, Ms J
McKay, Ms J
Minns, Mr C
Piper, Mr G
Washington, Ms K

Barr, Mr C
Crakanthorp, Mr T
Doyle, Ms T
Harris, Mr D
Kamper, Mr S
Lynch, Mr P
Mehan, Mr D
Park, Mr R
Smith, Ms T
Watson, Ms A

PAIRS

Baird, Mr M
Davies, Ms T
Gibbons, Ms M

Hoenig, Mr R
Robertson, Mr J
Smith, Ms K

Amendment negatived.

The DEPUTY SPEAKER: The question is that the motion as moved by the member for Drummoyne be agreed to.

The House divided.

Ayes44
Noes31
Majority..... 13

AYES

Anderson, Mr K
Barilaro, Mr J
Brookes, Mr G
Coure, Mr M (teller)
Elliott, Mr D
Goward, Ms P
Hazzard, Mr B
Johnsen, Mr M
Maguire, Mr D
Patterson, Mr C
Petinos, Ms E

Aplin, Mr G
Berejiklian, Ms G
Conolly, Mr K
Crouch, Mr A
Evans, Mr L
Grant, Mr T
Henskens, Mr A
Kean, Mr M
Marshall, Mr A
Pavey, Ms M
Provest, Mr G

Ayres, Mr S
Bromhead, Mr S (teller)
Constance, Mr A
Dominello, Mr V
Fraser, Mr A
Gulaptis, Mr C
Hodgkinson, Ms K
Lee, Dr G
Notley-Smith, Mr B
Perrottet, Mr D
Roberts, Mr A

AYES

Rowell, Mr J
Speakman, Mr M
Tudehope, Mr D
Williams, Mr R

Sidoti, Mr J
Stokes, Mr R
Upton, Ms G
Williams, Ms L

Skinner, Ms J
Taylor, Mr M
Ward, Mr G

NOES

Aitchison, Ms J
Catley, Ms Y
Daley, Mr M
Finn, Ms J
Harrison, Ms J
Lalich, Mr N (teller)
McDermott, Dr H
Mihailuk, Ms T
Parker, Mr J
Warren, Mr G (teller)
Zangari, Mr G

Atalla, Mr E
Chanthivong, Mr A
Dib, Mr J
Foley, Mr L
Hornery, Ms S
Leong, Ms J
McKay, Ms J
Minns, Mr C
Piper, Mr G
Washington, Ms K

Barr, Mr C
Crakanthorp, Mr T
Doyle, Ms T
Harris, Mr D
Kamper, Mr S
Lynch, Mr P
Mehan, Mr D
Park, Mr R
Smith, Ms T
Watson, Ms A

PAIRS

Baird, Mr M
Davies, Ms T
Gibbons, Ms M

Hoenig, Mr R
Robertson, Mr J
Smith, Ms K

Motion agreed to.

Bills

WASTE AVOIDANCE AND RESOURCE RECOVERY AMENDMENT (CONTAINER DEPOSIT SCHEME) BILL 2016

Second Reading

Debate resumed from 12 October 2016.

Mr MICHAEL DALEY (Maroubra) (16:19): On behalf of my shadow ministerial colleague in the other place, the Hon. Penny Sharpe, I lead for the Opposition in debate on the Waste Avoidance and Resource Recovery Amendment (Container Deposit Scheme) Bill 2016. I state at the outset that the Opposition supports this bill. In fact, we have called for it for a long time. However, I indicate that my colleague the shadow Minister for the Environment may move some amendments in the other place. The bill will establish a scheme under which a variety of empty eligible beverage containers such as cans and bottles between 150 millilitres and three litres can be returned to collection points for a 10¢ refund from 1 July 2017. The principal objectives of the bill are described as follows:

...to recognise the responsibility that the beverage industry shares with the community for reducing and dealing with waste generated by beverage product packaging, and establish a cost effective State-wide container deposit scheme to assist the beverage industry to discharge that responsibility and to promote the recovery, reuse and recycling of empty beverage containers.

The facts underpinning these objectives are stark. We know that each year almost 160 million beverage containers are littered across New South Wales. That represents an enormous 49 per cent of total litter volume in the State, the largest volume from a single source. In comparison with other States the annual Keep Australia Beautiful National Litter Index shows the volume of litter in New South Wales is significantly above the national average, by some 39 per cent. Labor understands the serious harm that drink container pollution inflicts upon the environment in New South Wales as well as nationally and internationally. We support the intention of this bill to address a significant portion of the litter that enters our environment and leads to serious damage to our wildlife, plants and ecosystems.

A container deposit scheme represents an opportunity to achieve reduced litter and a healthier environment while also helping to ensure more such containers are recycled and diverted away from entering our landfill system as general waste. Indeed, as the Minister noted when introducing the bill, evidence from similar

schemes around the world indicates they are highly effective at reducing beverage container litter. The incentive of a small reward for the return of empty drink containers can have a powerful impact. For example, in South Australia where a container deposit scheme has operated since 1977 the CSIRO marine debris project auditing litter on beaches and offshore waters all around Australia found in 2014 that South Australia had less plastic bottle and aluminium or steel can litter than any other State. These are the sorts of results that NSW Labor strongly endorses.

The Government has stated that the scheme introduced by this bill was designed to be similar to the longstanding scheme in South Australia and the more recent scheme in the Northern Territory. This is positive and will assist industry to transition to the new requirements and reduce the risk of cross-border arbitrage while also allowing in future for recognition of containers in jurisdictions with corresponding schemes. The scope of containers eligible under the scheme will be prescribed by regulation, but I note they are expected to largely match the existing schemes in South Australia and the Northern Territory.

I understand the containers that will not be eligible for the scheme are those generally used at home and not typically found in the litter stream, such as plain milk, wine, pure fruit juice of more than one litre and large flavoured milk containers. I note Queensland and Western Australia have indicated work is underway on introducing similar schemes, while Australian Capital Territory Labor took a commitment to introduce a container deposit scheme in that Territory to last weekend's election—an election that Labor won quite decisively, I might add.

The scheme proposed by this bill will operate by contracting a single scheme coordinator who will be responsible for the financial management, and data monitoring and reporting of the scheme, and for ensuring the scheme meets performance targets for access and convenience of container collection points and rates of container recovery. The Government has indicated it believes the performance targets will be key to the scheme's success. We are told they will create an additional set of incentives to ensure collection points are located at an adequate number of convenient and accessible places for consumers to use, and that they collect enough containers to reach recovery targets.

Underneath the scheme coordinator, numerous network operators will enter contracts to set up and run a network of container collection points in a specific region, and they will be subject to the performance and community access and convenience targets. This is important to ensure the scheme is accessible to consumers and that operators service all areas of their designated region, rather than choosing only the most highly profitable locations. The operators could build and operate these collection points themselves or they could contract for other organisations to do this such as small businesses, retailers, councils, charities and social enterprises. This could include smaller reverse vending machines or large recycling depots. Monitoring and reporting will also be crucial to the success of the scheme, especially in the early stages. It is critical the Government does not allow the scheme to falter in the start-up stage and ensures a smooth process that encourages the public to make use of the scheme from the beginning.

In terms of the costs of the scheme, beverage suppliers that bring eligible containers into New South Wales will be responsible for funding the refund and associated handling costs. The bill places the necessary obligations on container suppliers, including ensuring that correct markings appear on labelling and there is a barcode for each container. Labor is pleased to see that containers in kerbside recycling will be able to be redeemed and that the scheme will be complementary to the existing kerbside recycling system. The Minister advises that the refund amount through kerbside recycling is to be shared by agreement between the council and the recycling contractor. The Opposition will watch the implementation of this closely to ensure no obstacles to the effective operation of home recycling for residents.

I understand the Government intends for this scheme to be responsible in large part for achieving one of the 12 Premier's Priorities—namely, reducing the volume of litter in New South Wales by 40 per cent by the year 2020. As a single goal this is laudable, and it might have been impressive but for the fact that in designing his glossy brochure for his pitifully short list of 12 priorities, the Premier put the sword to the previous State plan known as NSW 2021, and that had the effect of discarding no fewer than nine measurable goals for the environment and replacing them with just one. In conclusion, I reiterate that Labor supports the bill to introduce a container deposit scheme in New South Wales. I again foreshadow that the shadow Minister may lodge amendments in the other place.

Mr JAI ROWELL (Wollondilly) (16:28): I am pleased to support the Waste Avoidance and Resource Recovery Amendment (Container Deposit Scheme) Bill 2016 and in particular the Government's structure of the scheme, which provides a cost-efficient and effective framework for delivering the scheme's environmental objectives. The New South Wales container deposit scheme will be delivered through a two-part structure: a single scheme coordinator will act as a clearing house for allocating the costs of the scheme to beverage suppliers, while multiple network operators will be responsible for scheme logistics.

Having a single scheme coordinator has several advantages. A single clearinghouse for all suppliers allows scheme costs to be equitably and efficiently distributed across suppliers of eligible beverages. Under the South Australian and Northern Territory schemes, multiple super collectors take on this clearinghouse role, allocating costs only to beverage suppliers that are contracted to them. To make this work, containers must be sorted by brand at each collection site so that costs can be allocated to the correct super collector. This adds costs to the system. A single scheme coordinator also makes it easier to allocate responsibility for achieving scheme-wide performance targets. In a multi-coordinator scheme it would be difficult, for example, to allocate responsibility for community access to multiple coordinators as each coordinator would only have partial responsibility and the amount of responsibility would vary depending on how much of the industry they represented.

This would create a disincentive to invest in a common collection network, as any effort to do so would benefit competing coordinators at no cost to them. It is little wonder that the South Australian and Northern Territory schemes do not have such performance targets. In the proposed New South Wales scheme, the intention is for the single scheme coordinator to have direct responsibility for ensuring that performance targets are achieved, particularly regarding the recovery of containers and statewide access to collection points so that the community can redeem containers. The scheme coordinator will be expected to achieve these targets by providing a financial incentive for network operators to set up and manage networks of collection points.

The proposed scheme structure is purposely designed to create a natural tension between the scheme coordinator and network operators, so that neither can pull the scheme to an extreme position. The scheme coordinator will have incentives to minimise the costs of the scheme, while being obliged to achieve the community access and container recovery targets. The network operators have a natural incentive to maximise the amount they are paid by maximising the number of containers they collect. This will encourage network operators to make sure their collection points are conveniently located.

To help reduce risks for network operators to invest in the scheme, and to encourage operators with strong regional ties to apply for these positions, the State will be split into a number of defined geographical zones across metropolitan, regional and rural areas of New South Wales. Each network operator will be appointed to operate in one or more of these zones and will be responsible for establishing and managing a network of collection points across these to achieve the access performance target set out in regulation. Network operators are likely to contract with a range of small businesses, councils, community groups and social enterprises across their regions to set up and operate individual collection points. This will be a significant opportunity for these organisations, particularly in regional and remote areas of the State where chances of employment can be limited. It is excellent to see that the proposed structure of the scheme will provide these kinds of opportunities.

Network operators will also be able to take advantage of existing facilities such as community recycling centres, where the community is already used to returning materials for recycling. Co-locating collection points at such sites is likely to increase their convenience to the community and improve recovery of both containers and the other materials they currently collect. There are clearly multiple benefits to the proposed approach. This is a welcome bill, which establishes a governance structure to provide clear responsibilities to ensure a cost-effective scheme that will deliver environmental benefits for the New South Wales community. This is one of the issues that those on this side of the House took to the election and I clearly remember the member for Camden and me advocating for it. The environment Minister at that time also visited Macquarie Square and we spoke to many people supportive of the scheme.

As a young boy I lived in South Australia for a couple of years, and it had a similar scheme—this is obviously a much better one—which was fantastic to see in operation. That is why I supported such a scheme when it was first mooted. This scheme should have been in place many years ago; this Liberal-Nationals Coalition Government has been able to achieve it. Stakeholders have been engaged and there has been nothing but positive feedback. I represent an electorate that covers 3,500 square kilometres.

Ms Katrina Hodgkinson: That is only a tiny electorate.

Mr JAI ROWELL: I note the interjection of the member for Cootamundra. It is a tiny electorate compared with hers, but my electorate is the gateway to the country. My electorate, which links the country to the city, has many beautiful and unique areas. We know only too well the effects of illegal dumping on those beautiful areas, particularly when the resources to clean it up on a regular basis are not close at hand. This legislation will provide an incentive for communities to do the right thing. I reiterate that Wollondilly is the best place in the world to visit. We have a number of national parks and a number of wonderful locations. Indeed, I encourage everyone to visit my electorate. I commend the Minister and his staff for their hard work. I commend the bill to the House.

Ms JODIE HARRISON (Charlestown) (16:34): I make a contribution to debate on the Waste Avoidance and Resource Recovery Amendment (Container Deposit Scheme) Bill 2016. The establishment of a container deposit scheme in New South Wales is much needed and long awaited. The introduction of this legislation has been a long fought community battle, supported by thousands of individuals and hundreds of community organisations that have volunteered time and energy to ensure litter and recycling is seriously addressed in New South Wales. The object of the bill is to amend the Waste Avoidance and Resource Recovery Act 2001 to:

- (a) recognise the responsibility that the beverage industry shares with the community for reducing and dealing with waste generated by beverage product packaging, and
- (b) establish a cost effective State-wide container deposit scheme (the Scheme) to assist the beverage industry to discharge that responsibility and to promote the recovery, reuse and recycling of empty beverage containers, and
- (c) confer on the Environment Protection Authority (the EPA) functions under the principal Act that are currently conferred on the Chief Executive of the Office of Environment and Heritage, and
- (d) make other minor and consequential amendments and amendments of a savings and transitional nature.

As citizens of New South Wales we are fortunate to have a coastal zone characterised by a wide range of beautiful geographical features, including ocean beaches, dunes, cliffs, estuaries, wetlands and lagoons. In the electorate of Charlestown we are lucky enough to have coast on both sides of the electorate border—Dudley and Redhead beaches on one side, and Lake Macquarie, which is Australia's largest coastal salt water lagoon, on the other side. However, too often rubbish litters our paradise. I noticed this in particular earlier this year when I participated in Clean Up Australia Day at Thomas H. Halton Park, Eleebana. The predominant litter I collected that day, along with many other volunteers at Eleebana, were empty drink containers. That was also the case across Lake Macquarie.

The New South Wales Environment Protection Authority estimates that annually 160 million beverage containers are littered across the State. Rubbish ruins the natural beauty of our marine and coastal environments and seriously threatens ecosystems. It is also expensive to remove. A 2015 survey of local government, State agencies, private land managers and community groups found that more than \$162 million a year is currently being spent on managing litter in New South Wales. That money could be much better spent on education and health. That is why a container deposit scheme in New South Wales is so important. Container deposits have long operated successfully in South Australia and in more than 40 places around the world. More than 79 per cent of all drink containers are collected in South Australia, which is well above the national average, and it has less plastic bottle and aluminium-steel can litter than any other State.

It is our responsibility as legislators to ensure that generations to come are able to use and enjoy our coast. The container deposit scheme is a step in the right direction, but more needs to be done. In December last year, Labor announced it would put forward a bill to ban single-use plastic shopping bags. Labor's Plastic Shopping Bag (Prohibition of Supply by Retailers) Bill 2016 is based on the successful ban in the Australian Capital Territory, which provides that retailers cannot provide single-use, lightweight polyurethane bags. These bags are normally disposed of after only one use, which is very similar to drink containers; 5 per cent are recycled; 20 per cent are reused as bin liners; and the majority, around 75 per cent, are sent directly to landfill. Currently drink containers also fall into this category. These lightweight bags are often blown from bins or garbage trucks during transport to landfill and from landfill areas and frequently end up in our precious waterways and, eventually, the ocean. They are a one-off convenience but have many lifetimes of impact on our environment.

Legislation addressing the devastating impact that plastic is having on our environment is crucial and long overdue. There is an increasing push across Australia for a ban on single-use plastic bags by thousands of citizens and prominent groups such as the Boomerang Alliance and Clean Up Australia. In 2015 an OmniPoll revealed that 63 per cent of Australians and 64 per cent of New South Wales residents and grocery buyers support a ban on single-use plastic bags from supermarkets and stores in New South Wales. The New South Wales towns of Kangaroo Valley, Mogo, Oyster Bay and Huskisson, on their own initiative, are now plastic bag free. Huskisson has since won the Keep New South Wales Beautiful Clean Beaches award, which demonstrates the real impact that litter prevention, management and education has on local environments.

Last year I spoke in this place on a petition to ban single-use plastic bags. I noted at the time that it requires 1.75 kilograms of oil to produce one kilogram of high-density polyethylene from which single-use plastic bags are made. With ever-depleting fossil fuels, this use of resources is clearly unsustainable. South Australia in 2009, the Australian Capital Territory and Northern Territory in 2011, and Tasmania in 2013 introduced bans on the provision of single-use, lightweight plastic shopping bags. Queensland has also announced that it will undertake consultation on introducing a ban. It is time that New South Wales followed suit.

The South Australian Government reports that since the ban there are almost 400 million fewer plastic bags every year, which has resulted in a significant reduction in the number of plastic bags in its litter stream. The Australian Capital Territory reports that a year after the ban there had been a 41 per cent decrease in plastic bags and a 31 per cent decrease in plastic material to landfill. The report also stated there was high retail compliance and high community acceptance. It is time for New South Wales to join many other countries and States and Territories within Australia and ban single-use plastic bags. If the Government is genuine in pursuing its target to reduce litter in New South Wales by 40 per cent by 2020, it should support Labor on this important bill.

In his second reading speech the Minister for the Environment said how this legislation is aimed at improving the environment. That seems disingenuous coming from a member of the Liberal Government that is responsible for shocking biodiversity law reforms—legislation that we are yet to see. More than 1,000 types of plants and animals are now facing extinction in New South Wales. The most important action that can be taken to stop this wave of extinctions is to protect the bush from being cleared. If the bush is cleared, animals and plants will die. Some species will be lost forever. If the bush is protected, those animals have a fighting chance. But the Baird Government is currently pushing to abolish the laws that protect our plants and animals. The proposed new regime is expected to scrap groundbreaking Labor legislation, including the Native Vegetation Act 2003, the Threatened Species Conservation Act 1995—

Ms Katrina Hodgkinson: Point of order: I ask that you direct the member for Charlestown to return to the leave of the bill, which is about container deposit legislation. She is wavering all over the place during debate on a serious bill.

The DEPUTY SPEAKER: Order! I uphold the point of order. Second reading debates are wideranging, but the remarks of the member for Charlestown have nothing to do with the bill before the House.

Ms JODIE HARRISON: The biodiversity laws that were introduced by the Carr Labor Government were hugely successful. They delivered a 20 per cent reduction in the clearing of remnant bushland, saved 53,000 native mammals—

The DEPUTY SPEAKER: Order! The member for Charlestown will return to the leave of the bill.

Ms JODIE HARRISON: The container deposit scheme is a step in the right direction to reduce litter in New South Wales. However, if this Government is genuine in its pursuit of rubbish reduction it must do better. The Government needs to support Labor's Plastic Shopping Bag (Prohibition of Supply by Retailers) Bill 2016 and stop dismantling the existing New South Wales biodiversity laws.

Ms KATRINA HODGKINSON (Cootamundra) (16:44): I am pleased to speak in support of the objectives of the Waste Avoidance and Resource Recovery Amendment (Container Deposit Scheme) Bill 2016, and the performance targets that are intended to ensure those objectives are achieved. More than four billion containers are used annually in New South Wales, and the NSW Environment Protection Agency estimates that around 160 million of those containers are littered in the environment each year. According to the National Litter Index, which is an annual national survey of litter, drink containers make up nearly half of the litter volume in New South Wales and nearly twice the volume of the next largest category.

As well as impacting on the look of our highways, stormwater drains, creeks, rivers and parks, litter damages our natural environment and harms domestic animals, marine life and wildlife that ingest it. Litter represents a loss of easily recyclable and valuable resources, and managing litter costs local government, State agencies, land managers and community groups more than \$180 million every year. The introduction of this bill is a major step towards meeting the Premier's priority goal to reduce the volume of litter in New South Wales by 40 per cent by 2020. The scheme is the single largest initiative ever undertaken to reduce litter in New South Wales.

By establishing an incentive for the return of empty drink containers, container deposit schemes may encourage consumers to hold on to containers and return them for a refund, or the value of the refund may provide an incentive for consumers to clean up beverage container litter. In either case, litter will be reduced. We know that container deposit schemes can work to deliver environmental benefits. Such schemes operate in more than 40 jurisdictions, including in South Australia and the Northern Territory, and evidence from around the world demonstrates that these schemes are effective in reducing litter in both the short and the long term. South Australia has the longest-running container deposit scheme in Australia and has less plastic bottle and aluminium can litter than any State or Territory. New York reduced beverage container litter by more than 70 per cent within one year following the introduction of its container deposit scheme.

To ensure that the New South Wales container deposit scheme achieves its environmental objectives, the amendment enables performance targets to be specified in regulation. It is intended that performance targets will include minimum requirements for statewide coverage by scheme collection points in metropolitan, regional and

rural areas to ensure that anyone who wishes to return a container has reasonable access to a collection point. Accessibility can include several aspects—for example, requiring that there is a collection point within a reasonable distance and that it is open at times of the day when most people can get to it. Coverage targets will be sufficiently flexible to allow for different types of collection infrastructure. This may range from large-scale depots to reverse vending machines and mobile pop-up sites. The mix of different types of collection systems will cater to the diversity of local circumstances and needs across New South Wales.

Allowing a range of collection points enables the scheme to leverage off existing infrastructure, such as community recycling centres, which are opening up throughout local government areas in regional New South Wales. It also provides opportunities for community groups and social enterprises to take part in the scheme as a fundraising activity, as currently occurs in South Australia. This used to occur in New South Wales. Growing up in Yass, I remember the Alcoa cash for cans scheme and seeing students running around, grabbing cans and cashing them in. It is great that that could happen again. Retailers that become a scheme collection point can also receive a handling fee incentive for every container recovered, and they may see other benefits such as increasing foot traffic.

In addition to coverage targets it is intended that the regulation will also provide for a minimum recovery rate, set as a proportion of the total eligible containers sold in New South Wales in a year. This recovery rate target will complement coverage requirements by ensuring that collection infrastructure is sufficiently convenient for the community to be able to redeem containers. The New South Wales Government is consulting with a range of stakeholders to ensure that the specific metrics for each of the targets achieves these outcomes. I am sure that Scout groups and others will be looking forward to the legislation being passed and the container deposit scheme becoming a reality.

Former Mayor Jim Slattery of Cootamundra Shire wrote to me about the container deposit scheme, seeking support for the introduction of an efficient and low-cost container deposit scheme to lift recycling rates of glass, plastic and metal beverage containers. Jim stated that a well-structured container deposit scheme should involve no extra consumer cost above the deposit, which could be redeemable for those who wish to do so. It would also help to protect wildlife, particularly those animals that ingest plastic pollution discarded on the roadside and in our stormwater systems. It is wonderful that Minister Speakman has done the work to get behind this container deposit scheme and that the New South Wales Coalition Government is putting forward this legislation for the benefit of all residents in this State. This welcome bill will reduce litter in New South Wales and deliver environmental improvements that will benefit the entire community. I am very pleased to support the bill.

Mr TIM CRAKANTHROP (Newcastle) (16:51): I speak in debate on the Waste Avoidance and Resource Recovery Amendment (Container Deposit Scheme) Bill 2016. I understand the need to establish a container deposit scheme in New South Wales that will allow people to receive a refund when they deliver an eligible beverage container to a collection point for recycling. I am certain that the city of Newcastle will embrace this scheme as it is very environmentally focused. I have been working with the shadow Minister for the Environment, Penny Sharpe, on a range of issues pertaining to the environment this year. This bill is one of the concerns that I have raised.

In March I was happy to finally trial a version of a reverse vending machine at Parliament. I filmed it and got it out to my constituents. The community had told me that they wanted a New South Wales container deposit scheme and I saw the trial reverse vending machine as a way of cleaning up litter and increasing recycling rates. This bill will establish a scheme under which a variety of eligible beverage containers such as cans and bottles of between 150 millilitres and three litres can be returned to collection points for a 10¢ refund from 1 July 2017. Containers not eligible for the scheme are those generally consumed at home and not typically found in the litter stream, such as plain milk, wine, pure fruit juice of more than one litre and large flavoured milk containers.

It is the intention of the scheme that many of the almost 160 million beverage containers littered across New South Wales each year will no longer pollute and harm the environment. Evidence from similar schemes around the world indicates that they are highly effective in reducing beverage container litter. The scheme will operate by appointing a single scheme coordinator who will be responsible for the financial management of the scheme and for ensuring that the scheme meets performance targets for access and convenience of container collection points and rates of container recovery.

Network operators will enter into contracts to set up and run a network of container collection points in a specific region. They can build and operate these collection points themselves or contract for other organisations to do this, such as small businesses, retailers, councils, charities and social enterprises. This could include small reverse vending machines or larger recycling depots. Containers in kerbside recycling will be able to be redeemed, with the refund amount shared by agreement between the council and the recycling contractor. This may result in lower waste management charges or more services for council ratepayers.

Beverage suppliers—manufacturers, importers, wholesalers or retailers—that bring eligible containers into New South Wales will be responsible for paying the refund and associated handling costs. It is envisaged that the performance targets will be key to the scheme's success. In combination with the financial reward for best practice in what is essentially a new market, it is expected to create powerful incentives. The scheme will be similar to the longstanding scheme in South Australia and the scheme introduced recently in the Northern Territory. It will assist industry and reduce the risk of cross-border arbitrage, while allowing for recognition of containers in jurisdictions with corresponding schemes in future. Queensland and Western Australia have indicated that work is underway to introduce similar schemes.

I welcome the news that the New South Wales container deposit scheme will be adopted, but the next step that needs to be taken is to remove the 61 million plastic bags from our waterways by backing NSW Labor's proposed legislation to ban plastic bags. In January this year we assisted in cleaning up the Throsby Creek mangroves and called on the Government to adopt Labor's proposed ban on single-use plastic bags and to bring forward the start of this promised container deposit scheme. This ban on plastics is important to the people of Newcastle as locals call the Throsby Creek mangroves the "Hunter River filtration system". Every year significant amounts of plastic are removed from those mangroves—comprised mostly of plastic bags and plastic drinking containers.

In many cases, plastic bags enter the environment through stormwater runoff. Following two extreme weather events in the past 18 months and with our array of wetlands, beaches and rivers, Newcastle is desperate to reduce the number of plastic bags in our waterways. More than 70 per cent of the rubbish entering our oceans is plastic. Once in the ocean, plastic begins to break down. It is estimated that more than 100,000 pieces of plastic float in every square kilometre of ocean. Plastic kills up to one million sea birds, 100,000 sea mammals and countless fish each year.

We also specified that we would prefer the container deposit scheme to be modelled on the successful South Australian system, which has been operating for some time. These actions will reduce waste and landfill and help minimise other negative environmental impacts of plastic bags, including injuries to our marine life. As I said, I welcome the news that the New South Wales container deposit scheme will be adopted, but the next step that needs to be taken is to remove 61 million plastic bags from our waterways by backing New South Wales Labor's proposed legislation to ban plastic bags. Let us tackle these two environmental bills this year. I support the bill and ask that members do the same for the bill to ban plastic bags.

Ms ELENi PETINOS (Miranda) (16:57): I speak in support of the Waste Avoidance and Resource Recovery Amendment (Container Deposit Scheme) Bill 2016. This is a very important initiative that will deliver environmental dividends in my electorate and across New South Wales. The regular and indiscriminate disposal of containers is a scourge within our waterways and local habitats and across our public domain. This is a long-awaited and welcome reform initiative culminating in many years of strong advocacy from the community and stakeholders for a concerted response to reducing litter even further. The bill serves to honour our election commitment to the people of New South Wales. We made our pledge at the last election and now we are delivering.

I take this opportunity to acknowledge the diligence and commitment of my colleague the Minister for the Environment, Minister for Heritage, and Assistant Minister for Planning in taking a comprehensive, thoughtful and innovative approach to the implementation of an environmental initiative that serves as a game changer in litter management. This bill takes an important approach to reducing litter and improving our environment across New South Wales. For the first time within the most populous State of the Commonwealth, New South Wales will have a container deposit scheme under which people will receive a 10¢ refund for delivering an empty beverage container to an approved collection point.

Sensibly, the Government has chosen to adopt a refund amount and a scope of containers that largely match the existing and proven schemes in South Australia and the Northern Territory. This will lead to greater continuity and consistency between jurisdictions and amongst industry and suppliers. This bill is a significant attempt to achieve the Premier's goal of reducing litter volume by 40 per cent by 2020. The challenge is great but the time to ignore the sheer volume of discarded containers is no longer acceptable nor best practice. Previous independent reviews of container deposit schemes have highlighted that it is plausible to achieve recovery rates of more than 90 per cent for aluminium, glass and plastics, and that such schemes are the most effective in achieving high return rates.

Furthermore, studies have demonstrated that effective container deposit schemes produce significant economic benefits together with positive externalities associated with improvements to our environment. The reality is that across New South Wales the overall recycling performance is compromised by reliance on kerbside collection that does not tackle other waste issues. It is gratifying to note that a Coalition Government will establish a refund container deposit scheme. Quite often the narrative in relation to environmental challenges is skewed by

aspirational notions of intent. This Government focuses on practical and sensible solutions through harmonising the expertise of sincere community groups who genuinely care about the environment and seek to forge a partnership aimed at making a real difference. The evidence from Australia and overseas is that the reduction in beverage container litter is effective where container deposit schemes exist. The trigger for its effectiveness stems from incentivising people to return empty containers for reimbursement rather than discarding them into the environment as litter. In addition, other people are encouraged to collect discarded containers to access the refund scheme.

The statistics in relation to litter and the degradation of our environment are truly alarming. I note the observations made by the Minister during his second reading. He stated that beverage containers make up the largest proportion of litter volume in New South Wales. Interestingly, in 2014-15 beverage containers made up 44 per cent of the volume of litter in New South Wales and in proportional terms beverage container volume across overall litter categories was increasing. Today, drink containers represent 49 per cent of the total volume of litter in New South Wales. According to the NSW Environment Protection Authority this represents a staggering estimate of 160 million beverage containers being discarded across the State every year. Apart from the environmental harm, everyone pays through the clean-up costs associated with beverage container litter.

The bill will amend the Waste Avoidance and Resource Recovery Act 2001 by inserting a new part 5 into the Act that will provide a power for the Minister to set performance and accessibility targets for the scheme. The bill will provide a power for the Minister for the Environment to appoint and enter into a contract with a scheme coordinator and with network operators who will establish collection points in their particular area. Additionally, the bill will prohibit beverage suppliers from accessing New South Wales unless their containers are approved by the Environment Protection Authority, the container has the required refund marking and the supplier has entered into a supply arrangement with the scheme coordinator. The Government will also establish reporting requirements for participants and provide for greater transparency about the performance of the scheme through the introduction of audits.

I take this opportunity to commend the many volunteers, council staff, schools and community groups across my electorate who tirelessly dedicate themselves to reducing litter on dedicated clean-up days throughout the year. This bill will reward them for their efforts in addition to achieving the tremendous satisfaction of preserving our local amenity and protecting the environment. This important amendment bill is a significant environmental milestone in our history. A framework establishing obligations on beverage suppliers together with enforcement measures that protect the integrity of the scheme will reduce the volume of litter across New South Wales. The container deposit scheme will commence from 1 July 2017 and is an ambitious but laudable objective. The aim of the Government is clear. It honours its election commitments, it sincerely cares about the environment, it seeks to reward effort and responsibility, and it is genuinely committed to reducing the volume of litter in New South Wales by 40 per cent by 2020. I commend the bill to the House.

Ms JULIA FINN (Granville) (17:03): The Waste Avoidance and Resource Recovery Amendment (Container Deposit Scheme) Bill 2016 is a good initiative and is long overdue. It means that anyone returning an empty eligible beverage container to an approved New South Wales collection depot or reverse vending machine will be eligible for a 10¢ refund. A network of depots and reverse vending machines will open across New South Wales to receive the empty containers. Where those machines will be located and who will be responsible for them is still to be negotiated. Containers constitute 49 per cent of the litter volume in this State, which is almost 160 million containers. This is shocking given that there is widespread recycling throughout New South Wales.

Kerbside recycling has been successful but people limit their recycling efforts to the home. When they leave the home they seem to care little about where their litter ends up. On Clean Up Australia Day this year I joined the Merrylands Scouts in cleaning the McFarlane Street car park. A huge volume of the garbage in the car park was food and beverage containers and cigarette butts. There was a large selection of cat food trays as somebody feeds stray cats in the car park, which is quite disgusting. At least half the garbage we picked up in the car park was drink containers. South Australia introduced its container deposit legislation in 1977, and it is embarrassing that New South Wales is decades behind that State. In 2012 the Northern Territory was the second Australian jurisdiction to introduce cash for containers.

In 2015-16 Environment Protection Authority [EPA] South Australia collection depots recycled 382 million containers, or 43,165 tonnes of containers. There was a refund of \$58 million to the community during that period. In 2014-15 the Northern Territory EPA reported that 83 million containers were redeemed at collection depots. That is approximately \$8.3 million paid out to Territorians. In 2014-15 there were 17 million more containers redeemed than in 2013-14, representing a 25 per cent increase. It started from zero in 2012. That is important to consider when introducing this bill. This is a bigger State and it can achieve higher rates of recycling through the introduction of the container deposit scheme.

I represent an electorate where concern about littering is high. When I ask the community what issues concern them, littering closely follows schools, hospitals and policing. It is of particular concern in the Merrylands central business district and the council has addressed the problem through new strategies. This legislation will have a huge impact on the amount of litter discarded in the centre of Merrylands. There are some issues with the bill. It raised some concerns with groups who contributed to its content. The proposed scheme fails to incorporate some key elements of container schemes that currently exist worldwide. The scheme may not be as convenient for the public to use as it should be or reach remote and rural areas.

It will not impose retail obligations to educate and inform the public about redemption. It may not provide strong enough incentives for people to recycle their containers. I hope it will and that those issues will be overcome. It is not necessary to address them immediately but the scheme must be implemented quickly. The Government could have chosen to deal with the priority issues identified by the Boomerang Alliance but it has not done so. The scheme must be implemented in a timely manner. At the same time, the Government should take on board Labor's proposal to ban plastic bags, which are a huge problem for the environment. Plastic bags were almost as prevalent as discarded drink containers on Clean Up Australia Day. They are a huge problem in bushland and for marine animals, and their volume must be controlled.

While the bill is long overdue—and the Government should be proud of it—compared with the biodiversity legislation, it could be viewed as a green wash. It is a great step, but once New South Wales has been laser levelled the number of drink containers left lying around the place will not make much of a difference. This legislation could be much better. The Government is using it to claim some environmental credibility while at the same time ripping to shreds other important environmental legislation. NSW Labor is very proud of its history on environmental protection. The Native Vegetation Act 2003 and the Threatened Species Conservation Act 1995, which this Government is about to destroy, have been vital to protecting the environment and wildlife of New South Wales. Evidence shows that since those laws were implemented broadscale land clearing has dropped from 80,000 to 1,000 hectares per year, an 80 per cent reduction. That will be affected if the legislation is thrown out.

Mr Ray Williams: Point of order: I am loath to interrupt the member for Granville.

Ms Jo Haylen: It has not stopped you.

Mr Ray Williams: That is right; it has not. I thank the member for Summer Hill for the rude interjection. I will remember to offer her the same courtesy when she is speaking. My point of order is that the member for Granville has strayed from the leave of the bill and is now debating different legislation. I ask that she be brought back to the leave of the bill.

The ASSISTANT SPEAKER: Order! I point out to Opposition members that they are required to speak to the leave of the bill. I direct the member for Granville back to the leave of the bill.

Ms JULIA FINN: We should look at the environment in its entirety. If the Government is serious about protecting the environment and removing environmental pollutants it also needs to ensure that there is an environment left to protect. That is why I am concerned about the effect that land-clearing legislation will have. If there are fewer drink containers in the remaining bushland then that is a slightly better outcome than destroying all the bushland. This legislation is long overdue. We are decades behind South Australia. This legislation is important, but it is a very small matter compared with the protection of biodiversity in this State.

Mr BRUCE NOTLEY-SMITH (Coogee) (17:11): I make a brief contribution to debate on the Waste Avoidance and Resource Recovery Amendment (Container Deposit Scheme) Bill 2016. When I first began to advocate for a container deposit scheme, back in the days when I was a local councillor, I never imagined that I would be here in this place, at this table, speaking in debate on a bill for the introduction of such a scheme. This is a historic moment. While Opposition members are trying to rain on the parade, I know that they are supportive of a container deposit scheme. Like me, they want to see a successful scheme, a scheme that places responsibility for the disposal of containers right where it should be, and that is with the beverage industry, the retailers and us, the consumers. It is not somebody else's problem. We all need to take responsibility for this.

These containers are not waste; they are a resource. It is a travesty that they go to landfill. For too long they have littered beaches, parks and streams across the country. Ultimately, so many have ended up as litter or in landfill. That is unacceptable. The former member for Murray-Darling, John Williams, was a strong advocate for this scheme. He is a member of The Nationals. He said that when he crossed the border out of his electorate—which covered one-third of New South Wales—and drove into South Australia he could see that suddenly on the side of the road there were no cans and bottles. That is the proof that container recycling schemes work. We know that they work in South Australia, the Northern Territory and Europe. This scheme has been a long time coming.

We had a scheme like this when I was a child. We returned bottles and got the deposit back. The community and the Government saw them as a valuable resource, not something to be tossed away, as we do with so many things in today's society. Very few people in this House object to this scheme. It is so sensible. Schemes such as this have been operating successfully in other parts of the world and one used to operate in New South Wales. Those of us who are old enough to remember it have been waiting for the scheme to return. It is great policy. Everybody I talk to says, "What a great policy. What a great idea. Bring it on." I thank the Premier, Mike Baird, for launching the policy. The Government introduced the idea for the scheme in my electorate of Coogee in February last year and took it to the last election. I praise Minister Speakman for the tremendous amount of work he has put in to bring this bill to the House. I also commend his predecessor as Minister for the Environment, Rob Stokes, for championing the scheme.

I thank my colleagues the member for Oatley, the member for Heathcote, the member for Holsworthy, former member John Williams and many others who have seen what a sensible policy this is. We are making a sensible move that will have a long-lasting impact not only on our environment but also on how we think about and dispose of the things that we consume and possess. Hopefully, the scheme will make people more considerate and thoughtful about how they dispose of not only drink containers but also any litter, waste or household goods. We should recycle as much as we possibly can. I recognise that some people have questioned the scheme. This is a pioneering scheme in many ways. When South Australia introduced the scheme it did not have kerbside recycling, which exists in the metropolitan areas of New South Wales. South Australia started from a very different base. We have to make sure that kerbside recycling continues. We have to ensure that it is still viable for local government and collectors to provide that service so that those who wish to can use it.

We must also ensure that everybody in this State has access to a recycling facility where they can cash in their containers. In more remote areas recycling facilities will be in centres where people would normally go to do their shopping. The scheme is not only a boon for the environment; so many community groups are champing at the bit to get their hands on some of the spoils that collecting containers can bring. I have already discussed this with local surf lifesaving clubs and local Scout troops. They are keen to see the scheme introduced so that they can make some money from it by putting effort in at weekends. This is a very happy day for me. This is fantastic legislation. I commend the bill to the House.

Ms TAMARA SMITH (Ballina) (17:19): The Waste Avoidance and Resource Recovery Amendment (Container Deposit Scheme) Bill 2016 implements the Government's announcement to enact a container deposit scheme [CDS] in New South Wales by 1 July 2017. The CDS is a deposit refund scheme that provides for the payment of refund amounts—10¢ in this case—to people who deposit an empty beverage container at a collection point. An effective CDS is based on an extended producer responsibility approach which places the responsibility of waste management on the producer of the waste. The ultimate goal is to move further up the waste hierarchy of avoid, reduce, reuse, recycle and dispose. The Greens NSW have been strong supporters of a CDS, with The Greens bill that is currently before the Parliament. There are concerns about some of the details in the bill and amendments will be moved in the Legislative Council. We commend the Minister and the Premier for this wonderful legislation.

The bill provides for the establishment of a single scheme coordinator and network operators across the State with responsibility for the administration of the scheme. The coordinator enters into agreements with beverage companies, known as suppliers, requiring them to pay contributions towards cost, management and administration of the CDS. This includes payments of the deposit plus enough to cover handling fees to network operators. The coordinator operates as a clearing house, ensuring the transfer of money from the waste producers, the beverage companies, to the network operator and ultimately the individuals redeeming the deposit. As the member for Coogee said earlier, in South Australia the Scouts are making more than \$1 million a year under such a scheme, which is exciting for many groups and charities reliant on donations.

The scheme coordinator enters into agreements with network operators requiring them to meet performance targets for a certain region to encourage them to manage the establishment, administration and operation of collection points. These may be manual depots, or reverse vending machines. I have used a reverse vending machine and I know that they will be great. The scheme coordinator pays the deposit, plus handling fees, to the network operators. Containers that go through the kerbside system are able to be redeemed. Whilst the deposit will accrue to the material recovery facility operation, the Government will require local councils to negotiate with it to share income from deposits. This must be reinvested to reduce waste charges or to increase services.

A supplier—a bottling company—must not supply beverage containers to any person unless it has a supply arrangement with the scheme coordinator. There are also penalties for supplying a beverage container without a refund marking. All New South Wales beverage containers between 150 millilitres and three litres in volume will be eligible for a refund, with some exceptions such as pure fruit or vegetable juice containers of

one litre or more, glass containers for wine and spirits, casks—plastic bladders in boxes—for wine and casks for water one litre or more, and sachets for wine 250 millilitres or more. These exceptions are similar to the exceptions in the South Australian and Northern Territorian container deposit schemes.

Importantly, the objects of the bill which are strong relate to the responsibility that the beverage industry has in dealing with its waste. It extends producer responsibility as well as corporate social responsibility and promotes the recovery, reuse and recycling of empty beverage containers. It is an extremely important environmental initiative and, as we have heard, it is the cornerstone of Premier Baird's priority to reduce litter by 40 per cent by eliminating almost all beverage container litter entering the environment, including plastic bottles polluting our waterways. The Greens hope that this scheme will be able to deliver that and more. The introduction of a CDS in New South Wales has been a long fought for community battle supported by more than 500,000 individuals and hundreds of community volunteers and community environmental groups.

The Greens have concerns about the long-term future of the scheme but the amendments that I foreshadowed earlier will seek to address the following concerns. Large retailers are not required to be involved in the scheme at all despite them being normally the most convenient place to return empty containers. The scheme coordinator must bear the financial risk for the scheme and not the beverage companies. The scheme coordinator must not be prohibited from operating as a network operator to maintain the independence and integrity of the scheme. The Greens would like to see that conflict of interest removed. There is no requirement for advisory committees to have environmental expertise, which is important. There is no requirement for retailers to advertise the scheme or to provide information about the nearest collection point. There is also a need for more regular reporting rather than just annual reporting, which is a long time if something is not working. Councils are already overburdened by kerbside waste recovery. We believe that the onus should be on retailers to advertise and to provide that information.

A tried and tested approach to deliver a high-performing and cost-effective container deposit scheme is to place obligations on beverage retailers to ensure there are collection points in every shopping centre. Schemes around the world that have clear retailer obligations to ensure collection coverage are highly successful with close to a 90 per cent return rate, whereas schemes that rely on a market-driven approach have experienced problems and have a much lower rate of return of a little more than 60 per cent. We commend the Minister and the Government for introducing this important legislation. I hope that The Greens amendments are taken on board in the Legislative Council as they reflect the concerns of environmental groups. We also commend the Boomerang Alliance for its dedicated pursuit of this legislation. We look forward in the very near future to legislation banning single-use plastic bags, which we hope will receive bipartisan support.

Mr ADAM CROUCH (Terrigal) (17:26): I am pleased to join my colleagues representing the electorates of Wollondilly, Cootamundra, Miranda and Coogee and Opposition members in supporting the Waste Avoidance and Resource Recovery Amendment (Container Deposit Scheme) Bill 2016. The member for Newtown, who is in the Chamber, is a former Adelaide girl and I am a former Adelaide boy. I have no doubt that she will mention how proud she is that Adelaide and South Australia have been doing this for years

Ms Jenny Leong: They have been doing it for years.

Mr ADAM CROUCH: I remember as a child collecting cans with my Scout group. It was a fantastic way to raise money for local community groups, such as surf lifesaving clubs, Cub Scouts, et cetera. I am thrilled that New South Wales will be joining South Australia with its can collecting system. Community groups such as surf lifesaving clubs, Marine Rescue, or whatever it might be, can now raise funds in this way. The Central Coast community is clearly in support of reducing the amount of waste both on our streets and in our local waterways. Volunteer groups all over the Central Coast spend time at the weekend collecting tonnes of waste, most of which are plastic containers from our waterways. Hopefully this bill will have a positive impact on reducing that kind of waste. As the member for Coogee said earlier, many groups are champing at the bit to receive funds in this way.

In 2015 I had the pleasure of joining the former Minister for the Environment, Mr Rob Stokes, when he announced this scheme, for which I give him credit. I commend the Minister for the Environment Mr Mark Speakman for introducing this bill which will establish the container deposit scheme. As I said earlier, a key initiative of this Government is to reduce litter. When the scheme commences anyone will be able to exchange eligible used beverage containers for 10¢ at the collection points that have been established. I have had the pleasure of trialling one of those machines. They are extremely easy to use. If a parliamentarian can use one, anybody can.

A main issue of concern raised in the consultation process on the bill was how the scheme will interact with the existing kerbside recycling services provided by councils to residents. Again, I must highlight the great work of the Central Coast Council and its kerbside recycling services. Everybody on the coast makes sure they separate their recyclables, especially on Tuesday which is bin night for us. Currently many used beverage containers are placed in kerbside recycling bins. The mixed recyclable material in the bins is collected and sent to

a material recovery facility to be sorted and processed for recycling. Most councils contract with a collector or a material recovery facility operator to provide both the collection and processing services. I heard the member for Tweed say that they have a similar service in the Tweed. It is great that councils take responsibility for that sort of kerbside waste.

When the scheme is in operation the refund incentive will mean some residents will choose to take their used beverage containers to a collection point to claim the refund instead of recycling the containers through the kerbside recycling bin. The Government recognises that the kerbside recycling system is an efficient and effective method of recycling containers for beverages consumed at home. Therefore, the bill provides a number of measures to minimise the potential impacts of the scheme on kerbside recycling. These measures facilitate claims by material recovery facilities for refunds on eligible containers that are put in kerbside recycling bins by enabling strong incentives to be put in place for the refunds to be shared between the material recovery facility operators and councils. In effect, the measures will ensure that residents may still obtain some benefit from the scheme even if they recycle their container in kerbside recycling.

Nothing prevents the operator of a material recovery facility from claiming the 10¢ refund on beverage containers that are processed at its facility at a collection point. However, to do so the operator would need to extract the eligible containers from the mixed recycling material received at its facility and then claim the refund on the extracted containers at the collection point. Such extraction of containers would likely require the operator to incur substantial cost—for example, to pay for additional staff for the refitting of their facilities. For large automated facilities extraction may not be feasible without major modifications.

To make it easier for the refund to be claimed on eligible containers processed at the material recovery facility the bill will in addition allow the operator of the facility to claim the refund for such containers based on an accurate estimate directly from the scheme coordinator rather than having to pick them out and take them to the collection point for redemption. This will be done using a protocol developed and published by the Environment Protection Authority [EPA]. The protocol will likely involve the use of an audit or monitoring program to estimate the number of eligible containers received, processed or dispatched by the operator. The amount of refunds payable will be determined based on the estimated number. The protocol will be developed by the EPA in consultation with recyclers and local government. The process and requirements for making, assessing and paying out claims will be set out in greater detail in the scheme coordinator agreement and the regulations.

The bill will also enable the regulations to limit the circumstances in which a material recovery facility operator can make a claim under the protocol. It is intended that the regulations will require material recovery facility operators to negotiate an agreement with councils they service within 12 months after the commencement of the scheme to share the refunds paid on eligible containers. If the EPA is not satisfied that such an agreement has been made the operators will no longer be able to claim the refund using that protocol. It is expected that such a requirement will provide a strong incentive for material recovery facility operators to negotiate such an agreement so they can retain the ability to claim the refund using the protocol.

It is also expected that councils will be obliged to pass back their negotiated share of the refunds to residents in the form of a reduced waste management service charge or the provision of increased waste management services. This means residents may benefit directly from the scheme even if they recycle their containers through their kerbside recycling system. I am confident that the measures enabled and supported by the bill will ensure that the scheme complements existing kerbside recycling services. National Clean Up Australia Day was held on 6 March. On that day literally thousands of people ranging from schoolkids to the elderly turned out on the Central Coast to ensure we keep our beautiful coast as pristine as possible.

Mr Geoff Provest: Hear, hear! Good point.

Mr ADAM CROUCH: As people would do in the Tweed. People all over New South Wales should be extremely proud. On 6 March this year 246,809 volunteers turned out for Clean Up Australia Day, which is far and away a larger number of volunteers than in any other State.

Mr Geoff Provest: Where did you clean up?

Mr ADAM CROUCH: I had the great pleasure of attending at Terrigal Beach and also Avoca to assist those local groups. I am looking forward to next year's Clean Up Australia Day. As I said, the people of New South Wales should be very proud. Of the 682,245 volunteers across the country more than 246,000 were from New South Wales. That shows that we are happy to take the lead in caring about our environment. This container deposit scheme represents an exciting time for New South Wales. The machines are incredibly user friendly. I look forward to them being rolled out, especially on the Central Coast where one of the first announcements was made prior to the election in March 2015. They were welcomed en masse by the local people, who have already

made a concerted effort to clean up waste on the Central Coast. This is an excellent bill and the amendments take into account the feedback the Minister was given. I commend the bill to the House.

Ms JO HAYLEN (Summer Hill) (17:35): The Waste Avoidance and Resource Recovery Amendment (Container Deposit Scheme) Bill 2016 will legislate for the implementation of a container deposit scheme, diverting more than 160 million plastic bottles from our beaches, streets, parks and waterways. As the member for Coogee and others have pointed out, it will also provide a fundraising opportunity for countless community clubs and organisations that will receive the benefit of the deposit for every returned bottle. That is very good news.

For too long we have sacrificed our environment for a culture of convenience. Our natural environment must be respected and cherished but instead we have let plastic pollution clog our waterways, pile up in the bush and, most worryingly of all, accumulate in our oceans. Researchers estimate that plastic makes up a staggering 90 per cent of the garbage floating in our oceans. Now each of our oceans hosts its own garbage patch. Those patches are toxic soups of plastic bags, bottle caps, microbeads and all kinds of plastics in various stages of degradation. Floating at the surface, the plastics are slowly broken down into smaller and smaller pieces by the sun but the plastic polymers can never be broken down entirely. They are ingested by fish and aquatic life, birds and ocean mammals. Plastic kills our wildlife.

We have all seen the gruesome images of birds decomposing on beaches, their stomachs full of plastic. We have seen the images of seals, dolphins, sharks and turtles with plastic coiled around their bodies or necks. We have seen the photos of majestic whales killed after ingesting mounds and mounds of plastic. We must act now to preserve and protect our oceans and to reduce the scourge of plastic pollution. This bill is a welcome first step and I am proud to support it. A cash for containers scheme will reduce the 160 million plastic bottles that are littered on our beaches, parks, rivers and waterways across our country. It will divert the 21,000 bottles and cans littered or sent to landfill each year. It will save the lives of birds, mammals and fish. It will make New South Wales a more clean and beautiful place to live.

This bill represents the culmination of a long and passionate community campaign, supported by more than 500,000 individuals and many community organisations. It is a powerful victory for environmental activists such as Jeff Angel and the Boomerang Alliance who have been working towards this day for 13 years. It is testament to the power of a simple idea with a powerful impact. A container deposit scheme has been long advocated all across Australia and often in the face of stiff opposition from drinks manufacturers. I am lucky to represent a community that is passionate about our environment. The inner west boasts local organisations like the Mudcrabs, the Cooks River Valley Association, the Tempe Birdos, Reverse Garbage and the Bower Reuse and Repair Centre.

I am proud that local environmentalists like Peter Munro and Jeff Angel live in the inner west. They have played a very big part in the delivery of this legislation. Indeed, they spent countless weekends speaking to residents about the benefits of a container deposit scheme. Proponents of the scheme have lobbied parliamentarians, and have even taken their fight to the Federal Court. For too long, their calls have fallen on deaf ears. I congratulate activists on winning bipartisan support for the scheme. I also congratulate the Government on taking the bold step of getting this done. This is a momentous step, but we have to make sure we get it right. Labor reserves the right to move some amendments in the other place.

I note the concern expressed by the Boomerang Alliance that the proposed scheme falls short of some community expectations, particularly regular reporting. We must make sure the scheme remains on track towards achieving the stated goal of eliminating 40 per cent of beverage container litter. Other concerns have been raised about delivering convenience to every New South Wales resident. Everyone needs to be able to easily participate in the scheme. We want to make sure that every community has convenient access to a reverse vending machine or a depot for the collection of these cans and bottles. We must eliminate the potential for recycling blackspots across the State. For example, we want to avoid the pitfalls experienced in the Northern Territory scheme—only three collection points have been established in Darwin and it is now four years since the scheme commenced. As I said, Labor reserves the right to move some amendments to ensure that we do in fact deliver the world's best practice as promised by the Premier.

We must also work together to guarantee that this is the first step, not the last step, in reducing plastic pollution. We now must also move towards legislating to ban single-use plastic bags. Each year Australians use up to five billion plastic bags, and more than 61 million of them end up littered across New South Wales alone. In my electorate we see the bottles floating along and plastic bags filtering into the system, chocking up drains and clogging up the Cooks River. Volunteers work tirelessly to clear them but the tide is too strong, and unless we act now our rivers, beaches and bushland will also be lost to plastic pollution. We will continue to lose more than one million seabirds to plastic each year, as well as 100,000 sea mammals and countless fish. It is time to act. I ask Minister Speakman to raise this issue with his counterparts at the Commonwealth environment

conference on 25 November. He needs to show leadership. Minister Speakman should act boldly and seek an agreement to ban single-use plastic bags.

Today is a good day for our environment, but there is much more to do. If we want to act meaningfully to be good custodians of our planet, we cannot continue to sacrifice our environment to a culture of convenience. We cannot afford to let plastic destroy our beaches, bushland, rivers and oceans. I also remind this Government that we cannot destroy the precious habitat of native wildlife by pursuing disastrous biodiversity and land-clearing laws. We cannot destroy urban heritage like the remnant forest at Wolli Creek or the trees on Anzac Parade. We cannot turn a blind eye when Ausgrid decimates trees across our suburbs. We cannot adopt old technology and pump untreated sewage into Sydney Harbour. Protesters should not be jailed for standing up against coal seam mining, and we definitely should not turn a blind eye to the cliff-edge that is global warming. Our world is plagued by complex and significant problems, but I thank the Government for introducing this bill. This small step will have a huge impact. I also congratulate the environmental activists who have brought us here. Their persistence, passion and care for our planet has made a difference. I proudly support them and I support this bill.

Mr MARK COURE (Oatley) (17:43): I am pleased to speak in support of the Waste Avoidance and Resource Recovery Amendment (Container Deposit Scheme) Bill 2016. I have spoken about this issue in this place on probably three occasions, in motions and in private members' statements. The litter reduction and recycling opportunities this scheme will provide for communities throughout New South Wales are overdue. The bill aims to provide accessible and convenient collection points right across the State. This key statewide coverage objective recognises that beverage container litter is a universal issue that affects communities in New South Wales. Litter is found at all types of locations, from beaches and parks—for example, Carss Park and Oatley and Olds parks in my electorate—to industrial sites and along highways such as the M5. Research consistently shows that litter is perceived to be "extremely" or "very" important to most people in New South Wales, and that degree of community concern is similar across metropolitan, regional and rural areas.

To ensure that the Government's accessibility and convenience objectives are achieved, this bill will provide for the setting of performance targets in the underpinning regulation. It is intended that these targets will set minimum requirements for statewide accessibility to the scheme, including specific targets for metropolitan, regional and rural New South Wales. The Government is committed to ensuring performance targets so that access to the scheme's collection points is convenient for all members of the community and community groups. The good news is that these targets are expected to drive the establishment of collection points in areas across New South Wales that currently do not have access to kerbside recycling, but do have limited capacity to deal with litter. The scheme will provide new opportunities for communities that may have limited alternatives for recycling the containers covered by the scheme.

To help ensure that accessibility targets are achieved by operators with an understanding of the particular needs and circumstances of regional New South Wales, the Government will divide New South Wales into a number of defined geographical zones and then invite potential network operators to bid to provide collection networks for each of these zones. Details of these zones will be finalised following consultation with key stakeholders. This will allow for local organisations to bid for a zone or for potential network operators to partner with local organisations to deliver collection services in each zone. Network operators will be able to work with existing organisations and recycling sites such as the new community recycling centres that have been established across New South Wales. These centres are operated by local councils and other organisations, in partnership with the NSW Environment Protection Authority, as part of the Waste Less, Recycle More initiative. The development of these community recycling centres has been highly successful.

Indeed, \$12 million has been awarded in grants to develop 101 community recycling centres across New South Wales, with the majority located in regional and remote areas. Almost 1,000 tonnes of problem waste has already been collected for recycling or safe disposal from the 47 community recycling centres that have opened so far. Co-locating container deposit scheme collection points at such sites is likely to increase their convenience to the community and improve the recovery of both containers and the other materials they currently collect. Network operators and collection points will be able to determine the most suitable technology to meet the needs of the community in their region. This may include reverse vending machines, which could be located in local shopping centres or train stations. Collection points may also include mobile operations that are set-up from time to time to service communities that do not require a more permanent site.

Social enterprises and community groups—I will speak about different community groups in a moment—in regional areas and across Sydney will also have the opportunity to work with network operators to set up and run collection points. Collection point operators will receive a handling fee for each container they collect from the community, in addition to the refund amount to pay to people redeeming containers. This presents a significant fundraising opportunity for charities and community groups. In South Australia alone, community groups such as the Scouts—and I mentioned this in a private member's statement on this issue a few years ago—

have raised not thousands but millions of dollars since a container deposit scheme was introduced into South Australia 40 or 50 years ago.

Community groups in South Australia have been able to raise millions of dollars while improving the environment by providing environmental benefits through collecting empty containers for recycling. This bill is welcomed. I have spoken about this issue in detail in this House, I have met in parks and open spaces with people such as Jeff Angel, and I have led this fight within the Government over the years, speaking with former Ministers for the Environment—Robyn Parker and Rob Stokes—and the current Minister for the Environment. The bill provides a number of opportunities for charities, community groups and social enterprises to participate in the scheme. [*Extension of time*]

As I said, the bill provides a number of opportunities for charities, community groups and social enterprises to fundraise. In my electorate of Oatley and in electorates across New South Wales, Scouts and Girl Guides who look at fundraising opportunities throughout the year would certainly take part in this scheme as a fundraising tool to raise much-needed funding. As I mentioned earlier, Scouts, Girl Guides and many other community groups in South Australia have raised millions of dollars over the years. The scheme would also be a benefit for progress associations and councils to raise much-needed funding—funds that would go back into community groups. The bill will significantly increase the value of drink containers, making them an attractive commodity to collect and redeem. Charities and community groups may ask people to give them their containers and, for the first time, redeem them for a refund.

Charities, community groups and social enterprises can also work with network operators to set up and run collection points. I can see collection points being created in and around many of our local community organisations, such as Mortdale Community Services, now called Jubilee Community Services; 3Bridges, which used to be called the Pole Depot; and Riverwood Community Services. All three of those community organisations provide child care and programs for elderly citizens who may have Alzheimer's or dementia. Those collection points could raise a lot of money for the continuation of those programs and for additional programs to be provided for anyone needing help. The opportunities for community groups to raise much-needed funding through this scheme are absolutely endless.

I have been a great supporter of a container deposit scheme and will continue to be until I see the scheme implemented. As I mentioned, in South Australia the Scouts run a number of collection points and receive millions of dollars in handling fees. As a consequence, they are the best-funded State Scout group in Australia and are able to offer membership to children at a much lower cost than Scout groups in other States. Charities and social enterprises may also consider bidding to be a regional network operator. The selection process for potential network operators will be publicly announced later in 2016, once the bill and regulations are made. This is probably the most important bill that I have ever had an opportunity to speak on. I have advocated for this scheme in this House and I have raised the issue in my newsletters copious numbers of time. It is a no-brainer for both sides of the House, and I acknowledge that The Greens have supported this for a long time, as have the Independents.

I understand that other States are now going to the drawing board. I believe Western Australia is about to introduce a scheme, if it has not already; Queensland is looking at introducing a scheme; the Northern Territory implemented a scheme in the past five to 10 years; and I believe Tasmania will introduce a scheme. To those States and Territories that have not got on board yet, my view is that now is the time to do it. We need every State and Territory to get behind this. We need a national approach to law and regulations on this issue so that every State is the same. I am advised that milk cartons will not be part of the scheme. Down the track other containers should be included. I believe this is the beginning of good things to come. This legislation provides new opportunities and environmental benefits across New South Wales.

Only last year I was in Banksia Place, Lugarno, along the Georges River, which was a hotbed of containers, bottles and cans—hundreds of them. I have been at that site before, cleaning it up for Clean Up Australia Day, and I believe that putting a monetary value on containers and cans for the first time will clean up a lot of that area, as well as places such as Carss Park, which I have also helped clean up through the Clean Up Australia campaign. One year I remember we collected about 11 or 12 large hessian bags of cans and bottles along the beachfront. Putting a monetary figure on those containers will result in a lot of litter disappearing over time. People will wisely dispose of these containers and will be able to collect their deposit. Scout groups and Girl Guides will get behind such a great scheme. It is a great honour to be speaking on this legislation, which will be one of the turning points of environmental protection for this Government. I commend the bill to the House.

TEMPORARY SPEAKER (Mr Adam Crouch): I remind the member for Tweed that members s be heard in silence.

Ms JENNY LEONG (Newtown) (17:58): I make a contribution to debate on the Waste Avoidance and Resource Recovery Amendment (Container Deposit Scheme) Bill 2016. I start by congratulating the community and all of the organisations that have been pushing for this for a very long time. It has been a long wait—dare I say, for 16 years under a former Labor Government—to see the scheme introduced. Congratulations to the many, many thousands of people across this State who have pushed this Government into action and now see the introduction of the container deposit scheme. It is worth noting that it is a Liberal-Nationals Government that has introduced the scheme. Unfortunately, it is not something we saw from the former Labor Government, but the Opposition's support for the bill is welcomed.

The member for Ballina has already outlined The Greens' position in relation to this bill and has flagged the amendments we will be moving in the other place, as well as the concerns that still stand around this bill. There will never be a perfect bill when the bill is being introduced by a neo-liberal Liberal-Nationals Government; we will never see a perfect bill from a Government of that persuasion, but the community must know that we should claim this as a win. This is a win for the environment and it is a win for our community, and wins are rare. They are very rare in this current climate so when the community is heard and the Government responds we should recognise that and claim it for what it is—a win.

Mr Adam Marshall: It is called democracy.

Ms JENNY LEONG: We could talk about democracy—Sydney Park and WestConnex—but I will not do that now. I grew up in South Australia and I was not aware that having bottles collected and having a container deposit scheme were not the norm. I assumed it was the same everywhere, but I very quickly discovered that was not the case in New South Wales. I could see that not having a container deposit scheme resulted in large amounts of litter, which caused damage to the environment. The introduction of this bill will result in improvements to the environment, which is very positive. We welcome and encourage such a move.

I specifically thank the Boomerang Alliance for its work. I thank also Greenpeace and the other organisations that have mobilised people. We heard from more than 500 constituents in the electorate of Newtown who specifically spoke to us and asked us to support a strong and effective container deposit scheme. They noted that the pollution from drink containers, particularly plastics, is a massive environmental issue, especially for our oceans and beaches. Those constituents did not want just any container deposit scheme; they wanted a proven scheme that would make a real difference. They saw the beverage industry lobbying the New South Wales Government and loudly opposed a scheme that would be based on the industry preferred model. Many of them raised the imperative that the scheme be a model with a direct refund to customers. Meg of Erskineville said:

A refund on bottles makes HUGE sense if we're to drastically limit plastic pollution. The evidence of its success is in from South Australia so please act now so New South Wales can also do its bit!!"

Rachel of Marrickville wrote:

I want a recycling refund scheme in New South Wales that actually works.

Nicolas of Camperdown said:

Please support the community effort to have an effective recycling refund scheme implemented in New South Wales. Other states have done so with great results, so can we".

Simone of Newtown said:

I want a recycling refund scheme in New South Wales. With the recycling technology available to us in this day and age and the amount of plastic and aluminium waste that is circulating in our oceans there is simply no excuse anymore for not implementing a scheme in New South Wales.

Dale Stiaddick of Erskineville said:

OMG this is a no brainer.

I can say to Meg, Rachel, Nicolas, Simone, Dale and the 500 constituents who directly wrote to us to advocate for this scheme and to ensure we held the Government to account that while we have some concerns, we have achieved a significant win in having this legislation debated and supported by all members in this place today. I acknowledge the Boomerang Alliance for its strong advocacy and work. I emphasise that collection points need to be convenient and accessible. We must ensure that they are available to all communities. We must also acknowledge that while there are concerns about areas within New South Wales that might not see the depots, we must consider how we support inner-city residents, as many do not have cars so cannot drive to supermarkets or petrol stations. They too must have easy access to depots. Other members have pointed out that arising from this legislation we may well see local organisations engaging in fundraising activities and pick-ups.

Scouts have always collected bottles from my parents in South Australia after the many gatherings at their house, enjoying a beer or two. I am sure they have funded many of the Scouts activities over the years as a

result. I congratulate the community on its efforts. This is a positive move by the Government, which has listened to the community on this rare occasion. It will result in a significant waste reduction and many containers that destroy our precious environment now being removed. I congratulate the Government on introducing the scheme. It is long overdue. I say a massive well done to all those community members who have put pressure on the Government to make sure that the Parliament finally acts.

Mr GEOFF PROVEST (Tweed) (18:04): I make a contribution on the Waste Avoidance and Resource Recovery Amendment (Container Deposit Scheme) Bill 2016, which is a very valuable bill. I appreciate support for the bill from the Labor Opposition and The Greens. The member for Coogee referred to the former member for Murray-Darling, John Williams, who always advocated for a container deposit scheme. As part of his electorate was on the border with South Australia he was able to see the positive effect of such a scheme. He never wavered from his belief in such a scheme and we owe him a great deal of gratitude for his advocacy.

The bill welcomes the introduction of a container deposit scheme in New South Wales. This scheme has had immense support from the New South Wales public, who rightly see it as a solution to litter pollution in our communities and the environment. Litter has a significant impact on our natural environment; it harms terrestrial and marine wildlife, and pollutes our beaches, parks and waterways. According to the 2015-16 Keep Australia Beautiful National Litter Index, drink containers make up the largest proportion of litter volume in New South Wales, at 49 per cent. Drink containers also represent almost twice the volume of the next largest category, which is takeaway cups and food containers. The Environment Protection Authority says that around 160 million drink containers are littered in the environment each year.

Before I became a member of Parliament I was the head of Clean Up Australia in the Tweed region for 12 years in a row. At its peak at 16 different locations we had just over 420 volunteers who collected everything from shopping trolleys to broken cars, beer bottles and containers. On those days—with the support of the local club industry—people both young and old had a strong desire to keep their environment clean. That continues to this day; it is still very active within the Tweed area. Indeed, many people who walk on the beaches in the Tweed area pick up litter 365 days a year. Tweed Shire Council is very good at recycling; council has opened up many extra facilities and I know it fully supports the bill.

It is pleasing to note that this item is on the agenda of the Queensland Government; I am sure Annastacia Palaszczuk is considering such legislation, which will have a major impact in my area. For many years there has been strong public support for the introduction of a container deposit scheme in New South Wales to tackle container litter. I should mention that I would be one of a small number of members who can remember as a young fellow taking Coke bottles around in a billycart and I remember how far 10¢ would go in the lolly shop afterwards. Also in those days kids would buy crackers around Cracker Night. Back then there was not so much plastic; it was mainly glass, but collecting gave a sense of community. I remember going to the football down at Shark Park and collecting aluminium cans. I should also mention the great effort in recent times of the Sharks, who have been thoroughly supported by the Minister for the Environment, I might add.

The introduction of a container deposit scheme is the largest litter initiative to be undertaken in New South Wales. I congratulate the Liberal-Nationals Government on bringing this before the House—once again delivering on another election promise. It will go a long way towards contributing to the Premier's priority to reduce the volume of litter in New South Wales by 40 per cent by 2020. The views of the New South Wales community have been of key concern when designing this scheme. We have consulted broadly with the public and with key stakeholders, including the beverage industry, local government, community groups, recyclers and other jurisdictions to design the best scheme for our State.

Public support for the introduction of this scheme during the two periods of consultation has been overwhelming. In December 2015 the Government released a container deposit scheme discussion paper that discussed options for reducing container litter in New South Wales. The community was resounding in its support for the refund container deposit scheme. Some 10,610 submissions were received from individual community members and more than 95 per cent were in favour of the introduction of a refund container deposit scheme in New South Wales. The most common reasons for supporting the scheme were the environmental outcomes, reducing litter volume, reducing the marine impact and improving resource recovery.

The container deposit scheme proposed in the bill has been shown to have positive environmental impacts. Such schemes are in operation in more than 40 jurisdictions, including South Australia and the Northern Territory. Evidence from around the world demonstrates that the schemes are effective in reducing litter in the short and the long term. The Government is working closely with South Australia and the Northern Territory to ensure consistency between the New South Wales scheme and existing schemes. The sentiment was echoed by the Queensland Government earlier this year when it gave a commitment to introduce a container deposit scheme. Consistency between jurisdictions will reduce potential costs in the beverage industry, prevent community

confusion and misunderstanding, and reduce cross-border marketing distortion. That is relevant in my electorate, which borders Queensland.

Effort has been made to design a scheme that is consistent with those in other jurisdictions. Some elements of consistency that have been committed to are a similar scope of eligible containers to that in South Australia and the Northern Territory, and a consistent refund of 10¢. This is a welcome bill that has received significant support from New South Wales communities and other jurisdictions that have already witnessed positive outcomes. My electorate and other coastal areas must deal with the problem of litter entering our rivers, where it has negative effects on wildlife. The elimination of microplastics in shampoos and other products is being considered by the Minister for the Environment. They have a devastating effect on the environment. The New South Wales Government is talking to its Federal counterparts and with other States about this issue.

It is pleasing to note that the community and governments are becoming more environmentally conscious. I recall the positive effect of collecting containers as a child. Being able to donate the refund to charities is a plus for the scheme. I trialled a machine one afternoon in the Tweed. It created a great deal of talk in the shopping centre—people were fascinated with it. It will be widely accepted in the Tweed. I look forward to the rollout of this scheme, and I commend the bill to the House.

Mr GREG PIPER (Lake Macquarie) (18:12): I support the Waste Avoidance and Resource Recovery Amendment (Container Deposit Scheme) Bill 2016 and I consider this to be an historic occasion. I congratulate the Premier, Ministers and members of Parliament across the board for their advocacy for and delivery of this bill. Members often tacitly agree on legislation but this policy elicits a strong sense of bipartisan agreement. Why did it take so long to get to this commonsense point? Later in my contribution to the debate I will touch on what was working against the introduction of this bill.

I congratulate the Government and the Minister. I support the bill. If there is a slightly negative aspect to my contribution it is in the context of an attempt to be helpful. I have long supported a container deposit scheme in New South Wales. It will go a long way to cleaning up and protecting the environment. Given the success of refund-based recycling systems in other Australian States and overseas, which is evidenced by the reduction in litter, I have no doubt that a system can be replicated in this State that has an immediate impact. As we have heard, empty drink containers constitute almost half of all litter found on our streets and in our beaches, waterways and parks. Unfortunately, we cannot legislate against wilful stupidity.

Mr Geoff Provost: I wish we could.

Mr Adam Marshall: We can punish them.

Mr GREG PIPER: The member for Tweed could not help but give an example. We can certainly provide the means to induce those who think it is okay to discard empty containers wherever they please to Do the Right Thing.

TEMPORARY SPEAKER (Mr Adam Crouch): Order! The member for Tweed will come to order.

Mr GREG PIPER: In this case a financial incentive can be provided to return or clean up empty containers. That will be a win for the environment, charities and other groups who could benefit from the money. Presently, the community shells out about \$180 million each year to manage and clean up this type of litter. Several things are vital to the future success of a recycling or refund scheme, and the most important of those is easy access to refund or recycling collection centres. This is where I believe the system risks falling short. I am not alone in that view; many major environmental groups have expressed a similar concern. By failing to insist that retailers or suppliers of drink containers house refund stations, the desired result will not be achieved.

The likes of Woolworths, Coles, Aldi and IGA have huge market power and a significant impact on how consumables are packaged, but they take no responsibility for how the discarded waste is managed. The bill does not make it mandatory for suppliers to play their part. Instead, collection points will be established at existing waste facilities such as council tips or depots and the balance left to market forces. Experience tells us that we need to make things as easy as possible for people to return their containers. World's best practice, as promised by the Government, requires legislation that will force at least some of the suppliers and retailers to carry the load.

Suppliers will not voluntarily go to the expense of setting up or becoming a collection agency. In my electorate there are sporting groups, charities, councils and other associations that could benefit from becoming a network operator—and maybe they will. Nothing in the bill locks in a commitment or guarantees that these groups will provide the market forces that the Government is looking for. If it is not in the bill, suppliers of these products will only have to play a voluntary role in fixing the problem they largely create. If they choose not to, the system will not achieve its best and the problem will continue.

I have raised my concerns with the Minister's office and was told that there was nothing to stop retailers from becoming or providing collection points. In fact, the Minister said just that in his second reading speech. That is true, but I fear retailers will not get on board if it will cost money or inconvenience them. I accept the Minister's view that it is the Government's intention to leave the door open to charities, and sporting and community groups to participate in the scheme's operation and possibly earn income from it. I accept that those groups might be frozen out of the equation if every supermarket and large retailer is required by law to be a collection point.

I also accept that the opportunities exist for those groups to become involved. But what if it becomes more work or more trouble than it is worth? That is what has occurred in some States where similar schemes have been left to private or open market forces. The Government must be mindful that that does not occur. I have seen how reverse vending machines work, both here and overseas. It is good, sound technology that should be placed in shopping centres, near popular retail outlets, at train stations, in sporting stadiums, and at public events or other easily accessed areas.

I note that the legislation requires scheme coordinators to meet targets in the regions they are responsible for, but we do not know what those targets are or how they will be achieved if there is no legislated framework to place an obligation on a business to operate the scheme or act as a collection point. It would be great to see this legislation place an obligation on major retailers, leaving the door open for them to partner with groups or charities in their area who could be the beneficiaries of any income generated. At the very least, container suppliers should be involved in the process. That would result in accessibility and convenience for consumers and would provide the opportunity for charities and other groups to earn a few much-needed dollars.

I trust that the Government will remain open to amendments to the legislation if flaws are identified when it is implemented. There is a need to maximise the return of containers, recycling an important resource and taking a load off the environment by reducing the impact of litter and the need for raw materials. This is an excellent start and great news for New South Wales. I look forward to seeing the major industry players—that is, beverage companies and retail outlets—becoming involved. They are integral to the success of the scheme through appropriate stewardship of their product packaging.

I acknowledge some of the people I have worked with over the years on this matter. Many people have helped to deliver this magnificent outcome. We all know that success has many parents and failure is an orphan. Members will know of Ian Kiernan, who began Clean Up Australia. I consider Ian a friend. I acknowledge the work he has done to bring attention to this issue, as well as his involvement in the practical removal of so much rubbish, and particularly things that could otherwise have been recycled by way of a container deposit scheme. I also acknowledge Jeff Angel of the Total Environment Centre, in conjunction with the Boomerang Alliance. I acknowledge members of Parliament for their involvement. The member for Tweed has been mentioned—I think he mentioned himself a number of times. I also mention the member for Coogee and the former member for Murray-Darling, John "Crusty" Williams, who was a great advocate for recycling. I remember him becoming very animated in this Chamber when talking about recycling. Many people have been involved in delivering this outcome.

The member for Tweed recollected the good old days, when one could get 5¢ by returning a bottle. I remember as a Cub, in the 2nd Kahibah Cubs, going on bottle drives. I do not know whether anyone else remembers doing a bottle drive, sitting on the back of a ute and collecting bottles as a fundraising exercise. There were many opportunities to do that then. This legislation will also open up many opportunities. The member for Newtown asked why such sensible legislation to introduce a scheme that has been wanted by so many people has taken so long to be introduced. There would not be a member of Parliament who does not want to see a container deposit scheme implemented. The beverage industry fought against the introduction of such a scheme, and I am proud that the Government has stared down the opposition to it. I thank the Government for delivering this legislation. [*Time expired.*]

Mr ADAM MARSHALL (Northern Tablelands) (18:23): It is with great pride that I speak in support of the Waste Avoidance and Resource Recovery Amendment (Container Deposit Scheme) Bill 2016. The bill will amend the Waste Avoidance and Resource Recovery Act 2001 by inserting a new part 5 into the Act. Among many things, the legislation will:

- (a) recognise the responsibility that the beverage industry shares with the community for reducing and dealing with waste generated by beverage product packaging, and
- (b) establish a cost effective State-wide container deposit scheme ... to assist the beverage industry to discharge that responsibility and to promote the recovery, reuse and recycling of empty beverage containers ...

Unlike others who have spoken before me in this debate, I do not have the benefit of remembering, like the member for Tweed, the days when one could return cans for 5¢ and still have enough money to put a deposit on

a new house in the Tweed Valley. This is the largest litter reduction initiative ever undertaken in this State. The enormity of that has not been lost on the members who have contributed to this debate. From 1 July next year, under this scheme, anyone who returns a drink container to an approved collection depot will receive a 10¢ refund, provided through beverage manufacturers. Collection depots will be implemented through regulation and will range from large-scale depots through to standalone reverse vending machines and perhaps even pop-up sites.

I am looking forward to further work being done by the statewide coordinator of this scheme, who will be appointed early next year if the bill passes through Parliament. I look forward to companies submitting expressions of interest to locate deposit points throughout country New South Wales. In my electorate the communities of Armidale, Guyra, Glen Innes, Inverell and Moree in particular would certainly benefit from pop-up sites or reverse vending machines, as would smaller communities. As every country member of Parliament knows, in the bush we take exceptional pride in the cleanliness of our towns and public spaces. Many country towns have won the Tidy Towns award. Some towns display signs showing that they have won the award multiple times. People take great pride in the presentation of their area.

Nevertheless, drink containers make up a huge amount of waste in the community. About one piece of litter in every three is a drink container. This scheme will be hugely beneficial. Without a doubt, it will dramatically cut down the number of containers that we see occasionally in country areas littering parks, waterways and roadsides. When driving through country New South Wales one often does not see litter. There was a dry spell in the Northern Tablelands a number of months ago and graziers moved their cattle onto public roads and reserves. From talking to some of the drovers I learned that once the cattle ate back the vegetation one could see how many glass and plastic containers and aluminium cans people had discarded unnecessarily out of car windows. It was extraordinary. I spoke to a drover who was operating on the road between Bundarra and Inverell. He had five hessian bags full of cans and plastic and glass bottles that he was going to take to the nearest recycling centre.

I look forward to the day when, instead of drovers having to collect containers to stop their stock from ingesting them inadvertently, community groups, football clubs and service clubs will have working bees to collect cans and containers and make money. That money will go back into the community. It is not often that we see legislation introduced in this place that is an all-round win. So often, the task of government is choosing the lesser evil or making a decision that benefits some but negatively impacts on others. What sets this legislation apart is that it is an all-round win. It is a win for the environment. It is a win for rural communities and community organisations that will be involved in the scheme. It is a win for the State's economy because it is another financial mechanism for reducing waste.

In this State we have a target to reduce litter by 40 per cent by 2020. This scheme is an integral part of that. Previous speakers in the debate have outlined the intricate details of the scheme. Drink containers between 150 millilitres and three litres will display a logo showing that they are part of the New South Wales container deposit scheme. We also know the containers that are not eligible for the scheme are those whose contents are generally consumed at home and not typically found in the litter stream. They include plain milk, wine, pure fruit juice of more than one litre, health tonics and large flavoured milk containers. This scheme relates to containers that are generally seen in public areas and are available at shops, corner stores and vending machines in our communities.

It is important to note for the purpose of this debate that in 2014-15 almost 160 million beverage containers were littered across this State, making up nearly half of all litter volume in New South Wales. The scheme will give everyone in this State—whether in the country, the city or on the coast—the financial incentive to do the right thing and significantly reduce the amount of litter. I close by commending all members of Parliament, particularly Minister Speakman and his predecessor, Minister Stokes, and all members of the community who have lobbied so hard for so long for this scheme.

It is important to recognise and acknowledge that some other States and Territories reached this point before New South Wales. However, a number of States have no scheme at all and I urge them to follow suit so that we can have similar schemes across the country. This is a commonsense scheme that has the support of many in the community. I think it is a wonderful initiative. I look forward to community groups participating in the scheme but, most importantly, to seeing fewer containers littering our public spaces, a cleaner environment and a few more dollars in the pockets of our local community and sporting organisations. On that note, it is my great pleasure to commend the bill to the House.

Mr JAMIE PARKER (Balmain) (18:39): My speech on the Waste Avoidance and Resource Recovery Amendment (Container Deposit Scheme) Bill 2016 follows on from earlier contributions, including by my two colleagues who outlined why The Greens are generally supportive of the legislation. We are delighted that we have reached the point where we can talk about a container deposit scheme, waste minimisation and extended producer responsibility and start a debate about how to manage general waste and product packaging in our wider

community. It is always nice to start positively, and I must recognise all those members who have stood up to the beverage industry. The truth is that the beverage industry has run a disgraceful campaign of misinformation, intimidation, bullying and expensive legal tactics against anybody who tried to support container deposit legislation.

When the Northern Territory Government first tried to introduce a container deposit scheme Lion Nathan, Schweppes and Coca-Cola ganged up on the Government and took it to court on a jurisdictional technicality, ensuring that it was unable to proceed at that time. In this State the beverage industry bullied the Liberal-Nationals Government and the former Labor Government. There were threats of campaigns and falsehoods were peddled in the media. Significant amounts of money were spent on radio and in other areas of the media campaigning against this commonsense step simply in order to defend the vested interests of the polluting and environmentally destructive beverage industry, which initiated embarrassing programs like Coca-Cola's National Bin Network. That was a joke. Anybody with any common sense, outside the echo chamber of the beverage industry, knew it would not fly.

Most recently there was the Thirst for Good campaign, which this Government—and anyone with any common sense—saw through as a tokenistic fig leaf covering a problem that could be addressed easily with container deposit legislation. I acknowledge the former Nationals member for Murray-Darling, John Williams, whose electorate bordered South Australia, who campaigned actively on this issue. Mr Williams and The Nationals have offered longstanding policy support for a container deposit scheme. We have heard also about support from many Liberal members, Ian Kiernan, lobby groups such as Greenpeace, the Total Environment Centre and, importantly, the Boomerang Alliance, which has taken a vital stand in this campaign. Many communities have fought hard for a commonsense approach to containers and their waste management in New South Wales.

I remember when we saw a ray of hope from the former Carr Labor Government. It commissioned the Institute for Sustainable Futures at the University of Technology Sydney to undertake a review and conduct a feasibility study into container deposit legislation, as it was known at that time. What happened? Premier Carr ruled out container legislation before the review had been completed. The beverage industry effectively nobbled the Labor Government, as it has attempted to do now. Those within The Nationals and the Liberals know that the beverage industry ran a huge campaign. It threatened that the price of milk, water and everything else would increase. But the Government has done the right thing. It has recognised that good, commonsense policy should overcome rent seekers and those who support environmental destruction in our communities.

I acknowledge the efforts of all those responsible for this legislation, including the Minister for the Environment and his predecessor, which delivers on a commitment made by the Government. Some concerns have been raised during the debate but I want to talk first about some of the good things in the bill. There was some discussion about whether three litre containers were viable but in my view it is important to include them in the scheme. While the number of beverage containers in the scheme is not as great as many of us would like, it is still significant and will make a large inroad in dealing with container waste.

The objects of the bill are strong and relate to the responsibility that the beverage industry has to deal with its waste and to producer responsibility, which must be extended and implemented in other areas and applied to other products, such as white goods packaging. The national packaging covenant is an embarrassing joke. Anyone can see that when a scheme is driven by the industry and run by the industry it has a pathetic impact in terms of reducing the use of packaging and minimising its impact. That is also true in relation to waste management. The industry loves the fact that ratepayers pay to dispose of its garbage. Of course the industry would like ratepayers to continue to dispose of the waste it produces and for which it seeks to take no responsibility. The industry wants taxpayers to pay for waste disposal.

This bill starts the process of telling producers that they must be responsible for what they do, that the environment should not absorb the impact of their packaging decisions and that they must be a little more responsible. That approach should be applied to the management of white goods and electronics waste products, which is an incredible cost to the community. In countries that have a more advanced view than Australia companies now produce white goods and electronic goods with recyclable components that can be easily dismantled and reused. Australia does not have such strong rules or legislative environment and products are created that are not recyclable, toxic and difficult to dismantle and dispose of. Who pays for their disposal? It is the environment and the taxpayers. Jurisdictions around the world have decided that producers need to take more responsibility for their products so they can be disposed of more easily. That is the emerging global theme.

Other members have referred to plastic bags, and the Government could act to legislate against single-use plastic bags under 35 microns. The Greens believe reporting should occur more regularly than annually; in other jurisdictions there is quarterly reporting. The member for Ballina foreshadowed that The Greens will move amendments in the Legislative Council to address that matter. There is no requirement for retailers to advertise

the scheme or to provide information on the location of the nearest collection point. We think it is common sense to require the advertising and location of collection points.

The Greens welcome advisory committees but there is no requirement for any kind of environmental expertise. We know the beverage industry is seeking to stack every committee and fight a rearguard action to defeat the Government's proposals. There is also no clear prohibition on the scheme coordinator operating as a network operator. We think those two functions should be separate to ensure the independent integrity of the scheme. We encourage the Minister to address the issue of why there is no separation of the scheme coordinator and the network operator. We think that would encourage a more effective scheme.

We are also concerned that the scheme coordinator bears the entire financial risk for the scheme, not the beverage companies. There should be opportunities to spread that risk and mitigate it to ensure that the scheme is as robust as possible. We have heard some discussion about large retailers not being required to be involved in the scheme despite them usually being the most cost-efficient place to return empty containers. I refer the House to a letter from the 44 groups in the Boomerang Alliance, dated 5 October and addressed to members. I am sure the Minister would have examined it. It says:

The only tried and tested approach to deliver a high performing, cost effective CDS is to place obligations on large beverage retailers (supermarkets) to ensure that a collection point will be found at every major shopping centre. The evidence is clear—across the globe, 10 of the 13 jurisdictions that adopted a CDS in the past decade have had clear retailer obligations to ensure collection coverage; resulting in an average 86.75% return rate. By comparison the 3 jurisdictions that relied on a market driven approach (NT, Hawaii, Newfoundland) have been rife with problems and perform at just 62.5%.

The Government should not listen to the beverage industry. It should recognise that if large beverage retailers are obligated to have a collection point the performance of the scheme will be greatly enhanced. If we are going to go through this process we need to have an efficient and effective scheme. I conclude by thanking all members who have spoken in support of the scheme, including the member for Drummoyne, the member for Oatley and the member for Coogee. I urge the Minister to hold fast and ensure that the integrity of the scheme is not undermined by the beverage industry and its disgraceful tactics to attack environmental initiatives and conservation in our State. I applaud the Minister's staff in his office and department who worked so hard on this bill. I offer my support and the support of The Greens for this bill.

Mr JOHN SIDOTI (Drummoyne) (18:41): I am delighted to speak in support of the Waste Avoidance and Resource Recovery Amendment (Container Deposit Scheme) Bill 2016 as I have advocated for such a measure since becoming the member for Drummoyne. Rubbish including hundreds of plastic bottles has been dumped in my neck of the woods in Drummoyne for decades, with residents helping to clean up the mess on a regular basis. I too have spent many a weekend cleaning up the waterways around the electorate. The creation of a container deposit scheme is long overdue in New South Wales. This bill aims to reduce litter and clean up the environment.

There is plenty of evidence to suggest that this type of scheme works. Similar schemes have been operating in South Australia, the Northern Territory and many overseas jurisdictions. The schemes work because they give people an incentive to hold on to their empty containers for later redemption rather than discarding them into the environment where they add to litter. According to the Keep Australia Beautiful National Litter Index, New South Wales leads the pack on litter and is well above the national average. Each year the volume of litter in this State is 5.69 litres per 1,000 square metres. The national average is 4.1 litres. According to the index, beverage containers make up most of the litter in New South Wales, accounting for 44 per cent of the total volume.

In a frightening statistic the Environment Protection Authority estimates that litter from beverage containers represents 160 million drink containers littered around the State over one year. That litter has a negative impact on the environment and costs a fortune to clean up each year. More than \$180 million is spent each year on managing litter in this State. As I said earlier, I am delighted that this bill will create a container deposit scheme. Sensibly, the Government has opted to go with a refund scheme and the type of containers that match existing schemes in South Australia and the Northern Territory. The legislation will enable people to receive a 10¢ refund on eligible containers from 1 July 2017. Containers deemed ineligible include those for plain milk, wine, pure fruit juice of more than one litre and health tonics, and large flavoured milk containers. This will help reduce costs for industry and the risk of cross-border arbitrage between jurisdictions. The Western Australian Government has announced its plans for a 10¢ refund scheme to be introduced in 2018. The Queensland Government has also announced plans for a container deposit scheme by mid 2018 and the Australian Capital Territory is considering following suit.

The bill provides for the creation of a governance structure designed to deliver an efficient scheme. It will provide authority to the Minister for the Environment to appoint and enter into contracts with a scheme coordinator and with network operators that together will deliver the scheme. A key responsibility for the scheme coordinator will be validating the number of containers recovered. The contract between the Minister and the

scheme coordinator will validate the number of eligible containers sold in New South Wales to ensure that each beverage supplier is correctly reporting its sales and not obtaining an unfair advantage by avoiding the costs of the scheme. The scheme coordinator will be responsible for ensuring that the statewide access and recovery targets are met and that refunds are paid for any eligible containers that are returned to a collection point.

In designing the legislation the Government sought advice from members of its advisory panel. The expert panels included Jeff Angel from the Total Environment Centre and Boomerang Alliance, Tanya Barden from the Australian Food and Grocery Council, Susy Cenedese from Local Government NSW, Brad Gray from Planet Ark, Professor Don Hine from the University of New England, Liz Livingstone and William Murphy from the Department of Premier and Cabinet, Bill Stanhope from NSW Treasury, Stephen Sykes from Sykes Peer Review, Tony Wilkins from News Corp Australia and Tony Wright from Wright Corporate Strategy. Others involved included representatives from the beverage industry, the waste and recycling industry, community groups and retailers. It is predicted that as a result of this scheme the amount of litter throughout the State will be reduced by 40 per cent by 2020. The development of the container deposit scheme, including its establishment and operation, has been supported by independent probity adviser Scott Alden of Holding Redlich. Advice and guidance will continue in the implementation of the scheme including the establishment and operation of advisory committees and the selection of the scheme coordinator and network operators.

This scheme can only succeed with the cooperation of the community. To this end, people will be able to return empty prescribed beverage containers between 150 millilitres and three litres to collection points for a 10¢ refund. Under the proposed scheme, network operators may own and operate their own collection points. Based on other schemes, network operators are likely to contract with small businesses, retailers, councils, charities and social enterprises to run the collection point. It is planned that consumers will also be able to place the empty containers in reverse vending machines to receive the 10¢ refund. The reverse vending machines may be located at shopping centres, train stations or retail areas.

Collection points may also be mobile operations set up to service a specific event or in communities that may not have sufficient volume to warrant a permanent site. They may also be part of a charity or a community group. That is good news for those groups. In South Australia charity and community groups receive about \$60 million a year from participation in the container deposit scheme. In addition, for the scheme to work effectively it requires that the relevant beverage suppliers pay for the refund. It is therefore important that all beverage suppliers participate in the scheme. Failure to do so may prohibit them from supplying beverages in eligible containers in New South Wales without meeting key obligations. All eligible containers must be approved by the Environment Protection Authority, have the specified refund marking and there must be a supply arrangement between the supplier and the scheme coordinator covering approved containers.

The Government rightly intends that the refund marking on the container will include a requirement that all eligible containers have a barcode. This will simplify the container approval and enforcement process and allow suppliers to more easily implement special labelling and other changes to their artwork. To avoid the chance that the industry may need to get rid of stock that is not properly labelled, the Government will delay the obligation to have the refund marking on eligible containers from coming into effect until a date to be proclaimed. This will be announced once the regulation is made and the refund marking determined. This scheme promises to rid our parks, waterways and environment of up to 40 per cent of litter by 2020. This initiative is long overdue in New South Wales and I welcome it. I congratulate the Minister for the Environment and all those who have helped to bring this to fruition. This is a great win for the people of New South Wales. I commend the bill to the House.

Mr GARETH WARD (Kiama) (18:49): In 1989 an "average Australian bloke" had a simple idea to make a difference in his own backyard—Clean Up Sydney Harbour. The event received an enormous public response, with more than 40,000 Sydneysiders donating their time and energy to clean up our beautiful harbour. The next year Clean Up Australia Day was born. Ian and his committee believed that if a capital city could be mobilised into action so could the whole nation. Almost 300,000 volunteers turned out on that first Clean Up Australia Day in 1990, and that involvement has steadily increased ever since. Every day should be Clean Up Australia Day! That is why I support the Waste Avoidance and Resource Recovery (Container Deposit Scheme) Bill 2016, which was introduced by my friend and Minister for the Environment, Mr Mark Speakman.

This bill represents the largest litter reduction scheme in the history of our State. Whilst I may not be young enough to remember the forerunner to this scheme, I know that this initiative will be warmly welcomed by my electorate more broadly. In 2014-15 about 160 million drink containers were littered in New South Wales. This represents about 44 per cent of the volume of all litter in this State. Drink containers make up the largest proportion of litter volume in New South Wales and twice as much as the next largest proportion—takeaway cups and food containers. Nothing upsets me more than seeing someone carelessly throw something from their car window only to add to the tapestry of trash that lies amorously along the roadside—a very uninviting entrance to many regional towns and villages.

Litter has serious impacts on our community. Litter has environmental consequences; it damages natural environments and harms terrestrial and marine wildlife. Litter has visual impacts; it makes places look unsightly and uncared for and attracts more litter. Rubbish has a human impact as litter like broken glass and syringes can injure people. The presence of litter makes it more likely that other antisocial behaviours will occur like graffiti and property damage. Litter has an impact on resources as recyclable and valuable resources like drink containers are lost when people litter. Even if littered items are subsequently collected, they are often too contaminated to be recycled. Last but not least, litter has economic impacts. A 2015 survey of local government, State agencies, private land managers and community groups found that more than \$162 million a year is currently being spent on managing litter in New South Wales. That is money that could be spent on many other things.

The New South Wales Government is serious about reducing litter. In September 2015 the Premier committed to reducing the volume of litter in New South Wales by 40 per cent by 2020. That is an ambitious but brave target. The container deposit scheme will complement the broad suite of litter reduction initiatives that are already underway as part of the \$465.7 million Waste Less, Recycle More initiative, in which the Government has dedicated \$20 million over five years to tackle litter across this State. I am very pleased that the New South Wales Minister for the Environment will be visiting my electorate on Wednesday 2 November to address a special community forum, which I am hosting at the Kiama Pavilion. This will be an opportunity to interface directly with the person responsible for implementing this scheme. Community groups, sporting clubs, entrepreneurial young people and anyone else who wants to take advantage of the container deposit scheme will be able to hear directly from Minister about how they can play their part and get involved.

The New South Wales Government has announced an ambitious target of commencing the scheme by July 2017. According to the bill, one of the first things the Minister will need to do is appoint the scheme coordinator and network operators. A key criterion in the selection process will be the ability for candidates to roll out the scheme within the time frames. The scheme will be delivered through a two-part structure. A single scheme coordinator will act as a clearing house for allocating the costs of the scheme to beverage suppliers. It will also be responsible for ensuring that statewide community access and container recovery performance targets are achieved. Network operators will be responsible for managing most of the logistics of the scheme and ensuring that the community access performance targets are achieved within the region in which they are operating. Network operators may own and operate their own collection points or contract with independent collection point operators to ensure the community has access to the scheme to get the refund they deserve. Having a single scheme coordinator is common in many overseas schemes and is consistent with international best practice for container deposit regulation.

The New South Wales Environment Protection Authority received 138 submissions to the draft bill and regulatory framework discussion paper. Based on the feedback, the following substantive changes to the bill have been made: the definition for "material recovery facility operator" has been extended to include those that may not have a direct contract with a local council; the maximum penalty for suppliers that supply eligible beverages without taking part in the scheme has been increased; and the offence has been clarified and the penalty amount increased for any scheme participant who claims a refund when they know, or ought to have reasonably known, that the container was acquired outside New South Wales, the container was acquired before the commencement of the scheme, or that the container has already been redeemed under the scheme. Beverage suppliers and retailers will have time from when the regulation is made to when the obligation takes effect to clear stock and implement the refund marking—for example, if the regulation is made before the end of 2016 and the Government gives them 18 months to clear existing stock suppliers and retailers will have until mid 2018 to implement the refund marking.

Significant efforts have been made to align the proposed New South Wales scheme with existing schemes in South Australia and the Northern Territory. The refund amount and the scope of containers, with the exception of containers under 150 millilitres, are consistent across the three jurisdictions. New South Wales is also working with South Australia and the Northern Territory to agree on a common refund marking. The obligations on beverage suppliers are also similar. A significant difference between the proposed New South Wales scheme and the South Australia and the Northern Territory schemes is the scheme structure. In both South Australia and the Northern Territory the scheme is run by multiple super collectors, which compete to provide a clearing house service to beverage suppliers and contract directly with collection depots. This structure requires collection depots to separate containers by material and brand in order to allocate costs to the different super collectors.

In the proposed New South Wales scheme, the clearing house role of the super collectors is undertaken by a single scheme coordinator. The advantage of this approach is that containers will not need to be split by brand in order to be able to allocate costs back to different suppliers. This will help keep costs down. All costs will go through the single scheme coordinator. The bill gives a right for the collection point to refuse to pay the refund if the collection point operator has reason to believe that the container was acquired prior to the commencement of

the scheme, or if it was acquired outside New South Wales, or if the refund has already been claimed in relation to the changes that were made due to the feedback I mentioned earlier.

Payment can be refused when the container is contaminated or the refund mark is unreadable. Payment can be refused if a person is trying to redeem a large number of containers and refuses to provide a refund declaration on request and proof of identification. These provisions are designed to protect the integrity of the scheme from large scale cross-border arbitrage. The regulation will include a community accessibility performance target. Each network operator will also be obliged to achieve the accessible target in the region in which they operate. Significant penalties will apply if they terminate their contract early and leave a region with no collection points, thus protecting those who have been involved in the scheme.

The New South Wales Government is considering allowing the refund to be claimed on containers that were purchased prior to the commencement of the scheme, for a short time at the beginning of the scheme. The aim would be to provide an incentive for the community to clean up littered containers currently in the environment. The rules around how this would work and for how long will be announced by the time the scheme commences. Charities and community groups may ask people to give them their containers so that the charity or community group can redeem them for a refund towards their cause. Charities, community groups and social enterprises can also work with network operators to set up and run collection points. Collection point operators will receive a handling fee for each container they collect from the community.

For example, in South Australia, the Scouts run a number of collection points and receive millions of dollars in handling fees, which go towards their very worthy organisation. Charities and social enterprises may also consider bidding to be a regional network operator. As neighbouring States and Territories move to introduce similar schemes, the risks of cross-border arbitrage lessens, but as Victoria does not have a container deposit scheme, steps must be taken to reduce the risk of cross-border arbitrage. [*Extension of time*]

Measures included in the bill to reduce the risk of large-scale interstate arbitrage of containers are, first, it will be an offence for anyone to import beverages in eligible containers if they do not have an arrangement with the scheme coordinator. Similarly, it will be an offence to claim a refund on empty containers brought across the New South Wales border that are not subject to the scheme. Significant penalties will apply to these offences. Secondly, a collection point has the right to refuse any container that the operator reasonably believes was purchased outside New South Wales. Thirdly, a collection point must not pay a refund amount to anyone who returns more than a certain number of containers at any one time if the person has not provided a refund declaration and proof of identity. This number will be prescribed in the regulations.

Containers collected through kerbside recycling services will be redeemable by the material recovery facility where these materials are sorted. Material recovery facilities can choose to either separate out containers and take them to a collection point to receive a 10¢ refund or they can claim a 10¢ refund directly by following NSW Environment Protection Authority methodology to determine an accurate estimate of the number of containers being processed at the material recovery facility and the requirements in the regulations on how the claim can be made. The regulations will not specify how material recovery facilities and councils are to share the refund, only that they must come to an agreement within a set time if they want to continue to claim the refund in this way.

This is an important scheme for local communities across this State. Members of the House have made comments about how various community groups in their communities will be able to play their part. I am proud to be part of not just a government but also a party whose environmental record is often forgotten. It was the Liberal Party that protected the Great Barrier Reef. It was the Liberal Party and Tom Lewis, a former member for the Illawarra, who stood in this place and enacted the first national parks bill in this State. It was the Liberal Party that put forward to Cabinet the first Ministry for the Environment. It was the Liberal Party that protected Kakadu and Uluru national parks. It was the Liberal Party that stopped sandmining on Fraser Island. The Liberal Party has introduced some of the toughest environmental regulations in this State and across this country. This is yet another example of our commitment to the environment of practical conservation—something that will mean a great deal to many communities across the State and will make an important difference to them.

I thank Christian Dunk and his staff. Christian was a long-suffering—and I use that word advisedly—member of the staff of the member for Oatley prior to working for the Minister for Health and is now working for the Minister for the Environment. I know that his skills and talents have been put to work through this legislation and he has done a great job engaging and assisting the Minister. I thank in particular the Minister for the Environment, who I know has invested in this legislation. He believes in this scheme and he has worked hard to bring it forward and to convince his Cabinet colleagues and members of the party room to introduce it. He will take his place alongside other people, not only in our party but in this Parliament, who have introduced revolutionary environmental reform that will change the State. I believe that this legislation is an example of something to which all members of Parliament who vote for this bill can point to and say they have made

a difference in their communities by advocating for real reform that will make changes to our environment across New South Wales. I commend the bill to the House.

Mr MARK SPEAKMAN (Cronulla—Minister for the Environment, Minister for Heritage, and Assistant Minister for Planning) (19:03): In reply: I thank members representing the electorates of Maroubra, Wollondilly, Charlestown, Cootamundra, Newcastle, Miranda, Granville, Coogee, Ballina, Terrigal, Summer Hill, Oatley, Newtown, Tweed, Lake Macquarie, Northern Tablelands, Balmain, Drummoyne and Kiama for their contributions to debate on the Waste Avoidance and Resource Recovery (Container Deposit Scheme) Bill 2016. I am thrilled to have such strong support in this House for this important initiative to tackle the problem of litter in New South Wales. I thank all members for their contributions to the debate, but I single out three members: the member for Coogee, the member for Oatley and the member for Drummoyne. Like I did, they came to Parliament in 2011, and throughout our time in this place they, with me, have been constant supporters of a container deposit scheme for New South Wales.

In addition to those I thanked in my second reading speech, I thank all advocates for many years for a container deposit scheme for New South Wales—in particular, the Boomerang Alliance, especially Jeff Angel; Take 3, especially Tim Silverwood; and Clean Up Australia, especially Ian Kiernan. I thank all staff members in my office who have contributed to this exciting piece of legislation, but in particular my hardworking and devoted chief of staff Bran Black, who is in the gallery tonight, and Christian Dunk, my "brown" environmental adviser—that is, he is an adviser on brown environmental matters, rather than someone who is brown.

Drink containers now represent nearly half the State's litter in volume. The container deposit scheme that will be established by the bill will encourage people in New South Wales to hold on to empty beverage containers instead of littering them, and to pick up littered containers, by providing a 10¢ refund for those containers when they are returned to a collection point. The scope of containers that are eligible for the refund will be mostly the same scope of containers that apply in the existing schemes in South Australia and the Northern Territory.

Beverage suppliers who bring eligible beverage containers into the New South Wales market will be required to participate in the scheme by entering into a contract with the scheme coordinator. They must also obtain a container approval from the Environment Protection Authority for each class of beverage container that they wish to supply in New South Wales. These suppliers will also be required to ensure that the containers they wish to supply bear the prescribed refund mark. Under the contract with the scheme coordinator, these suppliers will be obliged to pay their share towards the costs of setting up and operating the scheme.

The Minister for the Environment will appoint and enter into contracts with a single scheme coordinator and multiple network operators to deliver the scheme. Each network operator can either set up and operate collection points or enter into a contract with another person for them to be a collection point operator. Each network operator will be obliged under their contract to ensure their network of collection points meets the community access targets set out in the regulations. These targets aim to ensure that the people across New South Wales have reasonable access to collection points.

The scheme coordinator will be responsible for managing the financial costs of the scheme and for validating the containers collected under the scheme. The coordinator will also be required to enter into contracts with all relevant beverage suppliers. Under these contracts, the scheme coordinator will act as the clearing house for the payment of the scheme costs by the suppliers. The scheme coordinator will also be required to meet performance targets on recovery rates and statewide community access imposed under the regulations and the contract with the Minister.

The scheme will also complement the existing kerbside recycling services provided by local councils. Under the scheme, the operator of a material recovery facility that processes eligible containers collected from kerbside recycling bins will be able to claim the refund on the processed containers directly from the scheme coordinator. The facility operator may use a methodology, to be developed and published by the Environment Protection Authority, to estimate the number of processed containers. The operator may then claim the refund on the estimated number from the scheme coordinator. This will greatly reduce the costs and effort for the operator to claim the refunds on the processed containers, especially for operators with automated facilities. The Government will also provide a strong incentive for material recovery facility operators who use the methodology to share the refunds with the local councils who send their recycling waste to the facility operators to process.

To protect the integrity of the scheme the bill will introduce strong offence provisions to deter people from fraudulently claiming a refund on containers that are not purchased in New South Wales or containers that are purchased before the commencement of the scheme. Enforceable obligations will also be imposed on collection point operators to require declarations and proof of identity where refunds are being claimed for large numbers of containers. I now turn to address some issues that have been raised during the course of the debate.

I note the suggestions from the Opposition regarding a ban on plastic bags. However, I note that this is a commitment that Labor has made at least twice without result, including when Labor was in government.

In 2004 the Labor State Government said it would ban plastic bags if there was no national approach within a couple of months, but ended up doing nothing. In 2007 Kevin Rudd and Peter Garrett went to the Federal election promising to ban plastic bags, but did nothing. That said, I welcome the Opposition's recognition and description of the serious harm that single-use plastic bags do to our environment, especially our marine environment. New South Wales is leading a national push for a harmonised approach on how to tackle the use of single-use plastic bags. However, I would like the House to get a sense of perspective. Certainly plastic bags are a serious threat to our environment, particularly our marine environment, but they make up less than 2 per cent of litter by volume in New South Wales.

Let us compare that with beverage containers. The latest national index report tells us that they make up 49 per cent of litter by volume in New South Wales and when one divides beverage containers into those that will be caught by the container deposit scheme and those that will not, 43 per cent of litter by volume in New South Wales consists of beverage containers that will be subject to the beverage container scheme. To make that comparison is not to belittle the significance of single-use plastic bags but, rather, to draw a comparison to show the enormity of what we have done with the container deposit scheme in New South Wales and how enormous and significant beverage containers are as a source of pollution and litter compared with plastic bags. While plastic bags are an important issue, they very much are a modest issue compared with the container deposit scheme.

Reporting by the scheme coordinator on matters relating to the performance of the scheme has been raised. The bill currently requires an annual report. Concern has been raised that this reporting should be more frequent. The purpose of the annual reporting requirement is to oblige the scheme coordinator to reconcile the performance of the scheme against annual performance targets that will be in the regulations. It has always been the Government's intention to require the scheme coordinator to require more frequent reporting under the contract with the Minister to track operational issues. That said, we will consider any amendment to the bill on this topic if it arises or if it is sought.

A concern has been raised that people in rural and remote areas may not have sufficient access to the scheme to be able to return their containers for refund. I assure the House that it is the Government's intention that people right across New South Wales will be able to participate in the scheme. As pointed out by a number of speakers, litter is found throughout the State and it is the aim of the scheme to reduce litter throughout the State. The bill is designed to ensure statewide access through the setting of performance targets for accessibility. The Government intends to oblige the scheme coordinator and network operators to achieve these targets by introducing penalties for failing to do so.

The next issue relates to a concern that the collection system will not be convenient enough and whether there is a need to specifically oblige large retailers to act as collection sites. As has been pointed out by a number of speakers, the convenience of the collection system is key to delivering community access and an effective scheme. The Government has designed the scheme with this issue very much in mind. It is for this reason that the Government intends to set performance targets that will drive and ensure the establishment of a convenient network of collection sites, so contrary to what at least one member said, it is not a free market free for all; there is very much government intervention in ensuring adequate and appropriate community access across New South Wales through the setting of performance targets.

An obligation on large retailers to take back containers will also provide for such an outcome, but it will be a fundamentally different model to that which has been proposed and a far more expensive option for the New South Wales community. The issue here is one of convenience. The bill proposes to drive convenience through obligations to achieve performance targets. If the scheme coordinator and network operators are delivering on those targets but litter outcomes are not being achieved or we do not believe that the community has sufficient access to the scheme, then it will be possible to update and upgrade the performance targets in the regulation to increase access.

In principle the Government already has the power through the bill to specify specific locations for collection points as part of the access performance target in the regulation, so an additional power may be redundant. Moreover, there is the issue of whether the inclusion of such a power may create unnecessary uncertainty for the network operators with respect to estimating their potential financial obligations. The Government has not yet received or seen any amendment, but will consider it and is happy to discuss the matter further against the background of those comments I have made.

A further issue was raised about imposing obligation on retailers to have signage to promote and provide information about the scheme in their shopfronts. This is said to ensure that the scheme and the availability of a refund for containers are promoted to the community. Local councils and collection point operators and network

operators will be naturally committed to promoting the scheme and such efforts should not be limited to retailers. The Government will consider any amendment if it arises and is happy to discuss the matter further against the background of those observations.

The next issue raised was the imposition of financial burdens on the scheme coordinator. The Government agrees that the financial costs of the scheme are to be borne by the beverage suppliers and not the scheme coordinator. The bill is already designed to address this issue through the contract between the scheme coordinator and the Minister. The intention is to oblige the scheme coordinator to ensure that he has the capacity to remain financially viable at all times. It is anticipated that this will be addressed through the contracts between the scheme coordinator and the beverage suppliers. This will involve not only the potential obligation on suppliers to provide the scheme coordinator with an upfront payment to cover expected redemptions, but also requirements on suppliers to continue to pay the scheme coordinator even in the event of a dispute. The Government is willing to consider any amendments to the bill on this topic if they arise and is happy to discuss this issue further against the background of those observations.

The next issue that was raised was the question of ensuring that the scheme coordinator was not also a network operator. The likely outcome of the structure that the Government is setting up is that the scheme coordinator will not be a network operator. I would observe, however, that in many other schemes this role is not split and the same entity acts both as what would be a scheme coordinator in New South Wales and what would be a network operator in New South Wales. The Government has split the roles here to create some competitive tension in the whole process, but a final decision as to whether a scheme coordinator should or should not be a network operator should await the results of any tenders that prospective scheme coordinators and network operators put up to decide whether, at the end of the day, enforcing such a split is in the public interest or whether there is a better outcome for consumers in New South Wales in terms of cost and accessibility.

A concern was raised that there is no explicit statutory requirement for the advisory committees to include representation from environmental groups. The bill currently allows the Minister to establish advisory committees to advise the Minister of a Minister's functions under the scheme and to appoint members with relevant expertise to the functions of the committee. Of course environmental expertise is key expertise and it is open to the Minister—and I expect this is what would happen—to appoint to the committee members, amongst others, with appropriate environmental expertise. The ability to do that already exists.

The Government has engaged and will continue to engage with businesses, councils and the community on the implementation of the scheme and will continue to engage particularly with small businesses like cafes, pubs and restaurants and their respective associations to ensure that they can successfully participate in the scheme. As part of these efforts, the Government has been engaging and will continue to actively engage with the office of the Small Business Commissioner to ensure that small businesses are fully informed and engaged and to facilitate the smooth introduction of the scheme. The Environment Protection Authority will establish a small business working group to provide an opportunity to bring forward and to work through issues of particular importance to these businesses. The Government will continue to move forward on the implementation of the scheme. If the bill is passed and becomes legislation, this will involve making a new principal regulation to support it and to commence the selection process of both the scheme coordinator and network operators.

The New South Wales container deposit scheme will commence from 1 July 2017—an ambitious but achievable time frame. To achieve this, the selection process of the scheme coordinator and network operators will proceed concurrently and be finalised with sufficient time to enable the rollout of the collection network across New South Wales. Together the measures in this bill are part of a scheme designed to deliver a significant reduction in the number of beverage containers that currently end up in litter across New South Wales and help deliver on the Premier's priority to reduce the volume of litter in New South Wales by 40 per cent by 2020. It is yet another example of this Government delivering on its election promises. I commend the bill to the House.

TEMPORARY SPEAKER (Ms Anna Watson): The question is that this bill be now read a second time.

Motion agreed to.

Third Reading

Mr MARK SPEAKMAN: I move:

That this bill be now read a third time.

Motion agreed to.

HOUSING LEGISLATION AMENDMENT BILL 2016
JUSTICE PORTFOLIO LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL 2016

First Reading

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

TEMPORARY SPEAKER (Ms Anna Watson): I order that the second readings of the bills stand as orders of the day for a future day.

**CHILD PROTECTION (WORKING WITH CHILDREN) AND OTHER CHILD PROTECTION
LEGISLATION AMENDMENT BILL 2016**

Second Reading

Debate resumed from 12 October 2016.

Ms TANIA MIHAILUK (Bankstown) (19:22): I lead for the Opposition in debate on the Child Protection (Working with Children) and Other Child Protection Legislation Amendment Bill 2016. At the outset I make it clear that the Opposition does not oppose this bill. The Opposition always ensures it does what it can to support any strengthening of legislation that will guarantee that child protection is front and centre of all our considerations in this House. Protecting children is paramount for all of us in this Chamber, but particularly for the New South Wales Opposition. This bill seeks to amend the Child Protection (Working with Children) Act 2012, the Children and Young Persons (Care and Protection) Act 1996, the Teaching Service Act 1980 and the Education (School Administrative and Support Staff) Act 1987.

The bill seeks to implement various amendments concerning the governance of the Working With Children clearance framework. I note, as I have already indicated, that we will not oppose the bill and I once again reiterate that Labor is supportive of toughening the legislative framework governing child protection in this State. Strengthening child protection measures remains a top priority for the Opposition and we on this side of the Chamber want to see every loophole closed without question to ensure that Working With Children Checks continue to function as an effective safeguard to prevent unsuitable individuals from obtaining paid or unpaid child-related work.

The safety of our most vulnerable children must always remain above partisan politics. This Parliament has an overriding obligation to ensure that legislation is passed to ensure that the child protection framework remains best suited to keep children safe from harm. As the Minister indicated in his second reading speech, the Child Protection (Working with Children) Act was most recently amended in 2015. During my contribution to the second reading debate on that bill I flagged concern about a number of reported cases in which individuals who had committed serious offences had been able to appeal the decisions of the Office of the Children's Guardian to continue working with children.

I note that following a concerted campaign by the Opposition the Minister took on board these concerns and subsequently incorporated into the bill the commonsense amendments I had drafted and provided to his office. The amendments prevented individuals convicted of murder or the indecent or sexual assault of children from appealing a decision to the NSW Civil and Administrative Tribunal [NCAT]. Sadly, the Minister has not always been willing to prioritise the rights and safety of vulnerable children from clearly inappropriate individuals such as child murderers. While the loophole allowing child murderers to appeal a decision that bars them from a Working With Children Check Clearance has been closed, the Minister has indicated his opposition to stopping child murderers from caring for children in the future. Other States such as South Australia have enacted such legislation.

I foreshadow that the Opposition will propose a series of commonsense amendments to this bill. The amendments have been drafted to ensure the safety of children and young people in school grounds. I will turn to these concerns shortly. I trust that the Minister will not let his recent streak of partisan stubbornness hinder the development of effective child protection legislation. Schedule 1, clause 4 of the bill will amend section 16 of the Child Protection (Working with Children) Act 2012. This will enable the Children's Guardian to cancel a clearance if the holder of the clearance fails, without reasonable excuse, to provide further information in relation to the clearance within three months of Children's Guardian requesting the information.

The bill will also amend section 24 of the Child Protection (Working with Children) Act to require a holder of a clearance to obtain the consent of the Children's Guardian before surrendering the clearance. The Children's Guardian may not consent to the surrender of that clearance if it is of the opinion that it is likely there is a risk to the safety of children. Schedule 1 to the bill will further amend section 26 of the Child Protection (Working with Children) Act. If a person is subject to an equivalent order from another State or Territory

jurisdiction, then that person will not be entitled to apply for a review or an enabling order for the length of the equivalent order.

The bill will amend section 35 of the Child Protection (Working with Children) Act so that agencies will not be required to report on serious physical assault or sexual misconduct matters pre-1995 unless required by the Children's Guardian. This is due to a transitional regulation to the same effect expiring on 29 October 2016. The insertion of new section 45A into the Act will make it an offence for an individual to knowingly provide false or misleading information to the Office of the Children's Guardian whilst applying for a clearance and this offence will be punishable by a maximum of five penalty units.

I now turn to schedule 2 to the bill that amends the Children and Young Persons (Care and Protection) Act 1998. The proposed amendments to the Act will enable the Children's Guardian to enter and inspect any premises, other than a dwelling, that the Children's Guardian reasonably suspects is a place at which a person is employing a child in contravention of chapter 13 of the Act. The Children's Guardian will also have the power to compel an individual to provide information relating to the suspected employment of children.

Schedules 3 and 4 to the bill will amend the Teaching Service Act 1980 and the Education (School Administrative and Support Staff) Act 1987. For the purposes of these Acts it is proposed that a person whose clearance is cancelled pending determination of proceedings against the person, known as a "charged person", is not an "unauthorised person" until a conviction has been laid against the person as per schedule 2 to the Child Protection (Working with Children) Act.

This bill provides for a charged person to be suspended or to be given other non-child-related work until a decision is made. It is my understanding that a charged person who is either suspended or dismissed immediately rather than given alternative duties may end up not being convicted. There are examples of charges having been withdrawn by the police. If they have been dismissed, they will be unable to continue in their previous employment. I understand that is the reason for this amendment. While it may be more reasonable for the charged person to be given alternative duties rather than being dismissed or suspended, we must ensure that they are not put in a position where they could pose a risk to the ongoing safety of schoolchildren. That is why my proposed amendment must be supported.

It should be clear that if a member of staff under either the Teaching Service Act or the Education Act were to be charged, they should not be allowed to perform any duties on a school site. The bill requires amendment to reflect this commonsense approach. I make it clear for the Minister's benefit that this legislation as it stands does not clearly specify where that non-child-related work will be undertaken. The bill provides that a charged person or teacher, as defined in this legislation, can pose a risk to children if we do not clarify that they cannot remain on a school site when they are given alternative duties. In these circumstances, a charged teacher could continue marking, for example, while working from home rather than in a school office while children are at the school. A charged person might be transferred to the department or they might work from home. I foreshadow that the Opposition will move several amendments to correct this anomaly.

In his second reading speech the Minister stated that the bill "supports the commitment of this Government to keep children and young people safe on an ongoing basis". I can assure him that the Opposition will hold him to account in that regard. Sadly, more often than not his promises to support and to prioritise the safety of children and young people have proven to be hollow. In his speech the Minister stated that the amendments made in 2015 provided for the establishment of an expert advisory panel that would provide general advice to the Children's Guardian and, in particular, to the NSW Civil and Administrative Tribunal when it considers matters on appeal. The panel was to include forensic psychologists, psychiatrists, and mental health and other specialists, who would provide guidance to the Children's Guardian and to NCAT. It is my understanding that that panel is not functioning. It has received 10 applications but only three have been approved. The panel was announced in September 2015, and the Minister has failed to ensure that it is up and running 12 months later. That is nothing short of sheer incompetence.

The Minister must immediately explain why it has taken him more than a year to set up a panel of experts to advise on who should or should not be able to work with children. When the welfare of children is at stake, delays such as this are unacceptable. When it comes to the safety and welfare of our children, we can no longer afford to let inappropriate individuals slip through the cracks. I reiterate to the Minister that the New South Wales Government has a fundamental obligation to stand up and strengthen the rights of the most vulnerable children in this State. All loopholes that expose children to the risk of harm must be closed. I ask the Minister to support the amendment that the Opposition proposes to move, to ensure that persons who are charged are not working on school grounds while waiting for a determination on their charge. Even though they might be undertaking a non-child-related duty, it cannot be on school grounds.

Mr STEPHEN BROMHEAD (Myall Lakes) (19:35): I support the Child Protection (Working with Children) and Other Child Protection Legislation Amendment Bill 2016. Nothing is more important than protecting our children. As leaders we must be constantly vigilant to ensure that our legislation protects children and supports agencies that play an important role in that. The objects of the bill are:

- (a) to amend the Child Protection (Working with Children) Act 2012 ... to make provision for the exchange of information relating to working with children clearance checks with relevant bodies in other jurisdictions and other miscellaneous matters relating to clearances and the disclosure and notification of certain information, and
- (b) to amend the Children and Young Persons (Care and Protection) Act 1998 ... to make provision for enforceable undertakings, entry without warrant into premises, the issue of penalty notices by certain employees of the Children's Guardian and the production of certain information relating to the employment of children, and
- (c) to amend the Teaching Service Act 1980 ... and the Education (School Administrative and Support Staff) Act 1987 ... to provide that a person whose clearance has been cancelled pending determination of proceedings against the person for an offence, may be suspended or placed on alternative duties, rather than being immediately dismissed.

In all of the above objects, the common denominator is the protection of children. Nothing can be more important in our society. The bill represents the Government's commitment to ensuring that our children are safe. I congratulate the Minister for Family and Community Services, and Minister for Social Housing, Brad Hazzard, on bringing this bill before the House. Members will recall that almost 12 months ago a number of other significant amendments to child protection legislation were introduced in this House by the Minister for Family and Community Services. The fact that more amendments are now being introduced is indicative of the Government's commitment to ensuring that our children are afforded the maximum protection. I hasten to add that legislation alone cannot deliver a child-safe environment; rather, it is intended as a tool to complement strong child-safe policies and strategies. As leaders we must be constantly vigilant to ensure that child protection legislation does its job and protects children. That is why this amending legislation has been brought before the House.

I turn first to the amendments to the Child Protection (Working with Children) Act 2012. One of the greatest strengths of the New South Wales scheme is the continuous monitoring that is undertaken during the five-year life of a clearance. This means that holders of a clearance are continually monitored for subsequent New South Wales criminal and workplace records. Should a continuous check event occur then a holder will come to the attention of the department. Their clearance will be reviewed and potentially cancelled. It is notable that, as at October 2016, more than a quarter of people who were barred from a Working With Children Check were initially granted a clearance and subsequently barred because of a continuous check event.

There is no reason why holders of clearances who become reacquainted with the Office of the Children's Guardian [OCG] because of a continuous check event and applicants who apply for a Working With Children Check in the first instance should be treated differently. However, there are inconsistencies in the treatment of applicants and holders. The bill proposes that the inconsistencies be addressed by treating applicants and holders alike by cancelling a holder's clearance if they do not respond to requests for information within three months of the request; requiring that holders who wish to surrender their clearance do so only with the consent of the Children's Guardian; and precluding holders from seeking a review in the NSW Civil and Administrative Tribunal [NCAT] if their clearance was cancelled because of a pending schedule 2 charge.

The bill also clarifies another inconsistency in relation to the recognition of interstate and foreign orders. At present a person is not entitled to ever seek NCAT review if they have been convicted of a specified serious offence and served a term of full-time imprisonment regardless of whether the conviction was under the law of another State, Territory, Commonwealth or foreign jurisdiction. If a person was convicted of such an offence and certain orders were imposed on them, they cannot seek NCAT review while the order is in force.

However, the orders are limited to a home detention order, intensive correction order or community service order under the Crimes (Sentencing Procedure) Act 1999; a good behaviour order under section 9 of that Act and a suspended sentence order under section 12 of that Act; a conditional release order or recognisance release order under section 20 of the Commonwealth Crimes Act 1914; and a prohibition order under the Child Protection (Offenders Prohibition Orders) Act 2004. Equivalent orders made by a court of another jurisdiction including jurisdictions outside Australia are not included. Clearly, there is no reason to exclude inter-jurisdictional equivalent orders particularly since a person who has been convicted of an equivalent offence in another jurisdiction and served a term of imprisonment is disentitled from ever seeking review. This inconsistency is corrected in schedule 1 [7] and [8] of the bill. I commend the bill to the House.

Mr GREG PIPER (Lake Macquarie) (19:40): I contribute to the debate on the Child Protection (Working with Children) and Other Child Protection Legislation Amendment Bill 2016, which I broadly support. The bill amends a number of items of legislation. Schedule 1 contains amendments to the Child Protection (Working with Children) Act 2012, to which I will principally speak. Schedule 2 contains amendments to the Children and Young Persons (Care and Protection) Act 1998. Schedule 3 contains amendments to the Teaching

Service Act 1980. Schedule 4 contains amendments to the Education (School Administrative and Support Staff) Act 1987.

I note the comments from the Opposition. A number of issues were raised that warrant consideration, although some of the comments referring to a private member's bill in the same arena are perhaps a little unfair and unnecessary because I imagine all members are very closely aligned in wanting to ensure the best protection for children in New South Wales. I am always supportive of new or refined legislation which genuinely protects our children. We will no doubt have to continue to be mindful of that and keep a watching brief on these areas in order to act quickly and responsively when anomalies arise. I note that these amendments are largely proposed to mend inconsistencies in existing legislation and are part of further reforms brought by the Government and the Minister for Family and Community Services.

I applaud the Minister on recent reforms which not only strengthened bans and checks on those who have committed serious sexual offences against children but also tightened the Working With Children Check regime. Again I am supportive of the amendments proposed in this new legislation but I take this opportunity to suggest that further reform of the check regime is needed. I wish to refer to a particular case as a case study in relation to this issue. I have a constituent in my electorate who has experienced ongoing frustrations with a system which has not been designed to fit her somewhat unusual case. The Minister and his staff are aware of this case. To his credit the Minister has asked for action to be taken to bring this longstanding matter to a resolution with the Office of the Children's Guardian.

The woman who I will refer to as Cathy has a story that is somewhat long and complex so I do not want to go into great detail about her case here. It is fair to say that it has been a somewhat arduous period for her and it is worth putting on record because it goes into some of the aspects of consideration of people under this legislation. Certainly there are parts of Cathy's past of which she is not proud—incidents which occurred when she was herself a juvenile and later when she struggled with the effects of alcohol. Now aged 36 and a mother of two, she has turned her life around, been clean from alcohol for six years, worked in government positions as a social worker and has otherwise been a respectable and upstanding citizen.

In October 2014 she applied to the Office of the Children's Guardian for a Working With Children Check. She submitted her application, later added references when asked, and waited. She is still waiting for that application to be determined—and remember that application was made in October 2014. The main reason for that delay is that Cathy has several convictions for assault of a juvenile. Both of those charges occurred when she was also a juvenile. When she was 14 she assaulted another 14-year-old girl; when she was 16 she assaulted another 16-year-old girl. She does not shy away from those convictions or several others on her record, but she has well and truly got her life back together, furthered her education, attained skills, does community work and has, in my opinion, more than earned her place in the community.

Until May this year she was working as a sole practitioner at Broken Hill Hospital—allowable because she carried a Working With Children Check application number while her application was being determined. In February this year she applied for a similar position with Hunter New England Health. She was given the job but could not start until she received the check clearance. Further, Cathy has worked as a youth worker for four years where there was no need for the Working With Children Check and has also been subject to three risk assessments with three different New South Wales health districts and, with full disclosure, passed their requirements.

In June she was informed by the Office of Children's Guardian that her criminal history—those incidents she was involved in as a juvenile—had triggered a further risk assessment. So, to go back a little, she was working in a public hospital at Broken Hill without problem but could not perform the same job in the Hunter. She is still waiting for that clearance—the one she first applied for two years ago. I believe we need a system that allows for people who have been rehabilitated. Cathy made poor choices as an adolescent but has turned her life around, so surely the system should have the capacity to reciprocate. She was 14 and 16, a kid herself when those assaults happened. Regardless of how we judge that, a two-year delay in processing her application for a check clearance is, I think, very unreasonable.

I agree wholeheartedly that we cannot place too much importance on protecting our children—and Cathy also agrees with that. Assuming that people who have been down and out can turn their lives around—and I believe they can—then they are probably in a good position to help people who find themselves in poor social circumstance. As someone who has lifted themselves up, educated themselves and set out to help people through social work, I think Cathy should be applauded. As it stands, Cathy is now at home on Centrelink benefits because she cannot start the job she has been given without a final determination of her Working With Children Check. As I said, I was told only today that her case has been expedited, but I appeal to the Government at a time when it is reforming this system to consider cases such as Cathy finds herself in and ensure that the system deals with them fairly and in a timely manner.

Notwithstanding the particular case I have referred to, and as regards the current amendments before the House, I am very aware of the tragic outcomes that are possible when we do not do enough to protect our children or, indeed, when we get it wrong. I know that the Government, all members of this House and those who work in child protection in New South Wales take the issue very seriously. I commend those who work in that arena for their hard work, work that too often responds to tragedy, but which must at times also be very rewarding. These amendments reflect an ongoing commitment to improving the tools and the policies we have for protecting our children. We must continue to be mindful of needs and respond accordingly. At this point I believe this is a worthy bill. I commend the bill to the House.

Mr KEVIN CONOLLY (Riverstone) (19:47): I speak to the Child Protection (Working with Children) and Other Child Protection Legislation Amendment Bill 2016. Child protection in New South Wales has undergone significant changes in the past 20 years as the community generally and the relevant authorities have become more aware of the scope and severity of the problem of child abuse. This bill builds on a legislative foundation which both this Government and its predecessors have laid over those years. The changes in this bill are incremental rather than revolutionary and reflect issues which have arisen in the course of the work of the Children's Guardian and other agencies.

The first group of changes is to the Child Protection (Working with Children) Act 2012. An important provision of the bill is the provision that a conviction in relation to a relevant offence or an order of a court in another State or Territory will now have the same effect as a conviction for that equivalent offence or a court order made in New South Wales would have in relation to a person's eligibility for a Working With Children Check or to make an application for review of a refusal for a clearance. Another change ensures that an application for review of a cancellation of a person's clearance cannot be made while proceedings are ongoing against that person.

The bill provides for the exchange, under specified conditions, of Working With Children Check information with those agencies in other jurisdictions charged with the same responsibility. It also permits but does not require a reporting body to notify the Children's Guardian of relevant findings of misconduct made before 3 July 1995. This provision reinstates an earlier cut-off date, which appears to have been inadvertently omitted from subsequent legislation. It is a practical measure to allow agencies if they are aware of information before that date to make it available, but does not require them to undertake extensive searches through old records.

I also note that a new provision will enable the Children's Guardian to disclose to an employing agency the fact that a person's criminal record check discloses no criminal record. Changes are also proposed to the Children and Young Persons (Care and Protection) Act. Those changes relate to the employment of children in the entertainment industry. The Children's Guardian may accept what will be a legally enforceable undertaking from an employer relating to the circumstances and conditions of the employment of a child. The Children's Guardian may also require the provision of information relevant to child employment. The Children's Guardian may inspect premises where it suspects that non-compliant child employment is being conducted. The Children's Guardian may authorise an employee within an office to issue penalty notices in relation to child employment. These measures tidy up a field where it has become apparent that some employers of children blatantly disobey the law and, in fact, put themselves outside the current scope of the powers of the Children's Guardian by not admitting to employing children in the first instance.

The last group of changes relates to the Teaching Service Act 1980 and the Education (School Administrative and Support Staff) Act 1987. Currently those Acts require the dismissal of an employee in public education whose clearance to work with children has been cancelled. It is a blunt instrument with no discretion available to the department. Obviously it is imperative for the protection of children that a person charged with the relevant offence has their clearance cancelled. That is, it is imperative that such a person be removed from child-related employment until such time as the allegation is appropriately tested in the legal system. However, if the result of an investigation and/or prosecution is that the person is found not guilty of the offence, then it is unjust if that person has lost and cannot resume his or her employment. This amendment ensures that such a person can be either redeployed to non-child related employment or suspended until such time as the charge has been determined. This allows for the protection of children and the provision of justice to the person who is the subject of an allegation.

Stories of historic abuse in institutional settings continue to emerge and to disturb, shock and horrify the community. Sadly, there are many stories of what happened in institutional settings over the years. I draw attention to what is, unfortunately, also a well-known fact—the majority of child abuse occurs not in the workplace or in an institutional setting, but in the child's own home. Far too often in our community a child's home is not a safe place. The perpetrator of child abuse is often someone who is close to the child. While we quite rightly take all of the steps in this particular bill to provide greater safety for children in institutional and workplace settings, we cannot overlook and forget that there is an equally large and urgent challenge for the Government and the broader

community to address abuse wherever it occurs, particularly in the domestic settings of children. I commend the bill to the House.

Ms JENNY AITCHISON (Maitland) (19:53): I speak to the Child Protection (Working With Children) and Other Child Protection Legislation Amendment Bill 2016. I thank the shadow Minister for her contribution to this particular debate. The bill contains a package of amendments to legislation relating to child protection, employment and education proposed by the Office of the Children's Guardian, which was established by the Carr Government in 1998 with the passage of the Children and Young Persons (Care and Protection) Act.

The most recent changes to child protection legislation were made in June last year after a concerted campaign by the New South Wales Opposition to highlight examples of clearances that had been granted on appeal to individuals who had committed serious crimes against children. Those changes ensure that people convicted and imprisoned for murder, indecent or sexual assault of a child, child pornography or incest with a child victim will never be able to appeal to the NSW Civil and Administrative Tribunal [NCAT] to overturn a ban on them working with children. Other changes included the introduction of a reasonable person test to be applied by the Children's Guardian and NCAT and the establishment of an expert advisory panel to provide general advice to the Children's Guardian in relation to risk assessments. As yet the Children's Guardian Expert Advisory Panel is not functioning, with 10 applications received and only three approved. It is appalling that the panel has not been established to date.

The intent of this bill is to stop children in institutional settings from being subjected to abuse by people who are employed to provide their care and protection. Successive governments have failed to adequately protect children from all the threats they may face in institutional settings. In my role as shadow Minister for the Prevention of Domestic Violence and Sexual Assault I have noticed a general siloing of child protection. It can appear that sexual assault in a school is different from sexual assault in a church setting, or sexual assault of young people at university is different from sexual assault at a youth camp. A royal commission major investigation is underway into appalling cases of abuse over many years in churches and other institutions. At their heart, these matters all concern the same issue: the non-consensual attempt to sexually or indecently assault a child. Of course, a child can never consent to any type of sexual activity.

In our approach we need to go further than what is contained in this bill and provide a whole-of-government response to sexual assault. That is why I am concerned that we do not have a sexual assault strategy, which the Minister for the Prevention of Domestic Violence and Sexual Assault promised last year. We also need to build resilience in children and make them aware of the threats that may exist. I remember being taught about stranger danger as a child. I know that children are often told not to accept lifts from strangers or place themselves in any situation in which they may be at risk. I note the contribution of the member for Riverstone regarding the real and present risk children face from domestic abuse and sexual assault in their homes. However, this bill has not taken all the steps required to protect children in educational institutions and other workplaces.

The amendment the shadow Minister proposed is important to ensure that a charged person who is placed on alternative non child related work cannot be on a school site. It otherwise makes a mockery of the Working With Children Check, which at its heart is designed to protect children from people whom they may know. Children may have met those people because they are employed in institutions at which the children are present, and that places them in danger. Although a person may not be directly employed to look after a child or interact with them, there is a risk to a child if that person is located at the same site.

The point I particularly wanted to make in this debate is about the siloing of our responses to sexual assault. Sexual assault is a heinous crime that affects individual children's self-esteem and their development as they get older. It has terrible consequences for children. We need to ensure that we respond holistically. When we put forward legislation we must think of all the implications. To ensure that we protect children we must not only discuss the issues for the perpetrators but also help to build resilience and understanding in children.

That is why programs such as Respectful Relationships—an evidence-based program in Victoria, which has been rolled out to children at an early age—are such important tools for us. As parents and as citizens, we cannot ensure that our children are safe in every place so we need to ensure that they have the skills to recognise grooming behaviour, whether it comes from a stranger who pulls up beside them on a highway or someone working at an institution who happens to bump into them. Part of the solution is in restricting the access that convicted persons have to children, but, most importantly, another part is in protecting the children by empowering them to understand those behaviours and to reject them so that they can help themselves in dangerous situations. The next stage is for children to have the appropriate mechanism to make complaints if those kinds of behaviours are perpetrated against them. I commend the bill to the House with the amendment.

Mr DAMIEN TUDEHOPE (Epping) (20:00): I support the Child Protection (Working with Children) and Other Child Protection Legislation Amendment Bill 2016. I acknowledge the contribution made by the

member for Maitland. Although I quibble with the so-called evidence-based nature of the Respectful Relationships program which is being rolled out in Victoria, the sentiment which she expresses is certainly worthwhile supporting. This bill strengthens and clarifies the protections for our children by implementing a range of clarifying and other reforms to the Child Protection (Working with Children) Act 2012 and the Children and Young Persons (Care and Protection) Act 1998. It also includes amendments to the Teaching Services Act 1980 and the Education (School Administrative Support Staff) Act 1987.

I congratulate the Minister for Family and Community Services, and Minister for Social Housing on introducing this bill, which further supports the Government's commitment to be vigilant of the risks that our children face and, more importantly, to proactively address them as they arise. By and large, this bill seeks to clarify inconsistencies which currently exist within the bill. The Minister quite rightly points out—and every member of this House would support this—that there can never be too much protection for our children. Therefore, along with others in this place, I welcome the reforms in this bill.

The clarifying amendments to the Child Protection (Working with Children) Act add greater clarity to the Act and improve its scope and application, particularly in relation to the treatment of applicants for Working With Children Checks and holders of clearances, because anomalies can arise in respect of the two positions. If a person already has a Working With Children clearance and commits an offence, how are those persons to be treated in relation to the continuation of that clearance, and are they treated differently from the person who has made the application? I will come to those questions shortly.

The genesis of this legislation was in the recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse. A significant number of those recommendations related just to Working With Children Checks. The royal commission did a significant amount of study relating to the manner in which those Working With Children Checks were being implemented across the country. Accordingly, that royal commission contributed significantly to bringing to light serious issues that call for responses, not only in New South Wales but across Australia, and has also raised greater awareness about the detrimental effects of careless and unsafe practices in relation to child protection. Of particular significance is the amendment proposed in schedule 1 [13] to the bill, which makes provision for the exchange of Working With Children Check information with bodies that grant such clearances in other jurisdictions. That was a specific recommendation of the royal commission.

It is well-known that information exchange is a crucial key to ensuring effective risk management, and the Working With Children Check information exchange between other jurisdictions is certainly a step in the right direction to eventually achieving portability of Working With Children Checks. It is also a significant cost-saving measure if that information and data are provided. This exchange is subject to ministerial protocols, which will mean that all privacy concerns will be addressed in consultation with the Privacy Commissioner. I turn now to the amendments to the Children and Young Persons (Care and Protection) Act. Like others in the community, I was shocked by news of the recent convictions of prominent entertainers for historical child abuse offences, for example, the cases involving Rolf Harris and *Hey Dad!* star Robert Hughes.

This highlights how perpetrators abuse their capacity to have unsupervised access to children and calls for greater scrutiny of the industry with powers that will not only serve as preventative measures by enforcing child safe environments but also serve as effective deterrents to avoid repetition. There is also a commonly held view that the need for enforcement powers is mitigated by the presence of an accompanying adult. My nephew is quite a wonderful singer. In fact, when he was 12 he sang for some time with Opera Australia. The protocol at the time was that he was required to attend performances with an adult. I can recall attending a performance of *The Magic Flute*. On the face of it, that appears to be a suitable requirement for children. However, in the royal commission, case study 37, centres for performing arts and, in particular, RG Dance Pty Limited, revealed that the presence of an accompanying adult is insufficient to safeguard children in employment.

Mr Jamie Parker: Especially if it is a priest.

The DEPUTY SPEAKER: Order! Members will show courtesy by listening in silence.

Mr Jamie Parker: He is attacking the entertainment industry.

Mr DAMIEN TUDEHOPE: I am not attacking the entertainment industry.

The DEPUTY SPEAKER: The member for Epping will continue and disregard interjections from the member for Balmain. This is not question time.

Mr DAMIEN TUDEHOPE: I am dealing with the situation where there is the necessity to impose additional checks in relation to employment situations.

Mr Jamie Parker: I agree.

The DEPUTY SPEAKER: The member for Epping will continue and disregard interjections from the member for Balmain.

Mr DAMIEN TUDEHOPE: In the case of RG Dance Pty Limited, evidence was brought to light that parents went as far as to provide the employer with inappropriate videos and photographs of their children, perhaps overtaken by a desire for their children to succeed in the industry. It is against this background that I support the granting of increased enforcement powers to the Children's Guardian to enable her office to better regulate those employers who employ children in the entertainment industry. That is why the Children's Guardian should be able to require any employer to provide information and documents relating to employing children and enter and inspect premises other than a dwelling if there is a reasonable suspicion that a child is being employed contrary to legislative provisions.

It must be noted that the power of entry being sought is only an extension of an already existing power to enter premises where the employer has an authority to employ children. This bill will extend this power such that officers of the Children's Guardian will be able to enter premises where there is a suspicion that a child or children are being employed without an authority. Unless the Children's Guardian has these powers, it is more likely than not that employers who knowingly and deliberately break the law by employing children without lawful authority to do so will continue to do so, as the law is a toothless tiger to such employers.

As the Minister has said, the proposals have been widely consulted on and agreed. More relevantly, they are enforcement options that most other government regulators already have for protection in a wide range of varying purposes. I regard those powers as essential for the protection of our children: Surely nothing is more worthwhile than that. Last but not least, schedules 4 and 5 to the bill make amendments to the Teaching Services Act 1980 and the Education (School Administrative Support Staff) Act 1987. The amendment of the Education (School Administrative Support Staff) Act requires, rather than immediate dismissal of teachers who are the subject of charges, that they be placed on alternative duties. I believe this proposal is a fair and reasonable one. Such persons will not be involved in any child-related work, but equally they will not be dismissed until the matter is determined. I commend the bill to the House.

Mr JAMIE PARKER (Balmain) (20:10): I strongly support the Child Protection (Working with Children) and Other Child Protection Legislation Amendment Bill 2016, which is an important step forward in the development of a legislative framework to protect children and young people in our community. Like every other member of this House I have been appalled by what we have seen from the royal commission and from what we have heard from interacting with constituents. Two constituents of mine with whom I have met several times have been through some of the most horrific abuse and have been let down badly by institutions that should know better—institutions that have continued to systematically fail to deal with horrifying abuse of children in their community. I am referring not just to religious organisations—as we know, some of those have acted in a disgraceful way—but also to a range of other organisations. It is important for us as members of Parliament to do everything that we can do.

I take this opportunity to highlight that this State has a strong record on the Working with Children Check scheme, which allows people to apply for a Working with Children Check clearance that is held for five years during which time the applicants are monitored for compliance. As other members have identified, that is an important way in which people, whose employment puts them in close contact with children and young people, have undergone appropriate vetting. As other members have indicated, this is only one part of making workplaces safe for children, but it is an important one. A whole range of other measures also need to be undertaken. The Minister for Family and Community Services, and Minister for Social Housing has introduced an important initiative. One of the key issues I will address is interstate portability of Working with Children checks. That is very welcome because it will have the beneficial effect of both protecting children and reducing compliance measures imposed upon people who are seeking employment. It is a positive step forward. It is a good initiative by the department. It is great that the Minister has introduced this legislation.

The Greens also support the creation of an offence of providing false and misleading information as part of an application for or an inquiry about a Working with Children Check. The Greens have a number of small concerns on which the upper House Greens member with carriage of this legislation has sought clarification. In particular, following consultation with the CREATE Foundation, The Greens note that schedule 1 item [12] will be amended to require the notification of findings of misconduct prior to July 1995 only if "a person holding a key position in the organisation has knowledge of a finding made by the reporting body".

The risk here is that if key people have left the organisation, as well may occur in the space of 21 years, their knowledge may be lost, and there may be reduced potential for us to help to protect children. The amendment leaves a substantial amount of discretion to the organisation. But while The Greens express concern in relation to that, it is important to note that it is a marked improvement on the current situation in which there is no guidance

about what should be done with any pre-1995 information that may exist. Schedule 1 item [12] (2) (b) is a step forward, but it can be improved. The Greens encourage the Government to consider amending it.

Submissions have been made about ensuring that the Carers Register is a true reflection of the carer's history and involvement with young people. I understand some clarification was sought on that. But these are relatively small matters. The broader issue of protecting children and young people is absolutely critical. These matters coming forward are so important that the Minister has decided to bring them to the House. I acknowledge the Minister's work in this portfolio—it is a challenging ministry and very, very difficult. It is particularly challenging for him because the Minister also has the portfolio of Housing, which is a disgraceful mess. The Greens support the bill and encourage the Minister to continue his work in improving and increasing the security of young people in our community, and in ensuring that all the measures we have in place are most effective in their implementation. We support this bill.

Mr BRAD HAZZARD (Wakehurst—Minister for Family and Community Services, and Minister for Social Housing) (20:15): In reply: I thank all members for their valuable contributions to this very significant debate on the Child Protection (Working With Children) and Other Child Protection Amendment Bill 2016. I particularly thank the following members: the member for Bankstown, the member for Lake Macquarie, the member for Riverstone, the member for Maitland, the member for Myall Lakes, the member for Epping and the member for Balmain. I also thank the Office of the Children's Guardian for its hard work and ongoing commitment to children in New South Wales. Its focus on protecting children and young people has led to the development of this bill. I remind members that the Children's Guardian is an independent office and is not an office that is subject to direction from the Minister. Therefore, this bill is legislation that the Children's Guardian has considered is appropriate to achieve her statutory obligations.

All decision-making in child protection should, of course, be driven by what is in the best interests of a child's safety, welfare and wellbeing. This principle is at the heart of our child protection legislation, and drives our policy-making and practice. To this end, the Baird-Grant Government is deeply committed to continually identifying ways to improve our capacity to keep children and young people safe and to take the necessary, proactive steps to ensure our legislative framework is well equipped to respond to risks. It is for that reason that I, as Minister, am in constant contact with the Children's Guardian and the Ombudsman to hear their concerns from time to time as issues evolve and to ensure that the Government responds to their concerns in a way that ensures we do everything possible to make sure legislation reflects the best interests of a child's safety and welfare. Those issues are the focal points of this bill.

The bill clarifies the Child Protection (Working With Children) Act through various amendments. For those going through a Working With Children Check risk assessment process, and in relation to the NSW Civil and Administrative Tribunal appeal rights, when refused a clearance because of a pending charge applicants and holders of a clearance will, following the passage of this legislation, be treated the same way. Similarly, the formalising of provisions in relation to the requirements to report misconduct information to the Children's Guardian have been formulated following a long consultation process, which has allowed the views of stakeholders to be front and centre. The amendment to reporting requirements in this respect reflects those views, and supports agencies with practical reportable conduct standards.

The processes for the Office of the Children's Guardian disclosing probity information to specified employers are formalised by this bill and give effect to practical information-sharing mechanisms that support all agencies. All members will be aware of the ongoing royal commission in which Commissioner Peter McClellan is investigating matters relating to sexual abuse of children in institutions. New South Wales is again taking the lead in implementing the royal commission's recommendations with regard to information exchange relating to Working With Children Checks with corresponding bodies in other jurisdictions subject to ministerial protocols. The amendments reflect the findings of the royal commission and are a step towards eventual portability of information across all jurisdictions.

This bill aims to keep more children and young people safe during employment, and accordingly there are certain amendments to address that aspect. The amendments pertaining to the regulation of children's employment are an important step towards providing protection of children employed in the entertainment industry. The enhanced enforcement powers for the Office of the Children's Guardian have been widely consulted on with New South Wales police and industry peaks, all of whom support such measures being implemented. The amendments provide the Children's Guardian with enforcement options other government regulators already have at their disposal. Further powers of entry provisions are simply an extension of powers the Children's Guardian already has in relation to entering premises where child employment is authorised. All appropriate safeguards will be in place for Children's Guardian staff utilising the powers this bill enables.

The bill makes amendments initiated by the Department of Education. The bill makes amendments to the Teaching Services Act and the Education (School Administrative Support Staff) Act so as to suspend and

place on alternative duties employees who have been refused a Working With Children Check Clearance because of a pending charge for an offence under schedule 2 of the Working With Children Act, instead of being dismissed as is currently the requirement. This will still maintain the safety of children, because employees will not be able to participate in child-related work.

The shadow Minister raised the type of work that staff may be involved in, and I can advise the House from earlier discussions I had with the Minister and relevant advisers, that the current arrangements for education are little different from almost every other agency arrangements, and that is the reason for this amendment. Unfortunately, at the present time, when an accusation is made against a teacher, there is no other option but to dismiss that teacher. Provisions in the bill will enable the teacher to be placed in a position where they are no longer in proximity to children. Teachers' representatives wanted this to be addressed, and the Department of Education considers this amendment to be reasonable. I trust that this clarification satisfies any inquiries about this issue. It is certainly a matter that has been considered in depth and has been found to be adequately catered for in this bill.

An issue relating to a particular constituent was raised by the member for Lake Macquarie. I am aware of that issue, and it is important that the Office of the Children's Guardian is able to undertake all necessary investigations when a person has had a conviction for any type of offence that may indicate that the person is inappropriate to be in any proximate arrangements with children. In most cases it would be preferable to have those investigations undertaken as quickly as possible, but in the past we have found that many organisations have sought to exercise the precautionary principle and that the check be undertaken in relation to the staff member. That has blown out the lists, but that could be because there are many more than was anticipated or because particular investigations have not been concluded. I am aware of a number of cases where the complexity of the matter is quite substantial. Prior to the member raising this matter tonight, I undertook to ask—not direct but ask—the Children's Guardian to do all she can to ensure that the matter is expedited.

As pointed out earlier, the Office of the Children's Guardian is independent of a Minister and there are matters that may be privy only to the Children's Guardian. Having said that, I am sympathetic to the situation that the member for Lake Macquarie raised and I will again seek to clarify the position with regard to that particular person. I note that the Opposition also indicated that the Government had not established the expert advocacy panel to advise the Office of the Children's Guardian. That is wrong. The panel has been established. As to the other issue raised by the member for Lake Macquarie about a possible amendment during the consideration in detail stage of the bill, I indicate that I do not believe the issue raised warrants an amendment being agreed to but in the interests of bipartisanship and making sure this House always takes the time, respectfully, quietly and deliberately, to consider any proposals, whether from the Opposition or other members of this place, I will arrange for the matter to be looked at closely by the legal advisers from the Office of the Children's Guardian.

I indicate to the member for Bankstown that I am happy for the amendment to be moved during the consideration in detail stage but suggest that the more appropriate course of action is to allow the matter to be formally opposed but to not divide tonight to allow the matter to be considered by the legal advisers and to further negotiate and consider the matter after we have had those discussions. I am happy to allow the Opposition to have access to the legal advice on that. We will look at the matter and if it is appropriate to change it, we will consider the matter in the upper House but at this stage my preliminary view is that it is not necessary. With those comments I commend the bill to the House.

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

Motion agreed to.

Consideration in detail requested by Ms Tania Mihailuk.

Consideration in Detail

The DEPUTY SPEAKER: By leave: I will deal with 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.

The DEPUTY SPEAKER: The question is that schedules 1 and 2 be agreed to.

Schedules 1 and 2 agreed to.

Ms TANIA MIHAILUK (Bankstown) (20:27): By leave: I move Opposition amendments Nos 1 and 2 on sheet C2016-096 in globo:

No. 1 **Charged persons must not be on school grounds when children present**

Page 9, Schedule 3. Insert after line 30:

[5] Section 93ZAB

Insert after section 93ZA:

93ZAB Charged person must not be on school grounds with children

The Secretary must ensure that a charged person who has not been suspended does not carry out duties at a school (and is not present at a school) at any time when children are at the school.

No. 2 Charged persons must not be on school grounds when children present

Page 11, Schedule 4. Insert after line 31:

[5] Section 32RA

Insert after section 32R:

32RA Charged person must not be on school grounds with children

The Secretary must ensure that a charged person who has not been suspended does not carry out duties at a school (and is not present at a school) at any time when children are at the school.

As outlined in my contribution to the second reading debate, the New South Wales Opposition has formulated this common-sense amendment to ensure the safety of children and young people in school grounds. From advice I have taken it is my view that the bill does not specify that a charged person should not enter school grounds when children are present even if they are placed on alternative duties. I appreciate why the Minister has proposed this legislation, namely, that there are instances where a charged person, such as a teacher or support staff, may have the charge withdrawn by the police or may not be convicted of the charge. Under the current provisions of the Teaching Service Act 1980 that individual would be either suspended or dismissed.

The amendment that the Government has proposed effectively suggests that there will be an option of alternate duties. It is clear to me that we must ensure that those alternate duties are not on school grounds. I state this because we know that sometimes departments, for example, use offices, halls or particular school space for non-child-related work that might assist a school or department. I know of a sport and recreation division of a department that is based on a school site. None of the staff who work in that office work directly with children—they all do non-child-related work—but they must walk through the playground each day to enter and exit their place of work. There are many similar examples across the State, and we must ensure that at all times we are putting the rights and the safety of children first in our considerations, which is why I have moved the Labor amendments.

In the example I raised, if a charged person were to be convicted under schedule 2 of the Child Protection (Working With Children) Act 2012, for the entire period they were performing their other duties children could be at perceived risk of harm. I believe Opposition amendments No. 1 and No. 2 will correct this issue and insert similar provisions into the Teaching Service Act 1980 and Education (School Administrative and Support Staff) Act 1987 to ensure that a charged person must not be on school grounds at any time there are children at the school. In effect the charged person will be barred from being present at a school during school hours or during other events. We must be cognisant of how we restrict this because we must specifically say "school grounds". We cannot say, for example, "school days" because there are community events, fetes and all sorts of carnivals and events held on weekends, and other organisations such as language schools and dance schools use school sites on weekends.

School halls and school playgrounds are increasingly leased to other users, and a lot of other activities are undertaken at school sites. To return to the example I gave earlier of marking duties, the charged person would be able to perform these alternate duties at home without ever exposing a child at school to the risk of harm, or the person could undertake duties at a Department of Education site, away from the school site itself. The Minister made the point earlier that standing orders have been suspended tonight and there will not be a vote or division on this bill. I believe there is an opportunity for the Minister to seek further advice and to talk to the Office of the Children's Guardian's legal advisor, but at this stage I propose these amendments and ask the Minister to support them.

Mr BRAD HAZZARD (Wakehurst—Minister for Family and Community Services, and Minister for Social Housing) (20:33): I understand the intent of the Opposition is good and it is acting with nothing other than an appropriate desire to ensure that children are protected. However, my first reading of the amendments, which were not made available to the Government until debate on this bill commenced tonight, is that these provisions are unnecessary. I think they are also a little restrictive. It is more appropriate and sensible to allow the legal advisors of the Children's Guardian to advise Parliament whether the amendments have value. I am not indicating opposition to the amendments other than for the formalities of tonight. It would seem to me that allowing a little time before proceeding to the upper House would provide an opportunity to review the amendments. In the normal course the Government would oppose any amendments by the Opposition.

I experienced that many times when in opposition. I recognise that there is a need to consider the issues in a bipartisan manner, and the Government is prepared to do that. However, I do not think the amendments are necessary.

I propose that the House vote on the voices tonight, conclude consideration of the bill and allow it to go to the upper House. I give the member for Bankstown an undertaking that I will organise for legal advice from lawyers of the Children's Guardian. The member can meet with the lawyers and consider the general view. I will then reconsider the issue and the amendments can be dealt with in the upper House. It is appropriate to allow time to consider the matters and to receive legal advice. Formally, I indicate that the Government will not support the amendments but it will consider them. I propose that the path I have set out is a sensible compromise.

Ms TANIA MIHAILUK (Bankstown) (20:36): The Opposition's concern is that the legislation is being watered down. At present a person who is charged and convicted under schedule 2 of the Working with Children Check would not be able to work at a school site and would be dismissed or suspended. It is now proposed to allow those individuals charged with serious offences who no longer have a working with children clearance to be given non child-related duties. The Government has failed to include in the bill that charged individuals are not to work on a school site. The amendments are clear. We do not need to wait for the Legislative Council to deal with the matter. The House cannot divide tonight but there can be a division tomorrow. It is important for the House to consider the amendments. I ask that the Minister use his access to legal advisors to look closely at the legislation and that the Government support the amendments.

Mr BRAD HAZZARD (Wakehurst—Minister for Family and Community Services, and Minister for Social Housing) (20:38): On behalf of the Government, I have been more reasonable than any Labor Minister was in 16 years. At this point my tolerance level has dropped. I allow the matter to be adjourned until the division in the morning, at which time the Government will oppose the amendments.

TEMPORARY SPEAKER (Mr Thomas George): The question is that Opposition amendments Nos 1 and 2 on sheet C2016-096 be agreed to. A division having been called, in accordance with the earlier resolution I set down the division as an order of the day for tomorrow.

Private Members' Statements

MAMBO WETLANDS

Ms KATE WASHINGTON (Port Stephens) (20:39): In early May I started receiving Facebook messages about Mambo Wetlands. I was sent photographs of a large red "for sale" sign that had been erected on land that forms part of the wetlands. The Mambo Wetlands cover 175 hectares, and have saltwater and freshwater areas. They are part of Port Stephens Estuary, which is recognised for its ecological significance. The wetlands are a diverse, interdependent ecosystem with mangroves and seagrasses, saltmarsh and coastal sand woodland. They provide an important wildlife habitat and are home to an abundance of native fauna, including threatened and endangered species such as koalas, bats, squirrel gliders, powerful owls, Wallum froglets, green bell frog and various migratory birds.

Residents asked how the Mambo Wetlands could be for sale. We did some digging and learnt that a six-hectare parcel of land had been purchased by the Department of Education in 1959 as a possible future school site. For decades the land has been cared for by a volunteer Landcare group, headed by the hardworking Walter Lamond, OAM, and his wife, Margaret Lamond. Now the Government was flogging it off. A rally was held on the site on 14 May. Despite the short notice, more than 200 people attended to voice their concern about the sale of such environmentally significant land.

On 26 May I hosted a community forum at which locals spoke about the importance of the land. We heard from Worimi elder Carol Ridgeway about the cultural importance of the site to the traditional owners of the land. We heard from a fourth-generation oyster farmer, Geoff Diemar, about the importance of a healthy wetland system to the oyster farming industry. We also heard from Simone Aurino from the Hunter Koala Preservation Society, who spoke about the importance of the site as a breeding ground for the iconic Port Stephens koala, and her well-founded fears of their extinction if the land is developed. At the meeting residents were urged to write to the relevant Ministers asking that the sale be stopped.

I wrote to the Minister for Education on 10, 18 and 20 May; I wrote to the Minister for Finance on 10, 18 and 20 May; and I wrote to the Minister for the Environment and the Minister for Aboriginal Affairs on 25 May. I am aware that many people in my community also took the time to write to the Ministers. Despite all this activity, despite the letters, and despite media coverage and the enormous effort made by many to prevent the sale, the land was sold at an online auction beginning on 6 June, just five weeks after the big red "for sale" sign was erected. I watched the auction with my stomach churning. When the auction closed, it was sickening to see

that this unique parcel of land was sold for a paltry \$250,000. The Minister for Education justified the sale by saying its proceeds would go towards education resources.

However, \$250,000 does not represent even one-sixth of the maintenance backlog of one of the high schools in my electorate. Since then, title searches have revealed the land was purchased by a local property developer, Paul Unicomb. That is not the end of this sorry saga. To rub salt into the wound, Parliamentary Secretary for the Hunter, Mr Scot MacDonald, has now said that the sale was a mistake. He cites a lack of communication between departments and the inability of the Government to stop the process once it was in train. He was quoted in an article in the *Port Stephens Examiner* headed "Mambo sale mistake" as saying:

... we need better process for reserving these kind of parcels of land for habitat.

He later confirmed his comments on radio when he said:

In my view it was a mistake.

When speaking about the sale process, he went on to say:

Once that is in train it is very very difficult for a government to hit the pause button and say that we might have some other alternate use.

Mr Scot MacDonald's comments fly in the face of responses I have received from the Minister for Education and the Minister for the Environment. In a letter dated 13 July, the Minister for Education stated:

The Department is aware of the conservation value of the land, given it lies directly adjacent to the Mambo wetlands. In an email dated 26 May, the Minister for the Environment stated:

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

The Ministers were aware of the ecological value. They were aware of the concerns of residents, yet the sale proceeded. Who is not telling the truth—the Ministers or the Parliamentary Secretary for the Hunter and Central Coast? Either way, because of this Government, part of the Mambo Wetlands was sold off. My community has not given up; it is continuing the fight. This Saturday I will join residents for a walk through the Mambo Wetlands from 10.00 a.m. The Mambo Wetlands is precious to the people of Port Stephens and its friends across New South Wales, Australia and internationally. It may be the only place in the world where koalas visit the beach and lick minerals from the sand. It is disgusting that this Government either has made an outrageous mistake or just does not care. It should return the land to our community. It should never have flogged it off.

MYALL LAKES ELECTORATE SERVICES AND EVENTS

Mr STEPHEN BROMHEAD (Myall Lakes) (20:44): I inform the House of the great works being undertaken by the Liberal-Nationals Government in New South Wales. What an outstanding Government. It is delivering for the electorate of Myall Lakes. I have spoken many times about the redevelopment of Manning Base Hospital in Taree. Stage one will commence very shortly. The nurse education and training facility at the TAFE is nearing completion. The mechanical workshop has a new multimillion-dollar piece of equipment, donated by Ford, to help mechanics learn by using the latest technology. That is up and running.

Dundaloo Support Services has received \$9.8 million to build group homes in Wingham, Taree and Old Bar. An increase in recurring funding has allowed the agency to employ an extra 25 people. Recently the Government announced funding for MidCoast Water of \$2.47 million as part of the pre-election commitment to water security. The Government also recently announced approval for a change to the local environment plan to allow the first stage of the Northern Gateway at Cundletown, Taree, to go ahead. That will lead to jobs, and the transport hub will reduce the number of drivers sleeping in trucks on the side of the highway.

On the weekend I had the pleasure of attending the Wingham Akoustik Musical Festival, one of the flagship regional events in New South Wales. It has attracted funding of \$60,000 for three years, \$20,000 a year, to help promote and market the festival. Shannon Noll performed there on Sunday. He is a great entertainer. His father was a great supporter of The Nationals. Further to that, Minister Niall Blair announced money for Crown lands infrastructure, and \$27,000 has been provided for rehabilitation of Wingham Showground and refurbishment of the grandstand. There is also \$19,200 for the upgrade of the women's toilets in the Killabakh public hall. They were grotty and dirty. The Day in the Country event at Killabakh attracts thousands of people. It is great to see those toilets being upgraded. The organisers told me last week that they were able to get much of the equipment more cheaply than they first envisaged and they were able to also upgrade the men's toilets. That is great news. These things are happening not only in the electorate of Myall Lakes but right across regional New South Wales.

I recently handed the keys to a \$450,000 brand-new hazmat vehicle to Taree Fire and Rescue. It is state-of-the-art, absolutely phenomenal. That is not only about protecting the community; it also benefits the firefighters who use it. When a fire goes over the vehicle they can protect themselves. In addition, the Government

recently announced new trucks and upgrades of stations for the Rural Fire Service and two new trucks for the State Emergency Service, one in Taree and one in Pacific Palms. I have spoken previously about the fight to obtain funding for a semi-permanent marquee on the banks of the mighty Manning River. I am pleased to say that the Premier saw the use of that and provided \$20,000 to the Lions Club to purchase the marquee. It will be used not just by the Lions Club but also by all community groups when they have events on the banks of the Manning River.

Minister Niall Blair also provided \$120,000 for the cattle pavilion at Taree Showground which last year was condemned. They received \$19,000 from the Community Building Partnership for the demolition of the condemned, dangerous cattle shed and now have \$120,000 to build the new cattle shed there. Without that shed they were in jeopardy of losing beef cattle exhibitors and, as members know, once exhibitors stop going to an event they may not return. It was absolutely fantastic to see that and to be there only a couple of weekends ago for the official opening. Just recently \$100,000 has also been provided for lights and sporting fields at south Old Bar, the Trad Fields, and another \$100,000 for lights at the Tuncurry sports fields. This is great news and shows the great work of the Liberal-Nationals Government.

Mr TROY GRANT (Dubbo—Deputy Premier, Minister for Justice and Police, Minister for the Arts, and Minister for Racing) (20:50): I offer the Government's congratulations to the member who has articulated for the House a smorgasbord of investments that are important to the functioning of the wonderful communities within his electorate. The Myall Lakes and the Manning offer so much natural beauty to the region he represents. The most significant congratulations I give to him on behalf of the Government are for the fact that he is listening to the community that he represents about the projects that are most important to them. This continual investment that was denied to the electorate he represents for a sustained period of time is now turning around the fortunes, the hopes and the aspirations of the communities of Myall Lakes, whether in Forster Tuncurry, Taree, the beautiful area of Wingham or elsewhere. They have confidence in their member and confidence in this Government that their voices will be heard about the investments they need and they will be delivered. This investment is great and it is a lesson to many of those opposite on how to service a community: Work with government to produce results for the community.

TEMPORARY SPEAKER (Mr Adam Crouch): I remind those in the Chamber that under Standing Order 52 members will be heard in silence.

SEVEN HILLS ELECTORATE EVENTS

Mr MARK TAYLOR (Seven Hills) (20:51): Last Friday night I had the privilege of heading down to Kings Langley Little Athletics Club. This is an organisation worthy of hefty praise as its members provide a safe environment in which the children and grandchildren of my local community can socialise and play sport. It was a pleasure to catch up with the tireless hard workers that make Little Athletics possible, particularly the president, Craig Emme; the vice-president, Daniel Giffney; the treasurer, Ken Poole; and the secretary, Vikki Dimovski. There are countless other people involved in the day-to-day operations of Little Athletics at Kings Langley who also deserve recognition. They include all the grounds staff, the parents and, of course, the children.

In addition I recognise Lisa Emme and Nicole Longhurst, both of whom are registrar officers; Miriam Sivalingham, the uniforms officer; Lisa Bardney, the records and rankings officer; Jody Smith, the canteen and barbecue officer; and Cristy Dickson, the publicity officer. There is also the school liaison officer, Daniel Giffney, who does multiple jobs there by the look of it; and the first aid officer, Nerida Duncum. Grounds people Rob O'Brien and Rhys Kable do an outstanding job setting up the oval each Friday night. At Morgan Power Reserve, local children from across the Lalor Park and Kings Langley communities have the chance to participate in active sports.

I also met Craig Emme's father, Eric. Eric is a stalwart and a life member of the club. Eric's commitment and passion for the club are second to none. Despite a recent bout of ill health he shows up every week. That is testament to his enduring strength and character and his commitment to helping the local community. Eric personifies community spirit and is always giving back. My visit was a good opportunity to inspect the equipment currently in use by the club. They are certainly deserving of assistance and I look forward to pursuing avenues that allow the granting of funds to redress the club's lack of equipment. We on this side of the House are committed to helping local clubs like these so that they thrive and prosper. I make a pledge to assist them in any way that I can.

On Sunday I had the chance to visit the Kings Langley Village Fair which was put on by the Lions Club of Kings Langley. It was great to visit that event and I took with me my community fete auditor—a person by the name of Seronique Taylor. She rated the rides, the fairy floss and the sausage sizzles a nine out of 10. I pass on that credit to the Lions Club of Kings Langley. I was in the company of former Hills Shire Council Mayor Michelle Byrne, a former Kings Langley resident who is my community fete expert. She commented that community

participation in Kings Langley fair was outstanding—another credit that I will pass on to the Lions Club of Kings Langley. A presentation was given by Kings Langley Public School and headmaster Phil Walker was rightly proud of his students as they brought the community together with their performance. Mr Walker works tirelessly with the school and the parent community and it is no wonder that the results on Sunday showed what a great community school it is.

There is a lot to be said for building pride in one's local school—something that was showcased throughout the day at the Kings Langley Public School fair. I also had a chance to catch up with the parents and citizens of Kings Langley Public School. It was great to hear about their future plans and visions for the school. I acknowledge members of the parents and citizens committee, in particular, president Kylie Williamson, vice president Georgia Press, junior vice president Nicole Mantarro, secretary Belinda Hocroft, treasurer Leigh Smith, canteen manager Kelly Clark and uniform shop manager Sharon Ryan. I was pleased to see volunteers from policing and the Kings Langley Neighbourhood Watch at the fair. This weekend has shown yet again that the Kings Langley community are, first and foremost, advocates for their families and friends, and for the betterment of their local area. The way in which community spirit thrives is impressive. It humbles me that I am fortunate to represent these people.

MAITLAND HEALTH SERVICES

Ms JENNY AITCHISON (Maitland) (20:56): I speak on behalf of the people of Maitland who are sick of the Baird Government's failed health promises. Five years after being promised a state-of-the-art public hospital they are now left asking, "Where has it all gone?" Since its election in 2011 the Baird Government has done nothing for Maitland's health sector, other than playing a game of smoke and mirrors with the new Lower Hunter hospital. Initially we were promised a large new public hospital which we were told would be the size of the John Hunter Hospital. In fact the Government coined the term "John Hunterish" to describe it. It was to be a facility with 550 beds, but I note that the John Hunter Hospital has 630 beds. It was going to be a teaching hospital and this new hospital was going to be in addition to the existing Maitland Hospital, which has 188 beds. So we were looking at possible total number of 820 beds in our region. And so it should be.

Maitland is one of the fastest growing cities in New South Wales and is the hub of the Hunter region. With five people making their way to the city every day, this promise of improved health facilities was warmly welcomed. It would have increased our capacity to deliver quality medical care and the range of services offered. Most importantly, it would have meant that patients and medical staff were both winners. Funding promises were expected to be \$800 million. However, just before last year's election that amount was cut to \$400 million. The Government's healthcare planning for our region is clear—it is about giving us less. Instead of a major tertiary public hospital we are left with a reduced public-private partnership hospital with a helipad to fly out the most difficult cases. The end result is that patients lose.

The big question is: What percentage of these beds will be made public? The Minister will not even say how many beds will be in this new hospital. I am advised from a reliable source that it could be only 220 beds—barely 40 beds more than what the current hospital provides. People need to keep in mind that if the public beds are no more than 30 per cent of the hospital beds in the new facility we could end up with only 67 public hospital beds in Maitland—a net loss for our community of 120 public beds, which is a disgrace. Since this Government came to office it has cut our health budget and it is now playing dangerous games with our hospital infrastructure.

There has been no consultation on the new Lower Hunter hospital since November 2014 when the Government finally announced it was going to close the existing Maitland Hospital, which quite rightly was met with community outrage. It has now said that it will become a public-private partnership that more than likely will be built by a private for-profit operator. So we again have the game of smoke and mirrors. We hear that the Mater and Calvary will look after this hospital, but these are legacy models. We know this will be a private for-profit operator, which means that decisions about care and service levels will be dictated by what is profitable with no mandated staffing ratios and a facility required only to meet an "adequate" standard of staffing with no reporting system to keep them accountable.

Patients and medical staff will be worse off because there will be two classes of medical care—one for public patients and one for private patients. There are no medals for guessing who will have the better health outcomes in this model. It should be your Medicare card, not your credit card that determines your health care. Our new hospital will be sold off to the private sector, which is another step towards privatising our health system and worse is to come. Patients will have to pay more under this system. Having private health insurance will encourage and incentivise the value-adds that will be accessible only to private patients. Why is the Government choosing this abysmal model of health care for people in regional New South Wales? The answer is because people in the regions are desperate for health facilities and the Government is relying on their desperation to accept this failed model to meet the needs of our community.

We know that the Government does not have a good record when it comes the privatisation of hospitals. We all know the Port Macquarie example. We know that Mildura is a failed model. The assurances by the Minister that this time they have got the contract right will not wash with our community. Last week in question time the Minister said that Labor was not committed to the new hospital, which is untrue. At the 2015 election Labor matched the \$25 million commitment to continue planning. If the Minister wants to play fast and loose with the truth about issues that are on the public record, how can we trust her with other pronouncements? I have tried on at least 12 occasions to have consultations with the Minister and I have been denied at every turn. I urge the Minister to build the hospital now and to make it a public hospital.

Mr DARYL MAGUIRE (Wagga Wagga) (21:01): I am disappointed in the presentation by the member for Maitland tonight. First, the hospital that the member speaks about was never delivered by the former Labor administration nor the ones before that. Our Government is continuing to deliver hospitals across regional New South Wales with the biggest infrastructure investment ever recorded in our history. It is wrong to say that Health budgets have been cut; they are at record highs. I encourage the member for Maitland to listen to the Minister's response about the proposals that are being put forward in the public-private sector. These are partnerships. Health has been delivering health services in conjunction with the private sector for many years. Having gone through a refurbishment and rebuilding of the Wagga Wagga Base Hospital, I know that the partnerships are strong and they deliver outcomes. Public patients will have access to the hospital. As the Minister for Health said today, this is a scare campaign by Labor members who have absolutely nothing to deliver to this Parliament. I am disappointed that the member for Maitland would make such an outrageous statement.

**The House adjourned, pursuant to standing and sessional orders at 21:02 until Wednesday
19 October 2016.**