



**New South Wales**

# **Legislative Assembly**

## **PARLIAMENTARY DEBATES (HANSARD)**

**Fifty-Sixth Parliament  
First Session**

**Tuesday, 23 May 2017**

Authorised by the Parliament of New South Wales



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## LEGISLATIVE ASSEMBLY

**Tuesday, 23 May 2017**

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

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

### *Announcements*

#### **MANCHESTER TERRORIST ATTACK**

**The SPEAKER:** We send our thoughts and prayers to the people in Manchester, United Kingdom.

### *Business of the House*

#### **SUSPENSION OF STANDING AND SESSIONAL ORDERS: GOVERNMENT BUSINESS**

**Mr ANTHONY ROBERTS:** I move:

That standing and sessional orders be suspended at this sitting to permit the interruption of the business before the House at 1.10 p.m. for the resumption of the adjourned debate and passage through all remaining stages on the Transport Administration Amendment (Closure of Railway Line Between Rosewood and Tumburumba) Bill.

**Motion agreed to.**

*[Notices of motions given.]*

### *Visitors*

#### **VISITORS**

**The SPEAKER:** I welcome to the gallery this morning the Jinjiang Association, guests of the member for Parramatta.

### *Private Members' Statements*

#### **CHINESE DELEGATION**

#### **NAN TIEN INSTITUTE AND TEMPLE**

**Dr GEOFF LEE (Parramatta) (12:12):** It gives me great pleasure to welcome the Jinjiang Association of Australia under the strong leadership of Mr Wanda Wu. The delegation from the city of Jinjiang in Fujian, China, does us a great honour by visiting Parliament today. I recognise in the gallery the vice president of the China School Sport Federation, Mr Liu Wen Ru, who has taken time out to visit us in Australia along with representatives of four stock exchange-listed companies from China. I recognise the general manager of the HengAn International Group, Mr Xu Qingshui, the chairman of 361 International Company, Mr Ding Wuhao, the chairman of Guren Niao Company, Mr Lin Tianfu, and the president assistant chairman of Xtep, Mrs Ding Lizhi.

Mr Liu and the delegation are visiting local Sydney business people, joining with the Jinjiang Association of Australia seeking support for their city of Jinjiang to host the 2020 International Schools Federation World Schools Championship. Several thousand Australian Chinese people originally come from the city of Jinjiang and most of them now live in Sydney. It is important to recognise the close cooperation between Australia and China and especially the people from Fujian Province. We welcome Chinese investment in Australia and especially in New South Wales. It gives me great pleasure to recognise the delegation to Parliament. I wish them every success in their business negotiations and support for hosting the 2020 International Schools Federation.

It also gives me great pleasure to recognise the Nan Tien Temple and the significant work it has done in the community over many years. On 6 May it was a pleasure to join Premier Gladys Berejiklian at the temple's impressive Buddha's Birthday celebration in Darling Harbour. Buddha's birthday has become a mainstay in the calendar of the Nan Tien Temple's Buddha's Light International Association [BLIA] Sydney and Nan Tien Institute. The 2017 multicultural festival included Buddha's Birthday and Mother's Day messages. This year the theme was "Consensus and Openness" and messages of kindness, generosity, peace and harmony were delivered.

There is more good news regarding the Nan Tien Institute and temple. On 10 June they will launch the Hsing Yun Education Foundation, a registered charity and a continuation of the Nan Tien Temple's efforts to contribute to and serve Australia, supporting the advancement of community and social welfare through education, culture and arts in multicultural Australia. It also supports the Nan Tien Institute, the first higher education institute in Australia grounded by Buddha's wisdom and values. There will be 500 honoured guests at that launch, including

leaders in New South Wales and donors and supporters from Sydney, Melbourne, Brisbane, Perth, New Zealand, Singapore, Europe and China.

I am sure everybody in this House will join me in wishing the Hsing Yun Education Foundation a successful launch. The money that will be raised through the foundation will be used to assist the Nan Tien Institute in the service it performs in providing higher education in the community—not just the Australian-Chinese community. The Nan Tien Temple and BLIA are leading lights in Australian multicultural advancement and their contribution to society.

### INDIGENOUS AUSTRALIANS

**Mr ANOULACK CHANTHIVONG (Macquarie Fields) (12:17):** I have two items that are most valuable to me. The first item is a signed black and white picture of Labor Prime Minister Gough Whitlam pouring soil into the hands of respected Aboriginal elder Vincent Lingiari to symbolise officially the transfer of Wave Hill station back to the Gurindji people. It has an elevated place at my home—on the top of my buffet and to the left of my work desk. I see the photo many times a day as I leave and enter the house and I cannot miss it when I am working at my desk. The second item is Selma Napanangka Tasman's painting *Wanakiji Jukurrpa* or *Bush Tomato Dreaming*. Selma is a female artist from the remote community of Yuendumu, 1,800 kilometres south-east of Darwin. *Wanakiji Jukurrpa* hangs proudly in my Parliament House office and reflects our Indigenous community's depth of artistic talent, imagination and spirituality.

We are approaching the fiftieth anniversary of the 1967 Australian referendum to change the Constitution which recognised Aboriginal Australians in the census and for the Commonwealth to make laws to benefit Aboriginal people. The result was unmatched, not only for its 90.77 per cent "yes" vote for change but also for a referendum that reinforced the nation's values in its continued march towards inclusivity and reconciliation. The referendum recognised Indigenous Australians with dignity and respect. The laws of our land formally and finally removed any ambiguity in our collective responsibilities to our first Australians.

That is why the two items I referred to earlier are important to me. They are a daily reminder of how far we have come in our march to reconciliation but also how much further we need to go to achieve our national targets to close the gap. The Prime Minister's latest Closing the Gap report clearly shows some progress has been made but it does not hide the fact that halving the gap in reading and numeracy for Indigenous students by 2018, halving the gap in employment by 2018 or closing the gap in life expectancy by 2031 are all not on track. I am not a pessimist by nature. These results reinforce to all of us in Parliament and to all Australians there is more work to be done. The reconciliation journey to close the gap is not owned by a particular political party, parliamentarian or prime minister. It is a collective national project with a single purpose; to improve all-of-life indices for Indigenous Australians to make them truly equal to non-Indigenous Australians. Our aspirations to close the gap are based on our communal values of hope, opportunity and respect.

Reconciliation starts with an understanding and a recognition of the intergenerational injustices inflicted on Indigenous Australians. The injustices have cumulatively contributed to the current Indigenous disadvantage. But genuine reconciliation does not end with warm words of acknowledgement. Reconciliation must be continued with active engagement, participation and programs which must deliver tangible outcomes. Economic resources alone cannot help us reach our national goals. They must be accompanied with energy, empowerment and empathy, not just from Indigenous Australians but from all of us. When less than 3 per cent of the national population is significantly over-represented in high rates of suicide, incarceration, lower life expectancy and poorer health outcomes, and when the same population is severely under-represented in educational and employment attainment, then this disparity sits uncomfortably with our nation's values of never leaving our fellow Australians behind.

Some will argue and have argued that this unacceptable situation is purely the fault of the individual and their inability to accept responsibility. Such an argument does not take into account the institutional disadvantage that Indigenous Australians have experienced for generations and its community role in producing poorer life outcomes. Others will argue and have argued that more interventionist programs are required. This argument might be well-meaning but does not give enough recognition to the level of resilience, self-determination and individuality of Indigenous Australians and their desire to be self-empowered, to make a difference. The answer lies somewhere in between. The photo of Gough Whitlam pouring sand into Vincent Lingiari's hand and Selma's *Bush Tomato Dreaming* painting reminds me each and every day of my responsibility to advance the living standards of our Indigenous Australians. Despite the struggles, setbacks and slow progress we will encounter we must not give up on our ambitions to close the gap because this nation never gives up on its people regardless of the circumstances or the challenges that lie ahead.

**Mr STUART AYRES (Penrith—Minister for Western Sydney, Minister for WestConnex, and Minister for Sport) (12:22):** This Government is committed to improving the lives and livelihoods of Aboriginal

people in New South Wales. The member has rightly identified that there is still a long way to go. He has also recognised that 2017 is the fiftieth anniversary of that all-important referendum when this nation took a momentous step forward for equality across this country. Now we are presented with an opportunity to take a further momentous step to ensure that the first peoples of this country are appropriately recognised in our nation's Constitution. However, recognition in the Constitution is merely one step on an important journey ensuring all Aboriginal people—who are so important to the culture of this country—have the same opportunities that are made available to every single Australian no matter where they come from.

### **TECH SAVVY SENIORS PROGRAM**

#### **Mr PAUL TOOLE (Bathurst—Minister for Lands and Forestry, and Minister for Racing) (12:23):**

It gives me pleasure to speak about my community as an ageing community and the programs being delivered by the New South Wales Government in acknowledging older people in our communities, the challenges that we face and the support we are providing to people in my area. The population in New South Wales is undoubtedly ageing. There are more than one million people aged over 65, more than 1.3 million people aged 50 to 64 and by 2031 more than one in three people in New South Wales will be aged 50 or more.

There is no doubt that older people in the electorate of Bathurst make a significant contribution to the community, society and the economy. They work as volunteers, employees, students and carers. They are consumers. They are family members that help to create a broader, more inclusive community. There are challenges with an aging population. Older people should not be neglected. They need and deserve services. Regional and rural communities may not have the same level of connectivity as the metropolitan areas. It is important to bring services out to the country and the bush to provide people with the same opportunities to connect. Appropriate support will reduce isolation and loneliness.

I will talk today about the Tech Savvy Seniors program. The program includes road shows across regional New South Wales. The eight-day tour of 10 different locations included the Bathurst electorate. The road show offered seniors an opportunity to come along and learn about digital and online technology. Those of us in this House who have children have been exposed to mobile phones, tablets and computers. It is something that is in front of us all the time. Schools are running programs where children learn about computers from the day they begin school.

Many seniors in the community have not had an opportunity for that level of exposure. This Government has partnered with Telstra to provide the Tech Savvy Seniors program throughout regional and rural areas. Seniors can attend and use the mobile phones and tablets and gain skills and confidence through practice. They can learn about social media such as Facebook and Twitter that will allow them to interact and connect with family and friends around the country. There is confusion and fear surrounding online banking. The Tech Savvy Seniors program provides the opportunity to build confidence and skills in relation to that service.

I congratulate and thank VERTO in Bathurst. VERTO is a training centre that runs the Tech Savvy Seniors program. The opportunity is available for seniors to return later this month and receive additional training with digital technology. The Chief Executive Officer, Ron Maxwell, Bathurst Mayor, Councillor Graeme Hanger, and many excited members of the community from Bathurst and the surrounding areas attended the road show. This is about making sure that seniors access information that will benefit their health and social wellbeing. I congratulate each senior who has participated in the road show and encourage them to take advantage of future opportunities offered by this Government.

**Mr STUART AYRES (Penrith—Minister for Western Sydney, Minister for WestConnex, and Minister for Sport) (12:28):** I know in my community over the next 10 years the number of people of retirement age will grow by 94 per cent. In the Bathurst community the figure is higher than that given the ageing population of many of our regional cities. I acknowledge the member for Bathurst for raising this important program in the House today. The nature of many government services is changing on a daily basis and they are improving the customer experience. We must ensure that we continue to offer opportunities for older members of our community to participate in the changing nature of those services. As the member for Bathurst said, programs such as this go a long way towards removing isolation, which impacts many people. Like the member for Bathurst, I congratulate on behalf of the Government the training organisation VERTO in Bathurst for running this program.

### **MALDON TO DOMBARTON RAIL PROJECT**

**Mr RYAN PARK (Keira) (12:29):** Today I talk about an issue that is very important to New South Wales broadly as well as to the Keira electorate: the ongoing delays and future uncertainty of the important Maldon to Dombarton freight line. Mr Temporary-Speaker, who has spent time in the region, knows how critical this railway line is. Colleagues from south-west Sydney on both sides of the Chamber also know it is critical. It is important to us all for a number of reasons: First, we need a more efficient way of moving freight; secondly, we



must free up slots on the existing South Coast railway line to improve commuter services; and, thirdly, we have to reduce the number of trucks that are taking over roads such as Mount Ousley Road in the Keira electorate. I have become frustrated about this issue because only a couple of months ago the Minister for Roads, Maritime and Freight said that this railway line is not a "high priority" for her. That is a concern. I note that, in response, my colleague the member for Kiama said, "I will sort her out."

We do not want to see chest-beating. We must have sensible discussions about a transformational transport and freight project that will not only benefit the expanding markets of the south-west and the growing areas of the Illawarra but also reduce an enormous amount of congestion on one of the largest rail and road freight corridors in the country. As part of the initial funding, we have been able to secure \$50 million from Federal Labor and \$50 million from State Labor, which amounts to \$100 million. I will be clear: No-one has said that that is how much the project will cost. The ballpark cost is approximately \$650 million to \$700 million. However, we are saying that the Government has to have some skin in the game. I ask the Parliamentary Secretary for the Illawarra to advocate strongly for a commitment from his Government on this issue. The member for Wollongong, the member for Shellharbour and I have announced our commitment. My Federal colleagues Sharon Bird and Stephen Jones have announced Federal Labor's commitment. Sharon Bird has been a strong and tireless advocate for this project, which will benefit more areas than just the Illawarra. It will be transformative in its nature because it is crucial for the movement of freight in this State.

Last night a number of colleagues and I, including the shadow Minister for the Central Coast, met with SunRice, which is a large exporter that moves freight to Melbourne. It could be moving freight to ports like Port Kembla but it needs the assistance of infrastructure such as the Maldon to Dombarton freight line. At a Federal level, Infrastructure Australia is now saying that it is not a priority. I want to know what business case it is looking at, because report after report after report—as my colleagues from the south-west and my region will confirm—show that the project stacks up, and it will make a difference now and in the future. I know that this issue has across-the-board support. However, I will continue to raise it and to advocate along with my colleagues that it be a priority for the State Government—whichever party is in office. We need our colleagues in Canberra to understand that transformative freight projects like this have benefits that go beyond the movement of freight—that is, they can free up cities, reduce congestion and improve important public transport links.

#### **TRIBUTE TO KATHY SMITH, FORMER MEMBER FOR GOSFORD**

**Ms LIESL TESCH (Gosford) (12:35):** I acknowledge the fabulous work of my predecessor, Kathy Smith. It is a challenge and a great honour to be wheeling in Kathy's footsteps. Kathy is a remarkable woman whose experiences running a small business and working alongside organisations such as the Consumers Health Forum, Medicines Australia and Cancer Institute NSW led to her representing the people of Gosford. After being diagnosed with cancer in 1996, Kathy became a cancer advocate and then the chair of Cancer Voices NSW. She spent years working with both Federal and State Labor governments to establish a regional cancer centre at Gosford Hospital. The Central Coast Cancer Centre Radiation Oncology Unit provides radiotherapy treatment to inpatients and outpatients of Gosford Hospital, ensuring that thousands of local people are able to access vital radiotherapy on the Central Coast rather than having to travel to Newcastle or Sydney.

Unfortunately, Kathy's cancer metastasised in 2016, eventually resulting in her resignation from her role as the member for Gosford, and she continues to seek treatment for her illness. Kathy has the support of the entire Labor caucus. She and her family have our heartfelt wishes for a speedy recovery at this difficult time. During her time as our local member—2015 to 2017—Kathy worked very hard for our local community. She identified problems and ensured the repair of the dangerous Hawkesbury River Rail Bridge, supported the community in the fight to prevent the closure of our local Roads and Maritime Services office, and worked to stop the increase in train fares.

Alongside her Central Coast colleagues—who are in the Chamber now—Kathy fought to keep our public hospitals in public hands, campaigned to fix the \$12 million maintenance backlog at Gosford schools, and championed Brisbane Water oyster growers in their continuing efforts to re-establish a viable local industry. I thank the fabulous Kathy Smith for her contribution to the State of New South Wales. I also thank Kathy's staff, Jayne and Amy, for their efforts. I extend best wishes to Kathy, her husband, Peter, and her family, and I commit to continuing and expanding on her great work in my role as the member for Gosford.

**Mr STUART AYRES (Penrith—Minister for Western Sydney, Minister for WestConnex, and Minister for Sport) (12:37):** While we may argue from time to time about the policy direction of this State, each and every one of us has the privilege of representing New South Wales in this place. One of our own is no longer able to serve because of ill health. It is important to stop for a moment to thank Kathy Smith for her service to the Parliament of New South Wales. On behalf of the Government, I extend to Kathy, her husband, Peter, and their family very best wishes in their battle against cancer. While we may disagree on political issues, we hope she has a speedy recovery and that she can continue to contribute to the Central Coast community.

### PORT MACQUARIE ELECTORATE PROJECTS

**Mrs LESLIE WILLIAMS (Port Macquarie) (12:38):** Last month I highlighted in this House a number of projects that have progressed in the Port Macquarie electorate over the past two years, thanks largely to a strong and committed government that has, without argument, turned around this State. It is fantastic to talk about these significant accomplishments. However, I assure my community that there are many more projects still on my list. Earlier this year I met with many Ministers to let them know the priorities that I am working on for my electorate. With a number of changes in the ministry earlier this year, I have taken the opportunity to meet with, in particular, those who have taken on new portfolio responsibilities and to discuss those local priorities.

For example, I want work to start as soon as possible on the upgrade of Ocean Drive between Greenmeadows Drive and Emerald Downs Drive. In 2011, Andrew Stoner, as the then Leader of The Nationals, stood alongside me to announce funding of \$10 million. Unfortunately, the price, as we often see with significant projects such as this, has blown out to \$40 million-plus. Nevertheless, I am determined to see this critical thoroughfare upgraded. Similarly, Ocean Drive through Lake Cathie does not have kerb and guttering. I know that this is a focus of the community and a high priority for the local progress association. This part of Ocean Drive must be upgraded sooner rather than later. I am confident that if we work together with all stakeholders, including council, we will see these improvements and upgrades. I also highlight the need for more sporting fields in the area.

There are plans for such facilities in area 14 and I am keen, as is the community, to see progress on these as a matter of priority. The community is pushing for a tidal pool to be built at Port Macquarie. The 16,000-signature petition is testament to the support for such an initiative. Local resident Katherine Butler worked hard to get the signatures and I commend her for her efforts. I have met with Katherine and I am meeting with her again early next month to discuss the proposal. This is a fantastic idea and one that I see as a valuable and popular addition to our stunning coastal landscape.

I will continue my advocacy for more funding to support the Beach to Beach and Schools to Schools initiatives in the Camden Haven. Both of these projects are strongly supported by the community and those sections that have been completed have been well utilised. In the southern part of the electorate, planning has been ongoing to improve and beautify the Harrington foreshore as well as to establish a series of pathways, a playground and a skate park. I have met with the Harrington-Crowdy Chamber of Commerce and with the MidCoast Council about developing this plan. I am also working towards a vision, which is shared by many others, of a community education centre. I am a strong supporter of life-long learning and I commend the many organisations in our community that provide such opportunities.

In that vein, the parcel of land on the Oxley Highway adjacent to the Douglas Vale Vineyard could potentially accommodate organisations such as the Port Macquarie Men's Shed and the Hastings Arts and Craft Centre, both of which are in need of a new home, and it is timely to revisit previous plans for a community centre in Port Macquarie. The parcel of land I refer to has been earmarked for sale by the department but I have been in ongoing discussions with the Minister for Education to reconsider this plan and retain the land. I am hopeful of a positive outcome. Whilst the re-establishment of a Police Citizens Youth Club in Port Macquarie unfortunately struck some road blocks and was not included as part of the stadium expansion, I am determined to make sure this commitment is realised. I have continued to meet with the Minister for Police, the Hon. Troy Grant, to ensure the \$2.5 million that was promised in May 2012 remains earmarked for Port Macquarie.

Other issues on my radar are the identified need for a revetment wall at Lake Cathie as well as the development and improvement of the Food for Less car park in line with the foreshore plan of management. Another issue that has received much attention is the so-called orbital road which will address increasing traffic movements that are impacting on Ocean Drive south of Port Macquarie, the industrial area, the health precinct and the airport. A number of these proposals are the jurisdiction of local government but, as always, I am keen to partner with Port Macquarie-Hastings Council, once detailed funding requests have been made to me, to seek support from the State Government. These are just a handful of the many proposed projects which, if they come to fruition, will make a real difference to my electorate. I will continue to advocate so that they become a reality and improve the quality of life of all residents in the Port Macquarie electorate.

### WESTERN HARBOUR TUNNEL

**Mr JAMIE PARKER (Balmain) (12:42):** I bring to the attention of the House that yesterday evening in Balmain I held a public meeting with more than 300 local residents in regard to the Western Harbour Tunnel. I acknowledge that the Minister for WestConnex is in the Chamber. The proposed tunnel will connect to the WestConnex M4-M5 Link at the Rozelle Interchange, cross the Sydney Harbour between Birchgrove and Waverton and connect with the Warringah Freeway at North Sydney. As is the case with many other projects, the Western Harbour Tunnel project is fundamentally flawed. Former Infrastructure Australia board member

Professor Peter Newman has pointed out problems with the WestConnex project. He said that it had not received an impartial merit assessment and that usual planning and consultation processes had not been followed.

An article in the *Sydney Morning Herald* on 10 April referred to a Cabinet directive not to assess the project against public transport improvement options. It quoted a Transport for NSW internal memo that stated that it was "inconsistent with government principles and guidelines" and "represents a fundamental shortfall in Transport for NSW meeting its responsibilities in achieving value for the State's taxpayers". Unless public transport options are benchmarked against these proposals, how can we acknowledge that these projects are well founded? We cannot. Fairfax Media has revealed that projects like the Western Harbour Tunnel had not been benchmarked against public transport. Why will the Government not look at appropriate public transport alternatives and benchmark them against the road projects?

Whether it is the F6, the Beaches Link or the Western Harbour Tunnel, this fixation with private transport and with building more private infrastructure with more tolls for the toll-building lobby is, in the minds of The Greens, wrong-headed and must stop. Residents pointed out at the public meeting that the so-called consultation process was inadequate. The feedback sessions involved residents going into a room and speaking to an individual. There was no sense of collective understanding; they could not ask questions and receive feedback as a group. Therefore, I held a public meeting where local residents were able to raise their concerns. One issue that was raised related to dive sites, also known as intermediate sites. The Government is looking at Balmain Peninsula and the Waverton site to build these destructive and hazardous dive sites. These dive sites will have a significant impact on the local community. The convoys of trucks and/or barges working around the clock to remove the hundreds of tonnes of spoil and the associated disruption will affect the quality of life for people in the area.

We saw how little regard the Government has for preserving our city's character and history when it demolished more than 100 properties in Haberfield—a heritage-listed garden suburb where property owners were not even allowed to build a dormer—to make way for the polluting, toxic, expensive and dangerous WestConnex tollway. People in my electorate are rightly concerned that their homes and spaces will be next. As with WestConnex and every other tollway in the State, the smoke stacks that carry toxic exhaust fumes out of the Western Harbour Tunnel will not be filtered. Both this Government and the previous Government have refused to filter these smoke stacks and prevent the toxic, polluting smoke they emit into the air we breathe.

The WestConnex stage 3 already requires a range of stacks in Rozelle and this Western Harbour Tunnel will add more stacks. The scale of these exhaust stacks is about 35 metres high, which is a very significant structure, and the length of the Western Harbour Tunnel will pose particular problems in terms of adequate ventilation. Currently, the longest ventilation pathway in a Sydney tunnel—about five kilometres in length—is at the west end of the existing M5 East. This portion of the tunnel is notorious for its extreme pollution. In contrast, the recently completed Calle30 tunnel in Madrid, which is 40 kilometres long and carries up to 120,000 vehicles per day, has 30 ventilation stacks, all of which are filtered.

In today's media, health experts have expressed their concern for the wellbeing of those who live in the path of WestConnex, as they will be directly impacted by the particulate matter from traffic as well as the pollution and noise from construction sites. The same will be true of the proposed Western Harbour Tunnel project. Rather than looking at ways to induce more cars onto the roads by creating greater capacity, as these tollways do, the Government should be investing in world-class public transport which will provide faster and more efficient transport for the people of Sydney and will not harm their health and wellbeing.

But rather than fixing public transport, the Government is flogging it off, as we have seen with the privatisation of bus services in Western Sydney. The Government should not do that. Moreover, fossil fuel consumption is a major contributor to greenhouse gases and climate change. Yet the powerful roads lobby, of which the Government seems to be a subsidiary, is pushing for more tollways, more cars and more congestion. The residents of my electorate want world-class public transport. They do not want billions of dollars spent on polluting, destructive tollways like this latest idea from our car-addicted Government.

### **RUNNING FOR PREMATURE BABIES**

#### **COOGEE ELECTORATE CHURCH ANNIVERSARIES**

**Mr BRUCE NOTLEY-SMITH (Coogee) (12:48):** Running for Premature Babies is a jogging group that was established in 2007 by the very inspiring Coogee mum Sophie Smith after she and her partner, Ash, lost their triplet sons, Henry, Jasper and Evan, who were born prematurely at only 24 weeks. To keep the spirit of her boys alive and to ensure something good came from their tragic loss, the Henry, Jasper and Evan Smith Trust Fund was created by the Royal Hospital for Women Foundation to raise funds for equipment and research at the Royal's Neonatal Intensive Care Unit, where these babies were born.

On Sunday, more than 520 runners—many from the Coogee electorate and one of whom was my electorate officer Mitchell Price—donned the purple shirts of Running for Premature Babies to compete in the *Sydney Morning Herald* half marathon. The Running for Premature Babies team raised over \$300,000 for the Royal Hospital for Women in Randwick. I commend the strength and determination of Sophie Smith, who has grown this group year on year. I also commend the enormous contribution she makes to our community through this initiative and the impact her dedication has had, and will continue to have, on the many families who are faced with premature births.

On Sunday I was fortunate to attend mass at St Anthony of Padua Church in Clovelly to celebrate the 100th anniversary of the establishment of the parish. The Catholic Archbishop of Sydney, the Most Reverend Anthony Fisher, conducted the service and did not disappoint his flock, entertaining them with his witty asides and an insightful sermon. The church was full to the brim of locals and their families, many of whom send their children to the wonderful St Anthony's Primary School next door to which we adjourned for refreshments after the service. Indeed, I have subsequently found out that my late Auntie Valerie Notley-Smith, nee Harkness, was a pupil at that school in the 1930s, married my Uncle Neville in St Anthony's and was a committed member of its choir for many years. I wish parish priest Father Pawel Kopczynski and his congregation heartfelt congratulations on the 100th birthday of the parish and thank them for their ongoing commitment to the Clovelly community, and for the care and love that they have provided to so many for so long.

On Sunday 30 April I attended mass at St Patrick's Church in Bondi to celebrate the 100th anniversary of the establishment of the parish. The Catholic Archbishop of Sydney, the Most Reverend Anthony Fisher, also conducted this service and again did not disappoint his flock. As expected, the church was full to overflowing with locals and their families keen to celebrate this important milestone. I thank the organising committee for the warmth they showed me on the day and commend their efforts in putting together an informative display of the church's history at the morning tea after the service. I wish parish priest Reverend Father Andrew Benton and his congregation heartfelt congratulations on the 100th birthday of the parish and also thank them for their ongoing commitment to the Bondi community, and the care and love that they have provided to so many for so long.

#### **CANCER COUNCIL "I CARE FOR PALLIATIVE CARE" CAMPAIGN**

**Mr EDMOND ATALLA (Mount Druitt) (12:51):** Recently I was privileged to attend the launch of the Cancer Council NSW "I Care for Palliative Care" campaign. I was especially pleased to learn about what is happening in palliative care and what the Cancer Council is doing in this regard. As members know, palliative care is largely about improving the quality of life for terminally ill patients and providing support for patients' families. The launch highlighted the deficiency in resourcing the palliative care services and particularly the significant gaps that exist in the staffing of specialist palliative care providers. Of course, funding is the major obstacle in providing adequate resources. As our population continues to age at an increasing rate the problem is exacerbated.

I note in particular that New South Wales lags behind all other States in the provision of palliative care professionals per 100,000 population. Statistics show that in New South Wales we have only 10.8 full-time palliative care nurses compared with 12.47 per 100,000 population in all other States and Territories. The Cancer Council has produced an excellent briefing paper on this topic. It also addresses the problems associated with the culturally diverse Australian community, especially for Aboriginal people living in New South Wales. The Cancer Council recommends that a minimum of 10 additional palliative physicians be employed and 129 palliative care nurses be funded to assist in alleviating the immediate shortfall of specialist care professionals in this area. The Cancer Council has set a goal that says:

To ensure that every person with a life-limiting cancer who needs specialist palliative care has access to it, when they need it, wherever in NSW they live. I believe that all of us would support that goal. I doubt there is a person here who has not had the personal experience of losing someone, either a family member or a friend, and living through the sad period leading up to a death that sometimes can extend to years. The fact is that cancer patients who have access to specialist palliative care enjoy a vastly improved quality of life. They also have significantly better pain control and suffer less anxiety. Importantly, they also experience fewer medical interventions, emergency visits and hospitalisations. This obviously provides huge cost savings to our health system. More importantly, improved palliative care services and access provide those at the end of their lives with comfort and dignity, and the opportunity to die in relative peace.

#### **ROTARY CLUBS OF MACARTHUR POLICE OFFICER OF THE YEAR AWARDS**

**Mr CHRIS PATTERSON (Camden) (12:54):** I recently had the pleasure of attending the Rotary Clubs of Macarthur Police Officer of the Year Awards. My colleagues the member for Campbelltown and the member for Macquarie Fields also attended the event. I am sure everyone agrees that the important job our serving police officers do in protecting us and our communities is deserving of recognition. Indeed, this selfless job not only impacts on the personal safety of our police officers but also on their immediate and extended families. We thank them for their sacrifices day in, day out. It is important that our police officers know they are appreciated, and these awards are but one way in which the community can say thank you. Work colleagues and commanders also

have the opportunity to show their appreciation. It was wonderful to join with the South West Metro Regional Commander Assistant Commission Frank Mennilli on the night. He is well respected in my electorate.

The combined rotary clubs of Macarthur, like other regional rotaries, have sponsored these awards. Many local organisations also sponsor the event, and I take this opportunity to acknowledge those sponsors: gold sponsors—Camden and Campbelltown councils, C91.3 FM and Wests League Club.; silver sponsors—Guardian Funerals, Campbelltown Chamber of Commerce and Wollondilly Council; and bronze sponsor—Guana Graffix. Without their support this event would not be possible. Every day our police officers are confronted with many and varied situations. Some are very confronting, but they are always there to protect us. Police do a tremendous job, but our police force is not just about police officers on the beat. It is about the officers in the stations, the mounted police and their horses, the highway patrol officers and their cars, the dog squad and their dogs, and all the leg work and forensics it takes to catch criminals. It is also about the volunteers in our police stations.

In 1789, our first our police force was formed by Governor Arthur Phillip, and it has now grown into one of the largest police organisations in the English-speaking world. The local police station in Camden was built in 1878 and was used as police barracks. It is one of the historical buildings in Camden. In 2011, it was decommissioned and our local officers moved to the new police station at Narellan. The ability of our police to capture criminals is amazing, and many cold cases that have gone unsolved for many, many years are now being solved through the technology available to our police.

I thank the committee members who put the event together and who oversaw the nominations: Chairperson Cathie Richardson, Macarthur Sunrise Rotary Club; Secretary Tammy Hatch, Campbelltown Rotary Club; and Treasurer Wendy Underwood, Macarthur Sunrise Rotary Club; function committee: Jan Domanski, Ingleburn Rotary Club; Steve Maloney, Narellan Rotary Club; selection committee: Senior Inspector Tara Norton, Campbelltown Local Area Command; Senior Inspector Mick Pearsall, Camden Local Area Command; Senior Inspector Paul Kremer, Macquarie Fields Local Area Command; Rod McLean, Campbelltown Rotary Club; Ian Lane, Camden Rotary Club; and Richard Booth, Wollondilly Rotary Club. A comprehensive slide show was produced by Danny Avalos of Campbelltown Rotary Club, and the photography was done by David Symonds of Campbelltown Rotary Club.

I am extremely pleased to congratulate all the selfless men and women, civilians and police officers, who were nominated for Rotary awards. I acknowledge all winners of the awards categories for their outstanding work serving our community. I am particularly pleased to congratulate Senior Constable Scott Peterkin, who was awarded the Police Officer of the Year—Macarthur Region. He made a very humble speech, which was wonderful. Last year's winner is a good friend of mine, Fiona Duncan, who comes from a family with an outstanding record in policing. She also made a great speech after receiving her award, and I acknowledge her for the work she does for our community.

#### **CANCER COUNCIL "I CARE FOR PALLIATIVE CARE" CAMPAIGN**

**Mr BRAD HAZZARD (Wakehurst—Minister for Health, and Minister for Medical Research)**  
**(13:00):** One of the challenges we all face is when we reach the point that we are going to pass on. Death is also cause for concern in regard to family members and friends. I believe that there is a mutuality of interest across this Parliament to ensure that we have the appropriate approach to palliative care. For these reasons, I was delighted to attend the Cancer Council NSW function entitled "I Care for Palliative Care" on Tuesday 16 May at the Dee Why RSL. The event was attended by about 130 people, most of whom live in my electorate, but many came from much further afield—some from Western Sydney and some from southern Sydney. There was a clear collective desire to make sure that there are appropriate opportunities for good and effective palliative care for each and every one of us.

I acknowledge that the new member for Manly, James Griffin, attended the function. He spoke on this issue in the most empathetic and understanding way. I acknowledge that Dr Yvonne McMaster, one of Australia's leading advocates for palliative care, also attended the function, along with a range of other people. My attendance went beyond my role as Minister for Health and as a local member of Parliament. It was a very personal reminder of the need for appropriate palliative care. In that room was Dr Peter Moore, whom I described about eight years ago in this place as an angel. He was the palliative care specialist who attended when my mum was in trouble towards the end of her life. He managed to provide her with the palliative care support that we all expect and hope for at such a time for our loved ones.

The Northern Sydney Local Health District has advised that palliative care will be one of the services highlighted in the redevelopment of the Mona Vale Hospital. Some have wondered whether there will be services available at that hospital when the new Northern Beaches Hospital is constructed. I can assure locals that there will be a range of services, including palliative care—in fact, the member for Pittwater, Rob Stokes, is one of the longest and loudest supporters of having further palliative care services in the Northern Beaches. I believe there

will be 10 new beds at the Mona Vale Hospital in purpose-designed buildings. I acknowledge that the function was attended by other family members who had experienced similar circumstances to mine.

The sister of the young man who was master of ceremonies on the night could not attend the function, but the master of ceremonies did a first-class job of ensuring that the night went well. Phil Gough certainly was able to express clearly the passion and concern that families have when a loved one is passing away. I am delighted that, with cross-party support, a number of palliative care roundtables are occurring across New South Wales. I acknowledge that the shadow Minister for Health, Walt Secord, attended a palliative care roundtable held here in the Parliament on 26 April. The Parliamentary Secretary for Regional and Rural Health has been leading nine regional roundtables, in Orange—which the member for Orange attended—Kempsey, Lismore, Broken Hill, Tamworth, Griffith, Queanbeyan, Kiama and Newcastle.

As a local member and a representative of the community and as the Minister for Health, I am looking forward to the localised discussions on what is working well across palliative care provision in the State. We certainly will be hoping to hear of innovative solutions to this very pressing issue. I note that this week is National Palliative Care Week, an initiative organised by Palliative Care Australia. About 50,000 people die in palliative care each year in New South Wales, and that will double by 2056. So the challenge for all of us is to get it right for palliative care. The theme for this year's awareness week is "You matter, your care matters. Palliative care can make a difference".

### CAMPBELLTOWN MENTAL HEALTH SERVICES

**Mr GREG WARREN (Campbelltown) (13:06):** I draw the attention of the House to the crisis in mental health care that is occurring currently in Campbelltown and across New South Wales. I am delighted that the Minister for Mental Health is in the Chamber to hear my private member's statement. Mental illness and mental health care are often overlooked in the broader health system, but mental illness is becoming increasingly common and, as legislators, we must take the issue of mental health care very seriously. A mental illness is not necessarily something that a person is born with. It is the complex fabric of life and an individual's accumulated experiences such as poverty, neglect, violence, abuse, poor relationships and the myriad problems that life throws at them that are just as likely to determine their predisposition to mental illness. I understand, as do most members in this place, that mental health care is a critical part of our health system and that treating these diseases should be a core focus of the New South Wales Government.

NSW Mental Health Commissioner, John Feneley, tells us that 50 per cent of people will experience a mental illness at some point in their lives. In addition to the more common mental illnesses, around 2 per cent to 3 per cent of adults will experience more serious disorders during their lifetime, such as schizophrenia and bipolar disorder. Those figures do not include the many individuals who experience mental health problems that impact on the quality of their lives or on the lives of their family members but who go undiagnosed or who do not meet the criteria to be formally diagnosed with a specific mental illness.

On 9 March 2015, the *Sydney Morning Herald* reported that mental health care in New South Wales was headed towards a crisis, with one-quarter of the State's psychiatrists considering leaving the public system in that year because of "grossly inadequate" resources and low morale. Within my own electorate, the Gna Ka Lun Adolescent Mental Health unit is a part of the inpatient services at Campbelltown Hospital. Carers at this facility say that the facility is suffering from a severe lack of the resources needed to ensure that this critical service is effective in putting children on the path to recovery. The *Macarthur Chronicle* recently documented the terrible conditions patients in this facility are made to put up with, perhaps best summarised by the article's headline: "Kids' facility like a jail".

It is clear that the people of Campbelltown and the greater Macarthur region deserve better and that action needs to be taken to combat this growing issue. All of the wonderful people working in the mental health unit at Campbelltown Hospital, as well as in not-for-profit organisations supporting people with mental health issues, such as Sandra McDonald and the team at Beautiful Minds, cannot be expected to go it alone; they need the support of Government and appropriate funding to be able to do what they do best: caring for people in their time of great need. That is why the Labor Government promised \$60 million to upgrade the mental health unit at Campbelltown Hospital as part of the \$194 million stage 1 upgrade.

Disappointingly, when the Liberal-Nationals Government came to power six years ago, the \$60 million allocated for the mental health unit upgrade was cut from the hospital's stage one upgrade. The stage one upgrade is now complete, our mental health unit missed out, and we are seeing the consequences. I welcome the fact that the Minister and the member for Camden recently visited Campbelltown Hospital. I note that they are members of the Government that removed the \$60 million in upgrade funding. The Minister was right when she said it is a gloomy experience to go through the Gna Ka Lun facility. This issue is above and beyond politics, so I was disappointed not to be notified of this visit.

I would have liked to have been there to offer my support and help to the Minister on this serious issue—I offer it now. I am not privy to the content of discussions held during that visit, but I look forward to seeing what comes from them and whether it includes funding. I call on the member for Wollondilly, the member for Camden and, indeed, all Government members to join me in urging the Minister to reinstate previously allocated funding for much-needed upgrades to our mental health facilities. There is nothing more important than caring for people in their time of need and having the measures in place to treat illness and disease. We cannot overlook mental illness and the ramifications it has across society, particularly for young people.

**Ms TANYA DAVIES (Mulgoa—Minister for Mental Health, Minister for Women, and Minister for Ageing) (13:11):** I will make some comments in response to the private member's statement of the member for Campbelltown. This year the New South Wales Government has invested \$1.8 billion in mental health care in the State—an increase of \$106 million since last financial year. I am visiting all of the mental health facilities across the State. Last week I attended Gna Ka Lun Adolescent Mental Health at the request of the member for Camden, and my visit was very productive. I looked at all of the facilities inside and out, and I spent time talking to the staff and nursing unit managers. I also engaged with some of the consumers there and their family members. I thank the member for bringing this matter to the attention of the House. The New South Wales Government is fully committed and absolutely determined to ensure that mental health receives appropriate attention, funding and resources and the right structure to assist people who not only live with mental illness but also want to recover. We will continue to work in partnership with every member across the State to see that achieved in our communities.

### *Bills*

## **TRANSPORT ADMINISTRATION AMENDMENT (CLOSURE OF RAILWAY LINE BETWEEN ROSEWOOD AND TUMBARUMBA) BILL 2017**

### **Second Reading**

**Debate resumed from 11 May 2017.**

**Mr ANDREW CONSTANCE (Bega—Minister for Transport and Infrastructure) (13:12):** In reply: First, I thank members for their contributions to debate on the Transport Administration Amendment (Closure of Railway Line Between Rosewood and Tumbarumba) Bill 2017. It is historic legislation because it is the first bill in the Parliament to establish a rail trail in this State. I have to say up-front that it is disappointing that some members who participated in the debate have completely missed the point of this bill and its clearly stated intention. In her speech in the second reading debate, the shadow Minister stated that "there is a very obvious contradiction" and "a significant discrepancy" in this bill. This could not be further from the truth. I draw members' attention to the explanatory memorandum I provided to the House with this bill, which clearly says:

The object of this Bill is to amend the Transport Administration Act 1988 (the Act) to authorise the rail infrastructure owner to close the railway line that runs from McEachern Lane, Rosewood to Tumbarumba in order to create a rail trail for walking and bicycle use. Let me be clear: There are no contradictions and no significant discrepancies obvious to anyone other than those who seek any excuse not to support rural communities. Unlike those opposite who have confected outrage over what they see as "privatisation by stealth", this Government is working with the local community to stimulate the local economy. Further, there is no loophole in this legislation. The substance of this bill mirrors the provisions in the Act it seeks to amend. It includes the same provision, "to sell or otherwise dispose of", that was in Labor's 2009 bill to amend the Transport Administration Act 1988. The Government has made clear from the word go its intention to convert this land into a Crown reserve.

I also note the concerns of some members regarding biosecurity. I again refer those members to the speech of the member for Albury in which he detailed the level of consultation and engagement completed by the Murray Local Land Services in consultation with the New South Wales Department of Primary Industries. The Government is doing all it can to ensure that these concerns are addressed and mitigated where possible. I cannot stress enough that there is broad community support for this project. The member for Albury has been involved in more than two years of consultation with his community and has engaged local landowners, local council and local businesses. He has gone above and beyond the call of duty to ensure that he heard the views of his community. Earlier today I had a discussion with the member for Wagga Wagga who said that since the introduction of this legislation things have settled down.

Community consultation on the Rosewood to Tumbarumba rail trail dates back to 2004, when proponents for the rail trail first commenced consultation. Overall there seems to be broad community support for the project. Consultation on the project intensified from late 2013 through to 2015. During this period two public forums were held and four separate meetings took place between Tumbarumba Shire Council—now Snowy Valleys Council—and local landholders. In 2015 the member for Albury, Mr Greg Aplin, met with residents opposed to the rail trail

to listen to and to respond to their concerns. Almost all businesses and community organisations in the Rosewood to Tumbarumba area provided support in writing for the project. Local tourism businesses have also expressed their support.

Because of the work of the member for Albury and his continued lobbying, his community will be the first in New South Wales to see the benefits of a rail trail to local tourism and, more broadly, the local economy. The Government is committed to growing the visitor economy in regional New South Wales and to driving broader economic development. The visitor economy is an important economic driver, with a regional share of more than 46 per cent—\$14.3 billion—of total domestic and international visitor expenditure for New South Wales to the year ending 2016. Regional New South Wales also accounts for approximately 50 per cent of all tourism employment in this State. Rail trails contribute to statewide economic development due to the multiplier effects associated with visitor expenditure.

Investing in local infrastructure such as rail trails to develop attractions is a key leader for the Government to support growth of the visitor economy in regional New South Wales. Promoting growth in the retail accommodation and food services sectors with a key focus on small business will lead to further regional job creation. To this end, the Government announced funding of up to \$50 million from the Restart NSW Regional Tourism Infrastructure Fund in January 2015 for the development of a pilot rail trail project. A competitive expression of interest process was open for councils, businesses and community groups to submit rail trail proposals along non-operational railway corridors.

The Rosewood to Tumbarumba rail trail project was announced in June 2015 as the first pilot rail trail to be selected for funding. An allocation of \$4.8 million was made to deliver the project, subject to further work being undertaken, including closure of the rail line. The Government selected the Rosewood to Tumbarumba rail trail proposal as it satisfied a number of key criteria, including evidence of significant support within the community for the proposal, an effective plan for further consultation with the community, a viable operating model and the potential to generate immediate economic benefits for the region. These studies also conservatively estimated that the rail trail would bring additional expenditure of approximately \$200,000 per year to the region, reflecting the considerable local business and tourism opportunities that would become viable as a result of the rail trail.

The Rosewood to Tumbarumba rail trail is expected to deliver a number of other benefits to the local community, including local employment opportunities, especially during the construction phase of the project; environmental benefits by protecting biodiversity along the rail corridor; the provision of an alternative commuting option for the locals; social and cultural benefits by providing a safe and pleasant venue for recreation and interaction for all ages, noting the gentle gradient of the land; and health benefits by encouraging regular physical activity. Significant community consultation has been conducted for the Rosewood to Tumbarumba rail trail project, and assessment of the strategic risks has been completed by the Murray Local Land Services.

The assessment found that the risk to biosecurity would be managed through implementation of appropriate mitigation measures. In December 2016, the Rosewood to Tumbarumba Rail Trail Steering Committee conducted an invitation-only information forum to present the risk assessment and identified mitigations to adjoining landholders. While the proposed Rosewood to Tumbarumba rail trail will be the first of its kind in New South Wales, rail trails are well recognised nationally as an alternative adaptive use for rail lines. South Australia, Western Australia, Queensland, Tasmania and Victoria all have operational rail trails, with some established more than 30 years ago. The Victorian rail trail program, in particular, comprises more than 25 active trails.

In addition to boosting tourism and generating business and job opportunities, rail trails have been proven to benefit the local community and residents in many other ways. Studies of rail trails have shown they improve community health and wellbeing by encouraging regular physical activity, protect the natural environment, offer a greener way of commuting, foster social cohesion and increase community pride. I am advised that more than 3,139 route kilometres of non-operational rail lines exist across our State. Included in this figure is the Rosewood to Tumbarumba rail line, which last operated a rail service in 1974. The 22 kilometres of non-operational rail line along the disused section of rail corridor will be put to much better use as a visitor attraction to support and to grow the region's economy.

Accordingly, the Transport Administration Amendment (Closure of Railway Line Between Rosewood and Tumbarumba) Bill 2017 is required to authorise the closure of the proposed rail lines under section 99A of the Transport Administration Act 1988, which provides that a rail infrastructure owner must not, unless authorised by an Act of Parliament, close a railway line. Closure of this disused rail line is required before the rail infrastructure can be removed to develop the trails for walking and cycling. However, the rail corridor will remain in government ownership following the closure of the rail lines. Further, the corridor will be used to establish the



rail trail only on the basis that these lands could be reacquired without cost in the unlikely event that they are required for transport services into the future.

I note that the member for Albury is in the House, and I thank him for the efforts that he has made as the local member representing the Rosewood to Tumbarumba communities. This will be an exciting project for those communities, and as the first rail trail in the State will generate a lot of interest. This is historic legislation. I am aware of an amendment that the Labor Party is looking to move in the upper House. That is unfortunate because I believe that it could have some quite ridiculous and unintended consequences. On occasions it may make sense for farmers to adjust boundaries that adjoin a rail trail corridor. Clearly, it is never going to be used as a transport corridor in the future. The Government might want to adjust a fence line to allow for the construction of a shed, or to assist with stock movement. The Labor Party is saying that legislation will be required and that we will have to come back to the Parliament to make that boundary adjustment. If Labor's principle is that we have to have an Act of Parliament to make an amendment to a boundary like this then why would it not be consistent across the board?

If we desire to change a parcel of Crown land for the purposes of freehold, why would that same requirement, in terms of consistency, not exist in that so-called principled approach? It does not make sense. What is also particularly telling about Labor's position is that it is trying to play politics. When Labor was in government it introduced legislation which did not have that requirement. I make this point to members opposite: There is an impractical effect of their proposed amendment. It is sensible if the Government wishes to reach an agreement with a farmer or landowner to make an adjustment for the purposes of stock or sheds. We are hardly going to sell off the corridor and all of a sudden millions upon millions of dollars appear in the State coffers. We are talking about 22 kilometres of disused rail line between Rosewood and Tumbarumba.

I do not want to have to bring legislation to the Parliament to change to a fence line. That is completely and utterly ridiculous. I will impress that upon the crossbench in the upper House. I note the member for Orange is in the Chamber, and I ask him to make the point to his colleagues that it is enormously tricky and an impost to have to legislate to change a fence line. We have made it very clear that this is going to be a Crown reserve trust, managed by the local council. That makes sense and we have indicated in debate that is the Government's position on how it will operate and be maintained into the future. It makes absolute sense to do it that way. In closing, I thank the member for Albury for all his hard work and congratulate him and his community. I wish them well with their endeavours in this regard and hopefully we will see a tremendous outcome. I thank the House for its support of the legislation.

**TEMPORARY SPEAKER (Mr Lee Evans):** The question is that this bill be now read a second time. A division has been called for. There being fewer than five members against the question, the question is resolved in the affirmative.

**Noes, 3**

Mr P. Donato  
Ms J. Leong  
Mr J. Parker

**Motion agreed to.**

### **Third Reading**

**Mr ANDREW CONSTANCE:** I move:

That this bill be now read a third time.

**Motion agreed to.**

**TEMPORARY SPEAKER (Mr Lee Evans):** I shall now leave the chair. The House will resume at 2.15 p.m.

*Visitors*

### **VISITORS**

**The SPEAKER:** I welcome Councillor James Owen of Tweed Shire Council, guest of the Minister for Education and member for Pittwater. I welcome Forbes Duff of the Liverpool Football Club in England, who is accompanied by James Dow and Scott Collis, of the Liverpool Academy in Lismore, guests of the Minister for Police, and Minister for Emergency Services, member for Dubbo, and the Deputy Speaker and member for Lismore. I welcome the teacher and students from Balgowlah Boys High School, guests of the member for Manly. I welcome a delegation of New South Wales Justices of the Peace from the Illawarra, guests of the member for

Keira, the member for Shellharbour, and the member for Wollongong. I welcome students and their teachers from Al Sadiq College, guests of the member for Lakemba.

I also welcome members of a parliamentary delegation from Malaysia, including Yang Berhormat, Senator Dato' Fahariyah Nordin; Encik Mua'amar Gadafi; Yang Berhormat Chua Yee Ling; and Yang Berhormat Johari. They are accompanied by the second secretary at the Australian High Commission in Kuala Lumpur, Ms Elizabeth Le Bas, and Mr Kim Refshauge from the Department of Foreign Affairs and Trade.

The member for Lakemba and the member for Summer Hill are celebrating their birthday today. Happy birthday.

#### *Announcements*

### **MANCHESTER TERRORIST ATTACK**

**The SPEAKER:** I reiterate the comments I made and the prayers I offered earlier today about the victims of the Manchester incident. I extend our deepest sympathy, thoughts and prayers to the people of Manchester in this extremely difficult time.

*Members and officers of the House stood in their places as a mark of respect.*

#### *Commemorations*

### **CENTENARY OF THE FIRST WORLD WAR**

**The SPEAKER (14:19):** On the Western Front in France on 18 May 1917, Frank Augustus Chaffey of the 2nd Division of the Australian Imperial Force was promoted to the rank of captain. When completing his enlistment papers two years previously, in the wake of the landings at Gallipoli, Chaffey had stated his occupation as farmer and grazier. The words "and Member of the Legislative Assembly of N.S.W." were scrawled underneath, almost as an afterthought. Chaffey was the son of a farmer. He attained a diploma from Hawkesbury Agricultural College and a certificate in wool-classing from Sydney Technical College, and was serving as the first secretary of the Tamworth district council of the Farmers and Settlers' Association at the time of his election as the Liberal member for Tamworth in 1913.

A trooper in the 5th New England Light Horse Regiment prior to the outbreak of the First World War, Chaffey was commissioned in the Australian Imperial Force [AIF] in the 1st Light Horse Regiment. In France, he served as quartermaster and adjutant at the 2nd Division base depot and the Anzac Corps reinforcement camp in France. After the war, he represented the seats of Namoi and Tamworth in this Parliament until 1940, including serving as Minister for many years with responsibility for portfolios including agriculture and forests. One of 13 members of this Parliament to serve in uniform during the First World War, he was mentioned in despatches "for distinguished and gallant services and devotion to duty". Lest we forget.

#### *Ministry*

### **REPRESENTAION OF MINISTERS ABSENT DURING QUESTIONS**

**Ms GLADYS BEREJIKLIAN:** I advise the House that the Attorney General will answer questions today on behalf of the Minister for Counter Terrorism, Minister for Corrections, and Minister for Veterans Affairs.

#### *Governor*

### **ADMINISTRATION OF THE GOVERNMENT**

**The SPEAKER:** I report the receipt of the following message from the Hon. Thomas Frederick Bathurst, AC, Lieutenant-Governor of the State of New South Wales:

T F Bathurst  
LIEUTENANT-GOVERNOR

GOVERNMENT HOUSE  
SYDNEY

The Honourable Thomas Frederick Bathurst AC, Lieutenant-Governor of the State of New South Wales, has the honour to inform the Legislative Assembly that, consequent on the Governor of New South Wales, His Excellency General The Honourable David Hurley AC DSC (Ret'd), being absent from the State, he has assumed the administration of the Government of the State.

Tuesday, 23 May 2017

*Bills***CROWN LAND LEGISLATION AMENDMENT BILL 2017****Assent**

**The SPEAKER:** I report the receipt of a message from the Governor notifying His Excellency's assent to the abovementioned bill.

*Notices***PRESENTATION**

*[During the giving of notices of motions]*

**The SPEAKER:** The Government benches will come to order. The Leader of the Opposition will be heard in silence.

*[Later, during the giving of notices of motions]*

**The SPEAKER:** I call the member for Kiama to order for the first time. I call the member for Keira to order for the first time. I call the member for Kiama to order for the second time. I call the member for Keira to order for the second time. I call the member for Kiama to order for the third time.

*Question Time***BUS SERVICES PRIVATISATION**

**Mr LUKE FOLEY (Auburn) (14:27):** My question is directed to the Minister for Transport and Infrastructure. During the last election campaign the then transport Minister, now Premier, said the Government had no plans for the privatisation of bus services. Why has he now broken his party's election commitment?

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

**Mr ANDREW CONSTANCE (Bega—Minister for Transport and Infrastructure) (14:27):** It is interesting that that question has come up. I am going to quote my predecessor, the former Minister for Transport, who said:

Private involvement in the STA is not currently Government policy but I expect State Transit to become more efficient and deliver improved services to customers.

That is what was said.

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

**Mr ANDREW CONSTANCE:** If the Leader of the Opposition wants to quote people then I have a very interesting quote. It reads as follows:

Inner West commuters should expect better. Commuters are voicing their frustration in the thousands. They have a right to expect a bus to arrive on time and stop where it is supposed to.

Who made that statement? The member for Strathfield. I am going to spend this week in the House outlining the number of letters I have had from those opposite complaining about buses in the Inner West. It is going to be a long week.

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

**Mr ANDREW CONSTANCE:** We have made crystal clear that we are not selling buses or depots. We are guaranteeing transport workers' jobs in the same way we did in Newcastle, where we saw five-year job guarantees. We are going to see better and improved services. We are not going to accept 42,000 customer complaints from that region in the last four years. That is why I have all these letters from the members for Summer Hill and Strathfield, who write to me to complain time and again about region six.

**The SPEAKER:** Order! I call the member for Londonderry to order for the first time. The member is shouting. I call the member for Londonderry to order for the second time. I call the member for Blacktown to order for the first time. I call the member for Canterbury to order for the second time.

**Mr ANDREW CONSTANCE:** Let me go to the heart of some of the issues. These are the types of complaints that have come in over the past four years.

**The SPEAKER:** Order! I call the member for Londonderry to order for the third time. I call the member for Port Stephens to order for the second time. Opposition members will be removed from the Chamber if they do

not cease shouting and interjecting. If they continue to interject I will stop the clock. The Minister will be heard in silence.

**Mr ANDREW CONSTANCE:** This is the type of complaint we have had. It says: "I wish to advise you that on Monday the bus I was travelling home from the city on stopped on the corner of Victoria Road and Lyons Road, Drummoyne, and offloaded all its passengers. When we asked the driver what was happening he told us that his driving time was up, and that he could no longer drive the bus. He locked the bus and turned out all the lights. We then had to wait for the next 504 in the cold and the rain." Incidentally, the bus was only 10 minutes from Chiswick terminus.

**Ms Jodi McKay:** Point of order—

**The SPEAKER:** Order! If the member for Strathfield behaves as she did during the last sitting week she will be removed from the Chamber.

**Ms Jodi McKay:** I am just suggesting that the Minister may want to table the letter because he is eating up all his time. That is my point of order. I ask him to table it and to move on.

**The SPEAKER:** Order! That is not a point of order. The member will resume her seat. I call the member for Strathfield to order for the first time.

**Mr ANDREW CONSTANCE:** The good member for Strathfield knows full well about the level of complaints that we have had from commuters. We are taking measures by engaging with a new service provider.

**Ms Jenny Aitchison:** Point of order—

**The SPEAKER:** Order! I warn the member that if she does not have a valid point of order she will be removed from the Chamber.

**Ms Jenny Aitchison:** My point of order is in relation to Standing Order 73. Those bus drivers cannot stand up for themselves. They should not have their reputation impugned by the Minister when he cannot manage it.

**The SPEAKER:** Order! There is no point of order. I call the member for Maitland to order for the first time. I call the member for Maitland to order for the second time.

**Mr ANDREW CONSTANCE:** Interestingly, on that score the bus drivers in the Hunter and in Newcastle have just secured five-year job guarantees from the union leaders who are dealing with service providers up there.

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

**Mr ANDREW CONSTANCE:** Those workers up there, who work damn hard, are going to have job guarantees.

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

*[Pursuant to sessional order the member for Maitland left the Chamber at 14:32.]*

**Mr ANDREW CONSTANCE:** That is a fact. We will have job guarantees. We will be able to continue to regulate fares. We will continue to design the timetables and the bus routes. The bottom line is that those opposite are playing a game. They were silent in the middle of an illegal strike last week.

**The SPEAKER:** Order! I call the member for Rockdale to order for the first time. The level of interjection from the Opposition is unacceptable. I call the member for Rockdale to order for the second time. Question time is descending into complete chaos. Opposition members will be removed if they continue.

### JOBS GROWTH

**Mr CHRISTOPHER GULAPTIS (Clarence) (14:33):** My question is addressed to the Premier. How is the New South Wales Government supporting jobs growth?

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

**Ms GLADYS BEREJIKLIAN (Willoughby—Premier) (14:33):** I am very pleased to answer this question, as the leader of the party of the workers.

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

**Ms GLADYS BEREJIKLIAN:** We are the party of the workers, and I want to acknowledge and place on the record that we have employed more bus drivers than the Opposition would have done. When the Opposition was in government it cut services. I am not talking about one or two services; I am talking about hundreds and hundreds of services. All the Opposition did was cut, cut, cut. This Government has hired more drivers. But I digress.

**The SPEAKER:** Order! I call the member for Rockdale to order for the third time. The House will come to order.

**Ms GLADYS BEREJIKLIAN:** I want to place on the record my gratitude to those drivers who get me to work when I am using the bus. I thank them for their efforts.

**The SPEAKER:** Order! I direct the member for Rockdale to remove himself from the Chamber for a period of three hours.

*[Pursuant to sessional order the member for Rockdale left the Chamber at 14:34.]*

**Ms GLADYS BEREJIKLIAN:** The Government is extremely proud of jobs growth in New South Wales. The unemployment rate in New South Wales stands at just 4.7 per cent.

**Ms Liesl Tesch:** Regional unemployment?

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

**Ms GLADYS BEREJIKLIAN:** I acknowledge the interjection. I am getting to that. This compares with 5.7 per cent nationally.

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

**Ms GLADYS BEREJIKLIAN:** If we take New South Wales out of the equation the national unemployment rate would be 6.2 per cent. This stretches to 23 straight months that New South Wales has recorded the lowest unemployment rate of any State in the nation, and 41 straight months below the national average. It is always important to look at the trends. We all know that monthly figures can bounce around a bit, but 41 months is three and a half years. I just did calculation for the benefit of the member for Keira. For 3½ years New South Wales' unemployment rate has been below the national average, which is quite an achievement. Since coming to office, this Government has assisted with the creation of more than 330,000 new jobs. There is one aspect of these figures that gives me more satisfaction than any other: We have the lowest rate of youth unemployment of any State in Australia.

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

**Ms GLADYS BEREJIKLIAN:** While I accept that in some parts of the State the rate is higher than I would like, it is still the best rate in the nation. We will continue to create jobs to ensure that the unemployment rate continues to go down. It is very pleasing to see that the additional services we are putting on the front line and our reforms in areas such as TAFE have seen an improvement in job skills. We are also better supporting our universities. We know that those opposite cannot handle the truth, but I am very pleased to say that enrolments in TAFE are skyrocketing.

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

**Ms GLADYS BEREJIKLIAN:** That is because of the improvements we have made and the collaboration we have had with industry. Those opposite do not like these facts, but I am advised that enrolments are up 25 per cent in TAFE compared to last year.

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

**Ms GLADYS BEREJIKLIAN:** None of this happens by accident. It is because of our hard work and because we are getting on with the job. It means more jobs for families in Western Sydney, more jobs for people on the Central Coast, and more jobs for people in rural and regional New South Wales in places like Tweed Heads, Forster, Eden, Singleton and Clarence. I again thank the member for Clarence for his question.

We are not only building infrastructure, which is supporting jobs, but also making sure people have the skills required to fill those jobs. Everywhere we look in this State there has been job creation. Only last week the Deputy Premier, I and many others were very pleased to be in Broken Hill. The project we are building there will deliver thousands and thousands of local jobs to Greater Western New South Wales. I know that the member for Barwon in particular is very happy with that. Let us compare that to what happened when those opposite were in government. They cut services; they cut frontline jobs when they were in Government. *[Extension of time]*

Many drivers who have been in jobs for a long time would know that when the Opposition was in government hundreds and hundreds of weekly services got the axe. We employed more bus drivers than they could ever hope to, and we are very proud of that fact. We are the party of the worker. We are creating more jobs, providing more services and giving better customer service. They are not just my words. The employment figures back up what we are saying. We have the lowest unemployment and the lowest youth unemployment in the nation. Those opposite do not have a policy to bless themselves with. They had a litany of disaster and failure when they were in government. In addition to our jobs and skills growth, we are providing jobs for the future. Our record spend on infrastructure and our delivery of quality services—we are increasing services by the thousands every week—ensures more jobs, more frontline workers and better customer service for everybody.

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

### **BUS SERVICES PRIVATISATION**

**Mr MICHAEL DALEY (Maroubra) (14:40):** My question is directed to the Minister for Transport. On 13 December 2016, the former chief executive of the State Transit Authority, Peter Rowley, wrote to all State Transit staff, after benchmarking State Transit across the entire bus industry throughout the State, saying:

State Transit successfully delivered all savings required ahead of schedule and also delivered additional savings.

Why, only six months after that unmitigated good news, has the Minister decided to ditch the agreement with bus drivers who provide public services and instead opted to flog off public bus services in New South Wales?

**The SPEAKER:** Order! I remind the public gallery that applause, interjection and noise are not acceptable.

**Mr ANDREW CONSTANCE (Bega—Minister for Transport and Infrastructure) (14:41):** I note that the good member for Maroubra has cited a letter. He may want to table it because in that letter, if it is the letter that I think it is—

**The SPEAKER:** Order! The member for Maroubra has asked the question. He will listen to the answer in silence.

**Mr ANDREW CONSTANCE:** —the Government has made clear that government policy can change through Cabinet approval processes. And guess what?

**Mr Michael Daley:** Point of order—

**The SPEAKER:** Order! I will stop the clock. I call the member for Cessnock to order for the first time. The members who have been placed on a call to order are now on three calls to order.

**Mr Michael Daley:** My point of order is Standing Order 129. We know government policy can change. The question was why.

**The SPEAKER:** Order! The Minister for Transport has the call. The member for The Entrance will come to order.

**Mr ANDREW CONSTANCE:** As I made clear last week, more than 42,000 customer complaints in four years means that something needs to change. In the last couple of months, 13 per cent of buses have failed to get to the first stop on time; typically they are in the depot. So the Government has made some decisions.

**The SPEAKER:** Order! I direct the member for The Entrance to remove himself from the Chamber for two hours.

*[Pursuant to sessional order the member for The Entrance left the Chamber at 14:43.]*

**Mr ANDREW CONSTANCE:** What is interesting is that those opposite did not ask one question in relation to the bus drivers in Newcastle. I say to the drivers in the public gallery that their jobs are guaranteed. I say to those opposite that we are not selling the buses or the depots. I say to the community that we will continue to regulate Opal prices and that we will continue to set the timetables and the bus routes.

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

**Mr ANDREW CONSTANCE:** What we are talking about is far better management from a service provider that will deliver the outcomes the community wants. That is the point. The jobs of those drivers are secure. They will be given the same job guarantee that was given in Newcastle. Full stop, end of story.

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

**Mr ANDREW CONSTANCE:** We have private bus operations across 80 per cent of the contract regions. If it is good enough for the people of Western Sydney then it is good enough for those in the Inner West. That is the bottom line.

**The SPEAKER:** Order! I direct the member for Kogarah to remove himself from the Chamber for two hours.

*[Pursuant to sessional order the member for Kogarah left the Chamber at 14:44.]*

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

**Mr ANDREW CONSTANCE:** I note that the member for Londonderry was busily protesting outside Parliament House at lunchtime. Who is providing the bus services to her local community? There were 19,000 complaints against private bus operators in a 12-month period compared to 12,000 in this one contract region alone. Those are the facts. We want a better way to do things. We will continue to own the buses, own the depots, regulate the fares and set the timetables and the routes, and we will have a new service provider cooperating with the current workforce to continue providing services to the people of the Inner West.

### BROKEN HILL WATER SUPPLY

**Mr KEVIN HUMPHRIES (Barwon) (14:44):** My question is addressed to the Deputy Premier. Will the Deputy Premier update the House on the Liberal-Nationals Government's commitment to delivering and guaranteeing a long-term water supply for Broken Hill?

**Mr JOHN BARILARO (Monaro—Deputy Premier, Minister for Regional New South Wales, Minister for Skills, and Minister for Small Business) (14:44):** I thank the member for Barwon, otherwise known as the billion-dollar electorate, for the hard work that he does representing the communities and the people of regional New South Wales, in particular western New South Wales. His electorate covers about 45 per cent of the landmass of the State. Representation of an electorate that size takes a mighty effort, and I congratulate the local member.

Many members on this side of the House attended a conference in Broken Hill on the weekend. It was an opportunity for members of Parliament to go to Broken Hill, otherwise known as the capital of the outback. It is a unique city that is iconic of the Australian story—a story of courage, hard work and reward. It is a city that has been built not only for the benefit of that community but also for the New South Wales and Australian economies. The Premier and I were pleased to be in Broken Hill and, together with the local member and Minister for Primary Industries, to give an update regarding our commitment to building the new pipeline, which will bring water security to the community of Broken Hill. The Government has announced \$500 million to go to water security and building a pipeline. The announcement on Friday was about the four Australian-led consortia that will tender for the construction of the largest regional infrastructure project in the State.

When I was in Broken Hill on the weekend, I could see the impact of poor water security. I recall when the town of Nimmitabel, in my electorate, was on stage six water restrictions for eight years. For eight years the community was limited in the amount of time they could turn on the tap to have a shower or to get water—something that people in the city take for granted. When restrictions like that are placed on regional communities, it plays on their social fabric. I saw that in Nimmitabel and I could see it in Broken Hill. I was lucky enough to spend some time with Johnny Williams, the former member for Murray-Darling, who told me that water in the region is expensive because there is no water security.

Following on from its previous commitment to a short-term fix, the Liberal-Nationals Government has made a commitment to ensuring that the community has water security not only for today but also for the future. The pipeline will bring water security and it will bring jobs. Earlier in question time, the Premier talked about the record low unemployment figures in New South Wales—4.7 per cent. The figures are well below the national average but, more importantly, the resulting jobs growth is being reflected in the regions. This Government is committed to delivering jobs for regional New South Wales.

The pipeline causes a ripple effect for small businesses and businesses, which is fantastic for the economy. Two hundred logistics, transport and materials jobs will come directly from the pipeline. But there is also an opportunity through changes to the Australian Standards in relation to skills. The change to the Australian Standards will allow, through the procurement process, for an Australian company that wins work to have the opportunity to use Australian steel. That does not relate only to the pipeline; it relates also to our record infrastructure spend across the State. Over the next four years, \$73 billion of infrastructure will be delivered by this Liberal-Nationals Government to our communities. More importantly, the changes to the Australian Standards will grow the economy and jobs because Australian steel equals Australian jobs.

The 270-kilometre pipeline is a significant regional infrastructure project, and it is only the start. Another part focuses on our key targets, such as making sure we provide Indigenous employment. As I have said before, the legacy we want to leave for this State is not only building the infrastructure—the roads, rail, schools and hospitals—but also providing our young people with training and upskilling, traineeships and apprenticeships and, most importantly, a great life. People can have a great life off the back of having a great job. The job of this side of the House is to provide the environment for the creation of jobs. We will provide the environment for private sector investment and investment that is led by the Government. [*Extension of time*]

Members on this side of the Chamber, including the member for Barwon and the member for Kiama, are strong supporters of the Australian steel industry. This Government will deliver services to get the right outcome. Australian industry backs quality. The construction of the pipeline will mean a level playing field for all.

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

**Mr JOHN BARILARO:** Tony Dixon, the chief executive of the Australian Steel Institute, said:

The local steelmaking and supply chain stands ready and fully capable to support any of the four prospective proponents for the construction of the pipeline, the largest project of its type ever undertaken in the State.

The good news is backed by the steel industry. It is an opportunity not only for Broken Hill but also for Australian steel across the State and this nation. During the 16 years the Labor Party was in government, what did they do in relation to water security for the people of Broken Hill? Nothing. We saw plan after plan, broken promise after broken promise. In 2003 there was a plan to upgrade critical infrastructure, but that plan was put on the shelf. In 2007 there was another feasibility study from those opposite. Guess what? That was put on the shelf. In the 16 years they were in power, there was very little investment to ensure water security for the people of Broken Hill, an important regional centre.

As I said, in 2015 we invested \$42 million for emergency water supply works, including a new desalination plant. This will give water security until 2019, along with a \$500 million investment by this Government to get on with the job of water security, building a pipeline and making sure that there is investment in our infrastructure. This investment is possible only because of this Government's asset recycling program. We are reinvesting that money into infrastructure that makes a difference for communities.

**The SPEAKER:** Order! The member for Balmain will remain silent.

#### PUBLIC BUS FLEET

**Ms JODI McKAY (Strathfield) (14:52):** My question is directed to the Minister for Transport and Infrastructure. The Burwood depot did not receive a single new bus from 2011 until 30 June 2016. Why is the Minister blaming drivers instead of investing in the fleet?

**Mr ANDREW CONSTANCE (Bega—Minister for Transport and Infrastructure) (14:52):** Guess what \$206,000 buys in New South Wales? That is how much the Rail, Tram and Bus Union [RTBU] donated to the Labor Party in New South Wales. It seems we have a "cash for questions" scandal brewing.

**The SPEAKER:** Order! I remind the House that many members are already on three calls to order.

**Mr ANDREW CONSTANCE:** How unethical. They get \$206,000 from the union bosses and suddenly have an interest in public transport. This Government has put 176 new buses, and since coming to office it has delivered 1,400 new weekly services into this contract region. That is fact. I am sorry to say that those opposite are continuing to miss the mark. I might take a moment to reflect on what has been happening over the past week. It was interesting that the Leader of the Opposition had nothing to say about the illegal strike. He did not come out in support of drivers; he was eerily silent. It was an illegal strike that disrupted the lives of hundreds of thousands across the Inner West—schoolkids, parents.

**Mr Luke Foley:** Point of order: My point of order is taken under Standing Order 73. Let me be clear, I backed the RTBU because we are the party of the workers.

**The SPEAKER:** Order! There is no point of order. Government members will come to order.

**Mr ANDREW CONSTANCE:** The Leader of the Opposition backs the RTBU because he is paid to do so. This is a "cash for questions" scandal brewing, and we all know at what cost, at what price. We know that The Greens do not get the donations but that those opposite, the Labor Party, do. Hang on, Mr Jamie Parker is thinking about that.

**The SPEAKER:** Order! I have warned members who are already on three calls to order.

**Mr ANDREW CONSTANCE:** The hide of them, the cheek of them. They have no interest in public transport, but as soon as we try to find a better way to deliver customer outcomes that is not in the interests of



union bosses, guess where the members of the Labor Party are? They are in here asking questions. This Government has delivered 19,000 additional weekly services across the network.

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

**Mr ANDREW CONSTANCE:** There is more money being spent on new buses. I reiterate to members of the workforce who are here today, we want to consult with them. We tried to consult last week, and we will now go through the depots to do the consultation and to explain how Newcastle works. In Newcastle there was not one strike; no illegal action was taken that would cause disruption to thousands of people. It was pretty ordinary form for a union boss to make a public statement between 5.00 p.m. and 6.00 p.m. on a Wednesday, after the schools had closed, in relation to a wildcat strike the next day. That same union boss was on television the next night saying, "At 8 o'clock I was too busy, I was sleeping like a baby." For goodness sake, he is asleep in the public gallery. He is here with his Milo and his milk arrowroot.

**The SPEAKER:** Order! I warn the member for Prospect for the last time.

**Mr ANDREW CONSTANCE:** We have to go to the Supreme Court on Thursday to sort this out because we are not going to cop wildcat illegal strikes. I note that the good shadow transport Minister was tweeting in support of the illegal action. She should tell that to her local constituents who were disrupted by the strike. Lo and behold, we were onto it. We managed to get 111 private sector buses on the roads to service the good people of the Inner West.

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

**Mr ANDREW CONSTANCE:** We gave them the options and we put out the information. The member for Keira might scratch his head; I will get to him in a moment. There is no doubt that those opposite now have a "cash for questions" scandal brewing in the Parliament. It goes to show that once a union boss, always a union boss. That is the Leader of the Opposition.

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

### **COMPULSORY THIRD PARTY INSURANCE**

**Mr DAMIEN TUDEHOPE (Epping) (14:57):** My question is addressed to the Minister for Finance, Services and Property. How is the Government delivering on its commitment to crack down on compulsory third party [CTP] fraud and reduce prices for motorists?

**Mr VICTOR DOMINELLO (Ryde—Minister for Finance, Services and Property) (14:57):** I thank the member for Epping for his question and his important involvement in the design of the Government's compulsory third party [CTP] insurance reforms. We know that members on this side of the House are members of the party for the workers; there is no doubt about that. We should remember we are also the party for the motorists because we have a proven track record of delivering for the five million motorists of New South Wales. This Government has invested record amounts of money into road projects across New South Wales. We have been innovative in the supply of services, such as FuelCheck, to help people to get the best deal at the bowser.

FuelCheck has been lauded by the Australian Competition and Consumer Commission [ACCC] as a powerful tool to empower consumers and to deliver competition in the marketplace. The NRMA has described FuelCheck as the biggest reform to petrol pricing in Australian history. It estimates that the average motorist in New South Wales could save up to \$500 a year using FuelCheck. Of course, we delivered on our promise to reform the CTP insurance scheme, which will see premium reductions of up to \$120 on average for motorists at the end of the year once the new scheme commences.

Last year, this Government established the CTP insurance fraud task force, which for the first time brought together representatives from external stakeholders and New South Wales government agencies, including the Insurance Council of Australia, the Law Society of New South Wales, the New South Wales Bar Association, the Australian Lawyers Alliance, the Australian Medical Association, the NSW Police Force, the Health Care Complaints Commission, the Legal Services Commissioner, the State Insurance Regulatory Authority and, for the benefit of the Deputy Premier, the NSW Data Analytics Centre [DAC].

The task force came up with powerful insights in relation to fraud that contributed up to \$75 for every premium paid in New South Wales. In August 2016 detectives from the State Crime Command Fraud and Cybercrime Squad established the Strike Force Ravens to investigate criminal syndicates targeting the CTP insurance scheme following recommendations from the CTP insurance task force. Over the last few weeks, Strike Force Ravens has made numerous arrests of those seeking to defraud funds from the CTP insurance scheme in New South Wales. I am pleased to inform the House that Strike Force Ravens investigators have so far arrested

five people and laid 65 charges in relation to a combined fraud of \$6.2 million. I pay tribute to the NSW Police, led by Detective Superintendent Arthur Katsogiannis—

**Mr Michael Daley:** Good man.

**Mr VICTOR DOMINELLO:** —a very good man, and Minister Troy Grant. They have done an incredible job in uncovering this activity and disrupting the fraudulent business model. The New South Wales Government is putting fraudsters on notice that these investigations are ongoing, and I anticipate further arrests will be made in the near future. The New South Wales Government and the State Insurance Regulatory Authority [SIRA] will continue to work closely with police on an ongoing basis because claims fraud is a fraud not only on insurance companies but also on every motorist who pays an insurance premium in New South Wales.

The combination of scheme reforms and the laser-like work of Strike Force Ravens has meant a significant decline in claims made and a significant increase in claims withdrawn by claimants. Comparing February to April this year to the same period in 2016, we can see a 29 per cent reduction in the number of CTP insurance claims lodged—that is, 1,197 in 2016 down to 845 in 2017—and a staggering 47 per cent increase in the number of CTP insurance claims withdrawn by claimants. That is extraordinary.

There is more good news. Since the introduction of the Government's CTP insurance reform bill, there has been a 17 per cent reduction in total claims made and a 20 per cent reduction in minor severity claims compared to the same period last year. It is clear from these figures that the reforms introduced by this Government are already working. Removing lump sum payments for soft tissue injuries later this year it will further reduce the incentives for fraud and exaggeration and unethical behaviour within the scheme. The Berejiklian-Barilaro Government will continue to fight to ensure motorists can have confidence that their Government—the party of the motorists—will deliver a significant reduction in premiums when the new scheme comes into effect at the end of this year.

#### **BUS SERVICES PRIVATISATION**

**Ms JO HAYLEN (Summer Hill) (15:02):** My question is directed to the Minister for Transport and Infrastructure. Why did the Government announce in February that it would remove key stops on Inner West bus routes, including outside Marrickville Town Hall, making elderly residents walk further to their local stop? Was this not simply a ploy to make bus services more attractive to private operators?

**Mr ANDREW CONSTANCE (Bega—Minister for Transport and Infrastructure) (15:03:0):** Guess what I have here: letter after letter from the member for Summer Hill.

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

**Mr ANDREW CONSTANCE:** On behalf of Inner West bus customers, the member for Summer Hill seems to have a very real interest in writing to me. She says, "This constituent expressed a need for more frequent services on the routes in the Inner West", and on it goes. There is more to come; I have hundreds of these letters.

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

**Mr ANDREW CONSTANCE:** She writes, "An ex-constituent visited my office, upset that he was delayed by 30 minutes and missed a medical appointment"—

**The SPEAKER:** Order! The member for Summer Hill will cease arguing.

**Mr ANDREW CONSTANCE:** Why is the member writing to me? There is complaint after complaint. She is supporting my franchising.

**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 15:05.]*

**Mr ANDREW CONSTANCE:** The questions of those opposite in relation to franchising are interesting because they have an interesting history.

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

**Mr ANDREW CONSTANCE:** I draw to the attention of the House the 2004 Unsworth report, which recommended the wholesale franchising of metropolitan bus contracts. The report found that contracts in metropolitan New South Wales should be let through competitive tendering to ensure a strong customer focus and the best value for the taxpayer. In 2005, John Watkins reduced the number of contract regions to 15. Here is an interesting quote from a former Minister for Transport—

**Mr Jihad Dib:** Point of order: My point of order relates to Standing Order 129. The question was about the removal of bus stops along a particular route.

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

**Mr ANDREW CONSTANCE:** I have an interesting quote from a former Labor Minister for Transport by the name of David Campbell, who in this place in 2008 said:

... the needs of the community are not being met under the current arrangements. It has become clear that public transport services cannot be effectively managed under a system in which the delivery agency is a state-owned corporation ... privately operated transport service providers have contracts with Government that provide for far greater accountability than the model that currently applies to government-owned rail and ferry services.

Who was his chief of staff? It was the member for Keira, who no doubt wrote that speech.

**Ms Sophie Cotsis:** Point of order: My point of order relates to Standing Order 129, relevance.

**The SPEAKER:** Order! I have just ruled on that. The Minister's answer has been relevant. There is no point of order. The member will not argue with the ruling.

**Mr ANDREW CONSTANCE:** It is very interesting that the member for Keira, the then Minister's chief of staff, was busily writing this speech because David Campbell went on to say:

They must lift their game or face the outsourcing of functions like maintenance or face private sector competition for the delivery of services.

**Mr Guy Zangari:** Point of order: My point of order relates to Standing Order 129. This has nothing to do with the question.

**The SPEAKER:** Order! I have just ruled on the point of order. The Minister is being relevant. The member for Fairfield will resume his seat.

**Mr ANDREW CONSTANCE:** David Campbell goes on to say—

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

*[Pursuant to sessional order the member for Blue Mountains left the Chamber at 15:07.]*

**Mr ANDREW CONSTANCE:** David Campbell goes on to say this, written by the member for Keira:

This means that both management and the relevant unions must put the interests of commuters first—and get on with the job of improving the delivery of services.

In terms of the contract for region 6, they have not been doing that because the on-time running is lousy, the reliability of the services is poor and, quite frankly, union boss practices have been so sloppy that I will now speak to some of those arrangements, such as the 100 union training days given to drivers each year. And we wonder why we cannot deliver for commuters. The bottom line is that those opposite cannot argue against it because that was their policy when they were in government. This State now has a government that is getting on with it. We franchised bus services in Newcastle, we franchised ferries and we are going to franchise the Inner West bus services.

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

#### INTIMATE IMAGE ABUSE

**Ms MELANIE GIBBONS (Holsworthy) (15:08:3):** My question is addressed to the Attorney General. What is the Government doing to address the scourge of intimate image abuse?

**Mr MARK SPEAKMAN (Cronulla—Attorney General) (15:08:5):** I thank the member for Holsworthy for her question and acknowledge her work in chairing the Committee on Children and Young People when it conducted its inquiry into the sexualisation of children and young people. I particularly acknowledge her strong advocacy in this area. The digital age has many benefits. We are more connected than ever, but that is not always a good thing. We as a government are concerned about the rapid growth of social media and surveillance and communication technologies that increasingly result in the invasion of privacy.

"Revenge porn" is a colloquial term for intimate image abuse where a person intentionally shares an intimate image of someone else without their consent. Image abuse is not a passing issue or a fringe issue. Research published last week by Melbourne's RMIT University found that one in five Australians has experienced image-based abuse. Based on these, there is a good chance that every member in this Chamber knows someone who has been a victim. I acknowledge the researchers, Dr Nicola Henry, Dr Anastasia Powell and Dr Asher Flynn, for their important work in drawing attention to this area. Research like this helps our Government to make

evidence-based policy. The RMIT research shows that there is a deeply disturbing prevalence of this behaviour in the context of domestically violent relationships.

Too often an image captured in a private moment is being used as an instrument of harassment, humiliation, coercion and even blackmail. Too often we have appalling breaches of privacy with devastating consequences on a victim's emotional wellbeing, relationships and job prospects, and too often we have victim blaming. It is not the victim's fault when an intimate image goes viral online. They might have consented to the image being taken in a private moment, but that does not mean they want it shared with the world. Just because a person has consented to an image being taken in the past does not mean they consent to any other image being taken. Just because a victim has consented to it being sent to one person does not mean they consent to it being distributed further. For too long victims have suffered while offenders have avoided the consequences.

New South Wales and Commonwealth parliamentary inquiries have expressed concern about the harm done to victims through the non-consensual sharing of intimate images and the need for effective criminal laws. On Friday the Commonwealth and all States and Territories agreed to a national statement of principles that supports criminal legislation dealing with the non-consensual sharing of intimate images. On Saturday the Commonwealth Government announced that it was consulting on a proposed civil penalty regime to target perpetrators and sites that host intimate images and videos that have been shared without consent. New South Wales welcomes the Commonwealth Government taking steps in this important area. We believe the civil penalty regime could complement criminal laws that protect victims from the distribution of intimate or sexually explicit images without consent. However, the criminal law must provide a clear consequence for such a serious invasion of privacy.

The New South Wales Government has listened to the research and to the advocacy of victims. One of Australia's leading experts in sexual violence, Dr Nicola Henry of RMIT University, has said that now is the time to work towards a consistent and coherent approach to image-based abuse in Australia. Kerrie Thompson, a senior victim support specialist at the Victims of Crime Assistance League [VOCAL] Inc NSW, has said that VOCAL "welcomes the Government's recognition that the sharing of non-consensual intimate images is a gross violation of personal privacy". That is why this week the Government will be introducing a bill to make it an offence to intentionally record or distribute, or to threaten to record or distribute, an intimate image of a person without their consent. People who record or share intimate images without consent could be jailed for up to three years and fined as much as \$11,000 under these proposed tough new laws. We will hold offenders to account and we will shift the power balance back in the direction of victims.

#### INNER WEST BUS SERVICES

**Ms SOPHIE COTSIS (Canterbury) (15:13):** My question is directed to the Minister for Transport and Infrastructure. Why for years has the Minister refused to listen to the pleas from commuters and bus drivers to fix the timetable for Inner West buses? Has he not set up drivers to take the blame for his own failure as a Minister?

**The SPEAKER:** Order! I remind members on three calls to order that they will be out of the Chamber if they continue to interject.

**Mr ANDREW CONSTANCE (Bega—Minister for Transport and Infrastructure) (15:13):** I am glad the member for Canterbury asked that question. I have her latest preselection brochure. There she is with the union bosses. There she is with the preselectors—the people who put you in here. Come on, comrade! Just give me what you have got, and there you are, photographed in the Labor Party preselection brochure.

**Ms Sophie Cotsis:** I am proud.

**Mr ANDREW CONSTANCE:** You are proud? Save me. Again, I reiterate to the member for Canterbury and all those members from the Inner West—except for the member for Drummoyne, who actually gets this—that this is about customers. When we receive complaint after complaint about buses not turning up and passengers being off-loaded from buses mid-service in the rain, and people are complaining on behalf of school kids whose buses are not turning up, enough is enough. That is why we are taking this step. I again bring to the House's attention—particularly the attention of those in the gallery—that when this process started in Newcastle it was tough for a little while. But guess what happened? Memorandums of understanding were signed between service providers and the union bosses—and there were a couple of unions involved up there, not just the Rail, Tram and Bus Union—and job guarantees were secured.

And guess how long those job guarantees were in Newcastle? They were for five years. That came about because, again, the State Transit Authority [STA] started consulting the workforce in small groups, and that is the way this worked. This new model of service delivery will be up and running come 1 July next year. In that time we will see other innovations come into play—perhaps the use of technology. In other jurisdictions around the world we are seeing on-demand buses. We are seeing the use of technology whereby smaller buses deliver on-

demand and personalised services. These are the types of changes that are happening. If we are going to continue to live in the old world with the old practices then we are going to continue to see this degree of customer complaint.

What is ironic is that last week the shadow transport Minister called these complaints a red herring, yet she was reported in her local newspaper as making that very complaint on behalf of thousands of people whose buses are not being delivered in the way that people want. We will deliver more bus driver jobs. We will see jobs guaranteed. I say to the workforce: Work with the STA, because the union bosses' agenda is not in alignment with the commuters' agenda—and that is a fact. We just want to see a performance which has better on-time running, more reliable service and better outcomes for taxpayers, commuters, everybody. That is what is going to happen over the next 12 months. Members opposite can squawk as much as they like. I will ignore them, because ultimately nobody is listening. Time and again we have heard complaints from members opposite about the Government using better means to deliver transport services.

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

*[Pursuant to sessional order the member for Bankstown left the Chamber at 15:18.]*

**Mr ANDREW CONSTANCE:** And what better outcome than the result of the changes to ferry services, where we now have customer satisfaction at 97 per cent and on-time running at 99 per cent. We have private bus operators across this city delivering far more effective and better services. What we are not going to do in this instance is sell the buses or the depots. They will remain in public hands. It is about the service provider working with the workforce to deliver better outcomes, and at the same time we continue to regulate prices through Opal and set the timetables and the bus routes. This is not rocket science. Even those opposite when they were in government wanted to do this. Our number one priority is not the cheap politics of Labor but the customers of the Inner West who are not getting the services that they are so desperately crying out for.

#### HOUSING AFFORDABILITY

**Mr KEVIN CONOLLY (Riverstone) (15:18):** My question is addressed to the Minister for Planning, Minister for Housing, and Special Minister of State. Will the Minister update the House on the latest developments in making homes more affordable for the people of New South Wales, and are there any related matters?

**Mr ANTHONY ROBERTS (Lane Cove—Minister for Planning, Minister for Housing, and Special Minister of State) (15:18):** I thank the member for Riverstone for his question. It gives me great pleasure to inform the House that last week the member for Riverstone and I had the honour of travelling to Schofields in Sydney's north-west to make yet another major announcement delivering on housing supply and jobs. We all know that supply is the key ingredient to making housing more affordable in the Sydney Basin. The member for Riverstone and I announced the good news of a blueprint for Sydney's north-west that will deliver 20,000 more homes than originally envisaged 10 years ago, when members opposite were busy running this great State into the ground. When that 10,000 hectares is fully developed, it will deliver more than 90,000 homes and 41,000 jobs. Of course, this area is becoming an increasingly popular place for people to call home.

This Government's strategy focuses on how it will increase housing supply to help people break into the market. The North West Priority Growth Area includes the suburbs of Box Hill, Marsden Park, Schofields and Riverstone. The Government's plan will boost the region's economy and deliver affordable and diverse housing for our growing population. It will deliver 18,000 new homes built over the next five years and 33,000 over the next 10 years. These new residential areas will support standalone homes and terraces close to town centres and transport nodes. Of course, we have not forgotten about infrastructure. The Sydney Metro Northwest rail line—the largest infrastructure project in the nation—is being built now and will be complete to Cudgegong Road Station in 2019. It will be on the doorstep of this community.

**The SPEAKER:** Order! The member for Blacktown is on his last warning.

**Mr ANTHONY ROBERTS:** There is a corridor for a future public transport connection from Cudgegong Road Station to Marsden Park. What is more, this Government is getting on with the job of planning, designing, and delivering programs for major roads like Schofields Road, Richmond Road, Bandon Road and Garfield Road. It is getting on with the job of delivering strategies that provide robust plans to grow communities that will have access to schools, jobs, roads and public transport.

The Department of Planning and Environment is getting on with the job of working with other government agencies and councils to meet the demand for social infrastructure such as community centres, open space, schools and health facilities. The Government has also catered for the leisure of residents and the aesthetics

of the region by providing 700 hectares of open space for passive and active recreation. It is estimated that at least 300,000 trees will be planted in this area and on private properties over the next 20 years.

We all know that this Government inherited a housing affordability crisis in this city from members opposite. We must do all that we can to increase supply and to get new home owners into the market. Strategies such as this plan for the north-west are critical to Sydney's future and to addressing housing affordability. To some extent we in New South Wales, and particularly in Sydney, are victims of our own success. Some of the tightening of our housing supply is the result of domestic migration. Every day hundreds of people are packing their belongings on utes and making the trek across the Nullarbor to take up residence in this, the first and greatest State of the Commonwealth. I draw members' attention to an image from a drone aircraft showing the *Indian Pacific* leaving Perth full of people from Western Australia moving to Sydney because they know that it is growing and that there are jobs.

We anticipate that our population will increase by 1.7 million by 2036, and interstate migration comprises the most significant proportion of that figure. We have the Opposition to thank for that. People are moving by their thousands to escape the tyranny of Labor governments. Labor governments leave destruction in their wake, triggering a tsunami of migration whenever they take office. We all know that when the Labor Party takes office the economy will be trashed, prosperity will be drained, and prospects will be diminished. We are seeing a lot of that migration from West Australia, and South Australians would also migrate if only they could find the energy to do so. Sadly, they do not have enough power to charge their Teslas to make the trek. Our colleagues from The Nationals have informed me that while at their recent conference in Broken Hill they saw a post-apocalyptic wasteland as South Australian refugees did battle over scarce fuel supplies while trying to find their way to this the greatest of all Australian cities. [*Extension of time*]

We are not sure what is happening in Victoria since the quinoa curtain descended at the border. Queenslanders are subject to stricter immigration controls. I will be working with the Department of Immigration and Border Protection, in my capacity as Special Minister of State, to weed out any so-called "fake refugees" from the Sunshine State who simply want to be on the winning side in the State of Origin. This Government is getting on with the job delivering for the people of New South Wales. Members opposite have never seen an infrastructure project they did not want to cancel, a contract they did not want to rip up, or a big new tax they did not want to double. Speaking of doubling taxes, it seems that the Opposition's only solution to the housing crisis is to sneak around at night peering into windows to establish whether units are occupied. I draw members' attention to the new Foley and Park Beagle Boys peering into people's bedrooms.

**The SPEAKER:** Order! I remind the Minister about the use of props. The Minister will not use props.

**Mr ANTHONY ROBERTS:** Members on this side of the House are delivering for the people of New South Wales. This Government is getting on with the job; in fact, we are on the job every day, from when we leave home until we return.

#### *Committees*

### **COMMITTEE ON CHILDREN AND YOUNG PEOPLE**

#### **Government Response: Sexualisation of Children and Young People**

**The CLERK:** I announce receipt of the Government's response to report No. 2/56 of the Committee on Children and Young People, entitled "Sexualisation of Children and Young People", received out of session and authorised to be printed.

### **JOINT STANDING COMMITTEE ON ELECTORAL MATTERS**

#### **Government Response: Administration of the 2015 NSW State Election and related matters**

**The CLERK:** I announce receipt of the Government's response to report No. 2/56 of the Joint Standing Committee on Electoral Matters, entitled "Administration of the 2015 NSW State Election and related matters", received out of session and authorised to be printed.

### **LEGISLATION REVIEW COMMITTEE**

#### **Report: Legislation Review Digest No. 37/56**

**Mr MICHAEL JOHNSEN:** As Chair: I table the report of the Legislation Review Committee entitled, "Legislation Review Digest No. 37", dated 23 May 2017. 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. 36/56, dated 9 May 2017.

*Petitions*

**PETITIONS RECEIVED**

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

**Orange Health Service**

Petition requesting improved palliative care facilities at Orange Health Service, received from **Mr Philip Donato**.

**M4 Motorway Toll**

Petition requesting the Government stop the reintroduction of a toll on the M4 Motorway, received from **Ms Prue Car**.

**The SPEAKER:** I set down discussion on the petitions as an order of the day for a future day.

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

**Pet Shops**

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

**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**.

**Ferry Services**

Petition requesting new inner-city ferries, received from **Mr Alex Greenwich**.

**South Coast Rail Services**

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

**Inner-city Social Housing**

Petition opposing the sale of public housing in Millers Point, Dawes Point and The Rocks, 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**.

*Business of the House*

**BUSINESS LAPSED**

**The SPEAKER:** I advise the House that in accordance with Standing Order 105 (3) General Business Notices of Motions (General Notices) Nos 1594 to 1625 and 1627 to 1645 have lapsed.

**SUSPENSION OF STANDING AND SESSIONAL ORDERS: SPEAKING TIME LIMITS**

**Mr ANTHONY ROBERTS (Lane Cove—Minister for Planning, Minister for Housing, and Special Minister of State) (15:30):** I move:

That standing and sessional orders be suspended at this sitting to provide for the following speaking time limits for the debate on the motion of censure, notice given this day by the Leader of the Opposition:

- (1) Mover—10 minutes.
- (2) Minister for Transport—10 minutes.
- (3) One further Opposition member—5 minutes.
- (4) One further Government member—5 minutes.
- (5) Mover in reply—5 minutes.

**Mr MICHAEL DALEY (Maroubra) (15:31):** It comes as no surprise that this Government once again acts in accordance with the way it has acted for the past six years. That is, when things get tough, when the acid gets put on those opposite, when they have to explain themselves and fess up, they run, they hide, they cheat, and they duck scrutiny. Today they are running away from a debate that should be had in this place. They are afraid of the truth outside of the Parliament; they are afraid of the truth inside of the Parliament. Whether it is the KPMG report—that secret KPMG report into local government that still has not seen the light of day—whether it is Dennis Cliche's salary, whether it is WestConnex donations, business cases on major projects or \$543 million blowout on the light rail, the response from this Government is always the same: to hide, to cheat, not to tell the truth and not to fess up.

This debate is a little bit different because there are people in the gallery today and thousands more like them across New South Wales who provide public bus services and who are afraid. They have mortgages, they have rent to pay, they have to put food on the table for their families, and they have school fees to pay. However, all they have had from the Minister for Transport and Infrastructure all afternoon is insult after insult. Instead of fessing up and saying that they could have done more to manage State Transit better, Government members have blamed the drivers, as they were taught to do by Barry O'Farrell on the first day of government. Barry O'Farrell's first headline about public sector workers was that they were fat cats and bludgers, and he was going to go after them and sack them. Fifteen thousand of them were sacked and more of them under the gun are in the gallery today and there are thousands more like them across Sydney.

When they hear this Minister say, hand on heart, "Trust me, you won't lose your job", they do not believe him because he was the Minister—part of this Government, under this Premier, who was his predecessor in transport—who said in the first place that public buses in Sydney were here to stay. That was six months ago. Peter Rowley wrote to all staff of State Transit on 13 December 2016—six months ago—saying that State Transit had successfully delivered all savings required ahead of schedule and also delivered additional savings. He said, "We have a proven track record in achieving what is required to get the job done right, regardless of what it is." He said, "It is now time to start thinking about obtaining new five-year contracts to enable State Transit to continue to provide the exceptional bus services that Sydney expects and deserves."

All we have heard from this Minister today is typical Liberal diatribe, blaming the ordinary person. He let the cat out of the bag in a rare moment of pique this afternoon when he said to the people who drive buses in Sydney for State Transit: "You're going to get punished because this Government hates your union." This Government hates the Rail Tram and Bus Union [RTBU] because it has the gall to donate money to a political party that its members and their brothers had enough foresight to start under a tree in Queensland 100 years ago. That is the Australian Labor Party, which is the party of unions. We will always stick up for working men and women in this State.

What we heard from this Minister today—who should have had his ear pulled by the Premier, but did not, because she believes in everything that he is doing—was not to blame the workers, but to admit that if there is a managerial problem in Sydney buses, which I do not believe there is, that it starts at the top. I have been a Minister and I would be embarrassed to sit there and to read out the statistics that we have heard today from this Minister for transport, because if those statistics are true—and I believe they are concocted—it says one thing: that he and Gladys Berejiklian were shocking Ministers for transport and they, and not the good people who sit in this gallery today and who drive Sydney buses in blue uniforms, have failed. It is this Government that has failed; it is not the people who drive the buses.

As the Opposition travels around New South Wales, across every corner of this State, we hear a simple theme repeated from the people all over New South Wales. They have had a gutful of your sell-offs. They have had a gutful of your privatisations. They do not trust you. Your instinct again is to retreat to the only thing you know: flog it off, bash unions and bash the little people. We do not agree to the truncation of this debate. If you were a government that was well led and had bravery and foresight, you would stand here and debate this motion properly. You are not. You are just a bunch of cowards.

**Mr ANTHONY ROBERTS (Lane Cove—Minister for Planning, Minister for Housing, and Special Minister of State) (15:36):** In reply: This is about the suspension of standing orders. If those opposite want to show off for their shrinking number of friends in the gallery, I say: Bring it on. We have established a precedent in the last few, I have to say, of scurrilous censure motions by the Opposition that we will suspend standing orders immediately to bring these debates on. We are ready to speak to the validity and the importance of every government decision that we make. We are getting on with the job of delivering a better New South Wales and better outcomes for the people of New South Wales. It is through the grace and favour of the leadership that we are bringing this on so we can debate this today.

I do not want to take sides in what appears to be an internal struggle within the Australian Labor Party between the Rail, Tram and Bus Union [RTBU] and the Transport Workers Union [TWU]. I know plenty of



people in the TWU and they are quite nice people. I would not have any issues with bus drivers moving across there. I am yet to meet with the RTBU, but I am sure they are just as nice as well. We need to put that aside and look at what this is all about, and that is providing the best possible services. This is what the Minister is doing for the people of New South Wales. The internal machinations of the Australian Labor Party and donations, and the RTBU and the TWU, should be dealt with internally at Sussex Street, not in this place. So I say: Bring it on.

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

**The House divided.**

Ayes .....49  
Noes .....32  
Majority.....17

#### AYES

Anderson, Mr K	Aplin, Mr G	Ayres, Mr S
Barilaro, Mr J	Berejiklian, Ms G	Bromhead, Mr S (teller)
Brookes, Mr G	Conolly, Mr K	Constance, Mr A
Coure, Mr M	Crouch, Mr A	Davies, Ms T
Dominello, Mr V	Evans, Mr L	Fraser, Mr A
Gibbons, Ms M	Goward, Ms P	Grant, Mr T
Griffin, Mr J	Gulaptis, Mr C	Hazzard, Mr B
Hodgkinson, Ms K	Humphries, Mr K	Johnsen, Mr M
Kean, Mr M	Lee, Dr G	Maguire, Mr D
Marshall, Mr A	Notley-Smith, Mr B	O'Dea, Mr J
Patterson, Mr C (teller)	Pavey, Mrs M	Perrottet, Mr D
Petinos, Ms E	Piccoli, Mr A	Provest, Mr G
Roberts, Mr A	Rowell, Mr J	Sidoti, Mr J
Speakman, Mr M	Stokes, Mr R	Taylor, Mr M
Toole, Mr P	Tudehope, Mr D	Upton, Ms G
Ward, Mr G	Williams, Mr R	Williams, Mrs L
Wilson, Ms F		

#### NOES

Atalla, Mr E	Barr, Mr C	Car, Ms P
Catley, Ms Y	Chanthivong, Mr A	Cotsis, Ms S
Crakanthorp, Mr T	Daley, Mr M	Dib, Mr J
Donato, Mr P	Finn, Ms J	Foley, Mr L
Harris, Mr D	Harrison, Ms J	Hoenig, Mr R
Hornery, Ms S	Lalich, Mr N (teller)	Leong, Ms J
Lynch, Mr P	McDermott, Dr H	McKay, Ms J
Park, Mr R	Parker, Mr J	Piper, Mr G
Robertson, Mr J	Scully, Mr P	Smith, Ms T F
Tesch, Ms L	Warren, Mr G	Washington, Ms K
Watson, Ms A (teller)	Zangari, Mr G	

**Motion agreed to.**

*Motions Accorded Priority*

### MEMBERS OF PARLIAMENT CONDUCT

#### Consideration

**Mr JONATHAN O'DEA (Davidson) (15:43):** There are, in this place, many politicians who work hard, who are dedicated to their jobs and who believe in politics as a noble and honourable profession. However, there is a danger that political parties "become potent engines, by which cunning, ambitious, and unprincipled people will be enabled to subvert the power of the people and to usurp for themselves the reins of government, destroying afterwards the very engines which have lifted them to unjust dominion". Those were the warning words George Washington used in his farewell address in September 1796, but they are equally relevant today. Former Labor Minister Eddie Obeid was sentenced to five years jail for misconduct in public office. Former New South

Wales Minister Ian Macdonald was found guilty of misusing his position in public office, and will be sentenced very shortly. They left a deep and dark stain on the Labor Party in New South Wales.

What a tragedy it is that past leaders in this great State have found themselves in such a position. Those one-time leaders of New South Wales betrayed their call to honourable service to pursue personal gain. What a tragedy it is for the Labor Party that it allowed such corruption to occur. What a tragedy it is for Labor supporters, that a party that they put their faith and trust in has left them disappointed and disillusioned. What a tragedy it is for the people of New South Wales, who had faith and trust in this political institution. What a tragedy it is for us, regardless of our political persuasion, when the reputation of the Parliament is damaged by members of our ranks, particularly Ministers, who are found guilty of serious wrongdoing in public office.

Members of this House need to rise above personal gain and remember that each of us is here, primarily and overwhelmingly, to serve the people of New South Wales. We must rise above selfish agendas such as those demonstrated by Obeid and Macdonald and maintain integrity, reliability, dependability, honesty, decency and trust. The lessons that we learn from the cases of Obeid and Macdonald should inspire each of us to be constantly on guard against wrongdoing in office and generally. Their examples should sharpen our awareness and focus our attention on that primary role. It is of utmost importance that we focus on that today, and send a strong message to the people of New South Wales,

#### M4 TOLL

**Ms JULIA FINN (Granville) (15:47):** The new toll on the M4 has just made the people of Western Sydney furious. This is a big new tax on 1.5 million people to fund a road from Rozelle to St Peters. It is an utter rip-off. It is a new toll on an old road. Dennis Cliche, who this Government is paying \$1 million a year, could not even answer questions at the tolling inquiry about it. He does not know how many cars are going to be on that road every day. He has no idea what is going on, but from later this year people in Western Sydney will be paying \$4.56 to travel in each direction on the M4. It is going to go up by four per cent a year for the next 43 years. It is an utter disgrace. The widening of the M4 will be paid off in about three years. After that—for the next 40 years—the toll will be robbing people's pockets.

What we get from this Government is a one-month respite. It is not a grace period; it is a disgrace period. It is a kick in the guts. This is an utter embarrassment. People in Western Sydney are absolutely furious. Whenever I set up a mobile office, people come up to us and ask if they can sign our petition. Almost 15,000 people have signed a petition opposing the reintroduction of a toll on the M4. The toll was lifted in 2010, when the road was paid off, and, lo and behold, the Liberals are bringing it back. We will have this toll until the 2060s. This is an absolute disgrace, having a new toll on a previously paid off, untolled road. The toll will increase at a rate well above the rate of inflation and remain for the next 43 years.

People are absolutely furious and this Government can only offer them a one-month grace period. The Minister for WestConnex should be ashamed of himself. I do not know how he can even walk down the street in Penrith without being screeched at and screamed at. Maybe that is why he is never there. People in my electorate are absolutely furious that the short trip to Strathfield will cost \$4.56. It has already gone up from \$4.21 and the road has not even opened yet. It is an absolute goat track and we will only get a one-month grace period before a 43-year toll. This toll is an utter disgrace and an utter rip-off. The Government should be embarrassed and should withdraw it now. They should tear up the contract. They should have never entered into this contract. It is an absolute mess.

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

#### The House divided.

Ayes .....50  
Noes .....31  
Majority.....19

#### AYES

Anderson, Mr K  
Barilaro, Mr J  
Brookes, Mr G  
Coure, Mr M  
Dominello, Mr V  
Fraser, Mr A  
Grant, Mr T

Aplin, Mr G  
Berejiklian, Ms G  
Conolly, Mr K  
Crouch, Mr A  
Donato, Mr P  
Gibbons, Ms M  
Griffin, Mr J

Ayres, Mr S  
Bromhead, Mr S (teller)  
Constance, Mr A  
Davies, Ms T  
Evans, Mr L  
Goward, Ms P  
Gulaptis, Mr C

## AYES

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

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

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

## NOES

Atalla, Mr E  
 Catley, Ms Y  
 Crakanthorp, Mr T  
 Finn, Ms J  
 Harrison, Ms J  
 Lulich, Mr N (teller)  
 McDermott, Dr H  
 Parker, Mr J  
 Scully, Mr P  
 Warren, Mr G  
 Zangari, Mr G

Barr, Mr C  
 Chanthivong, Mr A  
 Daley, Mr M  
 Foley, Mr L  
 Hoenig, Mr R  
 Leong, Ms J  
 McKay, Ms J  
 Piper, Mr G  
 Smith, Ms T F  
 Washington, Ms K

Car, Ms P  
 Cotsis, Ms S  
 Dib, Mr J  
 Harris, Mr D  
 Hornery, Ms S  
 Lynch, Mr P  
 Park, Mr R  
 Robertson, Mr J  
 Tesch, Ms L  
 Watson, Ms A (teller)

**Motion agreed to.**

**The DEPUTY SPEAKER:** Before I call the member for Davidson, I remind all members that a number of them are on three calls to order. I know that this debate will create some discussion, but the speakers will be heard in silence.

**MEMBERS OF PARLIAMENT CONDUCT****Priority**

**Mr JONATHAN O'DEA (Davidson) (15:57):** I move:

That this House:

- (1) Notes that the corrupt actions of former Labor Ministers Eddie Obeid and Ian Macdonald constitute a complete betrayal of public trust.
- (2) Reminds all those in this Parliament that politicians are here to serve the people of New South Wales, not to serve themselves.

Is there a more important office or a more challenging role than being a member of Parliament? Public office is a public trust, but sadly that principle is sometimes forgotten. Parliamentarians, particularly Ministers, are entrusted with significant authority and privilege and a wide discretionary power. The people of New South Wales are entitled to expect that officeholders will act with integrity, fairness, accountability, responsibility, and in the broad public interest. That obligation and the overwhelming priority of the public interest should always prevail over any personal interest of those that are privileged to hold governing power. This motion is crucial. It is of the utmost importance that every member of this House puts on the record that we will not stand for the fundamental breach of trust that we have seen from Obeid and Macdonald.

I could talk about a whole range of Labor members over time who went before the Independent Commission Against Corruption [ICAC]; it was a revolving door. I am not going to do that today because we run the risk of denigrating the reputation of this place. However, one thing we must do is put on record our total disdain for those who have demonstrated a serious breach of public trust, to the extent that they have been convicted of a serious crime having breached their public trust through actions, particularly in office. To Obeid and Macdonald—

**The DEPUTY SPEAKER:** Order! I will stop the clock. Members will cease interjecting.

**Mr JONATHAN O'DEA:** —I add the name of former Labor Minister Milton Orkopoulos, because those three gentlemen have been convicted of serious crimes. If those on the other side of the House want to extend the debate to others who have been mentioned in ICAC, there is a long list of Labor members we can raise. I am consciously not doing that. Every person in this Parliament should condemn those who are convicted of serious crimes and who bring into disrepute the reputation of all of us. I commend the Premier for today foreshadowing a piece of legislation that further demonstrates—

**Mr Tim Crakanthorp:** Barry O'Farrell, Bart Bassett, Darren Webber.

**The DEPUTY SPEAKER:** Order! I direct the member for Newcastle to remove himself from the Chamber for a period of one hour.

*[Pursuant to sessional order the member for Newcastle left the Chamber at 16:00.]*

**Mr JONATHAN O'DEA:** For the record, as well as the member for Newcastle, the members for the electorates of Maitland, Rockdale, The Entrance, Kogarah, Summer Hill, Blue Mountains and Bankstown are not in this Chamber because they have been asked to leave the Chamber today. That demonstrates a lack of adherence to standards, which is indicative of a lack of respect for the people of New South Wales. It is on a much smaller scale than that which we are talking about, but nonetheless it goes to culture.

I commend the Premier for foreshadowing the Parliamentary Contribution Superannuation Amendment (Criminal Charges and Convictions) Bill 2017, which further attempts to put on record this Parliament's disdain for, disgust for and non-acceptance of the sort of behaviour by Obeid, Macdonald and Orkopoulos that has been proven in a court of law. There are standards that need to be maintained in this place, by the people in this place, and they are higher than the general public standard. The message that we need to send to the public as a whole is to reinforce that we will not accept that sort of behaviour and that we do aspire to greater service and standing in the community. *[Time expired.]*

**Ms JODIE HARRISON (Charlestown) (16:02):** I move:

That the motion be amended by inserting "Barry O'Farrell, Chris Hartcher, Chris Spence, Darren Webber, Bart Bassett, Garry Edwards, Tim Owen, Craig Baumann and Andrew Cornwell" after "Ian Macdonald" in paragraph (1).

**The DEPUTY SPEAKER:** Order! I place the member for Maroubra on three calls to order.

**Ms JODIE HARRISON:** I agree with the vast majority of what the member for Davidson said. I think it is wonderful that we are debating this motion, although I question the timing because I do not believe that it is a matter of priority today. However, given that this motion is before us, let us talk about it. The public places its trust in us when it elects us to this place. This place should be seen as an honourable place.

**Mr Gareth Ward:** Point of order: Some of the members who have been mentioned in this amendment are subject to inquiries, which makes their cases sub judice. I think the member for Charlestown is in breach of long-held parliamentary principles in relation to ongoing investigations and that the amendment to the motion is out of order.

**The DEPUTY SPEAKER:** Order! I understand the point of order taken by the member for Kiama. The member for Charlestown may proceed.

**Ms JODIE HARRISON:** Politics should be an honourable profession, which is why we need to be honest, fair, transparent and equitable about what we are talking about in this debate. I wonder why those on the other side of this Chamber do not want me to name those people in my amendment. What has happened in this place is also about the actions which the Independent Commission Against Corruption [ICAC], in Operation Spicer, found broke the law. Liberal members of Parliament only a few years ago accepted donations from developers in an elaborate financial plan and some of them actually lied to ICAC about the plan.

Certainly, the good people of Charlestown, whom I represent, were rightly angry when they had to go to the polls in October 2014 to vote in a by-election caused by the resignation of Andrew Cornwell, following explosive revelations in the ICAC. The same could be said for the people of Newcastle, who went to the polls because of the resignation of Tim Owen. The Operation Spicer report was made public on my birthday last year. It was a bittersweet birthday present, I have to say, because while it was right that ICAC made the findings it did, it was a very sad reflection on what some people—a significant number of people who were in this place, the vast majority Liberals and their mates—will do for power. The ICAC's findings included that Andrew Cornwell, Gary Edwards, Christopher Hartcher, Timothy Owen and Christopher Spence, among others, acted with the intention of the election funding laws relating to the disclosure of political donations and the ban on donations from property developers.

Mr Owen and others were also found to have acted with the intention of evading the election funding laws relating to caps on political donations. The commission also found that Craig Baumann, Darren Webber and others acted with the intention of evading the election funding laws relating to the disclosure of political donations, and that Bart Bassett knowingly solicited a political donation from a property developer. We all now know that the Free Enterprise Foundation was used to channel donations to the New South Wales Liberal Party for its 2011 State election campaign, so that the true identity of the donors was disguised.

**Mr Troy Grant:** You did not mention Joe Tripodi in that list either.

**The DEPUTY SPEAKER:** Order! The Minister will address all comments through the Chair.

**Ms JODIE HARRISON:** I am happy to mention Joe Tripodi. This is a complete betrayal of public trust—lying, hiding donations in sock drawers, accepting donations from people from whom it is illegal to accept donations, brown paper bags, back seats of Bentleys and developing an elaborate scheme to try to hide those donations. We are here to serve the people of New South Wales; we are not here to serve ourselves. Everyone in this place should think seriously about this when they vote on this amendment. [*Time expired.*]

**Mr GARETH WARD (Kiama) (16:08):** I cannot believe that the good member for Charlestown would come into this Chamber and seek to defend the likes of Eddie Obeid and Ian Macdonald. Speaking against the original motion and bitterly misleading this House in relation to the nature of the Independent Commission Against Corruption [ICAC] is defending the likes of Eddie Obeid and Joe Tripodi. I point out that in relation to the ICAC there were a number of adverse findings that resulted in corruption findings, and they were against Eddie Obeid and Ian Macdonald. The member should not lecture me in relation to those matters. No person in this House who commits acts of corruption is a friend of mine. People who come in here and abuse trust and confidence are crooks and should be dealt with, no matter their political colour. I know some of them are sitting in jail about now, and they are not from this side of the House.

The members opposite can talk about all of the things they may have done, but we have asked them to try to clean up their act. We have said to them to put their diaries on exposé, as those on this side of the House have, so we can see what shadow Ministers are up to. Have they done that? No. They have had the opportunity to clean up their show but they are still as untidy and dirty as they were the day they left government. They are still as crooked as they were then because they are not transparent in the slightest. Those opposite cannot tell me that none of them saw what was going on when they were in the Cabinet room. We are not talking about backbenchers; we are talking about Cabinet Ministers who were involved in decisions that resulted in contracts being awarded based on friends, donors and family connections. My eyesight is pretty bad, but not even my eyesight would have been as bad as to miss the things that were going on in that Cabinet room. It was as if the Cabinet was comprised of "hear no evil, speak no evil, see no evil". They were getting donations from Hilton Grugeon and Nathan Tinkler. I will repeat it because it is on their election donation return.

**Ms Jodi McKay:** Point of order: My point of order relates to Standing Order 72, improper motive. I was in that Cabinet and I appeared before the Independent Commission Against Corruption. The member for Kiama knows my story. I ask him to withdraw his comments.

**The DEPUTY SPEAKER:** There is no point of order.

**Mr GARETH WARD:** The truth cannot be withdrawn. Things were going on and questions were not being asked. Those sorts of actions and behaviour should be condemned by all sides of the House, including the Opposition. It is incumbent upon every member of this House to raise the bar, and that is what we should all be seeking to do by supporting the toughest of corruption reform. Sadly, time does not permit me to elaborate on those issues. I commend this motion to the House.

**Mr CLAYTON BARR (Cessnock) (16:11):** I have no issue with the motion of the member for Davidson nor with the outing of particular persons such as Eddie Obeid, who have done the wrong thing by this place. But I take offence at the idea that those on the Government side of the Chamber are speaking down to us from their ivory tower. Let us be frank and honest, Labor has had corrupt individuals and the Liberal Party has had corrupt individuals. When the opportunity came before this House two years ago to extend the statute of limitations so that all of those who had been corrupt in the Liberal Party in the lead-up to the 2011 election could be caught by the legal system, as they deserved to be, government members refused to extend it, thereby ensuring that their own would not have their day in court and would be protected from the laws of this land.

Yes, there is corruption in politics. It has been on this side of the Chamber; it has been on that side of the Chamber. The most significant difference is that on this side of the Chamber we acknowledge it. Members on that side of the Chamber refuse to acknowledge it. There are still donations that the Electoral Commission will not release to the Liberal Party because the Liberal Party will not declare who made the donations. One wonders how

much have they learnt since 2011 when so many of them were found to have acted corruptly around the Electoral Commission laws.

**Mr Jonathan O'Dea:** That is false.

**Mr CLAYTON BARR:** They still say it is false. I acknowledge the interjection because the point I am making is still falling on deaf ears. The Electoral Commission still will not pay the money back.

**Mr Troy Grant:** Acknowledge there were no Nats.

**Mr CLAYTON BARR:** I acknowledge the Minister's interjection: none of those in the Coalition who were found to be corrupt were National Party members. Two weeks ago I took a point of order and said to those opposite, "Where is your legislation to get the pension of Eddie Obeid? We've been waiting for it for months." Those opposite have been tardy. They should have introduced it here earlier. The Opposition brought forward a private member's bill, but they could have acted sooner. They should not stand in this Chamber and pretend. I refer to some Liberal premiers, Askin, Greiner, O'Farrell, full stop.

**Mr JONATHAN O'DEA (Davidson) (16:14):** In reply: The Government does not support the member for Charlestown's amendment to the motion. I acknowledge the member for Cessnock's admission that the motion is quite reasonable. Indeed, paragraph (2) of the motion refers quite deliberately to all parliamentarians. An earlier draft referred to the Labor Party, but I thought it was appropriate that we remind all politicians and all members of this Parliament of that message. But to equate admitted transgressions and adverse findings of the Independent Commission Against Corruption [ICAC] against members on our side with criminal behaviour that warrants sentences of years in jail is not only fanciful but also delusional.

There is a long list of Labor members who have appeared before ICAC. I did not mention any of them in either of my earlier addresses because it is not in the interests of the members of this Parliament and the people of New South Wales to dwell on these things. I could mention them now—a revolving door of corruption and the appearances before ICAC of Labor members when I was in Opposition—but I am not going to do that because I will not fall to the standards of the member for Charlestown. I will instead say that Obeid, Macdonald and indeed Orkopoulos reached such a low level that they demand condemnation of the highest order from every person in this House.

We also need to reinforce to the public that those members who continue to serve in this House are setting a much higher standard for ourselves and for people who want to enter this House to serve the public, putting their interests ahead of our own. It is important for us to undertake the sort of superannuation reform that the member for Cessnock talked about. It is particularly timely because the Premier—in answer to the member for Charlestown—foreshadowed earlier today that such reform has been introduced to the House. It addresses situations such as those of Obeid and Macdonald.

**Ms Jodie Harrison:** It's about time.

**Mr JONATHAN O'DEA:** I am glad to hear that acknowledgement that it is timely. It is also important that we send a strong message in the vote of this House to the people of New South Wales that we want the standing of politicians to rise, not in and of itself but because the people deserve to know that we are here to serve them. Most, if not all, in this House are here for the right reasons, in my humble opinion. Some people go off track, but generally the quality of person in this House is extraordinarily high. Let us join together and make the statement to the public that we do not accept criminal behaviour. That is what this motion does.

**The DEPUTY SPEAKER:** The question is that the amendment moved by the member for Charlestown be agreed to.

**Amendment negatived.**

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

**Motion agreed to.**

#### *Motions*

### **MINISTER FOR TRANSPORT AND INFRASTRUCTURE**

#### **Censure**

**Mr LUKE FOLEY (Auburn) (16:19):** I move:

That this House censure the Minister for Transport and Infrastructure for:

- (1) Pursuing an ideological obsession with his plan to privatise public bus services through Sydney's Inner West.

- (2) Vindictively blaming hardworking bus drivers for the Government's own failures.

The Minister and the Government have no mandate for this action. Why? First, when challenged in the last election campaign about their plans to privatise government buses in Sydney, the Minister's predecessor as Minister for Transport—and now his leader, Premier Berejiklian—denied it. That is what the travelling public and the State Transit Authority [STA] workforce were assured in the last election campaign. Premier Berejiklian said when she was Minister for Transport and Infrastructure, "We've always said that the North West Rail Line will be operated by the private sector and that line will obviously go all the way down to Bankstown eventually. And that's been in our plans and there's no further plans beyond that." She said, "All I can say is it's not in our plans. If it was in our plans we would let you know."

On Monday last week, bus operators, STA salaried staff and the travelling public learned it is in this Government's plans. But of course the Government did not let us know. There was a leak from this very leaky Cabinet, who cannot keep anything amongst themselves. When Channel 9 was to reveal it, the Minister then put out a press release confirming what his colleagues had already leaked. Without any warning or prior consultation, the Cabinet has taken a decision to tear up the assurances that were given to State Transit Authority staff and privatise services in the busiest of regions, region 6. The Inner West region extends roughly from the foot of the Anzac Bridge to Olympic Park and Newington and south to Bexley.

The second reason why I say the Government has no mandate is because the head of the Government's agency the State Transit Authority wrote to STA staff not six months ago, just prior to Christmas, giving them assurances of a new five-year contract with the State Transit Authority. This decision is no small move. There have been government buses running in this region since 1932. In 1930 Jack Lang's Labor Government passed the Transport Act and in 1932 the Government started running public buses. I have looked at a map from 1938 of this region where now the Government, in an ambush without warning and without public consultation or debate, moves to privatise the services. That route map shows government bus services through Drummoyne, Chiswick, Summer Hill, Strathfield, Rookwood, Hurlstone Park, Ashfield, Burwood, Five Dock, Concord, Campsie, Ashbury, Belmore, Canterbury, Dobroyd Point, Enfield, Croydon and Haberfield.

The Government, in a cavalier way and without any discussion with the public, sweeps away 85 years of history. In one fell swoop, it announces casually through a press release that it is going to privatise buses in that very busiest of regions in the Inner West and inner southern suburbs of Sydney. No public debate. There is a lot of talk on that side of the House about complaints and the relative performances of public and private buses. Let me say this, public buses in the Inner West region are plying busy, congested, passenger heavy routes in the inner areas of metropolitan Sydney. The private buses in other regions operate outside the busiest inner urban areas with fewer passengers.

The Minister is comparing apples with oranges and what he is telling us is fanciful. He is telling us that privatising the buses will make them run faster in congested areas. According to the Minister, the mere act of privatisation will make the same buses with the same drivers run faster in busy inner urban congested areas. It is pure fantasy. Let us talk about complaints. In this region, where we are told that due to the high number of complaints the service has to be privatised, there are 3.21 complaints per 1,000 monthly trips. In region 7 there is a higher level of complaint: 3.42. Where is region 7? It is the inner north. Who would be the members of Parliament representing that area? I look at the new member for North Shore, at the Leader of the House who was complaining earlier about bus drivers, and at the Premier of New South Wales. There are more complaints from bus commuters in the Premier's area than there are from commuters in the Inner West.

There is also a higher level of complaints in the private sector-operated region 15 in south-west Sydney. The member for Campbelltown has raised this with me. In the Campbelltown area, where there is a private bus operator, there are more complaints. But let us nail the really big porky that is being told here. In region 15 in the south-west there are 237,000 monthly trips. In the Inner West where the Government is privatising the buses there are 3,500,000 monthly trips. Yet this Minister, butter wouldn't melt in his mouth, tells us there are a very high number of complaints in region 6, more than in any other region. What he does not tell us is that there are more buses and more trips and more commuters in this region than in any other—by a long way. He does not tell us that.

Why is it that there is a higher rate of complaints in the Premier's electorate? Why is it that in the south-west where there is a private operator there is a higher rate of complaints? Why are the people in the Inner West region to be subjected to the wholesale privatisation of government-run buses which have plied their routes for 85 years? Is the Minister going to nationalise bus services in the south-west because of the high rate of complaints? Of course not, because this is about ideology. This is about a Liberal Party that says government is always the problem, never the solution. This is about a party that says private trumps public each and every time. They ignore the fact that in the south-west there is a higher rate of complaints under a private operator than in the Inner West under a public operator.

If the Government gets away with this and is re-elected, as sure as night follows day government routes in the inner north, the northern beaches and the eastern suburbs of Sydney will be privatised as well because the Government has form. After this, what incentive is there for the public sector workforce in other areas of New South Wales to reform, to modernise and to improve service delivery? The workers, the State Transit Authority bus operators and salaried staff in the Inner West region and in all of the four regions were challenged to change and reform. And they have. They cooperated, they did the right thing and they received a letter from their employer recognising it. The letter from their employer congratulated them, saying that through their reforms they had another five-year contract. That is what they were told.

After this, which group of public sector workers in New South Wales will meet their employer's challenge to reform, to modernise and to improve service delivery to the public? They cooperate, they play the game, they make difficult decisions, they see workmates leave and staff reduced, and they commit to higher productivity and efficiencies and to every other buzz phrase that management speak throws at them. They do what is asked of them and then they still lose their jobs, despite assurances given. Everyone knows that the words about people keeping their jobs for the next few years are hollow. How many times have Australians seen public services privatised and then years down the track the private operator, when it is able to do so, sheds staff in massive numbers. The people at the State Transit Authority know that. They signed up to difficult decisions and they were lied to by a government that promised them a new five-year contract. Simply in the name of ideology, 85 years of history in Sydney is to be swept aside in such a cavalier fashion. *[Time expired.]*

**Mr ANDREW CONSTANCE (Bega—Minister for Transport and Infrastructure) (16:29):** What can I say? The only people who should be censured this afternoon are members of the Labor Party for their hypocrisy. Based on that Jeremy Corbyn-lite speech, I will send a message to every bus operator in this State telling them that the Leader of the Opposition is about to nationalise their business. Every private bus operator in Labor electorates should take note that the Leader of the Opposition plans to nationalise their businesses based on a pathetic excuse.

**The DEPUTY SPEAKER:** Order! The Leader of the Opposition was heard in silence. The only interjections during his contribution came from Opposition members. The Minister will be heard in silence. I remind members that a number of them are on three calls to order.

**Mr ANDREW CONSTANCE:** Members opposite said that private bus operators are not performing and that every one of them will have their business nationalised under Luke Foley and the Labor Party. That is Jeremy Corbyn-lite. They are hypocrites by name and by nature. When the Labor Party was in office it reduced the number of contract regions from 87 to 15. Whether or not the unions and the Labor Party like it, the Labor Government contracted out private bus services across the Hunter, the Illawarra, and Western Sydney. Although members opposite do not want to admit it, the Auditor-General has found that privately run bus operations are far exceeding the performance of the State Transit Authority [STA].

If members opposite want to make this about bus drivers, I am happy to do so because I will guarantee their jobs. Members opposite were silent when changes were made in Newcastle. The union bosses there were constructive and were happy to work with private bus operators such as Keolis Downer and Transit Systems. They signed up for a five-year job guarantee under a memorandum of understanding [MOU]. That MOU was also signed by a number of operators that were shortlisted for the contract. No-one will lose their job in Newcastle, and no-one will lose their job here. I am making that clear to the workforce. The union bosses do not like that.

The reality is that consultation will happen constructively and there will be a fantastic outcome for drivers and for the community. That is the bottom line. Why will the Leader of the Opposition not tell the House why 13 per cent of buses did not get to their first stop on time according to on-time running statistics for February and March this year? Under the current enterprise agreement, drivers are not reprimanded if they are late for work at the STA. The agreement also provides for 100 union training days. The taxpayers are sick of paying for that.

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

**Mr ANDREW CONSTANCE:** The member for Blacktown is about as excited as he was when I presided over the electricity transaction. He should read the Auditor-General's report about the operation of the STA. This Government has delivered job guarantees and it will regulate the routes, the timetables and the fares. Contrary to what members opposite alleged, the Government is not selling the buses or the depots.

**The DEPUTY SPEAKER:** Order! I direct the member for Cessnock to remove himself from the Chamber for a period of 56 minutes.

*[Pursuant to sessional order the member for Cessnock left the Chamber at 16:34.]*



**Mr ANDREW CONSTANCE:** The unions are pulling the strings. The Rail Tram and Bus Union [RTBU] donated \$206,000 to the Labor Party. It is a Labor Party-affiliated union and it controls the party's pre-selections, not Michael Daley. He gave a stirring performance during the debate on the suspension of standing orders earlier today. He was not worried about electricity workers when he privatised the gentraders. What a great deal that turned out to be. This Government has delivered a jobs guarantee, there will be no sale of the buses or the depots, and it will regulate Opal fares, timetables and bus routes.

However, under this contract it will also be able to ensure that it achieves the right outcomes in terms of on-time running and performance, including having buses leave depots on time. There will be no repeat of complaints about buses pulling up mid-service and offloading passengers. The member for Strathfield has been reported in the newspaper complaining about terrible service on behalf of her constituents and the thousands of commuters who are upset about bus performance. She complains, but she has no solutions. This Government is working with private service providers to deliver a fantastic outcome.

It was somewhat galling to see an illegal strike called on the people of the Inner West last week. It was announced without notice and after schools had closed. The Government was not given enough time to contact hospitals so that health workers could be notified. What was the response from the Opposition? Luke Foley did not have the guts to stand up with his union puppet master mates; he sent his shadow Minister. She did not bother to front up to the silly press conference to say big words, to name call or to do anything else. She simply tweeted. Where was she and where was the Labor Party last Thursday? The Leader of the Opposition was busy tweeting about the Snowy Hydro, although he supports the plan. He is happy to see the State give up its control of Snowy Hydro, but he is silent about franchising buses. That is yet more hypocrisy from Jeremy Corbyn-lite.

Members opposite do not understand the need to provide better services to the people of this State. I can point to no better outcome than the franchising of the ferry service for the Inner West. Customer satisfaction in respect of that service is now 97 per cent and on-time running is at 99 per cent. Why? It is because a contract is in place and the Government can penalise operators who do not deliver according to their contracts. In contrast, it cannot penalise the STA for poor performance. Frankly, I am very unhappy about the way in which the authority has been managed. However, the Government cannot do a thing in the authority without getting approval from Chris Preston and his ilk. That will now change.

**The DEPUTY SPEAKER:** Order! The Minister will be heard in silence.

**Mr ANDREW CONSTANCE:** Mr Preston was asleep not only last Wednesday night during the Industrial Relations Commission hearing but also for months beforehand because he knows that the Newcastle bus service, like the ferry services, will be franchised. This is about a power struggle between the RTBU and the Transport Workers Union. This is union power trumping the interests of commuters, egged on by members opposite, who should never see a day in government because they are incompetent and they lack policy and direction. What we saw in question time this afternoon was nothing more than cash for questions because of the donation paid to the Labor Party by the RTBU. Members opposite should go back to sleep.

This Government will act in the interests of the people of the Inner West and it will tackle customer complaints. Members on this side of the Chamber will deliver better outcomes, as we have done by delivering 19,000 additional weekly services since coming to office. This Government has delivered more transport jobs in this State than members opposite could dream of delivering, and it will continue to grow the workforce. The bottom line is that this is a game about unions rather than the interests of the people of the Inner West, who will be the subject of this Government's focus and direction.

**Ms JODI McKAY (Strathfield) (16:39):** I want to also acknowledge Chris Preston in the gallery: thank you for the support that you are giving your members. This motion is primarily about honesty, it is about trust and it is about a Minister who has deceived and misled the community—a Minister who made a commitment to 1,200 employees of the State Transit Authority.

**Mr John Sidoti:** Table it.

**Ms JODI McKAY:** I am happy to table it, member for Drummoyne. Shame on you for not supporting your community. I have in my hand the letter that was written to those workers in December last year. And what did the Minister do? Last week he came and ripped that up. He said, "All the promises that we have made to you no longer exist." And he did that without any consultation with my community and without any consultation with your community, member for Drummoyne. He did that without any consultation with any of those drivers and without consultation with those unions.

This is about a Minister who has deceived and misled the community. He went to Cabinet after he got rid of the chief executive officer. The chief executive officer signed this letter and made a commitment to the workers. The Minister got rid of him in February. He went to Cabinet and he said, "Guess what? We can actually

privatise Inner West transport. You know why? Because the member for Drummoyne wants to get into Cabinet and he is supporting me." So he gets into Cabinet because, Minister, the only person you have supporting you is the member for Drummoyne. He went to Cabinet and he said, "Guess what? The member for Drummoyne supports me. And guess what? I got rid of the chief executive officer." As I said, this is a motion about trust and honesty. As the Leader of the Opposition said, this is about a Minister who ignored the efficiencies that had been achieved by these workers. He ignored the fact that 200 jobs had been slashed. And you listen, member for Drummoyne—you listen.

**Mr John Sidoti:** Do not point your finger at me.

**Ms JODI McKAY:** I will point my finger at you, because you have let down our community. He ignored the operating model that had been established. He ignored the fact that efficiencies had been achieved.

**Mr John Sidoti:** You have let your community down.

**Ms JODI McKAY:** No, you are letting your community down and I will not let that happen.

**Mr Troy Grant:** Point of order: I just ask that the shadow Minister direct her comments through the Chair and stop trying to incite the Chamber.

**The DEPUTY SPEAKER:** Order! I uphold the point of order and ask the member to direct her comments through the Chair.

**Ms JODI McKAY:** I am happy to direct my comments through the Chair. I say to the member for Drummoyne that we will campaign on this right up until the election. This is about trust and honesty. Do you know what the Minister did? He went out late one afternoon and he talked to the media. He did not talk to the workers. He did not talk to the 1,200 bus drivers in this region. He actually went out and he spoke to the media. He did that because he knew that what he was saying was not going to be accepted by people in the Inner West. He delivered his news of privatising bus region 6 through the media. He did not consult with my community, he did not consult with the member for Canterbury's community, he did not consult with the member for Summer Hill's community and he certainly did not consult with the member for Drummoyne's community.

The other important thing to note in this debate, as the Leader of the Opposition said, is about the leaks that are coming from this Cabinet. He was forced to go to the media in the end because all that information leaked from Cabinet. Either it leaked from Cabinet or the other alternative is it leaked from the member for Drummoyne. It was the member for Drummoyne. It was either one of your Cabinet colleagues or the member for Drummoyne. This is a Minister who is an angry ant. He stands in this House and he is an angry ant. We say to him that we will oppose this every step of the way. And, member for Drummoyne, you will lose your seat. [*Time expired.*]

**Mr JOHN SIDOTI (Drummoyne) (16:45):** Mr Deputy Speaker—

**Ms Jodi McKay:** These guys and us, we will campaign to get rid of you.

**Mr JOHN SIDOTI:** I have had bigger and better than you, don't you worry.

**The DEPUTY SPEAKER:** Order! The member for Drummoyne will direct his comments through the Chair.

**Mr JOHN SIDOTI:** I understand fully, as do those in the gallery, that this is not about quality service or bus services for my constituents. This is about Labor and the unions. I understand that. I was not born yesterday. Quite simply, I represent my constituents, who say:

Dear Mr Sidoti,

Thank you for supporting and trying something new with the Inner West buses. I regularly catch a bus from Five Dock and was glad to see you stand up for your community.

Where were you standing up for your community? You are only interested in donations. That is all any of you are interested in. There is no respect for quality services and no respect for your constituents. That is what it is all about: spreading all the mistruths amongst the community. Let me tell you, when you have this discussion with your community like I have, we will tell you the facts. The facts are simple: 80 per cent of bus services across New South Wales are provided by the private sector. Eleven of the 15 zones are already in private hands.

I understand what this is about. There are four zones left. Those opposite are all fearing that they will lose union support. I am not interested in union support; I am interested in better services. And I have got that assurance from the Minister for transport. I take off my hat to a Minister in this place that has got the knackers to come forward and deliver for the people of New South Wales. The facts are simple. As has been stated here today, we will continue to own the buses and the bus depots. Public assets will remain in the hands of our community.

Transport for NSW will continue to set the timetables, will continue to set the routes and will regulate strict safety standards. Fares will remain the same.

Let me tell each and every member on that side of the House, you can continue to lie to the people of New South Wales but all I am interested in is providing better services to the people of my electorate. Hundreds upon hundreds of people have complained to me about the 436 service, the 439 service, the 502 service and the 504 service. The services of the Inner West will be gold plated. I do concede something. Those opposite have said something to me that makes sense today.

**Ms Kate Washington:** That you are going to be in Cabinet?

**Mr JOHN SIDOTI:** No. I concede that as a result of this transaction, there will be changes—changes for the better in my electorate. And these services will be gold plated. I have heard all the arguments of the Opposition before. In 2011, when elected to this House, those opposite presided over the pathetic ferry services in the Inner West. It is an absolute shame on each and every one of those sitting opposite. The services are delivered by the private sector in a bigger and better way. And guess who owns the assets. Those opposite go around spruiking that we are selling off the assets. Shame on you.

Those opposite do not know the difference between privatising and franchising. This is the Labor Party at its best. And those opposite have the hide to come into this place. If they do not want the services for their respective communities, I will take each and every one of those services for my community. This is about delivering better services to the inner west of Sydney. Each and every one of those in the gallery of this Chamber should hang their heads in shame. The commuters were left stranded and our children were left stranded because of you. Why? Because of the pathetic bunch on the other side of the Chamber rely on the donations of those people in the gallery. We will gold-plate the services, and the private sector will deliver a bigger and better service to the people of New South Wales. Shame on all of you!

**Mr LUKE FOLEY (Auburn) (16:50):** In reply: I thank the member for Drummoyne very much for that speech because what is assured, if you thought there were a lot of fires on the polling booths during the Miranda by-election when we gave those opposite a hiding, is that you ain't seen nothing when it comes to how many bus drivers will be on the booths in July, mate. You are gone! The subject of this censure is the Minister. The Minister spent eight days demonising bus drivers, 1,200 of them in the Inner West region. He will ramp it up, just like those opposite did on the greyhound ban. Let me make a prediction. They will take the worst isolated individual cases and use those to reflect on an entire group of fellow citizens. We saw that playbook when they used this to demonise everyone involved in the greyhound industry. I say to bus drivers: All of you will be judged by the standards of the worst person amongst you, and that is not fair. During the greyhound debate last year, people saw right through that.

The Minister spent a week attacking the performance of bus drivers. Let us have a look at this fellow's performance. When Baird quit he put his hand up for the Premier's job and he got three votes in a party room of 50. His colleagues judged his performance. Mr High Performance got three votes in the Liberal Party room of 50. He used to be the Treasurer of the State, and he was dumped from the job. Then he put his hand up for the premiership. He could not fill the fingers of one hand when it came to counting his supporters on his side of the Chamber. That is Mr High Performance lecturing all those in the gallery on their performance and how they do their jobs. In an attempt to resuscitate a failed career, he reaches for the oldest trick in the Liberal Party playbook: a bit of old-fashioned union bashing—an ex-Treasurer, an ex-candidate for the party leadership, someone who is sinking fast.

The Minister challenges me on congestion. When it comes to congestion, we on this side of the House blame you. Journey times are seven kilometres an hour slower than when you came to government six years ago. What have you been doing? On this side of the House, our interest lies in improving public services, not privatising them. As a party borne out of the labour movement, we are deeply concerned for the conditions of the workers in our public services. We are concerned about the conditions in which they operate, the investments made in their training and development, and the managerial environment in which they work. But, ultimately, public services exist to serve the public. Because we are the party that believes in public provision, we insist on the delivery of high-quality and cost-effective public services. That is why we embrace reforms that result in the delivery of better public services.

That has occurred at the State Transit Authority. Do not take my word for it; take the employer's word for it. It was these workers' own employer who put in writing that they were asked to change and they have changed. The Government itself recognised the change. A letter from the chief executive to all State Transit staff on 13 December last year said: "If we don't make changes that achieve the required savings, State Transit could face competition for our four Sydney contracts. It is already occurring in Newcastle. To make these necessary

changes the State Transit executive has developed a new operating model to achieve further significant savings and still deliver bus services that meet our contractual performance targets.

I am happy to inform staff that our proposed changes have been agreed by Transport for NSW in principle, and we are now negotiating the detail that allows us to sign new five-year contracts for all Sydney regions commencing from July 2017." This was the commitment made, and the Minister gets up today and says, "Bus drivers have nothing to worry about. I give you my word." Why would they ever believe a word you say, given they have already had your Government's word? And what you say is, "Well, Cabinets can change at any time." Why would they believe a word you say? You deserve to be censured because you have gone back on your word, you have gone back on the word of your agency head and you have betrayed the commuters and workers in this region.

**The DEPUTY SPEAKER (Mr Thomas George):** The question is that the motion be agreed to.

**The House divided.**

Ayes .....31  
Noes .....49  
Majority.....18

#### AYES

Aitchison, Ms J  
Catley, Ms Y  
Daley, Mr M  
Foley, Mr L  
Hoenig, Mr R  
Leong, Ms J  
McKay, Ms J  
Park, Mr R  
Scully, Mr P  
Warren, Mr G  
Zangari, Mr G

Atalla, Mr E  
Chanthivong, Mr A  
Dib, Mr J  
Harris, Mr D  
Hornery, Ms S  
Lynch, Mr P  
Mehan, Mr D  
Parker, Mr J  
Smith, Ms T F  
Washington, Ms K

Car, Ms P  
Cotsis, Ms S  
Finn, Ms J  
Harrison, Ms J  
Lalich, Mr N (teller)  
McDermott, Dr H  
Minns, Mr C  
Robertson, Mr J  
Tesch, Ms L  
Watson, Ms A (teller)

#### NOES

Anderson, Mr K  
Barilaro, Mr J  
Brookes, Mr G  
Coure, Mr M  
Dominello, Mr V  
Gibbons, Ms M  
Griffin, Mr J  
Hodgkinson, Ms K  
Kean, Mr M  
Marshall, Mr A  
Patterson, Mr C (teller)  
Petinos, Ms E  
Roberts, Mr A  
Speakman, Mr M  
Toole, Mr P  
Ward, Mr G  
Wilson, Ms F

Aplin, Mr G  
Berejiklian, Ms G  
Conolly, Mr K  
Crouch, Mr A  
Evans, Mr L  
Goward, Ms P  
Gulaptis, Mr C  
Humphries, Mr K  
Lee, Dr G  
Notley-Smith, Mr B  
Pavey, Mrs M  
Piccoli, Mr A  
Rowell, Mr J  
Stokes, Mr R  
Tudehope, Mr D  
Williams, Mr R

Ayes, Mr S  
Bromhead, Mr S (teller)  
Constance, Mr A  
Davies, Ms T  
Fraser, Mr A  
Grant, Mr T  
Hazzard, Mr B  
Johnsen, Mr M  
Maguire, Mr D  
O'Dea, Mr J  
Perrottet, Mr D  
Provest, Mr G  
Sidoti, Mr J  
Taylor, Mr M  
Upton, Ms G  
Williams, Mrs L

**Motion negatived.**

*Bills***UNIVERSITIES LEGISLATION AMENDMENT (PLANNING AGREEMENTS) BILL 2017****Returned**

**The DEPUTY SPEAKER:** I report receipt of a message from the Legislative Council returning the abovementioned bill with amendments. I order that consideration of the Legislative Council's amendments be set down as an order of the day for a later hour.

**PARLIAMENTARY CONTRIBUTORY SUPERANNUATION AMENDMENT (CRIMINAL CHARGES AND CONVICTIONS) BILL 2017**

**Bill introduced on motion by the Hon. Gladys Berejiklian, read a first time and printed.**

**Second Reading**

**Ms GLADYS BEREJIKLIAN (Willoughby—Premier) (17:04):** I move:

That this bill be now read a second time.

Members of Parliament elected prior to the 2007 election are entitled to a pension under the Parliamentary Contributory Superannuation Act 1971. It has always been the case that a member will lose his or her pension entitlement if convicted of a serious offence while in office. A serious offence is an infamous crime or an offence punishable by imprisonment for life or for a term of five years or more. This includes, by operation of section 21 (3) of the Interpretation Act 1987, a common law offence. Following amendments to the Act in 2006, members also lose their pension entitlement if they are charged with a serious offence while in office, resign before the proceedings are finalised, and are later convicted of that offence.

Currently, however, a member will not lose their pension if they resign from office before being charged with a serious offence, even if they are later convicted of that offence. This means that a member who has engaged in criminal activity while in office can protect his or her pension by resigning from office before charges are laid. Former members should only be entitled to a publicly funded pension if they have discharged their parliamentary duties lawfully and acted as law-abiding citizens during their time in office. There is no reason why a member convicted of a serious offence committed during their time in office should be in a better or worse position simply because of whether and when they resigned. This bill closes the loophole in the current Act. The amendments will mean that any former member convicted of a serious offence committed during their time in office will lose their pension entitlement irrespective of whether they left office before or after charges were laid.

I now turn to the detail of the bill. Most of the proposed amendments to the Parliamentary Contributory Superannuation Act 1971 are set out in schedule 1 to the bill. Clause 1 in schedule 1 amends section 19AA (1) of the Act. The amendments extend the pension disqualification to a person who is charged with and convicted of a serious offence after ceasing to be a member for conduct that occurred while that person was a member. Clause 2 amends section 19AA (2) of the Act. Section 19AA (2) currently provides that a former member's entitlement to receive a pension is suspended while proceedings for a serious offence are pending against the person. Clause 2 amends the provision to provide that the trustees of the fund may reinstate the person's pension pending the finalisation of the proceedings if the trustees are satisfied that the suspension is not in the public interest. This may be the case if, for example, the suspension of the former member's pension would prejudice their right to receive a fair trial.

Clause 3 in section 1 amends section 19AA (4) in the Act. This section provides that, where the finalisation of proceedings results in the former member being convicted of a serious offence, the person ceases to have any entitlement to receive a pension under the Act. Sections 19AA (4) and 19AA (4A) make provision for the repayment to the fund of any pension amounts previously taken by the former members as a lump sum. Section 19AA (4B) provides that, if a former member's conviction is quashed by a court after the proceedings have been finalised, the former member's pension entitlement will be reinstated on application by the person. The trustees would also be required to repay any part of a lump sum payment to the person repaid to the fund under section 19AA (4B).

Clauses 4 and 5 in schedule 1 make consequential amendments to the pension reinstatement and suspension provisions in sections 19AA (6) and 19AA (7). Clause 6 amends the provision in section 19AA (8) declaring when criminal proceedings are considered to be finalised for the purposes of the pension disqualification provisions. The proceedings will be considered finalised when there is no further opportunity to appeal a conviction or acquittal or, in any event, after a period of 12 months after the conviction or acquittal. Clause 7 in schedule 1 inserts a new definition in section 19AA (10) to make it clear that a person does not cease to be a member for the purposes of the pension disqualification provisions until the person ceases to be entitled to a salary as a member.

Clause 8 makes amendments to section 20 to extend the trustee's power to defer an election by a former member to receive his or her pension in a lump sum. The trustees may defer the effect of an election if they form the view that the member is likely to have his or her pension cease or suspended within 12 months of the former member becoming entitled to a pension. Clauses 9, 10 and 11 make minor amendments to section 23A and to savings, transitional and other provisions of the Act. Clause 12 in section 1 inserts a new section, dubbed 11A, to schedule 1 of the Act. It provides that the amendments proposed by the bill apply to any serious offence committed before the commencement of the provisions, any conviction before the commencement of the provisions, and to any person who ceased to be a member before the commencement of the provisions.

Schedule 2 inserts a new provision into the Crimes (Sentencing Procedure) Act 1999. A new section 24C provides that, in sentencing a member or former member, the court must not take into account, as a mitigating factor in sentencing, the loss of the person's pension entitlement because of the conviction for the offence. This provision operates in the same way as existing section 24B of the Crimes (Sentencing Procedure) Act 1999, which provides that a court must not take into account any order under proceeds of crime legislation as a mitigating factor in sentencing. Lastly, I note that clause 3 provides that section 4 of the Parliamentary Contributory Superannuation Act 1971 does not apply to or in respect of this bill. Section 4 provides that the Parliamentary Remuneration Tribunal must approve any amendments to the Act. This is a measure to ensure that members of Parliament do not consider amendments that might benefit them without first having those amendments independently reviewed by the tribunal.

Given that the amendments proposed by this bill are not intended to benefit members, it is appropriate that the bill proceed without first obtaining the approval of the tribunal. Once again, the object of this bill is to amend the Act to extend existing pension disqualification provisions to any former member charged with and convicted of a serious offence after ceasing to be a member, for conduct while the person was a member. The bill addresses an anomaly in the current Act, which allows former members who have engaged in serious criminal activity to protect their pension by resigning from Parliament before being charged. It will ensure that legitimate community concerns about former members' access to pension entitlements in cases involving serious criminal conduct are addressed. I commend the bill to the House.

**Debate adjourned.**

## **LIQUOR AMENDMENT (REVIEWS) BILL 2017**

### **Second Reading**

**Debate resumed from 10 May 2017.**

**Mr MICHAEL DALEY (Maroubra) (17:12):** I lead for the Opposition on the Liquor Amendment (Reviews) Bill 2017. I indicate from the outset that the Opposition, despite some concerns with the bill, will not oppose this legislation in this place. Prior to about 2008 there was a significant problem with alcohol-fuelled violence in this State. As a former Minister for Police and director of a licensed club who has taken a great interest in the liquor accord and other mechanisms in my electorate of Maroubra, I am very proud that there has been a significant reduction in alcohol-fuelled harm and violence, particularly in Sydney but also right across the State. I believe that members on all sides of this Parliament are also pleased about this reduction. But we have to remain ever vigilant about alcohol-fuelled violence because unfortunately alcohol, testosterone and buffoonery are very bad bedfellows. If we allow ill will into the mix and do not apply the right mix of policies, this issue can get away from government control. Unfortunately, in the past there have been lightning strike incidents in this area, and the consequences of these incidents can be extreme.

In 2008, when I was a new Minister, I recall talking to then Labor Premier Nathan Rees. On a number of occasions Premier Rees, in civilian clothes, went out on patrol with police in areas such as a cinema complex on southern George Street, Oxford Street and Kings Cross. What he saw shocked him, as he told me and later the media. He made it a personal goal to do everything he could as Premier to reduce alcohol-fuelled violence. He commenced schedule 4—the top 48 licensed premises—in October 2008 and the Violent Venues Scheme in 2010. Prior to that there was the establishment of the police Alcohol Licensing Enforcement Command, on which the Government did a lot of work with the police. At the time there was much better engagement with the industry, and this is key to solving some of the problems in this area. We said to the industry, "If you continue to do the wrong thing, we will rub you out, but we do not want to do that. We want the industry to take more responsibility for its actions, spend money on better security and greater vigilance and work with the Government, councils, liquor accords and all the bodies that take responsibility for combating this issue to reduce these unfortunate incidents."

I believe that shortly after 2009, the Bureau of Crime Statistics and Research reported that for the first time since it had been recording the statistics for the State, there was about a 30 per cent drop in incidents of

alcohol-fuelled violence in and around premises. That was the first measurable drop, and we have seen a progressive improvement in the statistics since then. There should not be a competition between political parties or governments about who has done the most. We should all be pleased that we have all contributed, through a combination of measures such as one-punch legislation, to making the streets of Sydney safer. We agree with most measures in this bill because it contributes to a fine-tuning of what has gone before.

Notwithstanding the fact that we supported the three-strikes legislation when it was first promulgated, I always thought that it was a bit unsophisticated and contained some arbitrary measures. We were concerned about some of the aspects the legislation introduced, and we believe it is not before time for reviews to be undertaken. The responses to those reviews are contained in the bill before us today and in earlier regulation. I note that there was an article in the *Sydney Morning Herald* by Sean Nicholls expressing concern about one of the reports that purportedly underpins some of the responses embodied in this legislation. He noted that the report has not been released to the public. I say to the Minister, who has the decency to be in the Chamber for this debate, that there is no reason for this report not to be published. We disagreed with this Minister, in his previous portfolio of local government, when the Government chose to withhold a report that was the subject of some public discussion and legal action, being a KPMG report. These reports should not be withheld, and we call upon the Minister to release the report. Whilst I have indicated that we will support this legislation, this is an issue that we will keep an eye on.

The Opposition will watch very closely how things progress in the probable event that this legislation is passed into law. The bill is largely in response to the Callinan review, which recommended a number of changes, including relaxing the CBD and Kings Cross laws with later lockouts, last drinks times for low-risk entertainment venues and extending the 10 p.m. statewide restrictions on alcohol sales to 11 p.m. Those changes were introduced by regulation. This bill will modify the three-strikes regime so that in the case of licensed premises being a hotel, not a club, a strike will be incurred—appropriately, Labor says—by the licensee or manager of the licensed premises rather than be attached to the premises and the owner himself or herself.

The bill also provides that the board of the Independent Liquor and Gaming Authority [ILGA] will determine the application of a first strike, and it includes an appeals mechanism to the NSW Civil and Administrative Tribunal [NCAT]. When the authority is to determine the application or otherwise of the strike, it may also impose any remedial action it considers to be necessary to reduce the risks that led to the offence being committed. These may include requiring a manager or licensee to undergo further training, imposing a minor monetary penalty or disqualifying the person from being a licensee or manager of a licensed premises. That is important. As one of my colleagues pointed out to me today when we were discussing the bill, if it attaches to the licensee they can simply keep flipping managers and move them on their way. Labor is satisfied that there are mechanisms in place in this legislation, if they are properly administered, to make sure that does not occur.

Currently under the scheme the application of the first strike is automatically incurred upon a conviction for a single offence. The second strike is discretionary and can be incurred upon conviction for an offence committed when one strike is already in force. The decision that a second strike should be incurred is made by the secretary. The third strike is discretionary and can be incurred upon conviction for an offence committed where two strikes are already in force. The decision that a third strike should be incurred is made by ILGA. A third strike can lead to licence cancellation. Each strike remains in force for three years from the date of the offence. We say that the existing legislation imposes unintended sanctions on hotels that incur only one strike, because a first strike can result in the imposition of a licence suspension of up to 12 months or a licence cancellation.

Significantly, action taken by the Independent Liquor and Gaming Authority after a third strike applies to the hotel itself—to the bricks and mortar—and a suspension or cancellation applies to the premises even if the licensee or manager responsible for incurring the strikes is removed or the premises is sold. That has had the consequence of attracting the attention of the banks and financiers. Financial institutions are critical to these businesses. The hotel industry employs about 70,000 people in New South Wales and the club industry employs even more. In the almost one decade since these regimes have been in place, hotels have invested heavily in their premises and they have improved their game, particularly with the revenue they have received from poker machines being allowed in hotels. I have seen that in my own electorate. To have a strike recorded on the hotel premises can lead to serious consequences and in some cases can even constitute an act of default under a mortgage. We do not think that was ever intended, and it is right that it should be fine-tuned in this legislation.

Now minor breaches of licence conditions as part of precinct conditions, the Violent Venues Scheme or the three strikes scheme will no longer trigger a strike. ILGA will, with discretion, determine the application of first and second strikes instead of there being an automatic application in the first instance and the secretary in the second instance. There will be an appeals mechanism to NCAT, and licensees, managers and clubs can now apply to ILGA for a strike to be revoked after six months if there is evidence of improvement—and that is the key. From having watched closely in my electorate and over the northern boundary in Coogee, which had real problems

seven or eight years ago, I believe the great strides in this industry in relation to safety have been made not out of fear but out of better cooperation with industry players. Without blowing anybody's trumpet, I say that the Coogee Bay Hotel is a good example of that. It is one of the largest hotels in New South Wales, and the owners and managers have invested heavily in security.

Decades ago it was not a place you wanted to go to, but it is now a place that attracts families. The changes were made not out of fear; they were made through goodwill and good business sense. Nobody wants to go to a violent venue. The bill also contains a mechanism to respond to the "cycling through" of licensees or managers. If the venue changes its licensee or manager and continues to operate poorly, any new offence triggers the ability of the authority to take more than 20 disciplinary actions against the hotel under section 141 of the Act, including the ability to cancel or suspend the hotel's licence, disqualify the manager or impose strict new conditions on the hotel licence. These powers have recently been used and will remain in the legislation. The bill makes amendments to the minors sanctions scheme.

Like the three strikes scheme, the bill transfers to the ILGA board from the secretary responsibility for decision-making over sanctions, including licence suspensions. Decisions which were previously non-reviewable can now be appealed at NCAT. The existing CBD entertainment precinct and Kings Cross precinct liquor freeze prevents the granting of new liquor licences and extended trading authorisations, and it places restrictions on licence removals, change of boundary applications and granting of development consent by the City of Sydney. The bill standardises the precinct framework, allowing Kings Cross to be classed as a prescribed precinct, in line with the Sydney CBD precinct.

This simplifies the framework, ensuring a common mechanism across both areas. The bill extends the modified freeze to the Kings Cross precinct until 1 June 2018 and modifies certain freeze provisions so they do not restrict existing venues from making improvements or modifications to their premises. That is a sensible amendment. They also no longer apply to low-risk venues such as producers and wholesalers. In relation to identification scanners, the bill transfers responsibility for determining exemptions from the ID scanner requirements for high-risk venues in Kings Cross from the Minister to the secretary. In relation to collection and reporting of fees, taxes and costs, the bill shifts the obligation to collect and report on fees, taxes and costs from ILGA to the secretary. The Minister has stated in his second reading speech that this change will have no impact on revenues. On behalf of the Opposition, I reiterate that we do not oppose this bill.

**Mr GEOFF PROVEST (Tweed) (17:28):** The primary object of the Liquor Amendment (Reviews) Bill 2017 is to implement those remaining measures in the Government's publicly announced liquor reform package that could not be implemented via regulation in December last year. This means improvements to the effectiveness of the Three Strikes Disciplinary Scheme, repeat offenders under the Liquor Act and to the Minors Sanctions Scheme for venues that sell alcohol to under 18s. The bill transfers the responsibility for the collection and the reporting of fees payable under the gaming and liquor legislation from the board of the Independent Liquor and Gaming Authority [ILGA] to the department at the request of the board. To the best of my knowledge, I am one of the few in this place who has held a liquor licence in major venues both here in Sydney, such as Revesby, and in Tweed Heads for 20-odd years.

I have had firsthand experience. I can go back to the early days at Revesby where our security force was legal. We had half the off-duty police from Bankstown working as security with groups such as AC/DC and The Angels performing there. I have seen firsthand the violence. Unfortunately I spent some nights in Bankstown hospital after being involved in a few incidents. It is changing. The Government reacted initially and it is important to understand that it is now reacting to the information that is coming to hand. In no way does the Government want to water down and weaken these laws, but it wants them to be fairly applied. Things have changed. When I first started in the hospitality industry most of the venues would shut at 1.00 a.m. Now it is common to trade until 3.00 a.m. There are some 24-hour licensed venues just across the border from my electorate. It is an industry that is changing.

In relation to the Three Strikes Disciplinary Scheme, about four years ago when I was Parliamentary Secretary to the Minister for Police I had the pleasure of taking the member for Vaucluse and the current Minister on a tour through Kings Cross with the local police. We started about 10.00 p.m. and finished at 3.00 a.m. or 4.00 a.m. Believe you me, there are a large number of licensed premises in that area. We visited virtually all of them that evening and talked to the licensees, security staff and some of the patrons, but mainly to the police, so we could fully understand the issues that they face on a daily basis. With those reforms there has been a significant drop in violence in licensed premises, and the need of some of those premises to keep trading has been recognised. In my own electorate on a Friday or Saturday night I travel in the back of a general duties police car or a highway patrol car, which usually involves a walk through a number of venues.

I have dealt with the Independent Liquor and Gaming Authority [ILGA] myself and many years ago I had to appear before the Chief Magistrate over a licensing issue. They have a job to do and they do it well. But



I would be the first to admit that over my time I have seen a number of cowboys, people who should not be involved in the industry, both as managers and owners. I have seen the revamping of the security guards. I have seen licences. When I first started—this will show my age—all we had was paper licences. It was very easy for the under-age drinkers, particularly at Revesby, to get a photocopy and change it. One of the strategies we had at Revesby to stop under-age drinking was to employ the local high school teachers from years 11 and 12 at the back and the front of the venue. That difficult problem was quickly eliminated, let us say.

The Three Strikes Disciplinary Scheme targets repeat offenders at licensed venues. Businesses that have incurred strikes face a range of escalating penalties, including licence suspension, cancellations and disqualifications; however, it unfairly penalises the new owners and operators who are unable to remove the strikes incurred by previous management. There have been turnovers in the industry. I know one particular venue years ago that had three different licensees within 12 months. Accordingly, under the bill strikes will now be incurred by individual licensees rather than attaching to the venue licence. The Independent Liquor and Gaming Authority [ILGA] will determine all strikes, not just the second and third, with appeal mechanisms to the New South Wales Civil and Administrative Tribunal [NCAT]. This will ensure venue operators can put forward their case to an independent decision-maker or a review body. I think that is very important.

The Australian Hotels Association [AHA] conducts a number of training courses and is very supportive. Being an old clubbie I guess I lean towards ClubsNSW—currently under the control of Anthony Ball—and I have seen in that industry Responsible Conduct of Gambling and Responsible Service of Alcohol training implemented. The enhancement and professional training of staff in clubs should be applauded. They take public safety extraordinarily seriously. I know a number of club managers throughout the State and the safety of patrons and staff is number one. Being an old licensee I know that the last thing you wanted was to have a violent venue. The last thing you wanted was violence against your staff or your patrons because at the end of the day it costs you money. Violence chased away the family groups and the people who were prepared to spend money.

The scheme is an escalating sanction targeting venues selling alcohol to under 18s. I am amazed by under-age drinking. When we were at Kings Cross we saw a collection of fake photographic licences and IDs. I found it very hard to determine what was real and what was not real. With 3D printers it is really hard to detect. These revisions will bring the scheme into better alignment with the three strikes scheme. The existing liquor licence freeze aims to curb proliferation of higher risk venues thereby containing the risk of alcohol-related violence and crime. However, the review found the freeze may have inadvertently prevented some venues from adapting or improving their premises. I think that is very important. Banks will not lend money to licensees who have strikes or freezes against their premises. I can remember years ago standing in this place with the member for Coffs Harbour when the Hon. Clover Moore introduced a liquor bill relating to coffee shops and said how great that was going to be, but straight after that we had more violence on our streets than ever before. I have often looked back at those moments. We opposed that bill way back then, but it got through and then issues started to arise.

The changes in this bill will further improve the regulation of the liquor industry without compromising the ongoing reduction in alcohol-related violence. They will also increase business certainty and viability and contribute to the responsible development of related industries and a more diverse and sophisticated offering for the people of New South Wales. It is a commonsense reaction to a problem. In the past in my policing roles I saw drug-related issues with licensed premises. Whether it is ice, illicit or illegal drugs, it is quite common in those places now. People will not drink alcohol, they will just drink water. We should do more work in that space and hopefully as a reactive government we will. I take pleasure in commending the bill to the House.

**Ms JO HAYLEN (Summer Hill) (17:38):** I speak in debate on the Liquor Amendment (Reviews) Bill 2017. The bill legislates a number of reforms announced by the Government in relation to the review of the so-called lockdown laws conducted by former High Court Justice Ian Callinan. As foreshadowed by the Minister for Lands and Forestry, and Minister for Racing this bill enacts those recommendations that were unable to be prescribed through regulation. The bill streamlines the Three Strikes Disciplinary Scheme targeting serial offenders, extends the licensing freeze for Kings Cross until June 2018 and streamlines other miscellaneous measures related to the administration of licensing fees and exemptions from ID scanner requirements. These measures are cautiously supported by the Opposition, recognising that they go some way to restore the balance and fairness in the New South Wales liquor regime. In particular, shifting the onus of the Three Strikes Disciplinary Scheme from venues themselves to licensees will serve to hold negligent licensees more directly to account for their poor practices.

The existing scheme was introduced by former Premier Barry O'Farrell. It penalises venues for continual breaches of liquor laws, with three strikes resulting in escalating penalties, suspensions, cancellations and disqualifications of a licence. This bill unwinds the unintended consequences of former Premier O'Farrell's liquor legislation, which resulted in a heavy-handed three strikes law that put unfair pressure on pub owners. These rules

have negatively impacted on the mortgaging arrangements and financing of bricks and mortar hotel owners. This bill restores some balance to that system.

However, I am concerned that the report used to underpin this legislation has been kept secret by this Government. It is becoming increasingly typical of this Government to ram through legislation in this place without providing the Parliament, or the community at large, with all of the information. Secrecy remains a hallmark of this Government. It also demonstrates a lack of willingness to consult genuinely with the community. This bill fails to address the negative impacts of the lockdown laws that have left our live music scene and creative industries on the brink. It is a concern that this Government has failed to address because it has failed to listen to the community that its legislation affects.

Every member in this place would agree that there is no place in a modern city for alcohol-fuelled violence. We would also agree that there should be harsh penalties for licensees who fail in their duty of care to patrons. Many in the community are sceptical about the value of the lockdown laws. I acknowledge the passionate engagement of groups such as Keep Sydney Open, Reclaim the Streets, Labor for Live Music, and Labor for the Arts. However, it is clear that we must do more than use a blunt stick to address these issues. We must be smart and thoughtful about the ways in which we can assist and protect those caught up by the unintended consequences of this legislation.

The Australasian Performing Rights Association notes that there has been a 40 per cent decline in live music revenue at venues within the Sydney CBD lockdown area. It also reports a 19 per cent decline in attendance at nightclubs and dance venues. Kings Cross Liquor Accord chief executive Douglas Grand notes that at least 16 licensed venues have shut down in Kings Cross since 2014. This has cost creative jobs and jobs in tourism and hospitality and in all those other industries that are contingent on the night-time economy.

Rather than ignore these impacts, the Opposition has a plan for live music in Sydney. We know that the best cities in the world are fun and safe. Given that, we have a seven-point plan that will revitalise our nightlife, support the kinds of industries that make our city a liveable and cosmopolitan place to live, and bring back the jobs in our creative and associated industries. Labor will also deliver all-night public transport on weekends, as happens in Melbourne. If Melbourne and other cities around the world can do it, why can't we? Labor will create a new class of liquor licence for live venues, acknowledging the evidence that live music in venues reduces the incidence of alcohol-fuelled violence.

The Opposition wants to support live music. The creation of a new licence will help cater for the special requirements of venues that have as their purpose and focus the provision of live entertainment. Labor will appoint a night-time commissioner or a night mayor to better coordinate the venues, industries and stakeholders that keep our city turning at night. That will lead to a permanent night-time economy roundtable—which the Government has already introduced in a temporary form—to support live music and jobs in a night-time economy that aims to drive down crime. We know those issues are associated. The appointment of a night mayor has transformed cities such as Amsterdam, Paris and Zurich. It is something that should be happening in Sydney.

The Opposition will build a strategic plan for contemporary music, following the lead of other jurisdictions such as Victoria, Tasmania and the Australian Capital Territory. The plan will identify short-, medium- and long-term actions to support the growth of live music and other small live cultural events. This will encourage the establishment of live music in all areas of Sydney, not only in the CBD but also across the metropolitan area, including along Parramatta Road and in centres like Parramatta. Labor will review regulations and cut red tape that restricts the growth of creative industries. This will streamline the management of noise complaints around live music venues and restore some sanity to a system that allows for long-established live music venues to be shut down following a single noise complaint. That does not make sense, and we have lost too many venues to a system that is unbalanced and unfair.

The Opposition will support small bars, recognising that they play a vital role in the night-time economy. It will bring the definition of "small bars" into line with the definition used in Adelaide, which has a happening live music scene. The new definition will increase the capacity of those venues from 60 persons to 120 persons. The Opposition's plan is about recognising that live music and creative industries are at the heart of Sydney and that we need to be proactive about supporting them.

Much is happening at the local level. I acknowledge the work of Councillor Linda Scott at the City of Sydney, and Councillor Darcy Byrne, the former mayor of Leichhardt. Councillor Byrne has been developing a plan with the Sydney Fringe Festival on a policy to unlock unused and under-utilised spaces that could support small-scale creative and arts projects. As Sydney's residential sector booms, we are losing the invaluable small-scale spaces used by artists and performers to experiment, to investigate and to hone their craft. This proposal will allow retail shopfronts, former factories, warehouses, cafes, and office blocks to be used as

small-scale performance venues. It follows successful trials along Parramatta Road during last year's Sydney Fringe Festival, and it promises to unlock creative spaces across the city.

I am also excited by the development of the Sydenham Station Creative Hub in my electorate, in the industrial zone between Sydenham Station and the busy Victoria Road in Marrickville. I continue to work hard alongside planning professionals to envision a space where Sydney can be loud. It is directly under the flight paths and alongside mechanics and smash repair centres, timber yards, factories, and fish markets. The proposal is approaching the final stages of planning approval and I look forward to working with local businesses, including Batch Brewery, Factory Theatre, MakerSpace and others, to bring this dynamic proposal to life. My colleagues and I are in the business of listening to the community on the issues that matter. We understand that action must be taken to protect our creative industries, live music, and the communities and jobs they support. We understand that we can have a city that is both safe and fun.

**Mr STEPHEN BROMHEAD (Myall Lakes) (17:47):** I support the Liquor Amendment (Reviews) Bill 2017. The object of this bill is to amend the Liquor Act 2007 and other gaming and liquor legislation to implement miscellaneous reforms arising out of the Callinan review and various departmental reviews. Some of the reforms arising out of the reviews were implemented by the Liquor Amendment Regulation 2016, and this bill implements most of the remainder of those reforms. It states:

The Bill makes the following amendments:

- (a) to modify the "3 strikes" disciplinary scheme so that, in the case of licensed premises other than a club, a strike will be incurred by the licensee or manager of the licensed premises rather than in respect of the licence,
- (b) to authorise the Independent Liquor and Gaming Authority (ILGA) rather than the Secretary of the Department of Industry (the departmental Secretary) to suspend a licence if liquor is sold to a minor on the licensed premises,
- (c) to enable provisions (including special licence conditions) relating to the Kings Cross precinct to be consolidated with the provisions currently relating to the Sydney CBD Entertainment precinct (referred to as prescribed precincts in the Liquor Act),
- (d) to extend (until 1 June 2018) the freeze on the granting of liquor licences and other authorisations for premises situated in a prescribed precinct and to modify the operation of the freeze provisions,
- (e) to provide that fees and charges payable under the gaming and liquor legislation (including monetary penalties imposed by ILGA in connection with disciplinary action and any duty or levy required to be paid under the Casino Control Act 1992) are to be paid to the departmental Secretary... In December 2016 the New South Wales Government announced that a package of liquor reforms would be introduced in response to the recommendations of the Independent Liquor Review by former High Court Justice Ian Callinan, as well as a number of departmental reviews. In his second reading speech, Minister Toole—and, I have to say, what an outstanding Minister he is—outlined that the amendments to the Three Strikes Disciplinary Scheme so that the strikes apply to individual managers and licences rather than to licensed premises are intended to prevent diminishing the value of the venue property or negatively impacting on financial arrangements.

Lending and financial institutions, which are risk adverse, considered that the strikes being attached to the building rather than to the perpetrator posed a risk to lending money to those businesses. Licensed premises must be continually revamped and re-engineered in order to ensure that they are the best venue possible for patrons. With the large number of people passing through such venues, they quickly deteriorate. They need to be refurbished and updated in order to provide patrons with comfort and a quality experience. It posed an impediment if businesses were unable to obtain finance for these improvements.

To ensure that venues were able to take advantage of the changes ahead of last year's Christmas and New Year holiday period, many reforms were implemented via regulation. However, there are certain reforms that can only be achieved through legislative amendment. Those reforms include modifying the liquor licence freeze in the Sydney central business district and Kings Cross. The aim of the existing liquor licence freeze was to curb the proliferation of higher risk venues, thereby containing the risk of alcohol-related violence and crime. However, the Callinan review found that the freeze may have inadvertently prevented some venues from adapting or improving their premises.

The bill modifies the freeze provisions so that they do not inadvertently restrict existing venues from obtaining development consents to adapt or improve their facilities. This will provide businesses with greater opportunity to provide more diverse and sophisticated offerings in the precincts. The bill also implements the Government's public announcement to apply the freeze in Kings Cross until 1 June 2018, consistent with the central business district freeze. The bill also amends sections relating to minors. The scheme is an escalating sanctions scheme targeting venues selling alcohol to under 18s. The bill provides that the Independent Liquor and Gaming Authority, rather than the secretary of the department, will determine licence suspensions for a first offence, with a review mechanism to the NSW Civil and Administrative Tribunal. This will bring the scheme into better alignment with the three strikes scheme.

The bill also makes amendments relating to the Three Strikes Disciplinary Scheme, which I have mentioned. The scheme targets repeat offender licence venues. Businesses that have incurred strikes face a range of escalating penalties, including licence suspensions, cancellations and disqualifications. However, the scheme has unfairly punished new owners and operators who have been unable to remove strikes incurred by previous management. That is because the strikes were attached to the bricks and mortar rather than the person or the perpetrator of the offence. Accordingly, under the bill, strikes will now be incurred by individual licensees rather than attaching to the venue's licence. The Independent Liquor and Gaming Authority will determine all strikes, not just the second and third, with an appeals mechanism to the NSW Civil and Administrative Tribunal [NCAT]. This will ensure venue operators can put their case to an independent decision-maker or review body.

In 2015-16 structural reforms were made to the regulation of liquor and gaming in New South Wales. The Independent Liquor and Gaming Authority was refocused as an independent statutory board with eight part-time members responsible for determining contentious licensing and disciplinary matters. Notwithstanding this, the significant responsibility for collecting and reporting on fees payable under liquor and gaming legislation remains with the Independent Liquor and Gaming Authority. This is an undesirable situation and one which the chair of the Independent Liquor and Gaming Authority has requested to be changed. The bill, accordingly, provides that the secretary of the department, rather than the Independent Liquor and Gaming Authority, is responsible for collecting charges payable under the gaming and liquor legislation.

The member for Summer Hill said that the original legislation brought about during the Fifty-fifth Parliament under Premier Barry O'Farrell was heavy-handed. I remind members of the situation. At the time, there were a number of deaths and serious injuries from assaults occurring in the Kings Cross precinct. The community at large was crying out for the Government to step in and do something. The Government listened and brought in not only the three strikes rule but also the precinct and lockout laws and the one-punch laws. All of these measures have been extremely successful in decreasing the amount of assaults. Clinicians, paramedics and those who work on the front line at hospitals like St Vincent's Hospital have advised of the significant decrease in trauma cases as a result of fewer alcohol-related assaults in the Kings Cross precinct. These laws have driven down crime and serious assaults.

Now that the Government's measures have seen a reduction in assaults and alcohol-related incidents, the community is saying that changes can be made. The Government said that there would be a review of the legislation. The Callinan review was established to examine the legislation and to make recommendations. Reforms were made by way of regulation over the last Christmas period and the Government is now making amendments to the legislation. The hallmark of this Government is listening to the community. Previous speakers have referred to the loss of jobs in this industry. We have lowered unemployment rates in New South Wales. Jobs have increased and those that have been lost in certain areas have moved to other central business district localities.

**Ms JENNY LEONG (Newtown) (17:57):** I speak on behalf of The Greens on the Liquor Amendment (Reviews) Bill 2017, which amends the Liquor Act 2007 to implement a range of measures that were announced following the Callinan review of the Sydney central business district and Kings Cross lockouts and to implement changes to the three strikes disciplinary scheme that targets venues that are in breach of their liquor licence obligations. The Greens are not supportive of this bill. We need to look at what is happening here in more detail. It is true that we are seeing in some parts of this bill the implementation of the recommendations of the Callinan review and that some of those recommendations have already been changed in regulation. This bill is required, in part, to come before this Chamber so that we can make a decision on the recommendations in relation to what was undertaken by the Callinan review.

Earlier today, in a briefing with the Minister's office, I put a simple question. I asked where in the Callinan review was it said that there was a need to change the three-strikes scheme in New South Wales? I can look for myself because the Callinan report is public, but it appears that there is no recommendation from the Callinan review in relation to recommendations around changing the three strikes disciplinary scheme. While this bill might look as though it is simply implementing the recommendations of the Callinan report, in actual fact it goes further and actually makes changes to the three strikes disciplinary scheme.

Let us have a look at that. The regulations changed in relation to some of the recommendations in the review. The definition of small bars in the regulations was changed to increase the capacity from 60 people to 100. The time was extended so that we can party on. The doors of pubs will stay open later—closing time has changed from 1.30 a.m. to 2.00 a.m. and the times at which drinks can be served has been extended from 3.00 a.m. to 3.30 a.m. Obviously, these were minimal changes. The Greens opposed the lockouts from the beginning because we saw it as a blanket punishment on members of the community when we needed targeted responses that were based on evidence. That does not sound very controversial.

Unfortunately, we have heard that the Labor Party is supportive of this change, which will weaken the regulation of problem venues. On the one hand, we have had a media imposition of top-down lockouts of

individuals, to stop them being able to go out and party all night in the safe, vibrant city of Sydney. On the other hand—surprise, surprise!—the big publicans and the big venue owners will get a hand up from this Government. The regulations on them will be weakened. This is yet another example of a Government that is willing to crack down on the community while, at the same time, weaken the regulations that target problem venues.

Apparently there has been some advice from Justice Callinan in relation to this review regarding the changes to the disciplinary scheme. My colleague in the upper House Justin Field asked a question today about the advice that was received by the Minister from Justice Callinan in relation to the changes to the three strikes disciplinary scheme. So far, this is what is on the record: The Government sought advice from Justice Callinan in relation to the three strikes scheme, and the Government received advice from him in relation to that scheme. We do not know what that advice was. When The Greens asked what the advice was, it was not released or made public. As has already been said by Opposition members, Sean Nicholls pointed out in the *Sydney Morning Herald* that, while this information has not been released publicly or made available to decision-makers in this place, it has been released to certain publicans and, it seems, to the Australian Hotels Association. I question whether the Government is implementing the recommendations of the Callinan review or finding a way to loosen the impact of the regulations on problem venues.

Let us look at this in a little more detail. Basically, this will see a change in the three strikes disciplinary scheme that began in 2012. It was designed to target licensed venues that repeatedly commit serious offences. In a detailed submission to the review of the three strikes scheme in 2016—this takes us on another tangent, but let us go there—the NSW ACT Alcohol Policy Alliance said, "The current scheme is falling short of its objectives." The House might also be interested to note that this submission was in relation to a statutory review that was required under the Liquor Act as part of the introduction of the three strikes disciplinary scheme. According to section 144K—the review part of the Liquor Act 2017—that review should be undertaken as soon as possible after the period of four years from the commencement of this part, and a report of the outcome of the review was to be tabled in each House of Parliament within 12 months of the end of the four years.

I will put that into context. The bill came into effect on 1 January 2012 so, on a rough calculation, we should have seen the report tabled on 1 January 2017. We have not seen that report. There has been one report from Justice Callinan recommending some changes. Some of those recommendations have been taken on board and the regulations have been changed. This bill changes some of them. But there has been some secret advice—it is sitting somewhere—that recommends something about the three strikes disciplinary scheme, but we have not seen it. The advice could have been that the Government should toughen the regulation for venues, but the Government is weakening it; we do not know. In addition, the Government has brought forward the amending legislation when, in fact, by 1 January this year a statutory review of the legislation should have been tabled. Today we are debating an amendment bill without having seen that review.

Something is going on; something is happening. We do not have to look very hard at the history of politics in New South Wales to know that there has been a long connection between this Government and the alcohol lobby and special interests groups that represent pubs, casinos, gaming and booze in this State. That is why The Greens oppose this legislation. It is quite possible that the Minister, who I note is in the Chamber, has received advice that there should be changes. The Minister is waving a Post-it note at me; I am not sure whether Justice Callinan wrote something to him on a Post-it note. Apparently there has been advice that recommends changes to the three strikes scheme. If that advice exists, why did Justice Callinan not include it in his report? If the Government has that advice, why does it not release it to the public? It would be very useful to see that advice before we debate this legislation.

People have made submissions with respect to the statutory review. If members go to the website they can see that people have made submissions but there is no detail about who made the submissions and what happened after that. The statutory review, which was due to be tabled on 1 January 2017, has not been tabled. I conclude by saying that The Greens have always opposed the lockouts that were imposed because the Government could have targeted solutions to address alcohol violence. In the Newtown electorate we have started an initiative that brings together the Police Association of NSW, the Newtown Neighbourhood Centre, the Liquor Accord, local businesses and community members to talk about how to address the safety and vibrancy of our night-life. That has been an absolute success.

It has resulted in those groups and community members coming together and addressing serious issues, such as training pub security guards in the vibe of the area and being able to support and share things. It has resulted in people being welcomed at the train station to show the creative nature of the area, and live music happening on the streets. Those things make a difference to a community. When we look at the Bureau of Crime Statistics and Research figures we see that crime rates in Newtown have not increased. The local response has been impressive. We need local solutions; we should not be lifting regulations on problematic venues and making it harder for people to go out and have a good time in a safe and vibrant Sydney.

**Mr JAMES GRIFFIN (Manly) (18:07):** I support the Liquor Amendment (Reviews) Bill 2017. A number of friends and constituents have raised this matter with me. One has only to look back at the history of alcohol-fuelled violence in Manly—on The Corso in particular—to see that good liquor accord policy can transform communities for the better. The voluntary Manly Liquor Accord, where a number of pubs and clubs self-imposed early closing and staggered closing times, transformed Manly night-life for the better. We have a vibrant pub and small bar scene, which I encourage The Greens member to come and check out if she wants to see good liquor policy in action.

I am happy to say that, amongst other reforms to improve the regulation of liquor in New South Wales, the bill will help to standardise the approach to implementing regulatory interventions in certain designated precincts across the State. These precincts are those defined geographical areas where additional liquor restrictions are imposed to help manage higher risks of alcohol-related harm or disturbance. There are currently two such precincts in New South Wales—one being in Kings Cross and the other being the Sydney CBD Entertainment Precinct. The Hon. Ian Callinan, QC, AC, in his review of the liquor laws last year, confirmed that the Government's intervention in those precincts in 2014 helped make them much safer places for both residents and visitors.

This bill will improve on the current approach to implementing interventions in these defined areas by enabling the Kings Cross precinct to be recognised as a prescribed precinct. Put simply, this means that the Kings Cross precinct will be treated more consistently with the Sydney central business district [CBD] under the Liquor Act. The bill will repeal specific legislative provisions that separately establish the Kings Cross precinct from the more general framework for establishing prescribed precincts. This change will mean that the Kings Cross precinct can be prescribed in the same way as the Sydney CBD entertainment precinct under the Liquor Regulation 2008. This is a sensible approach that will help to standardise and simplify the approach by ensuring a common regulatory mechanism is used to implement special licence conditions with defined precincts. This sensible approach will support good venues that are doing the right thing and want to grow.

The distinct special licence conditions that apply in Kings Cross under the liquor regulation, such as mandatory ID scanners and closed-circuit television requirements for higher-risk venues, will remain unaffected by this change. However, the Government also recognises that there may be future opportunities to standardise and refine some of the regulatory conditions across the two precincts, noting they have been in place for some years under separate precinct plans of management. Managing the two precincts under a common prescribed precinct framework will ensure any refinements to the conditions under the liquor regulation can be implemented in a more straightforward manner.

The bill will also implement plans announced by the Government last year to continue the freeze on new liquor licences in Kings Cross until 1 June 2018. This is consistent with the current Sydney CBD liquor licence freeze. This means that the freeze will continue to prevent new liquor licences from being granted for high-impact venues such as hotels, clubs and bottle shops. It also prevents the granting of extended trading authorisations for these venues and places certain restrictions on licence removals, change of boundary applications, and the granting of related development consent by the City of Sydney.

The continuation of the freeze reflects that it remains an important means for curbing growth in the density of venues in the precincts that are more likely to be associated with increased risk of alcohol-related violence and disturbance. While the freeze will remain part of the Government's ongoing efforts to tackle alcohol-related harm, existing planning controls for managing the concentration of venues in the precincts are also being separately reviewed as part of work under way to develop a safe and vibrant night-time economy in Sydney.

The bill also makes several important changes to the freeze provisions to address an unfortunate impact they have had in preventing some venues in Kings Cross and the CBD from refurbishing. This impact was identified in reviews of the liquor laws last year, including in the New South Wales Treasury's evaluation of the Sydney CBD Entertainment Precinct Plan of Management. Specifically, the New South Wales Treasury's evaluation found that some restrictive wording in the freeze provisions had prevented venues from receiving consent to undertake refurbishments, including in some cases even basic renovations. However, this was never the intent of the freeze.

This bill will refine the overly restrictive freeze provisions so that development approvals to allow existing venues to refurbish as well as related changes to licence authorisations or licence boundaries will only be prevented where it would increase a venue's patron capacity. This reflects that an increase in patron capacity could lead to more congestion in existing venues and heighten the risk of alcohol-related violence on a licensed premises. And in what is fantastic news, the freeze will no longer prevent any refurbishment solely on the basis that it could result in an increase in the number of people attending licensed venues in the precinct.

These changes will help existing venues in the precincts adapt or improve their premises and will provide them with more opportunity to diversify and provide more sophisticated offerings. Taken together, the continuation of the freeze until June 2018 in its modified form as well as changes to standardise the approach to precinct interventions will help to improve the way the liquor industry is regulated and provide certainty for businesses about the way forward. Venues and night-life in Kings Cross will be better off under this bill, which balances safety and the concerns and rights of venues and licensed premises. I commend the bill to the House.

**Mr NICK LALICH (Cabramatta) (18:14):** The object of the Liquor Amendment (Reviews) Bill 2017 is to amend the Liquor Act 2007 and other gaming and liquor legislation to implement miscellaneous reform arising out of the Callinan review and various departmental reviews. The bill makes the following amendments:

- (a) to modify the "3 strikes" disciplinary scheme so that, in the case of licensed premises other than a club, a strike will be incurred by the licensee or manager of the licensed premises rather than in respect of the licence,
- (b) to authorise the Independent Liquor And Gaming Authority (*ILGA*) rather than the Secretary of the Department of Industry (the *departmental Secretary*) to suspend a licence if liquor is sold to a minor on the licensed premises,
- (c) to enable provisions (including special licence conditions) relating to the Kings Cross precinct to be consolidated with the provisions currently relating to the Sydney CBD Entertainment precinct ...
- (d) to extend (until 1 June 2018) the freeze on the granting of liquor licences and other authorisations for premises situated in a prescribed precinct and to modify the operation of the freeze provisions,
- (e) to provide that fees and charges payable under the gaming and liquor legislation (including monetary penalties imposed by ILGA in connection with disciplinary action and any duty or levy required to be paid under the *Casino Control Act 1992*) are to be paid to the departmental Secretary,
- (f) to make other amendments of a minor, administrative or consequential nature.

The behaviour of alcohol-intoxicated people can have grave and dangerous consequences. All members in this House would be sick of hearing in the news of alcohol-related violence or abuse in the various areas of Sydney and New South Wales which have an active night-life. Similarly, members of the public should not have to feel at risk of violence from idiots who instead of having one too many have 10 too many. The current three strikes disciplinary system targets venues where there are wilful and continuous breaches of liquor laws—to put it in clear language, those venues that keep plying people with alcohol just to earn more money without any regard for any potentially dangerous consequences.

About three years ago, at the end of the last parliamentary term, I worked with the Hon. George Souris on the committee that reported on this issue. We went to Victoria and spoke to the senior police officers, mental health experts and alcohol experts there and reported our findings to the Government. They then implemented these lockdown laws with a proviso that we re-evaluate the issue after two years to give it a two-year trial. Maybe some of the implementations were a bit heavy. Maybe we could have gone a little lighter. But what we did and what happened had the effect of stopping the crime, the violence and the assaults that went on.

In the past 18 months to two years I have not read of any one-punch knockouts and those sorts of things that happened over the years. I think a lot of people have learnt and the licensed clubs have learnt, so I think we now can reduce the strictness of the legislation. This bill has the intent of reducing the hardship of some of these venues and hopefully will get the economy and some of the venues back in action, because we did stop a lot of them through the initial implementation. But I think what was done through the report from that committee to the Government was the right thing to do at the time. It is timely that we have a review of the issue, and that is where this bill comes from.

The Liquor Act currently prescribes the following offences under the three strikes disciplinary scheme: permitting intoxication on licensed premises; permitting indecent, violent or quarrelsome conduct on licensed premises; selling or supplying alcohol to an intoxicated person or minor; allowing alcohol to be sold or supplied to a minor on licensed premises; permitting the use or sale of substances, which a licensee or manager suspects are illicit drugs; not complying with a direction issued by the director general to a licensee or staff; serving or supplying alcohol outside of authorised trade hours; non-compliance with a closure order issued under the Liquor Act to prevent or reduce a significant risk to the public interest, where there are serious breaches of the Act; a breach of key liquor licence conditions applying to violent venues listed in schedule 4 to the Liquor Act, or conditions imposed on a venue that has incurred strikes; and other special conditions relating to the Sydney central business district [CBD] and Kings Cross venues.

Currently, 156 strikes have been applied to various licences across New South Wales; 148 first strikes, seven second strikes and one third strike. What has caused some angst in the industry and economically is that action taken after a third strike applies to the actual venue or premises itself, even if the licensee or manager responsible for incurring the strikes has been removed or the premises has been sold. This has repercussions for lenders, potential investors and any loan agreements that could take place. Major financial institutions have stated

that they view strikes as impacting negatively on property value, cash flow and the reputation of the licensed premises. This bill changes the operation of the strikes so that strikes in future will be attached to individual licensees and approved managers, thus alleviating the current problem. It is worth noting that these amendments relate to hotels only and not registered clubs. Clubs will continue to incur strikes on their licences.

Currently there is a liquor freeze in place in the CBD entertainment precinct and the Kings Cross precinct. This freeze prevents the granting of new liquor licences and extending trade authorisations, and places restrictions on licence removals, change of boundary applications and granting of development consent by the City of Sydney. This bill standardises the precinct framework, with Kings Cross to be classified as a prescribed precinct in line with the Sydney CBD precinct. It extends the modified freeze to the Kings Cross precinct until 1 June 2018. The bill will also modify certain freeze provisions so that they do not restrict existing venues from making improvements or modifications to their premises.

These are the major changes that the bill seeks to make to the current legislation. My colleague the shadow Minister for Gaming and Racing has gone through all the changes much more thoroughly than I have. We do not oppose the bill as it seeks to improve the head-on stand against drink and antisocial behaviour, but we all need to do more—as individuals, as communities and as a society. Intoxication is dangerous to people's physical and mental health. It puts the drinker at risk; it puts those around them at risk; it puts innocent bystanders at risk. While the onus falls on the supplier of the alcohol—that is, the licensed premises—to make sure that they serve only those who have not had too much already, perhaps we need to educate young people about the dangers and risks of alcohol and intoxication and the potential life-threatening consequences that come with it. The drinking culture must not be allowed to become a violent and antisocial tradition. Our society is better than that, and all members of this House have a responsibility to do what they can to prevent that from happening. The Opposition does not oppose this bill.

**Mr KEVIN ANDERSON (Tamworth) (18:23):** I speak in support of the Liquor Amendment (Reviews) Bill 2017. In December 2016 Cabinet endorsed a package of liquor law reforms as part of the Government's response to the Callinan review and various departmental reviews. These reforms included modest relaxation of the lockout laws for live entertainment venues, with lockouts extended from 1.30 a.m. to 2.00 a.m., and last drinks moving from 3.00 a.m. to 3.30 a.m. The 10.00 p.m. statewide restriction on alcohol sales was extended to 11.00 p.m. To ensure that venues could take advantage of the changes ahead of the busy Christmas and New Year period, as many reforms as possible were implemented by regulation. Certain announced reforms, however, can only be achieved through legislative amendment, and this bill implements those reforms. When the lockout restrictions were made a number of years ago there was plenty of debate in regional New South Wales, particularly in relation to the 10.00 p.m. statewide restriction on alcohol sales.

It is well and good to have such restrictions in metropolitan areas, where there are a number of liquor outlets and a person wanting to purchase liquor can go from one suburb to another just a few minutes away. However, in regional areas people wanting to purchase liquor to take home and enjoy and who might be a shift worker could have to travel for an hour or 1½ hours to find an outlet. They might travel a considerable distance from home to work and only pass through one small regional town in between. They might knock off work in summertime at about 8.00 p.m., and by the time they get to their destination the venue might be closed. That means these hardworking Australians were discriminated against because they did not have the opportunity to buy a beverage, take it home and enjoy it in the comfort of their own home, perhaps with their family. The legislation extended to restaurants, meaning that patrons who only finished half a bottle of wine could not have the bottle corked and take it home if it was before 10.00 p.m.

The Australian Hotels Association [AHA] fought pretty hard against these restrictions in regional New South Wales. I tabled a petition of more than 10,000 signatures pushing for the statewide restriction on alcohol sales to be relaxed, because a number of members did not believe the blanket ban should discriminate against the people of regional New South Wales. I tabled the petition with the support of the member for Wagga Wagga to relax the 10.00 p.m. statewide restriction on alcohol sales and extend it to 11.00 p.m. The legislation containing the restriction was put in place on the back of troubles in the Kings Cross precinct, and I do not believe that one size fits all; this Government has said that it does not believe that one size fits all, but in this case the legislation tried to squeeze in restrictions under one label. The petition resulted in this commonsense amendment.

The restriction affected not only hardworking people such as farmers, miners, hospitality workers, shift workers like nurses and chefs but also the bottom line of pubs that could not trade later than 10.00 p.m. They missed out on much-needed revenue. When the income stream of a small country pub is restricted, that has a flow-on effect to its bottom line and its ability to employ people. If the pub is not selling it has to put people off work. Another flow-on effect was the sponsorship of many sporting clubs in the area. In many cases, a small-town pub or club is the local sponsor of the soccer club, the footy club, the cricket club, et cetera. Affecting the bottom line of these small-town pubs and clubs affected surrounding sporting organisations, which meant they were also



being discriminated against because their local pub was not able to sponsor them or had to reduce their sponsorship. The sponsorship took many forms such as paying for jerseys or supplying fuel for the bus to get participants to and from their sporting events. Having the restriction relaxed was a great commonsense win for regional New South Wales.

High on our agenda—and another beauty—were the revisions to the three strikes disciplinary scheme. This scheme targets repeat offender licensed venues and businesses that have incurred strikes with a range of escalating penalties including licence suspensions, cancellations and disqualifications. However, it was unfairly penalising new owners and operators who were unable to remove the strikes incurred by previous management. When new investors wanted to come into the market, the strikes stayed on the bricks and mortar. It became a problem when they needed to finance, refinance or seek further funding to get into the industry, because the bank would say, "No, that particular building has three strikes on it. It's a hair's breadth away from being shut down and is a real financial risk." Having that removed is another win for common sense and regional New South Wales. Accordingly, under the bill strikes will now be incurred by individual licensees rather than attaching to a venue's licence.

The Tamworth and District Liquor Accord is held up as a benchmark and has been mentioned many times in this House. We undertook reform of our liquor licensing rules and regulations in Tamworth by introducing our own lockout laws, voluntary licence scanning technology and no shots last drinks across participating venues. Many venues got on board, and stakeholders included Tamworth Regional Council, NSW Police Force, NSW Health, licensees, venue holders and other stakeholders. The voluntary scheme set up by the Tamworth liquor accord helped reduce antisocial behaviour and alcohol-related violence and vandalism. It stopped people from getting pre-charged and coming in to venues, making idiots of themselves and ultimately causing trouble. With that behaviour restricted and a sense of goodwill and good behaviour in venues, licensees and security personnel were better able to control the crowds in the venues.

I am fortunate enough to be in a band, and since those rules came in several years ago, we have played in many venues in Tamworth until midnight, 1 a.m. or even a little later. The pub has shut and there has been no trouble—it has been peaceful. People can now move freely around those venues and into the streets because of the reduction in antisocial behaviour and alcohol-related violence and vandalism. There is a family atmosphere in and around the pubs and clubs of the Tamworth electorate. I praise the licensees of our venues because of the great work they do and because of the responsible action they took in signing up to the voluntary rules and regulations such as the lockout laws, licence scanning technology and no shots last drinks.

The police have also increased their presence around pubs and clubs. Throughout the Tamworth Country Music Festival in January, during which the Tamworth population swells by between 40,000 and 50,000 people, there was goodwill and good behaviour as a result of the venues all working together to provide a safe, friendly environment for those patrons who wished to go to pubs and clubs across the great Tamworth electorate. I thank former Minister for Racing Troy Grant, current Minister for Racing Paul Toole, and all those who have worked on the Liquor Amendment (Reviews) Bill 2017. I thank those from the Callinan review. I thank the Australian Hotels Association and the good licensees and businesses out there for the work they do and for employing people throughout regional New South Wales.

**Mr MARK TAYLOR (Seven Hills) (18:33):** I am pleased to speak in debate on the Liquor Amendment (Reviews) Bill 2017. Its primary objective is to implement measures in the Government's liquor reform package, including improvements to the effectiveness of the three strikes disciplinary scheme for repeat serious offenders under the Liquor Act 2007 and to the minors sanctions scheme for venues that sell alcohol to those under 18. The bill also transfers responsibility for the collection, reporting and fees payable under the gaming and liquor legislation from the board of the Independent Liquor and Gaming Authority [ILGA] to the department at the request of the board.

This legislation has been introduced by the Minister for Racing—a good Minister who understands the industry and understands community. As we heard from the member for Tamworth, the Minister particularly understands communities in regional areas. The member for Tamworth eloquently outlined the difficulties faced by hardworking, honest people trying to purchase goods on the way home after a hard day's work. The Minister for Racing is a former mayor of Bathurst and was an excellent primary school teacher. He understands youth and extended families in regional communities, and he would understand the difficulties involving alcohol that some young people face.

At the forefront of liquor legislation is the offence of selling alcohol to minors. There are certainly no changes to that in this legislation—but any good government, no matter of which persuasion, would always make sure that that offence is part of liquor regulation. Much of this regulation was originally brought about as the result of some very unfortunate incidents. A number of members of the House have put those quite succinctly this evening. They talked about the violence, assaults and injuries that occurred as a result of the behaviour of people

who were acting irresponsibly, indulging in alcohol or suffering the effects of alcohol to such an extent that they committed outrageous acts against others and were brought before the courts.

Registered clubs and pubs are at the heart of the community, as has been discussed in this evening's debate. They are places of entertainment, places where food is supplied and places where communities come together. They have a long history, and it is particularly prevalent in my community of Seven Hills, which has a number of registered clubs and licensed premises. The Winston has been the heart of the Winston Hills community for some time. It is a place that provides food and quiet entertainment. It is not a place for music as such but a number of activities take place there. A number of local groups gather there, including the Hills-Kellyville Rotary Club, which has its regular meetings and Christmas function at The Winston. This meeting place is the heart of its community. At the other end of my electorate is the Seven Hills Toongabbie RSL Club, a registered club that provides a full range of entertainment, including live music and food and beverages. This establishment holds the annual Anzac Day commemorations in my electorate, and it is a fantastic organisation that does a lot of good for the community.

The bill amends the Liquor Act 2007 to improve the effectiveness of the three strikes disciplinary scheme, which is in place to encourage venues to comply with the most serious offence provisions of the liquor laws. The scheme targets venues that repeatedly disregard the law and currently allows for strikes to be incurred on the venue's liquor licence where the licensee and approved manager is convicted of a serious offence under the Liquor Act. That raises the issue of the calibre of the licensee or manager of any establishment. No establishment is any good without appropriate leadership that ensures that the premises is running correctly and according to law. An establishment must be commercially viable and also play its role in abiding by the law and providing entertainment and services to the community.

However, imposing a strike on a liquor licence means that it stays with the venue—with the bricks and mortar—including where there has been a change in management. This has resulted in unfortunate, unintended financial impacts on hotels and other privately owned licenced venues. A strike on bricks and mortar can negatively impact a venue's property value and affect any loan arrangements that are in place. Industry has raised genuine concerns on this issue with evidence from major financial providers that incurring a strike can reduce a property's value by up to 20 per cent. Financial institutions have viewed strikes very seriously and some lenders have factored this aspect into loan arrangements with venues. A strike can trigger a review, for example, that can result in the restructuring of a loan on a first strike and a breach of conditions of a loan agreement on a second or third strike, with all the significant consequences that can flow from that.

As strikes remain attached to the bricks and mortar, potential buyers can be discouraged from purchasing venues and where they do they cannot remove any strikes that were previously incurred. It is not the intent of the scheme to place undue financial stress on owners and operators of licensed venues in this way, particularly those in regional areas of our State where any downward pressure on property valuations can be far more apparent. Accordingly, the bill will remove the imposition of strikes on bricks and mortar and place them on licensees, or approved managers in the case of corporate licences. That goes to the heart of some of the amendments that this bill will make. I commend the bill to the House and I commend the Minister for his excellent work.

**Mr GREG PIPER (Lake Macquarie) (18:41):** The bill is relatively modest in size and scale and its merits have been well covered by other members. I will be supporting the bill. This is an area that is fraught and I recognise the Minister and his staff are trying to get this right and satisfy the competing interests. The public wants to have places of entertainment and the people who have invested in these significantly expensive establishments want to ensure their viability. I appreciate the Liquor Amendment (Reviews) Bill 2017 sets out to ensure an appropriate balance and a review at a later stage. I raise with the Minister—and I believe that there is an attempt to deal with it in the bill—the three strikes disciplinary scheme revisions. The present system places the onus on the actual bricks and mortar, the establishment itself. The strikes stay on that property and that can be a huge financial impost, particularly if the next strike is the third. That would have a significant impact.

That could bring about unintended consequences because new owners may wish to come into the business and take on that premises, but if it is carrying the burden of three strikes, or looking at three strikes, then it may not be an inviting proposition. That is a sensible reform. There is also some concern about transferring the strike system onto the licensee which does not allow it to be gamed in some way. There is so much at stake with the possible reduced value of a premises. The member for Seven Hills referred to a discounting of the property value by 20 per cent. It seems there would be good incentives for some people to look at perhaps paying out a licensee in a nod-and-a-wink deal, to move them on and look after them in some other way. There is provision in the bill under remedial action for three strikes as follows:

- (c) impose a condition on the licence, or any subsequent licence issued in respect of the subject premises, that a person who is disqualified under paragraph (b) must not be employed or otherwise engaged as an employee or agent of the licensee or manager of those premises,

I have not seen in the bill how that can be detected if it is going to be, to use the term, gamed. If a licensee's employment is to be terminated at the point of, say, two strikes, I would like to see an automatic referral to the Independent Liquor and Gaming Authority for a review of that circumstance. It would be noted and a flag raised to ensure that people who have very significant holdings and vested interests in protecting the licence for that site do not come to arrangements to sacrifice the employees of licensees to protect their interests. I recognise that this bill seeks to make improvements and amend the situation that has been brought about by some unintended consequences.

We need a strong pubs and registered clubs industry and there is tension in the competition from the different sides of the debate as to the operation of those premises. The reality is they are part and parcel of our culture and we need to get this right. We know that a lot of the problems came about because of unintended consequences of legislation that was brought forward more hastily than might have otherwise been wise at the time. This is all I wanted to raise with the Minister and in good faith I ask him to answer my question as to whether or not it has been well and truly considered. If he cannot provide that detail perhaps it could be taken on board for consideration at some stage. I commend the bill to the House.

**Mr PAUL TOOLE (Bathurst—Minister for Lands and Forestry, and Minister for Racing) (18:46):**

In reply: I acknowledge the contributions to debate on this bill made by the members representing the electorates of Maroubra, Summer Hill, Tweed, Myall Lakes, Newtown, Manly, Cabramatta, Tamworth, Seven Hills and Lake Macquarie and thank them. I thank the Opposition for their support for what is a very sensible bill and one that will ensure that people can still have a good time in this State and that our venues are safe. This bill is an important step to implement the Government's remaining liquor law reforms and it follows a number of changes that were implemented in December 2016 through legislation.

I will respond briefly to some of the points that were made during this debate. I turn first to the member for Newtown. I do not know what it is about The Greens. I cannot work out what they are actually on about and which side they are sitting on. They are all over the shop. Even in tonight's debate, what was being put forward was all over the shop. They condemn the Government for going too hard, and now they are condemning the Government for going too easy. This is the party that says no to a measure that has been successful in reducing violence. This is a party that is out there defending the use of illicit drugs.

**Ms Jenny Leong:** What?

**Mr PAUL TOOLE:** I say to the member for Newtown, who has presented a particularly contorted conspiracy theory to the Parliament tonight—

**TEMPORARY SPEAKER (Mr Adam Crouch):** Order! The member for Newtown has had her say.

**Mr PAUL TOOLE:** She harps away there. I am not sure what it is about small business they hate so much. These amendments are about making sensible reforms that will allow hardworking business men and women to be able to adapt and improve their premises. Yet The Greens come in here opposing those sensible reforms to this bill. I thank the member for Newtown for her lecture about what is being done in her electorate. I am delighted to inform the House and the member for Newtown that I have been to Newtown and I have spoken to some of the owners of licensed venues in the area and looked at some of the fantastic work that has been done by the Newtown Liquor Accord.

The changes made by the bill will improve the effectiveness of the three strikes disciplinary scheme and are firmly targeted at addressing unforeseen and unintended financial consequences of the current scheme for the owners of licensed venues across the State. The objective of the original provisions was to incentivise positive behaviour and to drive rogue operators out of the industry. It was never the intent of the three strikes scheme to jeopardise the ongoing operation of their businesses. Yet we have seen that the strikes can have significant and disproportionate impacts on businesses well beyond what was intended through the initial legislation.

The changes in this bill mean that strikes will be now held against a licensee rather than the venue itself. It is recognised that because of this change some business owners may simply choose to remove licensees that incur strikes, rather than making sure that appropriate changes are made to the way their businesses are run. The bill provides protections against this risk. If venues do engage in the practice of "cycling through" licensees or managers merely to avoid further sanctions action under the scheme, the authority will be able to take action to limit this practice. I emphasise that venues themselves will not be suddenly immune to the consequences of poor operation of their premises.

For licensees or managers who repeatedly commit serious breaches, a range of escalating sanctions under the scheme will remain available to impose on the venue. On top of the scheme, those who commit serious breaches face significant penalties under the liquor laws, and the licensees or staff can be fined up to \$11,000 for most of these types of breaches, including on-the-spot fines of up to \$1,100. Serious breaches also attract

additional compliance loadings under the annual liquor licence fee system, ranging from \$3,000 for the first offence up to \$9,000 after a third offence in any particular year. For the serious offence of selling liquor to minors, a licence can also be suspended or cancelled under the minors sanctions scheme.

Given it is individual licensees who will incur strikes, it is appropriate that if the Independent Liquor and Gaming Authority is satisfied that a change in behaviour has occurred over a reasonable time, a strike against an individual can be revoked rather than being against their name for three years in every case. Six months, at a minimum, provides time for licensees and managers to show they are operating responsibly and have taken proactive steps to improve their practices and reduce the risks that led to a strike. Other changes will ensure that all decisions on strikes and sanctions under the minors sanctions scheme are made by the same independent decision-maker, the Independent Liquor and Gaming Authority, whose role includes considering high-impact and contentious disciplinary matters of this nature.

Further, all decisions on strikes will now be reviewable by the NSW Civil and Administrative Tribunal. Importantly, the bill will also continue a freeze on liquor licences in Kings Cross until 1 June 2018, consistent with the CBD freeze, and will modify the freeze provisions to provide greater opportunity for existing venues to refurbish and diversify their offerings for the public. Changes to enable such development approval respond directly to impacts of the various liquor law changes, as identified in the Callinan review, by removing impediments to venues adapting to changed market conditions.

This builds on the changes already introduced by regulation, including changes to improve the viability of the live entertainment industry in the lockout zones, with exemptions to the lockout and last drink requirements already granted to 12 venues, and more under consideration, and expands the patron capacity of small venues from 60 persons to 100 persons. The bill also makes some straightforward administrative changes that, in particular, will mean fees and charges under gaming and liquor legislation become payable to the departmental secretary so the Independent Liquor and Gaming Authority can better focus its efforts rather than having to collect and report on these revenues. Together, the proposed changes will further improve the way the industry is regulated, increase business certainty and viability, and help encourage venues to provide safe environments for patrons to enjoy themselves. I commend the bill to the House.

**TEMPORARY SPEAKER (Mr Adam Crouch):** The question is that this bill be now read a second time. A division has been called for. There being fewer than five members against the question, the question is resolved in the affirmative.

**Noes, 3**

Ms J. Leong  
Mr J. Parker  
Ms T. Smith

**Motion agreed to.**

### **Third Reading**

**Mr PAUL TOOLE:** I move:

That this bill be now read a third time.

**Motion agreed to.**

## **PROTECTION OF THE ENVIRONMENT LEGISLATION MISCELLANEOUS AMENDMENTS BILL 2017**

### **Second Reading**

**Debate resumed from 10 May 2017.**

**Mr MICHAEL DALEY (Maroubra) (18:59):** I lead for the Opposition in debate on the Protection of the Environment Legislation Miscellaneous Amendments Bill 2017 on behalf of my shadow ministerial colleague the Hon. Penny Sharpe in the other place. The Opposition supports the bill. It makes a range of miscellaneous amendments to legislation relating to environment protection, in particular updating and streamlining compliance activities of the Environment Protection Authority [EPA]. The Opposition supports actions to assist the EPA to undertake its role as an independent regulator for the protection of the environment. The bill will bring EPA officers' investigative powers under the Contaminated Land Management Act 1997 into line with officers' powers under the Protection of the Environment Operations Act 1997. This is a sensible move and should result in a simplified process for the EPA to undertake investigation activities, such as evidence gathering.

The bill amends the Protection of the Environment Administration Act 1991 to repeal a number of now defunct community consultation forums established for the Hunter and Illawarra. I note the Minister's statement that these forums have not met since 2003 and that the EPA has instead established a range of specialist consultation committees in Newcastle, Rutherford, Lower and Upper Hunter, Lake Macquarie, Williamstown, Botany and Port Kembla. These committees are important engagement points with the community and provide another level of transparency for citizens regarding government action and monitoring of environmental pollutants. I note that the power to establish advisory committees is retained, as it should be. The bill also abolishes the New South Wales Council on Environment Education, which I note was discontinued in 2009. While the Opposition understands that the council was discontinued, it nevertheless had a high enough standing to be required to provide an important performance update for the State of the Environment. My colleague in the other place will have more to say about this aspect of the bill.

I note that the Minister expects to save around \$200,000 per year by replacing newspaper advertisements for notices of licence reviews with online notification. Given the digital world we live in and the Minister's statement that in the past two years the EPA has received from the public only five submissions on licence reviews, this is a reasonable change. The bill makes changes to the duration of environmental protection licences for the transport of trackable waste, being higher-risk hazardous waste. I agree with the Minister that for today's industry the current system of perpetual licensing for the transport of trackable waste is no longer appropriate, and a five-year term is sensible. It also creates a fairer system for who exits the industry. Similarly, the creation of an integrated licence that covers both the existing dangerous goods vehicle licence and the licence for the transport of trackable waste is a sensible step.

The bill will allow global positioning system devices to be attached to trailers in addition to trucks used to transport waste to that ensure rogue waste operators cannot avoid the tracking of illegal waste disposal by switching trailers from vehicle to vehicle and escaping detection. As a further modern monitoring method, the bill will enable the EPA to use drones to collect evidence of suspected offences within its jurisdiction. I note that this was introduced with the Biosecurity Act 2015, and I am sure it will become more prevalent in legislation with its increasing use by enforcement authorities over time. Supervisory licences requiring public authorities to hold a licence additional to the licensee of a putrescible waste site will be removed by the bill. The Opposition was pleased the Minister clarified that in this case the EPA oversees licensees of such facilities as a matter of course, resulting in no reduction of oversight from the current regime. The community must have confidence in the oversight of waste facilities, which was the reason given for supervisory licences at their inception.

The bill also increases the limitation periods for prosecuting groundwater pollution and repeat waste offences from one year to three years, to allow for adequate investigation. This is welcome, as investigations into groundwater offences are very complex and at times lengthy to finalise before reaching a decision to prosecute, not to mention the nature of groundwater as an underground and moving evidence base to investigate. Groundwater is also important for the provision of drinking water and any negative impact on the quality of this water should be investigated thoroughly and prosecuted fully, where appropriate. For repeat waste offenders, I note the current limitation period of one year to commence any prosecution for a repeat waste offence is shorter than the limitation period for the prescribed waste offences provided for in the legislation, which is three years. The Minister stated:

The EPA considers that the limitation period for the repeat waste offence should be aligned with the limitation period for prescribed waste offences, otherwise the additional deterrent intended by the repeat waste offence may be ineffectual.

The Opposition agrees with the Environment Protection Authority and we support this amendment, which seems more like a correction than anything else. Finally, the bill proposes to increase penalties for radiation control offences to reflect the seriousness of such offences, and the Opposition gives its full support to this change. Indeed, the consequences of such offences are very severe and all efforts should be made to deter them from occurring. The bill will transfer radiation control prosecutions currently heard in the Supreme Court to the Land and Environmental Court for consistency with prosecutions under other environmental legislation. This is a sensible transfer and I note that the Minister has indicated that the court supports these changes. I reiterate that the Labor Party supports the bill and the simple changes it makes to regulating environmental protection in New South Wales.

**Debate adjourned.**

*Private Members' Statements*

#### **TRIBUTE TO HARRIET NIXON**

**Ms KATRINA HODGKINSON (Cootamundra) (19:06):** It is an honour for members of Parliament to be able to speak in this place about people who have touched their local communities in special ways. Today I pay tribute to Miss Harriet Janet Elizabeth Nixon. Harriet's parents, Mr Ralph and Mrs Fiona Nixon, have joined

us in the Speaker's Gallery this evening, together with other family members and close friends. Harriet's sister Alicia is watching online. Harriet's passing on 29 December 2016, the result of being struck by a falling eucalyptus tree branch whilst selflessly helping out a friend in need on a hot Central Coast day, was the most shocking and heartbreaking of tragedies.

Harriet Nixon came into the world on 21 June 1995 and showed great early political promise. At the tender young age of three she was already working on her first election campaign—mine. Harriet, handing out bumper stickers and calling out with great cuteness "Vote 1 Katweena; Vote 1 Katweena", very quickly stole the hearts of many. I am sure she was the difference between me winning and losing the seat of Burrinjuck. A couple of years later Harriet once again showed her natural personal appeal and her ability to win over the public, as we were reminded at her memorial service by Dennis Mudd, OAM, talking about her as a kindergartener. I will share Dennis' words with the House because it is such a lovely story. He said:

She came with the broadest of smiles, the sunniest disposition, sparkling eyes, an inherent curiosity and a gentleness and acceptance of this new school experience. She was like a breath of fresh air through the classroom.

The year before Harriet came to school, Fiona had prepared the bouquets for medal presentation at the Olympic Games in Sydney. While she was away Ralph taught Harriet to sing the National Anthem so that when Mummy's flowers were presented to Australian Athletes she could sing along. In Kindergarten, Harriet delighted in singing the anthem to her classmates.

Dennis continued:

Harriet's teacher, Ruth Mudd, suggested that she sing for the school assembly, an audience of over a thousand. This tiny little Kindergarten child who had never used a microphone stood tall and straight and sang with gusto and was pitch perfect. When she finished, the assembly erupted in applause and everyone celebrated Harriet's courage and performance.

Emboldened by this new-found confidence, Harriet rang Ian McNamara, alias Macca, of the ABC's *Australia All Over* radio program and announced to him that she could sing the National Anthem. Her piping little voice was heard around Australia on a Sunday morning. So impressed was he that he invited Harriet to open his Drought Relief Concert at The Hills Performing Arts Centre in Sydney.

A tiny girl in a pink dress sang her heart out. Dennis said:

For the second time in a year, an auditorium erupted with applause. People in seats nearby could be heard sighing softly and whispering, "Isn't she beautiful" and "Two verses. Wasn't she brave!"

Harriet was unfazed by the experience and on returning to her seat, climbed onto her mother's lap and fell fast asleep.

Earlier this year, Macca paid tribute to Harriet on *Australia All Over*, saying that he still had a picture of the little Harriet on his desk which was taken at the drought concert back in 2003. He said, "She has a special place in our hearts and in everybody's hearts. Like everybody she came in contact with, we are bereft". Harriet excelled through school, and she clearly loved her time at Moss Vale Primary, Oxley College, and Timbertop Geelong Grammar. A true country girl, complete with intelligence, etiquette, pearls and horseriding ability, had emerged. Most recently Hat was completing an Arts Law degree at the Australian National University. It is a mark of the esteem in which Harriet was held that so many turned out to celebrate her life at multiple services.

On 6 January around 1,200 people attended the service at Oxley College in Burradoo. So many young people turned up that they had to be billeted out all around the Southern Highlands. Representatives from her educational institutions, including the Reverend Chris Welsh, Mr Charlie Scudamore and Father Wilfred Plunkett, all spoke in tribute at the Oxley service. Memorial services were held for Harriet at the Australian National University's Burgmann College where Deputy Principal Amelia Zafaftis spoke in tribute. At Timbertop Geelong Grammar School, many hundreds of distraught friends mourned the loss of this beautiful soul. Politicians past and present were in abundance at the funeral. Deputy Prime Minister Barnaby Joyce went to Harriet's bedside in the hospital after the accident and he also attended the Oxley service. Senator the Hon. Fiona Nash was distraught at the loss of her wonderful friend and intern, presiding over a prayer at Oxley and the service at Burgmann. [Extension of time]

Others in attendance included former Premier the Hon. John Fahey, along with Ministers past and present: John Barilaro, who is present in the Chamber, Niall Blair, Michael McCormack, Robert Webster, Duncan Gay, and John Sharp, and this list is not exhaustive. There were so many VIPs at these memorial services. I did try to count them at both the Oxley and Burgmann services, but I probably should not have started a list because inevitably I will have left someone out. We were all asked to wear bright colours and pearls—strictly no black. We were issued with ribbons—I am wearing one tonight—to celebrate the brightness that Harriet loved and that she brought into our lives.

Harriet Nixon joined the Young Nationals in 2015. It did not come as much of a surprise to see the beautiful Harriet become a part of the Young Nats, as being a National was probably in her DNA. Both her parents have been wonderful supporters of so many Nationals candidates and members of Parliament over very many years and Harriet's mum, Fiona, was an electorate officer for the Hon. Robert Webster in this place. Harriet had

her membership debut at the Young Nationals conference in Corowa, southern New South Wales, where she popped up in front of me with a beaming smile and a, "Hi, Katrina, it's me, Hattie". It was great to see her.

All those years at school and yet it was the same Harriet, just taller. She had the same trademark dark straight hair, big eyes and a bright smile. And like all good, radiant, talented and refined young Nats, she was quickly given a job, becoming the Southern Region Co-ordinator on the Young Nationals Executive just 12 months later. Our dear friends in the Young Nationals miss Harriet greatly. Harriet was selfless. According to her classmates, when she won the end-of-year Timbertop Prize she was upset for those who had missed out. Harriet was president of the Australian National University fundraiser Civic2Surf, helping to raise \$10,000 for Batyr. Batyr is a charity supporting social issues such as depression, suicide, sexual assault, eating disorders and bullying,—issues that are front of mind for many young people.

Doug Wyllie spoke at Burgmann of Harriet's contribution to the charity, and a Walk for Hat in Harriet's honour followed the Burgmann service. Doug described Harriet as being, "Without a doubt, the most organised, diligent, emotionally intelligent and fiercely independent leader of her age I have come across". He said, "She led from the front, but wasn't afraid to put her shoulder to the wheel and push from the rear. She was incredibly funny", and, "We've lost a friend, we've lost a champion, and we've lost a matriarch". Harriet was doing charity work, studying at university, keeping fit, working with the Young Nats and for the last two years worked two days a week with Senator Nash as an intern.

Harriet was deeply treasured by all in the Coalition Government—both staff and members of Parliament—who had met and worked with her. When Harriet was in hospital following the accident the Prime Minister rang Fiona and Ralph Nixon to offer his support and love. There is little doubt that Harriet could easily have become a member of Parliament, a Minister, a Prime Minister, or Secretary General of the United Nations. The outpouring of grief from so many people at the loss of Harriet Nixon has been intense. One of her most recent ventures was a hiking expedition to New Zealand with her great friend Sinan Brown—Sinny. Judging from the photos they had an amazing time.

Harriet was fun-loving and easy to communicate with and she had a joie de vivre unlike any other. Harriet was a fit and healthy young person with a bright mind and an enormously positive future before her. Her upbringing by such amazing, loving parents as Fiona and Ralph, and with her great mate and soul sister, Lissy, her extended family, including her wonderful grandparents, aunts and uncles, cousins, close family friends, godparents and members of the community, meant that growing up in a rural area was unquestionably wonderful. Harriet Janet Elizabeth Nixon of Moss Vale was and remains deeply loved. I ask the House to join me in saying: Rest in peace.

**Mr JOHN BARILARO (Monaro—Deputy Premier, Minister for Regional New South Wales, Minister for Skills, and Minister for Small Business) (19:15):** I echo the beautiful words spoken by the member for Cootamundra, Katrina Hodgkinson, in acknowledging Harriet Nixon. I am the member for Monaro first and foremost—before Deputy Premier—and Harriett volunteered time to support me in the campaigns in my electorate. She rallied the Young Nationals. A couple of years ago on Anzac Day I held an event at Walsh's pub in Queanbeyan. With a lot of people she supported me then in my campaign.

I had the opportunity to spend some time with Harriet at a polling booth. Sometimes one comes across a young person that one knows is destined for more. Unfortunately in this world some of God's angels are taken away far too early. Harriet left a lasting legacy and everyone who met her will remember her. She is a reflection of her family, which was clear at her funeral where family and friends expressed their grief at her passing. There was also an outcry on social media by many who knew her. She touched many people beyond our world of politics and she certainly touched politicians. It is extraordinary for the Deputy Prime Minister, the Deputy Premier and members of Parliament to be touched by such a young person; it shows that she left a lasting legacy. I extend my condolences in memory of Harriet. She will be remembered by many people.

**TEMPORARY SPEAKER (Ms Anna Watson):** I am sure all members of this House offer the family and friends of Harriet our deepest condolences and sympathies. I thank them for coming to the New South Wales Parliament this evening.

#### TRANSPORT ACCESS PROGRAM

**Mr DAVID MEHAN (The Entrance) (19:17):** Tonight I want to talk about access to railway stations in The Entrance electorate. It is a matter of public record that the Central Coast has one of the highest concentrations of people aged over 65 in New South Wales. There are more people aged over 65 than there are people aged under 15 on the Central Coast. New South Wales has an aging population, and this has played itself out on the Central Coast. As a consequence, many older constituents in my electorate have been contacting my office with concerns about access to local railway stations.

It is also important to note that The Entrance electorate has a number of local schools—Lisarow High School is one of them—located near railway stations which are heavily used by the students. The electorate is also home to the Ourimbah campus of the University of Newcastle. A bunch of students at that campus require mobility devices to get around, including a large student population who are elderly. As a consequence, access to transport—particularly at railway stations—is an important issue in my electorate. There are 14 railway stations on the Central Coast, and four of those are in The Entrance electorate. I will talk also about Tuggerah railway station which is just outside my electorate but which is used mainly by residents in The Entrance electorate. It is, after Gosford, Wyong and Woy Woy, certainly the busiest station on the Central Coast.

Only three stations on the Central Coast have easy access lifts and none of those are in The Entrance electorate. None of the railway stations in The Entrance electorate is accessible to those who require mobility devices such as wheelchairs or walking frames. Access from one platform to the other is by stairway. Tuggerah railway station has ramps for wheelchair access, but access from one platform to the other via those ramps—which is a constant complaint that is made to my office—is difficult and can be trying for many of my constituents, particularly the older citizens. I also note that none of the stations in The Entrance electorate have locations nearby that might offer easy access from one platform to the other. There are also no level crossings and no roadway bridges nearby to offer access from one platform to the other. Ourimbah has a road bridge nearby, but there is no footpath to allow people to move from Ourimbah station across to the other platform. The problem of access at railway stations in my electorate is serious. In 2012 the Government announced the Transport Access Program, which promised:

... to deliver accessible, modern, secure and integrated transport infrastructure where it is needed most.

This includes station upgrades, better interchanges, ferry wharf upgrades and commuter car parks. Further, as part of the 2015-16 budget, the New South Wales Government announced:

... a significant boost to the Transport Access Program with \$890 million to be invested over the next four years on station upgrades and more commuter car parks.

Since the Transport Access Program was launched in April 2012, more than 450 projects have been completed, or are currently under way. None of those projects is in The Entrance electorate. When I asked the Minister about how students who use wheelchairs to get around the Ourimbah university campus might access the opposite platform of that station, I was advised that they would have to go to Tuggerah or Gosford station to change platforms. When I asked about upgrades to Ourimbah railway station I was advised that it would be assessed as part of the Transport Access Program with other stations across the network. When I asked about improvements to Tuggerah station I received the same answer.

When more than 1,000 residents of Lisarow signed a petition organised by Ms Anne Love, a resident of the Orchards Retirement Village, I also received the same answer. We must do more for people on the Central Coast and we must do more for The Entrance electorate. There are opportunities to improve access now if we choose to take them. I note that the widening of the Pacific Highway at Lisarow is currently being designed. The current design does nothing to improve access to Lisarow railway station. We must do more to improve access at railway stations in my electorate. No Transport Access Program has been executed in The Entrance electorate since 2011 and it is time that access to railway stations on the Central Coast and The Entrance electorate was improved.

### RIVERSTONE SCHOFIELDS SPORTS AWARDS

**Mr KEVIN CONOLLY (Riverstone) (19:22):** On Saturday 20 May I had the privilege of attending the Riverstone Memorial Club to commemorate the Riverstone Schofields Sportsperson of the Year. That event has been hosted by the Riverstone Memorial Club for a number of years. Awards were presented in a number of categories. First up was the Club Person of the Year award, followed by the Junior Sportsperson of the Year award, the Sportsperson of the Year award, and then the Russell Magennis Award, which is a special award given at the end of the event. There was a winner for Club Person of the Year from each of the clubs involved. The winners were: Cassie-Lee O'Brien from the Riverstone Netball Club, Lee Rogers from the Riverstone Rangers Cricket Club, Denise Kegg from the Riverstone Dolphins RSL Youth Swimming Club, David Rozic from the Schofields Scorpions Baseball Club, Sara Lynch from Riverstone and Districts Little Athletics Centre, June Brown from the Schofields Netball Club, Robyn Jarvis from the Riverstone Schofields Junior Soccer Club, and Grant Burgmann from Riverstone Razorbacks Junior Rugby League Club.

Those people have contributed through volunteering their efforts as coaches, administrators, organisers and general all-round helpers to their clubs. The generosity of such club stalwarts makes sports possible for many young people in our communities. The Junior Sportsperson of the Year for 2017 was Lilly Calder from Riverstone and Districts Little Athletics, the Sportsperson of the Year was Troy Dargin from the Riverstone Razorbacks Junior Rugby League Club, and the Russell Magennis Award went to Loretta Vaughan of Huxley Netball Club.



Loretta gave 32 years of service to the club as a player, coach, committee member and all-around volunteer in just about every capacity that a club has to offer. Anybody who has been close to a netball club knows that there are many roles to be played and many jobs to be done, from scoring, catering, hosting in the canteen, and setting out and cleaning up.

People like Loretta, who have done those things for so long, have made netball accessible to people in that region. I congratulate her on the award. The Riverstone Schofields Memorial Club, which arranges this event, presents a special guest speaker each year. This year it was Paralympian Erik Horrie. Erik is a former Australian wheelchair basketball player and now an Australian Paralympic rower. He was a member of the Australian international wheelchair basketball team and switched to rowing in 2011. He made an immediate impact in his new sport, first winning the New South Wales State Rowing Championships and then the National Rowing Championships in Adelaide. He won a silver medal at the 2012 Paralympics and gold medals at the 2013, 2014 and 2015 World Rowing Championships. In 2016 he represented Australia at the Rio Paralympics and won silver.

Erik was born in New Zealand. At the age of seven he was made a ward of the State due to domestic violence in his home. He spent much of his childhood in foster care. After that difficult beginning in life, he was just establishing himself when in 2001 he was in a motor vehicle accident that left him a paraplegic. One might imagine that sort of sequence of events would crush some people's spirits and make life very difficult, but Erik is a wonderful inspiration. As a person, he is dynamic, energetic and practical. It was very encouraging to hear his simple practical message for others. He said, "I want to help underprivileged kids because I can relate to what they may be going through. I am not saying I understand, but hopefully I can use my experiences to show them that they have a choice."

And Erik certainly did show that he had a choice in life and he chose to make the best of what he had: to take the opportunities that came to him and give it his best shot. All power to him. He has done magnificently well in sport and in life. He and his wife, Michelle, have three children. They are a very close and loving family. His story is a positive one of what somebody can do when they choose the best in front of them regardless of their circumstances. I congratulate the Riverstone Schofields Memorial Club on hosting the Sportsperson of the Year Awards again this year. I congratulate the club for supporting young people in its district.

## WALLARAH 2 COALMINE

**Mr DAVID HARRIS (Wyang) (19:27):** Tonight I ask when enough is enough. Yesterday afternoon the Planning Assessment Commission released its latest report into the application to build a longwall coalmine, known as Wallarah 2, under the Central Coast water catchment area. The project has been in the pipeline for around 20 years. BHP Billiton sold it to the current proponents, headed by the Korea Resources Corporation [KORES], which has tried for well over 11 years to get final approval for the project. In 2011 the then Labor Government rejected the application that was put to it because of the precautionary principle of the effect of subsidence and the loss of water from the catchment. As we all know from history, then Opposition leader Barry O'Farrell and every Liberal candidate on the Central Coast wore nice red T-shirts that read "Water not Coal" and made a hand-on-heart declaration to the community that they would not let the mine go ahead. In fact, they would introduce legislation to stop it if necessary. I acknowledge that the member for Lake Macquarie, who is in the Chamber, has fought for a long time against this mine.

**Mr Greg Piper:** Everything he says is right.

**Mr DAVID HARRIS:** I acknowledge his comment. On the pretence of the proposed refusal by the Liberal-Nationals they were elected to government and I lost my seat over it. Unfortunately for the community the O'Farrell Government did not keep its promise but allowed the company to submit a new application that has been in the Planning and Assessment Commission process in 2014 and again earlier this year in 2017. In the report released by the commission yesterday it found concerns and questions about water loss to the catchment and the claimed economic value back to the State and the community. Earlier I asked: When is enough enough? For how long does a community have to fight against a proposal where the proponents are allowed to continue to lodge submission after submission? Labor rejected the proposal in 2011 and the community has to repeat its objections over and over. The commission issued a fact sheet, which states:

The Planning Assessment Commission (the Commission) finds the effective resolution of the water related concerns within the catchment over the life of the project remains one of the most significant determinants of the merit of the Wallarah 2 Coal Project.

The commission suggests that the company look at whether it can meet the recommendations that were handed down in 2014. The commission continues:

These recommendations must be maintained for the project to meet the public interest test of section 79C of the *Environmental Planning and Assessment Act 1979*, otherwise a precautionary approach should be adopted.

At the public meeting I congratulated Barry O'Farrell when he made his commitment. I said to him, "I'll back you all the way." This Liberal-Nationals Government should keep his commitment. The commission has given it an out by saying, "Otherwise a precautionary approach should be adopted", and that approach is, "Say no". When the Government carried out an independent assessment of the economic value it found that the company and the independent assessor were wide apart in relation to the claimed benefits for the community. In fact, those benefits do not really exist. I call on the Minister to act on this report and finally say no. The Opposition is not against mining overall—for example, Mandalong and many other places—but mining should not be carried out in a water catchment area.

### **CURL CURL LAGOON**

**Mr JAMES GRIFFIN (Manly) (19:32):** I refer to the important matter of the protection, rehabilitation and promotion of the Curl Curl Lagoon. As I said in my inaugural speech in this place:

Manly's environment is one of our single greatest assets and is something that I will promote and protect.

Unfortunately, the Curl Curl Lagoon is a far cry from its pre-1950s state. Curl Curl Lagoon is surrounded by playing fields and is a stone's throw for Curl Curl Beach. Formerly a pristine waterway, it holds significant ecological importance for the local area. The mismanagement of the site has made the lagoon a shell of what is once was. However, there is hope. Formerly wetlands, remarkably the lagoon saw decades of use as a tip. The lagoon is still feeling the impacts of this today—a gross pollutant trap installed upstream has prevented much of the refuse from entering the lagoon, but the area is still scarred by the damage of decades past. It is my hope that this place recognises the remediation work that still needs to be done at Curl Curl Lagoon and I ask the Government to work with me and my local community for an outcome that will restore the lagoon to its rightful state.

So much good work has already been done at the site, and I thank the Northern Beaches Council for its grant for significant bush regeneration both at Curl Curl Lagoon and adjoining Greendale Creek totalling \$25,000. The council has a fantastic schedule of works to clean up the lagoon over the next 18 months. I hope that by working with the Northern Beaches Council, we can together identify more funding that can be set aside to undertake the difficult work needed to help remediate the lagoon. I must single out the great work done by the Curl Curl Lagoon Friends. The important work they do in protecting Curl Curl Lagoon for the local community should be recognised.

Since the 1980s they have been at the forefront of both the protection and regeneration of local flora and fauna. I had the opportunity to meet members of this group and the wider community last week at the lagoon. They shared with me not only their great love for the site but also some of their fears relating to a possible tower development in the nearby parkland, which I stand with them in opposing. When I say "nearby", I mean on the site of the park and a matter of metres from the lagoon. The proposed tower is also near a school. I met with the principal of the school, who shares the community concerns about the proposed tower. I urge the proponents of the application to reconsider this site. Thankfully, Curl Curl Lagoon Friends have high hopes that one day the final stage of a long awaited rehabilitation can be undertaken and the lagoon restored.

The Curl Curl Lagoon Friends were successful in adopting a rehabilitation plan for the site, and finishing three of the four stages. I recognise that the final stage is the most difficult. It involves the large-scale dredging of the lagoon that will not only remove much of the lagoon-floor sediment that has built up over many years but also create a more permanent pond that can support greater fish, bird and plant life. In addition, work to create a viewing platform at Curl Curl Beach so that the fragile dune system is not further compromised must be undertaken.

We know that if we transform the lagoon there will be long-lasting community benefits in what is already a community hub of parklands and sporting fields. I am hopeful that one day we will have a waterway fit for residents, visitors and their families who want to share and experience this great location. Curl Curl Lagoon does not need more development; it needs more care and rehabilitation to ensure it improves from its current state. I commend the work of the local residents and Curl Curl Lagoon Friends to the House.

### **SUTHERLAND SHIRE COUNCIL RATES**

**Ms MELANIE GIBBONS (Holsworthy) (19:35):** Today I speak out against a proposed rate increases in Sutherland shire, which Labor Party councillors supported at a recent meeting of Sutherland Shire Council. The councillors on the night had four options to consider. Unsurprisingly, Labor councillors moved a motion to send the budget to community consultation, with option two as their preferred plan for economic management for the shire. This decision means that the version of the budget currently being assessed by the public has a special variation rate increase of 5.5 per cent each year for three years from 2018-19 to 2020-21. As reported in the *Sutherland Shire Leader*:

The compounding nature of the increases, together with forecasts for the rate-pegging figure to return to about three per cent, would see rates being about 25 per cent higher by 2020-21.

To put this into plain terms, residents in Sutherland shire who are now paying \$1,800 per annum could be paying upwards of \$2,250 per annum at the end of this four-year period. That is \$450 a year that cannot be spent on the family home to pay off the mortgage, cannot be spent on dance lessons or sports fees, and cannot be spent on other costs—such as water or electricity bills—because of Labor. To say I am surprised Labor opted to go with the option to increase rates would be a lie. This is typical Labor—it gets into power by promising the world and with negative campaigns. But once it has the power, it is not interested in making the hard decisions. Instead, it takes the quick option and raises taxes and, in this instance, rates for families, pensioners and young people who are just trying to get ahead.

When I served on this council, Labor introduced a 6.5 per cent special rate, which was only removed when the Liberals came back into power. Labor has not changed. Whether old Labor, or new, they are all the same. Our new Labor councillors including a former Senator, former State member of Parliament and a national Young Labor president apparently cannot wait to tax our residents—this is what happens when Labor takes control. It seems to be the only way it knows. But you do not build a successful community by taxing those who are just trying to get ahead, and I hope that the residents of the shire continue to speak out against Labor's proposed rate increases.

What is most worrying and upsetting about this decision is that hardly any time was spent on the council floor debating it. In fact, I do not know they even knew it was in their business papers. It is bad either way. Either they knew they wanted to slug the residents with a 25 per cent rate rise or they were lazy and unprepared. Surely this is not what the people voted for. It gets worse. Labor councillors were happy to spend 90 minutes condemning a member of this House for standing up for her community. They made sure to move it to the beginning of the meeting to ensure an audience for a little bit of grandstanding or, really, just to waste everybody's night. They were outraged at what had been said about them in this Chamber, without mentioning that a council colleague of theirs, former member for Miranda Barry "the King of Coward's Castle" Collier, made numerous negative and unfounded speeches about the previous council.

**Mr Paul Lynch:** Point of order: The comments about rate increases are entirely legitimate and not outside the range of what can be discussed, but a personal attack upon a former member of this House is outside the scope of private members' statements.

**TEMPORARY SPEAKER (Ms Anna Watson):** Order! I uphold the point of order. The member for Holsworthy will return to the topic of rate increases in the Sutherland shire.

**Ms MELANIE GIBBONS:** I understand. We all know Barry has a glass jaw. If they truly cared about preserving council's integrity, where was the condemnation of Councillor Collier for his previous speeches in this Chamber and why did they not self-refer to the Independent Commission Against Corruption as previous councillors had done? We had to cop his attacks, but they had the hide to move a motion to clear themselves of any corruption and wrongdoing—something I find ridiculous. It is as if someone were to commit a crime, sit on their own jury and then act as their own judge. It is completely ridiculous. I shook my head at the fact that these councillors could spend only 10 minutes on an issue as important and complicated as the budget while wasting 90 minutes trying to make themselves look less distasteful. Obviously, political pointscoring is more important to these Labor councillors than ensuring proper management of a budget that will administer close to \$1 billion in revenue over the coming four years.

I know that some Labor councillors have been out in the community stating that the budget is not confirmed and is only out on public consultation. I ask these councillors why they chose this option. Was it to scare the public, was it because they took their eye off the ball arguing about condemning a member of this House or, more realistically, was it because a 25 per cent rate increase is actually the option they want? Either way, all of these reasons are wrong and provoke undue concern within our community. The residents of the shire can be assured that I and my Liberal colleagues stand with them and we will work hard to ensure that this decision is not implemented.

#### TRIBUTE TO SENIOR CONSTABLE DOUGLAS EATON

**Mr GREG PIPER (Lake Macquarie) (19:42):** Each September we pause to remember and pay tribute to the police men and women who have been killed on duty while serving to protect our local communities. Since the inception of Police Remembrance Day 254 members of the NSW Police Force have died on the front line protecting our values and our way of life. I recently had the privilege of attending a ceremony at Toronto Country Club where a plaque was unveiled to commemorate the fortieth anniversary of an event that still holds strong in the memories of many in my community.

Late in the evening of 30 April 1977 Senior Constable Doug Eaton and Senior Constable Edward Gill were called to a silent intruder alarm at the country club that is located in a quiet and isolated part of Kilaben Bay. While they were making external checks of the building they were ambushed by three armed men who had broken into the club. Senior Constable Eaton was killed by one of the gunmen and Senior Constable Gill was seriously wounded. The club was an old fibro clubhouse that had been popular with the locals, but its isolated location had made it a regular target for thieves. On this night 41-year-old Nikola Glesic and his sons Wally and Danny had broken into the clubhouse and were about to leave with a few bottles of scotch, a bottle of wine and a few bags of potato chips when the senior constables arrived. They fired at the officers from nearby bushland.

Senior Constable Eaton was just 36 years old when he died, leaving behind his wife, Judy, and young children Sharon and Michael. Senior Constable Gill later recovered from serious wounds. What followed was an extraordinary show of community strength, yet more grief was to come. Three days later, in a bitter irony, Cessnock officers Senior Constable Alan Thompson and Senior Constable Ray Scorer were killed in a car accident while returning to their station after the funeral of their colleague. Senior Constable Eaton was very well known and highly regarded in the area, having lived and served locally for the previous 13 years. The community, shocked and angry, established a memorial appeal for the Eaton children.

Sergeant Joe Hinton, who ran Toronto police station at the time, said he had never seen anything like it. He recalled people streaming into the station to donate whatever they could afford to make sure the Eaton children were able to continue with their education. He recalled, "One chap who had been arrested and charged by Senior Constable Eaton weeks prior sent a card to the station expressing his sadness at Doug's death and saying how courteous Doug had been the night he was charged. He also sent a \$50 donation." About \$24,000 was raised in the area, while a further \$27,000 was sent from all over Australia to police headquarters in Sydney. It was an extraordinary gesture.

"He was a special type of fellow, and an outstanding policeman, exemplary husband, father and community man," Sergeant Hinton said. Those qualities live on through his wife, Judy, and through Sharon and Michael. Michael is now a police sergeant working general duties in the Coffs-Clarence Local Area Command. I have known Judy for many years now. She is a stalwart member of Morisset Lions Club and is involved in many community activities. She is held in very high esteem by those who know her but without doubt she still carries the scars of that horrible night 40 years ago. I am certain Doug would be very proud of his wife and children.

Senior Constable Eaton was posthumously recognised with a Queen's Police Medal. Last month's commemoration included the unveiling of a plaque at Toronto Country Club which will forever preserve his memory, as well as his dedication to the local community. The service was organised by local area commander Superintendent Brett Greentree, who was joined by the Acting Deputy Commissioner of Field Operations for the NSW Police Force, Jeff Loy, and most significantly the Minister for Police, Troy Grant, who is in the Chamber this evening. I should also point out that the Minister joined me at Morisset late last year to open a new police station in my electorate. He will be back in the electorate in the coming weeks to officially open the new station at Toronto, which includes a training room that will be named in honour of Senior Constable Doug Eaton.

The Minister is always welcome in the electorate of Lake Macquarie, and I thank him for his and the Government's interest in providing better facilities and general support for our police in Lake Macquarie. Police work is all too often dangerous, and protecting our community requires constant vigilance. While I acknowledge senior constables Eaton, Gill, Thompson and Scorer today, I also acknowledge all those men and women who serve every day to keep our communities safe.

**Mr TROY GRANT (Dubbo—Minister for Police, and Minister for Emergency Services) (19:47):** On behalf of the Government, I thank the member for Lake Macquarie for his tribute to Senior Constable Douglas Eaton, for recognising the ceremony that took place recently and in particular for his acknowledgement of Mrs Judy Eaton, who is a fabulous woman by all measures. She has been instrumental in forging how NSW Police Legacy looks after families who lose officers in the line of duty. At the time of her husband's death she received no support other than the extraordinary generosity of the community and the State to which the member referred. Judy has been a community champion and has been instrumental in the ongoing support and success of many other police widows, families and legatees. I thank the member for Lake Macquarie for bringing this to the attention of the House and I acknowledge Judy Eaton's ongoing contribution. I also pay tribute to all police officers. Vale Senior Constable Douglas Eaton.

**The House adjourned, pursuant to standing and sessional orders, at 19:48 until  
Wednesday 24 May 2017 at 10:00.**